

SENATE BILL No. 12

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2; IC 9-24.

Synopsis: Service dog endorsement on operator's license. Provides that the bureau of motor vehicles shall place an identifying symbol on certain driver's licenses, permits, and identification cards to indicate the use of a service animal due to a person's disability.

Effective: July 1, 2021.

Kruse

January 4, 2021, read first time and referred to Committee on Homeland Security and Transportation.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

SENATE BILL No. 12

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

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

1 SECTION 1. IC 9-13-2-43.7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2021]: **Sec. 43.7. "Disability", for purposes of IC 9-24-9-2.3,**
4 **IC 9-24-11-5.5, and IC 9-24-16-3, means with respect to an**
5 **individual:**

6 (1) a physical or mental impairment that substantially limits
7 one (1) or more of the major life activities of the individual;
8 (2) a record of an impairment described in subdivision (1); or
9 (3) being regarded as having an impairment described in
10 subdivision (1).

11 SECTION 2. IC 9-13-2-165.5 IS ADDED TO THE INDIANA
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2021]: **Sec. 165.5. "Service animal", for**
14 **purposes of IC 9-24-9-2.3, IC 9-24-11-5.5, and IC 9-24-16-3, means**
15 **a dog that a person who is impaired by:**

16 (1) blindness or any other visual impairment;
17 (2) deafness or any other aural impairment;



1 **(3) a physical disability; or**
 2 **(4) a medical condition;**
 3 **relies on for navigation, assistance in performing daily activities,**
 4 **or alert signals regarding the onset of the person's medical**
 5 **condition.**

6 SECTION 3. IC 9-24-9-2.3, AS AMENDED BY P.L.82-2019,
 7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2021]: Sec. 2.3. (a) An application for a driver's license or
 9 permit under this chapter must contain the following questions:

10 (1) "Have you served in the armed forces of the United States?".

11 (2) "Are you the surviving spouse of someone who served in the
 12 armed forces of the United States or their reserves, in the National
 13 Guard, or in the Indiana National Guard?".

14 (b) In addition to the questions set forth in subsection (a), an
 15 application for a driver's license or permit to be issued under this article
 16 must enable the applicant to indicate the following:

17 (1) The applicant is a veteran and wishes to have an indication of
 18 the applicant's veteran status appear on the driver's license or
 19 permit.

20 (2) The applicant is the surviving spouse of a veteran of the armed
 21 forces of the United States and wishes to have an indication of the
 22 applicant's status as a surviving spouse of a veteran appear on the
 23 license or permit.

24 (3) The applicant has a medical condition of note and wishes to
 25 have an identifying symbol and a brief description of the medical
 26 condition appear on the driver's license or permit.

27 **(4) The applicant has a service animal due to a disability and**
 28 **wishes to have an identifying symbol appear on the driver's**
 29 **license or permit.**

30 (c) The bureau shall keep in a data base and share the information
 31 submitted under subsections (a) and (b)(2) upon request by the Indiana
 32 department of veterans' affairs. The information submitted under
 33 subsections (a) and (b)(2) may be used by the Indiana department of
 34 veterans' affairs to develop outreach programs for veterans and their
 35 families.

36 (d) The application for a driver's license or permit under this chapter
 37 must indicate that an applicant has the option whether or not to answer
 38 the questions set forth in subsection (a).

39 SECTION 4. IC 9-24-11-5.5, AS AMENDED BY P.L.120-2020,
 40 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2021]: Sec. 5.5. (a) If an individual has:

42 (1) indicated on the application for a driver's license or learner's



1 permit that the individual is a veteran and wishes to have an
2 indication of the individual's veteran status appear on the driver's
3 license or learner's permit; and

4 (2) provided proof at the time of application of the individual's
5 veteran status;

6 an indication of the individual's veteran status shall be shown on the
7 driver's license or learner's permit.

8 (b) If an individual has:

9 (1) indicated on the individual's application for a driver's license
10 or learner's permit that the applicant:

11 (A) is a surviving spouse of a veteran; and

12 (B) wishes to have an indication of the applicant's status as a
13 surviving spouse of a veteran appear on the driver's license or
14 learner's permit; and

15 (2) provided the documentation necessary to verify that the
16 applicant was married, at the time of the decedent's death, to a
17 veteran;

18 an indication of the individual's status as a surviving spouse of a
19 veteran shall be shown on the driver's license or learner's permit.

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

32 **(d) If an individual submits information concerning the**
33 **individual's use of a service animal due to a disability in**
34 **conjunction with the individual's application for a driver's license**
35 **or learner's permit, the bureau shall place an identifying symbol in**
36 **a prominent location on a driver's license or learner's permit to**
37 **indicate that the individual uses a service animal due to a**
38 **disability. The bureau shall include information on the individual's**
39 **driver's license or learner's permit that briefly describes the**
40 **individual's use of a service animal. The information must be**
41 **notated in a manner that alerts an individual reading the driver's**
42 **license or learner's permit to the individual's need for a service**



1 **animal due to a disability. The individual submitting the**
 2 **information concerning the use of a service animal is responsible**
 3 **for its accuracy.**

4 ~~(d)~~ **(e)** Notwithstanding the July 1, 2021, effective date in HEA
 5 1506-2019, SECTION 50 (P.L.178-2019), this section takes effect July
 6 1, 2020 (rather than July 1, 2021).

7 SECTION 5. IC 9-24-16-3, AS AMENDED BY P.L.120-2020,
 8 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2021]: Sec. 3. (a) An identification card:

10 (1) in physical form must have the same dimensions and shape as
 11 a driver's license; and

12 (2) in the form of a mobile credential must have the same format
 13 as a driver's license;

14 but the card must have markings sufficient to distinguish the card from
 15 a driver's license.

16 (b) Except as provided in subsection ~~(g)~~, **(h)**, the front side of a
 17 physical identification card or the top portion of an identification card
 18 in the format of a mobile credential must contain the expiration date of
 19 the identification card and the following information about the
 20 individual to whom the card is being issued:

21 (1) Full legal name.

22 (2) The address of the principal residence.

23 (3) Date of birth.

24 (4) Date of issue and date of expiration.

25 (5) Unique identification number.

26 (6) Gender.

27 (7) Weight.

28 (8) Height.

29 (9) Color of eyes and hair.

30 (10) Reproduction of the signature of the individual identified.

31 (11) Whether the individual is blind (as defined in
 32 IC 12-7-2-21(1)).

33 (12) If the individual is less than eighteen (18) years of age at the
 34 time of issuance, the dates on which the individual will become:

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

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

37 (13) If the individual is at least eighteen (18) years of age but less
 38 than twenty-one (21) years of age at the time of issuance, the date
 39 on which the individual will become twenty-one (21) years of age.

40 (14) Digital photograph of the individual.

41 (c) The information contained on the identification card as required
 42 by subsection (b)(12) or (b)(13) for an individual who is less than



1 twenty-one (21) years of age at the time of issuance shall be notated
2 prominently on the identification card.

3 (d) If the individual complies with section 2(f) or 2(g) of this
4 chapter, an indication of the individual's veteran status or status as the
5 surviving spouse of a veteran of the armed forces of the United States,
6 as applicable, shall be shown on the identification card.

7 (e) If the applicant for an identification card submits information to
8 the bureau concerning the applicant's medical condition, the bureau
9 shall place an identifying symbol on the face of the identification card
10 to indicate that the applicant has a medical condition of note. The
11 bureau shall include information on the identification card that briefly
12 describes the medical condition of the holder of the card. The
13 information must be printed in a manner that alerts a person reading the
14 card to the existence of the medical condition. The applicant for an
15 identification card is responsible for the accuracy of the information
16 concerning the medical condition submitted under this subsection. The
17 bureau shall inform an applicant that submission of information under
18 this subsection is voluntary.

19 **(f) If the applicant for an identification card submits**
20 **information to the bureau concerning the applicant's use of a**
21 **service animal due to a disability, the bureau shall place an**
22 **identifying symbol on the face of the identification card to indicate**
23 **that the applicant uses a service animal due to a disability. The**
24 **bureau shall include information on the identification card that**
25 **briefly describes the applicant's use of a service animal due to a**
26 **disability of the holder of the card. The information must be**
27 **printed in a manner that alerts a person reading the card to the**
28 **applicant's use of a service animal due to a disability. The**
29 **applicant for an identification card is responsible for the accuracy**
30 **of the information concerning the applicant's use of a service**
31 **animal due to a disability submitted under this subsection. The**
32 **bureau shall inform an applicant that submission of information**
33 **under this subsection is voluntary.**

34 ~~(f)~~ (g) An identification card issued by the state to an individual
35 who:

- 36 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant
37 visa status for entry in the United States;
- 38 (2) has a pending application for asylum in the United States;
- 39 (3) has a pending or approved application for temporary protected
40 status in the United States;
- 41 (4) has approved deferred action status; or
- 42 (5) has a pending application for adjustment of status to that of an



1 alien lawfully admitted for permanent residence in the United
 2 States or conditional permanent residence status in the United
 3 States;

4 must be clearly identified as a temporary identification card. A
 5 temporary identification card issued under this subsection may not be
 6 renewed without the presentation of valid documentary evidence
 7 proving that the holder of the identification card's temporary status has
 8 been extended.

9 ~~(g)~~ **(h)** For purposes of subsection (b), an individual certified as a
 10 program participant in the address confidentiality program under
 11 IC 5-26.5 is not required to provide the address of the individual's
 12 principal residence, but may provide an address designated by the
 13 office of the attorney general under IC 5-26.5 as the address of the
 14 individual's principal residence.

15 ~~(h)~~ **(i)** The bureau shall validate an identification card for Class B
 16 motor driven cycle operation upon a highway by endorsement to an
 17 individual who:

- 18 (1) applies for or has previously been issued an identification card
 19 under this chapter;
 20 (2) makes the appropriate application for endorsement; and
 21 (3) satisfactorily completes the test required under section 3.6 of
 22 this chapter.

23 The bureau shall place a designation on the face of the identification
 24 card to indicate that the individual has received a Class B motor driven
 25 cycle endorsement.

26 ~~(i)~~ **(j)** Notwithstanding the July 1, 2021, effective date in SEA
 27 80-2019, SECTION 9 (P.L.211-2019), this section takes effect July 1,
 28 2020 (rather than July 1, 2021).

