



March 14, 2017

ENGROSSED HOUSE BILL No. 1488

DIGEST OF HB 1488 (Updated March 9, 2017 1:08 pm - DI 130)

Citations Affected: IC 8-14; IC 9-13; IC 9-22; IC 9-31; IC 9-32; IC 34-30; IC 35-52.

Synopsis: Auto dealer services. Makes various changes to the motor vehicle law concerning dealerships, licensing of watercraft and automotive mobility dealers, and automotive salvage recycler recordkeeping. Establishes the consumer restitution fund.

Effective: July 1, 2017.

Sullivan, Siegrist, Austin

(SENATE SPONSOR — CRIDER)

January 18, 2017, read first time and referred to Committee on Roads and Transportation.
February 9, 2017, amended, reported — Do Pass.
February 13, 2017, read second time, ordered engrossed. Engrossed.
February 16, 2017, read third time, passed. Yeas 87, nays 0.

SENATE ACTION

February 23, 2017, read first time and referred to Committee on Commerce and Technology.
March 13, 2017, amended, reported favorably — Do Pass.

EH 1488—LS 7056/DI 128



March 14, 2017

First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1488

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 8-14-10-9, AS AMENDED BY P.L.216-2014,
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2017]: Sec. 9. (a) The crossroads 2000 fund is established for
4 the purpose of constructing or reconstructing state highways. The
5 crossroads 2000 fund consists of distributions received under ~~IC 9-29-~~
6 **IC 9-18.1, IC 9-18.5, IC 9-24, and IC 9-32.**
7 (b) The crossroads 2000 fund shall be administered by the
8 department. The treasurer of state shall invest the money in the
9 crossroads 2000 fund not currently needed to meet the obligations of
10 the crossroads 2000 fund in the same manner as other public funds may
11 be invested.
12 (c) Money in the crossroads 2000 fund at the end of a state fiscal
13 year does not revert to the state general fund.
14 (d) The department may use the money in the crossroads 2000 fund
15 only to pay the following costs:
16 (1) The cost of construction or reconstruction of a state highway.
17 (2) The cost of acquisition of all land, rights-of-way, property,

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1 rights, easements, and any other legal or equitable interests
 2 acquired by the department for the construction or reconstruction
 3 of a state highway, including the cost of any relocations incident
 4 to the acquisition.

5 (3) The cost of demolishing or removing any buildings, structures,
 6 or improvements on property acquired by the department for the
 7 construction or reconstruction of a state highway.

8 (4) Engineering and legal expenses and the costs of plans,
 9 specifications, surveys, estimates, and any necessary feasibility
 10 studies.

11 (5) Payment of rentals and performance of other obligations under
 12 contracts or leases securing bonds issued under IC 8-14.5-6.

13 SECTION 2. IC 9-13-2-8.5, AS ADDED BY P.L.147-2009,
 14 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2017]: Sec. 8.5. "Automotive mobility dealer" means a person
 16 that:

17 (1) engages exclusively in the business of selling, offering to sell,
 18 or soliciting or advertising the sale of adapted vehicles **or**
 19 **watercraft**;

20 (2) possesses adapted vehicles **or watercraft** exclusively for the
 21 purpose of resale, either on the automotive mobility dealer's own
 22 account or on behalf of another as the primary or incidental
 23 business of the automotive mobility dealer; or

24 (3) engages in the business of:

25 (A) selling, installing, or servicing;

26 (B) offering to sell, install, or service; or

27 (C) soliciting or advertising the sale, installation, or servicing
 28 of;

29 equipment or modifications specifically designed to facilitate use
 30 or operation of a vehicle **or watercraft** by an individual who is
 31 disabled or aged.

32 **The term includes a converter manufacturer (as defined by**
 33 **IC 9-32-2-9.5) that engages in any of the activities set forth in**
 34 **subdivisions (1), (2), and (3).**

35 SECTION 3. IC 9-13-2-42, AS AMENDED BY P.L.174-2016,
 36 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2017]: Sec. 42. (a) "Dealer" means, except as otherwise
 38 provided in this section, a person that:

39 (1) sells;

40 (2) offers to sell; or

41 (3) advertises for sale;

42 including directly by the Internet or other computer network, at least



1 twelve (12) vehicles within a twelve (12) month period. The term
 2 includes a person that sells off-road vehicles, snowmobiles, or
 3 mini-trucks. A dealer must have an established place of business that
 4 meets the minimum standards prescribed by the secretary of state under
 5 rules adopted under IC 4-22-2.

6 (b) The term does not include the following:

7 (1) A receiver, trustee, or other person appointed by or acting
 8 under the judgment or order of a court.

9 (2) A public officer while performing official duties.

10 **(3) A person that holds a mechanic's lien on a vehicle under**
 11 **IC 9-22-6, if the person sells the vehicle:**

12 **(A) in accordance with requirements in IC 9-22-6; or**

13 **(B) to an automotive salvage recycler licensed under**
 14 **IC 9-32-9 after the vehicle fails to sell at a public auction**
 15 **conducted in compliance with IC 9-22-6.**

16 **(4) A person that holds a lien for towing services under**
 17 **IC 9-22-1, if the person complies with all applicable**
 18 **requirements in IC 9-22-1 and IC 9-22-6.**

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

21 (1) watercraft; or

22 (2) trailers:

23 (A) designed and used exclusively for the transportation of
 24 watercraft; and

25 (B) sold in general association with the sale of watercraft;

26 within a twelve (12) month period.

27 (d) "Dealer", for purposes of IC 9-32, and unless otherwise
 28 provided, means:

29 (1) an automobile auction;

30 (2) an automotive mobility dealer;

31 (3) a converter manufacturer;

32 (4) a dealer;

33 (5) a distributor;

34 (6) a manufacturer;

35 (7) an automotive salvage recycler;

36 (8) a transfer dealer;

37 (9) a watercraft dealer; or

38 (10) before July 1, 2015, a wholesale dealer.

39 SECTION 4. IC 9-13-2-42.3 IS ADDED TO THE INDIANA CODE
 40 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 41 1, 2017]: **Sec. 42.3. "Dealer manager", for purposes of IC 9-32, has**
 42 **the meaning set forth in IC 9-32-2-9.7.**

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1 SECTION 5. IC 9-13-2-42.5 IS ADDED TO THE INDIANA CODE
 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 3 1, 2017]: **Sec. 42.5. "Dealer owner", for purposes of IC 9-32, has
 4 the meaning set forth in IC 9-32-2-9.9.**

5 SECTION 6. IC 9-13-2-42.7 IS ADDED TO THE INDIANA CODE
 6 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 7 1, 2017]: **Sec. 42.7. "Dealer compliance account" refers to the
 8 dealer compliance account established by IC 9-32-7-1.**

9 SECTION 7. IC 9-13-2-50, AS AMENDED BY P.L.92-2013,
 10 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2017]: **Sec. 50. (a) "Established place of business" means
 12 premises owned or leased and continuously occupied by a dealer
 13 licensed or applying to be licensed under IC 9-32 for the primary
 14 purpose of the business activity for which the dealer is licensed or
 15 applying to be licensed that:**

16 **(1) contains a permanent enclosed building or structure owned or
 17 leased for the purpose of offering for sale, trading, and selling
 18 motor vehicles for the purpose of carrying out the business for
 19 which the dealer is licensed or applying to be licensed under
 20 IC 9-32; and**

21 **(2) meets any additional requirements established by IC 9-32
 22 or rules adopted by the secretary under IC 4-22-2.**

23 **(b) The term does not include a residence, tent, temporary stand, or
 24 permanent quarters temporarily occupied.**

25 SECTION 8. IC 9-13-2-69.1 IS ADDED TO THE INDIANA CODE
 26 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 27 1, 2017]: **Sec. 69.1. "Fund", for purposes of IC 9-32-18, has the
 28 meaning set forth in IC 9-32-18-1.**

29 SECTION 9. IC 9-13-2-146.1 IS ADDED TO THE INDIANA
 30 CODE AS A NEW SECTION TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2017]: **Sec. 146.1. "Qualifying claim", for
 32 purposes of IC 9-32-18, has the meaning set forth in IC 9-32-18-2.**

33 SECTION 10. IC 9-13-2-146.3 IS ADDED TO THE INDIANA
 34 CODE AS A NEW SECTION TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 2017]: **Sec. 146.3. "Qualifying individual",
 36 for purposes of IC 9-32-18, has the meaning set forth in
 37 IC 9-32-18-3.**

38 SECTION 11. IC 9-22-3-7 IS REPEALED [EFFECTIVE JULY 1,
 39 2017]. **Sec. 7. (a) A dealer licensed under IC 9-32 may reassign a
 40 certificate of salvage title one (1) time without applying to the bureau
 41 for the issuance of a new certificate of salvage title.**

42 **(b) A dealer that violates this section commits a Class A infraction.**



1 SECTION 12. IC 9-22-3-7.5 IS REPEALED [EFFECTIVE JULY
2 1, 2017]. Sec. 7.5: (a) A dealer licensed under IC 9-32 shall secure an
3 affidavit from the person that holds the certificate of title on the date of
4 receiving a title by sale or transfer. The affidavit must state whether the
5 vehicle is a flood damaged vehicle.

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

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

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

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

17 SECTION 13. IC 9-22-3-13 IS REPEALED [EFFECTIVE JULY 1,
18 2017]. Sec. 13: A scrap metal processor or other appropriate facility
19 that purchases or acquires a salvage motor vehicle that has been totally
20 demolished or destroyed as a result of normal processing performed by
21 a recycling facility is not required to apply for and receive a certificate
22 of salvage title for the vehicle. The facility or processor that performed
23 the processing that resulted in the vehicle being demolished or
24 destroyed shall surrender the certificate of title, the certificate of
25 authority, or the certificate of salvage title to the bureau.

26 SECTION 14. IC 9-22-3-19 IS REPEALED [EFFECTIVE JULY 1,
27 2017]. Sec. 19: (a) The secretary of state shall prescribe recordkeeping
28 forms to be used by an automotive salvage recycler licensed under
29 IC 9-32 to preserve information about salvage vehicles or major
30 component parts acquired or sold by the business.

31 (b) The recordkeeping forms required under subsection (a) must
32 contain the following information:

33 (1) For each new or used vehicle acquired or disposed of or for
34 the major component parts of a new or used vehicle, the
35 following:

36 (A) A description of the vehicle or major component part,
37 including numbers or other marks identifying the vehicle or
38 major component part.

39 (B) The date the vehicle or major component part was
40 acquired and disposed of.

41 (C) The name and address of the person from whom the
42 vehicle or major component part was acquired.



- 1 (D) Verification of the purchaser of the vehicle or major
 2 component part by driver's license, state identification card; or
 3 other reliable means:
- 4 (2) For vehicles acquired or disposed of, in addition to the
 5 information required by subdivision (1); the following:
- 6 (A) The vehicle's trade name:
 7 (B) The vehicle's manufacturer:
 8 (C) The vehicle's type:
 9 (D) The model year and vehicle identification number:
 10 (E) A statement of whether any number has been defaced;
 11 destroyed; or changed:
- 12 (3) For wrecked, dismantled, or rebuilt vehicles, the date the
 13 vehicle was dismantled or rebuilt:
- 14 (c) Separate records for each vehicle or major component part must
 15 be maintained:
- 16 (d) The recordkeeping requirements of this section do not apply to
 17 hulk crushers or to scrap metal processors when purchasing scrap from
 18 a person that is licensed under IC 9-32 and that is required to keep
 19 records under this section:
- 20 (e) An automotive salvage recycler licensed under IC 9-32 that
 21 knowingly or intentionally fails to:
- 22 (1) maintain records regarding salvage vehicles or major
 23 component parts acquired or sold by the business; or
 24 (2) maintain records regarding salvage vehicles or major
 25 component parts on forms that comply with subsection (b);
 26 commits a Class A infraction:
- 27 SECTION 15. IC 9-22-3-20 IS REPEALED [EFFECTIVE JULY 1,
 28 2017]. Sec. 20: (a) Unless otherwise specified or required, the records
 29 required under section 19 of this chapter shall be retained for a period
 30 of five (5) years from the date the vehicle or major component part was
 31 acquired; in the form prescribed by the secretary of state:
- 32 (b) An automotive salvage recycler that knowingly or intentionally
 33 fails to comply with subsection (a) commits a Class B misdemeanor:
- 34 SECTION 16. IC 9-22-3-21 IS REPEALED [EFFECTIVE JULY 1,
 35 2017]. Sec. 21: (a) The records required under section 19 of this
 36 chapter must be available to and produced at the request of a police
 37 officer or an authorized agent of the secretary of state under this
 38 chapter:
- 39 (b) An automotive salvage recycler that fails to make available or
 40 produce the records described under section 19 of this chapter for a
 41 police officer or an authorized agent of the secretary of the state
 42 commits a Class A infraction:



1 SECTION 17. IC 9-22-3-22 IS REPEALED [EFFECTIVE JULY 1,
2 2017]. Sec. 22: (a) This section applies to vehicles and their component
3 parts that are in either their current model year or in the immediately
4 preceding six (6) model years when purchased by a recycling facility
5 or automotive salvage rebuilder.

6 (b) A recycling facility and automotive salvage rebuilder licensed
7 under IC 9-32-9 must complete the recordkeeping forms developed
8 under section 19 of this chapter for the purchase of a salvage motor
9 vehicle or major component part.

10 (c) A recycling facility or automotive salvage rebuilder that fails to
11 comply with subsection (a) or (b) commits a Class A infraction.

12 SECTION 18. IC 9-22-3-23 IS REPEALED [EFFECTIVE JULY 1,
13 2017]. Sec. 23: (a) A record required to be maintained under this
14 chapter is subject to inspection by a police officer during normal
15 business hours. In addition to the inspections authorized under section
16 24 of this chapter, an inspection under this section may include an
17 examination of the premises of the licensee's established place of
18 business for the purpose of determining the accuracy of the required
19 records.

20 (b) A recycling facility, automotive salvage rebuilder, or used parts
21 dealer that knowingly or intentionally fails to:

22 (1) maintain records as required under this chapter; or

23 (2) allow an inspection of a licensee's established place of
24 business for the purpose of determining the accuracy of required
25 records;

26 commits a Class A infraction.

27 SECTION 19. IC 9-22-3-24 IS REPEALED [EFFECTIVE JULY 1,
28 2017]. Sec. 24: (a) The secretary of state, a police officer, or an agent
29 of the secretary of state or a police officer may enter upon the premises
30 of an automotive salvage recycler during normal business hours to
31 inspect a vehicle, major component part, records, certificate of title,
32 and other ownership documents to determine compliance with this
33 chapter.

34 (b) A person that knowingly or intentionally prevents the secretary
35 of state, a police officer, or agent of the secretary of state from
36 inspecting a vehicle, a major component part, a record, a certificate of
37 title, or another ownership document during normal business hours
38 commits a Class A infraction.

39 SECTION 20. IC 9-22-3-26 IS REPEALED [EFFECTIVE JULY 1,
40 2017]. Sec. 26: A court may issue a warrant to search the premises of
41 an automotive salvage rebuilder, an automotive salvage recycler, a
42 recycling facility, or a used parts dealer for any major component parts



1 being possessed, kept, sold, bartered, given away, used, or transported
2 in violation of this chapter.

3 SECTION 21. IC 9-22-3-27 IS REPEALED [EFFECTIVE JULY 1,
4 2017]. Sec. 27: A warrant issued under section 26 of this chapter shall
5 be directed to a police officer who has the power of criminal process.
6 The person to whom the warrant was issued shall serve the warrant and
7 make the return within twenty (20) days after the date of issue.

8 SECTION 22. IC 9-22-3-28 IS REPEALED [EFFECTIVE JULY 1,
9 2017]. Sec. 28: The police officer who serves a warrant issued under
10 section 26 of this chapter shall seize any article described in the
11 warrant and any other article the police officer finds during the search
12 that is held in violation of this chapter. The police officer shall hold the
13 articles pending the disposition ordered by the court in which a
14 prosecution may be instituted for a violation of this chapter.

15 SECTION 23. IC 9-22-3-29 IS REPEALED [EFFECTIVE JULY 1,
16 2017]. Sec. 29: A major component part seized under this chapter and
17 any other article found on the searched premises and taken under a
18 warrant issued under section 26 of this chapter may not be taken from
19 the custody of the person who served the warrant by a writ of replevin
20 or other process while proceedings are pending.

21 SECTION 24. IC 9-22-3-35 IS REPEALED [EFFECTIVE JULY 1,
22 2017]. Sec. 35: The prosecution of a recycling facility, automotive
23 salvage rebuilder, insurance company, or individual suspected of
24 having violated this section may be instituted by the filing of an
25 information or indictment in the same manner as other criminal cases
26 are commenced.

27 SECTION 25. IC 9-22-5-18.2 IS REPEALED [EFFECTIVE JULY
28 1, 2017]. Sec. 18.2: (a) An automotive salvage recycler or an agent of
29 an automotive salvage recycler may purchase a vehicle without a
30 certificate of title for the vehicle if:

- 31 (1) the vehicle is at least fifteen (15) model years old;
- 32 (2) the purchase is solely for the purpose of dismantling or
33 wrecking the vehicle for the recovery of scrap metal or the sale of
34 parts; and
- 35 (3) the automotive salvage recycler records all purchase
36 transactions of vehicles as required in subsection (b).

37 (b) An automotive salvage recycler shall maintain the following
38 information with respect to each vehicle purchase transaction to which
39 the automotive salvage recycler is a party for at least five (5) years
40 following the date of the purchase transaction:

- 41 (1) The name and address of any scrap metal processor or
42 automobile scrapyards.



- 1 (2) The name of the person entering the information.
 2 (3) The date and time of the purchase transaction.
 3 (4) A description of the vehicle that is the subject of the purchase
 4 transaction, including the make and model of the vehicle, if
 5 practicable.
 6 (5) The vehicle identification number of the vehicle, to the extent
 7 practicable.
 8 (6) The amount of consideration given for the vehicle.
 9 (7) A written statement signed by the seller or the seller's agent
 10 certifying the following:
 11 (A) The seller or the seller's agent has the lawful right to sell
 12 and dispose of the vehicle.
 13 (B) The vehicle is not subject to a security interest or lien.
 14 (C) The vehicle will not be titled again and will be dismantled
 15 or destroyed.
 16 (8) The name, date of birth, and address of the person from whom
 17 the vehicle is being purchased.
 18 (9) A photocopy or electronic scan of one (1) of the following
 19 valid and unexpired forms of identification issued to the seller or
 20 the seller's agent:
 21 (A) A driver's license.
 22 (B) An identification card issued under IC 9-24-16-1, a photo
 23 exempt identification card issued under IC 9-24-16.5, or a
 24 similar card issued under the laws of another state or the
 25 federal government.
 26 (C) A government issued document bearing an image of the
 27 seller or seller's agent, as applicable.
 28 For purposes of complying with this subdivision, an automotive
 29 salvage recycler is not required to make a separate copy of the
 30 seller's or seller's agent's identification for each purchase
 31 transaction involving the seller or seller's agent but may instead
 32 refer to a copy maintained in reference to a particular purchase
 33 transaction.
 34 (10) The license plate number, make, model, and color of the
 35 vehicle that is used to deliver the purchased vehicle to the
 36 automotive salvage recycler.
 37 (11) The signature of the person receiving consideration from the
 38 seller or the seller's agent.
 39 (12) A photographic or videographic image, taken when the
 40 vehicle is purchased, of the following:
 41 (A) A frontal view of the facial features of the seller or the
 42 seller's agent.



1 **(B) The vehicle that is the subject of the purchase transaction:**
 2 **(c) An automotive salvage recycler may not complete a purchase**
 3 **transaction in the absence of the information required under subsection**
 4 **(b)(9):**
 5 **(d) An automotive salvage recycler or an agent of an automotive**
 6 **salvage recycler that knowingly or intentionally buys a vehicle that is**
 7 **less than fifteen (15) model years old without a certificate of title or**
 8 **certificate of authority for the vehicle commits a Level 6 felony.**
 9 SECTION 26. IC 9-31-3-6, AS AMENDED BY P.L.174-2016,
 10 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2017]: Sec. 6. (a) The secretary of state ~~shall furnish~~ **may**
 12 **issue** temporary license plates ~~and registration cards~~ to a ~~registered~~
 13 **licensed** dealer upon request.
 14 (b) A temporary license plate ~~or card~~ described in subsection (a)
 15 must display the following information:
 16 (1) The dealer's license number.
 17 (2) The date of expiration, plainly stamped or stenciled on the
 18 temporary license plate. ~~or card.~~
 19 (c) A temporary license plate ~~or card~~ may not be used or displayed
 20 unless the plate ~~or card~~ is furnished by the secretary of state.
 21 (d) A dealer that authorizes the use of a temporary license plate ~~or~~
 22 ~~card~~ under this section does not assume responsibility or incur liability
 23 for injury to a person or property during the period the temporary
 24 license plate ~~or card~~ is in effect.
 25 SECTION 27. IC 9-31-3-19, AS AMENDED BY P.L.174-2016,
 26 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2017]: Sec. 19. (a) A dealer licensed by the secretary of state
 28 under IC 9-32-8-2 may, upon application to the secretary of state,
 29 obtain a dealer plate **and registration card** for use in the testing or
 30 demonstrating of motorboats. ~~A Two (2) dealer plate plates~~ must be
 31 displayed within a motorboat that is being tested or demonstrated while
 32 the motorboat is being tested or demonstrated.
 33 **(b) A transfer dealer or automobile auction licensed under**
 34 **IC 9-32 may request dealer plates under subsection (a).**
 35 **(c) The fee to obtain a dealer plate and registration card** under
 36 subsection (a) is ten dollars (\$10). The secretary of state may retain the
 37 fee.
 38 SECTION 28. IC 9-31-3-30 IS ADDED TO THE INDIANA CODE
 39 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
 40 1, 2017]: **Sec. 30. A dealer that knowingly or intentionally:**
 41 **(1) issues an altered temporary license plate or a temporary**
 42 **license plate with false or fictitious information;**



1 **(2) alters a dealer license plate or uses a dealer license plate**
 2 **that is false or fictitious; or**

3 **(3) creates, issues, displays, or uses a temporary license plate**
 4 **or a reproduction of a temporary license plate not issued by**
 5 **the secretary;**

6 **commits a Class A infraction.**

7 SECTION 29. IC 9-31-3-31 IS ADDED TO THE INDIANA CODE
 8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 9 1, 2017]: **Sec. 31. (a) A person that knowingly or intentionally**
 10 **operates a watercraft displaying:**

11 **(1) a temporary license plate issued under section 6 of this**
 12 **chapter that is altered or reproduced; or**

13 **(2) a license plate that purports to be a temporary license**
 14 **plate issued under section 6 of this chapter;**

15 **commits a Class C misdemeanor.**

16 **(b) A person that, with the intent to defraud, obtains an altered**
 17 **temporary license plate described in subsection (a) commits a Class**
 18 **C misdemeanor.**

19 SECTION 30. IC 9-32-2-4, AS AMENDED BY P.L.174-2016,
 20 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2017]: **Sec. 4. "Automobile auction" means a person that, as**
 22 ~~part of the person's~~ **whose primary business arranges, manages,**
 23 ~~sponsors, advertises, hosts, carries~~ **consists of arranging, managing,**
 24 ~~facilitates~~ **sponsoring, advertising, hosting, carrying** out, or otherwise
 25 ~~facilitates~~ **facilitating** the auction of more than three (3) motor vehicles
 26 **or watercraft** on the basis of bids by persons acting for themselves or
 27 others, within a twelve (12) month period. The term includes a place of
 28 business or facilities provided by an auctioneer as part of the business
 29 of the auctioneer for the purchase and sale of motor vehicles **or**
 30 **watercraft** on the basis of bids by persons acting for themselves or
 31 others. The term does not include a person acting only as an auctioneer
 32 under IC 25-6.1-1.

33 SECTION 31. IC 9-32-2-6, AS AMENDED BY P.L.174-2016,
 34 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2017]: **Sec. 6. (a) "Broker" means a person that, for a fee, a**
 36 **commission, or other valuable consideration, arranges or offers to**
 37 **arrange a transaction involving the sale, for purposes other than resale,**
 38 **of a new or used motor vehicle and who is not,**

39 ~~(1) a dealer or an employee of a dealer;~~

40 ~~(2) a distributor or an employee of a distributor; or~~

41 ~~(3) at any point in the transaction, the bona fide owner of the~~
 42 ~~motor vehicle involved in the transaction.~~



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(b) The term does not include:

- (1) a dealer licensed under this article or an employee of a dealer licensed under this article acting in an employment arrangement with the dealer, if the motor vehicle being sold is a motor vehicle in the dealer's inventory or is subject to a consignment agreement between the dealer and the owner of the motor vehicle;**
- (2) a distributor licensed under this article, or an employee of a distributor licensed under this article and acting in an employment arrangement with the distributor, if the sale being arranged is a sale to a dealer licensed under this article; or**
- (3) a manufacturer licensed under this article, or an employee of a manufacturer licensed under this article and acting in an employment arrangement with the manufacturer, if the sale being arranged is a sale to a dealer licensed under this article.**

SECTION 32. IC 9-32-2-9.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 9.7. "Dealer manager" means an individual who works at the established place of business of a dealer and who is responsible for and is in charge of the day to day operations, including the management, direction, and control of the dealership.**

SECTION 33. IC 9-32-2-9.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 9.9. "Dealer owner" means the following:**

- (1) For a licensed or applicant dealer, other than a manufacturer, that is a corporation, each officer, director, and shareholder having a ten percent (10%) or greater ownership interest in the corporation.**
- (2) If no officer, director, or shareholder has a ten percent (10%) or greater ownership interest in the corporation, one (1) or more officers, directors, or shareholders designated in writing by the board of directors.**
- (3) If the licensed or applicant dealer, other than a manufacturer, is a sole proprietorship, the proprietor.**
- (4) If the licensed or applicant dealer, other than a manufacturer, is a partnership, each partner.**
- (5) If the licensed or applicant dealer, other than a manufacturer, is a limited liability company, each member of the company.**
- (6) For a licensed or applicant manufacturer, one (1) or more officers, directors, or shareholders designated in writing by**



- 1 **the manufacturer.**
- 2 SECTION 34. IC 9-32-2-18.7, AS ADDED BY P.L.174-2016,
- 3 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2017]: Sec. 18.7. **(a)** "Personal information" means
- 5 information that identifies a ~~person~~; **an individual**, including an
- 6 individual's:
- 7 (1) digital photograph or image;
- 8 (2) Social Security number;
- 9 (3) driver's license or identification document number;
- 10 (4) name;
- 11 (5) address;
- 12 (6) telephone number; or
- 13 (7) medical or disability information.
- 14 **(b) The term "Personal information" does not include: the name**
- 15 **of an owner, an officer, or a partner of a dealer, or the name, address,**
- 16 **or telephone number of a business or of a dealer's established place of**
- 17 **business:**
- 18 **(1) the name of a dealer owner;**
- 19 **(2) the name of a representative of a:**
- 20 **(A) manufacturer; or**
- 21 **(B) distributor;**
- 22 **(3) the name of the zoning official who signed a dealer license**
- 23 **application or zoning affidavit related to a dealer license**
- 24 **application;**
- 25 **(4) the name of the lessor of a dealer's established place of**
- 26 **business;**
- 27 **(5) the name of a dealer's registered agent; or**
- 28 **(6) the name, address, or telephone number of the established**
- 29 **place of business of a:**
- 30 **(A) business; or**
- 31 **(B) dealer.**
- 32 SECTION 35. IC 9-32-2-25, AS AMENDED BY P.L.174-2016,
- 33 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 34 JULY 1, 2017]: Sec. 25. **(a)** "Transfer dealer" means a person ~~other~~
- 35 ~~than a manufacturer, distributor, converter manufacturer, new motor~~
- 36 ~~vehicle dealer, used motor vehicle dealer, automotive salvage recycler,~~
- 37 ~~watercraft dealer, automotive mobility dealer, or automobile auction~~
- 38 ~~that has the necessity of transferring~~ **transfers ownership of** at least
- 39 twelve (12) motor vehicles during a twelve (12) month period as part
- 40 of the ~~transfer dealer's person's~~ primary business. ~~function.~~
- 41 **(b) "Transfer dealer" does not include:**
- 42 **(1) a manufacturer;**



- 1 (2) a distributor;
- 2 (3) a converter manufacturer;
- 3 (4) a watercraft dealer;
- 4 (5) an automotive mobility dealer;
- 5 (6) an automotive auction;
- 6 (7) a person engaged in the business of:
 - 7 (A) storing vehicles;
 - 8 (B) furnishing supplies for vehicles;
 - 9 (C) providing towing services for vehicles; or
 - 10 (D) repairing vehicles; or
- 11 (8) a person whose primary business is selling motor vehicles.

12 SECTION 36. IC 9-32-3-4, AS ADDED BY P.L.174-2016,
 13 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2017]: Sec. 4. (a) The secretary may accept payment of a
 15 correct fee by:

- 16 (1) credit card;
- 17 (2) debit card;
- 18 (3) charge card;
- 19 (4) **guaranteed electronic check**; or
- 20 (5) a similar method. ~~However;~~
- 21 **(b)** ~~If the fee is paid by credit card, debit card, charge card, or~~
 22 ~~similar method, using a method of payment set forth in subsection~~
 23 **(a)**, the legal obligation is not finally discharged until the secretary
 24 receives payment or credit from the institution responsible for making
 25 the payment or credit.
- 26 **(c)** The secretary may contract with a bank or credit card vendor for
 27 acceptance of bank or credit cards, **or guaranteed electronic checks.**
- 28 **(d)** ~~However;~~ If there is a vendor transaction charge or discount fee,
 29 ~~whether billed to the secretary or charged directly to the secretary's~~
 30 ~~account,~~ the secretary or the credit card vendor may collect a **fee** from
 31 the person using the bank or credit card, a fee that may not exceed the
 32 highest transaction charge or discount fee charged to the secretary by
 33 the bank or credit card vendor during the most recent collection period:
 34 **a method of payment set forth in subsection (a).** This fee may not
 35 **exceed the vendor transaction charge or discount fee. This fee** may
 36 be collected regardless of any agreement between the bank and a credit
 37 card vendor or regardless of any internal policy of the credit card
 38 vendor that may prohibit this type of fee.
- 39 ~~(b)~~ **(e)** A signature on a document that is electronically transmitted
 40 is sufficient if the person transmitting the document:
 41 (1) intends to submit the document as evidenced by a symbol
 42 executed or adopted by a party with present intention to



1 authenticate the filing; and
 2 (2) enters the submitting party's name on the electronic form in a
 3 signature box or other place indicated by the secretary.
 4 SECTION 37. IC 9-32-4-1, AS AMENDED BY P.L.174-2016,
 5 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2017]: Sec. 1. (a) If a motor vehicle **or watercraft** for which
 7 a certificate of title has been issued is sold or if the ownership of the
 8 motor vehicle **or watercraft** is transferred in any manner other than by
 9 a transfer on death conveyance under IC 9-17-3-9, in addition to
 10 complying with IC 9-17-3-3.4, the person that holds the certificate of
 11 title must do the following:
 12 (1) In the case of a sale or transfer between dealers licensed by
 13 this state or another state, deliver the certificate of title within
 14 thirty-one (31) days after the date of the sale or transfer.
 15 (2) Deliver the certificate of title to the purchaser or transferee
 16 within thirty-one (31) days after the date of sale or transfer to the
 17 purchaser or transferee of the motor vehicle **or watercraft**, if all
 18 the following conditions exist:
 19 (A) The seller or transferor is a dealer licensed by the state
 20 under this article.
 21 (B) The dealer is not able to deliver the certificate of title at
 22 the time of sale or transfer.
 23 (C) The dealer provides the purchaser or transferee with an
 24 affidavit under section 2 of this chapter.
 25 (D) The purchaser or transferee has made all agreed upon
 26 initial payments for the motor vehicle **or watercraft**,
 27 including delivery of a trade-in motor vehicle **or watercraft**
 28 without hidden or undisclosed statutory liens.
 29 (3) Keep proof of delivery of the certificate of title with the dealer
 30 records.
 31 (b) A dealer may offer for sale a motor vehicle **or watercraft** for
 32 which the dealer does not possess a certificate of title, if the dealer can
 33 comply with subsection (a)(1) or (a)(2) at the time of the sale.
 34 (c) A dealer that fails to deliver the certificate of title within the time
 35 specified under subsection (a) is subject to the following civil
 36 penalties:
 37 (1) One hundred dollars (\$100) for the first violation in a calendar
 38 year.
 39 (2) Two hundred fifty dollars (\$250) for the second violation in a
 40 calendar year.
 41 (3) Five hundred dollars (\$500) for all subsequent violations in a
 42 calendar year.



1 Payment shall be made to the secretary and deposited in the dealer
2 enforcement account established under IC 9-32-7-2.

3 (d) If a purchaser or transferee does not receive a valid certificate of
4 title within the time specified by this section, the purchaser or
5 transferee has the right to return the motor vehicle **or watercraft** to the
6 dealer ten (10) days after giving the dealer written notice demanding
7 delivery of a valid certificate of title and the dealer's failure to deliver
8 a valid certificate of title within that ten (10) day period. Upon return
9 of the motor vehicle **or watercraft** to the dealer in the same or similar
10 condition as delivered to the purchaser or transferee under this section,
11 the dealer shall pay to the purchaser or transferee the purchase price
12 plus sales taxes, finance expenses, insurance expenses, and any other
13 amount paid to the dealer by the purchaser or transferee. The relief
14 referenced in this subsection is relief for the purchaser or transferee
15 only and does not preclude the ability of the division to collect civil
16 penalties under subsection (c).

17 (e) For purposes of this subsection, "timely deliver", with respect to
18 a third party, means to deliver to the purchaser or transferee with a
19 postmark dated or hand delivered not more than ten (10) business days
20 after there is no obligation secured by the motor vehicle **or watercraft**.
21 If the dealer's inability to timely deliver a valid certificate of title results
22 from the acts or omissions of a third party that has failed to timely
23 deliver a valid certificate of title to the dealer, the dealer is entitled to
24 claim against the third party one hundred dollars (\$100). If:

25 (1) the dealer's inability to timely deliver a valid certificate of title
26 results from the acts or omissions of a third party that has failed
27 to timely deliver the certificate of title in the third party's
28 possession to the dealer; and

29 (2) the failure continues for ten (10) business days after the dealer
30 gives the third party written notice of the failure;

31 the dealer is entitled to claim against the third party all damages
32 sustained by the dealer in rescinding the dealer's sale with the
33 purchaser or transferee, including the dealer's reasonable attorney's
34 fees.

35 (f) If a motor vehicle **or watercraft** for which a certificate of title
36 has been issued by another state is sold or delivered, the person selling
37 or delivering the motor vehicle **or watercraft** shall deliver to the
38 purchaser or receiver of the **motor vehicle or watercraft** a proper
39 certificate of title with an assignment of the certificate of title in a form
40 prescribed by the bureau.

41 (g) A dealer shall make payment to a third party to satisfy any
42 obligation secured by the motor vehicle **or watercraft** within ten (10)



1 written notice demanding delivery of a valid certificate of title and after
 2 the dealer's failure to deliver a valid certificate of title within that ten
 3 (10) day period. Upon return of the motor vehicle **or watercraft** to the
 4 dealer in the same or similar condition as when it was delivered to you,
 5 the dealer shall pay you the purchase price plus sales taxes, finance
 6 expenses, insurance expenses, and any other amount that you paid to
 7 the dealer. If a lien is present on the previous owner's certificate of title,
 8 it is the responsibility of the third party lienholder to timely deliver the
 9 certificate of title in the third party's possession to the dealer not more
 10 than ten (10) business days after there is no obligation secured by the
 11 motor vehicle **or watercraft**. If the dealer's inability to deliver a valid
 12 certificate of title to you within the above-described ten (10) day period
 13 results from the acts or omissions of a third party that has failed to
 14 timely deliver the certificate of title in the third party's possession to the
 15 dealer, the dealer may be entitled to claim against the third party the
 16 damages allowed by law.

17 SECTION 39. IC 9-32-5-2, AS AMENDED BY P.L.151-2015,
 18 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2017]: Sec. 2. A dealer may not sell or otherwise dispose of
 20 a new motor vehicle **or watercraft** to another person, to be used by the
 21 person for purposes of display or resale, without delivering to the
 22 person a manufacturer's certificate of origin under this chapter that
 23 indicates the assignments of the certificate of origin necessary to show
 24 the ownership of the title to a person who purchases the motor vehicle
 25 **or watercraft**.

26 SECTION 40. IC 9-32-5-3, AS ADDED BY P.L.92-2013,
 27 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2017]: Sec. 3. A person may not purchase or acquire a new
 29 motor vehicle **or watercraft** without obtaining a valid manufacturer's
 30 certificate of origin from the seller of the motor vehicle **or watercraft**.

31 SECTION 41. IC 9-32-5-5, AS AMENDED BY P.L.174-2016,
 32 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2017]: Sec. 5. A dealer must have:

- 34 (1) a certificate of title;
- 35 (2) an assigned certificate of title;
- 36 (3) a manufacturer's certificate of origin;
- 37 (4) an assigned manufacturer's certificate of origin; or
- 38 (5) other proof of ownership or evidence of right of possession as
 39 determined by the secretary;

40 for a motor vehicle **or watercraft** in the dealer's possession.

41 SECTION 42. IC 9-32-5-9, AS AMENDED BY P.L.174-2016,
 42 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2017]: Sec. 9. (a) In order to obtain or maintain a dealer's
 2 license from the secretary, a person must agree to allow a police officer
 3 or an authorized representative of the secretary to inspect:

4 (1) certificates of origin, certificates of title, assignments of
 5 certificates of origin and certificates of title, or other proof of
 6 ownership or evidence of right of possession as determined by the
 7 secretary; and

8 (2) motor vehicles **or watercraft** that are held for resale by the
 9 dealer;

10 in the dealer's established place of business during reasonable business
 11 hours.

12 (b) A certificate of title, a certificate of origin, and any other proof
 13 of ownership described under subsection (a):

14 (1) must be readily available for inspection by or delivery to the
 15 proper persons; and

16 (2) may not be removed from Indiana.

17 SECTION 43. IC 9-32-6-6.5, AS AMENDED BY P.L.174-2016,
 18 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2017]: Sec. 6.5. (a) This section applies to dealer license
 20 plates issued after December 31, 2014.

21 (b) Except as provided in subsection (c), dealer license plates issued
 22 to licensed dealers under this article are valid from the issue date
 23 through the expiration date as follows:

24 (1) Dealer license plates of a person whose business name begins
 25 with the letters A through B expire February 1 of each year.

26 (2) Dealer license plates of a person whose business name begins
 27 with the letters C through D expire March 1 of each year.

28 (3) Dealer license plates of a person whose business name begins
 29 with the letters E through F expire April 1 of each year.

30 (4) Dealer license plates of a person whose business name begins
 31 with the letters G through H expire May 1 of each year.

32 (5) Dealer license plates of a person whose business name begins
 33 with the letters I through J expire June 1 of each year.

34 (6) Dealer license plates of a person whose business name begins
 35 with the letters K through L expire July 1 of each year.

36 (7) Dealer license plates of a person whose business name begins
 37 with the letters M through N expire August 1 of each year.

38 (8) Dealer license plates of a person whose business name begins
 39 with the letters O through P expire September 1 of each year.

40 (9) Dealer license plates of a person whose business name begins
 41 with the letters Q through R expire October 1 of each year.

42 (10) Dealer license plates of a person whose business name



- 1 begins with the letters S through T expire November 1 of each
- 2 year.
- 3 (11) Dealer license plates of a person whose business name
- 4 begins with the letters U through V expire December 1 of each
- 5 year.
- 6 (12) Dealer license plates of a person whose business name
- 7 begins with the letters W through Z expire January 1 of each year.
- 8 (c) Dealer license plates issued to a person whose business name
- 9 begins with a nonalpha character expire November 1 of each year.
- 10 (d) A dealer designee license plate expires as follows:
- 11 (1) For a dealer designee license plate issued before July 1, 2017,
- 12 on the earlier of:
- 13 (A) the date designated by the dealer on the application related
- 14 to the license plate; or
- 15 (B) the date on which the dealer license issued to the same
- 16 person expires.
- 17 (2) For a dealer designee license plate issued after June 30, 2017,
- 18 on the same date each year as the date on which a dealer license
- 19 issued to the same person expires.
- 20 (e) Notwithstanding subsection (b), a dealer license plate issued in
- 21 2015 expires as follows:
- 22 Plate issued to a person
- 23 with a business name
- 24 beginning with: Plate expiration date:
- 25 A through B February 1, 2016
- 26 C through D March 1, 2016
- 27 E through F April 1, 2016
- 28 G through H May 1, 2016
- 29 I through J June 1, 2016
- 30 K through L July 1, 2016
- 31 M through N August 1, 2016
- 32 O through P September 1, 2016
- 33 Q through R October 1, 2016
- 34 S through T November 1, 2016
- 35 U through V December 1, 2016
- 36 W through Z January 1, 2017
- 37 This subsection expires January 2, 2017.
- 38 (f) (e) This subsection expires December 31, 2017. For a dealer
- 39 license plate issued in 2015, the dealer services division shall impose
- 40 a fee for the dealer license plate under IC 9-29-17 (before its repeal) in
- 41 the amount that bears the same proportion to the annual fee for the
- 42 dealer license plate as the number of months the dealer license plate is



- 1 valid bears to twelve (12).
 2 (f) The fee to renew the license plates issued under IC 9-32-6-1
 3 is as follows:
 4 (1) For motorcycle dealer license plates, fifteen dollars (\$15).
 5 (2) For dealer license plates not described in subdivision (1),
 6 forty dollars (\$40).
 7 (g) Fees collected under subsection (f) shall be distributed as
 8 follows:
 9 (1) Thirty percent (30%) to the dealer compliance account
 10 established by IC 9-32-7-1.
 11 (2) Seventy percent (70%) to the motor vehicle highway
 12 account under IC 8-14-1.
 13 (h) There is an additional service charge of five dollars (\$5) for
 14 the renewal of each set of license plates issued under IC 9-32-6-1.
 15 The service charge shall be deposited in the crossroads 2000 fund.
 16 (i) The fee to renew each additional license plate issued under
 17 IC 9-32-6-5 is as follows:
 18 (1) For an additional motorcycle dealer license plate, seven
 19 dollars and fifty cents (\$7.50).
 20 (2) For an additional dealer license plate not described in
 21 subdivision (1), fifteen dollars (\$15).
 22 (j) Fees collected under subsection (i) shall be distributed as
 23 follows:
 24 (1) Thirty percent (30%) to the dealer compliance account
 25 established by IC 9-32-7-1.
 26 (2) Seventy percent (70%) to the motor vehicle highway
 27 account under IC 8-14-1.
 28 (k) There is an additional service charge for the renewal of each
 29 additional license plate issued under IC 9-32-6-5, as follows:
 30 (1) For an additional motorcycle dealer license plate, two
 31 dollars and fifty cents (\$2.50).
 32 (2) For an additional dealer license plate not described in
 33 subdivision (1), five dollars (\$5).
 34 (l) The service charge under subsection (k) shall be deposited in
 35 the crossroads 2000 fund.
 36 (m) The fee to renew a license plate issued under IC 9-32-6-2(b)
 37 is forty dollars (\$40). The fee shall be deposited in the dealer
 38 compliance account established by IC 9-32-7-1.
 39 (n) The fees collected under subsection (o) shall be distributed
 40 as follows:
 41 (1) Forty percent (40%) to the crossroads 2000 account.
 42 (2) Forty-nine percent (49%) to the dealer compliance



1 **account established by IC 9-32-7-1.**

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

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

6 SECTION 44. IC 9-32-6-16, AS ADDED BY P.L.174-2016,
 7 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2017]: Sec. 16. (a) Except as provided in subsection (b), if a
 9 dealer license plate **or registration card** issued under this chapter or
 10 IC 9-31-3-19 is lost, stolen, or destroyed, the dealer may apply for a
 11 replacement dealer license plate **or registration card** in the form and
 12 manner prescribed by the secretary.

13 (b) If a dealer license plate **or registration card** is lost or stolen, the
 14 secretary may not issue a replacement dealer license plate **or**
 15 **registration card** until the dealer to whom the dealer license plate **or**
 16 **registration card** was issued:

17 (1) has notified:

18 (A) the Indiana law enforcement agency that has jurisdiction
 19 where the loss or theft occurred; or

20 (B) the law enforcement agency that has jurisdiction over the
 21 address of the dealer's established place of business; and

22 (2) presents to the secretary on a form prescribed by the secretary
 23 a report completed by the law enforcement agency that was
 24 notified under subdivision (1).

25 SECTION 45. IC 9-32-6-17 IS ADDED TO THE INDIANA CODE
 26 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 27 1, 2017]: Sec. 17. (a) **If the secretary is not able to comply with the**
 28 **provisions of this article relating to furnishing dealer license plates,**
 29 **interim license plates, or temporary license plates because of a**
 30 **materials shortage or any other reason that makes the secretary**
 31 **unable to provide the license plates, the secretary may issue an**
 32 **alternate license plate to a dealer licensed under this article.**

33 (b) **The secretary may adopt rules under IC 4-22-2 to provide**
 34 **the type and number of alternate plates that will be furnished,**
 35 **qualifications for requesting the plates, limitations on the use of the**
 36 **plates, and the manner in which the plates must be displayed.**

37 (c) **Compliance with a rule adopted under this section satisfies**
 38 **the provisions of this chapter relating to the display of license**
 39 **plates.**

40 SECTION 46. IC 9-32-6.5-1, AS ADDED BY P.L.174-2016,
 41 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2017]: Sec. 1. (a) This section applies after June 30, 2017.



1 (b) The secretary may design and issue a dealer designee license
2 plate for use without restriction by the secretary or a designee of a
3 dealer.

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

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

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

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

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

19 SECTION 47. IC 9-32-6.5-3 IS REPEALED [EFFECTIVE JULY
20 1, 2017]. Sec. 3: (a) An interim manufacturer transporter license plate
21 shall be developed and issued as follows:

22 (1) Before July 1, 2017, by the bureau.

23 (2) After June 30, 2017, by the secretary.

24 (b) The fee for an interim manufacturer transporter license plate
25 issued after June 30, 2017, is three dollars (\$3). The fee shall be
26 distributed as follows:

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

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

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

33 SECTION 48. IC 9-32-6.5-4 IS REPEALED [EFFECTIVE JULY
34 1, 2017]. Sec. 4: (a) An interim manufacturer transporter license plate
35 may be issued only to a manufacturer of semitrailers or trailers that is
36 licensed as a manufacturer under IC 9-32. The license plate may be
37 used only in connection with delivery of newly manufactured
38 semitrailers or trailers:

39 (b) A person that knowingly or intentionally uses an interim
40 manufacturer transporter license plate for a purpose other than the
41 delivery of a newly manufactured semitrailer or trailer commits a Class
42 B misdemeanor.



1 SECTION 49. IC 9-32-6.5-5 IS REPEALED [EFFECTIVE JULY
2 1, 2017]. Sec. 5: (a) An interim manufacturer transporter license plate
3 shall be displayed on a vehicle in the manner determined by the bureau
4 or the secretary, as applicable. Interim manufacturer transporter license
5 plates may be issued in bulk. An interim manufacturer transporter
6 license plate must display the assigned manufacturer's registration
7 number.

8 (b) A person that knowingly or intentionally fails to display:

9 (1) an interim manufacturer transporter license plate; or

10 (2) the assigned manufacturer's registration number and
11 expiration date on an interim manufacturer transporter license
12 plate;

13 under subsection (a) commits a Class B infraction:

14 SECTION 50. IC 9-32-6.5-6 IS REPEALED [EFFECTIVE JULY
15 1, 2017]. Sec. 6: (a) A manufacturer shall affix the proper vehicle
16 identification number and date when an interim manufacturer
17 transporter license plate is assigned to a specific vehicle. A license
18 plate remains valid for thirty-one (31) days from the date the plate is
19 affixed to the semitrailer or trailer and may not be renewed. Only one
20 (1) interim manufacturer transporter license plate may be issued for a
21 newly manufactured trailer or semitrailer.

22 (b) A person that knowingly or intentionally:

23 (1) displays an interim manufacturer transporter license plate past
24 its date of expiration; or

25 (2) uses an interim manufacturer transporter license plate for
26 more than one (1) newly manufactured trailer or semitrailer;

27 commits a Class B infraction:

28 SECTION 51. IC 9-32-6.5-7 IS REPEALED [EFFECTIVE JULY
29 1, 2017]. Sec. 7: (a) An interim manufacturer transporter license plate
30 may be used only when:

31 (1) a manufacturer is delivering a semitrailer or trailer to a:

32 (A) purchaser;

33 (B) person that will offer the motor vehicle for sale; or

34 (C) motor carrier (as defined in IC 8-2.1-17-10);

35 (2) a purchaser or dealer accepts the motor vehicle at the
36 manufacturer's facility; or

37 (3) a motor carrier delivers the semitrailer or trailer from the
38 manufacturer to either the purchaser, a seller, or to another motor
39 carrier that will make the delivery.

40 (b) A person that knowingly or intentionally uses an interim
41 manufacturer transporter license plate for a purpose not specified in
42 subsection (a) commits a Class B infraction:



1 SECTION 52. IC 9-32-6.5-9 IS REPEALED [EFFECTIVE JULY
2 1, 2017]. ~~Sec. 9: A newly manufactured semitrailer or trailer displaying~~
3 ~~an interim manufacturer transporter license plate may transport~~
4 ~~property. Property being transported may be unrelated to the delivery~~
5 ~~of the semitrailer or trailer.~~

6 SECTION 53. IC 9-32-6.5-10 IS REPEALED [EFFECTIVE JULY
7 1, 2017]. ~~Sec. 10: A manufacturer may use either the license plate~~
8 ~~issued under this chapter or IC 9-18-27 (before its repeal) or a permit~~
9 ~~issued under IC 9-18-7 (before its expiration) or IC 9-18.1-2.~~

10 SECTION 54. IC 9-32-6.5-12 IS ADDED TO THE INDIANA
11 CODE AS A NEW SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2017]: **Sec. 12. (a) Except as provided in**
13 **subsection (b), if a dealer designee license plate or registration card**
14 **issued under this chapter is lost, stolen, or destroyed, the dealer**
15 **may apply for a replacement dealer designee license plate or**
16 **registration card in the form and manner prescribed by the**
17 **secretary.**

18 **(b) If a dealer designee license plate or registration card is lost**
19 **or stolen, the dealer to whom the dealer designee license plate or**
20 **registration card was issued shall:**

21 **(1) notify the law enforcement agency that has jurisdiction**
22 **where the loss or theft occurred; and**

23 **(2) present to the secretary on a form prescribed by the**
24 **secretary a report completed by the law enforcement agency**
25 **that was notified under subdivision (1).**

26 SECTION 55. IC 9-32-7-1, AS AMENDED BY P.L.174-2016,
27 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2017]: **Sec. 1. (a) The dealer compliance account is**
29 **established as a separate account to be administered by the secretary.**
30 **The funds in the account must be available, with the approval of the**
31 **budget agency, for use in enforcing and administering this article.**

32 **(b) The expenses of administering this article shall be paid from**
33 **money in the account.**

34 **(c) The treasurer of state shall invest the money in the dealer**
35 **compliance account not currently needed to meet the obligations of the**
36 **account in the same manner as other public money may be invested.**
37 **Interest that accrues from these investments shall be deposited in the**
38 **account.**

39 **(d) The dealer compliance account consists of the following:**

40 **(1) Money deposited under:**

41 **(A) IC 9-32-6; and**

42 **(B) IC 9-32-6.5; and**



- 1 ~~(B)~~ (C) section 3(1) of this chapter.
- 2 (2) Appropriations to the account from other sources.
- 3 (3) Grants, gifts, donations, or transfers intended for deposit in the
- 4 account.
- 5 (4) Interest that accrues from money in the account.
- 6 (e) Money in the dealer compliance account at the end of a state
- 7 fiscal year does not revert to the state general fund.
- 8 (f) Money in the dealer compliance account is continuously
- 9 appropriated to the secretary for the purposes of the account.
- 10 SECTION 56. IC 9-32-7-3, AS AMENDED BY P.L.174-2016,
- 11 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 12 JULY 1, 2017]: Sec. 3. All money collected by the secretary from
- 13 manufacturers, distributors, dealers, automobile auctions, manufacturer
- 14 representatives, distributor representatives, transfer dealers, converter
- 15 manufacturers, or automotive mobility dealers for licenses,
- 16 **endorsements**, and permit fees under IC 9-32-11 shall be deposited as
- 17 follows:
- 18 (1) Thirty percent (30%) to the dealer compliance account
- 19 established by section 1 of this chapter.
- 20 (2) Forty percent (40%) to the motor vehicle highway account
- 21 under IC 8-14-1.
- 22 (3) Twenty percent (20%) to the state police department, and this
- 23 amount is continuously appropriated to the department for its use
- 24 in enforcing odometer laws.
- 25 (4) Ten percent (10%) to the attorney general, and this amount is
- 26 continuously appropriated to the attorney general for use in
- 27 enforcing odometer laws.
- 28 SECTION 57. IC 9-32-8-3, AS AMENDED BY P.L.174-2016,
- 29 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2017]: Sec. 3. (a) An application for a watercraft dealer
- 31 license must: ~~meet all the following conditions:~~
- 32 (1) be accompanied by a nonrefundable fee of thirty dollars (\$30);
- 33 ~~The secretary shall retain a fee collected under this subdivision:~~
- 34 (2) be on a form prescribed by the secretary;
- 35 **(3) be completed by a dealer owner or dealer manager; and**
- 36 ~~(3)~~ **(4)** contain any information that the secretary reasonably
- 37 needs to enable the secretary to determine fully the:
- 38 (A) qualifications and eligibility of the applicant to receive the
- 39 license;
- 40 (B) location of each of the applicant's places of business in
- 41 Indiana; and
- 42 (C) ability of the applicant to conduct properly the business for



1 which the application is submitted.

2 (b) An application for a license as a watercraft dealer must show
3 whether the applicant proposes to sell new or used watercraft or both
4 new and used watercraft.

5 **(c) The secretary shall retain the fee collected under this section.**

6 SECTION 58. IC 9-32-8-4 IS REPEALED [EFFECTIVE JULY 1,
7 2017]. ~~Sec. 4: A license issued to a watercraft dealer must specify the
8 location of the established place of business and shall be conspicuously
9 displayed at the established place of business. If a business name or
10 location is changed, the licensee shall notify the secretary within ten
11 (10) days and remit a fee of five dollars (\$5). The secretary shall retain
12 a fee collected under this subsection. The secretary shall endorse the
13 change on the watercraft dealer license if the secretary determines that
14 the change is not subject to other provisions of this chapter.~~

15 SECTION 59. IC 9-32-8-5, AS AMENDED BY P.L.174-2016,
16 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2017]: Sec. 5. (a) A watercraft dealer license issued under this
18 chapter shall be issued and expires based on the business name of the
19 watercraft dealer as set forth in IC 9-32-11-12.5.

20 (b) If a watercraft dealer license is lost or destroyed, the watercraft
21 dealer ~~may~~ **must** apply for a replacement watercraft dealer license in
22 the form and manner prescribed by the secretary.

23 SECTION 60. IC 9-32-9-3, AS AMENDED BY P.L.174-2016,
24 SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2017]: Sec. 3. (a) To apply for a license under this chapter, an
26 automotive salvage recycler must submit an application to the
27 secretary. An application for a license under this chapter must:

28 (1) be on a form prescribed by the secretary;

29 **(2) be completed by a dealer owner or dealer manager;**

30 ~~(2)~~ **(3)** contain the information the secretary considers necessary
31 to enable the secretary to determine fully:

32 (A) the qualifications and eligibility of the applicant to receive
33 the license; and

34 (B) the ability of the applicant to properly conduct the
35 business for which the application is submitted; and

36 ~~(3)~~ **(4)** be accompanied by the following:

37 (A) Evidence of a bond required under IC 9-32-11-2.

38 (B) Payment of the fee under subsection (c).

39 (C) An affidavit from:

40 (i) the person charged with enforcing a zoning ordinance, if
41 the person exists; or

42 (ii) the zoning enforcement officer under IC 36-7-4, if a



- 1 zoning enforcement officer exists;
 2 who has jurisdiction over the real property where the applicant
 3 wants to operate as an automotive salvage recycler.
 4 If there is no person or officer that has jurisdiction over the real
 5 property as described in subdivision ~~(3)(C)~~; **(4)(C)**, the application
 6 must be accompanied by a statement to that effect from the executive
 7 of the unit in which the real property is located. The affidavit must state
 8 that the proposed location is zoned for the operation of an
 9 establishment of an automotive salvage recycler. The applicant may file
 10 the affidavit at any time after the filing of the application. However, the
 11 secretary may not issue a license until the applicant files the affidavit
 12 or the statement.
- 13 (b) If an automotive salvage recycler license is lost or destroyed, the
 14 automotive salvage recycler ~~may~~ **shall** apply for a replacement
 15 automotive salvage recycler license in the form and manner prescribed
 16 by the secretary.
- 17 (c) The fee for an automotive salvage recycler license under
 18 subsection (a) is ten dollars (\$10). The fee is nonrefundable and shall
 19 be retained by the secretary.
- 20 SECTION 61. IC 9-32-9-12 IS ADDED TO THE INDIANA CODE
 21 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY
 22 1, 2017]: **Sec. 12. (a) A dealer licensed under this article may**
 23 **reassign a certificate of salvage title one (1) time without applying**
 24 **to the bureau for the issuance of a new certificate of salvage title.**
 25 **(b) A dealer that violates this section commits a Class A**
 26 **infraction.**
- 27 SECTION 62. IC 9-32-9-13 IS ADDED TO THE INDIANA CODE
 28 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY
 29 1, 2017]: **Sec. 13. (a) A dealer licensed under this article shall**
 30 **secure an affidavit from the person that holds the certificate of title**
 31 **on the date of receiving a title by sale or transfer. The affidavit**
 32 **must state whether the vehicle is a flood damaged vehicle.**
 33 **(b) The dealer shall file the affidavit secured under subsection**
 34 **(a) with the bureau upon receiving the affidavit and shall retain a**
 35 **copy of the affidavit with the records of the dealer.**
 36 **(c) Submission of a fraudulent affidavit under subsection (a)**
 37 **subjects the affiant to civil liability for all damages incurred by a**
 38 **dealer, subsequent purchaser, or transferee of the title, including**
 39 **reasonable attorney's fees and court costs (including fees).**
 40 **(d) A dealer that knowingly or intentionally fails to comply with**
 41 **subsection (a) or (b) commits a Class B misdemeanor.**
 42 **(e) A person that knowingly or intentionally submits a**



1 **fraudulent affidavit under subsection (a) commits a Class A**
 2 **infraction.**

3 SECTION 63. IC 9-32-9-14 IS ADDED TO THE INDIANA CODE
 4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 5 1, 2017]: **Sec. 14. (a) A scrap metal processor or other appropriate**
 6 **facility that purchases or acquires a salvage motor vehicle that has**
 7 **been totally demolished or destroyed as a result of normal**
 8 **processing performed by a recycling facility is not required to**
 9 **apply for and receive a certificate of salvage title for the vehicle.**

10 **(b) The facility or processor that performed the processing that**
 11 **resulted in the vehicle being demolished or destroyed shall**
 12 **surrender the certificate of title, the certificate of authority, or the**
 13 **certificate of salvage title to the bureau.**

14 SECTION 64. IC 9-32-9-15 IS ADDED TO THE INDIANA CODE
 15 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 16 1, 2017]: **Sec. 15. (a) The secretary shall prescribe recordkeeping**
 17 **forms to be used by an automotive salvage recycler licensed under**
 18 **this article to preserve information about salvage vehicles or major**
 19 **component parts acquired or sold by the business.**

20 **(b) The recordkeeping forms required under subsection (a) must**
 21 **contain the following information:**

22 **(1) For each new or used vehicle acquired or disposed of or**
 23 **for the major component parts of a new or used vehicle, the**
 24 **following:**

25 **(A) A description of the vehicle or major component part,**
 26 **including numbers or other marks identifying the vehicle**
 27 **or major component part.**

28 **(B) The date the vehicle or major component part was**
 29 **acquired and disposed of.**

30 **(C) The name and address of the person from whom the**
 31 **vehicle or major component part was acquired.**

32 **(D) Verification of the purchaser of the vehicle or major**
 33 **component part by confirming the purchaser's identity by**
 34 **a driver's license, a state identification card, or other**
 35 **reliable means.**

36 **(2) For vehicles acquired or disposed of, in addition to the**
 37 **information required by subdivision (1), the following:**

38 **(A) The vehicle's trade name.**

39 **(B) The vehicle's manufacturer.**

40 **(C) The vehicle's type.**

41 **(D) The model year and vehicle identification number.**

42 **(E) A statement of whether any number has been defaced,**



- 1 destroyed, or changed.
- 2 (3) For wrecked, dismantled, or rebuilt vehicles, the date the
- 3 vehicle was dismantled or rebuilt.
- 4 (c) Separate records for each vehicle or major component part
- 5 must be maintained.
- 6 (d) The recordkeeping requirements of this section do not apply
- 7 to hulk crushers or to scrap metal processors when purchasing
- 8 scrap from a person that is licensed under this article and that is
- 9 required to keep records under this section.
- 10 (e) An automotive salvage recycler licensed under this article
- 11 that knowingly or intentionally fails to:
- 12 (1) maintain records regarding salvage vehicles or major
- 13 component parts acquired or sold by the business; or
- 14 (2) maintain records regarding salvage vehicles or major
- 15 component parts on forms that comply with subsection (b);
- 16 commits a Class A infraction.
- 17 (f) Records required to be maintained under this section may be
- 18 maintained in any form of data storage acceptable to the secretary
- 19 if the records are readily accessible and available to copy by an
- 20 investigating or auditing employee of the secretary upon demand
- 21 at the established place of business.
- 22 SECTION 65. IC 9-32-9-16 IS ADDED TO THE INDIANA CODE
- 23 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 24 1, 2017]: Sec. 16. (a) Unless otherwise specified or required, the
- 25 records required under section 15 of this chapter shall be retained
- 26 for five (5) years after the date the vehicle or major component
- 27 part was acquired, in the form prescribed by the secretary. The
- 28 records must be maintained at the established place of business for
- 29 two (2) years. Following the two (2) year period, records may be
- 30 moved offsite, but must be maintained for five (5) years.
- 31 (b) An automotive salvage recycler that knowingly or
- 32 intentionally fails to comply with subsection (a) commits a Class B
- 33 misdemeanor.
- 34 SECTION 66. IC 9-32-9-17 IS ADDED TO THE INDIANA CODE
- 35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 36 1, 2017]: Sec. 17. (a) The records required under section 15 of this
- 37 chapter must be available to, and produced at the request of, a
- 38 police officer or an authorized agent of the secretary of state under
- 39 this chapter.
- 40 (b) An automotive salvage recycler that fails to make available
- 41 or produce the records described under section 15 of this chapter
- 42 for a police officer or an authorized agent of the secretary of state



1 **commits a Class A infraction.**
 2 SECTION 67. IC 9-32-9-18 IS ADDED TO THE INDIANA CODE
 3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 4 1, 2017]: **Sec. 18. (a) This section applies to vehicles and their**
 5 **component parts that are in either their current model year or in**
 6 **the immediately preceding six (6) model years when purchased by**
 7 **a recycling facility or automotive salvage rebuilder.**
 8 **(b) A recycling facility and automotive salvage rebuilder**
 9 **licensed under this chapter shall comply with the recordkeeping**
 10 **requirements under section 15 of this chapter for the purchase of**
 11 **a salvage motor vehicle or major component part.**
 12 **(c) A recycling facility or automotive salvage rebuilder that fails**
 13 **to comply with subsection (a) or (b) commits a Class A infraction.**
 14 SECTION 68. IC 9-32-9-19 IS ADDED TO THE INDIANA CODE
 15 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 16 1, 2017]: **Sec. 19. (a) A record required to be maintained under this**
 17 **chapter is subject to inspection by a police officer during normal**
 18 **business hours. In addition to the inspections authorized under**
 19 **section 20 of this chapter, an inspection under this section may**
 20 **include an examination of the premises of the licensee's established**
 21 **place of business for the purpose of determining the accuracy of**
 22 **the required records.**
 23 **(b) A recycling facility, automotive salvage rebuilder, or used**
 24 **parts dealer that knowingly or intentionally fails to:**
 25 **(1) maintain records as required under this chapter; or**
 26 **(2) allow an inspection of a licensee's established place of**
 27 **business for the purpose of determining the accuracy of**
 28 **required records;**
 29 **commits a Class A infraction.**
 30 SECTION 69. IC 9-32-9-20 IS ADDED TO THE INDIANA CODE
 31 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 32 1, 2017]: **Sec. 20. (a) The secretary of state, a police officer, or an**
 33 **agent of the secretary of state or a police officer may enter upon**
 34 **the premises of an automotive salvage recycler during normal**
 35 **business hours to inspect a vehicle, major component part, records,**
 36 **certificate of title, and other ownership documents to determine**
 37 **compliance with this chapter.**
 38 **(b) A person that knowingly or intentionally prevents the**
 39 **secretary of state, a police officer, or agent of the secretary of state**
 40 **from inspecting a vehicle, a major component part, a record, a**
 41 **certificate of title, or another ownership document during normal**
 42 **business hours commits a Class A infraction.**



1 SECTION 70. IC 9-32-9-21 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2017]: **Sec. 21. In the absence of fraud or bad faith, a person who**
4 **releases or provides evidence or information under this chapter to**
5 **any of the following is immune from civil or criminal liability for**
6 **providing that evidence or information:**

7 (1) The superintendent of the state police or the
8 superintendent's designee.

9 (2) The attorney general or the attorney general's designee.

10 (3) The city police chief or the city police chief's designee.

11 (4) The county sheriff or the county sheriff's designee.

12 (5) The prosecuting attorney or the prosecuting attorney's
13 designee.

14 SECTION 71. IC 9-32-9-22 IS ADDED TO THE INDIANA CODE
15 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
16 1, 2017]: **Sec. 22. A court may issue a warrant to search the**
17 **premises of an automotive salvage rebuilder, an automotive**
18 **salvage recycler, a recycling facility, or a used parts dealer for any**
19 **major component parts being possessed, kept, sold, bartered, given**
20 **away, used, or transported in potential violation of this chapter.**

21 SECTION 72. IC 9-32-9-23 IS ADDED TO THE INDIANA CODE
22 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
23 1, 2017]: **Sec. 23. A warrant issued under section 22 of this chapter**
24 **shall be directed to a police officer who has the power of criminal**
25 **process. The person to whom the warrant was issued shall serve**
26 **the warrant and make the return not later than twenty (20) days**
27 **after the date of issue.**

28 SECTION 73. IC 9-32-9-24 IS ADDED TO THE INDIANA CODE
29 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
30 1, 2017]: **Sec. 24. The law enforcement officer who serves a**
31 **warrant issued under section 22 of this chapter shall seize any**
32 **article described in the warrant and any other article the police**
33 **officer finds during the search that is held in violation of this**
34 **chapter. The law enforcement officer shall hold the articles**
35 **pending the disposition ordered by the court in which a**
36 **prosecution may be instituted for a violation of this chapter.**

37 SECTION 74. IC 9-32-9-25 IS ADDED TO THE INDIANA CODE
38 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
39 1, 2017]: **Sec. 25. A major component part seized under this**
40 **chapter and any other article found on the searched premises and**
41 **taken under a warrant issued under section 22 of this chapter may**
42 **not be taken from the custody of the person who served the**



1 warrant by a writ of replevin or other process while proceedings
2 are pending.

3 SECTION 75. IC 9-32-9-26 IS ADDED TO THE INDIANA CODE
4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
5 1, 2017]: **Sec. 26. The prosecution of a recycling facility, automotive
6 salvage rebuilder, insurance company, or individual suspected of
7 violating this section may be instituted by the filing of an
8 information or indictment in the same manner as other criminal
9 cases are commenced.**

10 SECTION 76. IC 9-32-9-27 IS ADDED TO THE INDIANA CODE
11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
12 1, 2017]: **Sec. 27. A person aggrieved by a violation of this chapter
13 may recover the actual damages sustained, together with costs and
14 reasonable attorney's fees. The court may increase the award of
15 damages to:**

- 16 (1) an amount not to exceed three (3) times the actual
17 damages sustained; or
- 18 (2) two thousand five hundred dollars (\$2,500);

19 **whichever is greater.**

20 SECTION 77. IC 9-32-9-28 IS ADDED TO THE INDIANA CODE
21 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
22 1, 2017]: **Sec. 28. A person who violates this chapter commits a
23 deceptive act that is actionable by the attorney general and is
24 subject to the remedies and penalties under IC 24-5-0.5.**

25 SECTION 78. IC 9-32-9-29 IS ADDED TO THE INDIANA CODE
26 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
27 1, 2017]: **Sec. 29. (a) An automotive salvage recycler or an agent of
28 an automotive salvage recycler may purchase a vehicle without a
29 certificate of title for the vehicle if:**

- 30 (1) the vehicle is at least fifteen (15) model years old;
- 31 (2) the purchase is solely for the purpose of dismantling or
32 wrecking the vehicle for the recovery of scrap metal or the
33 sale of parts; and
- 34 (3) the automotive salvage recycler records all purchase
35 transactions of vehicles as required in subsection (b).

36 **(b) An automotive salvage recycler shall maintain the following
37 information with respect to each vehicle purchase transaction to
38 which the automotive salvage recycler is a party for at least five (5)
39 years after the date of the purchase transaction:**

- 40 (1) The name and address of any scrap metal processor or
41 automobile scrapyard.
- 42 (2) The name of the person entering the information.



- 1 **(3) The date and time of the purchase transaction.**
- 2 **(4) A description of the vehicle that is the subject of the**
- 3 **purchase transaction, including the make and model of the**
- 4 **vehicle, if practicable.**
- 5 **(5) The vehicle identification number of the vehicle, to the**
- 6 **extent practicable.**
- 7 **(6) The amount of consideration given for the vehicle.**
- 8 **(7) A written statement signed by the seller or the seller's**
- 9 **agent certifying the following:**
 - 10 **(A) The seller or the seller's agent has the lawful right to**
 - 11 **sell and dispose of the vehicle.**
 - 12 **(B) The vehicle is not subject to a security interest or lien.**
 - 13 **(C) The vehicle will not be titled again and will be**
 - 14 **dismantled or destroyed.**
- 15 **(8) The name, date of birth, and address of the person from**
- 16 **whom the vehicle is being purchased.**
- 17 **(9) A photocopy or electronic scan of one (1) of the following**
- 18 **valid and unexpired forms of identification issued to the seller**
- 19 **or the seller's agent:**
 - 20 **(A) A driver's license.**
 - 21 **(B) An identification card issued under IC 9-24-16-1, a**
 - 22 **photo exempt identification card issued under**
 - 23 **IC 9-24-16.5, or a similar card issued under the laws of**
 - 24 **another state or the federal government.**
 - 25 **(C) A government issued document bearing an image of**
 - 26 **the seller or seller's agent, as applicable.**
- 27 **For purposes of complying with this subdivision, an**
- 28 **automotive salvage recycler is not required to make a**
- 29 **separate copy of the seller's or seller's agent's identification**
- 30 **for each purchase transaction involving the seller or seller's**
- 31 **agent but may instead refer to a copy maintained in reference**
- 32 **to a particular purchase transaction.**
- 33 **(10) The license plate number, make, model, and color of the**
- 34 **vehicle that is used to deliver the purchased vehicle to the**
- 35 **automotive salvage recycler.**
- 36 **(11) The signature of the person receiving consideration from**
- 37 **the seller or the seller's agent.**
- 38 **(12) A photographic or videographic image, taken when the**
- 39 **vehicle is purchased, of the following:**
 - 40 **(A) A frontal view of the facial features of the seller or the**
 - 41 **seller's agent.**
 - 42 **(B) The vehicle that is the subject of the purchase**



1 **transaction.**

2 **(c) An automotive salvage recycler may not complete a purchase**
 3 **transaction without the information required under subsection**
 4 **(b)(9).**

5 **(d) An automotive salvage recycler or an agent of an automotive**
 6 **salvage recycler that knowingly or intentionally buys a vehicle that**
 7 **is less than fifteen (15) model years old without a certificate of title**
 8 **or certificate of authority for the vehicle commits a Level 6 felony.**

9 SECTION 79. IC 9-32-11-1, AS AMENDED BY P.L.174-2016,
 10 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2017]: Sec. 1. (a) The following persons must be licensed
 12 under this article to engage in the business of buying, selling, or
 13 manufacturing motor vehicles:

- 14 (1) An automobile auction.
 15 (2) A converter manufacturer.
 16 (3) A dealer.
 17 (4) A distributor.
 18 (5) An automotive salvage recycler.
 19 (6) A watercraft dealer.
 20 (7) A manufacturer.
 21 (8) A transfer dealer.
 22 (9) An automotive mobility dealer.

23 **(b) An automotive mobility dealer who engages in the business of:**

- 24 ~~(1) selling; installing; or servicing;~~
 25 ~~(2) offering to sell; install; or service; or~~
 26 ~~(3) soliciting or advertising the sale; installation; or servicing of;~~
 27 ~~equipment or modifications specifically designed to facilitate use or~~
 28 ~~operation of a motor vehicle by an individual who is disabled or aged~~
 29 ~~must be licensed under this article.~~

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

33 **(c) After January 1, 2018, an automotive mobility dealer that fails**
 34 **to be licensed and hold an automotive mobility dealer endorsement**
 35 **under this article, and engages in the businesses described in**
 36 **subsection (b) business of:**

- 37 **(1) selling;**
 38 **(2) installing;**
 39 **(3) servicing; or**
 40 **(4) soliciting or advertising the sale, installation, or servicing**
 41 **of;**
 42 **equipment or modifications specifically designed to facilitate use**



1 **or operation of a motor vehicle or watercraft by an individual who**
 2 **is disabled or aged** commits a Class A infraction.

3 SECTION 80. IC 9-32-11-2, AS AMENDED BY P.L.174-2016,
 4 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2017]: Sec. 2. (a) An application for a license under this
 6 chapter must:

7 (1) be accompanied by payment of the applicable fee required
 8 under this section;

9 (2) be on a form prescribed by the secretary;

10 (3) contain the information the secretary considers necessary to
 11 enable the secretary to determine fully:

12 (A) the qualifications and eligibility of the applicant to receive
 13 the license; and

14 (B) the ability of the applicant to conduct properly the
 15 business for which the application is submitted; ~~and~~

16 (4) contain evidence of a bond required in subsection (e); **and**

17 **(5) be completed by a dealer owner or dealer manager.**

18 (b) An application for a license as a dealer must show whether the
 19 applicant proposes to sell new or used motor vehicles, or both.

20 (c) An applicant who proposes to use the Internet or another
 21 computer network to facilitate the sale of motor vehicles shall maintain
 22 all records at the established place of business in Indiana.

23 (d) The application must include an affidavit from:

24 (1) the person charged with enforcing a zoning ordinance, if one
 25 exists; or

26 (2) the zoning enforcement officer under IC 36-7-4, if one exists;
 27 who has jurisdiction over the real property where the applicant wants
 28 to operate as a dealer. If there is no person or officer that has
 29 jurisdiction over the real property, the application must be
 30 accompanied by a statement to that effect from the executive of the unit
 31 in which the real property is located. The affidavit must state that the
 32 proposed location is zoned for the operation of a dealer's establishment.
 33 The applicant may file the affidavit at any time after the filing of the
 34 application. However, the secretary may not issue a license until the
 35 applicant files the affidavit or the statement.

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

38 (1) be in favor of the state;

39 (2) secure payment of fines, penalties, costs, and fees assessed by
 40 the secretary after:

41 (A) notice;

42 (B) opportunity for a hearing; and



- 1 (C) opportunity for judicial review; and
 2 (3) secure the payment of damages to a person aggrieved by a
 3 violation of this article by the licensee after a judgment has been
 4 issued.
 5 (f) Service under this chapter shall be made in accordance with the
 6 Indiana Rules of Trial Procedure.
 7 (g) The fee for a license for a manufacturer or a distributor is
 8 thirty-five dollars (\$35).
 9 (h) The fee for a license for a dealer, ~~or an automobile auction other~~
 10 **than a manufacturer, converter manufacturer, distributor,**
 11 **watercraft dealer, automotive salvage recycler, or transfer dealer**
 12 is thirty dollars (\$30).
 13 (i) The fee for a transfer dealer ~~or a converter manufacturer or an~~
 14 ~~automotive mobility dealer~~ is twenty dollars (\$20).
 15 (j) The fees collected under this section are nonrefundable and shall
 16 be deposited as set forth in IC 9-32-7-3.
 17 SECTION 81. IC 9-32-11-2.5 IS ADDED TO THE INDIANA
 18 CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2017]: **Sec. 2.5. (a) An automotive mobility**
 19 **dealer must be licensed under this article as a dealer,**
 20 **manufacturer, or converter manufacturer.**
 21
 22 **(b) Effective January 1, 2018, before an automotive mobility**
 23 **dealer engages in any of the activities described in IC 9-13-2-8.5,**
 24 **the automotive mobility dealer must have an automotive mobility**
 25 **dealer endorsement issued by the secretary.**
 26 **(c) An application for an automotive mobility endorsement must**
 27 **be:**
 28 **(1) on a form prescribed by the secretary; and**
 29 **(2) accompanied by proof that the applicant is accredited**
 30 **through the Quality Assurance Program of the National**
 31 **Mobility Equipment Dealers Association.**
 32 SECTION 82. IC 9-32-11-5, AS AMENDED BY P.L.151-2015,
 33 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2017]: Sec. 5. A dealer proposing to sell new motor vehicles
 35 **or watercraft** shall file and maintain with the secretary:
 36 (1) a current copy of each franchise to which the dealer is a party;
 37 or
 38 (2) if the dealer is a party to multiple franchises that are identical
 39 except for stated items, a copy of the franchise form with
 40 supplemental schedules of variations from the form.
 41 SECTION 83. IC 9-32-11-6, AS AMENDED BY P.L.174-2016,
 42 SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2017]: Sec. 6. (a) A license issued to a dealer under this
2 ~~chapter:~~ **article:**

3 (1) must specify the established place of business; and

4 (2) shall be conspicuously displayed at the established place of
5 business.

6 (b) ~~If a licensee's business name or location is changed, the licensee~~
7 ~~shall notify the secretary not later than ten (10) days after the change~~
8 ~~and remit a fee of five dollars (\$5). The secretary shall retain the fee.~~
9 ~~The secretary shall endorse the change on the license if the secretary~~
10 ~~determines that the change is not subject to other provisions of this~~
11 ~~article:~~ **dealer's:**

12 (1) **business name, including a doing business as name;**

13 (2) **established place of business address;**

14 (3) **business entity type;**

15 (4) **contact information; or**

16 (5) **dealer owner;**

17 **changes, the dealer shall submit to the secretary an application for**
18 **approval of the change not later than ten (10) days after the change**
19 **in a manner prescribed by the secretary.**

20 (c) **If the change is to information described in subsection (b)(1)**
21 **or (b)(2), the dealer shall remit a fee of five dollars (\$5) with the**
22 **notification and submit any additional information necessary to**
23 **obtain an amended dealer license. The fee is nonrefundable, and**
24 **the secretary shall retain the fee.**

25 ~~(e)~~ (d) A dealer that uses the Internet or another computer network
26 to facilitate the sale of motor vehicles as set forth in section 2(c) of this
27 chapter shall notify the secretary not later than ten (10) days after any
28 change in a name, address, or telephone number documented in
29 business records located outside Indiana that have been created in
30 transactions made in Indiana by the dealer. A report made under this
31 subsection is not subject to the fee under subsection ~~(b)~~: (c).

32 ~~(d)~~ (e) A dealer that wants to change a **its established place of**
33 **business** location must submit ~~to the secretary an an affidavit along~~
34 **with its** application for approval of the change. ~~The application must~~
35 **be accompanied by an affidavit must be** from:

36 (1) the person charged with enforcing a zoning ordinance
37 described in this subsection; or

38 (2) the zoning enforcement officer under IC 36-7-4, if one exists;
39 that has jurisdiction over the real property where the applicant wants
40 to operate as a dealer.

41 (f) If there is no person or officer that has jurisdiction over the real
42 property, the application must be accompanied by a statement to that



1 effect from the executive of the unit in which the real property is
 2 located. The affidavit must state that the proposed location is zoned for
 3 the operation of a dealer's establishment.

4 **(g)** The secretary may not approve a change of location or endorse
 5 a change of location on the dealer's license until the dealer provides the
 6 affidavit or the statement.

7 ~~(e)~~ **(h)** For the purpose of this section, an offsite sales license issued
 8 under section 11 of this chapter does not constitute a change of
 9 location.

10 SECTION 84. IC 9-32-11-7, AS AMENDED BY P.L.174-2016,
 11 SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2017]: Sec. 7. (a) A distributor representative and a
 13 manufacturer representative become certified by:

- 14 (1) the licensed distributor or licensed manufacturer completing
- 15 an application with the secretary to add the distributor
- 16 representative or manufacturer representative to the license; and
- 17 (2) paying a nonrefundable fee of twenty dollars (\$20).

18 The fee shall be deposited as set forth in IC 9-32-7-3.

19 (b) Any change to the certification of the distributor representative
 20 or manufacturer representative must be submitted to the secretary not
 21 later than ten (10) days after the change. The secretary shall endorse
 22 the change on the certification. A representative must have a
 23 certification when engaged in business and shall display the
 24 certification upon request.

25 (c) A distributor representative or manufacturer representative
 26 certification expires on the earlier of the following dates:

- 27 (1) The date on which the license issued to the distributor or
- 28 manufacturer that certified the representative expires.
- 29 (2) The date on which the secretary receives notice that the
- 30 certified distributor representative or manufacturer representative
- 31 is no longer a representative of the licensed distributor or
- 32 manufacturer.

33 **(d) The fee to renew a manufacturer representative or a**
 34 **distributor representative certificate is twenty dollars (\$20). The**
 35 **fee is nonrefundable and shall be deposited as set forth in**
 36 **IC 9-32-7-3.**

37 SECTION 85. IC 9-32-11-7.5 IS ADDED TO THE INDIANA
 38 CODE AS A NEW SECTION TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2017]: **Sec. 7.5. If a manufacturer**
 40 **representative or distributor representative certificate issued**
 41 **under section 7 of this chapter is lost or destroyed, the**
 42 **manufacturer or distributor shall request a replacement certificate**



1 **from the secretary in a manner prescribed by the secretary.**

2 SECTION 86. IC 9-32-11-8, AS AMENDED BY P.L.174-2016,
3 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2017]: Sec. 8. The secretary shall, by rules adopted under
5 IC 4-22-2, establish requirements for an initial application for and
6 renewal of a dealer's license. The rules must include a requirement that
7 each initial or renewal application for an automotive mobility ~~dealer's~~
8 **license dealer endorsement** include proof that the applicant is
9 accredited through the Quality Assurance Program of the National
10 Mobility Equipment Dealers Association.

11 SECTION 87. IC 9-32-11-8.5 IS ADDED TO THE INDIANA
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2017]: **Sec. 8.5. If a dealer's license is lost or**
14 **destroyed, the dealer must apply for a replacement dealer license**
15 **in a manner prescribed by the secretary.**

16 SECTION 88. IC 9-32-11-9, AS ADDED BY P.L.92-2013,
17 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2017]: Sec. 9. An automotive mobility dealer licensed **and**
19 **endorsed** under this chapter is entitled to:

- 20 (1) display;
- 21 (2) inventory;
- 22 (3) advertise;
- 23 (4) offer for sale; or
- 24 (5) do any combination of subdivisions (1) through (4)
- 25 concerning;

26 any adapted **motor** vehicle **or watercraft**.

27 SECTION 89. IC 9-32-11-12.5, AS AMENDED BY P.L.174-2016,
28 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2017]: Sec. 12.5. (a) This section applies to licenses (other
30 than wholesale dealer licenses) issued after December 31, 2014.

31 (b) An initial or renewed license issued under this article is valid
32 from the issue date through the expiration date in accordance with the
33 following schedule:

- 34 (1) A license for a person whose business name begins with the
35 letters A through B expires February 1 of each year.
- 36 (2) A license for a person whose business name begins with the
37 letters C through D expires March 1 of each year.
- 38 (3) A license for a person whose business name begins with the
39 letters E through F expires April 1 of each year.
- 40 (4) A license for a person whose business name begins with the
41 letters G through H expires May 1 of each year.
- 42 (5) A license for a person whose business name begins with the



- 1 letters I through J expires June 1 of each year.
- 2 (6) A license for a person whose business name begins with the
- 3 letters K through L expires July 1 of each year.
- 4 (7) A license for a person whose business name begins with the
- 5 letters M through N expires August 1 of each year.
- 6 (8) A license for a person whose business name begins with the
- 7 letters O through P expires September 1 of each year.
- 8 (9) A license for a person whose business name begins with the
- 9 letters Q through R expires October 1 of each year.
- 10 (10) A license for a person whose business name begins with the
- 11 letters S through T expires November 1 of each year.
- 12 (11) A license for a person whose business name begins with the
- 13 letters U through V expires December 1 of each year.
- 14 (12) A license for a person whose business name begins with the
- 15 letters W through Z expires January 1 of each year.
- 16 (c) A dealer license issued to a person whose business name begins
- 17 with a nonalpha character expires November 1 of each year.
- 18 (d) ~~Notwithstanding subsection (b), a license issued in 2015 expires~~
- 19 ~~as follows:~~
- 20 License issued to a person
- 21 with a business name
- 22 beginning with: License expiration date:
- 23 A through B February 1, 2016
- 24 C through D March 1, 2016
- 25 E through F April 1, 2016
- 26 G through H May 1, 2016
- 27 I through J June 1, 2016
- 28 K through L July 1, 2016
- 29 M through N August 1, 2016
- 30 O through P September 1, 2016
- 31 Q through R October 1, 2016
- 32 S through T November 1, 2016
- 33 U through V December 1, 2016
- 34 W through Z January 1, 2017
- 35 This subsection expires January 2, 2017.
- 36 (d) **The fee for the renewal of an automotive salvage recycler**
- 37 **license is ten dollars (\$10). The fees collected under this subsection**
- 38 **are nonrefundable and shall be retained by the secretary.**
- 39 (e) **The fee for the renewal of a watercraft dealer license is thirty**
- 40 **dollars (\$30). The fees collected under this subsection are**
- 41 **nonrefundable and shall be retained by the secretary.**
- 42 (f) **The fee for the renewal of a manufacturer or distributor**



1 license is thirty-five dollars (\$35). The fees collected under this
 2 subsection are nonrefundable and shall be retained by the
 3 secretary.

4 (g) The fee for the renewal of a converter manufacturer or
 5 transfer dealer license is twenty dollars (\$20). The fees collected
 6 under this subsection are nonrefundable and shall be deposited as
 7 set forth in IC 9-32-7-3.

8 (h) The fee for the renewal of a dealer license not described in
 9 subsection (d), (e), (f), or (g) is thirty dollars (\$30). The fees
 10 collected under this section are nonrefundable and shall be
 11 deposited as set forth in IC 9-32-7-3.

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

14 SECTION 90. IC 9-32-11-13, AS ADDED BY P.L.92-2013,
 15 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2017]: Sec. 13. A person licensed under this article may
 17 transfer or assign a title for a motor vehicle **or watercraft**.

18 SECTION 91. IC 9-32-11-15, AS AMENDED BY P.L.174-2016,
 19 SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2017]: Sec. 15. (a) A person who ceases a business activity for
 21 which a license was issued under this ~~chapter~~ **article** shall do the
 22 following:

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

25 (2) Deliver to the secretary the license and all permanent dealer
 26 license plates, including dealer designee license plates, issued to
 27 the person not later than ten (10) days after the date the business
 28 activity will cease.

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

30 (1) dealer's license;

31 (2) use of the dealer's license;

32 (3) dealer's dealer license plates; or

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

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

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



1 SECTION 92. IC 9-32-11-18, AS AMENDED BY P.L.174-2016,
 2 SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2017]: Sec. 18. (a) A person licensed under this article shall
 4 be issued a special event permit from the secretary for a special event
 5 that meets the following conditions:

6 (1) The event is a motor vehicle auction conducted by auctioneers
 7 licensed under IC 25-6.1-3.

8 (2) The motor vehicles to be auctioned are:

9 (A) at least fifteen (15) years old; or

10 (B) classified as classic, collector, or antique motor vehicles
 11 under rules adopted by the secretary.

12 (3) At least one hundred (100) motor vehicles will be auctioned
 13 during the special event.

14 (4) The licensee submits to the secretary an application for a
 15 special event permit not later than thirty (30) days before the
 16 beginning date of the special event.

17 (5) The application under subdivision (4) is accompanied by
 18 includes the following:

19 (A) An affidavit from:

20 (i) the person charged with enforcing a zoning
 21 ordinance; or

22 (ii) a zoning enforcement officer under IC 36-7-4;

23 who has jurisdiction over the real property where the
 24 applicant wants to operate the special event auction.

25 (B) A fee of two hundred fifty dollars (\$250). The fee shall be
 26 deposited as set forth in IC 9-32-7-3.

27 (b) If there is no person or officer that has jurisdiction over the
 28 real property as described in subsection (a)(5)(A), the application
 29 must be accompanied by a statement to that effect from the
 30 executive of the unit in which the real property is located. The
 31 affidavit must state that the proposed location is zoned for the
 32 operation of a special event auction.

33 (c) The applicant may file the affidavit at any time after the
 34 filing of the application. However, the secretary may not issue a
 35 special event auction permit until the applicant files the affidavit
 36 or statement.

37 (d) Not more than two (2) special event permits may be issued
 38 by the secretary to the same applicant within a twelve (12) month
 39 period.

40 SECTION 93. IC 9-32-11-19 IS REPEALED [EFFECTIVE JULY
 41 1, 2017]. Sec. 19: If a license issued under this chapter is lost or
 42 destroyed, the person to which the license is issued may apply for a



- 1 replacement license.
- 2 SECTION 94. IC 9-32-16-2, AS AMENDED BY P.L.174-2016,
 3 SECTION 110, IS AMENDED TO READ AS FOLLOWS
 4 [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) An order issued under this
 5 article may deny a dealer license **or endorsement** application for
 6 registration if the secretary finds that the order is in the public interest
 7 and subsection (c) authorizes the action. An order may condition or
 8 limit the license of an applicant to be a dealer and, if the applicant for
 9 a dealer license is a partner, officer, director, or person having similar
 10 status or performing similar functions, or a person directly or indirectly
 11 in control of the dealership, the order may condition or limit the
 12 license.
- 13 (b) If the secretary finds that an order is in the public interest and
 14 subsection (c) authorizes the action, an order issued under this article
 15 may deny, revoke, suspend, condition, limit, or permanently bar the
 16 granting of a license **or endorsement** or issuing of a license plate to or
 17 an application for a license, **endorsement**, or license plate from a
 18 dealer, ~~or a partner, an officer, a director, owner, dealer manager,~~ or
 19 a person having a similar status or performing similar functions as a
 20 dealer, or a person directly or indirectly in control of the dealer.
 21 However, the secretary may not:
- 22 (1) institute a revocation or suspension proceeding under this
 23 subsection based on an order issued under the law of another state
 24 that is reported to the secretary or a designee of the secretary more
 25 than one (1) year after the date of the order on which it is based;
 26 or
 27 (2) issue an order on the basis of an order issued under the dealer
 28 services laws of another state unless the other order was based on
 29 conduct for which subsection (c) would authorize the action had
 30 the conduct occurred in Indiana.
- 31 (c) A person may be disciplined under this section if the person:
- 32 (1) has filed an application for a dealer license **or endorsement**
 33 in Indiana under this article, or its predecessor, within the
 34 previous ten (10) years, which, as of the effective date of license
 35 or registration or as of any date after filing in the case of an order
 36 denying effectiveness, was incomplete as to a material fact or
 37 contained a statement that, in light of the circumstances under
 38 which it was made, was false or misleading with respect to a
 39 material fact;
 40 (2) knowingly violated or knowingly failed to comply with this
 41 article, or its predecessor, within the previous ten (10) years;
 42 (3) has been convicted of a:



- 1 (A) felony within the previous ten (10) years;
 2 (B) felony or misdemeanor involving theft or fraud; or
 3 (C) felony or misdemeanor concerning an aspect of business
 4 involving the offer, sale, financing, repair, modification, or
 5 manufacture of a motor vehicle **or watercraft**;
 6 (4) is enjoined or restrained by a court with jurisdiction in an
 7 action instituted by a state or the United States from engaging in
 8 or continuing an act, practice, or course of business involving an
 9 aspect of a business involving the offer, barter, sale, purchase,
 10 transfer, financing, repair, or manufacture of a motor vehicle **or**
 11 **watercraft**;
 12 (5) refuses to allow or otherwise impedes the secretary from
 13 conducting an audit or inspection;
 14 (6) has engaged in dishonest or unethical practices in a business
 15 involving the offer, barter, sale, purchase, transfer, financing,
 16 repair, or manufacture of a motor vehicle **or watercraft** within
 17 the previous ten (10) years;
 18 (7) is engaging in unfair practices as set forth in this article;
 19 (8) is on the most recent tax warrant list supplied to the secretary
 20 by the department of state revenue;
 21 (9) violates IC 23-2-2.7;
 22 (10) violates IC 9-19-9;
 23 (11) willfully violates federal or state law relating to the sale,
 24 distribution, financing, or insuring of motor vehicles **or**
 25 **watercraft**;
 26 (12) is not compliant with local, state, or federal laws and
 27 regulations regarding a dealer license, **endorsement**, or dealer
 28 business;
 29 (13) violates ~~IC 9-22-3-19~~; **IC 9-32-9-15**;
 30 (14) violates ~~IC 9-22-3-20~~; **IC 9-32-9-16**; or
 31 (15) violates ~~IC 9-22-5-18.2~~. **IC 9-32-9-29**.
 32 (d) The secretary may revoke, suspend, or deny an application,
 33 impose fines and costs, restrict, condition, limit, bar, or suspend a
 34 dealer license, **endorsement**, or license plate issued under this article,
 35 or order restitution, or do any combination of these actions before final
 36 determination of an administrative proceeding. Upon the issuance of
 37 an order, the secretary shall promptly notify each person subject to the
 38 order:
 39 (1) that the order has been issued;
 40 (2) the reasons for the action; and
 41 (3) that upon receipt of a request in a record from the person, the
 42 matter will be scheduled for a hearing within fifteen (15) days.



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

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

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

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

- 16 (1) appropriate notice to the applicant or registrant;
- 17 (2) an opportunity for a hearing; and
- 18 (3) reasons for the action.

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

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

28 SECTION 95. IC 9-32-16-11, AS AMENDED BY P.L.174-2016,
 29 SECTION 114, IS AMENDED TO READ AS FOLLOWS
 30 [EFFECTIVE JULY 1, 2017]: Sec. 11. (a) All dealers operating as a:

- 31 (1) corporation;
- 32 (2) limited liability company;
- 33 (3) limited partnership; or
- 34 (4) limited liability partnership;

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

37 (b) A dealer that applies for a license under this article shall provide
 38 the secretary:

- 39 (1) the federal tax identification number; and
- 40 (2) the registered retail merchant's certificate number issued
 41 under IC 6-2.5-8;

42 issued to the dealer.



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

10 (d) Before the secretary may issue a license to a dealer, the
 11 following must submit to a national criminal history background check
 12 (as defined in IC 10-13-3-12) or expanded criminal history check (as
 13 defined in IC 20-26-2-1.5) administered by the state police:

- 14 ~~(1) All corporate officers of the dealer that will be named on the~~
 15 ~~license. (1) Each dealer owner.~~
 16 ~~(2) All partners of the dealer.~~
 17 **(2) Each dealer manager.**
 18 ~~(3) All owners of the dealer.~~

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

22 (e) A national criminal history background check or expanded
 23 criminal history check conducted under subsection (d):

- 24 (1) is at the expense of the dealer and the ~~dealer's corporate~~
 25 ~~officers, partners, and dealer~~ owners; and
 26 (2) may be completed not more than sixty (60) days before the
 27 dealer applies for a license under this article.

28 (f) The secretary may deny an application for a license if the
 29 division finds that a ~~corporate officer, a partner, or an dealer~~ owner of
 30 **or a dealer manager** has been convicted of a:

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

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



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

- 5 **(1) felony within the past ten (10) years;**
 6 **(2) felony or misdemeanor involving theft or fraud; or**
 7 **(3) felony or misdemeanor concerning an aspect of business**
 8 **involving the:**

- 9 **(A) offer;**
 10 **(B) sale;**
 11 **(C) financing;**
 12 **(D) repair;**
 13 **(E) modification; or**
 14 **(F) manufacture;**

15 **of a motor vehicle or watercraft.**

16 ~~(g)~~ **(i) The dealer and the corporation, company, or partnership must**
 17 **be in good standing with the bureau, the department of state revenue,**
 18 **and the state police department during the entire period for which a**
 19 **license is valid.**

20 SECTION 96. IC 9-32-16-16, AS ADDED BY P.L.174-2016,
 21 SECTION 115, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2017]: Sec. 16. A dealer ~~may not alter or~~
 23 ~~reproduce a license issued to the dealer by the secretary license or~~
 24 **endorsement issued** under this article or by the bureau of motor
 25 vehicles under IC 9-23 (before its repeal) **may not be:**

- 26 **(1) loaned;**
 27 **(2) leased;**
 28 **(3) sold;**
 29 **(4) transferred;**
 30 **(5) copied;**
 31 **(6) altered; or**
 32 **(7) reproduced.**

33 SECTION 97. IC 9-32-18 IS ADDED TO THE INDIANA CODE
 34 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2017]:

36 **Chapter 18. Consumer Restitution Fund**

37 **Sec. 1. As used in this chapter, "fund" means the consumer**
 38 **restitution fund established by section 4 of this chapter.**

39 **Sec. 2. As used in this chapter, "qualifying claim" means a claim**
 40 **that:**

- 41 **(1) subject to section 5(b) of this chapter, is filed with the**
 42 **secretary on a form prescribed by the secretary; and**



- 1 **(2) is based on:**
 2 **(A) a final judgment in a court with jurisdiction in Indiana**
 3 **that:**
 4 **(i) is issued in a case instituted or maintained by the**
 5 **office of the attorney general in connection with a case**
 6 **involving a violation by one (1) or more dealers of**
 7 **IC 9-19, IC 9-22, IC 9-32 or a rule adopted under the**
 8 **authority of IC 9-32, or IC 24-5-0.5; and**
 9 **(ii) awards restitution to one (1) or more qualifying**
 10 **individuals; or**
 11 **(B) a final administrative order issued under IC 9-32-16-2;**
 12 **(3) identifies each qualifying individual who:**
 13 **(A) has been awarded restitution in the order described in**
 14 **subdivision (2); and**
 15 **(B) seeks payment from the fund through the claim**
 16 **submitted;**
 17 **(4) attests that the dealer ordered to pay the restitution has**
 18 **not paid the full amount ordered with respect to each**
 19 **qualifying individual identified under subdivision (3); and**
 20 **(5) seeks payment from the fund of any amount of restitution:**
 21 **(A) ordered by the court or ordered under IC 9-32-16-2;**
 22 **and**
 23 **(B) not paid by the dealer ordered to pay the restitution**
 24 **with respect to each qualifying individual identified under**
 25 **subdivision (3).**

26 **Sec. 3. As used in this chapter, "qualifying individual" means an**
 27 **Indiana resident who:**

- 28 **(1) is a consumer victim who:**
 29 **(A) purchased a vehicle for personal use; or**
 30 **(B) otherwise conducted business with a dealership;**
 31 **(2) is awarded restitution by a final judgment in a court with**
 32 **jurisdiction in Indiana in a case that:**
 33 **(A) is instituted or maintained by the office of the attorney**
 34 **general and involves a violation described in section**
 35 **2(2)(A)(i) of this chapter; or**
 36 **(B) is awarded restitution by administrative order under**
 37 **IC 9-32-16-2; and**
 38 **(3) assists or otherwise cooperates with the secretary in the**
 39 **investigation or enforcement of the case.**

40 **Sec. 4. (a) The consumer restitution fund is established for the**
 41 **purpose of compensating qualifying individuals who submit**
 42 **qualifying claims to the secretary.**



- 1 **(b) The fund consists of:**
 2 **(1) appropriations made to the fund by the general assembly;**
 3 **(2) grants, gifts, and donations intended for deposit in the**
 4 **fund; and**
 5 **(3) at the discretion of the secretary, money recovered or**
 6 **received by the secretary for consumer protection purposes,**
 7 **if use of the money is not otherwise restricted.**
 8 **(c) At the discretion of the secretary, the secretary may make an**
 9 **annual deposit from the dealer compliance account established by**
 10 **IC 9-32-7-1 or the dealer enforcement account established by**
 11 **IC 9-32-7-2, or both, into the fund.**
 12 **(d) The expenses of administering the fund shall be paid from**
 13 **the money in the fund.**
 14 **(e) The treasurer of state shall invest the money in the fund not**
 15 **currently needed to meet the obligations of the fund in the same**
 16 **manner as other public money may be invested.**
 17 **(f) Money in the fund at the end of a state fiscal year does not**
 18 **revert to the state general fund.**
 19 **Sec. 5. (a) The secretary may not make a payment to a**
 20 **qualifying individual under section 4 of this chapter unless the**
 21 **dealer ordered to pay restitution to the qualifying individual has**
 22 **not paid the full amount of the restitution as described in section**
 23 **2(2) of this chapter:**
 24 **(1) by the date provided in the order; or**
 25 **(2) not later than ninety (90) days after the order is issued;**
 26 **whichever is later.**
 27 **(b) A qualifying individual may seek payment from the fund of**
 28 **any amount of the restitution:**
 29 **(1) ordered by the court to be paid to the qualifying individual**
 30 **or ordered under IC 9-32-16-2; and**
 31 **(2) not paid by the dealer ordered to pay the restitution;**
 32 **by filing a claim with the secretary on a form prescribed by the**
 33 **secretary.**
 34 **(c) The secretary must receive a claim filed under this chapter**
 35 **not later than one hundred eighty (180) days after the date on**
 36 **which the order described in section 2 of this chapter becomes**
 37 **final. The secretary may grant an extension of time for good cause**
 38 **shown by the qualifying individual filing the claim.**
 39 **(d) Notwithstanding subsection (c), the secretary may not accept**
 40 **a claim that is received more than:**
 41 **(1) two (2) years after the date of the judgment described in**
 42 **section 2(2)(A) of this chapter; or**



1 (2) one hundred eighty (180) days after the date of the order
2 described in section 2(2)(B) of this chapter;
3 becomes final.

4 (e) The personal information (as defined in IC 9-32-2-18.7), of
5 a qualifying individual who files a qualifying claim with the
6 secretary under subsection (b) is confidential and may not be
7 disclosed or distributed outside the secretary, except as required by
8 law.

9 (f) Upon receiving a qualifying claim, the secretary may pay,
10 from money available in the fund, to each qualifying individual
11 identified in the claim under section 2(3) of this chapter an amount
12 that:

13 (1) is determined by the secretary, at the secretary's
14 discretion;

15 (2) may be up to the amount of the restitution awarded to the
16 qualifying individual and not paid by the dealer ordered to
17 pay the restitution; and

18 (3) may not exceed three thousand dollars (\$3,000).

19 (g) The limits set forth in subsection (f) do not prohibit a
20 qualifying individual from seeking to recover, in any action, or
21 through any other lawful remedy available, any amount of the
22 restitution that:

23 (1) is awarded to the qualifying individual in the order
24 described in section 2(2) of this chapter;

25 (2) is not paid by the dealer ordered to pay the restitution;
26 and

27 (3) exceeds the amount paid to the qualifying individual by the
28 secretary under subsection (f).

29 Sec. 6. The state is not liable for a determination or an award
30 made by the secretary under this chapter, except to the extent that
31 money is available in the fund on the date the award is determined
32 by the secretary under this chapter.

33 Sec. 7. The secretary may adopt rules under IC 4-22-2 to
34 implement this chapter.

35 SECTION 98. IC 34-30-2-34.3 IS ADDED TO THE INDIANA
36 CODE AS A NEW SECTION TO READ AS FOLLOWS
37 [EFFECTIVE JULY 1, 2017]: **Sec. 34.3. IC 9-32-9-21 (Concerning**
38 **persons releasing or providing evidence or information concerning**
39 **salvage motor vehicles).**

40 SECTION 99. IC 35-52-9-55.5 IS ADDED TO THE INDIANA
41 CODE AS A NEW SECTION TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2017]: **Sec. 55.5. IC 9-31-3-31 defines a crime**



- 1 **concerning temporary license plates.**
2 SECTION 100. IC 35-52-9-25.6 IS REPEALED [EFFECTIVE
3 JULY 1, 2017]. ~~Sec. 25.6. IC 9-22-3-7.5~~ defines a crime concerning
4 ~~abandoned, salvaged, and scrap vehicles.~~
5 SECTION 101. IC 35-52-9-26.5 IS REPEALED [EFFECTIVE
6 JULY 1, 2017]. ~~Sec. 26.5. IC 9-22-3-20~~ defines a crime concerning
7 ~~abandoned, salvaged, and scrap vehicles.~~
8 SECTION 102. IC 35-52-9-29 IS REPEALED [EFFECTIVE JULY
9 1, 2017]. ~~Sec. 29. IC 9-22-5-18.2~~ defines a crime concerning buying a
10 ~~motor vehicle without a certificate of title.~~
11 SECTION 103. IC 35-52-9-58 IS REPEALED [EFFECTIVE JULY
12 1, 2017]. ~~Sec. 58. IC 9-32-6.5-4~~ defines a crime concerning license
13 ~~plates.~~
14 SECTION 104. IC 35-52-9-59 IS ADDED TO THE INDIANA
15 CODE AS A NEW SECTION TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2017]: **Sec. 59. IC 9-32-9-13 defines a crime**
17 **concerning abandoned, salvaged, and scrap vehicles.**
18 SECTION 105. IC 35-52-9-60 IS ADDED TO THE INDIANA
19 CODE AS A NEW SECTION TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2017]: **Sec. 60. IC 9-32-9-16 defines a crime**
21 **concerning abandoned, salvaged, and scrap vehicles.**
22 SECTION 106. IC 35-52-9-61 IS ADDED TO THE INDIANA
23 CODE AS A NEW SECTION TO READ AS FOLLOWS
24 [EFFECTIVE JULY 1, 2017]: **Sec. 61. IC 9-32-9-29 defines a crime**
25 **concerning buying a motor vehicle without a certificate of title.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1488, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 21, line 34, delete "(m)" and insert "(o)".

Page 49, line 1, delete "of IC 9-32".

Page 49, line 2, delete ", including a violation of a rule adopted under the" and insert "**of IC 9-19, IC 9-22, IC 9-32 or a rule adopted under the authority of IC 9-32, or IC 24-5-0.5;**".

Page 49, delete line 3.

and when so amended that said bill do pass.

(Reference is to HB 1488 as introduced.)

SOLIDAY

Committee Vote: yeas 13, nays 0.

 COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred House Bill No. 1488, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 12, line 7, delete "or".

Page 12, line 11, delete "." and insert "; or

(3) a manufacturer licensed under this article, or an employee of a manufacturer licensed under this article and acting in an employment arrangement with the manufacturer, if the sale being arranged is a sale to a dealer licensed under this article."

Page 20, line 33, delete "(e)This" and insert "**(e) This**".

Page 21, line 1, delete "." and insert ".".

Page 33, line 14, delete "." and insert ".".

Page 42, line 2, delete "." and insert ".".

Page 51, delete lines 35 through 38.

Page 52, delete lines 1 through 32, begin a new paragraph and insert:

"SECTION 100. IC 35-52-9-25.6 IS REPEALED [EFFECTIVE

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JULY 1, 2017]. ~~Sec. 25.6. IC 9-22-3-7.5 defines a crime concerning abandoned, salvaged, and scrap vehicles.~~

SECTION 101. IC 35-52-9-26.5 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 26.5. IC 9-22-3-20 defines a crime concerning abandoned, salvaged, and scrap vehicles.~~

SECTION 102. IC 35-52-9-29 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 29. IC 9-22-5-18.2 defines a crime concerning buying a motor vehicle without a certificate of title."~~

Page 52, after line 35, begin a new paragraph and insert:

"SECTION 104. IC 35-52-9-59 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 59. IC 9-32-9-13 defines a crime concerning abandoned, salvaged, and scrap vehicles.**

SECTION 105. IC 35-52-9-60 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 60. IC 9-32-9-16 defines a crime concerning abandoned, salvaged, and scrap vehicles.**

SECTION 106. IC 35-52-9-61 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 61. IC 9-32-9-29 defines a crime concerning buying a motor vehicle without a certificate of title."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1488 as printed February 10, 2017.)

MESSMER, Chairperson

Committee Vote: Yeas 8, Nays 0.

