

# HOUSE BILL No. 1429

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-13-2-149.6; IC 9-18.1-3; IC 9-22-1-3.3; IC 9-24.

**Synopsis:** Abandoned vehicles. Provides that a person may not knowingly or intentionally abandon a motor vehicle. Specifies that the last titled owner of an abandoned vehicle is responsible for: (1) the abandoned vehicle; and (2) all costs incidental to the removal, storage, or disposal of the abandoned vehicle or its parts. Provides certain exceptions. Provides that the bureau of motor vehicles (bureau) may not issue or renew an operator's license for an applicant who: (1) abandons a vehicle; and (2) fails to fully pay all costs and fines associated with the abandonment of the vehicle. Provides that the bureau may not register a motor vehicle to a registrant who: (1) abandons a vehicle; and (2) fails to fully pay all costs and fines associated with the abandonment of the vehicle. Allows the bureau to withhold the annual registration of a vehicle registered to an individual who: (1) abandons a vehicle; and (2) fails to fully pay all costs and fines associated with the abandonment of the vehicle. Provides the bureau with rulemaking authority. Defines certain terms. Makes conforming amendments.

**Effective:** July 1, 2018.

---

---

## Morris

---

---

January 16, 2018, read first time and referred to Committee on Roads and Transportation.

---

---



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 BILL No. 1429

---

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 9-13-2-149.6 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2018]: **Sec. 149.6. "Record of sale" has the**  
4 **meaning set forth in IC 9-22-1-3.7(a).**

5 SECTION 2. IC 9-18.1-3-4.5 IS ADDED TO THE INDIANA  
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2018]: **Sec. 4.5. (a) The bureau may not**  
8 **register a vehicle to a registrant who has not fully paid all costs and**  
9 **finances imposed under IC 9-22-1-4.**

10 **(b) If an individual described in subsection (a) fully pays all**  
11 **costs and fines imposed under IC 9-22-1-4, the bureau shall**  
12 **proceed with the registration of the vehicle as prescribed by this**  
13 **chapter.**

14 **(c) It shall be the responsibility of the registrant to demonstrate**  
15 **compliance with subsection (b).**

16 **(d) The department may adopt rules under IC 4-22-2 or**  
17 **emergency rules in the manner provided under IC 4-22-2-37.1 to**



1 implement this section. An emergency rule adopted under this  
2 section expires on the earlier of the following dates:

3 (1) The expiration date stated in the emergency rule.

4 (2) The date the emergency rule is amended or repealed by a  
5 later rule or emergency rule adopted under IC 4-22-2-24  
6 through IC 4-22-2-36 or in the manner provided under  
7 IC 4-22-2-37.1.

8 SECTION 3. IC 9-18.1-3-7.5 IS ADDED TO THE INDIANA  
9 CODE AS A NEW SECTION TO READ AS FOLLOWS  
10 [EFFECTIVE JULY 1, 2018]: Sec. 7.5. (a) The bureau shall withhold  
11 the annual registration of any vehicle registered to an individual  
12 who has not fully paid all costs and fines imposed under  
13 IC 9-22-1-4.

14 (b) If an individual described in subsection (a) fully pays all  
15 costs and fines imposed under IC 9-22-1-4, the bureau shall  
16 proceed with the registration of the vehicle as prescribed by this  
17 chapter.

18 (c) It shall be the responsibility of the registrant to demonstrate  
19 compliance with subsection (b).

20 (d) The department may adopt rules under IC 4-22-2 or  
21 emergency rules in the manner provided under IC 4-22-2-37.1 to  
22 implement this section. An emergency rule adopted under this  
23 section expires on the earlier of the following dates:

24 (1) The expiration date stated in the emergency rule.

25 (2) The date the emergency rule is amended or repealed by a  
26 later rule or emergency rule adopted under IC 4-22-2-24  
27 through IC 4-22-2-36 or in the manner provided under  
28 IC 4-22-2-37.1.

29 SECTION 4. IC 9-22-1-3.3 IS ADDED TO THE INDIANA CODE  
30 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
31 1, 2018]: Sec. 3.3. (a) As used in this section, "record of sale" means  
32 either of the following:

33 (1) A legible photocopy of a reassigned vehicle title.

34 (2) A form document that includes the:

35 (A) address;

36 (B) date of sale or transfer;

37 (C) driver's license number;

38 (D) name; and

39 (E) signature;

40 of the person to whom a vehicle is sold or transferred.

41 (b) A person may not knowingly or intentionally abandon a  
42 vehicle.



1 (c) Except as provided in subsection (d), the last titled owner of  
2 an abandoned vehicle shall be responsible for:

- 3 (1) the abandoned vehicle; and  
4 (2) subject to IC 9-22-1-4, all costs and fines incidental to the  
5 disposal, removal, or storage of the abandoned vehicle or its  
6 parts.

7 (d) The owner of a motor vehicle who:

- 8 (1) delivers:  
9 (A) possession of a vehicle; and  
10 (B) the applicable certificate of title;  
11 to a subsequent purchaser or transferee; and  
12 (2) possesses a record of sale for a vehicle that is delivered to  
13 the subsequent purchaser or transferee;

14 is not liable for any costs or fines that result from the ownership or  
15 use of a vehicle by the subsequent owner or transferee.

16 (e) A person who violates subsection (b) may not:

- 17 (1) register or renew a vehicle registration under IC 9-18.1; or  
18 (2) receive or renew an operator's license under IC 9-24.

19 SECTION 5. IC 9-24-3-1.5 IS ADDED TO THE INDIANA CODE  
20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
21 1, 2018]: Sec. 1.5. (a) The bureau may not issue an operator's  
22 license to any individual who has:

- 23 (1) violated IC 9-22-1-3.7(b); and  
24 (2) not fully paid all costs and fines imposed under  
25 IC 9-22-1-4.

26 (b) If an individual described in subsection (a) fully pays all  
27 costs and fines imposed under IC 9-22-1-4, the bureau shall  
28 proceed with the issuance of an operator's license as prescribed by  
29 this chapter.

30 (c) It shall be the responsibility of the registrant to demonstrate  
31 compliance with subsection (b).

32 (d) The department may adopt rules under IC 4-22-2 or  
33 emergency rules in the manner provided under IC 4-22-2-37.1 to  
34 implement this section. An emergency rule adopted under this  
35 section expires on the earlier of the following dates:

- 36 (1) The expiration date stated in the emergency rule.  
37 (2) The date the emergency rule is amended or repealed by a  
38 later rule or emergency rule adopted under IC 4-22-2-34  
39 through IC 4-22-2-36 or in the manner provided under  
40 IC 4-22-2-37.1.

41 SECTION 6. IC 9-24-12-5, AS AMENDED BY P.L.256-2017,  
42 SECTION 174, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2018]: Sec. 5. (a) Except as provided in  
 2 subsection (b) **and section 5.5 of this chapter** and subject to  
 3 subsection (d), an individual applying for renewal of an operator's, a  
 4 chauffeur's, or a public passenger chauffeur's license, including any  
 5 endorsements in effect with respect to the license, must apply in person  
 6 at a license branch and do the following:

7 (1) Pass an eyesight examination.

8 (2) Pass a written examination if:

9 (A) the applicant has at least six (6) active points on the  
 10 applicant's driving record maintained by the bureau;

11 (B) the applicant has not reached the applicant's twenty-first  
 12 birthday and has active points on the applicant's driving record  
 13 maintained by the bureau; or

14 (C) the applicant is in possession of a driver's license that is  
 15 expired beyond one hundred eighty (180) days.

16 (b) The bureau may adopt rules under IC 4-22-2 concerning the  
 17 ability of a holder of an operator's, a chauffeur's, or a public passenger  
 18 chauffeur's license to renew the license, including any endorsements in  
 19 effect with respect to the license, by mail or by electronic service. If  
 20 rules are adopted under this subsection, the rules must provide that an  
 21 individual's renewal by mail or by electronic service is subject to the  
 22 following conditions:

23 (1) A valid computerized image of the individual must exist  
 24 within the records of the bureau.

25 (2) The previous renewal of the individual's operator's,  
 26 chauffeur's, or public passenger chauffeur's license must not have  
 27 been by mail or by electronic service.

28 (3) The application for or previous renewal of the individual's  
 29 license must have included a test of the individual's eyesight  
 30 approved by the bureau.

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

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

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

37 (A) address; or

38 (B) name;

39 of the individual since the issuance or previous renewal of the  
 40 individual's operator's, chauffeur's, or public passenger chauffeur's  
 41 license.

42 (7) The operator's, chauffeur's, or public passenger chauffeur's



- 1 license of the individual must not be:  
 2 (A) suspended; or  
 3 (B) expired more than one hundred eighty (180) days;  
 4 at the time of the application for renewal.  
 5 (8) The individual must be less than seventy-five (75) years of age  
 6 at the time of the application for renewal.  
 7 (c) An individual applying for the renewal of an operator's, a  
 8 chauffeur's, or a public passenger chauffeur's license, including any  
 9 endorsements in effect with respect to the license, must apply in person  
 10 at a license branch under subsection (a) if the individual is not entitled  
 11 to apply by mail or by electronic service under rules adopted under  
 12 subsection (b).  
 13 (d) The bureau may not issue or renew a chauffeur's or a public  
 14 passenger chauffeur's license after December 31, 2016. If a holder of  
 15 a chauffeur's or a public passenger chauffeur's license applies after  
 16 December 31, 2016, for renewal of the chauffeur's or public passenger  
 17 chauffeur's license, the bureau shall issue to the holder an operator's  
 18 license with a for-hire endorsement if the holder:  
 19 (1) applies in a form and manner prescribed by the bureau; and  
 20 (2) satisfies the requirements for renewal of an operator's license,  
 21 including the fee and examination requirements under this  
 22 section.  
 23 (e) An individual applying for the renewal of an operator's license  
 24 shall pay the following applicable fee:  
 25 (1) If the individual is less than seventy-five (75) years of age,  
 26 seventeen dollars and fifty cents (\$17.50). The fee shall be  
 27 distributed as follows:  
 28 (A) Fifty cents (\$0.50) to the state motor vehicle technology  
 29 fund.  
 30 (B) Two dollars (\$2) to the crossroads 2000 fund.  
 31 (C) Four dollars and fifty cents (\$4.50) to the motor vehicle  
 32 highway account.  
 33 (D) One dollar and twenty-five cents (\$1.25) to the integrated  
 34 public safety communications fund.  
 35 (E) Nine dollars and twenty-five cents (\$9.25) to the  
 36 commission fund.  
 37 (2) If the individual is at least seventy-five (75) years of age and  
 38 less than eighty-five (85) years of age, eleven dollars (\$11). The  
 39 fee shall be distributed as follows:  
 40 (A) Fifty cents (\$0.50) to the state motor vehicle technology  
 41 fund.  
 42 (B) One dollar and fifty cents (\$1.50) to the crossroads 2000



- 1 fund.  
 2 (C) Three dollars (\$3) to the motor vehicle highway account.  
 3 (D) One dollar and twenty-five cents (\$1.25) to the integrated  
 4 public safety communications fund.  
 5 (E) Four dollars and seventy-five cents (\$4.75) to the  
 6 commission fund.  
 7 (3) If the individual is at least eighty-five (85) years of age, seven  
 8 dollars (\$7). The fee shall be distributed as follows:  
 9 (A) Fifty cents (\$0.50) to the state motor vehicle technology  
 10 fund.  
 11 (B) One dollar (\$1) to the crossroads 2000 fund.  
 12 (C) Two dollars (\$2) to the motor vehicle highway account.  
 13 (D) One dollar and twenty-five cents (\$1.25) to the integrated  
 14 public safety communications fund.  
 15 (E) Two dollars and twenty-five cents (\$2.25) to the  
 16 commission fund.

17 A fee paid under this subsection after December 31, 2016, includes the  
 18 renewal of any endorsements that are in effect with respect to the  
 19 operator's license at the time of renewal.

20 SECTION 7. IC 9-24-12-5.5 IS ADDED TO THE INDIANA CODE  
 21 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 22 1, 2018]: **Sec. 5.5. (a) The bureau may not renew an operator's  
 23 license belonging to any individual who has:**

- 24 (1) violated IC 9-22-1-3.7(b); and  
 25 (2) not fully paid all costs and fines imposed under  
 26 IC 9-22-1-4.

27 (b) If an individual described in subsection (a) fully pays all  
 28 costs and fines imposed under IC 9-22-1-4, the bureau shall  
 29 proceed with the renewal of the operator's license as prescribed by  
 30 this chapter.

31 (c) It shall be the responsibility of the registrant to demonstrate  
 32 compliance with subsection (b).

33 (d) The department may adopt rules under IC 4-22-2 or  
 34 emergency rules in the manner provided under IC 4-22-2-37.1 to  
 35 implement this section. An emergency rule adopted under this  
 36 section expires on the earlier of the following dates:

- 37 (1) The expiration date stated in the emergency rule.  
 38 (2) The date the emergency rule is amended or repealed by a  
 39 later rule or emergency rule adopted under IC 4-22-2-24  
 40 through IC 4-22-2-36 or in the manner provided under  
 41 IC 4-22-2-37.1.

