

HOUSE BILL No. 1592

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-32-11.

Synopsis: Automobile sales requirements. Provides that a manufacturer may engage in sales directly to the public only if the manufacturer meets certain requirements. Provides that a manufacturer can no longer engage in sales directly to the public after the earlier of: (1) reaching 1,000 units in cumulative annual sales; or (2) six years after the initial dealer's license is granted.

Effective: July 1, 2017.

Soliday, GiaQuinta

January 23, 2017, read first time and referred to Committee on Roads and Transportation.



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.

HOUSE BILL No. 1592

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

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

- 1 SECTION 1. IC 9-32-11-1, AS AMENDED BY P.L.174-2016,
2 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2017]: Sec. 1. (a) **Subject to IC 9-32-11-20**, the following
4 persons must be licensed under this article to engage in the business of
5 buying, selling, or manufacturing motor vehicles:
6 (1) An automobile auction.
7 (2) A converter manufacturer.
8 (3) A dealer.
9 (4) A distributor.
10 (5) An automotive salvage recycler.
11 (6) A watercraft dealer.
12 (7) A manufacturer.
13 (8) A transfer dealer.
14 (9) An automotive mobility dealer.
15 (b) An automotive mobility dealer who engages in the business of:
16 (1) selling, installing, or servicing;
17 (2) offering to sell, install, or service; or



1 (3) soliciting or advertising the sale, installation, or servicing of;
 2 equipment or modifications specifically designed to facilitate use or
 3 operation of a motor vehicle by an individual who is disabled or aged
 4 must be licensed under this article.

5 (c) An automotive mobility dealer that fails to be licensed under this
 6 article and engages in the businesses described in subsection (b)
 7 commits a Class A infraction.

8 SECTION 2. IC 9-32-11-20 IS ADDED TO THE INDIANA CODE
 9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 10 1, 2017]: **Sec. 20. (a) A manufacturer licensed under this article
 11 may engage in sales directly to the general public only if the
 12 manufacturer:**

13 **(1) has exclusively offered for sale to the general public in
 14 Indiana all-electric vehicles on a continuous basis since July
 15 1, 2015;**

16 **(2) has never offered for sale to the general public in Indiana
 17 a line make of new motor vehicles through a franchised motor
 18 vehicle dealer;**

19 **(3) is in compliance with this chapter;**

20 **(4) has not acquired and does not hold a controlling interest
 21 in any other person that is required to be licensed under this
 22 chapter; and**

23 **(5) has established at least one (1) permanent warranty repair
 24 service center in Indiana for each licensed location in Indiana
 25 that sells new motor vehicles of the manufacturer.**

26 **(b) Subject to the expiration schedule under IC 9-32-11-12.5, a
 27 manufacturer can no longer sell to the public after the earlier of
 28 the following:**

29 **(1) A manufacturer described in this section reaches
 30 cumulative annual sales of one thousand (1,000) units to the
 31 general public from its licensed location in Indiana.**

32 **(2) The date that is six (6) years after the date on which the
 33 initial license to sell new motor vehicles is granted to the
 34 manufacturer.**

