



Reprinted  
January 26, 2024

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## SENATE BILL No. 52

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DIGEST OF SB 52 (Updated January 25, 2024 3:46 pm - DI 129)

**Citations Affected:** IC 9-21; IC 36-1; IC 36-9; noncode.

**Synopsis:** Prohibition of certain traffic ordinances. Prohibits, until July 1, 2025, a consolidated city from installing any additional sign prohibiting a turn at a steady red signal. Specifies that the temporary prohibition does not affect such a sign installed before March 31, 2024. Prohibits, until July 1, 2025, a unit of local government from adopting or enforcing an ordinance, resolution, rule, policy, or other requirement concerning a public transportation project, including the blue line, that seeks to: (1) convert; (2) restrict; or (3) otherwise establish; a vehicular traffic lane for use as a dedicated lane. Specifies exclusions from the scope of the temporary prohibition on public transportation projects. Extends the funding Indiana's roads for a stronger, safer tomorrow task force (task force) for one additional year and adds new topics for the task force to review. Specifies that the task force shall provide a report of its findings and recommendations to the legislative council before December 1, 2024.

**Effective:** Upon passage.

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**Freeman, Messmer, Donato, Koch,  
Tomes, Young M, Glick, Leising,  
Doriot, Gaskill, Buchanan, Johnson T,  
Goode, Maxwell, Dernulc, Bohacek,  
Niemeyer, Raatz, Zay, Busch, Byrne**

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January 8, 2024, read first time and referred to Committee on Appropriations.  
January 22, 2024, amended, reported favorably — Do Pass.  
January 25, 2024, read second time, amended, ordered engrossed.

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SB 52—LS 6297/DI 137





Reprinted  
January 26, 2024

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. 52

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A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

- 1 SECTION 1. IC 9-21-3-7, AS AMENDED BY P.L.211-2023,  
2 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: Sec. 7. (a) Whenever traffic is controlled by traffic  
4 control signals exhibiting different colored lights or colored lighted  
5 arrows successively, one (1) at a time or in combination, only the  
6 colors green, red, or yellow may be used, except for special pedestrian  
7 signals under IC 9-21-18.  
8 (b) The lights indicate and apply to drivers of vehicles and  
9 pedestrians as follows:  
10 (1) Green indication means the following:  
11 (A) Vehicular traffic facing a circular green signal may  
12 proceed straight through or turn right or left, unless a sign at  
13 the place prohibits either turn.  
14 (B) Vehicular traffic, including vehicles turning right or left,  
15 shall yield the right-of-way to other vehicles and to pedestrians  
16 lawfully within the intersection or an adjacent sidewalk at the  
17 time the signal is exhibited.

SB 52—LS 6297/DI 137



- 1 (C) Vehicular traffic facing a green arrow signal, shown alone  
 2 or in combination with another indication, may cautiously  
 3 enter the intersection only to make the movement indicated by  
 4 the green arrow or other movement permitted by other  
 5 indications shown at the same time.
- 6 (D) Vehicular traffic shall yield the right-of-way to pedestrians  
 7 lawfully within an adjacent crosswalk and to other traffic  
 8 lawfully using the intersection.
- 9 (E) Unless otherwise directed by a pedestrian control signal,  
 10 pedestrians facing a green signal, except when the sole green  
 11 signal is a turn arrow, may proceed across the roadway within  
 12 a marked or unmarked crosswalk.
- 13 (2) Steady yellow indication means the following:
- 14 (A) Vehicular traffic facing a steady circular yellow or yellow  
 15 arrow signal is warned that the related green movement is  
 16 being terminated and that a red indication will be exhibited  
 17 immediately thereafter.
- 18 (B) A pedestrian facing a steady circular yellow or yellow  
 19 arrow signal, unless otherwise directed by a pedestrian control  
 20 signal, is advised that there is insufficient time to cross the  
 21 roadway before a red indication is shown, and a pedestrian  
 22 may not start to cross the roadway at that time.
- 23 (3) Steady red indication means the following:
- 24 (A) Except as provided in clauses (B) and (D), vehicular  
 25 traffic facing a steady circular red or red arrow signal shall  
 26 stop at a clearly marked stop line. However, if there is no  
 27 clearly marked stop line, vehicular traffic shall stop before  
 28 entering the crosswalk on the near side of the intersection. If  
 29 there is no crosswalk, vehicular traffic shall stop before  
 30 entering the intersection and shall remain standing until an  
 31 indication to proceed is shown.
- 32 (B) Except when a sign is in place prohibiting a turn described  
 33 in this clause, vehicular traffic facing a steady red signal, after  
 34 coming to a complete stop, may cautiously enter the  
 35 intersection to do the following:
- 36 (i) Make a right turn.
- 37 (ii) Make a left turn if turning from the left lane or a  
 38 designated left-turn lane of a one-way street into another  
 39 one-way street with the flow of traffic.
- 40 Vehicular traffic making a turn described in this clause shall  
 41 yield the right-of-way to pedestrians lawfully within an  
 42 adjacent crosswalk and to other traffic using the intersection.



- 1 (C) Unless otherwise directed by a pedestrian control signal  
 2 pedestrians facing a steady circular red or red arrow signal  
 3 may not enter the roadway.
- 4 (D) This clause does not apply to the operation of an autocycle  
 5 or a bicycle directed by a bicycle traffic control signal under  
 6 section 8.5 of this chapter. If the operator of a motorcycle,  
 7 motor driven cycle, or bicycle approaches an intersection that  
 8 is controlled by a traffic control signal, the operator may  
 9 proceed through the intersection on a steady red signal only if  
 10 the operator:
- 11 (i) comes to a complete stop at the intersection for at least  
 12 one hundred twenty (120) seconds; and
- 13 (ii) exercises due caution as provided by law, otherwise  
 14 treats the traffic control signal as a stop sign, and determines  
 15 that it is safe to proceed.
- 16 (4) No indication or conflicting indications means the following:
- 17 (A) Except as provided in clause (C), vehicular traffic facing  
 18 an intersection having a signal that displays no indication or  
 19 conflicting indications, where no other control is present, shall  
 20 stop before entering the intersection.
- 21 (B) After stopping, vehicular traffic may proceed with caution  
 22 through the intersection and shall yield the right-of-way to  
 23 traffic within the intersection or approaching so closely as to  
 24 constitute an immediate hazard.
- 25 (C) Vehicular traffic entering an intersection or crosswalk  
 26 facing a pedestrian hybrid beacon may proceed without  
 27 stopping if no indication is displayed on the pedestrian hybrid  
 28 beacon.
- 29 (5) This subdivision applies to traffic control signals located at a  
 30 place other than an intersection. A stop required under this  
 31 subdivision must be made at the signal, except when the signal is  
 32 supplemented by a sign or pavement marking indicating where  
 33 the stop must be made.
- 34 (c) A consolidated city may not adopt an ordinance requiring the  
 35 installation of a sign prohibiting a turn described in subsection  
 36 (b)(3)(B).
- 37 (d) **Until July 1, 2025, a consolidated city may not install any**  
 38 **additional sign under the authority of an ordinance adopted by the**  
 39 **consolidated city before July 1, 2023, regarding installation of a**  
 40 **sign described in subsection (c).**
- 41 (e) **Subsection (d) does not affect a sign installed before March**  
 42 **31, 2024, under the authority of an ordinance adopted by the**



1 **consolidated city before July 1, 2023, regarding installation of a**  
 2 **sign described in subsection (c).**

3 SECTION 2. IC 36-1-3-8, AS AMENDED BY P.L.4-2023,  
 4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 UPON PASSAGE]: Sec. 8. (a) Subject to subsection (b), a unit does  
 6 not have the following:

7 (1) The power to condition or limit its civil liability, except as  
 8 expressly granted by statute.

9 (2) The power to prescribe the law governing civil actions  
 10 between private persons.

11 (3) The power to impose duties on another political subdivision,  
 12 except as expressly granted by statute.

13 (4) The power to impose a tax, except as expressly granted by  
 14 statute.

15 (5) The power to impose a license fee greater than that reasonably  
 16 related to the administrative cost of exercising a regulatory power.

17 (6) The power to impose a service charge or user fee greater than  
 18 that reasonably related to reasonable and just rates and charges  
 19 for services.

20 (7) The power to regulate conduct that is regulated by a state  
 21 agency, except as expressly granted by statute.

22 (8) The power to prescribe a penalty for conduct constituting a  
 23 crime or infraction under statute.

24 (9) The power to prescribe a penalty of imprisonment for an  
 25 ordinance violation.

26 (10) The power to prescribe a penalty of a fine as follows:

27 (A) More than ten thousand dollars (\$10,000) for the violation  
 28 of an ordinance or a regulation concerning air emissions  
 29 adopted by a county that has received approval to establish an  
 30 air permit program under IC 13-17-12-6.

31 (B) For a violation of any other ordinance:

32 (i) more than two thousand five hundred dollars (\$2,500) for  
 33 a first violation of the ordinance; and

34 (ii) except as provided in subsection (c), more than seven  
 35 thousand five hundred dollars (\$7,500) for a second or  
 36 subsequent violation of the ordinance.

37 (11) The power to invest money, except as expressly granted by  
 38 statute.

39 (12) The power to adopt an ordinance, a resolution, or an order  
 40 concerning an election described by IC 3-5-1-2, or otherwise  
 41 conduct an election, except as expressly granted by statute. An  
 42 ordinance, a resolution, or an order concerning an election



1 described by IC 3-5-1-2 that was adopted before January 1, 2023,  
 2 is void unless a statute expressly granted the unit the power to  
 3 adopt the ordinance, resolution, or order.

4 (13) The power to adopt or enforce an ordinance described in  
 5 section 8.5 of this chapter.

6 (14) The power to take any action prohibited by section 8.6 of this  
 7 chapter.

8 (15) The power to dissolve a political subdivision, except:

9 (A) as expressly granted by statute; or

10 (B) if IC 36-1-8-17.7 applies to the political subdivision, in  
 11 accordance with the procedure set forth in IC 36-1-8-17.7.

12 (16) After June 30, 2019, the power to enact an ordinance  
 13 requiring a solid waste hauler or a person who operates a vehicle  
 14 in which recyclable material is transported for recycling to collect  
 15 fees authorized by IC 13-21 and remit the fees to:

16 (A) a unit; or

17 (B) the board of a solid waste management district established  
 18 under IC 13-21.

19 **(17) The power to take any action prohibited by IC 36-9-44-6.**

20 (b) A township does not have the following, except as expressly  
 21 granted by statute:

22 (1) The power to require a license or impose a license fee.

23 (2) The power to impose a service charge or user fee.

24 (3) The power to prescribe a penalty.

25 (c) Subsection (a)(10)(B)(ii) does not apply to the violation of an  
 26 ordinance that regulates traffic or parking.

27 SECTION 3. IC 36-9-44 IS ADDED TO THE INDIANA CODE AS  
 28 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON  
 29 PASSAGE]:

30 **Chapter 44. Dedicated Lanes**

31 **Sec. 1. This chapter does not apply to:**

32 (A) a dedicated lane for which construction is completed  
 33 before March 31, 2024; or

34 (B) the purple line (as defined in section 3 of this chapter).

35 **Sec. 2. As used in this chapter, "blue line" means the**  
 36 **Indianapolis Public Transportation Corporation (IndyGo)**  
 37 **east-west bus rapid transit line primarily along Washington Street,**  
 38 **between the Indianapolis International Airport, downtown**  
 39 **Indianapolis, and Cumberland, as described and mapped in the**  
 40 **IndyGo Blue Line Rapid Transit Indianapolis, Indiana, Small**  
 41 **Starts Project Development Rating Assignment by the United**  
 42 **States Department of Transportation Federal Transit**



1 Administration in November 2019. If the route is renamed or a  
 2 new rating assignment is submitted and it continues to be a  
 3 substantially similar route as compared to the November 2019  
 4 rating report, the definition still applies.

5 Sec. 3. As used in this chapter, "purple line" means the  
 6 Indianapolis Public Transportation Corporation (IndyGo) bus  
 7 rapid transit line running primarily north-south, and along 38th  
 8 Street, between downtown Indianapolis and city of Lawrence, as  
 9 described and mapped in the IndyGo Purple Line Rapid Transit  
 10 Indianapolis, Indiana, Small Starts Project Development Rating  
 11 Assignment by the United States Department of Transportation  
 12 Federal Transit Administration in November 2019. If the route is  
 13 renamed or a new rating assignment is submitted and it continues  
 14 to be a substantially similar route as compared to the November  
 15 2019 rating report, the definition still applies.

16 Sec. 4. As used in this chapter, "dedicated lane" means a portion  
 17 of a street designated by signs, markings, or other means for the  
 18 exclusive use of public transportation vehicles.

19 Sec. 5. As used in this chapter, "public transportation project"  
 20 refers to an action taken to plan, design, acquire, construct,  
 21 enlarge, improve, renovate, maintain, equip, or operate a public  
 22 transportation system.

23 Sec. 6. Until July 1, 2025, a unit may not adopt or enforce an  
 24 ordinance, resolution, rule, policy, or other requirement  
 25 concerning a public transportation project, including the blue line,  
 26 that seeks to:

- 27 (1) convert;
- 28 (2) restrict; or
- 29 (3) otherwise establish;

30 a vehicular traffic lane for use as a dedicated lane.

31 SECTION 4. P.L.201-2023, SECTION 302, IS AMENDED TO  
 32 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: SECTION  
 33 302. (a) As used in this SECTION, "task force" refers to the funding  
 34 Indiana's roads for a stronger, safer tomorrow task force established by  
 35 subsection (b).

36 (b) The funding Indiana's roads for a stronger, safer tomorrow task  
 37 force is established.

38 (c) The task force consists of the following members:

- 39 (1) The chairperson of the house of representatives ways and  
 40 means committee.
- 41 (2) The chairperson of the senate appropriations committee.
- 42 (3) The chairperson of the senate tax and fiscal policy committee.





- 1 (4) The chairperson of the house of representatives roads and  
 2 transportation committee.
- 3 (5) The chairperson of the senate homeland security and  
 4 transportation committee.
- 5 (6) The director of the office of management and budget.
- 6 (7) The public finance director of the Indiana finance authority.
- 7 (8) One (1) member who represents counties and is appointed by  
 8 the governor after considering the recommendation of the  
 9 Association of Indiana Counties.
- 10 (9) One (1) member who represents municipalities and is  
 11 appointed by the governor after considering the recommendation  
 12 of Accelerate Indiana Municipalities.
- 13 (10) One (1) member appointed by the governor after considering  
 14 the recommendation of the Build Indiana Council.
- 15 (11) One (1) member appointed by the governor who is an  
 16 employee of the Indiana department of transportation.
- 17 (12) One (1) member appointed by the governor who is a member  
 18 of the Indiana Motor Truck Association.
- 19 (13) One (1) member appointed by the governor who represents  
 20 taxpayers.
- 21 (14) One (1) member of the general assembly who is a member of  
 22 the majority party of the house of representatives and is appointed  
 23 by the speaker of the house of representatives.
- 24 (15) One (1) member of the general assembly who is a member of  
 25 the minority party of the house of representatives and is appointed  
 26 by the speaker of the house of representatives in consultation with  
 27 the minority leader of the house of representatives.
- 28 (16) One (1) member of the general assembly who is a member of  
 29 the minority party of the senate and is appointed by the president  
 30 pro tempore of the senate in consultation with the minority leader  
 31 of the senate.
- 32 (d) The budget committee shall select a member of the task force to  
 33 serve as the chairperson of the task force.
- 34 (e) The task force shall do the following:
- 35 (1) Review state highway and major bridge needs.
- 36 (2) Verify road and bridge needs at the local level.
- 37 (3) Develop a long term plan for state highway and major bridge  
 38 needs that addresses the ten (10) points described in subsection  
 39 (g) and:
- 40 (A) will achieve the recommended pavement and bridge  
 41 conditions;
- 42 (B) will complete the current statewide priority projects by



- 1 finishing projects that have been started;  
 2 (C) includes Tier 1, 2, and 3 projects; and  
 3 (D) using the model developed by the Indiana department of  
 4 transportation, includes sustainable funding mechanisms for  
 5 the various components of the plan.
- 6 (4) Review the long term impact of electric and hybrid vehicles.  
 7 (5) Develop a long term plan for local road and bridge needs.  
 8 **(6) Review the impact of repurposing vehicular traffic lanes**  
 9 **into dedicated lanes for mass transit.**  
 10 **(7) Review the impact of the installation of signs prohibiting**  
 11 **a turn described in IC 9-21-3-7(b)(3)(B).**
- 12 (f) The long term plan for state highway and major bridge needs  
 13 must provide a basis for consideration for the state biennial budget  
 14 enacted for the biennium beginning July 1, 2025.
- 15 (g) The long term plan for state highway and major bridge needs  
 16 must include the following ten (10) points:
- 17 (1) Estimates of the costs of major projects, including a study of  
 18 which projects can be done within current revenue streams and  
 19 which projects may require additional funding.
- 20 (2) The identification of projects for which a public-private  
 21 partnership, a public-private agreement, or tolling might be  
 22 viable, with planning to verify and confirm these public-private  
 23 partnership, public-private agreement, or tolling opportunities.
- 24 (3) The identification of resources for annual maintenance needs,  
 25 concentrating first on available user fees and attempting to secure  
 26 stable and predictable funding sources. This must include a  
 27 determination of whether additional resources must be pursued  
 28 and what form of resource is most appropriate for each project.
- 29 (4) A review of the state's debt situation and the development of  
 30 a plan to maintain a strong financial position for the state. This  
 31 must include consideration of whether a fee or tax could be  
 32 associated with the life of a bond for an individual project, with  
 33 the fee or tax then expiring by law upon payment of the bond.
- 34 (5) The evaluation of the state system of taxes, fees, and  
 35 registration fees, and the equity of payments by different groups  
 36 of users of transportation assets. This must include an evaluation  
 37 of the overall reliability over time of the receipt of revenue from  
 38 these sources.
- 39 (6) A review of the fuel tax system, including such concepts as  
 40 indexing tax rates, changing tax rates, and the appropriate  
 41 collection points for these taxes.
- 42 (7) The ensuring that the projects listed in the plan are priority



- 1 items that should be carried out, and confirming that these  
2 projects bring value to citizens either through access and safety  
3 needs or for economic development of Indiana as a whole.  
4 (8) A review of the impact and advisability of dedicating some  
5 part of state sales tax to roads and road maintenance.  
6 (9) An analysis of how collective purchasing agreements could be  
7 developed to share and reduce costs across the system of state and  
8 local governments.  
9 (10) A presentation of the plan and recommendations to the  
10 budget committee before January 1, ~~2024~~: **2025**.  
11 (h) The legislative services agency shall provide staff support to the  
12 task force.  
13 (i) The meetings of the task force must be held in public as provided  
14 under IC 5-14-1.5. However, the task force is permitted to meet in  
15 executive session as determined necessary by the chairperson of the  
16 task force.  
17 **(j) Before December 1, 2024, the task force shall prepare and**  
18 **submit a report to the legislative council, in an electronic format**  
19 **under IC 5-14-6, that sets forth the topics reviewed by the task**  
20 **force and the task force's findings and recommendations.**  
21 ~~(j)~~ **(k) This SECTION expires June 30, ~~2024~~: 2025.**  
22 **SECTION 5. An emergency is declared for this act.**



## COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 52, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 36-1-3-8, AS AMENDED BY P.L.4-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) Subject to subsection (b), a unit does not have the following:

- (1) The power to condition or limit its civil liability, except as expressly granted by statute.
- (2) The power to prescribe the law governing civil actions between private persons.
- (3) The power to impose duties on another political subdivision, except as expressly granted by statute.
- (4) The power to impose a tax, except as expressly granted by statute.
- (5) The power to impose a license fee greater than that reasonably related to the administrative cost of exercising a regulatory power.
- (6) The power to impose a service charge or user fee greater than that reasonably related to reasonable and just rates and charges for services.
- (7) The power to regulate conduct that is regulated by a state agency, except as expressly granted by statute.
- (8) The power to prescribe a penalty for conduct constituting a crime or infraction under statute.
- (9) The power to prescribe a penalty of imprisonment for an ordinance violation.
- (10) The power to prescribe a penalty of a fine as follows:
  - (A) More than ten thousand dollars (\$10,000) for the violation of an ordinance or a regulation concerning air emissions adopted by a county that has received approval to establish an air permit program under IC 13-17-12-6.
  - (B) For a violation of any other ordinance:
    - (i) more than two thousand five hundred dollars (\$2,500) for a first violation of the ordinance; and
    - (ii) except as provided in subsection (c), more than seven thousand five hundred dollars (\$7,500) for a second or subsequent violation of the ordinance.



(11) The power to invest money, except as expressly granted by statute.

(12) The power to adopt an ordinance, a resolution, or an order concerning an election described by IC 3-5-1-2, or otherwise conduct an election, except as expressly granted by statute. An ordinance, a resolution, or an order concerning an election described by IC 3-5-1-2 that was adopted before January 1, 2023, is void unless a statute expressly granted the unit the power to adopt the ordinance, resolution, or order.

(13) The power to adopt or enforce an ordinance described in section 8.5 of this chapter.

(14) The power to take any action prohibited by section 8.6 of this chapter.

(15) The power to dissolve a political subdivision, except:

(A) as expressly granted by statute; or

(B) if IC 36-1-8-17.7 applies to the political subdivision, in accordance with the procedure set forth in IC 36-1-8-17.7.

(16) After June 30, 2019, the power to enact an ordinance requiring a solid waste hauler or a person who operates a vehicle in which recyclable material is transported for recycling to collect fees authorized by IC 13-21 and remit the fees to:

(A) a unit; or

(B) the board of a solid waste management district established under IC 13-21.

**(17) The power to take any action prohibited by IC 36-9-44-6.**

(b) A township does not have the following, except as expressly granted by statute:

(1) The power to require a license or impose a license fee.

(2) The power to impose a service charge or user fee.

(3) The power to prescribe a penalty.

(c) Subsection (a)(10)(B)(ii) does not apply to the violation of an ordinance that regulates traffic or parking."

Page 1, delete lines 5 through 6, begin a new paragraph and insert:

**"Sec. 1. This chapter does not apply to:**

**(A) a dedicated lane for which construction is completed before March 31, 2024; or**

**(B) the purple line (as defined in section 3 of this chapter)."**

Page 2, between lines 1 and 2, begin a new paragraph and insert:

**"Sec. 3. As used in this chapter, "purple line" means the Indianapolis Public Transportation Corporation (IndyGo) bus rapid transit line running primarily north-south, and along 38th Street, between downtown Indianapolis and city of Lawrence, as**



**described and mapped in the IndyGo Purple Line Rapid Transit Indianapolis, Indiana, Small Starts Project Development Rating Assignment by the United States Department of Transportation Federal Transit Administration in November 2019. If the route is renamed or a new rating assignment is submitted and it continues to be a substantially similar route as compared to the November 2019 rating report, the definition still applies."**

Page 2, line 2, delete "Sec. 3." and insert "**Sec. 4.**".

Page 2, line 5, delete "Sec. 4." and insert "**Sec. 5.**".

Page 2, delete lines 9 through 10, begin a new paragraph and insert:

**"Sec. 6. Until July 1, 2025, a unit may not adopt or enforce an ordinance, resolution, rule, policy, or other requirement concerning a public transportation project, including the blue line, that seeks to:**

- (1) convert;**
- (2) restrict; or**
- (3) otherwise establish;**

**a vehicular traffic lane for use as a dedicated lane."**

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 52 as introduced.)

MISHLER, Chairperson

Committee Vote: Yeas 7, Nays 5.

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#### SENATE MOTION

Madam President: I move that Senate Bill 52 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-21-3-7, AS AMENDED BY P.L.211-2023, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Whenever traffic is controlled by traffic control signals exhibiting different colored lights or colored lighted arrows successively, one (1) at a time or in combination, only the colors green, red, or yellow may be used, except for special pedestrian signals under IC 9-21-18.

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(b) The lights indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication means the following:

(A) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left, unless a sign at the place prohibits either turn.

(B) Vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent sidewalk at the time the signal is exhibited.

(C) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by the green arrow or other movement permitted by other indications shown at the same time.

(D) Vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(E) Unless otherwise directed by a pedestrian control signal, pedestrians facing a green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within a marked or unmarked crosswalk.

(2) Steady yellow indication means the following:

(A) Vehicular traffic facing a steady circular yellow or yellow arrow signal is warned that the related green movement is being terminated and that a red indication will be exhibited immediately thereafter.

(B) A pedestrian facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian control signal, is advised that there is insufficient time to cross the roadway before a red indication is shown, and a pedestrian may not start to cross the roadway at that time.

(3) Steady red indication means the following:

(A) Except as provided in clauses (B) and (D), vehicular traffic facing a steady circular red or red arrow signal shall stop at a clearly marked stop line. However, if there is no clearly marked stop line, vehicular traffic shall stop before entering the crosswalk on the near side of the intersection. If there is no crosswalk, vehicular traffic shall stop before entering the intersection and shall remain standing until an indication to proceed is shown.

(B) Except when a sign is in place prohibiting a turn described



in this clause, vehicular traffic facing a steady red signal, after coming to a complete stop, may cautiously enter the intersection to do the following:

- (i) Make a right turn.
- (ii) Make a left turn if turning from the left lane or a designated left-turn lane of a one-way street into another one-way street with the flow of traffic.

Vehicular traffic making a turn described in this clause shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic using the intersection.

(C) Unless otherwise directed by a pedestrian control signal pedestrians facing a steady circular red or red arrow signal may not enter the roadway.

(D) This clause does not apply to the operation of an autocycle or a bicycle directed by a bicycle traffic control signal under section 8.5 of this chapter. If the operator of a motorcycle, motor driven cycle, or bicycle approaches an intersection that is controlled by a traffic control signal, the operator may proceed through the intersection on a steady red signal only if the operator:

- (i) comes to a complete stop at the intersection for at least one hundred twenty (120) seconds; and
- (ii) exercises due caution as provided by law, otherwise treats the traffic control signal as a stop sign, and determines that it is safe to proceed.

(4) No indication or conflicting indications means the following:

(A) Except as provided in clause (C), vehicular traffic facing an intersection having a signal that displays no indication or conflicting indications, where no other control is present, shall stop before entering the intersection.

(B) After stopping, vehicular traffic may proceed with caution through the intersection and shall yield the right-of-way to traffic within the intersection or approaching so closely as to constitute an immediate hazard.

(C) Vehicular traffic entering an intersection or crosswalk facing a pedestrian hybrid beacon may proceed without stopping if no indication is displayed on the pedestrian hybrid beacon.

(5) This subdivision applies to traffic control signals located at a place other than an intersection. A stop required under this subdivision must be made at the signal, except when the signal is supplemented by a sign or pavement marking indicating where





the stop must be made.

(c) A consolidated city may not adopt an ordinance requiring the installation of a sign prohibiting a turn described in subsection (b)(3)(B).

**(d) Until July 1, 2025, a consolidated city may not install any additional sign under the authority of an ordinance adopted by the consolidated city before July 1, 2023, regarding installation of a sign described in subsection (c).**

**(e) Subsection (d) does not affect a sign installed before March 31, 2024, under the authority of an ordinance adopted by the consolidated city before July 1, 2023, regarding installation of a sign described in subsection (c)."**

Page 4, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 3. P.L.201-2023, SECTION 302, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: SECTION 302. (a) As used in this SECTION, "task force" refers to the funding Indiana's roads for a stronger, safer tomorrow task force established by subsection (b).

(b) The funding Indiana's roads for a stronger, safer tomorrow task force is established.

(c) The task force consists of the following members:

- (1) The chairperson of the house of representatives ways and means committee.
- (2) The chairperson of the senate appropriations committee.
- (3) The chairperson of the senate tax and fiscal policy committee.
- (4) The chairperson of the house of representatives roads and transportation committee.
- (5) The chairperson of the senate homeland security and transportation committee.
- (6) The director of the office of management and budget.
- (7) The public finance director of the Indiana finance authority.
- (8) One (1) member who represents counties and is appointed by the governor after considering the recommendation of the Association of Indiana Counties.
- (9) One (1) member who represents municipalities and is appointed by the governor after considering the recommendation of Accelerate Indiana Municipalities.
- (10) One (1) member appointed by the governor after considering the recommendation of the Build Indiana Council.
- (11) One (1) member appointed by the governor who is an employee of the Indiana department of transportation.
- (12) One (1) member appointed by the governor who is a member



of the Indiana Motor Truck Association.

(13) One (1) member appointed by the governor who represents taxpayers.

(14) One (1) member of the general assembly who is a member of the majority party of the house of representatives and is appointed by the speaker of the house of representatives.

(15) One (1) member of the general assembly who is a member of the minority party of the house of representatives and is appointed by the speaker of the house of representatives in consultation with the minority leader of the house of representatives.

(16) One (1) member of the general assembly who is a member of the minority party of the senate and is appointed by the president pro tempore of the senate in consultation with the minority leader of the senate.

(d) The budget committee shall select a member of the task force to serve as the chairperson of the task force.

(e) The task force shall do the following:

(1) Review state highway and major bridge needs.

(2) Verify road and bridge needs at the local level.

(3) Develop a long term plan for state highway and major bridge needs that addresses the ten (10) points described in subsection (g) and:

(A) will achieve the recommended pavement and bridge conditions;

(B) will complete the current statewide priority projects by finishing projects that have been started;

(C) includes Tier 1, 2, and 3 projects; and

(D) using the model developed by the Indiana department of transportation, includes sustainable funding mechanisms for the various components of the plan.

(4) Review the long term impact of electric and hybrid vehicles.

(5) Develop a long term plan for local road and bridge needs.

**(6) Review the impact of repurposing vehicular traffic lanes into dedicated lanes for mass transit.**

**(7) Review the impact of the installation of signs prohibiting a turn described in IC 9-21-3-7(b)(3)(B).**

(f) The long term plan for state highway and major bridge needs must provide a basis for consideration for the state biennial budget enacted for the biennium beginning July 1, 2025.

(g) The long term plan for state highway and major bridge needs must include the following ten (10) points:

(1) Estimates of the costs of major projects, including a study of



which projects can be done within current revenue streams and which projects may require additional funding.

(2) The identification of projects for which a public-private partnership, a public-private agreement, or tolling might be viable, with planning to verify and confirm these public-private partnership, public-private agreement, or tolling opportunities.

(3) The identification of resources for annual maintenance needs, concentrating first on available user fees and attempting to secure stable and predictable funding sources. This must include a determination of whether additional resources must be pursued and what form of resource is most appropriate for each project.

(4) A review of the state's debt situation and the development of a plan to maintain a strong financial position for the state. This must include consideration of whether a fee or tax could be associated with the life of a bond for an individual project, with the fee or tax then expiring by law upon payment of the bond.

(5) The evaluation of the state system of taxes, fees, and registration fees, and the equity of payments by different groups of users of transportation assets. This must include an evaluation of the overall reliability over time of the receipt of revenue from these sources.

(6) A review of the fuel tax system, including such concepts as indexing tax rates, changing tax rates, and the appropriate collection points for these taxes.

(7) The ensuring that the projects listed in the plan are priority items that should be carried out, and confirming that these projects bring value to citizens either through access and safety needs or for economic development of Indiana as a whole.

(8) A review of the impact and advisability of dedicating some part of state sales tax to roads and road maintenance.

(9) An analysis of how collective purchasing agreements could be developed to share and reduce costs across the system of state and local governments.

(10) A presentation of the plan and recommendations to the budget committee before January 1, ~~2024~~ **2025**.

(h) The legislative services agency shall provide staff support to the task force.

(i) The meetings of the task force must be held in public as provided under IC 5-14-1.5. However, the task force is permitted to meet in executive session as determined necessary by the chairperson of the task force.

**(j) Before December 1, 2024, the task force shall prepare and**



**submit a report to the legislative council, in an electronic format under IC 5-14-6, that sets forth the topics reviewed by the task force and the task force's findings and recommendations.**

**(j) (k)** This SECTION expires June 30, ~~2024~~, **2025**."

Renumber all SECTIONS consecutively.

(Reference is to SB 52 as printed January 23, 2024.)

FREEMAN

