

SENATE BILL No. 30

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-21-8-52.5.

Synopsis: School bus stop arm violation enforcement. Provides that the registered owner of a vehicle commits an infraction if the registered owner's vehicle does not stop on a roadway or a private road when the school bus arm signal device is in the device's extended position. Provides a defense for a registered owner who was not driving the vehicle at the time of the violation. Requires a registered owner who uses a defense to provide any documentation, and to fully cooperate with law enforcement regarding the person who may be responsible for the violation. Specifies that: (1) the bureau of motor vehicles may not assess points for a violation; and (2) an adjudication for a violation does not create a presumption of liability in a civil action.

Effective: July 1, 2024.

Niemeyer

January 8, 2024, read first time and referred to Committee on Homeland Security and Transportation.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

SENATE BILL No. 30



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 9-21-8-52.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2024]: **Sec. 52.5. (a) The registered owner of a vehicle used to**
4 **pass a school bus stopped on a roadway or a private road when the**
5 **arm signal device specified in IC 9-21-12-13 is in the device's**
6 **extended position commits a Class B infraction.**
7 **(b) Except as provided in subsection (c), it is a defense to an**
8 **action under subsection (a) that the:**
9 **(1) vehicle was stolen from the registered owner and not in the**
10 **registered owner's possession at the time of the violation;**
11 **(2) registered owner of the vehicle routinely engages in the**
12 **business of renting the vehicle for periods of not more than**
13 **thirty (30) days;**
14 **(3) registered owner of the vehicle is an employer who**
15 **provided the vehicle for use by an employee in the scope of**
16 **employment; or**
17 **(4) registered owner could not have committed the violation**



1 because the registered owner was not in close proximity to the
2 location of the violation at the time of the violation.
3 (c) The registered owner of a vehicle who commits a violation
4 under subsection (a) may not assert the defense under subsection
5 (b), unless the registered owner does the following, as applicable:
6 (1) Provide any documentation regarding:
7 (A) a theft under subsection (b)(1) by presenting a police
8 report; or
9 (B) the location of the registered owner at the time of the
10 violation to establish that the registered owner was not in
11 close proximity to the location where the violation
12 occurred under subsection (b)(4).
13 (2) Provide all of the information available to the registered
14 owner regarding the person who may be responsible for the
15 violation.
16 (3) Fully cooperate with law enforcement in the investigation,
17 apprehension, and prosecution of the person who may be
18 responsible for the violation.
19 (d) The bureau may not assess points under the point system for
20 an infraction committed under subsection (a).
21 (e) An adjudication for an infraction committed under
22 subsection (a) does not create a presumption of liability in a civil
23 action.

