

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

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

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

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1285

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 6-3.5-4-5, AS AMENDED BY P.L.178-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 5. (a) The adopting entity may, subject to the limitations imposed by subsection (b), adopt an ordinance to increase or decrease the surtax rate or amount. The new surtax rate or amount must be within the range of rates or amounts prescribed by section 2 of this chapter. A new rate or amount that is established by an ordinance that is adopted after December 31 but on or before September 1 of the following year applies to vehicles registered after December 31 of the year in which the ordinance to change the rate or amount is adopted. A new rate or amount that is established by an ordinance that is adopted after September 1 but before January 1 of the following year applies to vehicles registered after December 31 of the year following the year in which the ordinance is adopted. **However, in the first year the surtax rate or amount is effective, the surtax rate or amount does not apply to the registration of a vehicle for the registration year that commenced in the calendar year preceding the year the surtax rate or amount is first effective.**

(b) The adopting entity may not adopt an ordinance to decrease the surtax rate or amount under this section if:

(1) any portion of a loan obtained by the county under IC 8-14-8

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is unpaid; or

(2) any bonds issued by the county under IC 8-14-9 are outstanding.

SECTION 2. IC 6-3.5-4-9, AS AMENDED BY P.L.149-2015, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 9. ~~On or before the tenth day of the month following the month in which surtax is collected;~~ **Not more than twenty-one (21) days after collecting the surtax,** the bureau shall remit the surtax to the county treasurer of the county that imposed the surtax. Concurrently with the remittance, the bureau shall file a surtax collections report prepared on forms prescribed by the state board of accounts with the county treasurer and the county auditor.

SECTION 3. IC 6-3.5-5-7, AS AMENDED BY P.L.218-2017, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 7. (a) The adopting entity may, subject to the limitations imposed by subsection (b), adopt an ordinance to increase or decrease the wheel tax rates. The new wheel tax rates must be within the range of rates prescribed by section 2 of this chapter. New rates that are established by an ordinance that is adopted after December 31 but on or before September 1 of the following year apply to vehicles registered after December 31 of the year in which the ordinance to change the rates is adopted. New rates that are established by an ordinance that is adopted after September 1 but before January 1 of the following year apply to motor vehicles registered after December 31 of the year following the year in which the ordinance is adopted. **However, in the first year the wheel tax rates are effective, the wheel tax rates do not apply to the registration of a vehicle for the registration year that commenced in the calendar year preceding the year the wheel tax rates are first effective.**

(b) The adopting entity may not adopt an ordinance to decrease the wheel tax ~~rate~~ **rates** under this section if:

(1) any portion of a loan obtained by the county under IC 8-14-8 is unpaid; or

(2) any bonds issued by the county under IC 8-14-9 are outstanding.

SECTION 4. IC 6-3.5-5-11, AS AMENDED BY P.L.149-2015, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 11. ~~On or before the tenth day of the month following the month in which wheel tax is collected;~~ **Not more than twenty-one (21) days after collecting the wheel tax,** the bureau of motor vehicles shall remit the wheel tax to the county treasurer of the county that imposed the wheel tax. Concurrently with the remittance,



the bureau shall file a wheel tax collections report prepared on forms prescribed by the state board of accounts with the county treasurer and the county auditor.

SECTION 5. IC 6-3.5-10-5, AS AMENDED BY P.L.218-2017, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 5. The fiscal body of an adopting municipality may adopt an ordinance to increase or decrease the surtax amount. The new surtax amount must be within the range of amounts prescribed by section 2 of this chapter. A new amount that is established by an ordinance that is adopted after December 31 but on or before September 1 of the following year applies to motor vehicles registered after December 31 of the year in which the ordinance to change the amount is adopted. A new amount that is established by an ordinance that is adopted after September 1 but before January 1 of the following year applies to motor vehicles registered after December 31 of the year following the year in which the ordinance is adopted. **However, in the first year the surtax amount is effective, the surtax amount does not apply to the registration of a vehicle for the registration year that commenced in the calendar year preceding the year the surtax amount is first effective.**

SECTION 6. IC 6-3.5-10-9, AS ADDED BY P.L.146-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 9. ~~On or before the tenth day of the month following the month in which the surtax is collected;~~ **Not more than twenty-one (21) days after collecting the surtax,** the bureau of motor vehicles shall remit the surtax to the fiscal officer of the adopting municipality that imposed the surtax. Concurrently with the remittance, the bureau of motor vehicles shall file a surtax collections report prepared on forms prescribed by the state board of accounts with the fiscal officer of the adopting municipality.

SECTION 7. IC 6-3.5-11-7, AS AMENDED BY P.L.218-2017, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 7. The fiscal body of an adopting municipality may adopt an ordinance to increase or decrease the wheel tax rates. The new wheel tax rates must be within the range of rates prescribed by section 2 of this chapter. New rates that are established by an ordinance that is adopted after December 31 but on or before September 1 of the following year apply to vehicles registered after December 31 of the year in which the ordinance to change the rates is adopted. New rates that are established by an ordinance that is adopted after September 1 but before January 1 of the following year apply to motor vehicles registered after December 31 of the year following the



year in which the ordinance is adopted. **However, in the first year the wheel tax rates are effective, the wheel tax rates do not apply to the registration of a vehicle for the registration year that commenced in the calendar year preceding the year the wheel tax rates are first effective.**

SECTION 8. IC 6-3.5-11-12, AS ADDED BY P.L.146-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 12. ~~On or before the tenth day of the month following the month in which the wheel tax is collected;~~ **Not more than twenty-one (21) days after collecting the wheel tax,** the bureau of motor vehicles shall remit the wheel tax to the fiscal officer of the adopting municipality that imposed the wheel tax. Concurrently with the remittance, the bureau shall file a wheel tax collections report prepared on forms prescribed by the state board of accounts with the fiscal officer of the adopting municipality.

SECTION 9. IC 9-13-2-25.8 IS REPEALED [EFFECTIVE JANUARY 1, 2022]. Sec. 25.8: "Class A motor driven cycle" means a motor vehicle that:

- (1) has a seat or saddle for the use of the rider;
- (2) is designed to travel on not more than three (3) wheels in contact with the ground;
- (3) complies with applicable motor vehicle equipment requirements under IC 9-19 and 49 CFR 571; and
- (4) is registered as a Class A motor driven cycle under IC 9-18 (before its expiration) or IC 9-18.1.

The term does not include an electric personal assistive mobility device or an electric bicycle.

SECTION 10. IC 9-13-2-26.5 IS REPEALED [EFFECTIVE JANUARY 1, 2022]. Sec. 26.5: "Class B motor driven cycle" means a motor vehicle that:

- (1) has a seat or saddle for the use of the rider;
- (2) is designed to travel on not more than three (3) wheels in contact with the ground;
- (3) complies with applicable motor vehicle equipment requirements under IC 9-19 and 49 CFR 571;
- (4) has a cylinder capacity not exceeding fifty (50) cubic centimeters; and
- (5) is registered as a Class B motor driven cycle under IC 9-18 (before its expiration) or IC 9-18.1.

The term does not include an electric personal assistive mobility device or an electric bicycle.

SECTION 11. IC 9-13-2-39.7, AS AMENDED BY P.L.120-2020,

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SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: 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.

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

(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 12. IC 9-13-2-104.1, AS AMENDED BY P.L.206-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 104.1. "Motor driven cycle" refers to both of the following:

- (1) A Class A motor driven cycle.
- (2) A Class B motor driven cycle.

means a motor vehicle that:

- (1) has a seat or saddle for the use of the rider;
- (2) is designated to travel on not more than three (3) wheels in contact with the ground;
- (3) complies with the applicable motor vehicle equipment requirements under IC 9-19 and 49 CFR 571;
- (4) has a cylinder capacity not exceeding fifty (50) cubic centimeters; and
- (5) is registered as a motor driven cycle under IC 9-18.1.

The term does not include an electric bicycle.

SECTION 13. IC 9-14-9-7, AS ADDED BY P.L.198-2016, SECTION 189, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 7. IC 34-13-3 applies to a claim or suit in tort against any of the following:

- (1) A member of the commission board.



(2) An employee of the commission.

(3) The commission.

SECTION 14. IC 9-14-11-9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JANUARY 1, 2022]: **Sec. 9. (a) The bureau may contract with a physician licensed to practice medicine in Indiana to assist in the administration of Indiana driver licensing laws under section 5(3) of this chapter.**

(b) Sections 7 and 8 of this chapter apply to a physician contracted under this section.

(c) A physician contracted under this section is not a member of the board.

SECTION 15. IC 9-14.1-2-5, AS ADDED BY P.L.198-2016, SECTION 195, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 5. (a) This section does not apply to a license branch in a county if there are no precincts in the county in which an election is held on election day.**

(b) On each general, municipal, primary, and special election day (as defined in IC 3-5-2-18), all license branches that provide state identification cards must remain open from 6:00 a.m., local time, to 6:00 p.m., local time, solely for the purpose of with priority given to issuing driver's licenses and state identification cards under IC 9-24.

(c) On the day before each general, municipal, primary, and special election day (as defined in IC 3-5-2-18), all license branches that provide state identification cards must remain open from 8:30 a.m., local time, to 8:00 p.m., local time, solely for the purpose of with priority given to issuing driver's licenses and state identification cards under IC 9-24.

(d) The commission shall:

- (1) designate another day as time off; or**
- (2) authorize overtime pay;**

for license branch personnel required to work on an election day.

SECTION 16. IC 9-18.1-3-7, AS ADDED BY P.L.198-2016, SECTION 326, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 7. (a) Upon receiving notice, as described in IC 9-21-3.5-10(c), of the failure of an owner of a vehicle to pay a fine, charge, or other assessment for a toll violation documented under IC 9-21-3.5-12, the bureau shall withhold the annual registration of the vehicle that was used in the commission of the toll violation until the owner pays the fine, charge, or other assessment, plus any applicable fees, to**

(+) the bureau; or

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(2) the appropriate authority under IC 9-21-3.5 that is responsible for the collection of fines, charges, or other assessments for toll violations under IC 9-21-3.5.

~~If the owner pays the fine, charge, or assessment, plus any applicable fees, to the bureau as described in subdivision (1); the bureau shall remit the appropriate amount to the appropriate authority under IC 9-21-3.5 that is responsible for the collection of fines, charges, assessments, or fees for toll violations under IC 9-21-3.5.~~

(b) Upon receiving notice, as described in IC 9-21-3.5-15(d), of the failure of an owner of a vehicle to pay a fine, charge, or other assessment for a toll violation documented under IC 9-21-3.5-12 or IC 9-21-3.5-14, the bureau shall withhold the annual registration of the vehicle that was used in the commission of the toll violation until the owner pays the fine, charge, or other assessment, plus any applicable fees, to:

- (1) the operator of the private toll facility; or
- (2) a person designated by the operator of the private toll facility to collect fines, charges, or other assessments for toll violations under IC 9-21-3.5;

as applicable. The bureau may impose a fee to reinstate an annual registration that was withheld under this subsection.

SECTION 17. IC 9-18.1-4-4, AS AMENDED BY P.L.164-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 4. (a) License plates ~~including temporary license plates~~; shall be displayed **on a vehicle** as follows:

- (1) For a tractor, a dump truck, or a truck with a rear-mounted forklift or a mechanism to carry a rear-mounted forklift or implement, upon the front of the vehicle.
- (2) **Except as provided in subsections (c) and (d)**, for every other vehicle, upon the rear of the vehicle.

(b) A license plate shall be:

- (1) securely fastened, in a horizontal and upright position that displays the registration expiration year in the upper right corner, to the vehicle for which the plate is issued:
 - (A) to prevent the license plate from swinging;
 - (B) at a height of at least twelve (12) inches from the ground, measuring from the bottom of the license plate; and
 - (C) in a place and position that are clearly visible;
- (2) maintained free from foreign materials and in a condition to be clearly legible; and
- (3) not obstructed or obscured by tires, bumpers, accessories, or other opaque objects.

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(c) **Subject to subsection (b)**, an interim license plate issued or used by a dealer licensed under IC 9-32 or used by a manufacturer must be displayed:

- (1) in the manner required under subsection (a) for the type of vehicle on which the interim license plate is displayed; or
- (2) in a location on the left side of a window that is:
 - (A) facing the rear of the motor vehicle; and
 - (B) clearly visible and unobstructed.

A plate displayed under subdivision (2) must be affixed to the window of the motor vehicle.

(d) A temporary license plate issued by the bureau must be displayed in the same manner as an interim license plate under subsection (c).

~~(d)~~ (e) Upon the renewal of a registration under this article, a license plate other than a temporary license plate must display a renewal sticker:

- (1) that is securely affixed in the upper right corner of the license plate; and
- (2) that covers the previous registration expiration year.

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

SECTION 18. IC 9-18.1-11-8, AS AMENDED BY P.L.108-2019, SECTION 177, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 8. (a) If a license plate or other proof of registration is ~~lost or~~ stolen, the person in whose name the license plate or other proof of registration was issued shall notify:

- (1) the Indiana law enforcement agency that has jurisdiction where the ~~loss or~~ theft occurred; or
- (2) the law enforcement agency that has jurisdiction over the address listed on the registration for the vehicle for which the license plate or other proof of registration was issued;

that the original license plate or other proof of registration has been ~~lost or~~ stolen.

(b) A person may apply to the bureau to replace a license plate or other proof of registration that is lost, stolen, destroyed, or damaged. The bureau shall issue a duplicate or replacement license plate or other proof of registration after the person does the following:

- (1) Pays a fee of nine dollars and fifty cents (\$9.50). The fee shall be distributed as follows:
 - (A) Twenty-five cents (\$0.25) to the state construction fund.
 - (B) Fifty cents (\$0.50) to the state motor vehicle technology fund.

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(C) One dollar (\$1) to the crossroads 2000 fund.

(D) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.

(E) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

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

However, the bureau may waive the fee under this subsection for a duplicate certificate of registration that is processed on the Internet web site of the bureau.

(2) If the proof of registration was lost or stolen, provides proof of compliance with subsection (a) in a manner and form prescribed by the bureau.

(c) A replacement proof of registration must be kept or displayed in the same manner as the original proof of registration.

SECTION 19. IC 9-18.1-12-3, AS AMENDED BY P.L.108-2019, SECTION 181, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 3. (a) A person that owns a vehicle may apply to the bureau for a temporary delivery permit to operate the vehicle without obtaining a certificate of title or registration for the vehicle as set forth in subsection (b). The bureau shall issue the person a temporary delivery permit after the person does the following:

(1) Provides proof of financial responsibility in effect with respect to the vehicle in the amounts specified under this article in the form required by the bureau.

(2) Pays a fee of eighteen dollars (\$18). The fee shall be distributed as follows:

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

(B) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(C) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

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

(E) Any remaining amount to the motor vehicle highway account.

(b) A temporary delivery permit issued under subsection (a) is valid for a period of ninety-six (96) hours beginning with the time of issuance and authorizes the person or the person's agent or employee to operate the vehicle upon a highway for the purpose of delivering, or having delivered, the vehicle to any of the following locations:

(1) A place of storage, including the person's residence or place of business.

(2) An inspection station for purposes of emissions testing under



IC 13-17-5-5.1(b).

(3) A license branch or a location operated by a full service provider (as defined in IC 9-14.1-1-2) or a partial services provider (as defined in IC 9-14.1-1-3) to register the vehicle under this article.

(c) A temporary delivery permit must be displayed on a vehicle in a manner determined by the bureau.

~~(e)~~ **(d)** A person that uses a temporary permit:

- (1) for a period greater than ninety-six (96) hours; or
- (2) for a purpose not specified in subsection (b);

commits a Class C infraction.

SECTION 20. IC 9-18.1-14-7, AS AMENDED BY P.L.108-2019, SECTION 183, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 7. (a) If a certificate of registration or decal issued for an off-road vehicle or a snowmobile that is registered under this chapter is lost, stolen, destroyed, or damaged, the owner of the off-road vehicle or snowmobile may apply to the bureau for a replacement certificate of registration or decal. If the certificate of registration or decal is ~~lost or~~ stolen, the owner shall provide notice of the ~~loss or~~ theft to a law enforcement agency with jurisdiction over:

- (1) the site of the ~~loss or~~ theft; or
- (2) the address listed on the certificate of registration.

(b) The bureau shall issue a replacement certificate of registration or decal to the owner of an off-road vehicle or a snowmobile after the owner:

- (1) pays a fee of nine dollars and fifty cents (\$9.50); and
- (2) provides notice as required under subsection (a), if applicable.

(c) The fee imposed under subsection (b) shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state construction fund.
- (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (3) One dollar (\$1) to the crossroads 2000 fund.
- (4) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.
- (5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (6) Five dollars (\$5) to the commission fund.

(d) A replacement certificate of registration or decal issued under this section must be attached and displayed in the same manner as the original certificate of registration or decal.

SECTION 21. IC 9-18.1-14.5-8, AS ADDED BY P.L.164-2020,

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SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 8. (a) A watercraft becomes subject to registration under this chapter:

- (1) on the date the watercraft is acquired; or
- (2) not later than sixty (60) days after a person who owns the watercraft becomes an Indiana resident.**

(b) Upon becoming subject to registration under this chapter, a watercraft must be registered for a period that is not:

- (1) less than three (3) months; or
- (2) greater than twenty-four (24) months.

(c) A registration under this article may be renewed:

- (1) for a watercraft with an unexpired registration, for a period of twelve (12) months from the date on which the registration will expire; or
- (2) for a watercraft with an expired registration, for a period of not:

- (A) less than three (3) months; or
- (B) greater than twenty-four (24) months.

(d) Subject to subsection (b), and except as provided for in subsection (h), the registration year for a registration, other than a renewal described in subsection (c), begins on the date on which the watercraft becomes subject to registration as determined under subsection (a) and ends on the following date selected by the person registering the watercraft:

- (1) The date on which the watercraft registration expires, as determined under the schedule established under IC 9-18.1-11-1.
- (2) Twelve (12) months after the date described in subdivision (1).

(e) If a person sells or otherwise disposes of a watercraft:

- (1) the certificate of registration and proof of registration for the watercraft are canceled; and
- (2) except as provided in IC 9-33-3, the person is not entitled to a refund of any unused part of a fee paid by the person under this chapter.

(f) If the watercraft is transferred or sold, the person shall provide ownership documents at the time of delivering the watercraft.

(g) A person that acquires a watercraft that is registered under this chapter must apply to the bureau under this chapter to register the watercraft.

(h) A watercraft registered under this chapter remains subject to continuous registration under this chapter until:

- (1) the watercraft is sold or otherwise disposed of; or

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(2) the person that registered the watercraft becomes a nonresident.

SECTION 22. IC 9-18.1-14.5-10, AS ADDED BY P.L.164-2020, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 10. (a) The bureau shall collect an administrative penalty of fifteen dollars (\$15) from the following:

(1) A person that fails to:

(A) register; or

(B) provide full payment for the registration of; a watercraft within forty-five (45) days after the date on which the watercraft becomes subject to registration **under section 8(a)(1) of this chapter.**

(2) A person that fails to:

(A) renew; or

(B) provide full payment for the renewal of; the registration of a watercraft by the date on which the registration expires.

(3) A person who:

(A) owns a watercraft;

(B) becomes an Indiana resident; and

(C) fails to register or provide full payment of the registration of the watercraft within sixty (60) days after the person becomes an Indiana resident.

(b) An administrative penalty collected under subsection (a) shall be deposited in the commission fund.

(c) A person described in subsection (a) commits a Class C infraction.

SECTION 23. IC 9-18.1-14.5-11, AS ADDED BY P.L.164-2020, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 11. (a) If a certificate of registration or decal issued for a watercraft that is registered under this chapter is lost, stolen, destroyed, or damaged, the owner of the watercraft may apply to the bureau for a replacement certificate of registration or decal. If the certificate of registration or decal is ~~lost or~~ stolen, the owner shall provide notice of the ~~loss or~~ theft to a law enforcement agency with jurisdiction over:

(1) the site of the ~~loss or~~ theft; or

(2) the address listed on the certificate of registration.

(b) The bureau shall issue a replacement certificate of registration or decal to the owner of a watercraft after the owner pays a fee of nine dollars and fifty cents (\$9.50).

(c) The fee imposed under subsection (b) shall be distributed as



follows:

- (1) Twenty-five cents (\$0.25) to the state construction fund.
- (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (3) One dollar (\$1) to the crossroads 2000 fund.
- (4) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.
- (5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (6) Five dollars (\$5) to the commission fund.

(d) A replacement certificate of registration or decal issued under this section must be attached and displayed in the same manner as the original certificate of registration or decal.

SECTION 24. IC 9-18.5-12-5, AS ADDED BY P.L.198-2016, SECTION 327, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 5. (a) The bureau shall forward to the executive director of the legislative services agency in an electronic format under IC 5-14-6 for review by the committee the name of a special group:

- (1) that was awarded initially a special group recognition license plate by the bureau more than ten (10) years in the past; and
- (2) whose special group recognition license plate has not been reviewed by the special group recognition license plate committee established by IC 2-5-36.2-4 (repealed) or the committee during the ten (10) year period following the initial or subsequent award of the special group recognition license plate.

Upon receipt of the name of a special group, **except for a petition under section 3(a)(8) of this chapter**, the committee shall require the special group to submit to the committee evidence of the criteria set forth in section 3 of this chapter. Upon submission of the criteria, the committee shall review the suitability of the special group to continue participating in the special group recognition license plate program. In the review, the committee shall consider the criteria set forth in section 3 of this chapter and may seek additional evidence of the criteria from a special group. The committee shall recommend to the bureau that participation in the special group recognition license plate program be terminated if the committee finds that termination is appropriate because the special group is not suitable for inclusion in the special group license plate program.

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

- (1) terminate the special group from participation in the special group recognition license plate program; or

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(2) allow the special group to continue participating in the special group recognition license plate program for a period of not more than eighteen (18) months.

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

(1) the bureau may not issue additional special group recognition license plates of the special group to plateholders; and

(2) a plateholder may not renew a special group recognition license plate of the special group.

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

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

(1) establish the duration of the set period under subsection (b)(2); and

(2) require the special group to submit to the bureau:

(A) evidence of the criteria set forth in section 3 of this chapter; and

(B) any additional information the bureau determines is necessary.

(e) The bureau shall:

(1) review the evidence and additional information submitted by a special group under subsection (d)(2); and

(2) determine whether to terminate or continue the participation of the special group in the special group recognition license plate program.

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

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

(1) Allow the special group to remedy the defect or the violation that caused the special group to not be suitable for inclusion in the



special group recognition license plate program.

(2) Place restrictions on or temporarily suspend the sales of special group recognition license plates for the special group.

(3) Require the special group to appear before the commission for review or reinstatement, or both.

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

SECTION 25. IC 9-19-6-22, AS AMENDED BY P.L.221-2014, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 22. (a) The head lamp or head lamps upon a motorcycle or motor driven cycle may be of the single-beam or multiple-beam type.

(b) A head lamp on a motorcycle or motor driven cycle must be of sufficient intensity to reveal a person or a vehicle at a distance of not less than:

(1) one hundred (100) feet when the motorcycle or motor driven cycle is operated at a speed of less than twenty-five (25) miles per hour;

(2) two hundred (200) feet when the motorcycle or motor driven cycle is operated at a speed of at least twenty-five (25) miles per hour; and

(3) for a motorcycle, ~~or Class A motor driven cycle~~, three hundred (300) feet when the motorcycle ~~or motor driven cycle~~ is operated at a speed of at least thirty-five (35) miles per hour.

(c) If a motorcycle or motor driven cycle is equipped with a multiple beam head lamp, the upper beam must meet the minimum requirements set forth in this section and must not exceed the limitations set forth in section 20(1) of this chapter and the lowermost distribution of light as set forth in section 20(2) of this chapter.

(d) If a motorcycle or motor driven cycle is equipped with a single beam lamp, the lamp must be aimed so that when the vehicle is loaded none of the high-intensity part of the light will, at a distance of twenty-five (25) feet ahead, project higher than the level of the center of the lamp from which the light comes.

SECTION 26. IC 9-20-18-12.5, AS ADDED BY P.L.256-2017, SECTION 159, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 12.5. (a) Points assessed by the bureau ~~of motor vehicles~~ against a person for a violation after December 31, 2015, of a weight limitation in IC 9-20-4, IC 9-20-5, IC 9-20-11, or IC 9-20-7-1 are void.

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(b) The denial, suspension, or revocation of ~~an operator's~~, **a driver's license (issued under IC 9-24-3)** or a chauffeur's or public passenger chauffeur's license by the bureau of ~~motor vehicles~~ that is based on the total or partial accumulation of points described in subsection (a) is void.

SECTION 27. IC 9-21-10-1, AS AMENDED BY P.L.221-2014, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 1. (a) In addition to the person who operates a motorcycle, ~~or a Class A motor driven cycle~~, one (1) person may be carried on the motorcycle. ~~or Class A motor driven cycle~~. A passenger may be carried only on a firmly attached and regular seat designed for passenger use.

(b) A passenger may not be carried on a ~~Class B~~ motor driven cycle.

SECTION 28. IC 9-21-10-2, AS AMENDED BY P.L.221-2014, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 2. A passenger may not be carried on a motorcycle ~~or Class A motor driven cycle~~ in a position that interferes with the operation or control of the motorcycle ~~or Class A motor driven cycle~~ or the view of the person who operates the motorcycle. ~~or Class A motor driven cycle~~.

SECTION 29. IC 9-21-10-4, AS AMENDED BY P.L.82-2015, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 4. (a) Except as provided in subsection (b), a person may not drive, operate, or ride as a passenger on a motorcycle ~~or Class A motor driven cycle~~ in a position other than astride the seat or saddle provided.

(b) A person may not drive, operate, or ride as a passenger in an autocycle in a position other than on a seat.

SECTION 30. IC 9-21-10-10, AS AMENDED BY P.L.221-2014, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 10. A person may not rent, lease, or furnish a motorcycle ~~or Class A motor driven cycle~~ to another person for use on the streets and highways who is not regularly licensed to operate a motor vehicle by the state in which the other person is a resident.

SECTION 31. IC 9-21-10-11, AS AMENDED BY P.L.221-2014, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 11. A person to whom a motorcycle ~~or Class A motor driven cycle~~ is rented, leased, or furnished may not rent, sublease, or otherwise authorize the use of the motorcycle ~~or Class A motor driven cycle~~ on the streets and highways to a person who is not licensed to operate a vehicle in Indiana.

SECTION 32. IC 9-21-11-2, AS AMENDED BY P.L.221-2014,

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SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 2. A person riding a bicycle or operating a **Class B** motor driven cycle upon a roadway has all the rights and duties under this article that are applicable to a person who drives a vehicle, except the following:

- (1) Special regulations of this article.
- (2) Those provisions of this article that by their nature have no application.

SECTION 33. IC 9-21-11-12, AS AMENDED BY P.L.198-2016, SECTION 366, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 12. A **Class B** motor driven cycle may not be operated under any of the following conditions:

- (1) By an individual less than fifteen (15) years of age.
- (2) By an individual who does not have:
 - (A) an unexpired identification card with a **Class B** motor driven cycle endorsement issued to the individual by the bureau under IC 9-24-16;
 - (B) a valid driver's license; or
 - (C) a valid learner's permit.
- (3) On an interstate highway or a sidewalk.
- (4) At a speed greater than thirty-five (35) miles per hour.
- (5) The vehicle has not been registered as a motor driven cycle.**

SECTION 34. IC 9-24-1-1, AS AMENDED BY P.L.198-2016, SECTION 417, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 1. (a) Except as provided in section 7 of this chapter, an individual must have a valid:

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

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

(b) An individual must have:

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

to operate a **Class B** motor driven cycle upon a highway.

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

SECTION 35. IC 9-24-2-1, AS AMENDED BY P.L.147-2020,

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SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 1. (a) The bureau shall suspend the driving privileges or invalidate the learner's permit of an individual **who is at least fifteen (15) years of age and** less than eighteen (18) years of age **who and** meets any of the following conditions:

- (1) Is a habitual truant under IC 20-33-2-11.
- (2) Is under at least a second suspension from school for the school year under IC 20-33-8-14 or IC 20-33-8-15.
- (3) Is under an expulsion from school under IC 20-33-8-14, IC 20-33-8-15, or IC 20-33-8-16.
- (4) Is considered a dropout under IC 20-33-2-28.5.

(b) At least five (5) days before holding an exit interview under IC 20-33-2-28.5, the school corporation shall give notice by certified mail or personal delivery to the student, the student's parent, or the student's guardian that the student's failure to attend an exit interview under IC 20-33-2-28.5 or return to school if the student does not meet the requirements to withdraw from school under IC 20-33-2-28.5 may result in the revocation or denial of the student's:

- (1) driver's license or learner's permit; and
- (2) employment certificate issued under IC 22-2-18 (before its expiration on June 30, 2021).

SECTION 36. IC 9-24-2-4, AS AMENDED BY P.L.198-2016, SECTION 426, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 4. (a) If an individual is **at least fifteen (15) years of age and** less than eighteen (18) years of age and is a habitual truant, is under a suspension or an expulsion, or has withdrawn from school as described in section 1 of this chapter, the bureau shall, upon notification by an authorized representative of the individual's school corporation, suspend the individual's driving privileges until the earliest of the following:

- (1) The individual becomes eighteen (18) years of age.
- (2) One hundred twenty (120) days after the individual is suspended.
- (3) The suspension, expulsion, or exclusion is reversed after the individual has had a hearing under IC 20-33-8.

(b) The bureau shall promptly mail a notice to the individual's last known address that states the following:

- (1) That the individual's driving privileges will be suspended for a specified period commencing five (5) days after the date of the notice.
- (2) That the individual has the right to appeal the suspension of the driving privileges.



(c) If an aggrieved individual believes that:

- (1) the information provided was technically incorrect; or
- (2) the bureau committed a technical or procedural error;

the aggrieved individual may appeal the invalidation of a driver's license under section 5 of this chapter.

(d) If an individual satisfies the conditions for reinstatement of a driver's license under this section, the individual may submit to the bureau for review the necessary information certifying that at least one (1) of the events described in subsection (a) has occurred.

(e) Upon reviewing and certifying the information received under subsection (d), the bureau shall reinstate the individual's driving privileges.

(f) An individual may not operate a motor vehicle in violation of this section.

(g) An individual whose driving privileges are suspended under this section is eligible to apply for specialized driving privileges under IC 9-30-16.

(h) The bureau shall reinstate the driving privileges of an individual whose driving privileges were suspended under this section if the individual does the following:

(1) Establishes to the satisfaction of the principal of the school where the action occurred that caused the suspension of the driving privileges that the individual has:

(A) enrolled in a full-time or part-time program of education; and

(B) participated for thirty (30) or more days in the program of education.

(2) Submits to the bureau a form developed by the bureau that contains:

(A) the verified signature of the principal or the president of the governing body of the school described in subdivision (1); and

(B) notification to the bureau that the person has complied with subdivision (1).

An individual may appeal the decision of a principal under subdivision (1) to the governing body of the school corporation where the principal's school is located.

SECTION 37. IC 9-24-3-1, AS AMENDED BY P.L.155-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 1. (a) Except as otherwise provided in this article, the bureau shall issue ~~an operator's~~ a **driver's** license to an individual who meets the following conditions:

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- (1) Satisfies the age requirements set forth in section 2.5 of this chapter.
- (2) Makes proper application to the bureau under IC 9-24-9 upon a form prescribed by the bureau. The form must include an attestation concerning the number of hours of supervised driving practice that the individual has completed if the individual is required under section 2.5 of this chapter to complete a certain number of hours of supervised driving practice in order to receive ~~an operator's~~ **a driver's** license. The:
- (A) parent or guardian of an applicant less than eighteen (18) years of age; or
 - (B) applicant, if the applicant is at least eighteen (18) years of age;
- shall attest in writing under penalty of perjury to the time logged in practice driving.
- (3) Satisfactorily passes the examination and tests required for issuance of ~~an operator's~~ **a driver's** license under IC 9-24-10.
- (4) Except as provided in subsection (e), pays the following applicable fee:
- (A) For an individual who is less than seventy-five (75) years of age, seventeen dollars and fifty cents (\$17.50).
 - (B) For an individual who is at least seventy-five (75) years of age but less than eighty-five (85) years of age, eleven dollars (\$11).
 - (C) For an individual who is at least eighty-five (85) years of age, seven dollars (\$7).
- (b) A fee described in subsection (a)(4)(A) shall be distributed as follows:
- (1) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (2) Two dollars (\$2) to the crossroads 2000 fund.
 - (3) Four dollars and fifty cents (\$4.50) to the motor vehicle highway account.
 - (4) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (5) Nine dollars and twenty-five cents (\$9.25) to the commission fund.
- (c) A fee described in subsection (a)(4)(B) shall be distributed as follows:
- (1) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (2) One dollar and fifty cents (\$1.50) to the crossroads 2000 fund.
 - (3) Three dollars (\$3) to the motor vehicle highway account.
 - (4) One dollar and twenty-five cents (\$1.25) to the integrated



public safety communications fund.

(5) Four dollars and seventy-five cents (\$4.75) to the commission fund.

(d) A fee described in subsection (a)(4)(C) shall be distributed as follows:

(1) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(2) One dollar (\$1) to the crossroads 2000 fund.

(3) Two dollars (\$2) to the motor vehicle highway account.

(4) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(5) Two dollars and twenty-five cents (\$2.25) to the commission fund.

(e) A fee described in subsection (a)(4) may not be charged to an individual who:

(1) is under the care and supervision of the department of child services; or

(2) represents, pursuant to IC 31-36-3-4(b), a homeless youth (as defined in IC 31-36-3-4) and presents a fee and consent waiver affidavit described in IC 31-36-3-4(c);

and meets all other requirements for ~~an operator's~~ **a driver's** license under ~~IC 9-24~~. **this article.**

SECTION 38. IC 9-24-3-2.5, AS AMENDED BY P.L.116-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 2.5. (a) Except as provided in section 3 of this chapter, an individual must satisfy the requirements set forth in one (1) of the following subdivisions to receive ~~an operator's~~ **a driver's** license:

(1) The individual meets the following conditions:

(A) Is at least sixteen (16) years and ninety (90) days of age.

(B) Has held a valid learner's permit for at least one hundred eighty (180) days.

(C) Obtains an instructor's certification that the individual has satisfactorily completed an approved driver education course.

(D) Passes the required examinations.

(E) Completes at least fifty (50) hours of supervised driving practice, of which at least ten (10) hours are nighttime driving, as provided in subsection (b).

(2) The individual meets the following conditions:

(A) Is at least sixteen (16) years and two hundred seventy (270) days of age.

(B) Has held a valid learner's permit for at least one hundred eighty (180) days.



- (C) Passes the required examinations.
 - (D) Completes at least fifty (50) hours of supervised driving practice, of which at least ten (10) hours are nighttime driving, as provided in subsection (b).
- (3) The individual meets the following conditions:
- (A) Is at least sixteen (16) years and one hundred eighty (180) days of age but less than eighteen (18) years of age.
 - (B) Has previously been a nonresident of Indiana, but, at the time of application, qualifies as an Indiana resident.
 - (C) Has held for at least ~~one hundred eighty (180)~~ **sixty (60)** days a valid driver's license, excluding a learner's permit or the equivalent, in the state or a combination of states in which the individual formerly resided.
 - (D) Passes the required examinations.
- (4) The individual meets the following conditions:
- (A) Is at least eighteen (18) years of age.
 - (B) Has previously been a nonresident but, at the time of application, qualifies as an Indiana resident.
 - (C) Held a valid driver's license, excluding a learner's permit or the equivalent, from the state or country of prior residence.
 - (D) Passes the required examinations.
- (5) The individual meets the following conditions:
- (A) Is at least eighteen (18) years of age.
 - (B) Is a person with a disability.
 - (C) Holds an Indiana learner's permit.**
 - ~~(D)~~ **(D)** Has successfully completed driver rehabilitation training by a certified driver rehabilitation specialist recognized by the bureau.
 - ~~(E)~~ **(E)** Passes the required examinations.
- (b) An applicant who is required to complete at least fifty (50) hours of supervised practice driving under subsection (a)(1)(E) or (a)(2)(D) must do the following:
- (1) If the applicant is less than eighteen (18) years of age, complete the practice driving with:
 - (A) a licensed driver, with valid driving privileges, who is:
 - (i) at least twenty-five (25) years of age; and
 - (ii) related to the applicant by blood, marriage, or legal status;
 - (B) the spouse of the applicant who is:
 - (i) a licensed driver with valid driving privileges; and
 - (ii) at least twenty-one (21) years of age; or
 - (C) an individual with valid driving privileges who:



- (i) is licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or
 - (ii) is a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program.
- (2) If the applicant is at least eighteen (18) years of age, complete the driving practice with:
- (A) a licensed driver, with valid driving privileges, who is at least twenty-five (25) years of age; or
 - (B) the spouse of the applicant who is:
 - (i) a licensed driver with valid driving privileges; and
 - (ii) at least twenty-one (21) years of age.
- (3) If the applicant is less than eighteen (18) years of age and is under the care and supervision of the department of child services, complete the driving practice with:
- (A) a licensed driver with valid driving privileges who is:
 - (i) at least twenty-five (25) years of age; and
 - (ii) related to the applicant by blood, marriage, or legal status;
 - (B) a licensed driver with valid driving privileges who is:
 - (i) at least twenty-five (25) years of age; and
 - (ii) approved by the department of child services; or
 - (C) an individual with valid driving privileges who is:
 - (i) licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or
 - (ii) a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program.
- (4) Submit to the commission under IC 9-24-9-2(c) evidence of the time logged in practice driving.

SECTION 39. IC 9-24-3-3, AS AMENDED BY P.L.147-2018, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 3. (a) The bureau may waive:

- (1) up to six (6) months of the age requirement;
 - (2) any of the experience or practice and driving requirements; or
 - (3) the requirements described in both subdivisions (1) and (2);
- for an individual making an application for the individual's ~~operator's~~ **driver's** license due to hardship conditions.

(b) The bureau shall adopt rules under IC 4-22-2 to state the conditions under which the requirements may be waived under

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subsection (a).

SECTION 40. IC 9-24-3-4.5, AS ADDED BY P.L.198-2016, SECTION 432, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 4.5. ~~(a) This section applies after December 31, 2016.~~

~~(b) (a)~~ The holder of ~~an operator's~~ **a driver's** license is entitled to operate a motor vehicle on a highway. ~~An operator's~~ **A driver's** license does not entitle the holder to operate the following:

- (1) A commercial motor vehicle.
- (2) A motorcycle, other than an autocycle.
- ~~(3) A Class A motor driven cycle.~~
- ~~(4) (3)~~ (3) A vehicle that is operated for hire.

~~(c) (b)~~ A commercial driver's license or commercial learner's permit is required to operate a commercial motor vehicle.

~~(d) (c)~~ a motorcycle endorsement under IC 9-24-8.5 or a motorcycle learner's permit is required to operate ~~the following~~:

- ~~(1) a motorcycle, other than an autocycle.~~
- ~~(2) A Class A motor driven cycle.~~

~~(e) (d)~~ A for-hire endorsement under IC 9-24-8.5 entitles the holder to operate the following:

- (1) A motor vehicle that is:
 - (A) registered as having a gross weight of at least sixteen thousand (16,000) pounds; and
 - (B) used to transport property for hire.
- (2) A motor vehicle that is used to transport passengers for hire.

~~(f) (e)~~ The following are not considered transporting for hire:

- (1) Operating a medical services vehicle.
- (2) Transporting a recreational vehicle before the first retail sale of the recreational vehicle when:
 - (A) the gross weight of the recreational vehicle is not more than twenty-six thousand (26,000) pounds; or
 - (B) the gross combination weight of the recreational vehicle and towing vehicle is not greater than twenty-six thousand (26,000) pounds, including the gross weight of the towed recreational vehicle, and the weight of the towed recreational vehicle is not greater than ten thousand (10,000) pounds.
- (3) Operating a motor vehicle that is:
 - (A) registered as having a gross weight of less than sixteen thousand (16,000) pounds; and
 - (B) used to transport property for hire.

SECTION 41. IC 9-24-3-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE

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JANUARY 1, 2022]: **Sec. 6. (a) The bureau may impose an additional fee of twenty-five dollars (\$25) if the bureau processes a credential application under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.**

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

SECTION 42. IC 9-24-4-4.1, AS ADDED BY P.L.198-2016, SECTION 438, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: ~~Sec. 4.1. (a) This section applies after December 31, 2016.~~

~~(b) The holder of a valid chauffeur's license is entitled to the same driving privileges as the holder of an operator's a driver's license with a for-hire endorsement under IC 9-24-8.5.~~

SECTION 43. IC 9-24-4-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 7. (a) The bureau may impose an additional fee of twenty-five dollars (\$25) if the bureau processes a credential application under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.**

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

SECTION 44. IC 9-24-5-3.1, AS ADDED BY P.L.198-2016, SECTION 446, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: ~~Sec. 3.1. (a) This section applies after December 31, 2016.~~

~~(b) The holder of a valid public passenger chauffeur's license is entitled to the same driving privileges as the holder of an operator's a driver's license with a for-hire endorsement under IC 9-24-8.5.~~

SECTION 45. IC 9-24-6.1-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 11. (a) The bureau may impose an additional fee of twenty-five dollars (\$25) if the bureau processes a credential application under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.**

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

SECTION 46. IC 9-24-7-4, AS AMENDED BY P.L.116-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 4. (a) A learner's permit authorizes the**



holder to operate a motor vehicle, except a motorcycle ~~a Class A motor driven cycle~~; or a commercial motor vehicle, upon a highway under the following conditions:

(1) While the holder is participating in practice driving in an approved driver education course and is accompanied in the front seat of the motor vehicle by an individual with valid driving privileges who:

(A) is licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or

(B) is a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program.

(2) While the holder is participating in practice driving after having commenced an approved driver education course and is accompanied in the front seat of the motor vehicle by an individual with valid driving privileges who is at least:

(A) twenty-five (25) years of age and related to the applicant by blood, marriage, or legal status; or

(B) if the licensed individual is the holder's spouse, twenty-one (21) years of age.

(3) If the holder is not participating in an approved driver education course, and is less than eighteen (18) years of age, the holder may participate in practice driving if accompanied in the front seat of the motor vehicle by an individual who is:

(A) a licensed driver, with valid driving privileges, who is:

(i) at least twenty-five (25) years of age; and

(ii) related to the applicant by blood, marriage, or legal status;

(B) the spouse of the applicant who is:

(i) a licensed driver with valid driving privileges; and

(ii) at least twenty-one (21) years of age; or

(C) an individual with valid driving privileges who:

(i) is licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or

(ii) is a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program.

(4) If the holder is not participating in an approved driver education course, and is at least eighteen (18) years of age, the holder may participate in practice driving if accompanied in the



front seat of the motor vehicle by an individual who is:

- (A) a licensed driver, with valid driving privileges, who is at least twenty-five (25) years of age; or
 - (B) the spouse of the applicant who is:
 - (i) a licensed driver with valid driving privileges; and
 - (ii) at least twenty-one (21) years of age.
- (5) If the holder is less than eighteen (18) years of age and is under the care and supervision of the department of child services, the holder may participate in practice driving if accompanied in the front seat of the motor vehicle by an individual who is:
- (A) a licensed driver with valid driving privileges who is:
 - (i) at least twenty-five (25) years of age; and
 - (ii) related to the applicant by blood, marriage, or legal status;
 - (B) a licensed driver with valid driving privileges who is:
 - (i) at least twenty-five (25) years of age; and
 - (ii) approved by the department of child services; or
 - (C) an individual with valid driving privileges who is:
 - (i) licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or
 - (ii) a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program.

(b) A holder of a learner's permit may operate a motor driven cycle.

SECTION 47. IC 9-24-7-5, AS AMENDED BY P.L.125-2012, SECTION 200, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 5. A holder of a learner's permit may take the skills examination for ~~an operator's~~ **a driver's** license not later than the expiration date of the learner's permit. A holder who does not pass the skills examination after a third attempt is not eligible to take the examination until two (2) months after the date of the last failed examination.

SECTION 48. IC 9-24-7-8 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 8. (a) The bureau may impose an additional fee of twenty-five dollars (\$25) if the bureau processes a credential application under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.**

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

SECTION 49. IC 9-24-8-3, AS AMENDED BY P.L.256-2017, SECTION 169, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 3. (a) The bureau shall issue a motorcycle learner's permit to an individual who meets the following conditions:

- (1) The individual holds a valid driver's license issued under this article.
- (2) The individual passes a written examination developed by the bureau concerning the safe operation of a motorcycle.
- (3) The individual makes a proper application in the form and manner prescribed by the bureau.
- (4) The individual pays the appropriate fee under subsection (c) or (d).

(b) A motorcycle learner's permit authorizes the holder to operate a motorcycle ~~or Class A motor driven cycle~~ upon a highway under the following conditions:

- (1) The holder wears a helmet that meets the standards described in 49 CFR 571.218 as in effect January 1, 2000.
- (2) The motorcycle ~~or Class A motor driven cycle~~ is operated only during the period from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset.
- (3) The motorcycle ~~or Class A motor driven cycle~~ does not carry passengers other than the operator.

(c) The fee for a motorcycle learner's permit issued before January 1, 2017, is nine dollars and fifty cents (\$9.50). The fee shall be distributed as follows:

- (1) One dollar (\$1) to the state motor vehicle technology fund.
- (2) One dollar (\$1) to the motor vehicle highway account.
- (3) Two dollars (\$2) to the crossroads 2000 fund.
- (4) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (5) Four dollars and twenty-five cents (\$4.25) to the commission fund.

(d) The fee for a motorcycle learner's permit issued after December 31, 2016, is nine dollars (\$9). The fee shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the motor vehicle highway account.
- (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (3) Two dollars (\$2) to the crossroads 2000 fund.
- (4) One dollar and twenty-five cents (\$1.25) to the integrated



public safety communications fund.

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

(e) The fee for a motorcycle operational skills test administered under this chapter is as follows:

(1) For tests given by state employees, the fee is five dollars (\$5) and shall be deposited in the motor vehicle highway account under IC 8-14-1.

(2) For tests given by a contractor approved by the bureau, the fee is:

(A) determined under rules adopted by the bureau under IC 4-22-2 to cover the direct costs of administering the test; and

(B) paid to the contractor.

SECTION 50. IC 9-24-8.5-1, AS ADDED BY P.L.198-2016, SECTION 461, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 1. This chapter applies to ~~an operator's~~ **a driver's** license, ~~or including~~ a commercial driver's license that is issued or renewed after December 31, 2016.

SECTION 51. IC 9-24-8.5-2, AS ADDED BY P.L.198-2016, SECTION 461, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 2. (a) ~~An operator's~~ **A driver's** license **issued under IC 9-24-3** may include one (1) or more of the following:

(1) A motorcycle endorsement under IC 9-24-8-4 (before its expiration) or section 3 of this chapter.

(2) A for-hire endorsement under section 5 of this chapter.

(b) A commercial driver's license may include one (1) or more of the following:

(1) A motorcycle endorsement under IC 9-24-8-4 (before its expiration) or section 3 of this chapter.

(2) An endorsement under IC 9-24-6.1, including under any rules adopted under IC 9-24-6.1.

SECTION 52. IC 9-24-8.5-3, AS AMENDED BY P.L.147-2018, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 3. (a) The bureau shall add a motorcycle endorsement to a driver's license if the holder meets the following conditions:

(1) Is at least:

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

(B) sixteen (16) years and two hundred seventy (270) days of



age.

(2) Makes a proper application in the form and manner prescribed by the bureau.

(3) Has passed a written examination developed by the bureau concerning the safe operation of a motorcycle.

(4) Satisfactorily completes an operational skills test at a location approved by the bureau.

(5) Pays a fee of nineteen dollars (\$19). The fee shall be distributed as follows:

(A) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(B) One dollar and twenty-five cents (\$1.25) to the motor vehicle highway account.

(C) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(D) Sixteen dollars (\$16) to the commission fund.

(b) The bureau may waive the testing requirements under subsection (a)(3) and (a)(4) for an individual who satisfactorily completes a motorcycle operator safety course approved by the bureau as set forth in IC 9-27-7.

(c) The bureau may waive the operational skills test under subsection (a)(4) for an individual who holds a valid motorcycle endorsement or motorcycle license from any other jurisdiction.

(d) An individual who fails the operational skills test under subsection (a)(4) three (3) consecutive times is not eligible to retake the test until two (2) months after the date of the most recent failed test.

(e) The fee for a motorcycle operational skills test administered under this chapter is as follows:

(1) For tests given by state employees, the fee is five dollars (\$5) and shall be deposited in the motor vehicle highway account under IC 8-14-1.

(2) For tests given by a contractor approved by the bureau, the fee is:

(A) determined under rules adopted by the bureau under IC 4-22-2 to cover the direct costs of administering the test; and

(B) paid to the contractor.

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



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

SECTION 53. IC 9-24-8.5-4, AS ADDED BY P.L.198-2016, SECTION 461, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 4. (a) In addition to the operating privileges granted to the holder of ~~an operator's~~ **a driver's** license, the holder of ~~an operator's~~ **a driver's** license with a motorcycle endorsement is entitled to operate a motorcycle ~~or a Class A motor driven cycle~~ on a highway.

~~(b) In addition to the operating privileges granted to the holder of an operator's license, the holder of an operator's license with a motorcycle endorsement with a Class A motor driven cycle restriction is entitled to operate a Class A motor driven cycle upon a highway.~~

~~(c)~~ **(b)** A motorcycle endorsement is not required to operate an autocycle.

SECTION 54. IC 9-24-8.5-5, AS AMENDED BY P.L.256-2017, SECTION 172, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 5. **(a)** The bureau shall add a for-hire endorsement to ~~an operator's~~ **a driver's** license if the holder meets the following conditions:

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

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

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

SECTION 55. IC 9-24-8.5-6, AS ADDED BY P.L.198-2016,



SECTION 461, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 6. (a) In addition to the operating privileges granted to the holder of ~~an operator's~~ **a driver's** license **issued under IC 9-24-3**, ~~an operator's~~ **a driver's** license **issued under IC 9-24-3** with a for-hire endorsement entitles the holder to operate the following:

- (1) A motor vehicle that is:
 - (A) registered as having a gross weight of at least sixteen thousand (16,000) pounds but not more than twenty-six thousand (26,000) pounds; and
 - (B) operated for the purpose of transporting property for hire.
- (2) A motor vehicle that is:
 - (A) designed to transport fewer than sixteen (16) passengers, including the driver; and
 - (B) operated for the purpose of transporting passengers for hire.

(b) The holder of ~~an operator's~~ **a driver's** license **issued under IC 9-24-3** with a for-hire endorsement is not entitled to operate a commercial motor vehicle.

SECTION 56. IC 9-24-8.5-7, AS ADDED BY P.L.198-2016, SECTION 461, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 7. A person may not employ an individual to operate a motor vehicle in a manner for which a for-hire endorsement is required unless the individual holds one (1) of the following:

- (1) A valid ~~operator's~~ **driver's** license **issued under IC 9-24-3** with a for-hire endorsement.
- (2) A valid commercial driver's license.
- (3) A valid chauffeur's license issued under IC 9-24-4 (before its expiration).
- (4) A valid public passenger chauffeur's license issued under IC 9-24-5 (before its expiration).

SECTION 57. IC 9-24-9-4, AS AMENDED BY P.L.198-2016, SECTION 467, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 4. (a) An individual who signs an application for a permit or driver's license under this chapter agrees to be responsible jointly and severally with the minor applicant for any injury or damage that the minor applicant causes by reason of the operation of a motor vehicle if the minor applicant is liable in damages.

(b) An individual who has signed the application of a minor applicant for a permit or driver's license may subsequently file with the bureau a verified written request that the permit or driver's license be



~~canceled.~~ **expired.** The bureau shall ~~cancel~~ **expire** the permit or driver's license, and the individual who signed the application of the minor applicant shall be relieved from the liability that is imposed under this chapter by reason of having signed the application and that is subsequently incurred by the minor applicant in operating a motor vehicle.

(c) When a minor applicant becomes eighteen (18) years of age, the individual who signed the minor's application is relieved from the liability imposed under this chapter and subsequently incurred by the applicant operating a motor vehicle.

SECTION 58. IC 9-24-9-5, AS AMENDED BY P.L.198-2016, SECTION 468, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 5. (a) If the individual who signs an application of a minor applicant dies, the minor permittee or licensee shall notify the bureau of the death and obtain a new signer.

(b) The bureau, upon:

(1) receipt of satisfactory evidence of the death of the individual who signed an application of a minor applicant for a permit or driver's license; and

(2) the failure of the minor permittee or licensee to obtain a new signer;

shall ~~cancel~~ **expire** the minor's permit or driver's license and may not issue a new permit or driver's license until the time that a new application is signed and an affidavit described in section 1 of this chapter is made.

SECTION 59. IC 9-24-10-4, AS AMENDED BY P.L.211-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 4. (a) Except as provided in subsection (c), an examination for a learner's permit or driver's license must include the following:

(1) A test of the following of the applicant:

(A) Eyesight.

(B) Ability to read and understand highway signs regulating, warning, and directing traffic.

(C) Knowledge of Indiana traffic laws, including IC 9-26-1-1.5 and IC 9-21-12-1.

(2) An actual demonstration of the applicant's skill in exercising ordinary and reasonable control in the operation of a motor vehicle under the type of permit or driver's license applied for.

(b) The examination may include further physical and mental examination that the bureau finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon a highway.

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The applicant must provide the motor vehicle used in the examination. An autocycle may not be used as the motor vehicle provided for the examination.

(c) The bureau may waive:

(1) the testing required under subsection (a)(1)(A) if the applicant provides evidence from a licensed ophthalmologist or licensed optometrist that the applicant's vision is fit to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property;

(2) the actual demonstration required under subsection (a)(2) for an individual who has passed:

(A) a driver's education class and a skills test given by a driver training school; **or**

(B) a driver education program given by an entity licensed under IC 9-27; **or**

(C) a skills assessment conducted by a third party approved by the bureau;

(3) the testing, other than eyesight testing under subsection (a)(1)(A), of an applicant who has passed:

(A) an examination concerning:

(i) subsection (a)(1)(B); and

(ii) subsection (a)(1)(C); and

(B) a skills test;

given by a driver training school or an entity licensed under IC 9-27; and

(4) the testing, other than the eyesight testing described in subsection (a)(1)(A), of an applicant who:

(A) is at least eighteen (18) years of age;

(B) was previously a nonresident but now qualifies as an Indiana resident at the time of application; and

(C) holds a valid driver's license, excluding a learner's permit or its equivalent, from the applicant's state of prior residence.

(d) The following are not civilly or criminally liable for a report made in good faith to the bureau, commission, or driver licensing medical advisory board concerning the fitness of the applicant to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property:

(1) An instructor having a license under IC 9-27-6-8.

(2) A licensed ophthalmologist or licensed optometrist.

SECTION 60. IC 9-24-10-6, AS AMENDED BY P.L.198-2016, SECTION 475, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 6. (a) The bureau, before

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issuing an initial or a renewal driver's license, permit, or endorsement, may require an applicant to submit to an examination, an investigation, or both an examination and investigation, under section 7 of this chapter. The bureau may cause the examination or investigation to be made whenever it appears from:

- (1) the face of the application;
- (2) the apparent physical or mental condition of the applicant;
- (3) the records of the bureau; or
- (4) any information that has come to the attention of the bureau;

that the applicant does not apparently possess the physical, mental, or other qualifications to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property.

(b) Upon the conclusion of all examinations or investigations under this section, the bureau shall take appropriate action and may:

- (1) refuse to issue or reissue the driver's license, permit, endorsement, or driving privileges;
- (2) suspend or revoke the driver's license, permit, endorsement, or driving privileges;
- (3) issue restricted driving privileges subject to restrictions the bureau considers necessary in the interest of public safety; or
- (4) permit the applicant to retain or obtain the driver's license, permit, endorsement, or driving privileges.

(c) ~~An applicant may appeal an action taken by the bureau under this section to the circuit or superior court of the county in which the applicant resides.~~

SECTION 61. IC 9-24-10-7, AS AMENDED BY P.L.198-2016, SECTION 476, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 7. (a) If the bureau has good cause to believe that a licensed driver is:

- (1) incompetent; or
- (2) otherwise unfit to operate a motor vehicle;

the bureau may, upon written notice of at least five (5) days, require the licensed driver to submit to an examination, an investigation of the driver's continued fitness to operate a motor vehicle safely, including requesting medical information from the driver or the driver's health care sources, or both an examination and an investigation.

(b) Upon the conclusion of all examinations and investigations of a driver under this section, the bureau:

- (1) shall take appropriate action; and
- (2) may:
 - (A) suspend or revoke the driver's license or driving privileges of the licensed driver;



(B) permit the licensed driver to retain the driver's license or driving privileges of the licensed driver; or

(C) issue restricted driving privileges subject to restrictions the bureau considers necessary in the interest of public safety.

(c) If a licensed driver refuses or neglects to submit to an examination or investigation under this section, the bureau may suspend or revoke the driver's license or driving privileges of the licensed driver. The bureau may not suspend or revoke the driver's license or driving privileges of the licensed driver until a reasonable investigation of the driver's continued fitness to operate a motor vehicle safely has been made by the bureau.

~~(d) A licensed driver may appeal an action taken by the bureau under this section to the circuit court or superior court of the county in which the licensed driver resides.~~

SECTION 62. IC 9-24-11-9, AS AMENDED BY P.L.85-2013, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 9. (a) This section applies to an individual who has an existing medical condition that causes the individual to appear intoxicated.

(b) ~~An operator's~~, **A driver's license or permit (issued under IC 9-24-3),** or a chauffeur's or a public passenger chauffeur's permit or license, issued to an individual under this section must bear a restriction on the permit or license.

(c) An individual who wishes to have ~~an operator's~~, **a driver's license or permit (issued under IC 9-24-3),** or a chauffeur's or a public passenger chauffeur's permit or license, issued under this section must provide a verified certificate from a physician licensed to practice in Indiana attesting to the individual's medical condition. The physician's certificate must be:

- (1) provided to the bureau at the time the individual applies for the permit or license under this section;
- (2) carried in any vehicle that the individual operates; and
- (3) renewed each time the individual's license is renewed.

SECTION 63. IC 9-24-11-12 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JANUARY 1, 2022]: **Sec. 12. (a) The bureau may impose an additional fee of twenty-five dollars (\$25) if the bureau processes a credential application under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.**

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



SECTION 64. IC 9-24-12-1, AS AMENDED BY P.L.156-2020, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 1. (a) Except as provided in sections 10 and 11 of this chapter, ~~an operator's~~ **a driver's** license issued to an applicant who is at least seventy-five (75) years of age expires at midnight of the birthday of the holder that occurs three (3) years following the date of issuance.

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

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

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

SECTION 65. IC 9-24-12-4, AS AMENDED BY P.L.147-2018, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 4. (a) Except as provided in subsections ~~(b)~~ (c) and ~~(c)~~; **(d)**, the application for renewal of:

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

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

(b) Except as provided in subsections (c) and (d), an application for the renewal of a learner's permit issued under this article may



be filed not more than thirty (30) days before the expiration of the learner's permit.

~~(b)~~ (c) When the applicant complies with IC 9-24-9-2.5(5) through IC 9-24-9-2.5(10), an application for renewal of a driver's license in subsection (a)(1), (a)(2), or (a)(3) may be filed not more than one (1) month before the expiration date of the license held by the applicant.

~~(c)~~ (d) When the applicant complies with IC 9-24-16-3.5(1)(E) through IC 9-24-16-3.5(1)(J), an application for renewal of an identification card under subsection (a)(4) may be filed not more than one (1) month before the expiration date of the identification card held by the applicant.

SECTION 66. IC 9-24-12-5, AS AMENDED BY P.L.178-2019, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 5. (a) Except as provided in subsection (b), and subject to subsection (d), an individual applying for renewal of ~~an operator's~~, **a driver's license (issued under IC 9-24-3), or a chauffeur's or a public passenger chauffeur's license**, including any endorsements in effect with respect to the license, must apply in person at a license branch and do the following:

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

(b) The holder of ~~an operator's~~, **a driver's license (issued under IC 9-24-3)**, a chauffeur's or a public passenger chauffeur's license, **or a learner's permit issued under IC 9-24-7** may renew the license, including any endorsements in effect with respect to the license, by mail or by electronic service, subject to the following conditions:

- (1) A valid computerized image of the individual must exist within the records of the bureau.
- (2) The previous renewal of the individual's ~~operator's~~, **driver's license (issued under IC 9-24-3)**, chauffeur's or public passenger chauffeur's license, **or a learner's permit issued under IC 9-24-7** must not have been by mail or by electronic service.
- (3) The application for or previous renewal of the individual's license **or permit** must have included a test of the individual's eyesight approved by the bureau.



(4) If the individual were applying for the license **or permit** renewal in person at a license branch, the individual would not be required under subsection (a)(2) to submit to a written examination.

(5) The individual must be a citizen of the United States, as shown in the records of the bureau.

(6) There must not have been any change in the:

(A) address; or

(B) name;

of the individual since the issuance or previous renewal of the individual's ~~operator's~~, **driver's license (issued under IC 9-24-3)**, chauffeur's or public passenger chauffeur's license, **or a learner's permit issued under IC 9-24-7**.

(7) The ~~operator's~~, **driver's license (issued under IC 9-24-3)**, chauffeur's or public passenger chauffeur's license, **or a learner's permit issued under IC 9-24-7** of the individual must not be:

(A) suspended; or

(B) expired more than one hundred eighty (180) days;

at the time of the application for renewal.

(8) If the individual is seventy-five (75) years of age or older at the time of the application for renewal, the individual must provide proof, on a form approved by the bureau, that the individual has passed an eyesight examination within thirty (30) days prior to the renewal application.

(c) An individual applying for the renewal of ~~an operator's~~, **a driver's license (issued under IC 9-24-3)**, a chauffeur's license or a public passenger chauffeur's license, **or a learner's permit issued under IC 9-24-7**, including any endorsements in effect with respect to the license, must apply in person at a license branch under subsection (a) if the individual is not entitled to apply by mail or by electronic service under subsection (b).

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

(1) applies in a form and manner prescribed by the bureau; and

(2) satisfies the requirements for renewal of ~~an operator's a~~ **driver's license issued under IC 9-24-3**, including the fee and examination requirements under this section.



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

(1) If the individual is less than seventy-five (75) years of age, seventeen dollars and fifty cents (\$17.50). The fee shall be distributed as follows:

(A) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(B) Two dollars (\$2) to the crossroads 2000 fund.

(C) Four dollars and fifty cents (\$4.50) to the motor vehicle highway account.

(D) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(E) Nine dollars and twenty-five cents (\$9.25) to the commission fund.

(2) If the individual is at least seventy-five (75) years of age and less than eighty-five (85) years of age, eleven dollars (\$11). The fee shall be distributed as follows:

(A) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(B) One dollar and fifty cents (\$1.50) to the crossroads 2000 fund.

(C) Three dollars (\$3) to the motor vehicle highway account.

(D) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(E) Four dollars and seventy-five cents (\$4.75) to the commission fund.

(3) If the individual is at least eighty-five (85) years of age, seven dollars (\$7). The fee shall be distributed as follows:

(A) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(B) One dollar (\$1) to the crossroads 2000 fund.

(C) Two dollars (\$2) to the motor vehicle highway account.

(D) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(E) Two dollars and twenty-five cents (\$2.25) to the commission fund.

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

SECTION 67. IC 9-24-14-3.5, AS AMENDED BY P.L.198-2016,

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SECTION 505, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 3.5. (a) ~~The bureau may adopt rules under IC 4-22-2 concerning the ability of an individual to apply for a replacement of a driver's license or learner's permit by electronic service. If rules are adopted under this subsection, the rules must provide that issuance of a replacement driver's license or learner's permit by electronic service is~~ **An individual may apply for a replacement driver's license or learner's permit by electronic service,** subject to the following conditions:

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

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

SECTION 68. IC 9-24-14-5, AS ADDED BY P.L.198-2016, SECTION 506, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 5. (a) If a holder of a chauffeur's license applies ~~after December 31, 2016,~~ for a replacement of the chauffeur's license, the bureau shall issue to the holder ~~an operator's a driver's license under IC 9-24-3~~ with a for-hire endorsement if the holder:

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

(b) ~~An operator's~~ **A driver's license issued under IC 9-24-3** with a for-hire endorsement issued under this section remains valid until the date on which the chauffeur's license that was replaced expires.

(c) This section expires July 1, 2023.

SECTION 69. IC 9-24-16-2, AS AMENDED BY P.L.82-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 2. (a) An application for an identification card to be issued under this chapter must contain the following questions:

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

(b) In addition to the questions set forth in subsection (a), an



application for an identification card issued under this chapter must require the following information concerning an applicant:

- (1) The full legal name of the applicant.
- (2) The applicant's date of birth.
- (3) The gender of the applicant.
- (4) The applicant's height, weight, hair color, and eye color.
- (5) The principal address and mailing address of the applicant.
- (6) A:
 - (A) valid Social Security number; or
 - (B) verification of an applicant's:
 - (i) ineligibility to be issued a Social Security number; and
 - (ii) identity and lawful status.
- (7) A digital photograph of the applicant.
- (8) The signature of the applicant showing the applicant's legal name as it will appear on the identification card.
- (9) If the applicant is also applying for a ~~Class B~~ motor driven cycle endorsement, verification that the applicant has satisfactorily completed the test required under section 3.6 of this chapter.

(c) The bureau may invalidate an identification card that the bureau believes to have been issued as a result of fraudulent documentation.

(d) The bureau:

- (1) shall adopt rules under IC 4-22-2 to establish a procedure to verify an applicant's identity and lawful status; and
- (2) may adopt rules to establish a procedure to temporarily invalidate an identification card that it believes to have been issued based on fraudulent documentation.

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

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

- (1) indicate on the application that the applicant:
 - (A) is a veteran; and
 - (B) wishes to have an indication of the applicant's veteran

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status appear on the identification card; and

(2) provide proof at the time of application of the applicant's veteran status.

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

(1) indicate on the application that the applicant:

(A) is the surviving spouse of a veteran of the armed forces of the United States; and

(B) wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the identification card; and

(2) provide the documentation necessary to verify that the applicant was married, at the time of the decedent's death, to a veteran.

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

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

SECTION 70. IC 9-24-16-3, AS AMENDED BY P.L.120-2020, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: 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:

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- (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 71. IC 9-24-16-3.6, AS ADDED BY P.L.221-2014, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 3.6. The bureau shall develop and implement a test to determine whether an applicant for a ~~Class B~~ motor driven cycle endorsement demonstrates the necessary knowledge of traffic control devices to operate a ~~Class B~~ motor driven cycle upon a highway. Upon the request of an individual with a disability, or of a



representative of an individual with a disability, the bureau shall make available to the individual a test that:

- (1) complies with this section; and
- (2) accommodates the individual's disability.

SECTION 72. IC 9-24-16-4.5, AS AMENDED BY P.L.198-2016, SECTION 512, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 4.5. (a) The bureau may adopt rules under IC 4-22-2 concerning the ability of an individual to renew an identification card under section 5 of this chapter, apply for a replacement identification card under section 9 of this chapter, or apply for a replacement identification card under section 6 of this chapter by electronic service. If rules are adopted under this subsection, the rules must provide that an individual's renewal, amendment, or replacement of an identification card by electronic service is subject to the following conditions:

- (1) A valid computerized image or digital photograph of the individual must exist within the records of the bureau.
- (2) The individual must be a citizen of the United States, as shown in the records of the bureau.
- (3) There must not have been any change in the:
 - (A) legal address; or
 - (B) name;
 of the individual since the issuance or previous renewal of the identification card of the individual.
- (4) The identification card of the individual must not be expired more than one hundred eighty (180) days at the time of the application for renewal.

(b) An individual applying for:

- (1) the renewal of an identification card; or
- (2) a replacement identification card;

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

SECTION 73. IC 9-24-16-10, AS AMENDED BY P.L.155-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 10. (a) The bureau may:

- (1) adopt rules under IC 4-22-2, including rules to:
 - (A) verify an applicant's identity, lawful status, and residence; and
 - (B) invalidate on a temporary basis a license or permit that was issued based on fraudulent documentation; and
- (2) prescribe all forms necessary;

to implement this chapter.

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(b) The bureau may not impose a fee for the issuance of:

- (1) an original;
- (2) a renewal of an;
- (3) a replacement; or
- (4) an amended;

identification card to an individual described in subsection (c). For purposes of this subsection, the amendment of an identification card includes the addition of a ~~Class B~~ motor driven cycle endorsement to the identification card.

(c) An identification card must be issued without the payment of a fee or charge to an individual who does not have a valid Indiana driver's license if the individual:

- (1) will be at least eighteen (18) years of age and eligible to vote in the next general, municipal, or special election;
- (2) is:
 - (A) at least sixteen (16) years of age; and
 - (B) under the care and supervision of the department of child services; or
- (3) represents, pursuant to IC 31-36-3-4(b), a homeless youth (as defined in IC 31-36-3-4) and presents a fee and consent waiver affidavit described in IC 31-36-3-4(c).

(d) The fee to issue, renew, replace, or amend an identification card issued before January 1, 2017, is as follows:

- (1) To an individual who is less than sixty-five (65) years of age, eleven dollars and fifty cents (\$11.50). The fee shall be distributed as follows:
 - (A) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (B) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (C) Two dollars and seventy-five cents (\$2.75) to the motor vehicle highway account.
 - (D) Seven dollars (\$7) to the commission fund.
- (2) To an individual who is at least sixty-five (65) years of age or to an individual with a physical disability who is not entitled to obtain a driver's license, nine dollars (\$9). The fee shall be distributed as follows:
 - (A) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (B) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.
 - (C) One dollar and twenty-five cents (\$1.25) to the integrated

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public safety communications fund.

(D) Five dollars and seventy-five cents (\$5.75) to the commission fund.

(e) The fee to issue, renew, replace, or amend an identification card issued after December 31, 2016, is nine dollars (\$9). The fee shall be distributed as follows:

(1) Twenty-five cents (\$0.25) to the motor vehicle highway account.

(2) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(3) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(4) Two dollars (\$2) to the crossroads 2000 fund.

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

SECTION 74. IC 9-24-16-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 15. (a) The bureau may impose an additional fee of twenty-five dollars (\$25) if the bureau processes a credential application under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.**

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

SECTION 75. IC 9-24-16.5-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 15. (a) The bureau may impose an additional fee of twenty-five dollars (\$25) if the bureau processes a credential application under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.**

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

SECTION 76. IC 9-24-17.7 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

Chapter 17.7. Credentials and Vaccination Status and Proof of Immunity

Sec. 1. The bureau shall not request information regarding an individual's vaccination status or proof of immunity when an individual applies for a credential under this article.

Sec. 2. The bureau shall not collect, keep in a data base, place an indication on a credential, or share information regarding an individual's vaccination status or proof of immunity.



Sec. 3. The bureau shall not connect any bureau data base with any data base that tracks an individual's vaccination status or proof of immunity.

SECTION 77. IC 9-24-18-1, AS AMENDED BY P.L.198-2016, SECTION 527, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 1. (a) An individual, except an individual exempted under IC 9-24-1-7, who knowingly or intentionally operates a motor vehicle upon a highway and has never received a valid driver's license commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if the individual has a prior unrelated conviction under this section.

(b) In a prosecution under this section, the burden is on the defendant to prove by a preponderance of the evidence that the defendant:

- (1) had been issued a driver's license or permit that was valid; or
- (2) was operating a ~~Class B~~ motor driven cycle;

at the time of the alleged offense. However, it is not a defense under subdivision (2) if the defendant was operating the ~~Class B~~ motor driven cycle in violation of IC 9-21-11-12.

SECTION 78. IC 9-24-19-7, AS AMENDED BY P.L.221-2014, SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 7. In a prosecution under this chapter, the burden is on the defendant to prove by a preponderance of the evidence that the defendant:

- (1) had been issued a driver's license or permit that was valid; or
- (2) was operating a ~~Class B~~ motor driven cycle;

at the time of the alleged offense. However, it is not a defense under subdivision (2) if the defendant was operating the ~~Class B~~ motor driven cycle in violation of IC 9-21-11-12.

SECTION 79. IC 9-25-1-7, AS AMENDED BY P.L.142-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 7. This article does not apply to:

- (1) off-road vehicles;
- (2) snowmobiles;
- (3) ~~Class B~~ motor driven cycles; or
- (4) electric foot scooters.

SECTION 80. IC 9-25-4-3, AS AMENDED BY P.L.59-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 3. (a) Financial responsibility in one (1) of the forms required under this chapter must be continuously maintained as long as a motor vehicle is operated on a public highway in Indiana.

(b) **Except as provided in IC 9-25-9-1**, the bureau may, at any



time, verify that a person has financial responsibility in effect as required under this article.

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

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

SECTION 81. IC 9-25-5-2, AS AMENDED BY P.L.125-2012, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 2. **(a) Except as provided in subsection (b)**, not more than forty-five (45) days after the bureau receives a copy of an accident report under IC 9-26, the bureau shall send to each person identified in the report as an operator of a motor vehicle involved in the accident a request for evidence of financial responsibility under section 3 of this chapter, unless the evidence has already been filed with the bureau. The request for evidence of financial responsibility shall be sent to each person identified in the report as an operator of a motor vehicle involved in the accident regardless of fault.

(b) The bureau may only send a request for evidence of financial responsibility under subsection (a) if the accident occurred not more than five (5) years prior to the date the bureau receives the copy of an accident report under IC 9-26.

SECTION 82. IC 9-25-7-3, AS AMENDED BY P.L.198-2016, SECTION 545, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 3. (a) The bureau shall, upon request, cancel a bond or return a certificate of insurance, direct the treasurer of state to return to the person entitled any money or securities deposited under this article as proof of financial responsibility, or waive the requirement of filing proof of financial responsibility in any of the following circumstances:

- (1) At any time after three (3) years from the date the proof was required, if during the three (3) year period preceding the request the person furnishing the proof has not been convicted of an offense referred to in IC 9-30-4-6.1.
- (2) If the person on whose behalf the proof was filed dies or the person becomes permanently incapable of operating a motor vehicle.
- (3) If the person who has given proof of financial responsibility surrenders the person's driver's license, registration certificates,



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

(b) Whenever a person to whom proof has been surrendered under subsection (a)(3) applies for ~~an operator's~~ **a driver's license (issued under IC 9-24-3)** or chauffeur's license or the registration of a motor vehicle within a period of three (3) years from the date the proof of financial responsibility was originally required, the bureau shall reject the application unless the applicant reestablishes the proof for the remainder of the period.

SECTION 83. IC 9-25-9-1, AS AMENDED BY P.L.149-2015, SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 1. (a) After the bureau receives:

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

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

(b) **Except as provided in subsection (c)**, the bureau shall send a request for evidence of financial responsibility to a person referred to in subsection (a) if at least one (1) of the following applies to the person:

- (1) The judgment, abstract, or other court order referred to in subsection (a) reports that the person committed a moving traffic violation for which points are assessed by the bureau under the point system, and, during a twelve (12) month period including the date of the violation referred to in the judgment, abstract, or other court order, the person committed at least two (2) additional



moving traffic violations for which points are assessed by the bureau under the point system.

(2) The judgment, abstract, or other court order referred to in subsection (a) reports that the person was convicted of:

(A) a misdemeanor; or

(B) a felony;

involving a motor vehicle.

(3) The judgment, abstract, or other court order referred to in subsection (a) reports that the person committed a moving traffic violation for which points are assessed by the bureau under the point system and the driving privileges of the person were previously suspended for violation of the financial responsibility requirements of IC 9-25.

(c) The bureau shall not request evidence of financial responsibility under subsection (b) if the information required under subsection (a) indicates that the underlying offense occurred more than five (5) years prior to the date the bureau receives the information required under subsection (a).

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

SECTION 84. IC 9-28-5.1-2, AS ADDED BY P.L.93-2010, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 2. A reciprocal agreement entered into under section 1 of this chapter must authorize the bureau to enter into a written agreement with a foreign country to waive one (1) or more of the examination requirements under IC 9-24 for obtaining ~~an operator's~~ **a driver's** license from this state.

SECTION 85. IC 9-28-5.1-3, AS AMENDED BY P.L.178-2019, SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 3. A written reciprocity agreement entered into under section 2 of this chapter must require an applicant from the foreign country for ~~an operator's~~ **a driver's** license to possess a valid driver's license for the type of vehicle being operated or the equivalent from the foreign country.

SECTION 86. IC 9-30-3-12, AS AMENDED BY P.L.120-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 12. (a) If during any twelve (12) month period an individual has committed moving traffic violations for which

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the individual has:

- (1) been convicted of at least two (2) traffic misdemeanors;
- (2) had at least two (2) traffic judgments entered against the individual; or
- (3) been convicted of at least one (1) traffic misdemeanor and has had at least one (1) traffic judgment entered against the individual;

the bureau ~~may~~ **shall** require the individual to attend and satisfactorily complete a driver safety program approved by the bureau. The individual shall pay all applicable fees required by the bureau.

(b) This subsection applies to an individual who is less than twenty-one (21) years of age. An individual is required to attend and satisfactorily complete a driver safety program approved by the bureau if the individual has, at least twice when the individual was less than twenty-one (21) years of age, been the operator of a motor vehicle involved in an incident for which points may be assessed by the bureau under the point system. The individual shall pay all applicable fees required by the bureau.

(c) The bureau ~~may~~ **shall** suspend the driving privileges of any individual who:

- (1) fails to attend a driver safety program; or
- (2) fails to satisfactorily complete a driver safety program;

as required by this section.

(d) Notwithstanding IC 33-37-4-2, any court may suspend one-half (1/2) of each applicable court cost (including fees) for which an individual is liable due to a traffic violation if the individual enrolls in and completes a driver safety program or a similar school conducted by an agency of the state or local government.

SECTION 87. IC 9-30-3-14, AS AMENDED BY P.L.85-2013, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 14. If a court convicts a person for a moving traffic offense and the person is known or believed by the court not to be the owner of the motor vehicle, the court shall, within seven (7) days after entering the conviction, deposit with the United States Postal Service, first class postage prepaid, notice addressed to the owner of the motor vehicle giving the owner the following information:

- (1) The name and address of the person convicted.
- (2) The name and address of the owner of the motor vehicle.
- (3) The offense upon which the conviction was made.
- (4) The date of arrest of the person convicted and the location of the place of the offense.
- (5) The license plate number of the motor vehicle.

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(6) The ~~operator's~~ **driver's** or chauffeur's license number of the person convicted.

(7) The date of the conviction and the name of the court making the conviction.

SECTION 88. IC 9-30-6-8, AS AMENDED BY P.L.29-2020, SECTION 1, AND AS AMENDED BY P.L.110-2020, SECTION 4, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2021 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 8. (a) *Except as provided in IC 9-30-16-1(g)*, whenever a judicial officer has determined that there was probable cause to believe that a person has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), the clerk of the court shall forward, **in a form and manner prescribed by the bureau:**

(1) a paper copy of the affidavit, or an electronic substitute; or

(2) a bureau certificate as described in section 16 of this chapter; to the bureau *at the conclusion of the initial hearing under subsection (c)*.

(b) The probable cause affidavit required under section 7(b)(2) of this chapter must do the following:

(1) Set forth the grounds for the arresting officer's belief that there was probable cause that the arrested person was operating a vehicle in violation of IC 9-30-5 or a motorboat in violation of IC 35-46-9 or IC 14-15-8 (before its repeal).

(2) State that the person was arrested for a violation of IC 9-30-5 or operating a motorboat in violation of IC 35-46-9 or IC 14-15-8 (before its repeal).

(3) State whether the person:

(A) refused to submit to a chemical test when offered; or

(B) submitted to a chemical test that resulted in prima facie evidence that the person was intoxicated.

(4) Be sworn to by the arresting officer.

(c) Except as provided in subsection (d), if it is determined under subsection (a) that there was probable cause to believe that a person has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), at the initial hearing of the matter held under IC 35-33-7-1 the court shall recommend immediate suspension of the person's driving privileges to take effect on the date the order is entered, and forward to the bureau a copy of the order recommending immediate suspension of driving privileges.

(d) If it is determined under subsection (a) that there is probable cause to believe that a person violated IC 9-30-5, the court may, as an



alternative to *any* suspension of the person's driving privileges under subsection (c), issue an order recommending that the person be prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8. *This subsection applies even if the probable cause affidavit in subsection (b) states that the person:*

- (1) refused to submit to a chemical test; or*
- (2) submitted to a chemical test that resulted in prima facie evidence that the person was intoxicated.*

The order remains in effect until the bureau is notified by a court that the criminal charges against the person have been resolved. When the court issues an order under this subsection, no administrative suspension is imposed by the bureau and no suspension is noted on the person's driving record.

(e) A person commits a Class B infraction if the person:

- (1) operates a motor vehicle without a functioning certified ignition interlock device; and
- (2) is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under subsection (d).

(f) A person commits a Class B misdemeanor if the person:

- (1) operates a motor vehicle without a functioning certified ignition interlock device; and
- (2) knows the person is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under subsection (d).

SECTION 89. IC 9-30-10-18, AS AMENDED BY P.L.216-2014, SECTION 156, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 18. (a) In a criminal action brought under section 16 or 17 of this chapter, it is a defense that the operation of a motor vehicle was necessary to save life or limb in an extreme emergency. The defendant must bear the burden of proof by a preponderance of the evidence to establish this defense.

(b) In an action brought under section 16 or 17 of this chapter, it is a defense that the defendant was operating a ~~Class B~~ motor driven cycle, unless the defendant was operating the ~~Class B~~ motor driven cycle in violation of IC 9-21-11-12. The defendant must bear the burden of proof by a preponderance of the evidence to establish this defense.

SECTION 90. IC 9-30-16-1, AS AMENDED BY P.L.110-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 1. (a) Except as provided in subsection (b),



the following are ineligible for specialized driving privileges under this chapter:

- (1) A person who has never been an Indiana resident.
 - (2) A person seeking specialized driving privileges with respect to a suspension based on the person's refusal to submit to a chemical test offered under IC 9-30-6 or IC 9-30-7. However, a court may grant this person driving privileges under IC 9-30-6-8(d).
 - (3) A person whose driving privileges have been suspended or revoked under IC 9-24-10-7(b)(2)(A).
 - (4) A person whose driving privileges have been suspended under IC 9-21-8-52(e) or IC 9-21-12-1(b).
- (b) This chapter applies to the following:
- (1) A person who held **an operator's, a driver's license (issued under IC 9-24-3), or a commercial driver's, a public passenger chauffeur's, or a chauffeur's license** at the time of:
 - (A) the criminal conviction for which the operation of a motor vehicle is an element of the offense;
 - (B) any criminal conviction for an offense under IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal); or
 - (C) committing the infraction of exceeding a worksite speed limit for the second time in one (1) year under IC 9-21-5-11(f).
 - (2) A person who:
 - (A) has never held a valid Indiana driver's license or does not currently hold a valid Indiana learner's permit; and
 - (B) was an Indiana resident when the driving privileges for which the person is seeking specialized driving privileges were suspended.
- (c) Except as specifically provided in this chapter, a court may suspend the driving privileges of a person convicted of any of the following offenses for a period up to the maximum allowable period of incarceration under the penalty for the offense:
- (1) Any criminal conviction in which the operation of a motor vehicle is an element of the offense.
 - (2) Any criminal conviction for an offense under IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal).
 - (3) Any offense under IC 35-42-1, IC 35-42-2, or IC 35-44.1-3-1 that involves the use of a vehicle.
- (d) Except as provided in section 3.5 of this chapter, a suspension of driving privileges under this chapter may begin before the conviction. Multiple suspensions of driving privileges ordered by a court that are part of the same episode of criminal conduct shall be



served concurrently. A court may grant credit time for any suspension that began before the conviction, except as prohibited by section 6(a)(2) of this chapter.

(e) If a person has had an ignition interlock device installed as a condition of specialized driving privileges or under IC 9-30-6-8(d), the period of the installation shall be credited as part of the suspension of driving privileges.

(f) This subsection applies to a person described in subsection (b)(2). A court shall, as a condition of granting specialized driving privileges to the person, require the person to apply for and obtain an Indiana driver's license.

(g) If a person indicates to the court at an initial hearing (as described in IC 35-33-7) that the person intends to file a petition for a specialized driving privileges hearing with that court under section 3 or 4 of this chapter, the following apply:

(1) The court shall:

(A) stay the suspension of the person's driving privileges at the initial hearing and shall not submit the probable cause affidavit related to the person's offense to the bureau; and

(B) set the matter for a specialized driving privileges hearing not later than thirty (30) days after the initial hearing.

(2) If the person does not file a petition for a specialized driving privileges hearing not later than ten (10) days after the date of the initial hearing, the court shall lift the stay of the suspension of the person's driving privileges and shall submit the probable cause affidavit related to the person's offense to the bureau for automatic suspension.

(3) If the person files a petition for a specialized driving privileges hearing not later than ten (10) days after the initial hearing, the stay of the suspension of the person's driving privileges continues until the matter is heard and a determination is made by the court at the specialized driving privileges hearing.

(4) If the specialized driving privileges hearing is continued due to:

(A) a congestion of the court calendar;

(B) the prosecuting attorney's motion for a continuance; or

(C) the person's motion for a continuance with no objection by the prosecuting attorney;

the stay of the suspension of the person's driving privileges continues until addressed at the next hearing.

(5) If the person moves for a continuance of the specialized driving privileges hearing and the court grants the continuance



over the prosecuting attorney's objection, the court shall lift the stay of the suspension of the person's driving privileges and shall submit the probable cause affidavit related to the person's offense to the bureau for automatic suspension.

SECTION 91. IC 9-33-2-1, AS ADDED BY P.L.149-2015, SECTION 110, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 1. (a) If a person determines that the records of the bureau contain a material error with respect to the person or the person's records, the person may notify the bureau in writing of the material error.

(b) Not more than thirty (30) days after the bureau receives notice under subsection (a), the bureau shall determine if a material error was made.

(c) If the bureau determines that a material error was made with respect to the person's records, the bureau shall provide written notice to the person and correct the error, including removing any suspension of the person's driving privileges or registration and reinstating the person's driving privileges or registration.

(d) If the bureau determines that a material error exists with respect to an action under IC 9-30-10, the bureau shall notify the prosecuting attorney of the county in which the action originated of the bureau's determination of the material error. The prosecuting attorney is entitled to respond to the bureau's determination.

(e) A person aggrieved by the bureau's determination of a material error under this section may seek judicial review of the determination under section 3 of this chapter.

(f) The bureau may enter into an agreement with the office of administrative law proceedings under IC 4-15-10.5-12 to conduct a review under this section on the bureau's behalf.

SECTION 92. IC 14-15-11-4, AS AMENDED BY P.L.125-2012, SECTION 401, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 4. As used in this chapter, "Indiana driver's license" means:

- (1) ~~an operator's~~ **a driver's license issued under IC 9-24-3;**
- (2) a chauffeur's license **(before the expiration of IC 9-24-4 on July 1, 2024);** or
- (3) a public passenger chauffeur's license **(before the expiration of IC 9-24-5 on July 1, 2022);**

that is issued to an individual by the bureau of motor vehicles under IC 9-24.

SECTION 93. IC 14-22-11-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 11. A resident of



Indiana on leave from the armed forces of the United States may hunt or fish any species in season without a license for the duration of the person's leave. However, when the person is hunting or fishing, the person must show the person's leave orders and motor vehicle ~~operator's~~ **driver's** license or voter registration card to prove residence in Indiana to a law enforcement officer requesting to see the leave orders and license or card.

SECTION 94. IC 14-22-17-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 1. As used in this chapter, "resident" means a person who:

- (1) has continuously resided in Indiana for at least three hundred sixty-five (365) consecutive days immediately before applying for a license under this chapter; and
- (2) possesses:
 - (A) an Indiana motor vehicle ~~operator's~~ **driver's** license; or
 - (B) an identification card;

issued by the bureau of motor vehicles.

SECTION 95. IC 20-33-2-11, AS AMENDED BY P.L.233-2015, SECTION 248, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 11. (a) Notwithstanding IC 9-24 concerning the minimum requirements for qualifying for the issuance of ~~an operator's~~ **a driver's** license or a learner's permit, and subject to subsections (c) through (e), an individual who is:

- (1) at least ~~thirteen (13)~~ **fifteen (15)** years of age ~~but and~~ less than ~~fifteen (15)~~ **eighteen (18)** years of age;
- (2) a habitual truant under the definition of habitual truant established under subsection (b); and
- (3) identified in the information submitted to the bureau of motor vehicles under subsection (f);

may not be issued ~~an operator's~~ **a driver's** license or a learner's permit to drive a motor vehicle under IC 9-24 until the individual is at least eighteen (18) years of age.

(b) Each governing body may establish and include as part of the written copy of its discipline rules described in IC 20-33-8-12:

- (1) a definition of a child who is designated as a habitual truant, which must, at a minimum, define the term as a student who is chronically absent, by having unexcused absences from school for more than ten (10) days of school in one (1) school year; and
- (2) all other pertinent matters related to this action.

(c) An individual described in subsection (a) is entitled to the procedure described in IC 20-33-8-19.

(d) An individual described in subsection (a) who is at least thirteen

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(13) years of age and less than eighteen (18) years of age is entitled to a periodic review of the individual's attendance record in school to determine whether the prohibition described in subsection (a) shall continue. The periodic reviews may not be conducted less than one (1) time each school year.

(e) Upon review, the governing body may determine that the individual's attendance record has improved to the degree that the individual may become eligible to be issued ~~an operator's~~ **a driver's** license or a learner's permit.

(f) The governing body of the school corporation may submit to the bureau of motor vehicles the pertinent information concerning an individual's ineligibility under subsection (a) to be issued ~~an operator's~~ **a driver's** license or a learner's permit.

(g) The department shall develop guidelines concerning criteria used in defining a habitual truant that may be considered by a governing body in complying with subsection (b).

SECTION 96. IC 24-3-5-5, AS AMENDED BY P.L.49-2020, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 5. (a) A merchant who mails or ships cigarettes as part of a delivery sale shall:

(1) use a mailing or shipping service that requires the customer or a person at least twenty-one (21) years of age who is designated by the customer to:

(A) sign to accept delivery of the cigarettes; and

(B) present a valid ~~operator's~~ **driver's** license issued under IC 9-24-3 or an identification card issued under IC 9-24-16 if the customer or the customer's designee, in the opinion of the delivery agent or employee of the mailing or shipping service, appears to be less than thirty (30) years of age;

(2) provide to the mailing or shipping service used under subdivision (1) proof of compliance with section 6(a) of this chapter; and

(3) include the following statement in bold type or capital letters on an invoice or shipping document:

INDIANA LAW PROHIBITS THE MAILING OR SHIPPING OF CIGARETTES TO A PERSON LESS THAN TWENTY-ONE (21) YEARS OF AGE AND REQUIRES PAYMENT OF ALL APPLICABLE TAXES.

(b) The commission may impose a civil penalty of not more than one thousand dollars (\$1,000) if a mailing or shipping service:

(1) delivers cigarettes as part of a delivery sale without first receiving proof from the merchant of compliance with section



6(a) of this chapter; or

(2) fails to obtain a signature and proof of identification of the customer or the customer's designee under subsection (a)(1).

The commission shall deposit amounts collected under this subsection into the Richard D. Doyle youth tobacco education and enforcement fund established by IC 7.1-6-2-6.

(c) The following apply to a merchant that mails or ships cigarettes as part of a delivery sale without using a third party service as required by subsection (a)(1):

(1) The merchant shall require the customer or a person at least twenty-one (21) years of age who is designated by the customer to:

(A) sign to accept delivery of the cigarettes; and

(B) present a valid ~~operator's~~ **driver's** license issued under IC 9-24-3 or identification card issued under IC 9-24-16 if the customer or the customer's designee, in the opinion of the merchant or the merchant's employee making the delivery, appears to be less than thirty (30) years of age.

(2) The commission may impose a civil penalty of not more than one thousand dollars (\$1,000) if the merchant:

(A) delivers the cigarettes without first complying with section 6(a) of this chapter; or

(B) fails to obtain a signature and proof of identification of the customer or the customer's designee under subdivision (1).

The commission shall deposit amounts collected under this subdivision into the Richard D. Doyle youth tobacco education and enforcement fund established by IC 7.1-6-2-6.

SECTION 97. IC 31-11-4-6, AS AMENDED BY P.L.94-2020, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 6. Each individual who applies for a marriage license must submit to the clerk of the circuit court documentary proof of the individual's age, in the form of:

(1) a:

(A) certified copy of the individual's birth certificate;

(B) copy of a birth record; or

(C) certification of birth issued by the state department of health, a local registrar of vital statistics, or another public office charged with similar duties under the law of another state, territory, or country;

(2) a certified copy of a judicial decree issued under IC 34-28-1 (or IC 34-4-3 before its repeal) that establishes the date of the individual's birth;



- (3) a passport;
- (4) a valid ~~operator's~~ **driver's** license or other identification that is issued by a state or another governmental entity and that contains the individual's date of birth and current address;
- (5) an immigration or naturalization record showing the individual's date of birth;
- (6) a United States selective service card or armed forces record showing the individual's date of birth; or
- (7) a:
 - (A) court record; or
 - (B) document or record issued by a governmental entity; showing the individual's date of birth.

SECTION 98. IC 31-37-19-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 13. (a) This section applies if a child is a delinquent child under IC 31-37-1 due to the commission of a delinquent act that, if committed by an adult, would be:

- (1) dealing in:
 - (A) a controlled substance (as defined in IC 35-48-1-9); or
 - (B) a counterfeit substance (as defined in IC 35-48-1-10);
- (2) possessing:
 - (A) a controlled substance (as defined in IC 35-48-1-9); or
 - (B) a prescription drug (as defined in IC 35-48-1-25); for which the child does not have a prescription; or
- (3) conspiring to commit an act described in subdivision (1) or (2).

(b) The juvenile court shall, in addition to any other order or decree the court makes under this chapter, order the bureau of motor vehicles to invalidate the child's ~~operator's~~ **driver's** license or permit for a period specified by the court of at least six (6) months but not more than one (1) year from the time the child would otherwise be eligible for a learner's permit.

SECTION 99. IC 31-37-19-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 14. (a) This section applies if:

- (1) a child has been previously determined to be a delinquent child under IC 31-37-1 (or IC 31-6-4-1(b)(1) before its repeal) due to the commission of a delinquent act described in section 13(a)(1), 13(a)(2), or 13(a)(3) of this chapter (or IC 31-6-4-15.9(d)(1), IC 31-6-4-15.9(d)(2), or IC 31-6-4-15.9(d)(3) before its repeal); or
- (2) the delinquent act described in section 13(a)(1), 13(a)(2), or



13(a)(3) of this chapter (or IC 31-6-4-15.9(d)(1), IC 31-6-4-15.9(d)(2), or IC 31-6-4-15.9(d)(3) before its repeal) was committed:

- (A) on school property;
- (B) within one thousand (1,000) feet of school property; or
- (C) on a school bus.

(b) The juvenile court shall, in addition to any other order or decree the court makes under this chapter, order the bureau of motor vehicles to invalidate the child's ~~operator's~~ **driver's** license for a period specified by the court of at least six (6) months but not more than two (2) years from the time the child would otherwise be eligible for a learner's permit.

SECTION 100. IC 31-37-19-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 17. (a) This section applies if a child is a delinquent child under IC 31-37-1 due to the commission of a delinquent act that, if committed by an adult, would be criminal mischief or institutional criminal mischief under IC 35-43-1-2 that involves the use of graffiti.

(b) The juvenile court may, in addition to any other order or decree the court makes under this chapter, order the bureau of motor vehicles to:

- (1) suspend the child's ~~operator's~~ **driver's** license; or
- (2) invalidate the child's learner's permit;

for one (1) year beginning the date of the order.

SECTION 101. IC 31-37-19-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 20. (a) This section applies if the juvenile court has entered an order for suspension or invalidation of ~~an operator's a~~ **driver's** license or a learner's permit under section 17 of this chapter (or IC 31-6-4-15.9(f) before its repeal).

(b) Following a determination by the juvenile court that the child has removed or painted over the graffiti or has made other suitable restitution, the court may:

- (1) rescind the order for suspension or invalidation; and
- (2) allow the child to receive a license or permit before the period of suspension or invalidation ends.

SECTION 102. IC 34-13-3-2, AS AMENDED BY P.L.92-2019, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 2. This chapter applies to a claim or suit in tort against any of the following:

- (1) **The bureau of motor vehicles commission established by IC 9-14-9-1.**
- (+) (2) A member of the bureau of motor vehicles commission



board established under IC 9-14-9-2.

~~(2)~~ **(3)** An employee of the bureau of motor vehicles commission.

~~(3)~~ **(4)** A member of the driver education advisory board established by IC 9-27-6-5.

~~(4)~~ **(5)** An approved postsecondary educational institution (as defined in IC 21-7-13-6(a)(1)), or an association acting on behalf of an approved postsecondary educational institution, that:

(A) shares data with the commission for higher education under IC 21-12-12-1; and

(B) is named as a defendant in a claim or suit in tort based on any breach of the confidentiality of the data that occurs after the institution has transmitted the data in compliance with IC 21-12-12-1.

~~(5)~~ **(6)** The state fair commission established by IC 15-13-2-1.

~~(6)~~ **(7)** A member of the state fair commission established by IC 15-13-2-1 or an employee of the state fair commission.

~~(7)~~ **(8)** The state fair board established by IC 15-13-5-1.

~~(8)~~ **(9)** A member of the state fair board established by IC 15-13-5-1.

SECTION 103. IC 34-13-3-2.5, AS ADDED BY P.L.129-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 2.5. The addition of section ~~2(4)~~ **2(5)** of this chapter by SEA 146-2016, SECTION 1, does not apply to a claim or suit in tort against a postsecondary educational institution if filed before March 30, 2016.

SECTION 104. IC 35-43-1-2, AS AMENDED BY P.L.111-2018, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 2. (a) A person who recklessly, knowingly, or intentionally damages or defaces property of another person without the other person's consent commits criminal mischief, a Class B misdemeanor. However, the offense is:

(1) a Class A misdemeanor if the pecuniary loss is at least seven hundred fifty dollars (\$750) but less than fifty thousand dollars (\$50,000); and

(2) a Level 6 felony if:

(A) the pecuniary loss is at least fifty thousand dollars (\$50,000);

(B) the damage causes a substantial interruption or impairment of utility service rendered to the public;

(C) the damage is to a public record; or

(D) the damage is to a law enforcement animal (as defined in IC 35-46-3-4.5).



- (b) A person who recklessly, knowingly, or intentionally damages:
- (1) a structure used for religious worship without the consent of the owner, possessor, or occupant of the property that is damaged;
 - (2) a school or community center without the consent of the owner, possessor, or occupant of the property that is damaged;
 - (3) the property of an agricultural operation (as defined in IC 32-30-6-1) without the consent of the owner, possessor, or occupant of the property that is damaged;
 - (4) the grounds:
 - (A) adjacent to; and
 - (B) owned or rented in common with;
 a structure or facility identified in subdivisions (1) through (3) without the consent of the owner, possessor, or occupant of the property that is damaged;
 - (5) personal property contained in a structure or located at a facility identified in subdivisions (1) through (3) without the consent of the owner, possessor, or occupant of the property that is damaged;
 - (6) property that is vacant real property (as defined in IC 36-7-36-5) or a vacant structure (as defined in IC 36-7-36-6); or
 - (7) property after the person has been denied entry to the property by a court order that was issued:
 - (A) to the person; or
 - (B) to the general public by conspicuous posting on or around the property in areas where a person could observe the order when the property has been designated by a municipality or county enforcement authority to be a vacant property, an abandoned property, or an abandoned structure (as defined in IC 36-7-36-1);

commits institutional criminal mischief, a Class A misdemeanor. However, the offense is a Level 6 felony if the pecuniary loss (or property damage, in the case of an agricultural operation) is at least seven hundred fifty dollars (\$750) but less than fifty thousand dollars (\$50,000), and a Level 5 felony if the pecuniary loss (or property damage, in the case of an agricultural operation) is at least fifty thousand dollars (\$50,000).

- (c) A person who recklessly, knowingly, or intentionally damages property:
- (1) during the dealing or manufacture of or attempted dealing or manufacture of a controlled substance; and
 - (2) by means of a fire or an explosion;



commits controlled substances criminal mischief, a Level 6 felony. However, the offense is a Level 5 felony if the offense results in moderate bodily injury to any person other than a defendant.

(d) If a person is convicted of an offense under this section that involves the use of graffiti, the court may, in addition to any other penalty, order that the person's ~~operator's~~ **driver's** license be suspended or invalidated by the bureau of motor vehicles for not more than one (1) year.

(e) The court may rescind an order for suspension or invalidation under subsection (d) and allow the person to receive a license or permit before the period of suspension or invalidation ends if the court determines that the person has removed or painted over the graffiti or has made other suitable restitution.

(f) For purposes of this section, "pecuniary loss" includes:

- (1) the total costs incurred in inspecting, cleaning, and decontaminating property contaminated by a pollutant; and
- (2) a reasonable estimate of all additional costs not already incurred under subdivision (1) that are necessary to inspect, clean, and decontaminate property contaminated by a pollutant, to the extent that the property has not already been:

- (A) cleaned;
- (B) decontaminated; or
- (C) both cleaned and decontaminated.

The term includes inspection, cleaning, or decontamination conducted by a person certified under IC 16-19-3.1.

SECTION 105. IC 35-43-5-5, AS AMENDED BY P.L.158-2013, SECTION 477, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 5. (a) A person who knowingly or intentionally issues or delivers a check, a draft, or an order on a credit institution for the payment of or to acquire money or other property, knowing that it will not be paid or honored by the credit institution upon presentment in the usual course of business, commits check deception, a Class A misdemeanor. However, the offense is:

- (1) a Level 6 felony if the amount of the check, draft, or order is at least seven hundred fifty dollars (\$750) and less than fifty thousand dollars (\$50,000); and
- (2) a Level 5 felony if the amount of the check, draft, or order is at least fifty thousand dollars (\$50,000).

(b) An unpaid and dishonored check, a draft, or an order that has the drawee's refusal to pay and reason printed, stamped, or written on or attached to it constitutes prima facie evidence:

- (1) that due presentment of it was made to the drawee for payment

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and dishonor thereof; and

(2) that it properly was dishonored for the reason stated.

(c) The fact that a person issued or delivered a check, a draft, or an order, payment of which was refused by the drawee, constitutes prima facie evidence that the person knew that it would not be paid or honored. In addition, evidence that a person had insufficient funds in or no account with a drawee credit institution constitutes prima facie evidence that the person knew that the check, draft, or order would not be paid or honored.

(d) The following two (2) items constitute prima facie evidence of the identity of the maker of a check, draft, or order if at the time of its acceptance they are obtained and recorded, either on the check, draft, or order itself or on file, by the payee:

(1) Name and residence, business, or mailing address of the maker.

(2) Motor vehicle ~~operator's~~ **driver's** license number, Social Security number, home telephone number, or place of employment of the maker.

(e) It is a defense under subsection (a) if a person who:

(1) has an account with a credit institution but does not have sufficient funds in that account; and

(2) issues or delivers a check, a draft, or an order for payment on that credit institution;

pays the payee or holder the amount due, together with protest fees and any service fee or charge, which may not exceed the greater of twenty-seven dollars and fifty cents (\$27.50) or five percent (5%) (but not more than two hundred fifty dollars (\$250)) of the amount due, that may be charged by the payee or holder, within ten (10) days after the date of mailing by the payee or holder of notice to the person that the check, draft, or order has not been paid by the credit institution. Notice sent in the manner set forth in IC 26-2-7-3 constitutes notice to the person that the check, draft, or order has not been paid by the credit institution. The payee or holder of a check, draft, or order that has been dishonored incurs no civil or criminal liability for sending notice under this subsection.

(f) A person does not commit a crime under subsection (a) when:

(1) the payee or holder knows that the person has insufficient funds to ensure payment or that the check, draft, or order is postdated; or

(2) insufficiency of funds or credit results from an adjustment to the person's account by the credit institution without notice to the person.



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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