

HOUSE BILL No. 1327

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-2.8; IC 9-18.1; IC 9-18.5-1-3; IC 14-16-1.

Synopsis: Operation and registration of all-terrain vehicles. Requires all-terrain vehicles to be registered with the bureau of motor vehicles (bureau). Provides certain exceptions. Provides that the registration fee for an all-terrain vehicle is \$30. Specifies how the fee shall be distributed. Prohibits a city or town from adopting an ordinance that exempts an all-terrain vehicle from being registered with the bureau. Provides that a person may operate an all-terrain vehicle in an unincorporated area of a county. Makes conforming amendments.

Effective: July 1, 2019.

Prescott

January 14, 2019, read first time and referred to Committee on Roads and Transportation.



First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

HOUSE BILL No. 1327

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

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

1 SECTION 1. IC 9-13-2-2.8 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2019]: **Sec. 2.8. "All-terrain vehicle" has the meaning set forth**
4 **in IC 14-8-2-5.7.**

5 SECTION 2. IC 9-18.1-2-2, AS AMENDED BY P.L.128-2018,
6 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2019]: Sec. 2. **Except as otherwise provided in this article,**
8 the following vehicles are not required to be registered under this
9 article:

10 (1) A vehicle that is propelled by electric power obtained from
11 overhead trolley wires but is not operated on rails or tracks.

12 (2) A firetruck and apparatus used for fire protection.

13 (3) A new motor vehicle if the new motor vehicle is being
14 operated in Indiana solely to remove it from an accident site to a
15 storage location because:

16 (A) the new motor vehicle was being transported on a railroad
17 car or semitrailer; and



- 1 (B) the railroad car or semitrailer was involved in an accident
- 2 that required the unloading of the new motor vehicle to
- 3 preserve or prevent further damage to it.
- 4 (4) A vehicle that is:
- 5 (A) owned or leased; and
- 6 (B) used;
- 7 by the United States government for official government
- 8 purposes.
- 9 (5) A school bus or special purpose bus that is:
- 10 (A) owned by a school corporation; and
- 11 (B) registered under IC 20-27-7.
- 12 (6) Golf carts when operated in accordance with an ordinance
- 13 adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).
- 14 (7) A vehicle that is not designed for or employed in general
- 15 highway transportation of persons or property and is occasionally
- 16 operated or moved over the highway, including the following:
- 17 (A) An electric personal assistive mobility device.
- 18 (B) Road construction or maintenance machinery.
- 19 (C) A movable device designed, used, or maintained to alert
- 20 motorists of hazardous conditions on highways.
- 21 (D) Construction dust control machinery.
- 22 (E) A well boring apparatus.
- 23 (F) A ditch digging apparatus.
- 24 (G) An implement of agriculture designed to be operated
- 25 primarily in a farm field or on farm premises.
- 26 (H) A farm tractor.
- 27 (I) A farm wagon.
- 28 (J) A tractor:
- 29 (i) that is used to move semitrailers around a terminal or a
- 30 loading or spotting facility; and
- 31 (ii) for which a permit is issued under IC 6-6-4.1-13(f).
- 32 (8) An off-road vehicle or a snowmobile.
- 33 (9) A vehicle that is operated and displays a license plate in
- 34 accordance with IC 9-32.
- 35 (10) A disposable trailer.
- 36 SECTION 3. IC 9-18.1-2-3.5 IS ADDED TO THE INDIANA
- 37 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 38 [EFFECTIVE JULY 1, 2019]: **Sec. 3.5. (a) This section does not**
- 39 **apply to an all-terrain vehicle being operated on private property.**
- 40 **(b) An all-terrain vehicle may not be operated unless the**
- 41 **all-terrain vehicle:**
- 42 **(1) is registered under this article; and**



(2) displays proof of registration in accordance with this article.

SECTION 4. IC 9-18.1-5-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6.5. The fee to register an all-terrain vehicle is thirty dollars (\$30). The fee shall be distributed as follows:

(1) Twenty-five cents (\$0.25) to the state police building account.

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

(3) Two dollars and ninety cents (\$2.90) to the highway, road and street fund.

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

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

(6) Three dollars and ten cents (\$3.10) to the commission fund.

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

SECTION 5. IC 9-18.5-1-3, AS ADDED BY P.L.198-2016, SECTION 327, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. Except as otherwise provided, the following vehicles may display any license plate designed under this article:

(1) A passenger motor vehicle.

(2) A motorcycle.

(3) A recreational vehicle.

(4) A truck with a declared gross weight of not more than eleven thousand (11,000) pounds.

(5) An all-terrain vehicle.

SECTION 6. IC 14-16-1-22, AS AMENDED BY P.L.86-2010, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 22. A ~~county~~, city or town may pass an ordinance regulating the operation of vehicles if the ordinance meets substantially the minimum requirements of this chapter. However, a ~~county~~, city or town may not adopt an ordinance that does any of the following:

(1) Imposes a fee for a license.

(2) Specifies accessory equipment to be carried on the vehicles.

(3) Requires a vehicle operator to possess a driver's license issued under IC 9-24-11 while operating an off-road vehicle or snowmobile.

(4) Imposes a dry weight limitation of less than two thousand



1 (2,000) pounds.

2 **(5) Exempts an all-terrain vehicle from being registered under**
3 **IC 9-18.1.**

4 SECTION 7. IC 14-16-1-22.5 IS ADDED TO THE INDIANA
5 CODE AS A NEW SECTION TO READ AS FOLLOWS
6 [EFFECTIVE JULY 1, 2019]: **Sec. 22.5. (a) This section does not**
7 **apply to a person operating an all-terrain vehicle within the**
8 **jurisdiction of a city or a town.**

9 **(b) Notwithstanding any other law or provision, a person who**
10 **meets substantially the minimum requirements of this chapter may**
11 **operate an all-terrain vehicle in an unincorporated area of a**
12 **county.**

