

HOUSE BILL No. 1644

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-7-14-4; IC 7.1-1-3-7; IC 9-13-2; IC 9-14; IC 9-18.5-29-3; IC 9-21; IC 9-24; IC 9-25; IC 9-26-1; IC 9-27-6; IC 9-30; IC 9-33-4-2; IC 20-33; IC 31-37-19; IC 34-24-1-1; IC 34-30-2.1; IC 35-43-1-2; IC 35-44.1-3-1; IC 35-52-9.

Synopsis: Driving privilege cards. Provides that an individual who is an Indiana resident and cannot provide proof of identity and lawful status in the United States may apply for a driving privilege card to obtain driving privileges. Sets forth the requirements to obtain a driving privilege card. Provides that a driving privilege card may not be used as identification for any state or federal purpose other than to confer driving privileges, for the purpose of voting, or to verify employment. Requires an individual who holds a driving privilege card and operates a motor vehicle to verify and continuously maintain financial responsibility on any motor vehicle operated by the individual who holds the driving privilege card in the amount required by law. Provides that the bureau of motor vehicles may not disclose certain information unless presented with a lawful court order or judicial warrant. Requires an applicant for a driving privilege card or driving privilege card renewal to sign up for selective service. Makes conforming amendments. Makes technical corrections.

Effective: Upon passage; July 1, 2023.

King

January 19, 2023, read first time and referred to Committee on Roads and Transportation.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1644

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 3-7-14-4, AS AMENDED BY P.L.128-2015,
2 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]: Sec. 4. **(a) This section does not apply to an
4 application to obtain or renew a driving privilege card (as defined
5 in IC 9-13-2-48.1) issued under IC 9-24-3.5.**

6 **(b)** An application to obtain or renew a motor vehicle driver's
7 license, permit, or identification card serves as an application for voter
8 registration:

- 9 (1) under this article; and
 - 10 (2) as provided in 52 U.S.C. 20504(a)(1);
- 11 unless the applicant fails to sign the voter registration application.

12 SECTION 2. IC 7.1-1-3-7 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. **(a) Bona Fide
14 Evidence of Majority or Identity.** The term "bona fide evidence of
15 majority or identity" means a document, including: ~~but not limited to;~~

- 16 **(1) except for a driving privilege card issued under
17 IC 9-24-3.5,** a license or permit to operate a motor vehicle;



- 1 (2) a Selective Service registration certificate; or
 2 (3) an United States Armed Forces identification card. ~~but~~
 3 ~~excluding~~

4 **(b) The term excludes a voter's voter** registration card, issued by
 5 the federal or state governments or one (1) of their political
 6 subdivisions.

7 SECTION 3. IC 9-13-2-39.7, AS AMENDED BY P.L.111-2021,
 8 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2023]: Sec. 39.7. "Credential" means the following:

10 (1) The following forms of documentation in physical form issued
 11 by the bureau under IC 9-24:

- 12 (A) A driver's license.
 13 (B) A learner's permit.
 14 (C) An identification card.
 15 (D) A photo exempt identification card.

16 **(E) A driving privilege card.**

17 (2) The following forms of documentation in the form of a mobile
 18 credential issued by the bureau under IC 9-24:

- 19 (A) Except for a commercial driver's license issued under
 20 IC 9-24-6.1 **or a driving privilege card issued under**
 21 **IC 9-24-3.5**, a driver's license.
 22 (B) Except for a commercial learner's permit issued under
 23 IC 9-24-6.1, a learner's permit.
 24 (C) An identification card.

25 (3) For the purposes of IC 9-24-17.7, any form of documentation
 26 in physical form or digital form accessible on a mobile device
 27 issued by the bureau under IC 9-24.

28 SECTION 4. IC 9-13-2-41 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 41. "Current driving
 30 license" means every class and kind of license or permit, **other than a**
 31 **driving privilege card**, that evidences the privilege to operate a motor
 32 vehicle upon the highways of Indiana. The term includes a privilege
 33 granted by the license.

34 SECTION 5. IC 9-13-2-48, AS AMENDED BY P.L.120-2020,
 35 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2023]: Sec. 48. (a) "Driver's license" means the following:

- 37 (1) Any type of license issued by the state in physical form
 38 authorizing an individual to operate the type of vehicle for which
 39 the license was issued, in the manner for which the license was
 40 issued, on a highway. The term includes any endorsements added
 41 to the license under IC 9-24-8.5.
 42 (2) Except for a commercial driver's license issued under



1 IC 9-24-6.1, any type of license issued by the state in the form of
 2 a mobile credential authorizing an individual to operate the type
 3 of vehicle for which the license was issued, in the manner for
 4 which the license was issued, on a highway. The term includes
 5 any endorsements added to the license under IC 9-24-8.5.

6 ~~(b) Notwithstanding the July 1, 2021, effective date in HEA~~
 7 ~~1506-2019, SECTION 33 (P.L.178-2019), this section takes effect July~~
 8 ~~1, 2020 (rather than July 1, 2021).~~

9 **(b) The term does not include a driving privilege card.**

10 SECTION 6. IC 9-13-2-48.1 IS ADDED TO THE INDIANA CODE
 11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 12 1, 2023]: **Sec. 48.1. (a) "Driving privilege card" means a type of**
 13 **credential issued by the state in physical form authorizing an**
 14 **individual who is not a citizen of the United States to operate a**
 15 **passenger motor vehicle or a truck with a declared gross weight**
 16 **equal to or less than eleven thousand (11,000) pounds.**

17 **(b) The term includes a driving privilege card learner's permit.**

18 SECTION 7. IC 9-13-2-93.4 IS ADDED TO THE INDIANA CODE
 19 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 20 1, 2023]: **Sec. 93.4. "Licensed driver" means an individual holding**
 21 **either of the following:**

22 **(1) A valid driver's license issued under IC 9-24-3.**

23 **(2) A valid driving privilege card issued under IC 9-24-3.5.**

24 SECTION 8. IC 9-13-2-103.4, AS AMENDED BY P.L.120-2020,
 25 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2023]: **Sec. 103.4. (a) "Mobile credential" means a digital**
 27 **representation issued by the bureau under IC 9-24-17.5 of the**
 28 **information contained on the following:**

29 **(1) A driver's license.**

30 **(2) A learner's permit.**

31 **(3) An identification card.**

32 The term does not include **a driving privilege card issued under**
 33 **IC 9-24-3.5**, a commercial driver's license or commercial learner's
 34 permit issued under IC 9-24-6.1, or a photo exempt identification card
 35 issued under IC 9-24-16.5.

36 ~~(b) Notwithstanding the July 1, 2021, effective date in HEA~~
 37 ~~1506-2019, SECTION 36 (P.L.178-2019), this section takes effect July~~
 38 ~~1, 2020 (rather than July 1, 2021).~~

39 SECTION 9. IC 9-14-6-5, AS ADDED BY P.L.198-2016,
 40 SECTION 186, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2023]: **Sec. 5. "Highly restricted personal**
 42 **information" means the following information that identifies an**



1 individual:

- 2 (1) Digital photograph or image.
 3 (2) Social Security number.
 4 **(3) Individual taxpayer identification number.**
 5 ~~(3)~~ **(4)** Medical or disability information.

6 SECTION 10. IC 9-14-6-6, AS ADDED BY P.L.198-2016,
 7 SECTION 186, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2023]: Sec. 6. "Personal information" means
 9 information that identifies an individual, including an individual's:

- 10 (1) digital photograph or image;
 11 (2) Social Security number;
 12 (3) driver's license, **driving privilege card**, or identification
 13 document number;
 14 (4) name;
 15 (5) address (but not the ZIP code);
 16 (6) telephone number; or
 17 (7) medical or disability information.

18 The term does not include information about vehicular accidents,
 19 driving or equipment related violations, ~~and~~ **or an individual's** driver's
 20 license, **driving privilege card**, or registration status.

21 SECTION 11. IC 9-14-8-3, AS ADDED BY P.L.198-2016,
 22 SECTION 188, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2023]: Sec. 3. The bureau may do the
 24 following:

- 25 (1) Adopt and enforce rules under IC 4-22-2 that are necessary to
 26 carry out this title.
 27 (2) Subject to the approval of the commission, request the
 28 necessary office space, storage space, and parking facilities for
 29 each license branch operated by the commission from the Indiana
 30 department of administration as provided in IC 4-20.5-5-5.
 31 (3) Upon any reasonable ground appearing on the records of the
 32 bureau and subject to rules and guidelines of the bureau, suspend
 33 or revoke the following:
 34 (A) The current driving privileges or driver's license of any
 35 individual.
 36 **(B) The current driving privileges or driving privilege card**
 37 **of any individual.**
 38 ~~(B)~~ **(C)** The certificate of registration and proof of registration
 39 for any vehicle.
 40 ~~(C)~~ **(D)** The certificate of registration and proof of registration
 41 for any watercraft, off-road vehicle, or snowmobile.
 42 (4) With the approval of the commission, adopt rules under



- 1 IC 4-22-2 to do the following:
- 2 (A) Increase or decrease any fee or charge imposed under this
- 3 title.
- 4 (B) Impose a fee on any other service for which a fee is not
- 5 imposed under this article.
- 6 (C) Increase or decrease a fee imposed under clause (B).
- 7 (D) Designate the fund or account in which a:
- 8 (i) fee increase under clause (A) or (C); or
- 9 (ii) new fee under clause (B);
- 10 shall be deposited.

11 SECTION 12. IC 9-14-11-5, AS ADDED BY P.L.198-2016,

12 SECTION 191, IS AMENDED TO READ AS FOLLOWS

13 [EFFECTIVE JULY 1, 2023]: Sec. 5. The board shall provide the

14 commissioner and the office of traffic safety created by IC 9-27-2-2

15 with assistance in the administration of Indiana driver licensing laws,

16 including:

- 17 (1) providing guidance to the commissioner in the area of
- 18 licensing drivers with health or other problems that may adversely
- 19 affect a driver's ability to operate a vehicle safely;
- 20 (2) recommending factors to be used in determining qualifications
- 21 and ability for issuance and retention of a driver's license **or**
- 22 **driving privilege card;** and
- 23 (3) recommending and participating in the review of license **and**
- 24 **driving privilege card** suspension, restriction, or revocation
- 25 appeal procedures, including reasonable investigation into the
- 26 facts of the matter.

27 SECTION 13. IC 9-14-13-2, AS ADDED BY P.L.198-2016,

28 SECTION 193, IS AMENDED TO READ AS FOLLOWS

29 [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) The bureau shall not disclose:

- 30 (1) the Social Security number;
- 31 (2) the federal identification number;
- 32 (3) the driver's license **or driving privilege card** number;
- 33 (4) the digital image of the driver's license, **driving privilege**
- 34 **card,** identification card, or photo exempt identification card
- 35 applicant;
- 36 (5) a reproduction of the signature secured under IC 9-24-9-1,
- 37 IC 9-24-16-2, or IC 9-24-16.5-2; **or**
- 38 (6) medical or disability information;
- 39 **(7) the individual taxpayer identification number;**
- 40 **(8) the type of credential held by an individual; or**
- 41 **(9) the renewal date of a driver's license or driving privilege**
- 42 **card;**



1 of any individual except as provided in ~~subsection~~ **subsections (b) and**
 2 **(c).**

3 (b) The bureau may disclose any information listed in subsection
 4 **(a)(2), (a)(3), (a)(4), (a)(5), or (a)(6):**

5 (1) to a law enforcement officer;

6 (2) to an agent or a designee of the department of state revenue;

7 (3) for uses permitted under ~~IC 9-14-13-7(1), IC 9-14-13-7(4),~~

8 ~~IC 9-14-13-7(6), and IC 9-14-13-7(9);~~ **section 7(1), 7(4), 7(6),**

9 **and 7(9) of this chapter; or**

10 (4) for voter registration and election purposes required under

11 IC 3-7 or IC 9-24-2.5.

12 **(c) If the commissioner is presented with a lawful court order or**
 13 **judicial warrant, the bureau may disclose any information listed in**
 14 **subsection (a)(1), (a)(7), (a)(8), or (a)(9):**

15 **(1) to a law enforcement officer;**

16 **(2) to an agent or a designee of the department of state**
 17 **revenue;**

18 **(3) for uses permitted under section 7(1), 7(4), 7(6), and 7(9)**
 19 **of this chapter; or**

20 **(4) for voter registration and election purposes required**
 21 **under IC 3-7 or IC 9-24-2.5.**

22 SECTION 14. IC 9-14-13-7, AS ADDED BY P.L.198-2016,
 23 SECTION 193, IS AMENDED TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2023]: Sec. 7. **Except as provided in section**
 25 **2(c) of this chapter,** the bureau may disclose certain personal
 26 information that is not highly restricted personal information, if the
 27 person requesting the information provides proof of identity and
 28 represents that the use of the personal information will be strictly
 29 limited to at least one (1) of the following:

30 (1) For use by a government agency, including a court or law
 31 enforcement agency, in carrying out its functions, or a person
 32 acting on behalf of a government agency in carrying out its
 33 functions.

34 (2) For use in connection with matters concerning:

35 (A) motor vehicle or driver safety and theft;

36 (B) motor vehicle emissions;

37 (C) motor vehicle product alterations, recalls, or advisories;

38 (D) performance monitoring of motor vehicles, motor vehicle
 39 parts, and dealers;

40 (E) motor vehicle market research activities, including survey
 41 research;

42 (F) the removal of nonowner records from the original owner



- 1 records of motor vehicle manufacturers; and
2 (G) motor fuel theft under IC 24-4.6-5.
- 3 (3) For use in the normal course of business by a business or its
4 agents, employees, or contractors, but only:
- 5 (A) to verify the accuracy of personal information submitted
6 by an individual to the business or its agents, employees, or
7 contractors; and
8 (B) if information submitted to a business is not correct or is
9 no longer correct, to obtain the correct information only for
10 purposes of preventing fraud by pursuing legal remedies
11 against, or recovering on a debt or security interest against, the
12 individual.
- 13 (4) For use in connection with a civil, a criminal, a
14 administrative, or an arbitration proceeding in a court or
15 government agency or before a self-regulatory body, including the
16 service of process, investigation in anticipation of litigation, and
17 the execution or enforcement of judgments and orders, or under
18 an order of a court.
- 19 (5) For use in research activities, and for use in producing
20 statistical reports, as long as the personal information is not
21 published, redisclosed, or used to contact the individuals who are
22 the subject of the personal information.
- 23 (6) For use by an insurer, an insurance support organization, or a
24 self-insured entity, or the agents, employees, or contractors of an
25 insurer, an insurance support organization, or a self-insured entity
26 in connection with claims investigation activities, anti-fraud
27 activities, rating, or underwriting.
- 28 (7) For use in providing notice to the owners of towed or
29 impounded vehicles.
- 30 (8) For use by a licensed private investigative agency or licensed
31 security service for a purpose allowed under this section.
- 32 (9) For use by an employer or its agent or insurer to obtain or
33 verify information relating to a holder of a commercial driver's
34 license that is required under the Commercial Motor Vehicle
35 Safety Act of 1986 (49 U.S.C. 31131 et seq.).
- 36 (10) For use in connection with the operation of private toll
37 transportation facilities.
- 38 (11) For any use in response to requests for individual motor
39 vehicle records when the bureau has obtained the written consent
40 of the person to whom the personal information pertains.
- 41 (12) For bulk distribution for surveys, marketing, or solicitations
42 when the bureau has obtained the written consent of the person to



1 whom the personal information pertains.

2 (13) For use by any person, when the person demonstrates, in a
3 form and manner prescribed by the bureau, that written consent
4 has been obtained from the individual who is the subject of the
5 information.

6 (14) For any other use specifically authorized by law that is
7 related to the operation of a motor vehicle or public safety.

8 However, this section does not affect the use of anatomical gift
9 information on a person's driver's license, **driving privilege card**, or
10 identification document issued by the bureau, nor does this section
11 affect the administration of anatomical gift initiatives in Indiana.

12 SECTION 15. IC 9-18.5-29-3, AS AMENDED BY P.L.118-2022,
13 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2023]: Sec. 3. (a) An individual who registers a vehicle under
15 this title may apply for and receive a Hoosier veteran license plate for
16 one (1) or more vehicles upon doing the following:

17 (1) Completing an application for a Hoosier veteran license plate.

18 (2) Presenting one (1) of the following to the bureau:

19 (A) A United States Uniformed Services Retiree Identification
20 Card.

21 (B) A DD 214 or DD 215 record.

22 (C) United States military discharge papers.

23 (D) A current armed forces identification card.

24 (E) **Except for a driving privilege card issued under**
25 **IC 9-24-3.5**, a credential issued to the individual that contains
26 an indication of veteran status under IC 9-24-11-5.5.

27 (3) Paying a fee in an amount of fifteen dollars (\$15).

28 (b) The bureau shall distribute at least one (1) time each month the
29 fee described in subsection (a)(3) to the director of veterans' affairs for
30 deposit in the military family relief fund established under
31 IC 10-17-12-8.

32 SECTION 16. IC 9-21-8-52, AS AMENDED BY P.L.144-2019,
33 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2023]: Sec. 52. (a) A person who operates a vehicle and who
35 recklessly:

36 (1) drives at such an unreasonably high rate of speed or at such an
37 unreasonably low rate of speed under the circumstances as to:

38 (A) endanger the safety or the property of others; or

39 (B) block the proper flow of traffic;

40 (2) passes another vehicle from the rear while on a slope or on a
41 curve where vision is obstructed for a distance of less than five
42 hundred (500) feet ahead;



1 (3) drives in and out of a line of traffic, except as otherwise
2 permitted; or

3 (4) speeds up or refuses to give one-half (1/2) of the roadway to
4 a driver overtaking and desiring to pass;

5 commits a Class C misdemeanor. However, the offense is a Class A
6 misdemeanor if it causes bodily injury to a person.

7 (b) A person who operates a vehicle and who recklessly passes a
8 school bus stopped on a roadway or a private road when the arm signal
9 device specified in IC 9-21-12-13 is in the device's extended position
10 commits a Class A misdemeanor. However, the offense is a Level 6
11 felony if it causes bodily injury to a person, and a Level 5 felony if it
12 causes the death of a person.

13 (c) If an offense under subsection (a) results in damage to the
14 property of another person, it is a Class B misdemeanor and the court
15 may recommend the suspension of the current driving license **or**
16 **driving privilege card** of the person convicted of the offense described
17 in subsection (a) for a fixed period of not more than one (1) year.

18 (d) If an offense under subsection (a) causes bodily injury to a
19 person, the court may recommend the suspension of the driving
20 privileges of the person convicted of the offense described in this
21 subsection for a fixed period of not more than one (1) year.

22 (e) In addition to any other penalty imposed under subsection (b),
23 the court may suspend the person's driving privileges:

24 (1) for ninety (90) days; or

25 (2) if the person has committed at least one (1) previous offense
26 under this section or IC 9-21-12-1, for one (1) year.

27 SECTION 17. IC 9-21-11-12, AS AMENDED BY P.L.111-2021,
28 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2023]: Sec. 12. A motor driven cycle may not be operated
30 under any of the following conditions:

31 (1) By an individual less than fifteen (15) years of age.

32 (2) By an individual who does not have:

33 (A) an unexpired identification card with a motor driven cycle
34 endorsement issued to the individual by the bureau under
35 IC 9-24-16;

36 (B) a valid driver's license **or driving privilege card**; or

37 (C) a valid learner's permit.

38 (3) On an interstate highway or a sidewalk.

39 (4) At a speed greater than thirty-five (35) miles per hour.

40 (5) The vehicle has not been registered as a motor driven cycle.

41 SECTION 18. IC 9-24-1-1, AS AMENDED BY P.L.111-2021,
42 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2023]: Sec. 1. (a) Except as provided in section 7 of this
2 chapter, an individual must have a valid:

- 3 (1) driver's license; or
4 (2) permit;

5 including any necessary endorsements, issued to the individual by the
6 bureau to operate upon a highway the type of motor vehicle for which
7 the driver's license, endorsement, or permit was issued.

8 (b) An individual must have:

- 9 (1) an unexpired identification card with a motor driven cycle
10 endorsement issued to the individual by the bureau under
11 IC 9-24-16;
12 (2) a valid driver's license **or driving privilege card**; or
13 (3) a valid learner's permit;

14 to operate a motor driven cycle upon a highway.

15 (c) An individual who violates this section commits a Class C
16 infraction.

17 SECTION 19. IC 9-24-2-1, AS AMENDED BY P.L.111-2021,
18 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2023]: Sec. 1. (a) The bureau shall suspend the driving
20 privileges or invalidate the learner's permit **or driving privilege card**
21 of an individual who is at least fifteen (15) years of age and less than
22 eighteen (18) years of age and meets any of the following conditions:

- 23 (1) Is a habitual truant under IC 20-33-2-11.
24 (2) Is under at least a second suspension from school for the
25 school year under IC 20-33-8-14 or IC 20-33-8-15.
26 (3) Is under an expulsion from school under IC 20-33-8-14,
27 IC 20-33-8-15, or IC 20-33-8-16.
28 (4) Is considered a dropout under IC 20-33-2-28.5.

29 (b) At least five (5) days before holding an exit interview under
30 IC 20-33-2-28.5, the school corporation shall give notice by certified
31 mail or personal delivery to the student, the student's parent, or the
32 student's guardian that the student's failure to attend an exit interview
33 under IC 20-33-2-28.5 or return to school if the student does not meet
34 the requirements to withdraw from school under IC 20-33-2-28.5 may
35 result in the revocation or denial of the student's:

- 36 (1) driver's license, **or** learner's permit, **or driving privilege card**;
37 and
38 (2) employment certificate issued under IC 22-2-18 (before its
39 expiration on June 30, 2021).

40 SECTION 20. IC 9-24-2-2, AS AMENDED BY P.L.125-2012,
41 SECTION 167, IS AMENDED TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2023]: Sec. 2. The bureau shall suspend the



1 driving privileges or invalidate the learner's permit **or driving**
 2 **privilege card** of an individual less than eighteen (18) years of age
 3 who is under an order entered by a juvenile court under IC 31-37-19-13
 4 through IC 31-37-19-17 (or IC 31-6-4-15.9(d), IC 31-6-4-15.9(e), or
 5 IC 31-6-4-15.9(f) before their repeal).

6 SECTION 21. IC 9-24-2-2.5, AS AMENDED BY P.L.257-2017,
 7 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2023]: Sec. 2.5. (a) The bureau shall suspend the driving
 9 privileges or invalidate the learner's permit **or driving privilege card**
 10 of an individual who is under an order entered by a court under
 11 IC 35-43-1-2(d).

12 (b) The bureau shall suspend the driving privileges or invalidate the
 13 learner's permit **or driving privilege card** of an individual who is the
 14 subject of an order issued under IC 31-37-19-17 (or IC 31-6-4-15.9(f)
 15 before its repeal) or IC 35-43-1-2(d).

16 SECTION 22. IC 9-24-2-3, AS AMENDED BY P.L.118-2022,
 17 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2023]: Sec. 3. (a) The bureau may not issue a driver's license,
 19 ~~or~~ learner's permit, **or driving privilege card** or grant driving
 20 privileges to the following individuals:

21 (1) An individual whose driving privileges have been suspended,
 22 during the period for which the driving privileges are suspended,
 23 or to an individual whose driver's license **or driving privilege**
 24 **card** has been revoked, until the time the bureau is authorized
 25 under Indiana law to issue the individual a new driver's license **or**
 26 **driving privilege card**.

27 (2) An individual whose learner's permit **or driving privilege**
 28 **card** has been suspended or revoked until the time the bureau is
 29 authorized under Indiana law to issue the individual a new
 30 learner's permit **or driving privilege card**.

31 (3) An individual who, in the opinion of the bureau, is afflicted
 32 with or suffering from a physical or mental disability or disease
 33 that prevents the individual from exercising reasonable and
 34 ordinary control over a motor vehicle while operating the motor
 35 vehicle on a highway.

36 (4) An individual who is unable to understand highway warnings
 37 or direction signs written in the English language.

38 (5) An individual who is required under this article to take an
 39 examination unless:

- 40 (A) the individual successfully passes the examination; or
- 41 (B) the bureau waives the examination requirement.
- 42 (6) An individual who is required under IC 9-25 or any other



- 1 statute to deposit or provide proof of financial responsibility and
 2 who has not deposited or provided that proof.
- 3 (7) An individual when the bureau has good cause to believe that
 4 the operation of a motor vehicle on a highway by the individual
 5 would be inimical to public safety or welfare.
- 6 (8) An individual who is the subject of an order issued by:
 7 (A) a court under IC 31-16-12-7 (or IC 31-1-11.5-13,
 8 IC 31-6-6.1-16, or IC 31-14-12-4 before their repeal); or
 9 (B) the Title IV-D agency;
 10 ordering that a driver's license or permit not be issued to the
 11 individual.
- 12 (9) **This subdivision does not apply to a driving privilege card**
 13 **and any driving privileges authorized by a driving privilege**
 14 **card.** An individual who has not presented valid documentary
 15 evidence to the bureau of the individual's legal status in the
 16 United States, as required by IC 9-24-9-2.5.
- 17 (10) An individual who does not otherwise satisfy the
 18 requirements of this article.
- 19 (b) An individual subject to epileptic seizures may not be denied a
 20 driver's license or permit under this section if the individual presents
 21 a statement from a licensed physician or an advanced practice
 22 registered nurse, on a form prescribed by the bureau, that the individual
 23 is under medication and is free from seizures while under medication.
- 24 SECTION 23. IC 9-24-2-4, AS AMENDED BY P.L.111-2021,
 25 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2023]: Sec. 4. (a) If an individual is at least fifteen (15) years
 27 of age and less than eighteen (18) years of age and is a habitual truant,
 28 is under a suspension or an expulsion, or has withdrawn from school as
 29 described in section 1 of this chapter, the bureau shall, upon
 30 notification by an authorized representative of the individual's school
 31 corporation, suspend the individual's driving privileges until the
 32 earliest of the following:
 33 (1) The individual becomes eighteen (18) years of age.
 34 (2) One hundred twenty (120) days after the individual is
 35 suspended.
 36 (3) The suspension, expulsion, or exclusion is reversed after the
 37 individual has had a hearing under IC 20-33-8.
- 38 (b) The bureau shall promptly mail a notice to the individual's last
 39 known address that states the following:
 40 (1) That the individual's driving privileges will be suspended for
 41 a specified period commencing five (5) days after the date of the
 42 notice.



- 1 (2) That the individual has the right to appeal the suspension of
 2 the driving privileges.
- 3 (c) If an aggrieved individual believes that:
 4 (1) the information provided was technically incorrect; or
 5 (2) the bureau committed a technical or procedural error;
 6 the aggrieved individual may appeal the invalidation of a driver's
 7 license **or driving privilege card** under section 5 of this chapter.
- 8 (d) If an individual satisfies the conditions for reinstatement of a
 9 ~~driver's license~~ **the individual's driving privileges** under this section,
 10 the individual may submit to the bureau for review the necessary
 11 information certifying that at least one (1) of the events described in
 12 subsection (a) has occurred.
- 13 (e) Upon reviewing and certifying the information received under
 14 subsection (d), the bureau shall reinstate the individual's driving
 15 privileges.
- 16 (f) An individual may not operate a motor vehicle in violation of this
 17 section.
- 18 (g) An individual whose driving privileges are suspended under this
 19 section is eligible to apply for specialized driving privileges under
 20 IC 9-30-16.
- 21 (h) The bureau shall reinstate the driving privileges of an individual
 22 whose driving privileges were suspended under this section if the
 23 individual does the following:
 24 (1) Establishes to the satisfaction of the principal of the school
 25 where the action occurred that caused the suspension of the
 26 driving privileges that the individual has:
 27 (A) enrolled in a full-time or part-time program of education;
 28 and
 29 (B) participated for thirty (30) or more days in the program of
 30 education.
- 31 (2) Submits to the bureau a form developed by the bureau that
 32 contains:
 33 (A) the verified signature of the principal or the president of
 34 the governing body of the school described in subdivision (1);
 35 and
 36 (B) notification to the bureau that the person has complied
 37 with subdivision (1).
- 38 An individual may appeal the decision of a principal under subdivision
 39 (1) to the governing body of the school corporation where the
 40 principal's school is located.
- 41 SECTION 24. IC 9-24-3.5 IS ADDED TO THE INDIANA CODE
 42 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE



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JULY 1, 2023]:

Chapter 3.5. Driving Privilege Card

Sec. 1. An individual who:

- (1) is not a citizen of the United States;**
- (2) is unable to present the valid documentary evidence required by IC 9-24-9-2.5; and**
- (3) provides to the bureau proof of paid income taxes in Indiana for at least the calendar year preceding the application with the bureau;**

may apply to the bureau for a driving privilege card.

Sec. 2. The bureau shall issue a driving privilege card to an individual who meets the following conditions:

- (1) Has held a valid driving privilege card learner's permit issued under section 3 of this chapter in accordance with the requirements under section 5 of this chapter regarding holding a valid driving privilege card learner's permit.**
- (2) Satisfies the age requirements set forth in section 5 of this chapter.**
- (3) Makes proper application to the bureau under section 4 of this chapter upon a form prescribed by the bureau. The form must include an attestation concerning the number of hours of supervised driving practice that the individual has completed if the individual is required under section 5 of this chapter to complete a certain number of hours of supervised driving practice in order to receive a driving privilege card.**

The:

- (A) parent or guardian of an applicant less than eighteen (18) years of age; or**
- (B) applicant, if the applicant is at least eighteen (18) years of age;**

shall attest in writing under penalty of perjury to the time logged in practice driving.

- (4) Submits fingerprints for a local and national criminal background check.**
- (5) Satisfactorily passes the examination and tests required for issuance of a driving privilege card under section 6 of this chapter.**
- (6) Pays the fee prescribed by section 7 of this chapter.**

Sec. 3. (a) A driving privilege card learner's permit may be used only as the basis to acquire a driving privilege card under this chapter.

- (b) The fee for a driving privilege card learner's permit is nine**



- 1 **dollars (\$9). The fee shall be distributed as follows:**
- 2 **(1) Twenty-five cents (\$0.25) to the motor vehicle highway**
- 3 **account.**
- 4 **(2) Fifty cents (\$0.50) to the state motor vehicle technology**
- 5 **fund.**
- 6 **(3) Two dollars (\$2) to the crossroads 2000 fund.**
- 7 **(4) One dollar and twenty-five cents (\$1.25) to the integrated**
- 8 **public safety communications fund.**
- 9 **(5) Five dollars (\$5) to the commission fund.**
- 10 **(c) A fee described in subsection (b) may not be charged to an**
- 11 **individual who:**
- 12 **(1) is under the care and supervision of the department of**
- 13 **child services; or**
- 14 **(2) represents, pursuant to IC 31-36-3-4(b), a homeless youth**
- 15 **(as defined in IC 31-36-3-4) and presents a fee and consent**
- 16 **waiver affidavit described in IC 31-36-3-4(c);**
- 17 **and meets all other requirements for a driving privilege card**
- 18 **learner's permit under this section.**
- 19 **(d) Except as provided in this chapter, a driving privilege card**
- 20 **learner's permit authorizes the holder to operate a motor vehicle,**
- 21 **except a motor driven cycle, motorcycle, or a commercial motor**
- 22 **vehicle, upon a highway under the following conditions:**
- 23 **(1) While the holder is participating in supervised driving**
- 24 **practice in an approved driver education course and is**
- 25 **accompanied in the front seat of the motor vehicle by an**
- 26 **individual with valid driving privileges who:**
- 27 **(A) is licensed as a driver education instructor under**
- 28 **IC 9-27-6-8 and is working under the authority of a driver**
- 29 **training school described in IC 9-27-6-3(a)(2); or**
- 30 **(B) is a certified driver rehabilitation specialist recognized**
- 31 **by the bureau who is employed through a driver**
- 32 **rehabilitation program.**
- 33 **(2) While the holder is participating in supervised driving**
- 34 **practice after having commenced an approved driver**
- 35 **education course and is accompanied in the front seat of the**
- 36 **motor vehicle by an individual with valid driving privileges**
- 37 **who is at least:**
- 38 **(A) twenty-five (25) years of age and related to the**
- 39 **applicant by blood, marriage, or legal status; or**
- 40 **(B) if the licensed individual is the holder's spouse,**
- 41 **twenty-one (21) years of age.**
- 42 **(3) If the holder is not participating in an approved driver**



1 education course and is less than eighteen (18) years of age,
 2 the holder may participate in supervised driving practice if
 3 accompanied in the front seat of the motor vehicle by an
 4 individual who is:

5 (A) a licensed driver, with valid driving privileges, who is:

6 (i) at least twenty-five (25) years of age; and

7 (ii) related to the applicant by blood, marriage, or legal
 8 status;

9 (B) the spouse of the applicant who is:

10 (i) a licensed driver with valid driving privileges; and

11 (ii) at least twenty-one (21) years of age; or

12 (C) an individual with valid driving privileges who:

13 (i) is licensed as a driver education instructor under
 14 IC 9-27-6-8 and is working under the authority of a
 15 driver training school described in IC 9-27-6-3(a)(2); or

16 (ii) is a certified driver rehabilitation specialist
 17 recognized by the bureau who is employed through a
 18 driver rehabilitation program.

19 (4) If the holder is not participating in an approved driver
 20 education course and is at least eighteen (18) years of age, the
 21 holder may participate in supervised driving practice if
 22 accompanied in the front seat of the motor vehicle by an
 23 individual who is:

24 (A) a licensed driver, with valid driving privileges, who is
 25 at least twenty-five (25) years of age; or

26 (B) the spouse of the applicant who is:

27 (i) a licensed driver with valid driving privileges; and

28 (ii) at least twenty-one (21) years of age.

29 (5) If the holder is less than eighteen (18) years of age and is
 30 under the care and supervision of the department of child
 31 services, the holder may participate in supervised driving
 32 practice if accompanied in the front seat of the motor vehicle
 33 by an individual who is:

34 (A) a licensed driver with valid driving privileges who is:

35 (i) at least twenty-five (25) years of age; and

36 (ii) related to the applicant by blood, marriage, or legal
 37 status;

38 (B) a licensed driver with valid driving privileges who is:

39 (i) at least twenty-five (25) years of age; and

40 (ii) approved by the department of child services; or

41 (C) an individual with valid driving privileges who is:

42 (i) licensed as a driver education instructor under



1 IC 9-27-6-8 and is working under the authority of a
 2 driver training school described in IC 9-27-6-3(a)(2); or
 3 (ii) a certified driver rehabilitation specialist recognized
 4 by the bureau who is employed through a driver
 5 rehabilitation program.

6 (e) A holder of a driving privilege card learner's permit may
 7 take the skills examination for a driving privilege card not later
 8 than the expiration date of the driving privilege card learner's
 9 permit.

10 (f) A holder of a driving privilege card learner's permit who
 11 does not pass the skills examination after a third attempt is not
 12 eligible to take the examination until two (2) months after the date
 13 of the last failed examination.

14 (g) The bureau shall publish the following:

15 (1) An online driving guide that may be used by the holder of
 16 a driving privilege card learner's permit and the parent of the
 17 holder of a driving privilege card learner's permit, if
 18 applicable.

19 (2) An online log that must be completed to show evidence of
 20 the completion of the hours of supervised driving practice
 21 required under section 5(a)(1)(E) or 5(a)(2)(D) of this chapter,
 22 as applicable.

23 (h) Except for an individual described in subsection (c), in
 24 addition to applicable fees collected under this section for a driving
 25 privilege card learner's permit, the bureau shall collect a
 26 supplemental fee of fifty dollars (\$50) for an individual to obtain a
 27 driving privilege card learner's permit.

28 (i) A driving privilege card learner's permit expires one (1) year
 29 after the date of issuance.

30 Sec. 4. (a) An applicant for a driving privilege card must apply
 31 in person at a license branch.

32 (b) Except as provided in subsection (c), each application for a
 33 driving privilege card or driving privilege card learner's permit
 34 under this chapter must require the following information:

35 (1) The full legal name of the applicant.

36 (2) The applicant's date of birth.

37 (3) The gender of the applicant.

38 (4) The applicant's height, weight, hair color, and eye color.

39 (5) The address of the applicant.

40 (6) A valid individual taxpayer identification number for the
 41 applicant.

42 (7) Whether the applicant has been subject to fainting spells



- 1 or seizures.
- 2 (8) Whether the applicant has been issued a previous
- 3 credential that conferred driving privileges, and if so, when
- 4 and by what jurisdiction.
- 5 (9) Whether the applicant's driving privilege card has ever
- 6 been suspended or revoked, and if so, the date of and the
- 7 reason for the suspension or revocation.
- 8 (10) Whether the applicant has been convicted of:
- 9 (A) a crime punishable as a felony under Indiana motor
- 10 vehicle law; or
- 11 (B) any other felony in the commission of which a motor
- 12 vehicle was used;
- 13 that has not been expunged by a court.
- 14 (11) Whether the applicant has a physical or mental disability,
- 15 and if so, the nature of the disability.
- 16 (12) The signature of the applicant showing the applicant's
- 17 legal name as it appears or will appear on the driving
- 18 privilege card.
- 19 (13) A digital photograph of the applicant.
- 20 (14) Any other information the bureau requires.
- 21 (c) For purposes of subsection (b), an individual certified as a
- 22 participant in the address confidentiality program under IC 5-26.5
- 23 is not required to provide the individual's address, but may
- 24 provide an address designated by the office of the attorney general
- 25 under IC 5-26.5 as the individual's address.
- 26 (d) In addition to the information required by subsection (b), an
- 27 applicant who is required to complete at least fifty (50) hours of
- 28 supervised driving practice under section 5(a)(1)(E) or 5(a)(2)(D)
- 29 of this chapter must submit to the bureau evidence of the time
- 30 logged in supervised driving practice.
- 31 (e) An applicant for a driving privilege card under this chapter
- 32 must provide the bureau with:
- 33 (1) documentation of residence in Indiana under subsection
- 34 (g); and
- 35 (2) documentation of identity under subsection (f).
- 36 (f) An applicant for a driving privilege card under this chapter
- 37 must provide the bureau with the documentation in either
- 38 subdivision (1) or (2) as proof of identity:
- 39 (1) One (1) of the following documents:
- 40 (A) A valid, unexpired foreign passport.
- 41 (B) A certified copy of a government issued birth
- 42 certificate with a certified professional English translation



- 1 or English subtitles if the document is not already written
 2 in English.
- 3 **(2) Two (2) of the following documents:**
- 4 **(A) A foreign birth certificate, including a certified**
 5 **professional translation if the document is not already**
 6 **written in English.**
- 7 **(B) A matriarchal consular card issued by the state of**
 8 **Indiana.**
- 9 **(C) Court records from a court having jurisdiction in the**
 10 **United States.**
- 11 **(D) A foreign driver's license, including a certified**
 12 **professional translation if the document is not already**
 13 **written in English.**
- 14 **(E) A Mexican voter registration card.**
- 15 **(F) School records from a school in the United States.**
- 16 **(G) A driving privilege card issued by the state.**
- 17 **(g) An applicant for a driving privilege card under this chapter**
 18 **must provide the bureau with the documentation in subdivisions**
 19 **(1) and (2) as proof of residency in Indiana as follows:**
- 20 **(1) One (1) of the following documents:**
- 21 **(A) A signed Social Security card issued by the Social**
 22 **Security Administration.**
- 23 **(B) A W-2 form.**
- 24 **(C) An SSA-1099 form.**
- 25 **(D) A 1099 form that is not an SSA 1099 form.**
- 26 **(E) A pay stub showing the applicant's name and full**
 27 **Social Security number.**
- 28 **(F) The individual taxpayer identification number issued**
 29 **by the Internal Revenue Service.**
- 30 **(G) A document or letter from the Internal Revenue**
 31 **Service verifying the individual taxpayer identification**
 32 **number.**
- 33 **(2) Two (2) of the following documents:**
- 34 **(A) A bank statement.**
- 35 **(B) Court documents.**
- 36 **(C) A current mortgage or rental contract.**
- 37 **(D) A major credit card bill.**
- 38 **(E) A property tax notice statement or receipt.**
- 39 **(F) A school transcript.**
- 40 **(G) A utility bill.**
- 41 **(H) A motor vehicle bill.**
- 42 **(h) A driving privilege card may not include an endorsement**



1 issued by the bureau under IC 9-24-8-4 (before its expiration) or
2 IC 9-24-8.5.

3 **Sec. 5. (a) An individual must satisfy the requirements set forth
4 in one (1) of the following to receive a driving privilege card:**

5 **(1) The individual meets the following conditions:**

6 **(A) Is at least sixteen (16) years and ninety (90) days of age.**

7 **(B) Has held a valid driving privilege card learner's permit
8 for at least one hundred eighty (180) days.**

9 **(C) Obtains an instructor's certification that the individual
10 has satisfactorily completed an approved driver education
11 course.**

12 **(D) Passes the required examinations.**

13 **(E) Completes at least fifty (50) hours of supervised driving
14 practice, of which at least ten (10) hours are nighttime
15 driving, as provided in subsection (b).**

16 **(2) The individual meets the following conditions:**

17 **(A) Is at least sixteen (16) years and two hundred seventy
18 (270) days of age.**

19 **(B) Has held a valid driving privilege card learner's permit
20 for at least one hundred eighty (180) days.**

21 **(C) Passes the required examinations.**

22 **(D) Completes at least fifty (50) hours of supervised
23 driving practice, of which at least ten (10) hours are
24 nighttime driving, as provided in subsection (b).**

25 **(3) The individual meets the following conditions:**

26 **(A) Is at least sixteen (16) years and one hundred eighty
27 (180) days of age but less than eighteen (18) years of age.**

28 **(B) Has previously been a nonresident of Indiana, but at
29 the time of application, qualifies as an Indiana resident.**

30 **(C) Has held for at least one hundred eighty (180) days a
31 valid driver's license, excluding a learner's permit or the
32 equivalent, in the state or a combination of states in which
33 the individual formerly resided.**

34 **(D) Passes the required examinations.**

35 **(4) The individual meets the following conditions:**

36 **(A) Is at least eighteen (18) years of age.**

37 **(B) Has previously been a nonresident of Indiana, but at
38 the time of application, qualifies as an Indiana resident.**

39 **(C) Held a valid driver's license, excluding a learner's
40 permit or the equivalent, from the state of prior residence.**

41 **(D) Passes the required examinations.**

42 **(5) The individual meets the following conditions:**



- 1 (A) Is at least eighteen (18) years of age.
 2 (B) Is a person with a disability.
 3 (C) Has successfully completed driver rehabilitation
 4 training by a certified driver rehabilitation specialist
 5 recognized by the bureau.
 6 (D) Passes the required examinations.
- 7 (b) An applicant who is required to complete at least fifty (50)
 8 hours of supervised driving practice under subsection (a)(1)(E) or
 9 (a)(2)(D) must do the following:
- 10 (1) If the applicant is less than eighteen (18) years of age,
 11 complete the supervised driving practice with:
- 12 (A) a licensed driver, with valid driving privileges, who is:
 13 (i) at least twenty-five (25) years of age; and
 14 (ii) related to the applicant by blood, marriage, or legal
 15 status;
 16 (B) the spouse of the applicant who is:
 17 (i) a licensed driver with valid driving privileges; and
 18 (ii) at least twenty-one (21) years of age; or
 19 (C) an individual with valid driving privileges who:
 20 (i) is licensed as a driver education instructor under
 21 IC 9-27-6-8 and is working under the authority of a
 22 driver training school described in IC 9-27-6-3(a)(2); or
 23 (ii) is a certified driver rehabilitation specialist
 24 recognized by the bureau who is employed through a
 25 driver rehabilitation program.
- 26 (2) If the applicant is at least eighteen (18) years of age,
 27 complete the supervised driving practice with:
- 28 (A) a licensed driver, with valid driving privileges, who is
 29 at least twenty-five (25) years of age; or
 30 (B) the spouse of the applicant who is:
 31 (i) a licensed driver with valid driving privileges; and
 32 (ii) at least twenty-one (21) years of age.
- 33 (3) If the applicant is less than eighteen (18) years of age and
 34 is under the care and supervision of the department of child
 35 services, complete the supervised driving practice with:
- 36 (A) a licensed driver with valid driving privileges who is:
 37 (i) at least twenty-five (25) years of age; and
 38 (ii) related to the applicant by blood, marriage, or legal
 39 status;
 40 (B) a licensed driver with valid driving privileges who is:
 41 (i) at least twenty-five (25) years of age; and
 42 (ii) approved by the department of child services; or



- 1 **(C) an individual with valid driving privileges who is:**
 2 **(i) licensed as a driver education instructor under**
 3 **IC 9-27-6-8 and is working under the authority of a**
 4 **driver training school described in IC 9-27-6-3(a)(2); or**
 5 **(ii) a certified driver rehabilitation specialist recognized**
 6 **by the bureau who is employed through a driver**
 7 **rehabilitation program.**
- 8 **(4) Submit to the commission under IC 9-24-9-2(c) evidence**
 9 **of the time logged in supervised driving practice.**
- 10 **Sec. 6. (a) Except as provided in subsection (c), an examination**
 11 **for a driving privilege card must include the following:**
- 12 **(1) A test of the following of the applicant:**
- 13 **(A) Eyesight.**
- 14 **(B) Ability to read and understand highway signs**
 15 **regulating, warning, and directing traffic.**
- 16 **(C) Knowledge of Indiana traffic laws, including**
 17 **IC 9-26-1-1.5 and IC 9-21-12-1.**
- 18 **(2) An actual demonstration of the applicant's skill in**
 19 **exercising ordinary and reasonable control in the operation**
 20 **of a motor vehicle under the driving privilege card learner's**
 21 **permit or driving privilege card.**
- 22 **(b) The examination may include further physical and mental**
 23 **examinations that the bureau finds necessary to determine the**
 24 **applicant's fitness to operate a motor vehicle safely upon a**
 25 **highway. The applicant must provide the motor vehicle used in the**
 26 **examination. An autocycle may not be used as the motor vehicle**
 27 **provided for the examination.**
- 28 **(c) The bureau may waive:**
- 29 **(1) the testing required under subsection (a)(1)(A) if the**
 30 **applicant provides evidence from a licensed ophthalmologist**
 31 **or licensed optometrist that the applicant's vision is fit to**
 32 **operate a motor vehicle in a manner that does not jeopardize**
 33 **the safety of individuals or property;**
- 34 **(2) the actual demonstration required under subsection (a)(2)**
 35 **for an individual who has passed:**
- 36 **(A) a driver's education class and a skills test given by a**
 37 **driver training school;**
- 38 **(B) a driver education program given by an entity licensed**
 39 **under IC 9-27; or**
- 40 **(C) a skills assessment conducted by a third party**
 41 **approved by the bureau;**
- 42 **(3) the testing, other than eyesight testing under subsection**



- 1 **(a)(1)(A), of an applicant who has passed:**
 2 **(A) an examination concerning:**
 3 **(i) subsection (a)(1)(B); and**
 4 **(ii) subsection (a)(1)(C); and**
 5 **(B) a skills test;**
 6 **given by a driver training school or an entity licensed under**
 7 **IC 9-27; and**
 8 **(4) the testing, other than the eyesight testing described in**
 9 **subsection (a)(1)(A), of an applicant who:**
 10 **(A) is at least eighteen (18) years of age;**
 11 **(B) was previously a nonresident but now qualifies as an**
 12 **Indiana resident at the time of application; and**
 13 **(C) holds a valid driver's license, excluding a learner's**
 14 **permit or its equivalent, from the applicant's state of prior**
 15 **residence.**
- 16 **(d) The following are not civilly or criminally liable for a report**
 17 **made in good faith to the bureau, commission, or driver licensing**
 18 **medical advisory board concerning the fitness of the applicant to**
 19 **operate a motor vehicle in a manner that does not jeopardize the**
 20 **safety of individuals or property:**
 21 **(1) An instructor having a license under IC 9-27-6-8.**
 22 **(2) A licensed ophthalmologist or licensed optometrist.**
- 23 **(e) If the bureau has good cause to believe that an applicant is:**
 24 **(1) incompetent; or**
 25 **(2) otherwise unfit to operate a motor vehicle;**
 26 **the bureau may, upon written notice of at least five (5) days,**
 27 **require the applicant to submit to an examination, an investigation**
 28 **of the applicant's continued fitness to operate a motor vehicle**
 29 **safely, including requesting medical information from the**
 30 **applicant or the applicant's health care sources, or both an**
 31 **examination and an investigation.**
- 32 **(f) Upon the conclusion of all examinations and investigations of**
 33 **an applicant under this section, the bureau:**
 34 **(1) shall take appropriate action; and**
 35 **(2) may:**
 36 **(A) suspend or revoke the driving privilege card or driving**
 37 **privileges of the licensed driver;**
 38 **(B) permit the licensed driver to retain the driving**
 39 **privilege card or driving privileges of the licensed driver;**
 40 **or**
 41 **(C) issue restricted driving privileges subject to**
 42 **restrictions the bureau considers necessary in the interest**



1 of public safety.

2 (g) If a licensed driver refuses or neglects to submit to an
3 examination or investigation under this section, the bureau may
4 suspend or revoke the driving privilege card or driving privileges
5 of the licensed driver. The bureau may not suspend or revoke the
6 driving privilege card or driving privileges of the licensed driver
7 until a reasonable investigation of the driver's continued fitness to
8 operate a motor vehicle safely has been made by the bureau.

9 Sec. 7. (a) The bureau shall issue a driving privilege card to an
10 individual who:

- 11 (1) meets the criteria under this chapter; and
12 (2) except as provided in subsection (b), pays the applicable
13 fee as follows:
14 (A) For an individual who is less than seventy-five (75)
15 years of age, seventeen dollars and fifty cents (\$17.50).
16 (B) For an individual who is at least seventy-five (75)
17 years of age but less than eighty-five (85) years of age, eleven
18 dollars (\$11).
19 (C) For an individual who is at least eighty-five (85) years
20 of age, seven dollars (\$7).

21 (b) A fee described in subsection (a)(2) may not be charged to an
22 individual who:

- 23 (1) is under the care and supervision of the department of
24 child services; or
25 (2) represents, pursuant to IC 31-36-3-4(b), a homeless youth
26 (as defined in IC 31-36-3-4) and presents a fee and consent
27 waiver affidavit described in IC 31-36-3-4(c);
28 and meets all other requirements for a driving privilege card under
29 this chapter.

30 Sec. 8. Except for an individual described in section 7(b), in
31 addition to applicable fees collected under section 7 of this chapter
32 for a driving privilege card, the bureau shall collect a supplemental
33 fee of fifty dollars (\$50) for an individual to obtain a driving
34 privilege card.

35 Sec. 9. (a) This section applies:

- 36 (1) to an individual who is less than twenty-one (21) years of
37 age; and
38 (2) during the one hundred eighty (180) day period after the
39 individual is issued a driving privilege card under this
40 chapter.

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

- 42 (1) from 10 p.m. until 5 a.m. of the following morning, unless



- 1 **the individual is:**
 2 **(A) participating in, going to, or returning from:**
 3 **(i) lawful employment;**
 4 **(ii) a school sanctioned activity; or**
 5 **(iii) a religious event; or**
 6 **(B) accompanied in the front seat of the motor vehicle by**
 7 **a licensed driver with valid driving privileges who is:**
 8 **(i) at least twenty-five (25) years of age; or**
 9 **(ii) if the licensed driver is the individual's spouse, at**
 10 **least twenty-one (21) years of age; or**
 11 **(2) in which there are passengers, unless:**
 12 **(A) each passenger in the motor vehicle is:**
 13 **(i) a child or stepchild of the individual;**
 14 **(ii) a sibling of the individual, including step or half**
 15 **siblings;**
 16 **(iii) the spouse of the individual;**
 17 **(iv) a parent or legal guardian of the individual;**
 18 **(v) a grandparent of the individual; or**
 19 **(vi) any combination of individuals described in items (i)**
 20 **through (v); or**
 21 **(B) the individual is accompanied in the front seat of the**
 22 **motor vehicle by a licensed driver with valid driving**
 23 **privileges who is:**
 24 **(i) at least twenty-five (25) years of age; or**
 25 **(ii) if the licensed driver is the individual's spouse, at**
 26 **least twenty-one (21) years of age.**
 27 **(c) A driving privilege card learner's permit or driving privilege**
 28 **card issued under this article must contain the following**
 29 **information:**
 30 **(1) The full legal name of the permittee or licensee.**
 31 **(2) The date of birth of the permittee or licensee.**
 32 **(3) The address of the principal residence of the permittee or**
 33 **licensee.**
 34 **(4) The hair color and eye color of the permittee or licensee.**
 35 **(5) The date of issue and expiration date of the permit or**
 36 **license.**
 37 **(6) The gender of the permittee or licensee.**
 38 **(7) The unique identifying number of the permit or license.**
 39 **(8) The weight of the permittee or licensee.**
 40 **(9) The height of the permittee or licensee.**
 41 **(10) A reproduction of the signature of the permittee or**
 42 **licensee.**



1 (11) If the permittee or licensee is less than eighteen (18) years
2 of age at the time of issuance, the dates, notated prominently,
3 on which the permittee or licensee will become:

4 (A) eighteen (18) years of age; and

5 (B) twenty-one (21) years of age.

6 (12) If the permittee or licensee is at least eighteen (18) years
7 of age but less than twenty-one (21) years of age at the time of
8 issuance, the date, notated prominently, on which the
9 permittee or licensee will become twenty-one (21) years of
10 age.

11 (13) A digital photograph or computerized image of the
12 permittee or licensee.

13 (d) The bureau may not provide for the omission of a
14 photograph or computerized image from a driving privilege card.

15 (e) For purposes of subsection (a), an individual certified as a
16 participant in the address confidentiality program under IC 5-26.5
17 is not required to provide the address of the individual's principal
18 residence, but may provide an address designated by the office of
19 the attorney general under IC 5-26.5 as the address of the
20 individual's principal residence.

21 (f) If an individual submits information concerning the
22 individual's medical condition in conjunction with the individual's
23 application for a driving privilege card, the bureau shall place an
24 identifying symbol in a prominent location on the driving privilege
25 card to indicate that the individual has a medical condition of note.
26 The bureau shall include information on the individual's driving
27 privilege card that briefly describes the individual's medical
28 condition. The information must be notated in a manner that alerts
29 an individual reading the driving privilege card to the existence of
30 the medical condition. The individual submitting the information
31 concerning the medical condition is responsible for its accuracy.

32 (g) The bureau, when issuing a driving privilege card learner's
33 permit or driving privilege card, may, whenever good cause
34 appears, impose restrictions suitable to the licensee's or permittee's
35 driving ability with respect to the type of or special mechanical
36 control devices required on a motor vehicle that the licensee or
37 permittee operates. The bureau may impose other restrictions
38 applicable to the licensee or permittee that the bureau determines
39 are appropriate to assure the safe operation of a motor vehicle by
40 the licensee or permittee, including a requirement to take
41 prescribed medication. When the restrictions are imposed, the
42 bureau may:



- 1 (1) issue either a special restricted driving privilege card; or
 2 (2) set forth the restrictions upon the usual driving privilege
 3 card form.

4 **Sec. 10. (a) An individual applying for a renewal of a driving**
 5 **privilege card must apply in person at a license branch.**

6 (b) Except as otherwise provided in this chapter, a driving
 7 privilege card issued to an applicant expires at midnight one (1)
 8 year following the date of issuance.

9 (c) An application for renewal of a driving privilege card under
 10 this section may be filed not more than thirty (30) days before the
 11 expiration date of the driving privilege card held by the applicant.

12 (d) An individual applying for renewal of a driving privilege
 13 card must do the following:

14 (1) Pass an eyesight examination.

15 (2) Pass a written examination if:

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

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

21 (C) the applicant is in possession of a driving privilege card
 22 that is expired beyond one hundred eighty (180) days.

23 (3) Documentation of residence in Indiana as required by
 24 rules adopted by the bureau under IC 4-22-2 or emergency
 25 rules adopted in the manner provided under IC 4-22-2-37.1.

26 (e) An individual applying for the renewal of a driving privilege
 27 card issued under this chapter shall pay the following applicable
 28 fee:

29 (1) If the individual is less than seventy-five (75) years of age,
 30 seventeen dollars and fifty cents (\$17.50). The fee shall be
 31 distributed as follows:

32 (A) Fifty cents (\$0.50) to the state motor vehicle technology
 33 fund.

34 (B) Two dollars (\$2) to the crossroads 2000 fund.

35 (C) Four dollars and fifty cents (\$4.50) to the motor vehicle
 36 highway account.

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

39 (E) Nine dollars and twenty-five cents (\$9.25) to the
 40 commission fund.

41 (2) If the individual is at least seventy-five (75) years of age
 42 and less than eighty-five (85) years of age, eleven dollars



- 1 **(§11). The fee shall be distributed as follows:**
 2 **(A) Fifty cents (\$0.50) to the state motor vehicle technology**
 3 **fund.**
 4 **(B) One dollar and fifty cents (\$1.50) to the crossroads**
 5 **2000 fund.**
 6 **(C) Three dollars (\$3) to the motor vehicle highway**
 7 **account.**
 8 **(D) One dollar and twenty-five cents (\$1.25) to the**
 9 **integrated public safety communications fund.**
 10 **(E) Four dollars and seventy-five cents (\$4.75) to the**
 11 **commission fund.**
 12 **(3) If the individual is at least eighty-five (85) years of age,**
 13 **seven dollars (\$7). The fee shall be distributed as follows:**
 14 **(A) Fifty cents (\$0.50) to the state motor vehicle technology**
 15 **fund.**
 16 **(B) One dollar (\$1) to the crossroads 2000 fund.**
 17 **(C) Two dollars (\$2) to the motor vehicle highway account.**
 18 **(D) One dollar and twenty-five cents (\$1.25) to the**
 19 **integrated public safety communications fund.**
 20 **(E) Two dollars and twenty-five cents (\$2.25) to the**
 21 **commission fund.**
 22 **(f) In addition to applicable fees collected under subsection (e),**
 23 **the bureau shall collect a supplemental fee of fifty dollars (\$50) for**
 24 **an individual to obtain a renewal driving privilege card.**
 25 **(g) If the expiration date of a driving privilege card falls on:**
 26 **(1) Sunday;**
 27 **(2) a legal holiday (as set forth in IC 1-1-9-1); or**
 28 **(3) a weekday when all license branches in the county of**
 29 **residence of the holder are closed;**
 30 **the driving privilege card of the holder does not expire until**
 31 **midnight of the first day after the expiration date on which a**
 32 **license branch is open for business in the county of residence of the**
 33 **holder.**
 34 **(h) An individual who fails to renew the individual's driving**
 35 **privilege card on or before the expiration date of the driving**
 36 **privilege card shall pay to the bureau an administrative penalty of**
 37 **six dollars (\$6). An administrative penalty collected under this**
 38 **subsection shall be deposited in the commission fund.**
 39 **Sec. 11. An individual applying for a replacement driving**
 40 **privilege card must apply in person at a license branch.**
 41 **Sec. 12. (a) A driving privilege card must include the statement**
 42 **"Driving Privilege Only, Not Valid for Identification" on the face**



1 of the card.

2 (b) Except as provided in subsection (c), a driving privilege card
3 must include a statement on the face of the card that indicates that
4 the driving privilege card may not be accepted:

- 5 (1) as identification for any state or federal purpose other
6 than to confer driving privileges;
7 (2) for the purpose of voting; or
8 (3) to verify employment.

9 (c) A driving privilege card may only be used as identification
10 for law enforcement purposes.

11 Sec. 13. The commissioner and the employees or agents of the
12 bureau are not civilly responsible for the validity of information
13 contained on a driving privilege card issued under this chapter.
14 The bureau may adopt rules under IC 4-22-2 to place an
15 appropriate disclaimer on a driving privilege card.

16 Sec. 14. An individual who holds a driving privilege card issued
17 under this chapter and operates a motor vehicle shall verify
18 financial responsibility on any motor vehicle the holder operates is
19 continuously maintained in the amounts required by IC 9-25-4.

20 Sec. 15. (a) The bureau may impose an additional fee of
21 twenty-five dollars (\$25) if the bureau processes a credential
22 application under this chapter in a period of time that is shorter
23 than the normal processing period. The bureau shall deposit the fee
24 in the commission fund.

25 (b) A fee imposed under this section is in addition to any other
26 fee imposed under this chapter.

27 Sec. 16. The bureau may adopt rules under IC 4-22-2 to
28 implement this chapter.

29 SECTION 25. IC 9-24-9-5.5, AS AMENDED BY P.L.198-2016,
30 SECTION 469, IS AMENDED TO READ AS FOLLOWS
31 [EFFECTIVE JULY 1, 2023]: Sec. 5.5. (a) Any male who:

- 32 (1) applies for issuance or renewal of a driver's license **or driving**
33 **privilege card**;
34 (2) is less than twenty-six (26) years of age; and
35 (3) is or will be required to register under 50 U.S.C. App. 453(a);
36 may authorize the bureau to register him with the Selective Service
37 System in compliance with the requirements of the federal Military
38 Selective Service Act under 50 U.S.C. App. 451 et seq.

39 (b) The application form for a driver's license, **driving privilege**
40 **card, or driver's license renewal, or driving privilege card renewal**
41 must include a box that an applicant can check to:

- 42 (1) identify the applicant as a male who is less than twenty-six



1 (26) years of age; and
2 (2) indicate the applicant's intention to authorize the bureau to
3 submit the necessary information to the Selective Service System
4 to register the applicant with the Selective Service System in
5 compliance with federal law.

6 (c) The application form for a driver's license, **driving privilege**
7 **card, or driver's license renewal, or driving privilege card renewal**
8 shall contain the following statement beneath the box described in
9 subsection (b):

10 "Failure to register with the Selective Service System in
11 compliance with the requirements of the federal Military
12 Selective Service Act, 50 U.S.C. App. 451 et seq., is a felony and
13 is punishable by up to five (5) years imprisonment and a two
14 hundred fifty thousand dollar (\$250,000) fine. Failure to register
15 may also render you ineligible for certain federal benefits,
16 including student financial aid, job training, and United States
17 citizenship for male immigrants. By checking the above box, I am
18 consenting to registration with the Selective Service System. If I
19 am less than eighteen (18) years of age, I understand that I am
20 consenting to registration with the Selective Service System when
21 I become eighteen (18) years of age."

22 (d) When authorized by the applicant in conformity with this
23 section, the bureau shall forward the necessary registration information
24 provided by the applicant to the Selective Service System in the
25 electronic format or other format approved by the Selective Service
26 System.

27 (e) Failure of an applicant to authorize the bureau to register the
28 applicant with the Selective Service System is not a basis for denying
29 the applicant driving privileges.

30 SECTION 26. IC 9-24-13-1, AS AMENDED BY P.L.198-2016,
31 SECTION 500, IS AMENDED TO READ AS FOLLOWS
32 [EFFECTIVE JULY 1, 2023]: Sec. 1. An individual holding a driver's
33 license **or driving privilege card** issued under this article may
34 exercise the privilege granted by the driver's license **or driving**
35 **privilege card** upon all highways and is not required to obtain any
36 other driver's license to exercise the privilege by a county, municipal,
37 or local board or by any body having authority to adopt local police
38 regulations.

39 SECTION 27. IC 9-24-13-4, AS AMENDED BY P.L.256-2017,
40 SECTION 175, IS AMENDED TO READ AS FOLLOWS
41 [EFFECTIVE JULY 1, 2023]: Sec. 4. If:

42 (1) an individual holding a driver's license, **driving privilege**



1 **card**, or permit issued under this article changes the address
 2 shown on the driver's license, **driving privilege card**, or permit
 3 application; or
 4 (2) the name of a ~~licensee or permittee holder of a driver's~~
 5 **license, driving privilege card, or permit** is changed by
 6 marriage or otherwise;
 7 the ~~licensee or permittee holder of the driver's license, driving~~
 8 **privilege card, or permit** shall make application for an amended
 9 driver's license, **driving privilege card**, or permit under IC 9-24-9
 10 containing the correct information within thirty (30) days of the
 11 change. For fee purposes, the application shall be treated as a
 12 replacement license under IC 9-24-14-1 **or a replacement driving**
 13 **privilege card under IC 9-24-3.5.**

14 SECTION 28. IC 9-24-18-1, AS AMENDED BY P.L.111-2021,
 15 SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2023]: Sec. 1. (a) An individual, except an individual
 17 exempted under IC 9-24-1-7, who knowingly or intentionally operates
 18 a motor vehicle upon a highway and has never received a valid driver's
 19 license **or driving privilege card** commits a Class C misdemeanor.
 20 However, the offense is a Class A misdemeanor if the individual has a
 21 prior unrelated conviction under this section.

22 (b) In a prosecution under this section, the burden is on the
 23 defendant to prove by a preponderance of the evidence that the
 24 defendant:

25 (1) had been issued a driver's license, **driving privilege card**, or
 26 permit that was valid; or
 27 (2) was operating a motor driven cycle;
 28 at the time of the alleged offense. However, it is not a defense under
 29 subdivision (2) if the defendant was operating the motor driven cycle
 30 in violation of IC 9-21-11-12.

31 SECTION 29. IC 9-24-18-6, AS AMENDED BY P.L.198-2016,
 32 SECTION 530, IS AMENDED TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2023]: Sec. 6. In a proceeding to enforce
 34 IC 9-24-1 requiring the operator of a motor vehicle to have a certain
 35 type of driver's license **or driving privilege card**, the burden is on the
 36 defendant to prove by a preponderance of the evidence that the
 37 defendant had been issued the applicable driver's license, **driving**
 38 **privilege card**, or permit and that the driver's license **or driving**
 39 **privilege card** was valid at the time of the alleged offense.

40 SECTION 30. IC 9-24-18-7.5, AS AMENDED BY P.L.198-2016,
 41 SECTION 531, IS AMENDED TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2023]: Sec. 7.5. (a) A person that knowingly or



1 intentionally counterfeits or falsely reproduces a driver's license:

2 (1) with intent to use the driver's license; or

3 (2) to permit an individual to use the driver's license;

4 commits a Class B misdemeanor.

5 **(b) A person that knowingly or intentionally counterfeits or**
6 **falsely reproduces a driving privilege card:**

7 **(1) with intent to use the driving privilege card; or**

8 **(2) to permit an individual to use the driving privilege card;**

9 **commits a Class B misdemeanor.**

10 SECTION 31. IC 9-24-18-9, AS AMENDED BY P.L.198-2016,
11 SECTION 532, IS AMENDED TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2023]: Sec. 9. (a) The bureau may establish a
13 driving record for an Indiana resident who does not hold any type of
14 valid ~~driving~~ **driver's license or driving privilege card.** The driving
15 record shall be established for an unlicensed driver when the bureau
16 receives an abstract of court conviction for the type of conviction that
17 would appear on an official driver's record.

18 (b) If an unlicensed driver applies for and receives any type of
19 driver's license **or driving privilege card** in Indiana, the individual's
20 driving record as an unlicensed driver shall be recorded on the
21 permanent record file.

22 (c) The bureau shall also certify traffic violation convictions on the
23 driving record of an unlicensed driver who subsequently receives an
24 Indiana driver's license **or a driving privilege card.**

25 (d) A driving record established under this section must include the
26 following:

27 (1) The individual's convictions for any of the following:

28 (A) A moving traffic violation.

29 (B) Operating a vehicle without financial responsibility in
30 violation of IC 9-25.

31 (2) Any administrative penalty imposed by the bureau.

32 (3) Any suspensions, revocations, or reinstatements of the
33 individual's driving privileges, license, or permit.

34 (4) If the driving privileges of the individual have been suspended
35 or revoked by the bureau, an entry in the record stating that a
36 notice of suspension or revocation was mailed to the individual by
37 the bureau and the date of the mailing of the notice.

38 (5) Any requirement that the individual may operate only a motor
39 vehicle equipped with a certified ignition interlock device.

40 A driving record may not contain voter registration information.

41 SECTION 32. IC 9-25-6-7, AS AMENDED BY P.L.125-2012,
42 SECTION 263, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2023]: Sec. 7. Except as provided in sections 5
 2 and 6 of this chapter, a suspension required in sections 4 and 6 of this
 3 chapter remains in effect and no other motor vehicle may be registered
 4 in the name of the judgment debtor or a new license **or driving**
 5 **privilege card** issued to the judgment debtor, until the following occur:

6 (1) The judgment is satisfied or stayed.

7 (2) The judgment debtor gives proof of future financial
 8 responsibility for three (3) years, as provided in this article.

9 SECTION 33. IC 9-25-6-15, AS AMENDED BY P.L.86-2021,
 10 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2023]: Sec. 15. (a) Except as provided in subsection (e), an
 12 individual:

13 (1) whose driving privileges are suspended under this article; and

14 (2) who seeks the reinstatement of the driving privileges;

15 must pay a reinstatement fee to the bureau as provided in subsection
 16 (b).

17 (b) The reinstatement fee under subsection (a) is as follows:

18 (1) For a first suspension, two hundred fifty dollars (\$250).

19 (2) For a second suspension, five hundred dollars (\$500).

20 (3) For a third or subsequent suspension, one thousand dollars
 21 (\$1,000).

22 (c) Each fee paid under this section or section 15.1 of this chapter
 23 shall be deposited in the financial responsibility compliance
 24 verification fund established by IC 9-25-9-7 as follows:

25 (1) Forty-eight percent (48%) of a fee paid after a first suspension.

26 (2) Thirty-nine percent (39%) of a fee paid after a second
 27 suspension.

28 (3) Twenty-seven percent (27%) of a fee paid after a third or
 29 subsequent suspension.

30 The remaining amount of each fee paid under this section or section
 31 15.1 of this chapter must be deposited in the motor vehicle highway
 32 account.

33 (d) If:

34 (1) a person's driving privileges are suspended for registering or
 35 operating a vehicle in violation of IC 9-25-4-1;

36 (2) the person is required to pay a fee for the reinstatement of the
 37 person's license **or driving privilege card** under this section; and

38 (3) the person later establishes that the person did not register or
 39 operate a vehicle in violation of IC 9-25-4-1;

40 the fee paid by the person under this section shall be refunded.

41 (e) An individual who has had a suspension imposed under this
 42 article terminated by submitting proof of future financial responsibility



1 under IC 9-25-4-3, IC 9-25-5-1, or section 3(d) of this chapter for the
 2 required time period is not required to pay a reinstatement fee under
 3 this section in order to have ~~his or her~~ **the individual's** driving
 4 privileges reinstated.

5 SECTION 34. IC 9-25-7-3, AS AMENDED BY P.L.111-2021,
 6 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2023]: Sec. 3. (a) The bureau shall, upon request, cancel a
 8 bond or return a certificate of insurance, direct the treasurer of state to
 9 return to the person entitled any money or securities deposited under
 10 this article as proof of financial responsibility, or waive the requirement
 11 of filing proof of financial responsibility in any of the following
 12 circumstances:

13 (1) At any time after three (3) years from the date the proof was
 14 required, if during the three (3) year period preceding the request
 15 the person furnishing the proof has not been convicted of an
 16 offense referred to in IC 9-30-4-6.1.

17 (2) If the person on whose behalf the proof was filed dies or the
 18 person becomes permanently incapable of operating a motor
 19 vehicle.

20 (3) If the person who has given proof of financial responsibility
 21 surrenders the person's driver's license **or driving privilege card,**
 22 registration certificates, and registration plates to the bureau. The
 23 bureau may not release the proof if an action for damages upon a
 24 liability referred to in this article is pending, a judgment upon a
 25 liability is outstanding and unsatisfied, or the bureau has received
 26 notice that the person has, within the period of three (3) months
 27 immediately preceding, been involved as a driver in a motor
 28 vehicle accident. An affidavit of the applicant of the nonexistence
 29 of the facts referred to in this subdivision is sufficient evidence of
 30 the nonexistence of the facts in the absence of evidence to the
 31 contrary in the records of the department.

32 (b) Whenever a person to whom proof has been surrendered under
 33 subsection (a)(3) applies for a driver's license (issued under IC 9-24-3),
 34 ~~or a chauffeur's license,~~ **a driving privilege card,** or the registration of
 35 a motor vehicle within a period of three (3) years from the date the
 36 proof of financial responsibility was originally required, the bureau
 37 shall reject the application unless the applicant reestablishes the proof
 38 for the remainder of the period.

39 SECTION 35. IC 9-25-7-6, AS AMENDED BY P.L.198-2016,
 40 SECTION 546, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2023]: Sec. 6. (a) This section does not apply
 42 to an Indiana resident or an individual who operates a motor vehicle in



- 1 Indiana.
- 2 (b) Subject to subsection (c), an individual:
- 3 (1) whose driver's license, **driving privilege card**, driving
- 4 privileges, or registration was suspended and who is required to
- 5 prove financial responsibility extending into the future in order to
- 6 have the individual's driving privileges reinstated; and
- 7 (2) who no longer operates a motor vehicle in Indiana and has
- 8 become a nonresident;
- 9 is not required to prove financial responsibility into the future in order
- 10 to have the individual's driver's license, **driving privilege card**, driving
- 11 privileges, or registration temporarily reinstated to allow licensing or
- 12 registration in the other state or foreign jurisdiction.
- 13 (c) An individual described in subsection (b) who, during the three
- 14 (3) year period following the suspension described in subsection (b)(1):
- 15 (1) applies to the bureau for a driver's license **or driving**
- 16 **privilege card**; or
- 17 (2) registers a motor vehicle in Indiana;
- 18 must maintain proof of future financial responsibility for the unexpired
- 19 portion of the three (3) year period as required under this article.
- 20 SECTION 36. IC 9-25-9-7, AS AMENDED BY P.L.198-2016,
- 21 SECTION 549, IS AMENDED TO READ AS FOLLOWS
- 22 [EFFECTIVE JULY 1, 2023]: Sec. 7. (a) The financial responsibility
- 23 compliance verification fund is established to defray expenses incurred
- 24 by the bureau in verifying compliance with financial responsibility
- 25 requirements under this chapter.
- 26 (b) The expenses of administering the fund shall be paid from
- 27 money in the fund.
- 28 (c) The sources of money for the fund are as follows:
- 29 (1) The portion of the driving ~~license~~ **privileges** reinstatement fee
- 30 that is to be deposited in the fund under IC 9-25-6-15.
- 31 (2) Accrued interest and other investment earnings of the fund.
- 32 (3) Appropriations made by the general assembly.
- 33 (4) Gifts and donations from any person to the fund.
- 34 (d) The treasurer of state shall invest the money in the fund not
- 35 currently needed to meet the obligations of the fund in the same
- 36 manner as other public funds may be invested.
- 37 (e) Money in the fund at the end of a state fiscal year does not revert
- 38 to the state general fund.
- 39 SECTION 37. IC 9-26-1-1.1, AS AMENDED BY P.L.184-2019,
- 40 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 41 JULY 1, 2023]: Sec. 1.1. (a) The operator of a motor vehicle involved
- 42 in an accident shall do the following:



- 1 (1) Except as provided in section 1.2 of this chapter, the operator
 2 shall immediately stop the operator's motor vehicle:
 3 (A) at the scene of the accident; or
 4 (B) as close to the accident as possible;
 5 in a manner that does not obstruct traffic more than is necessary.
 6 (2) Remain at the scene of the accident until the operator does the
 7 following:
 8 (A) Gives the operator's name and address and the registration
 9 number of the motor vehicle the operator was driving to any
 10 person involved in the accident.
 11 (B) Exhibits the operator's driver's license **or driving**
 12 **privilege card** to any person involved in the accident or
 13 occupant of or any person attending to any vehicle involved in
 14 the accident.
 15 (3) If the accident results in the injury or death of another person,
 16 the operator shall, in addition to the requirements of subdivisions
 17 (1) and (2):
 18 (A) provide reasonable assistance to each person injured in or
 19 entrapped by the accident, as directed by a law enforcement
 20 officer, medical personnel, or a 911 telephone operator; and
 21 (B) as soon as possible after the accident, immediately give
 22 notice of the accident, or ensure that another person gives
 23 notice of the accident, by the quickest means of
 24 communication to one (1) of the following:
 25 (i) The local police department, if the accident occurs within
 26 a municipality.
 27 (ii) The office of the county sheriff or the nearest state police
 28 post, if the accident occurs outside a municipality.
 29 (iii) A 911 telephone operator.
 30 (4) If the accident involves a collision with an unattended vehicle
 31 or damage to property other than a vehicle, the operator shall, in
 32 addition to the requirements of subdivisions (1) and (2):
 33 (A) take reasonable steps to locate and notify the owner or
 34 person in charge of the damaged vehicle or property of the
 35 damage; and
 36 (B) if after reasonable inquiry the operator cannot find the
 37 owner or person in charge of the damaged vehicle or property,
 38 the operator must contact a law enforcement officer or agency
 39 and provide the information required by this section.
 40 (b) An operator of a motor vehicle who knowingly or intentionally
 41 fails to comply with subsection (a) commits leaving the scene of an
 42 accident, a Class B misdemeanor. However, the offense is:



- 1 (1) a Class A misdemeanor if the accident results in bodily injury
 2 to another person;
 3 (2) a Level 6 felony if:
 4 (A) the accident results in moderate or serious bodily injury to
 5 another person; or
 6 (B) within the five (5) years preceding the commission of the
 7 offense, the operator had a previous conviction of any of the
 8 offenses listed in IC 9-30-10-4(a);
 9 (3) a Level 4 felony if the accident results in the death or
 10 catastrophic injury of another person; and
 11 (4) a Level 3 felony if the operator knowingly or intentionally
 12 fails to stop or comply with subsection (a) during or after the
 13 commission of the offense of operating while intoxicated causing
 14 serious bodily injury (IC 9-30-5-4) or operating while intoxicated
 15 causing death or catastrophic injury (IC 9-30-5-5).
 16 (c) An operator of a motor vehicle who commits an offense under
 17 subsection (b)(1), (b)(2), (b)(3), or (b)(4) commits a separate offense
 18 for each person whose injury or death was a result of the accident.
 19 (d) A court may order terms of imprisonment imposed on a person
 20 convicted of more than one (1) offense described in subsection (b)(1),
 21 (b)(2), (b)(3), or (b)(4) to run consecutively. Consecutive terms of
 22 imprisonment imposed under this subsection are not subject to the
 23 sentencing restrictions set forth in IC 35-50-1-2(c) through
 24 IC 35-50-1-2(d).
 25 SECTION 38. IC 9-26-1-1.5, AS AMENDED BY P.L.188-2015,
 26 SECTION 100, IS AMENDED TO READ AS FOLLOWS
 27 [EFFECTIVE JULY 1, 2023]: Sec. 1.5. (a) If:
 28 (1) the operator of a motor vehicle is physically incapable of
 29 determining the need for or rendering assistance to any injured or
 30 entrapped person as required under section 1.1(a)(3) of this
 31 chapter;
 32 (2) there is another occupant in the motor vehicle at the time of
 33 the accident who is:
 34 (A) at least:
 35 (i) fifteen (15) years of age and holds a learner's permit
 36 issued under IC 9-24-7-1, ~~or~~ a driver's license issued under
 37 IC 9-24-11, **or a driving privilege card issued under**
 38 **IC 9-24-3.5; or**
 39 (ii) eighteen (18) years of age; and
 40 (B) capable of determining the need for and rendering
 41 reasonable assistance to injured or entrapped persons as
 42 provided in section 1.1(a)(3) of this chapter; and



1 (3) the other occupant in the motor vehicle knows that the
 2 operator of the motor vehicle is physically incapable of
 3 determining the need for or rendering assistance to any injured or
 4 entrapped person;

5 the motor vehicle occupant referred to in subdivisions (2) and (3) shall
 6 immediately determine the need for and render reasonable assistance
 7 to each person injured or entrapped in the accident as provided in
 8 section 1.1(a)(3) of this chapter.

9 (b) If there is more than one (1) motor vehicle occupant to whom
 10 subsection (a) applies, it is a defense to a prosecution of one (1) motor
 11 vehicle occupant under subsection (a) that the defendant reasonably
 12 believed that another occupant of the motor vehicle determined the
 13 need for and rendered reasonable assistance as required under
 14 subsection (a).

15 (c) A person who knowingly or intentionally violates this section
 16 commits a Class C misdemeanor.

17 SECTION 39. IC 9-27-6-3, AS AMENDED BY P.L.92-2020,
 18 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2023]: Sec. 3. (a) As used in this chapter, "driver training
 20 school" means:

21 (1) a business enterprise that:

22 (A) is conducted by an individual, an association, a
 23 partnership, a limited liability company, or a corporation for
 24 the education and training of persons, practically or
 25 theoretically, or both, to operate or drive motor vehicles or to
 26 prepare an applicant for an examination or validation under
 27 IC 9-24 for a driver's license **or driving privilege card**; and
 28 (B) charges consideration or tuition for the provision of
 29 services; or

30 (2) a driver education program operated under the authority of:

31 (A) a school corporation (as defined in IC 36-1-2-17);
 32 (B) a state accredited nonpublic secondary school that
 33 voluntarily becomes accredited under IC 20-31-4.1;
 34 (C) a postsecondary proprietary educational institution (as
 35 defined in IC 22-4.1-21-9);
 36 (D) a postsecondary credit bearing proprietary educational
 37 institution (as defined in IC 21-18.5-2-12);
 38 (E) a state educational institution (as defined in
 39 IC 21-7-13-32); or
 40 (F) a nonaccredited nonpublic school.

41 (b) The term does not include a business enterprise that educates or
 42 trains a person or prepares a person for an examination or a validation



1 given by the bureau to operate or drive a motor vehicle as a vocation.

2 SECTION 40. IC 9-27-6-4, AS AMENDED BY P.L.85-2013,
3 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2023]: Sec. 4. As used in this chapter, "instructor" means the
5 following:

6 (1) An individual, whether acting as the operator of a driver
7 training school or on behalf of a driver training school, who for
8 compensation teaches, conducts classes for, gives demonstrations
9 to, or supervises the practice of individuals learning to operate or
10 drive motor vehicles or preparing to take an examination for a
11 driver's license **or driving privilege card.**

12 (2) An individual who supervises the work of an instructor.

13 (3) An individual licensed under IC 20-28-5-1.

14 (4) An individual under the authority of a postsecondary
15 proprietary educational institution (as defined in IC 22-4.1-21-9)
16 or a postsecondary credit bearing proprietary educational
17 institution (as defined in IC 21-18.5-2-12) who is teaching,
18 conducting classes for, giving demonstrations to, or supervising
19 the practice of individuals learning to operate or drive motor
20 vehicles or preparing to take an examination for a driver's license
21 **or driving privilege card.**

22 (5) An individual under the authority of a state educational
23 institution (as defined in IC 21-7-13-32) who is teaching,
24 conducting classes for, giving demonstrations to, or supervising
25 the practice of individuals learning to operate or drive motor
26 vehicles or preparing to take an examination for a driver's license
27 **or driving privilege card.**

28 SECTION 41. IC 9-27-6-5, AS AMENDED BY P.L.85-2013,
29 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2023]: Sec. 5. (a) As used in this section, "advisory board"
31 refers to the driver education advisory board established by subsection
32 (b).

33 (b) The driver education advisory board is established to advise the
34 commissioner in the administration of the policies of the commission
35 and the bureau regarding driver education.

36 (c) The advisory board is composed of seven (7) individuals
37 appointed by the commissioner as follows:

38 (1) Three (3) members must be driver education professionals
39 endorsed by the bureau under section 8 of this chapter. In the
40 selection of individuals for membership under this subdivision,
41 consideration must be given to driver education instruction
42 performed in urban and rural areas.



- 1 (2) One (1) member must be a traffic safety advocate.
 2 (3) One (1) member must be a representative of the bureau.
 3 (4) One (1) member must be a representative of higher education.
 4 (5) One (1) member must be a representative of the insurance
 5 industry.
 6 (d) A member of the advisory board serves a two (2) year term. A
 7 member may not be appointed to more than two (2) consecutive full
 8 terms. Each member serves until the member's successor is appointed
 9 and qualified.
 10 (e) A member of the advisory board may be removed for good
 11 cause.
 12 (f) A vacancy on the advisory board shall be filled by the
 13 appointment by the commissioner of an individual to fill the position
 14 to which the vacating member was appointed under subsection (c) for
 15 the vacating member's unexpired term.
 16 (g) The advisory board shall:
 17 (1) consult with and advise the commissioner in the
 18 administration of the policies of the commission and the bureau
 19 regarding driver education; and
 20 (2) suggest rules regarding the education and training of persons
 21 to operate or drive motor vehicles or to prepare a person for an
 22 examination or validation for a driver's license **or driving**
 23 **privilege card.**
 24 (h) A member of the advisory board is not subject to liability in a
 25 civil action for bodily injury or property damage arising from or
 26 thought to have arisen from an action taken in good faith as a member
 27 of the advisory board.
 28 SECTION 42. IC 9-30-2-4 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. (a) This section does
 30 not apply to a person arrested for a misdemeanor under IC 9-30-5
 31 (operating a vehicle while intoxicated).
 32 (b) If a person is arrested for a misdemeanor under this title, the
 33 arrested person shall be immediately taken before a court within the
 34 county in which the offense charged is alleged to have been committed
 35 and that has jurisdiction of the offense and is nearest or most accessible
 36 to the place where the arrest is made in any of the following cases:
 37 (1) When the person demands an immediate appearance before a
 38 court.
 39 (2) When the person is charged with an offense causing or
 40 contributing to an accident resulting in injury to or death of a
 41 person.
 42 (3) When the person is charged with failure to stop for an accident



1 causing death, personal injuries, or damage to property.

2 (4) When the person refuses to give the person's written promise
3 to appear in court.

4 (5) When the person is charged with driving while the person's
5 license **or driving privilege card** is suspended or revoked.

6 SECTION 43. IC 9-30-3-15, AS AMENDED BY P.L.198-2016,
7 SECTION 595, IS AMENDED TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2023]: Sec. 15. In a proceeding, prosecution, or
9 hearing where the prosecuting attorney must prove that the defendant
10 had a prior conviction for an offense under this title, the relevant
11 portions of a certified computer printout or electronic copy made from
12 the records of the bureau are admissible as prima facie evidence of the
13 prior conviction. However, the prosecuting attorney must establish that
14 the document identifies the defendant by the defendant's driver's
15 license **or driving privilege card** number or by any other identification
16 method utilized by the bureau.

17 SECTION 44. IC 9-30-4-6.1, AS ADDED BY P.L.198-2016,
18 SECTION 598, IS AMENDED TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2023]: Sec. 6.1. (a) The bureau shall suspend
20 or revoke the current driver's license, **driving privilege card**, or
21 driving privileges and all certificates of registration and proof of
22 registration issued to or registered in the name of an individual who is
23 convicted of any of the following:

24 (1) Manslaughter or reckless homicide resulting from the
25 operation of a motor vehicle.

26 (2) Knowingly making a false application, or committing perjury
27 with respect to an application made, under:

28 (A) this chapter; or

29 (B) any other law requiring the registration of motor vehicles
30 or regulating motor vehicle operation on highways.

31 (3) Three (3) charges of criminal recklessness involving the use
32 of a motor vehicle within the preceding twelve (12) months.

33 (4) Failure to stop and give information or assistance or failure to
34 stop and disclose the individual's identity at the scene of an
35 accident that has resulted in death, personal injury, or property
36 damage in excess of two hundred dollars (\$200).

37 However, and unless otherwise required by law, the bureau may not
38 suspend a certificate of registration or proof of registration if the
39 individual gives and maintains, during the three (3) years following the
40 date of suspension or revocation, proof of financial responsibility in the
41 future in the manner specified in this section.

42 (b) The bureau shall suspend a driver's license, **driving privilege**



1 **card**, or driving privileges of an individual upon conviction in another
2 jurisdiction for the following:

3 (1) Manslaughter or reckless homicide resulting from the
4 operation of a motor vehicle.

5 (2) Knowingly making a false application, or committing perjury
6 with respect to an application made, under:

7 (A) this chapter; or

8 (B) any other law requiring the registration of motor vehicles
9 or regulating motor vehicle operation on highways.

10 (3) Three (3) charges of criminal recklessness involving the use
11 of a motor vehicle within the preceding twelve (12) months.

12 (4) Failure to stop and give information or assistance or failure to
13 stop and disclose the individual's identity at the scene of an
14 accident that has resulted in death, personal injury, or property
15 damage in excess of two hundred dollars (\$200).

16 However, if property damage under subdivision (4) is equal to or less
17 than two hundred dollars (\$200), the bureau may determine whether
18 the driver's license, **driving privilege card**, or driving privileges and
19 certificates of registration and proof of registration shall be suspended
20 or revoked.

21 (c) An individual whose driving privileges are suspended under this
22 chapter is eligible for specialized driving privileges under IC 9-30-16.

23 (d) A suspension or revocation remains in effect and a new or
24 renewal license **or driving privilege card** may not be issued to the
25 individual and a motor vehicle may not be registered in the name of the
26 individual as follows:

27 (1) Except as provided in subdivision (2), for six (6) months after
28 the date of conviction or on the date on which the individual is
29 otherwise eligible for a license **or driving privilege card**,
30 whichever is later.

31 (2) Upon conviction of an offense described in subsection (a)(1),
32 (a)(4), (b)(1), or (b)(4), when the accident has resulted in death,
33 for a fixed period of at least two (2) years and not more than five
34 (5) years, to be fixed by the bureau based upon recommendation
35 of the court entering a conviction. A new or reinstated driver's
36 license, **driving privilege card**, or driving privileges may not be
37 issued to the individual unless that individual, within the three (3)
38 years following the expiration of the suspension or revocation,
39 gives and maintains in force at all times during the effective
40 period of a new or reinstated license **or driving privilege card**
41 proof of financial responsibility in the future in the manner
42 specified in this chapter. However, the liability of the insurance



1 carrier under a motor vehicle liability policy that is furnished for
2 proof of financial responsibility in the future as set out in this
3 chapter becomes absolute whenever loss or damage covered by
4 the policy occurs, and the satisfaction by the insured of a final
5 judgment for loss or damage is not a condition precedent to the
6 right or obligation of the carrier to make payment on account of
7 loss or damage, but the insurance carrier has the right to settle a
8 claim covered by the policy. If the settlement is made in good
9 faith, the amount must be deducted from the limits of liability
10 specified in the policy. A policy may not be canceled or annulled
11 with respect to a loss or damage by an agreement between the
12 carrier and the insured after the insured has become responsible
13 for the loss or damage, and a cancellation or annulment is void.
14 The policy may provide that the insured or any other person
15 covered by the policy shall reimburse the insurance carrier for
16 payment made on account of any loss or damage claim or suit
17 involving a breach of the terms, provisions, or conditions of the
18 policy. If the policy provides for limits that exceed the limits
19 specified in this chapter, the insurance carrier may plead against
20 any plaintiff, with respect to the amount of the excess limits of
21 liability, any defenses that the carrier may be entitled to plead
22 against the insured. The policy may further provide for prorating
23 of the insurance with other applicable valid and collectible
24 insurance. An action does not lie against the insurance carrier by
25 or on behalf of any claimant under the policy until a final
26 judgment has been obtained after actual trial by or on behalf of
27 any claimant under the policy.

28 (e) The bureau may take action as required in this section upon
29 receiving satisfactory evidence of a conviction of an individual in
30 another state.

31 (f) A suspension or revocation under this section or IC 9-30-13-0.5
32 stands pending appeal of the conviction to a higher court and may be
33 set aside or modified only upon the receipt by the bureau of the
34 certificate of the court reversing or modifying the judgment that the
35 cause has been reversed or modified. However, if the suspension or
36 revocation follows a conviction in a court of no record in Indiana, the
37 suspension or revocation is stayed pending appeal of the conviction to
38 a court of record.

39 (g) A person aggrieved by an order or act of the bureau under this
40 section or IC 9-30-13-0.5 may file a petition for a court review.

41 (h) An entry in the driving record of a defendant stating that notice
42 of suspension or revocation was mailed by the bureau to the defendant



1 constitutes prima facie evidence that the notice was mailed to the
2 defendant's address as shown in the records of the bureau.

3 SECTION 45. IC 9-30-5-18, AS ADDED BY P.L.125-2012,
4 SECTION 342, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2023]: Sec. 18. (a) If:

6 (1) a criminal proceeding for driving while intoxicated under
7 IC 9-30-5 is deferred under IC 12-23-5-1 through IC 12-23-5-9;

8 or

9 (2) a child alleged to be a delinquent child based upon the child's
10 violation of IC 9-30-5 voluntarily attends or is ordered by the
11 court under IC 31-37 to attend an alcohol and drug services
12 program;

13 the court, within ten (10) days after the defendant or child begins the
14 program, shall forward to the bureau a certified abstract of program
15 enrollment.

16 (b) The abstract must state the following:

17 (1) The defendant's or child's name, address, date of birth, and
18 driver's license **or driving privilege card** number.

19 (2) The name and location of the alcohol and drug services
20 program that the defendant or child is attending.

21 SECTION 46. IC 9-30-6-4.3, AS AMENDED BY P.L.13-2013,
22 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2023]: Sec. 4.3. (a) This section applies only to a person
24 whose motor vehicle has been seized under IC 34-24-1-1(a)(15).

25 (b) If the bureau receives an order from a court recommending that
26 the bureau not register a motor vehicle in the name of a person whose
27 motor vehicle has been seized under IC 34-24-1-1(a)(15), the bureau
28 may not register a motor vehicle in the name of the person whose motor
29 vehicle has been seized until the person proves that the person
30 possesses a driver's license **or driving privilege card** with valid
31 driving privileges.

32 SECTION 47. IC 9-30-8-1, AS AMENDED BY P.L.188-2015,
33 SECTION 112, IS AMENDED TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2023]: Sec. 1. If a court orders the installation
35 of a certified ignition interlock device on a motor vehicle that a person
36 whose license **or driving privilege card** is restricted owns or expects
37 to operate, the court shall set the time that the installation must remain
38 in effect. However, the term may not exceed the maximum term of
39 imprisonment the court could have imposed. The person shall pay the
40 cost of installation unless the sentencing court determines that the
41 person is indigent.

42 SECTION 48. IC 9-30-8-5 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. If a court orders a
 2 person under IC 9-30-5-16 to operate only a vehicle that is equipped
 3 with an ignition interlock device, the bureau shall include that
 4 condition when issuing a license **or driving privilege card**.

5 SECTION 49. IC 9-30-9-5 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) If the court enters
 7 an order conditionally deferring charges under section 3 of this chapter,
 8 the court may do the following:

9 (1) Suspend the person's driving privileges for at least two (2)
 10 years but not more than four (4) years.

11 (2) Impose other appropriate conditions, including the payment of
 12 fees imposed under section 8 of this chapter.

13 (b) Notwithstanding IC 9-30-6-9, the defendant may be granted
 14 probationary driving privileges only after the defendant's license **or**
 15 **driving privilege card** has been suspended for at least one (1) year.

16 (c) The court may, as an alternative to a license **or driving privilege**
 17 **card** suspension under subsection (a)(1), issue an order prohibiting the
 18 defendant from operating a motor vehicle unless the motor vehicle is
 19 equipped with a functioning certified ignition interlock device under
 20 IC 9-30-8. An order requiring an ignition interlock device must remain
 21 in effect for at least two (2) years but not more than four (4) years.

22 SECTION 50. IC 9-30-9-7 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. (a) If the court refers
 24 a defendant to the program under section 6 of this chapter, the court
 25 may do the following:

26 (1) Suspend the defendant's driving privileges for at least ninety
 27 (90) days but not more than four (4) years.

28 (2) Impose other appropriate conditions.

29 (b) The defendant may be granted probationary driving privileges
 30 only after the defendant's license **or driving privilege card** has been
 31 suspended for at least thirty (30) days under IC 9-30-6-9.

32 (c) The court may, as an alternative to a license **or driving privilege**
 33 **card** suspension under subsection (a)(1), issue an order prohibiting the
 34 defendant from operating a motor vehicle unless the motor vehicle is
 35 equipped with a functioning certified ignition interlock device under
 36 IC 9-30-8. An order requiring an ignition interlock device must remain
 37 in effect for at least two (2) years but not more than four (4) years.

38 SECTION 51. IC 9-30-13-0.5, AS AMENDED BY P.L.198-2016,
 39 SECTION 604, IS AMENDED TO READ AS FOLLOWS
 40 [EFFECTIVE JULY 1, 2023]: Sec. 0.5. (a) A court shall forward to the
 41 bureau a certified abstract of the record of the conviction of a person
 42 in the court for a violation of a law relating to motor vehicles.



1 (b) If in the opinion of the court a defendant should be deprived of
 2 the privilege to operate a motor vehicle upon a public highway, the
 3 court may recommend the suspension of the convicted person's driving
 4 privileges for a period that does not exceed the maximum period of
 5 incarceration for the offense of which the person was convicted.

6 (c) The bureau shall comply with the court's recommendation.

7 (d) At the time of a conviction referred to in subsection (a) or under
 8 IC 9-30-5-7, the court may obtain and destroy the defendant's current
 9 driver's license **or driving privilege card**.

10 (e) An abstract required by this section must be in the form
 11 prescribed by the bureau and, when certified, shall be accepted by an
 12 administrative agency or a court as prima facie evidence of the
 13 conviction and all other action stated in the abstract.

14 SECTION 52. IC 9-30-13-8, AS AMENDED BY P.L.217-2014,
 15 SECTION 152, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2023]: Sec. 8. (a) Upon receiving an order
 17 issued by a court under IC 35-43-4-8(b) concerning a person convicted
 18 of fuel theft, the bureau shall do the following:

19 (1) Suspend under subsection (b) the driving privileges of the
 20 person who is the subject of the order, whether or not the person's
 21 current driver's license **or driving privilege card** accompanies
 22 the order.

23 (2) Mail to the last known address of the person who is the subject
 24 of the order a notice:

25 (A) stating that the person's driving privileges are being
 26 suspended for fuel theft;

27 (B) setting forth the date on which the suspension takes effect
 28 and the date on which the suspension terminates; and

29 (C) stating that the person may be granted specialized driving
 30 privileges under IC 9-30-16 if the person meets the conditions
 31 for obtaining specialized driving privileges.

32 (b) The suspension of the driving privileges of a person who is the
 33 subject of an order issued under IC 35-43-4-8(b):

34 (1) begins five (5) business days after the date on which the
 35 bureau mails the notice to the person under subsection (a)(2); and

36 (2) terminates thirty (30) days after the suspension begins.

37 (c) A person who operates a motor vehicle during a suspension of
 38 the person's driving privileges under this section commits a Class A
 39 infraction unless the person's operation of the motor vehicle is
 40 authorized by specialized driving privileges granted to the person under
 41 IC 9-30-16.

42 (d) The bureau shall, upon receiving a record of conviction of a



1 person upon a charge of driving a motor vehicle while the driving
 2 privileges, permit, ~~or~~ license, **or driving privilege card** of the person
 3 is suspended, fix the period of suspension in accordance with the order
 4 of the court.

5 SECTION 53. IC 9-30-13-9, AS ADDED BY P.L.41-2016,
 6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2023]: Sec. 9. (a) Upon receiving an order issued by a court
 8 under IC 9-21-5-11(f) concerning a person who has committed the
 9 infraction of violating a worksite speed limit for the second time within
 10 one (1) year, the bureau shall do the following:

11 (1) Suspend under subsection (b) the driving privileges of the
 12 person who is the subject of the order, whether or not the person's
 13 current driver's license **or driving privilege card** accompanies
 14 the order.

15 (2) Mail to the last known address of the person who is the subject
 16 of the order a notice:

17 (A) stating that the person's driving privileges are being
 18 suspended for a second or subsequent offense of exceeding a
 19 worksite speed limit within one (1) year;

20 (B) setting forth the date on which the suspension takes effect
 21 and the date on which the suspension terminates; and

22 (C) stating that the person may be granted specialized driving
 23 privileges under IC 9-30-16 if the person meets the conditions
 24 for obtaining specialized driving privileges.

25 (b) The suspension of the driving privileges of a person who is the
 26 subject of an order issued under IC 9-21-5-11(f):

27 (1) begins five (5) business days after the date on which the
 28 bureau mails the notice to the person under subsection (a)(2); and

29 (2) terminates sixty (60) days after the suspension begins.

30 (c) A person who operates a motor vehicle during a suspension of
 31 the person's driving privileges under this section commits a Class A
 32 infraction unless the person's operation of the motor vehicle is
 33 authorized by specialized driving privileges granted to the person under
 34 IC 9-30-16.

35 (d) The bureau shall, upon receiving a record of conviction of a
 36 person upon a charge of driving a motor vehicle while the driving
 37 privileges, permit, ~~or~~ license, **or driving privilege card** of the person
 38 is suspended, fix the period of suspension in accordance with the order
 39 of the court.

40 SECTION 54. IC 9-30-16-1, AS AMENDED BY P.L.111-2021,
 41 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2023]: Sec. 1. (a) Except as provided in subsection (b), the



1 following are ineligible for specialized driving privileges under this
2 chapter:

- 3 (1) A person who has never been an Indiana resident.
4 (2) A person seeking specialized driving privileges with respect
5 to a suspension based on the person's refusal to submit to a
6 chemical test offered under IC 9-30-6 or IC 9-30-7. However, a
7 court may grant this person driving privileges under
8 IC 9-30-6-8(d).
9 (3) A person whose driving privileges have been suspended or
10 revoked under IC 9-24-10-7(b)(2)(A).
11 (4) A person whose driving privileges have been suspended under
12 IC 9-21-8-52(e) or IC 9-21-12-1(b).

13 (b) This chapter applies to the following:

- 14 (1) A person who held a driver's license (issued under IC 9-24-3),
15 ~~or~~ a commercial driver's **license**, a public passenger chauffeur's
16 **license**, ~~or~~ a chauffeur's license, **or a driving privilege card** at
17 the time of:

- 18 (A) the criminal conviction for which the operation of a motor
19 vehicle is an element of the offense;
20 (B) any criminal conviction for an offense under IC 9-30-5,
21 IC 35-46-9, or IC 14-15-8 (before its repeal); or
22 (C) committing the infraction of exceeding a worksite speed
23 limit for the second time in one (1) year under IC 9-21-5-11(f).

24 (2) A person: ~~who:~~

25 (A) **who:**

- 26 (i) has never held a valid Indiana driver's license **or driving**
27 **privilege card**; or
28 (ii) does not currently hold a valid Indiana learner's permit
29 **or driving privilege card**; and

30 (B) **who** was an Indiana resident when the driving privileges
31 for which the person is seeking specialized driving privileges
32 were suspended.

33 (c) Except as specifically provided in this chapter, a court may
34 suspend the driving privileges of a person convicted of any of the
35 following offenses for a period up to the maximum allowable period of
36 incarceration under the penalty for the offense:

- 37 (1) Any criminal conviction in which the operation of a motor
38 vehicle is an element of the offense.
39 (2) Any criminal conviction for an offense under IC 9-30-5,
40 IC 35-46-9, or IC 14-15-8 (before its repeal).
41 (3) Any offense under IC 35-42-1, IC 35-42-2, or IC 35-44.1-3-1
42 that involves the use of a vehicle.



1 (d) Except as provided in section 3.5 of this chapter, a suspension
 2 of driving privileges under this chapter may begin before the
 3 conviction. Multiple suspensions of driving privileges ordered by a
 4 court that are part of the same episode of criminal conduct shall be
 5 served concurrently. A court may grant credit time for any suspension
 6 that began before the conviction, except as prohibited by section
 7 6(a)(2) of this chapter.

8 (e) If a person has had an ignition interlock device installed as a
 9 condition of specialized driving privileges or under IC 9-30-6-8(d), the
 10 period of the installation shall be credited as part of the suspension of
 11 driving privileges.

12 (f) This subsection applies to a person described in subsection
 13 (b)(2). A court shall, as a condition of granting specialized driving
 14 privileges to the person, require the person to apply for and obtain an
 15 Indiana driver's license **or driving privilege card**.

16 (g) If a person indicates to the court at an initial hearing (as
 17 described in IC 35-33-7) that the person intends to file a petition for a
 18 specialized driving privileges hearing with that court under section 3
 19 or 4 of this chapter, the following apply:

20 (1) The court shall:

21 (A) stay the suspension of the person's driving privileges at the
 22 initial hearing and shall not submit the probable cause
 23 affidavit related to the person's offense to the bureau; and

24 (B) set the matter for a specialized driving privileges hearing
 25 not later than thirty (30) days after the initial hearing.

26 (2) If the person does not file a petition for a specialized driving
 27 privileges hearing not later than ten (10) days after the date of the
 28 initial hearing, the court shall lift the stay of the suspension of the
 29 person's driving privileges and shall submit the probable cause
 30 affidavit related to the person's offense to the bureau for
 31 automatic suspension.

32 (3) If the person files a petition for a specialized driving privileges
 33 hearing not later than ten (10) days after the initial hearing, the
 34 stay of the suspension of the person's driving privileges continues
 35 until the matter is heard and a determination is made by the court
 36 at the specialized driving privileges hearing.

37 (4) If the specialized driving privileges hearing is continued due
 38 to:

39 (A) a congestion of the court calendar;

40 (B) the prosecuting attorney's motion for a continuance; or

41 (C) the person's motion for a continuance with no objection by
 42 the prosecuting attorney;



1 the stay of the suspension of the person's driving privileges
2 continues until addressed at the next hearing.

3 (5) If the person moves for a continuance of the specialized
4 driving privileges hearing and the court grants the continuance
5 over the prosecuting attorney's objection, the court shall lift the
6 stay of the suspension of the person's driving privileges and shall
7 submit the probable cause affidavit related to the person's offense
8 to the bureau for automatic suspension.

9 SECTION 55. IC 9-30-16-3, AS AMENDED BY P.L.29-2020,
10 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2023]: Sec. 3. (a) This section does not apply to specialized
12 driving privileges granted in accordance with section 3.5 of this
13 chapter. If a court orders a suspension of driving privileges under this
14 chapter, or imposes a suspension of driving privileges under
15 IC 9-30-6-9(c), the court may stay the suspension and grant a
16 specialized driving privilege as set forth in this section.

17 (b) An individual who seeks specialized driving privileges must file
18 a petition for specialized driving privileges in each court that has
19 ordered or imposed a suspension of the individual's driving privileges.
20 Each petition must:

- 21 (1) be verified by the petitioner;
- 22 (2) state the petitioner's age, date of birth, and address;
- 23 (3) state the grounds for relief and the relief sought;
- 24 (4) be filed in the court case that resulted in the order of
25 suspension; and
- 26 (5) be served on the bureau and the prosecuting attorney.

27 A prosecuting attorney shall appear on behalf of the bureau to respond
28 to a petition filed under this subsection.

29 (c) Except as provided in subsection (h), regardless of the
30 underlying offense, specialized driving privileges granted under this
31 section shall be granted for a period of time as determined by the court.
32 A court, at its discretion, may set periodic review hearings to review an
33 individual's specialized driving privileges.

34 (d) The terms of specialized driving privileges must be determined
35 by a court.

36 (e) A stay of a suspension and specialized driving privileges may
37 not be granted to an individual who:

- 38 (1) has previously been granted specialized driving privileges;
39 and
- 40 (2) has more than one (1) conviction under section 5 of this
41 chapter.

42 (f) An individual who has been granted specialized driving



- 1 privileges shall:
- 2 (1) maintain proof of future financial responsibility insurance
- 3 during the period of specialized driving privileges;
- 4 (2) carry a copy of the order granting specialized driving
- 5 privileges or have the order in the vehicle being operated by the
- 6 individual;
- 7 (3) produce the copy of the order granting specialized driving
- 8 privileges upon the request of a police officer; and
- 9 (4) carry a validly issued state identification card, ~~or~~ driver's
- 10 license, **or driving privilege card.**
- 11 (g) An individual who holds a commercial driver's license and has
- 12 been granted specialized driving privileges under this chapter may not,
- 13 for the duration of the suspension for which the specialized driving
- 14 privileges are sought, operate any vehicle that requires the individual
- 15 to hold a commercial driver's license to operate the vehicle.
- 16 (h) Whenever a suspension of an individual's driving privileges
- 17 under this chapter is terminated because:
- 18 (1) the underlying conviction, judgment, or finding that forms the
- 19 basis of the suspension is reversed, vacated, or dismissed; or
- 20 (2) the individual is acquitted of, found not liable for, or otherwise
- 21 found not to have committed the underlying act or offense that
- 22 forms the basis of the suspension;
- 23 the individual's specialized driving privileges expire at the time the
- 24 suspension of the individual's driving privileges is terminated.
- 25 (i) The court shall inform the bureau of a termination of a
- 26 suspension and expiration of specialized driving privileges as described
- 27 under subsection (h) in a format designated by the bureau.
- 28 SECTION 56. IC 9-30-16-3.5, AS AMENDED BY P.L.29-2020,
- 29 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2023]: Sec. 3.5. (a) If a court imposes a suspension of driving
- 31 privileges under IC 9-21-5-11(f), the court may stay the suspension and
- 32 grant a specialized driving privilege as set forth in this section.
- 33 (b) Except as provided in subsection (g), specialized driving
- 34 privileges granted under this section shall be granted for a period of
- 35 time as determined by the court. A court, at its discretion, may set
- 36 periodic review hearings to review an individual's specialized driving
- 37 privileges.
- 38 (c) Specialized driving privileges granted under this section:
- 39 (1) must be determined by a court; and
- 40 (2) are limited to restricting the individual to being allowed to
- 41 operate a motor vehicle between the place of employment of the
- 42 individual and the individual's residence.



1 (d) An individual who has been granted specialized driving
2 privileges under this section shall:

3 (1) maintain proof of future financial responsibility insurance
4 during the period of specialized driving privileges;

5 (2) carry a copy of the order granting specialized driving
6 privileges or have the order in the vehicle being operated by the
7 individual;

8 (3) produce the copy of the order granting specialized driving
9 privileges upon the request of a police officer; and

10 (4) carry a validly issued driver's license **or driving privilege**
11 **card.**

12 (e) An individual who holds a commercial driver's license and has
13 been granted specialized driving privileges under this chapter may not,
14 for the duration of the suspension for which the specialized driving
15 privileges are sought, operate a motor vehicle that requires the
16 individual to hold a commercial driver's license to operate the motor
17 vehicle.

18 (f) An individual who seeks specialized driving privileges must file
19 a petition for specialized driving privileges in each court that has
20 ordered or imposed a suspension of the individual's driving privileges.

21 Each petition must:

22 (1) be verified by the petitioner;

23 (2) state the petitioner's age, date of birth, and address;

24 (3) state the grounds for relief and the relief sought;

25 (4) be filed in the court that ordered or imposed the suspension;
26 and

27 (5) be served on the bureau and the prosecuting attorney.

28 A prosecuting attorney shall appear on behalf of the bureau to respond
29 to a petition filed under this subsection.

30 (g) Whenever a suspension of an individual's driving privileges
31 under this chapter is terminated because:

32 (1) the underlying conviction, judgment, or finding that forms the
33 basis of the suspension is reversed, vacated, or dismissed; or

34 (2) the individual is acquitted of, found not liable for, or otherwise
35 found not to have committed the underlying act or offense that
36 forms the basis of the suspension;

37 the individual's specialized driving privileges expire at the time the
38 suspension of the individual's driving privileges is terminated.

39 (h) The court shall inform the bureau of a termination of a
40 suspension of driving privileges and expiration of specialized driving
41 privileges as described under subsection (g) in a format designated by
42 the bureau.



1 SECTION 57. IC 9-30-16-5, AS AMENDED BY P.L.10-2019,
2 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]: Sec. 5. (a) A person who knowingly or intentionally
4 violates a condition imposed by a court under section 3, 3.5, or 4 of this
5 chapter, or imposed under IC 9-30-10-14.2, commits a Class C
6 misdemeanor. The prosecuting attorney may notify the court that issued
7 the specialized driving privileges order of the alleged violation. If the
8 specialized driving privileges order is from a different county, the
9 prosecuting attorney may also notify the prosecuting attorney in that
10 county of the violation.

11 (b) For a person convicted of an offense under subsection (a), the
12 court that issued the specialized driving privileges order that was
13 violated may modify or revoke specialized driving privileges. The court
14 that issued the specialized driving privileges order that was violated
15 may order the bureau to lift the stay of a suspension of driving
16 privileges and suspend the person's ~~driving~~ **driver's license or driving**
17 **privilege card** as originally ordered in addition to any additional
18 suspension.

19 SECTION 58. IC 9-30-16-6, AS AMENDED BY P.L.110-2020,
20 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2023]: Sec. 6. (a) A person whose driving privileges are
22 suspended under section 1(c) of this chapter:

- 23 (1) is entitled to credit for any days during which the license **or**
24 **driving privilege card** was suspended under IC 9-30-6-9(c); and
25 (2) may not receive any credit for days during which the person's
26 driving privileges were suspended under IC 9-30-6-9(b).

27 (b) A period of suspension of driving privileges imposed under
28 section 1(c) of this chapter must be consecutive to any period of
29 suspension imposed under IC 9-30-6-9(b). However, if the state and
30 defendant agree pursuant to a term in an accepted plea agreement, or
31 if the court finds at sentencing that it is in the best interest of society,
32 the court shall terminate all or any part of the remaining suspension
33 under IC 9-30-6-9(b) and shall enter this finding in its sentencing
34 order.

35 (c) The bureau shall designate a period of suspension of driving
36 privileges imposed under section 1(c) of this chapter as consecutive to
37 any period of suspension imposed under IC 9-30-6-9(b) unless the
38 sentencing order of the court under subsection (b) terminates all or part
39 of the remaining suspension under IC 9-30-6-9(b).

40 SECTION 59. IC 9-30-16-6.5, AS ADDED BY P.L.110-2020,
41 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2023]: Sec. 6.5. A court and the bureau, if applicable, shall



1 terminate all or any part of the remaining suspension of a person's
 2 license **or driving privilege card** suspension under section 1(c) of this
 3 chapter or under IC 9-30-6-9 if:

- 4 (1) the charges against the person are dismissed;
 5 (2) the person is acquitted; or
 6 (3) the person's conviction is vacated or reversed on appeal.

7 SECTION 60. IC 9-30-16-7, AS ADDED BY P.L.198-2016,
 8 SECTION 611, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2023]: Sec. 7. If the bureau issues a driver's
 10 license **or driving privilege card** to an individual who has been issued
 11 specialized driving privileges, the individual shall pay a specialized
 12 driving privileges charge of ten dollars (\$10). The charge is in addition
 13 to any applicable fees under IC 9-24 and shall be deposited in the
 14 commission fund.

15 SECTION 61. IC 9-33-4-2, AS AMENDED BY P.L.86-2021,
 16 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2023]: Sec. 2. This chapter applies to the following:

- 18 (1) An unpaid judgment for an infraction described in this title
 19 that relates to the operation of a motor vehicle, if the infraction
 20 was committed before January 1, 2020.
 21 (2) A driving privileges reinstatement fee (as described in
 22 IC 9-25-6-15), which a person with a suspended driver's license
 23 **or driving privilege card** is or would be required to pay to
 24 reinstate the person's driver's license **or driving privilege card** if
 25 the person's driver's license was suspended before January 1,
 26 2020.
 27 (3) Any court costs, administrative fees, late fees, or other fees
 28 imposed on a person in connection with an unpaid judgment or
 29 fee described in subdivision (1) or (2).

30 SECTION 62. IC 20-33-2-11, AS AMENDED BY P.L.111-2021,
 31 SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2023]: Sec. 11. (a) Notwithstanding IC 9-24 concerning the
 33 minimum requirements for qualifying for the issuance of a driver's
 34 license, ~~or~~ a learner's permit, **or a driving privilege card**, and subject
 35 to subsections (c) through (e), an individual who is:

- 36 (1) at least fifteen (15) years of age and less than eighteen (18)
 37 years of age;
 38 (2) a habitual truant under the definition of habitual truant
 39 established under subsection (b); and
 40 (3) identified in the information submitted to the bureau of motor
 41 vehicles under subsection (f);

42 may not be issued a driver's license, ~~or~~ a learner's permit, **or a driving**



1 **privilege card** to drive a motor vehicle under IC 9-24 until the
2 individual is at least eighteen (18) years of age.

3 (b) Each governing body may establish and include as part of the
4 written copy of its discipline rules described in IC 20-33-8-12:

- 5 (1) a definition of a child who is designated as a habitual truant,
6 which must, at a minimum, define the term as a student who is
7 chronically absent, by having unexcused absences from school for
8 more than ten (10) days of school in one (1) school year; and
9 (2) all other pertinent matters related to this action.

10 (c) An individual described in subsection (a) is entitled to the
11 procedure described in IC 20-33-8-19.

12 (d) An individual described in subsection (a) who is at least thirteen
13 (13) years of age and less than eighteen (18) years of age is entitled to
14 a periodic review of the individual's attendance record in school to
15 determine whether the prohibition described in subsection (a) shall
16 continue. The periodic reviews may not be conducted less than one (1)
17 time each school year.

18 (e) Upon review, the governing body may determine that the
19 individual's attendance record has improved to the degree that the
20 individual may become eligible to be issued a driver's license, ~~or~~ a
21 learner's permit, **or a driving privilege card.**

22 (f) The governing body of the school corporation may submit to the
23 bureau of motor vehicles the pertinent information concerning an
24 individual's ineligibility under subsection (a) to be issued a driver's
25 license, ~~or~~ a learner's permit, **or a driving privilege card.**

26 (g) The department shall develop guidelines concerning criteria
27 used in defining a habitual truant that may be considered by a
28 governing body in complying with subsection (b).

29 SECTION 63. IC 20-33-2-28.5, AS AMENDED BY P.L.147-2020,
30 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2023]: Sec. 28.5. (a) This section applies to an individual:

32 (1) who:

- 33 (A) attends or last attended a public school;
34 (B) is at least sixteen (16) years of age but less than eighteen
35 (18) years of age; and
36 (C) has not completed the requirements for graduation;

37 (2) who:

- 38 (A) wishes to withdraw from school before graduation;
39 (B) fails to return at the beginning of a semester; or
40 (C) stops attending school during a semester; and

41 (3) who has no record of transfer to another school.

42 (b) An individual to whom this section applies may withdraw from



1 school only if all of the following conditions are met:

- 2 (1) An exit interview is conducted.
 3 (2) The individual's parent consents to the withdrawal.
 4 (3) The school principal approves of the withdrawal.
 5 (4) The withdrawal is due to:
 6 (A) financial hardship and the individual must be employed to
 7 support the individual's family or a dependent;
 8 (B) illness; or
 9 (C) an order by a court that has jurisdiction over the child.

10 During the exit interview, the school principal shall provide to the
 11 student and the student's parent a copy of statistics compiled by the
 12 department concerning the likely consequences of life without a high
 13 school diploma. The school principal shall advise the student and the
 14 student's parent that the student's withdrawal from school may prevent
 15 the student from receiving or result in the revocation of the student's
 16 employment certificate and driver's license, ~~or~~ learner's permit, **or**
 17 **driving privilege card.**

18 (c) For purposes of this section, the following must be in written
 19 form:

- 20 (1) An individual's request to withdraw from school.
 21 (2) A parent's consent to a withdrawal.
 22 (3) A principal's consent to a withdrawal.

23 (d) If the individual's principal does not consent to the individual's
 24 withdrawal under this section, the individual's parent may appeal the
 25 denial of consent to the governing body of the public school that the
 26 individual last attended.

27 (e) Each public school, including each school corporation and each
 28 charter school (as defined in IC 20-24-1-4), shall provide an annual
 29 report to the department setting forth the following information:

- 30 (1) The total number of individuals:
 31 (A) who withdrew from school under this section; and
 32 (B) who either:
 33 (i) failed to return to school at the beginning of a semester;
 34 or
 35 (ii) stopped attending school during a semester;
 36 and for whom there is no record of transfer to another school.

37 (2) The number of individuals who withdrew from school
 38 following an exit interview.

39 (f) If an individual to which this section applies:

- 40 (1) has not received consent to withdraw from school under this
 41 section; and
 42 (2) fails to return to school at the beginning of a semester or



1 during the semester;
 2 the principal of the school that the individual last attended may deliver
 3 by certified mail or personal delivery to the bureau of youth
 4 employment a record of the individual's failure to return to school so
 5 that the bureau of youth employment revokes any employment
 6 certificates issued under IC 22-2-18 (before its expiration on June 30,
 7 2021) to the individual and does not issue any additional employment
 8 certificates to the individual. For purposes of IC 22-2-18-20 (before its
 9 expiration on June 30, 2021), the individual shall be considered a
 10 dropout.

11 (g) At the same time that a school principal delivers the record
 12 under subsection (f), the principal may deliver by certified mail or
 13 personal delivery to the bureau of motor vehicles a record of the
 14 individual's failure to return to school so that the bureau of motor
 15 vehicles revokes any driver's license, ~~or~~ learner's permit, **or driving**
 16 **privilege card** issued to the individual and does not issue any
 17 additional driver's licenses, ~~or~~ learner's permits, **or driving privilege**
 18 **cards** to the individual before the individual is at least eighteen (18)
 19 years of age. For purposes of IC 9-24-2-1, the individual shall be
 20 considered a dropout.

21 (h) If:
 22 (1) a principal has delivered the record required under subsection
 23 (f) or (g), or both; and
 24 (2) the school subsequently gives consent to the individual to
 25 withdraw from school under this section;
 26 the principal of the school shall send a notice of withdrawal to the
 27 bureau of youth employment and the bureau of motor vehicles by
 28 certified mail or personal delivery and, for purposes of IC 22-2-18-20
 29 (before its expiration on June 30, 2021) and IC 9-24-2-1, the individual
 30 shall no longer be considered a dropout.

31 SECTION 64. IC 20-33-8-33, AS AMENDED BY P.L.233-2015,
 32 SECTION 264, IS AMENDED TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2023]: Sec. 33. Before February 1 and before
 34 October 1 of each year, except when a hearing has been requested to
 35 determine financial hardship under IC 9-24-2-1(a)(4), a principal may
 36 submit to the bureau of motor vehicles the pertinent information
 37 concerning an individual's ineligibility under IC 9-24-2-1 to be issued
 38 a driver's license, ~~or~~ learner's permit, **or driving privilege card** or
 39 concerning the suspension of driving privileges under IC 9-24-2-4.

40 SECTION 65. IC 31-37-19-13, AS AMENDED BY P.L.111-2021,
 41 SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2023]: Sec. 13. (a) This section applies if a child is a



1 delinquent child under IC 31-37-1 due to the commission of a
2 delinquent act that, if committed by an adult, would be:

3 (1) dealing in:

4 (A) a controlled substance (as defined in IC 35-48-1-9); or

5 (B) a counterfeit substance (as defined in IC 35-48-1-10);

6 (2) possessing:

7 (A) a controlled substance (as defined in IC 35-48-1-9); or

8 (B) a prescription drug (as defined in IC 35-48-1-25);

9 for which the child does not have a prescription; or

10 (3) conspiring to commit an act described in subdivision (1) or

11 (2).

12 (b) The juvenile court shall, in addition to any other order or decree
13 the court makes under this chapter, order the bureau of motor vehicles
14 to invalidate the child's driver's license or permit for a period specified
15 by the court of at least six (6) months but not more than one (1) year
16 from the time the child would otherwise be eligible for a learner's
17 permit **or driving privilege card**.

18 SECTION 66. IC 31-37-19-14, AS AMENDED BY P.L.111-2021,
19 SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2023]: Sec. 14. (a) This section applies if:

21 (1) a child has been previously determined to be a delinquent
22 child under IC 31-37-1 (or IC 31-6-4-1(b)(1) before its repeal)
23 due to the commission of a delinquent act described in section
24 13(a)(1), 13(a)(2), or 13(a)(3) of this chapter (or
25 IC 31-6-4-15.9(d)(1), IC 31-6-4-15.9(d)(2), or
26 IC 31-6-4-15.9(d)(3) before its repeal); or

27 (2) the delinquent act described in section 13(a)(1), 13(a)(2), or
28 13(a)(3) of this chapter (or IC 31-6-4-15.9(d)(1),
29 IC 31-6-4-15.9(d)(2), or IC 31-6-4-15.9(d)(3) before its repeal)
30 was committed:

31 (A) on school property;

32 (B) within one thousand (1,000) feet of school property; or

33 (C) on a school bus.

34 (b) The juvenile court shall, in addition to any other order or decree
35 the court makes under this chapter, order the bureau of motor vehicles
36 to invalidate the child's driver's license **or driving privilege card** for
37 a period specified by the court of at least six (6) months but not more
38 than two (2) years from the time the child would otherwise be eligible
39 for a learner's permit **or driving privilege card**.

40 SECTION 67. IC 31-37-19-15 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 15. (a) This section
42 applies if a child is a delinquent child under IC 31-37-1 due to the



1 commission of a delinquent act that, if committed by an adult, would
2 be:

3 (1) dealing in:

4 (A) a controlled substance (as defined in IC 35-48-1-9); or

5 (B) a counterfeit substance (as defined in IC 35-48-1-10);

6 (2) possessing:

7 (A) a controlled substance (as defined in IC 35-48-1-9); or

8 (B) a prescription drug (as defined in IC 35-48-1-25);

9 for which the child does not have a prescription; or

10 (3) conspiring to commit an act described in subdivision (1) or

11 (2).

12 (b) The juvenile court shall, in addition to any other order or decree
13 the court makes under this chapter, order the bureau of motor vehicles
14 not to issue the child a learner's permit **or driving privilege card** for
15 a period specified by the court of at least six (6) months but not more
16 than one (1) year from the time the child would otherwise be eligible
17 for a learner's permit **or driving privilege card**.

18 SECTION 68. IC 31-37-19-16 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 16. (a) This section
20 applies if:

21 (1) a child has been previously determined to be a delinquent
22 child under IC 31-37-1 (or IC 31-6-4-1(b)(1) before its repeal)
23 due to the commission of a delinquent act described in section
24 15(a)(1), 15(a)(2), or 15(a)(3) of this chapter (or
25 IC 31-6-4-15.9(e)(1), IC 31-6-4-15.9(e)(2), or
26 IC 31-6-4-15.9(e)(3) before its repeal); or

27 (2) the delinquent act described in section 15(a)(1), 15(a)(2), or
28 15(a)(3) of this chapter (or IC 31-6-4-15.9(e)(1),
29 IC 31-6-4-15.9(e)(2), or IC 31-6-4-15.9(e)(3) before its repeal)
30 was committed:

31 (A) on school property;

32 (B) within one thousand (1,000) feet of school property; or

33 (C) on a school bus.

34 (b) The juvenile court shall, in addition to any other order or decree
35 the court makes under this chapter, order the bureau of motor vehicles
36 not to issue the child a learner's permit **or driving privilege card** for
37 a period specified by the court of at least six (6) months but not more
38 than two (2) years from the time the child would otherwise be eligible
39 for a learner's permit **or driving privilege card**.

40 SECTION 69. IC 31-37-19-17, AS AMENDED BY P.L.111-2021,
41 SECTION 100, IS AMENDED TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2023]: Sec. 17. (a) This section applies if a



1 child is a delinquent child under IC 31-37-1 due to the commission of
 2 a delinquent act that, if committed by an adult, would be criminal
 3 mischief or institutional criminal mischief under IC 35-43-1-2 that
 4 involves the use of graffiti.

5 (b) The juvenile court may, in addition to any other order or decree
 6 the court makes under this chapter, order the bureau of motor vehicles
 7 to:

8 (1) suspend the child's driver's license **or driving privilege card;**

9 or

10 (2) invalidate the child's learner's permit **or driving privilege**
 11 **card;**

12 for one (1) year beginning the date of the order.

13 SECTION 70. IC 34-24-1-1, AS AMENDED BY P.L.174-2021,
 14 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2023]: Sec. 1. (a) The following may be seized:

16 (1) All vehicles (as defined by IC 35-31.5-2-346), if they are used
 17 or are intended for use by the person or persons in possession of
 18 them to transport or in any manner to facilitate the transportation
 19 of the following:

20 (A) A controlled substance for the purpose of committing,
 21 attempting to commit, or conspiring to commit any of the
 22 following:

23 (i) Dealing in or manufacturing cocaine or a narcotic drug
 24 (IC 35-48-4-1).

25 (ii) Dealing in methamphetamine (IC 35-48-4-1.1).

26 (iii) Manufacturing methamphetamine (IC 35-48-4-1.2).

27 (iv) Dealing in a schedule I, II, or III controlled substance
 28 (IC 35-48-4-2).

29 (v) Dealing in a schedule IV controlled substance (IC
 30 35-48-4-3).

31 (vi) Dealing in a schedule V controlled substance (IC
 32 35-48-4-4).

33 (vii) Dealing in a counterfeit substance (IC 35-48-4-5).

34 (viii) Possession of cocaine or a narcotic drug (IC
 35 35-48-4-6).

36 (ix) Possession of methamphetamine (IC 35-48-4-6.1).

37 (x) Dealing in paraphernalia (IC 35-48-4-8.5).

38 (xi) Dealing in marijuana, hash oil, hashish, or salvia (IC
 39 35-48-4-10).

40 (xii) An offense under IC 35-48-4 involving a synthetic drug
 41 (as defined in IC 35-31.5-2-321), a synthetic drug lookalike
 42 substance (as defined in IC 35-31.5-2-321.5 (before its



- 1 repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its
 2 repeal on July 1, 2019), a controlled substance analog (as
 3 defined in IC 35-48-1-9.3), or a substance represented to be
 4 a controlled substance (as described in IC 35-48-4-4.6).
- 5 (B) Any stolen (IC 35-43-4-2) or converted property (IC
 6 35-43-4-3) if the retail or repurchase value of that property is
 7 one hundred dollars (\$100) or more.
- 8 (C) Any hazardous waste in violation of IC 13-30-10-1.5.
- 9 (D) A bomb (as defined in IC 35-31.5-2-31) or weapon of
 10 mass destruction (as defined in IC 35-31.5-2-354) used to
 11 commit, used in an attempt to commit, or used in a conspiracy
 12 to commit a felony terrorist offense (as defined in
 13 IC 35-50-2-18) or an offense under IC 35-47 as part of or in
 14 furtherance of an act of terrorism (as defined by
 15 IC 35-31.5-2-329).
- 16 (2) All money, negotiable instruments, securities, weapons,
 17 communications devices, or any property used to commit, used in
 18 an attempt to commit, or used in a conspiracy to commit a felony
 19 terrorist offense (as defined in IC 35-50-2-18) or an offense under
 20 IC 35-47 as part of or in furtherance of an act of terrorism or
 21 commonly used as consideration for a violation of IC 35-48-4
 22 (other than items subject to forfeiture under IC 16-42-20-5 or
 23 IC 16-6-8.5-5.1, before its repeal):
- 24 (A) furnished or intended to be furnished by any person in
 25 exchange for an act that is in violation of a criminal statute;
- 26 (B) used to facilitate any violation of a criminal statute; or
- 27 (C) traceable as proceeds of the violation of a criminal statute.
- 28 (3) Any portion of real or personal property purchased with
 29 money that is traceable as a proceed of a violation of a criminal
 30 statute.
- 31 (4) A vehicle that is used by a person to:
- 32 (A) commit, attempt to commit, or conspire to commit;
- 33 (B) facilitate the commission of; or
- 34 (C) escape from the commission of;
- 35 murder (IC 35-42-1-1), dealing in a controlled substance resulting
 36 in death (IC 35-42-1-1.5), kidnapping (IC 35-42-3-2), criminal
 37 confinement (IC 35-42-3-3), rape (IC 35-42-4-1), child molesting
 38 (IC 35-42-4-3), or child exploitation (IC 35-42-4-4), or an offense
 39 under IC 35-47 as part of or in furtherance of an act of terrorism.
- 40 (5) Real property owned by a person who uses it to commit any of
 41 the following as a Level 1, Level 2, Level 3, Level 4, or Level 5
 42 felony:



- 1 (A) Dealing in or manufacturing cocaine or a narcotic drug (IC
2 35-48-4-1).
- 3 (B) Dealing in methamphetamine (IC 35-48-4-1.1).
- 4 (C) Manufacturing methamphetamine (IC 35-48-4-1.2).
- 5 (D) Dealing in a schedule I, II, or III controlled substance (IC
6 35-48-4-2).
- 7 (E) Dealing in a schedule IV controlled substance (IC
8 35-48-4-3).
- 9 (F) Dealing in marijuana, hash oil, hashish, or salvia (IC
10 35-48-4-10).
- 11 (G) Dealing in a synthetic drug (as defined in
12 IC 35-31.5-2-321) or synthetic drug lookalike substance (as
13 defined in IC 35-31.5-2-321.5 (before its repeal on July 1,
14 2019)) under IC 35-48-4-10.5 (before its repeal on July 1,
15 2019).
- 16 (H) Dealing in a controlled substance resulting in death (IC
17 35-42-1-1.5).
- 18 (6) Equipment and recordings used by a person to commit fraud
19 under IC 35-43-5.
- 20 (7) Recordings sold, rented, transported, or possessed by a person
21 in violation of IC 24-4-10.
- 22 (8) Property (as defined by IC 35-31.5-2-253) or an enterprise (as
23 defined by IC 35-45-6-1) that is the object of a corrupt business
24 influence violation (IC 35-45-6-2).
- 25 (9) Unlawful telecommunications devices (as defined in
26 IC 35-45-13-6) and plans, instructions, or publications used to
27 commit an offense under IC 35-45-13.
- 28 (10) Any equipment, including computer equipment and cellular
29 telephones, used for or intended for use in preparing,
30 photographing, recording, videotaping, digitizing, printing,
31 copying, or disseminating matter in violation of IC 35-42-4.
- 32 (11) Destructive devices used, possessed, transported, or sold in
33 violation of IC 35-47.5.
- 34 (12) Tobacco products that are sold in violation of IC 24-3-5,
35 tobacco products that a person attempts to sell in violation of
36 IC 24-3-5, and other personal property owned and used by a
37 person to facilitate a violation of IC 24-3-5.
- 38 (13) Property used by a person to commit counterfeiting or
39 forgery in violation of IC 35-43-5-2.
- 40 (14) After December 31, 2005, if a person is convicted of an
41 offense specified in IC 25-26-14-26(b) or IC 35-43-10, the
42 following real or personal property:



- 1 (A) Property used or intended to be used to commit, facilitate,
 2 or promote the commission of the offense.
- 3 (B) Property constituting, derived from, or traceable to the
 4 gross proceeds that the person obtained directly or indirectly
 5 as a result of the offense.
- 6 (15) Except as provided in subsection (e), a vehicle used by a
 7 person who operates the vehicle:
- 8 (A) while intoxicated, in violation of IC 9-30-5-1 through
 9 IC 9-30-5-5, if in the previous five (5) years the person has two
 10 (2) or more prior unrelated convictions for operating a motor
 11 vehicle while intoxicated in violation of IC 9-30-5-1 through
 12 IC 9-30-5-5; or
- 13 (B) on a highway while the person's driving privileges are
 14 suspended in violation of IC 9-24-19-2 through IC 9-24-19-3,
 15 if in the previous five (5) years the person has two (2) or more
 16 prior unrelated convictions for operating a vehicle while
 17 intoxicated in violation of IC 9-30-5-1 through IC 9-30-5-5.
- 18 If a court orders the seizure of a vehicle under this subdivision,
 19 the court shall transmit an order to the bureau of motor vehicles
 20 recommending that the bureau not permit a vehicle to be
 21 registered in the name of the person whose vehicle was seized
 22 until the person possesses a current **driving driver's** license (as
 23 defined in IC 9-13-2-41) **or driving privilege card (as described**
 24 **in IC 9-13-2-48.1).**
- 25 (16) The following real or personal property:
- 26 (A) Property used or intended to be used to commit, facilitate,
 27 or promote the commission of an offense specified in
 28 IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or
 29 IC 30-2-13-38(f).
- 30 (B) Property constituting, derived from, or traceable to the
 31 gross proceeds that a person obtains directly or indirectly as a
 32 result of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b),
 33 IC 30-2-10-9(b), or IC 30-2-13-38(f).
- 34 (17) Real or personal property, including a vehicle, that is used by
 35 a person to:
- 36 (A) commit, attempt to commit, or conspire to commit;
 37 (B) facilitate the commission of; or
 38 (C) escape from the commission of;
 39 a violation of IC 35-42-3.5-1 through IC 35-42-3.5-1.4 (human
 40 trafficking) or IC 35-45-4-4 (promoting prostitution).
- 41 (b) A vehicle used by any person as a common or contract carrier in
 42 the transaction of business as a common or contract carrier is not



1 subject to seizure under this section, unless it can be proven by a
 2 preponderance of the evidence that the owner of the vehicle knowingly
 3 permitted the vehicle to be used to engage in conduct that subjects it to
 4 seizure under subsection (a).

5 (c) Equipment under subsection (a)(10) may not be seized unless it
 6 can be proven by a preponderance of the evidence that the owner of the
 7 equipment knowingly permitted the equipment to be used to engage in
 8 conduct that subjects it to seizure under subsection (a)(10).

9 (d) Money, negotiable instruments, securities, weapons,
 10 communications devices, or any property commonly used as
 11 consideration for a violation of IC 35-48-4 found near or on a person
 12 who is committing, attempting to commit, or conspiring to commit any
 13 of the following offenses shall be admitted into evidence in an action
 14 under this chapter as prima facie evidence that the money, negotiable
 15 instrument, security, or other thing of value is property that has been
 16 used or was to have been used to facilitate the violation of a criminal
 17 statute or is the proceeds of the violation of a criminal statute:

18 (1) IC 35-42-1-1.5 (dealing in a controlled substance resulting in
 19 death).

20 (2) IC 35-48-4-1 (dealing in or manufacturing cocaine or a
 21 narcotic drug).

22 (3) IC 35-48-4-1.1 (dealing in methamphetamine).

23 (4) IC 35-48-4-1.2 (manufacturing methamphetamine).

24 (5) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled
 25 substance).

26 (6) IC 35-48-4-3 (dealing in a schedule IV controlled substance).

27 (7) IC 35-48-4-4 (dealing in a schedule V controlled substance)
 28 as a Level 4 felony.

29 (8) IC 35-48-4-6 (possession of cocaine or a narcotic drug) as a
 30 Level 3, Level 4, or Level 5 felony.

31 (9) IC 35-48-4-6.1 (possession of methamphetamine) as a Level
 32 3, Level 4, or Level 5 felony.

33 (10) IC 35-48-4-10 (dealing in marijuana, hash oil, hashish, or
 34 salvia) as a Level 5 felony.

35 (11) IC 35-48-4-10.5 (before its repeal on July 1, 2019) (dealing
 36 in a synthetic drug or synthetic drug lookalike substance) as a
 37 Level 5 felony or Level 6 felony (or as a Class C felony or Class
 38 D felony under IC 35-48-4-10 before its amendment in 2013).

39 (e) A vehicle operated by a person who is not:

40 (1) an owner of the vehicle; or

41 (2) the spouse of the person who owns the vehicle;

42 is not subject to seizure under subsection (a)(15) unless it can be



1 proven by a preponderance of the evidence that the owner of the
 2 vehicle knowingly permitted the vehicle to be used to engage in
 3 conduct that subjects it to seizure under subsection (a)(15).

4 SECTION 71. IC 34-30-2.1-95.4 IS ADDED TO THE INDIANA
 5 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 6 [EFFECTIVE JULY 1, 2023]: **Sec. 95.4. IC 9-24-3.5-6(d)**
 7 **(Concerning driver education instructors, licensed**
 8 **ophthalmologists, and licensed optometrists who make reports**
 9 **concerning fitness of the applicant to operate a motor vehicle).**

10 SECTION 72. IC 34-30-2.1-95.5 IS ADDED TO THE INDIANA
 11 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 12 [EFFECTIVE JULY 1, 2023]: **Sec. 95.5. IC 9-24-3.5-13 (Concerning**
 13 **the commissioner, employees, and agents of the bureau of motor**
 14 **vehicles for the validity of the information contained on driving**
 15 **privilege cards).**

16 SECTION 73. IC 35-43-1-2, AS AMENDED BY P.L.111-2021,
 17 SECTION 104, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) A person who recklessly,
 19 knowingly, or intentionally damages or defaces property of another
 20 person without the other person's consent commits criminal mischief,
 21 a Class B misdemeanor. However, the offense is:

22 (1) a Class A misdemeanor if the pecuniary loss is at least seven
 23 hundred fifty dollars (\$750) but less than fifty thousand dollars
 24 (\$50,000); and

25 (2) a Level 6 felony if:

26 (A) the pecuniary loss is at least fifty thousand dollars
 27 (\$50,000);

28 (B) the damage causes a substantial interruption or impairment
 29 of utility service rendered to the public;

30 (C) the damage is to a public record; or

31 (D) the damage is to a law enforcement animal (as defined in
 32 IC 35-46-3-4.5).

33 (b) A person who recklessly, knowingly, or intentionally damages:

34 (1) a structure used for religious worship without the consent of
 35 the owner, possessor, or occupant of the property that is damaged;

36 (2) a school or community center without the consent of the
 37 owner, possessor, or occupant of the property that is damaged;

38 (3) the property of an agricultural operation (as defined in
 39 IC 32-30-6-1) without the consent of the owner, possessor, or
 40 occupant of the property that is damaged;

41 (4) the grounds:

42 (A) adjacent to; and



- 1 (B) owned or rented in common with;
 2 a structure or facility identified in subdivisions (1) through (3)
 3 without the consent of the owner, possessor, or occupant of the
 4 property that is damaged;
 5 (5) personal property contained in a structure or located at a
 6 facility identified in subdivisions (1) through (3) without the
 7 consent of the owner, possessor, or occupant of the property that
 8 is damaged;
 9 (6) property that is vacant real property (as defined in
 10 IC 36-7-36-5) or a vacant structure (as defined in IC 36-7-36-6);
 11 or
 12 (7) property after the person has been denied entry to the property
 13 by a court order that was issued:
 14 (A) to the person; or
 15 (B) to the general public by conspicuous posting on or around
 16 the property in areas where a person could observe the order
 17 when the property has been designated by a municipality or
 18 county enforcement authority to be a vacant property, an
 19 abandoned property, or an abandoned structure (as defined in
 20 IC 36-7-36-1);
 21 commits institutional criminal mischief, a Class A misdemeanor.
 22 However, the offense is a Level 6 felony if the pecuniary loss (or
 23 property damage, in the case of an agricultural operation) is at least
 24 seven hundred fifty dollars (\$750) but less than fifty thousand dollars
 25 (\$50,000), and a Level 5 felony if the pecuniary loss (or property
 26 damage, in the case of an agricultural operation) is at least fifty
 27 thousand dollars (\$50,000).
 28 (c) A person who recklessly, knowingly, or intentionally damages
 29 property:
 30 (1) during the dealing or manufacture of or attempted dealing or
 31 manufacture of a controlled substance; and
 32 (2) by means of a fire or an explosion;
 33 commits controlled substances criminal mischief, a Level 6 felony.
 34 However, the offense is a Level 5 felony if the offense results in
 35 moderate bodily injury to any person other than a defendant.
 36 (d) If a person is convicted of an offense under this section that
 37 involves the use of graffiti, the court may, in addition to any other
 38 penalty, order that the person's driver's license **or driving privilege**
 39 **card** be suspended or invalidated by the bureau of motor vehicles for
 40 not more than one (1) year.
 41 (e) The court may rescind an order for suspension or invalidation
 42 under subsection (d) and allow the person to receive a license or permit



1 before the period of suspension or invalidation ends if the court
 2 determines that the person has removed or painted over the graffiti or
 3 has made other suitable restitution.

4 (f) For purposes of this section, "pecuniary loss" includes:

5 (1) the total costs incurred in inspecting, cleaning, and
 6 decontaminating property contaminated by a pollutant; and

7 (2) a reasonable estimate of all additional costs not already
 8 incurred under subdivision (1) that are necessary to inspect, clean,
 9 and decontaminate property contaminated by a pollutant, to the
 10 extent that the property has not already been:

11 (A) cleaned;

12 (B) decontaminated; or

13 (C) both cleaned and decontaminated.

14 The term includes inspection, cleaning, or decontamination conducted
 15 by a person certified under IC 16-19-3.1.

16 SECTION 74. IC 35-44.1-3-1, AS AMENDED BY P.L.174-2021,
 17 SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2023]: Sec. 1. (a) A person who knowingly or intentionally:

19 (1) forcibly resists, obstructs, or interferes with a law enforcement
 20 officer or a person assisting the officer while the officer is
 21 lawfully engaged in the execution of the officer's duties;

22 (2) forcibly resists, obstructs, or interferes with the authorized
 23 service or execution of a civil or criminal process or order of a
 24 court; or

25 (3) flees from a law enforcement officer after the officer has, by
 26 visible or audible means, including operation of the law
 27 enforcement officer's siren or emergency lights, identified himself
 28 or herself and ordered the person to stop;

29 commits resisting law enforcement, a Class A misdemeanor, except as
 30 provided in subsection (c).

31 (b) A person who, having been denied entry by a firefighter, an
 32 emergency medical services provider, or a law enforcement officer,
 33 knowingly or intentionally enters an area that is marked off with barrier
 34 tape or other physical barriers, commits interfering with public safety,
 35 a Class B misdemeanor, except as provided in subsection (c) or (k).

36 (c) The offense under subsection (a) or (b) is a:

37 (1) Level 6 felony if:

38 (A) the person uses a vehicle to commit the offense; or

39 (B) while committing the offense, the person:

40 (i) draws or uses a deadly weapon;

41 (ii) inflicts bodily injury on or otherwise causes bodily injury
 42 to another person; or



- 1 (iii) operates a vehicle in a manner that creates a substantial
 2 risk of bodily injury to another person;
- 3 (2) Level 5 felony if:
- 4 (A) while committing the offense, the person operates a
 5 vehicle in a manner that causes serious bodily injury to another
 6 person; or
- 7 (B) the person uses a vehicle to commit the offense and the
 8 person has a prior unrelated conviction under this section
 9 involving the use of a vehicle in the commission of the
 10 offense;
- 11 (3) Level 3 felony if, while committing the offense, the person
 12 operates a vehicle in a manner that causes the death or
 13 catastrophic injury of another person; and
- 14 (4) Level 2 felony if, while committing any offense described in
 15 subsection (a), the person operates a vehicle in a manner that
 16 causes the death or catastrophic injury of a firefighter, an
 17 emergency medical services provider, or a law enforcement
 18 officer while the firefighter, emergency medical services provider,
 19 or law enforcement officer is engaged in the firefighter's,
 20 emergency medical services provider's, or officer's official duties.
- 21 (d) The offense under subsection (a) is a Level 6 felony if, while
 22 committing an offense under:
- 23 (1) subsection (a)(1) or (a)(2), the person:
- 24 (A) creates a substantial risk of bodily injury to the person or
 25 another person; and
- 26 (B) has two (2) or more prior unrelated convictions under
 27 subsection (a); or
- 28 (2) subsection (a)(3), the person has two (2) or more prior
 29 unrelated convictions under subsection (a).
- 30 (e) If a person uses a vehicle to commit a felony offense under
 31 subsection (c)(1)(B), (c)(2), (c)(3), or (c)(4), as part of the criminal
 32 penalty imposed for the offense, the court shall impose a minimum
 33 executed sentence of at least:
- 34 (1) thirty (30) days, if the person does not have a prior unrelated
 35 conviction under this section;
- 36 (2) one hundred eighty (180) days, if the person has one (1) prior
 37 unrelated conviction under this section; or
- 38 (3) one (1) year, if the person has two (2) or more prior unrelated
 39 convictions under this section.
- 40 (f) Notwithstanding IC 35-50-2-2.2 and IC 35-50-3-1, the mandatory
 41 minimum sentence imposed under subsection (e) may not be
 42 suspended.



1 (g) If a person is convicted of an offense involving the use of a
2 motor vehicle under:

3 (1) subsection (c)(1)(A), if the person exceeded the speed limit by
4 at least twenty (20) miles per hour while committing the offense;

5 (2) subsection (c)(2); or

6 (3) subsection (c)(3);

7 the court may notify the bureau of motor vehicles to suspend or revoke
8 the person's driver's license **or driving privilege card** and all
9 certificates of registration and license plates issued or registered in the
10 person's name in accordance with IC 9-30-4-6.1(b) for the period
11 described in IC 9-30-4-6.1(d)(1) or IC 9-30-4-6.1(d)(2). The court shall
12 inform the bureau whether the person has been sentenced to a term of
13 incarceration. At the time of conviction, the court may obtain the
14 person's current driver's license **or driving privilege card** and return
15 the license to the bureau of motor vehicles.

16 (h) A person may not be charged or convicted of a crime under
17 subsection (a)(3) if the law enforcement officer is a school resource
18 officer acting in the officer's capacity as a school resource officer.

19 (i) A person who commits an offense described in subsection (c)
20 commits a separate offense for each person whose bodily injury,
21 serious bodily injury, catastrophic injury, or death is caused by a
22 violation of subsection (c).

23 (j) A court may order terms of imprisonment imposed on a person
24 convicted of more than one (1) offense described in subsection (c) to
25 run consecutively. Consecutive terms of imprisonment imposed under
26 this subsection are not subject to the sentencing restrictions set forth in
27 IC 35-50-1-2(c) through IC 35-50-1-2(d).

28 (k) As used in this subsection, "family member" means a child,
29 grandchild, parent, grandparent, or spouse of the person. It is a defense
30 to a prosecution under subsection (b) that the person reasonably
31 believed that the person's family member:

32 (1) was in the marked off area; and

33 (2) had suffered bodily injury or was at risk of suffering bodily
34 injury;

35 if the person is not charged as a defendant in connection with the
36 offense, if applicable, that caused the area to be secured by barrier tape
37 or other physical barriers.

38 SECTION 75. IC 35-52-9-36, AS ADDED BY P.L.169-2014,
39 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2023]: Sec. 36. IC 9-24-18-1 defines a **crime crimes**
41 concerning driver's licenses **and driving privilege cards**.

42 SECTION 76. IC 35-52-9-37.5, AS ADDED BY P.L.188-2015,



1 SECTION 153, IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2023]: Sec. 37.5. IC 9-24-18-7.5 defines a
3 ~~crime~~ **crimes** concerning driver's licenses **and driving privilege cards**.
4 SECTION 77. [EFFECTIVE UPON PASSAGE] **(a) The bureau of**
5 **motor vehicles shall adopt rules under IC 4-22-2, including**
6 **emergency rules in the manner provided under IC 4-22-2-37.1,**
7 **necessary to implement the issuance and administration of driving**
8 **privilege cards under IC 9-24-3.5, as added by this act.**
9 **(b) This SECTION expires July 1, 2025.**
10 SECTION 78. An emergency is declared for this act.

