

Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1311

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 6-3.5-4-7.3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 7.3. (a) The amount of surtax imposed by rate under this chapter shall be based upon the classification and age of a vehicle as determined by the bureau of motor vehicles under IC 6-6-5, in accordance with the schedule set out in subsection (b).

(b) The schedule to be used in determining the amount to be used in section 7 of this chapter is as follows:

Year of Manufacture Age	I	II	III	IV	V
1st 0	\$12	\$36	\$60	\$96	\$132
2nd 1	12	30	51	84	114
3rd 2	12	27	42	72	96
4th 3	12	24	33	60	78
5th 4	12	18	24	48	66
6th 5	12	12	18	36	54
7th 6	12	12	12	24	42
8th 7	12	12	12	18	24
9th 8	12	12	12	12	12
10th 9	12	12	12	12	12
and thereafter					

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Manufacture Age	VI	VII	VIII	IX	X
1st 0	\$168	\$206	\$246	\$300	\$344
2nd 1	147	184	220	268	298
3rd 2	126	154	186	230	260
4th 3	104	127	156	196	224
5th 4	82	101	128	164	191
6th 5	63	74	98	130	157
7th 6	49	60	75	104	129
8th 7	30	40	54	80	106
9th 8	18	21	34	40	50
10th 9	12	12	12	12	12

and thereafter

Year of

Manufacture Age	XI	XII	XIII	XIV	XV
1st 0	\$413	\$500	\$600	\$700	\$812
2nd 1	358	434	520	607	705
3rd 2	312	378	450	529	614
4th 3	269	326	367	456	513
5th 4	229	278	300	389	420
6th 5	188	228	242	319	338
7th 6	155	188	192	263	268
8th 7	127	129	129	181	181
9th 8	62	62	62	87	87
10th 9	21	26	30	36	42

and thereafter

Year of

Manufacture Age	XVI	XVII
1st 0	\$938	\$1,063
2nd 1	814	922
3rd 2	709	795
4th 3	611	693
5th 4	521	591
6th 5	428	483
7th 6	353	383
8th 7	258	258
9th 8	125	125
10th 9	49	55

and thereafter

SECTION 2. IC 6-6-5-3, AS AMENDED BY P.L.256-2017, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3. (a) This section applies to vehicles that:

(1) are registered as:

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- (A) passenger motor vehicles;
- (B) motorcycles;
- (C) collector vehicles; or
- (D) trucks with a declared gross weight of eleven thousand (11,000) pounds or less; and

(2) ~~were manufactured after December 31, 1980.~~ **are model years 1981 and later.**

(b) The bureau shall adopt rules under IC 4-22-2 to determine the value of vehicles to which this section applies as the basis for measuring the vehicle excise tax. The rules must determine the value of a vehicle as of the time it is first offered for sale as a new vehicle in Indiana.

(c) For each vehicle, beginning with the 1990 model year, the bureau shall reduce the value determined under subsection (b) by dividing:

- (1) the price determined under subsection (b); by
- (2) one (1) plus the average percentage increase in new automobile prices using the most recent annual reference to the Consumer Price Index for Private New Automobiles as published by the Bureau of Labor Statistics, United States Department of Labor.

(d) The bureau shall classify each vehicle based on the value determined under subsection (c) according to the following schedule:

Class I	less than \$ 1,500
Class II	at least \$ 1,500 but less than \$ 2,250
Class III	at least \$ 2,250 but less than \$ 3,000
Class IV	at least \$ 3,000 but less than \$ 4,000
Class V	at least \$ 4,000 but less than \$ 5,500
Class VI	at least \$ 5,500 but less than \$ 7,000
Class VII	at least \$ 7,000 but less than \$ 8,500
Class VIII	at least \$ 8,500 but less than \$10,000
Class IX	at least \$10,000 but less than \$12,500
Class X	at least \$12,500 but less than \$15,000
Class XI	at least \$15,000 but less than \$18,000
Class XII	at least \$18,000 but less than \$22,000
Class XIII	at least \$22,000 but less than \$25,000
Class XIV	at least \$25,000 but less than \$30,000
Class XV	at least \$30,000 but less than \$35,000
Class XVI	at least \$35,000 but less than \$42,500
Class XVII	\$42,500 and over

(e) The age of a vehicle is determined by subtracting the model year from the current calendar year.



(f) The tax schedule is as follows:

Age	I	II	III	IV	V
0	\$12	\$36	\$50	\$50	\$66
1	12	30	50	50	57
2	12	27	42	50	50
3	12	24	33	50	50
4	12	18	24	48	50
5	12	12	18	36	50
6	12	12	12	24	42
7	12	12	12	18	24
8	12	12	12	12	12
9	12	12	12	12	12
and thereafter					
Age	VI	VII	VIII	IX	X
0	\$84	\$103	\$123	\$150	\$172
1	74	92	110	134	149
2	63	77	93	115	130
3	52	64	78	98	112
4	50	52	64	82	96
5	50	50	50	65	79
6	49	50	50	52	65
7	30	40	50	50	53
8	18	21	34	40	50
9	12	12	12	12	12
and thereafter					
Age	XI	XII	XIII	XIV	XV
0	\$207	\$250	\$300	\$350	\$406
1	179	217	260	304	353
2	156	189	225	265	307
3	135	163	184	228	257
4	115	139	150	195	210
5	94	114	121	160	169
6	78	94	96	132	134
7	64	65	65	91	91
8	50	50	50	50	50
9	21	26	30	36	42
and thereafter					
Age	XVI	XVII			
0	\$469	\$532			
1	407	461			
2	355	398			
3	306	347			

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4	261	296
5	214	242
6	177	192
7	129	129
8	63	63
9	49	50

and thereafter

SECTION 3. IC 6-6-5-3.5, AS ADDED BY P.L.256-2017, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3.5. (a) Trailers registered with a declared gross vehicle weight equal to or less than nine thousand (9,000) pounds shall be assessed a vehicle excise tax in an amount of eight dollars (\$8) per year.

(b) Vehicles registered as motor driven cycles shall be assessed a vehicle excise tax in an amount of ten dollars (\$10) per year.

(c) Vehicles registered as mini-trucks shall be assessed a vehicle excise tax in an amount of thirty dollars (\$30) per year.

(d) Vehicles registered as military vehicles shall be assessed a vehicle excise tax in an amount of eight dollars (\$8) per year.

(e) Vehicles that ~~were originally manufactured before January 1, 1981,~~ **are model years 1980 or earlier** shall be assessed a vehicle excise tax in an amount of twelve dollars (\$12) per year.

SECTION 4. IC 6-8.1-16.3 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]:

Chapter 16.3. Department of State Revenue Pilot Program

Sec. 1. The following terms are defined for this chapter:

- (1) "Pilot program" means the department of state revenue pilot program established by section 2 of this chapter.
- (2) "Public employee" has the meaning set forth in IC 34-6-2-38.

Sec. 2. (a) The department of state revenue pilot program is established.

(b) The purpose of the pilot program is to assist the state, other states, and other government agencies with the following tasks:

- (1) **The administration and processing of commercial vehicle registrations as required under the International Registration Plan.**
- (2) **The licensing and reporting of fuel tax use for motor carriers under the International Fuel Tax Agreement.**
- (3) **Audit and record keeping for the International Registration Plan and the International Fuel Tax Agreement.**



(4) Any other essential or necessary functions related to motor carrier services.

Sec. 3. (a) The pilot program may be staffed by persons who are not public employees.

(b) The department shall determine the compensation, duties, qualifications, and terms of service for persons employed by the pilot program as either employees or independent contractors.

(c) Employees of the pilot program:

- (1) are eligible for;**
- (2) must participate in; and**
- (3) must receive;**

the benefits of the public employees retirement fund set forth under IC 5-10.2 and IC 5-10.3.

(d) Employees of the pilot program may participate in:

- (1) group insurance plans;**
- (2) the state employee deferred compensation plan; and**
- (3) any other benefit or plan made available to public employees.**

(e) Employees and independent contractors of the pilot program are:

- (1) subject to the:**
 - (A) jurisdiction; and**
 - (B) rules;****of the state ethics commission; and**
- (2) subject to the ethics requirements and rules that ordinarily apply to executive branch members of state government.**

(f) The employees of the pilot program are immune from civil liability and all associated damages, including punitive damages, arising from or related to any work performed within the scope of the employee's employment for the pilot project.

(g) Subject to approval by the budget agency, employees of the pilot program are entitled to reimbursement for traveling expenses as described in IC 4-13-1-4 and any other expense that is actually incurred in connection with the employee's duties.

(h) The department shall develop employee and employment policies for the pilot program.

Sec. 4. Subject to approval by the budget agency, the department may enter into or execute any agreement or contract necessary to carry out the efficient operation of the pilot program.

Sec. 5. (a) As used in this section, "fund" means the department of state revenue pilot program fund established by subsection (b).

(b) The department of state revenue pilot program fund is



established.

(c) The fund shall be used to assist implementation and administration of the pilot program.

(d) The fund may consist of one (1) or more of the following:

- (1) Appropriations made by the general assembly.
- (2) Donations made or gifts donated to the fund.
- (3) Any proceeds derived from agreements or contracts made with third parties.

(e) The fund shall be administered by the department.

(f) The expenses of administering the pilot program and the fund shall be paid for by the fund.

(g) Unless otherwise provided by state or federal law, expenses associated with the pilot program shall be paid for by fund proceeds.

(h) Any money in the fund at the end of a state fiscal year does not revert to the state general fund.

Sec. 6. (a) Notwithstanding IC 5-14-3, all documents, information, or records of the pilot program pertaining to:

- (1) incremental pricing;
- (2) trade secrets; or
- (3) confidential financial information;

may not be disclosed to the public.

(b) Except as specifically provided by law, all remaining records pertaining to the pilot program are subject to public disclosure under IC 5-14-3.

Sec. 7. Except as provided under state or federal law, local and state taxes may not be imposed on the pilot program.

Sec. 8. (a) On or before November 1 of each year, the department must submit a report to the interim study committee on roads and transportation established by IC 2-5-1.3-4.

(b) The report described in subsection (a) must:

- (1) be in an electronic format under IC 5-14-6; and
- (2) contain information concerning pilot program activity during the preceding state fiscal year.

Sec. 9. The department may adopt rules under IC 4-22-2, including emergency rules in the manner provided under IC 4-22-2-37.1, to implement this chapter. An emergency rule implemented under this section expires on the earlier of the following dates:

- (1) The expiration date stated in the emergency rule.
- (2) The date the emergency rule is amended or repealed by a later rule or emergency rule adopted under IC 4-22-2-24



through IC 4-22-2-36 or in the manner provided under IC 4-22-2-37.1.

SECTION 5. IC 9-13-2-170, AS AMENDED BY P.L.214-2005, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 170. "Special group" means

- (†) a class or group of persons that the bureau finds:
 - (A) (1) have made significant contributions to the United States, Indiana, or the group's community or are descendants of native or pioneer residents of Indiana;
 - (B) (2) are organized as a nonprofit organization (as defined under Section 501(c) of the Internal Revenue Code);
 - (C) (3) are organized for nonrecreational purposes; and
 - (D) (4) are organized as a separate, unique organization or as a coalition of separate, unique organizations. ~~or~~
- (2) a ~~National Football League franchised professional football team.~~

SECTION 6. IC 9-17-4-4, AS AMENDED BY HEA 1095-2018, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019]: Sec. 4. A certificate of title issued under this chapter must contain the following:

- (1) A description and other evidence of identification of the vehicle as required by the bureau.
- (2) A statement of any liens or encumbrances that the application shows to be on the certificate of title.
- (3) The appropriate notation prominently recorded on the title as follows:
 - (A) For a vehicle that is assembled using all new or used vehicle parts **that does not resemble a specific manufacturer make or model: (other than a specialty constructed vehicle described in clause (C));**
 - (i) "RECONSTRUCTED VEHICLE", **if the certificate of title is issued before January 1, 2019; or**
 - (ii) "SPECIALTY CONSTRUCTED VEHICLE", **if the certificate of title is issued after December 31, 2018.**
 - (B) For a vehicle assembled using a salvage vehicle or parts; ~~"REBUILT".~~
 - (C) (B) For a vehicle:
 - (i) with a body built to resemble and be a reproduction of another vehicle of a given year that was manufactured at least twenty-five (25) years in the past; and
 - (ii) that is assembled using all new or used parts; **"SPECIALTY CONSTRUCTED VEHICLE", if the certificate**



of title is issued before January 1, 2019, or "REPLICA VEHICLE", if the certificate of title is issued after December 31, 2018.

(C) For a vehicle that has been permanently altered from its original construction by adding, removing, or substituting major component parts, "RECONSTRUCTED".

SECTION 7. IC 9-17-4-10, AS AMENDED BY P.L.198-2016, SECTION 235, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 10. (a) The bureau shall designate special identification numbers under this chapter ~~consecutively, beginning with the number one (1), preceded by the letters "MVIN", and followed by the letters "IND" in the order of the filing of applications.~~ **in a manner that allows a person to distinguish a special identification number issued by the bureau from any other vehicle identification number.**

(b) This chapter does not affect the authority of a manufacturer or a manufacturer's agent, other than a dealer, to perform numbering on vehicles or motor vehicle parts that are removed or changed and then replaced with other numbered motor vehicle parts.

SECTION 8. IC 9-18.1-9-1, AS AMENDED BY P.L.256-2017, SECTION 123, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1. (a) A vehicle that is owned or leased and used for official business by the following is exempt from the payment of registration fees under this article:

- (1) The state or a state agency (as defined in IC 6-1.1-1-18).
- (2) A municipal corporation (as defined in IC 36-1-2-10).
- (3) A volunteer fire department (as defined in IC 36-8-12-2).
- (4) A volunteer emergency ambulance service that:
 - (A) meets the requirements of IC 16-31; and
 - (B) has only members that serve for no compensation or a nominal annual compensation of not more than three thousand five hundred dollars (\$3,500).
- (5) A rehabilitation center funded under IC 12-12.
- (6) A community action agency (IC 12-14-23).
- (7) An area agency on aging (IC 12-10-1-6) and a county council on aging that is funded through an area agency.
- (8) A community mental health center (IC 12-29-2).
- (9) An approved postsecondary educational institution listed in IC 21-7-13-6(a)(1)(C).**

SECTION 9. IC 9-18.5-12-2, AS AMENDED BY P.L.256-2017, SECTION 140, IS AMENDED TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2018]: Sec. 2. This chapter does not apply to the following:

- (1) Historic vehicle license plates (IC 9-18.5-34).
- (2) Personalized license plates (IC 9-18.5-2).
- (3) Disabled Hoosier veteran license plates (IC 9-18.5-5).
- (4) Purple Heart license plates (IC 9-18.5-6).
- (5) National Guard license plates (IC 9-18.5-7).
- (6) Person with a disability license plates (IC 9-18.5-8).
- (7) Amateur radio operator license plates (IC 9-18.5-9).
- (8) In God We Trust license plates (IC 9-18.5-11).
- (9) Pearl Harbor survivor license plates (IC 9-18.5-24).
- (10) Lewis and Clark expedition license plates (IC 9-18.5-26).
- (11) National Football League franchised football team license plates (IC 9-18.5-28).**
- ~~(11)~~ **(12)** Hoosier veteran license plates (IC 9-18.5-29).
- ~~(12)~~ **(13)** Support our troops license plates (IC 9-18.5-30).
- ~~(13)~~ **(14)** Abraham Lincoln's boyhood home license plates (IC 9-18.5-31).
- ~~(14)~~ **(15)** Indiana Gold Star family member license plates (IC 9-18.5-33).

SECTION 10. IC 9-18.5-17-1 IS REPEALED [EFFECTIVE JULY 1, 2018]. ~~Sec. 1. As used in this chapter, "Indiana firefighter" means an individual who is:~~

- ~~(1) a full-time, salaried firefighter; or~~
- ~~(2) a volunteer firefighter (as defined in IC 36-8-12-2).~~

SECTION 11. IC 9-18.5-17-2, AS ADDED BY P.L.198-2016, SECTION 327, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. (a) The bureau shall design and issue an Indiana firefighter license plate as a special group recognition license plate under IC 9-18.5-12.

(b) The bureau shall confer with representatives of the Professional Firefighters Union of Indiana and the Indiana Firefighters Association concerning ~~a the design for the emblem that identifies the vehicle as being registered to a firefighter as prescribed under IC 9-18.5-12-8. of the license plate.~~

SECTION 12. IC 9-18.5-17-3, AS ADDED BY P.L.198-2016, SECTION 327, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3. An individual ~~who is an Indiana firefighter and who is eligible to register a vehicle under this title~~ is eligible to receive at least one (1) Indiana firefighter license plate upon doing the following:

- (1) Completing an application for an Indiana firefighter license

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plate.

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

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

SECTION 13. IC 9-18.5-28-1, AS ADDED BY P.L.198-2016, SECTION 327, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1. The bureau shall design and issue a National Football League franchised football team license plate for a National Football League franchised football team from which the bureau secures an agreement for the production and sale of license plates. ~~A National Football League franchised football team license plate shall be designed and issued as a special group recognition license plate under IC 9-18.5-12.~~

SECTION 14. IC 9-22-3-15, AS AMENDED BY P.L.198-2016, SECTION 396, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 15. (a) If a salvage vehicle is rebuilt for operation upon the highways and ownership is evidenced by a certificate of salvage title, the person that owns the vehicle shall apply to the bureau for a certificate of title with a rebuilt designation. The bureau shall issue a certificate of title under IC 9-17 with a rebuilt designation, subject to the following conditions:

(1) A state police officer inspects the vehicle and verifies proof of ownership of major component parts used and the source of the major component parts.

(2) The person that owns the vehicle submits, on a form prescribed by the bureau, a properly executed affidavit from the person that restored the motor vehicle. The affidavit must:

(A) include the name, identification number, and source of all component parts that were included in the restoration of the vehicle; and

(B) be attached to the certificate of salvage title.

(3) The person that owns the vehicle surrenders the certificate of salvage title.

A condition under this subsection is in addition to any requirements under IC 9-17.

(b) Except as provided in subsection (c), a certificate of title issued under this section must conspicuously bear the designation:

(1) "REBUILT VEHICLE" if the vehicle is not a flood damaged vehicle; or

(2) "REBUILT FLOOD DAMAGED VEHICLE" if the vehicle is a flood damaged vehicle.



(c) An insurance company authorized to do business in Indiana may obtain a certificate of title that does not bear the rebuilt designation if the company submits to the bureau, in the form and manner the bureau requires, satisfactory evidence that the damage, if any, to a recovered stolen vehicle did not meet the criteria set forth in section 3 of this chapter.

(d) A person that knowingly or intentionally violates this section commits a Class A infraction.

(e) A police officer having jurisdiction in Indiana who makes an inspection under this section may charge a fee subject to the following conditions:

(1) The fee must be established by an ordinance adopted by the unit (as defined in IC 36-1-2-23) that employs the police officer.

(2) The fee may not exceed five dollars (\$5).

(3) Revenue generated by the fee shall be deposited in the following manner:

(A) A special vehicle inspection fund if the police officer making the inspection is a member of the county sheriff's department.

(B) A local law enforcement continuing education fund established by IC 5-2-8-2 if the police officer making the inspection is:

(i) a member of a city or town police department;

(ii) a town marshal; or

(iii) a town marshal deputy.

SECTION 15. IC 9-24-3-3, AS AMENDED BY P.L.149-2015, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3. (a) The bureau may waive:

(1) up to six (6) months of the age ~~and~~ 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 ~~initial~~ operator's license due to hardship conditions.

(b) The bureau shall adopt rules under IC 4-22-2 to state the conditions under which the ~~age and experience requirement~~ requirements may be waived under subsection (a).

SECTION 16. IC 9-24-8.5-3, AS AMENDED BY P.L.256-2017, SECTION 170, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: 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 ~~one hundred eighty (180)~~ **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.

SECTION 17. IC 9-24-10-4, AS AMENDED BY P.L.198-2016, SECTION 474, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: 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.

(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. 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) may waive 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; and

(‡) (3) may waive 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.

(d) ~~An instructor having a license under IC 9-27-6-8 who did not instruct the applicant for the driver's license or permit in driver education is~~ **The following are** not civilly or criminally liable for a report made in good faith to the

- ~~(1)~~ bureau,
- ~~(2)~~ commission, or
- ~~(3)~~ 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 18. IC 9-24-11-3.5, AS ADDED BY P.L.198-2016, SECTION 480, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3.5. (a) This section applies:

- (1) to an individual who is less than twenty-one (21) years of age; and
- (2) during the **one hundred eighty (180) day** period ~~ending one hundred eighty (180) days~~ after the individual is issued a driver's license under this article.

(b) An individual may not operate a motor vehicle:

(1) from 10 p.m. until 5 a.m. of the following morning, unless the individual is:

(A) participating in, going to, or returning from:

- (i) lawful employment;
- (ii) a school sanctioned activity; or
- (iii) a religious event; or

(B) accompanied in the front seat of the motor vehicle by a licensed driver with valid driving privileges who is:

- (i) at least twenty-five (25) years of age; or
- (ii) if the licensed driver is the individual's spouse, at least twenty-one (21) years of age; or

(2) in which there are passengers, unless:

(A) each passenger in the motor vehicle is:

- (i) a child or stepchild of the individual;
- (ii) a sibling of the individual, including step or half siblings;
- (iii) the spouse of the individual; ~~or~~

(iv) a parent or legal guardian of the individual;

(v) a grandparent of the individual; or

~~(iv)~~ **(vi) any combination of individuals described in items (i) through (iii); (v); or**



(B) the individual is accompanied in the front seat of the motor vehicle by a licensed driver with valid driving privileges who is:

- (i) at least twenty-five (25) years of age; or
- (ii) if the licensed driver is the individual's spouse, at least twenty-one (21) years of age.

SECTION 19. IC 9-24-12-4, AS AMENDED BY P.L.198-2016, SECTION 493, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. (a) Except as provided in subsections (b) and (c), the application for renewal of:

- (1) an operator'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 ~~twelve (12)~~ **twenty-four (24)** months before the expiration date of the license, identification card, or photo exempt identification card held by the applicant.

(b) 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) 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 20. IC 9-24-16-5, AS AMENDED BY P.L.125-2012, SECTION 230, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 5. (a) An application for renewal of an identification card may be made not more than ~~twelve (12)~~ **twenty-four (24)** months before the expiration date of the card. However, when the applicant complies with section 3.5(1)(E) through 3.5(1)(J) of this chapter, an application for renewal of an identification card may be filed not more than one (1) month before the expiration date of the identification card held by the applicant.

(b) Except as provided in subsection (d), a renewed card is valid on the birth date of the holder and remains valid for six (6) years.

(c) Renewal may not be granted if the cardholder was issued a driver's license subsequent to the last issuance of an identification card.



(d) A renewed identification card issued under this article to an applicant who complies with section 3.5(1)(E) through 3.5(1)(J) of this chapter expires:

(1) at midnight one (1) year after issuance, if there is no expiration date on the authorization granted to the individual to remain in the United States; or

(2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:

(A) At midnight of the date the authorization of the holder to be a legal permanent resident or conditional resident alien of the United States expires.

(B) At midnight of the birthday of the holder that occurs six (6) years after the date of issuance.

SECTION 21. IC 9-24-16.5-5, AS ADDED BY P.L.197-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 5. (a) A photo exempt identification card expires at midnight on the birth date of the holder that occurs six (6) years following the date of issuance.

(b) An application for renewal of a photo exempt identification card may be made not more than ~~twelve (12)~~ **twenty-four (24)** months before the expiration date of the card.

(c) A renewed photo exempt identification card is valid on the birth date of the holder and remains valid for six (6) years.

(d) A photo exempt identification card may not be renewed if the holder was issued a driver's license or an identification card after the last issuance of a photo exempt identification card.

(e) An application for the renewal of a photo exempt identification card may not be made by mail or by electronic service.

SECTION 22. IC 9-24-19-8, AS AMENDED BY P.L.198-2016, SECTION 537, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 8. Service by the bureau of motor vehicles of a notice ~~of an order~~ or an order suspending or revoking an individual's driving privileges by mailing the notice or order by first class mail to the individual ~~under this chapter~~ at the last address shown for the individual in the records of the bureau establishes a rebuttable presumption that the individual knows that the individual's driving privileges are suspended or revoked, as applicable.

SECTION 23. IC 9-32-9-13, AS ADDED BY P.L.179-2017, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 13. (a) A dealer licensed under this article shall secure an affidavit from the person that holds the certificate of title on



the date of receiving a title by sale or transfer. The affidavit must state whether the vehicle is a flood damaged vehicle.

(b) The dealer shall file the affidavit secured under subsection (a) ~~with the bureau upon receiving the affidavit and shall retain a copy of the affidavit~~ with the records of the dealer.

(c) Submission of a fraudulent affidavit under subsection (a) subjects the affiant to civil liability for all damages incurred by a dealer, subsequent purchaser, or transferee of the title, including reasonable attorney's fees and court costs (including fees).

(d) A dealer that knowingly or intentionally fails to comply with subsection (a) or (b) commits a Class B misdemeanor.

(e) A person that knowingly or intentionally submits a fraudulent affidavit under subsection (a) commits a Class A infraction.

SECTION 24. IC 9-33-3-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 0.5. As used in this chapter, "fee" means any money assessed or collected by the bureau.**

SECTION 25. IC 34-30-2-16.4 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 16.4. IC 6-8.1-16.3-3 (Concerning actions taken by an employee of the department of state revenue pilot program).**

SECTION 26. IC 34-30-2-30.3, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2018 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: ~~Sec. 30.3. IC 9-24-10-4(e)~~ **IC 9-24-10-4(d)** (Concerning driver education instructors, **licensed ophthalmologists, and licensed optometrists who did not instruct an applicant for a license or permit** who make reports concerning the fitness of the applicant to operate a motor vehicle).

SECTION 27. IC 35-44.1-4-3, AS AMENDED BY P.L.257-2017, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: ~~Sec. 3. As used in this chapter, "firefighter" has the meaning set forth in IC 9-18.5-17-1.~~ **means an individual who is:**

- (1) a full-time, salaried firefighter; or**
- (2) a volunteer firefighter (as defined in IC 36-8-12-2).**

SECTION 28. IC 35-47-4.5-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 1.5. As used in this chapter, "firefighter" means an individual who is:**

- (1) a full-time, salaried firefighter; or**
- (2) a volunteer firefighter (as defined in IC 36-8-12-2).**



SECTION 29. IC 35-47-4.5-3, AS AMENDED BY P.L.257-2017, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3. As used in this chapter, "public safety officer" means:

- (1) a state police officer;
- (2) a county sheriff;
- (3) a county police officer;
- (4) a correctional officer;
- (5) an excise police officer;
- (6) a county police reserve officer;
- (7) a city police officer;
- (8) a city police reserve officer;
- (9) a conservation enforcement officer;
- (10) a gaming agent;
- (11) a town marshal;
- (12) a deputy town marshal;
- (13) a state educational institution police officer appointed under IC 21-39-4;
- (14) a probation officer;
- (15) a firefighter; (~~as defined in IC 9-18.5-17-1~~);
- (16) an emergency medical technician;
- (17) a paramedic;
- (18) a member of a consolidated law enforcement department established under IC 36-3-1-5.1;
- (19) a gaming control officer; or
- (20) a community corrections officer.

SECTION 30. IC 36-9-12-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. (a) A municipality must provide, by ordinance, that:

- (1) all license fees collected from parking meters shall be deposited with the municipal fiscal officer;
 - (2) the fees shall be deposited to the credit of the municipality in a special fund; and
 - (3) disbursements from the special fund may be made only on orders of the municipal works board, or board of transportation, and only for the purposes listed in subsection (b).
- (b) Disbursements from the special fund may be made only to pay:
- (1) the purchase price, rental fees, and cost of installation of the parking meters;
 - (2) the cost of maintenance, operation, and repair of the parking meters;
 - (3) incidental costs and expenses in the operation of the parking



- meters, including the cost of clerks and bookkeeping;
- (4) the cost of traffic signal devices used in the municipality;
 - (5) the cost of repairing and maintaining any of the public ways, curbs, and sidewalks where the parking meters are in use, and all public ways connected with them in the municipality;
 - (6) the cost of acquiring, by lease or purchase, suitable land for offstreet parking facilities to be operated or leased by the municipality;
 - (7) the principal and interest on bonds issued to acquire parking facilities and devices;
 - (8) the cost of improving and maintaining land for parking purposes and purchasing, installing, and maintaining parking meters on that land; ~~and~~
 - (9) the cost of providing approved school crossing protective facilities, including the costs of purchase, maintenance, operation, and repair, and all other incidental costs; **and**
 - (10) the cost of maintenance and operation of a municipally owned park where parking meters are located.**



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

HEA 1311 — Concur

