

SENATE BILL No. 133

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-14-3-7; IC 9-21-11-12; IC 9-24; IC 9-26-1; IC 9-29-9; IC 9-30-3-12; IC 20-33; IC 31-37-19; IC 33-39-1-8; IC 34-28-5-1.

Synopsis: Driving authority permits and learner's permits. Provides for the issuance of driving authority permits, probationary driving authority permits, and driving authority learner's permits to residents of Indiana who cannot provide proof of identity and lawful status in the United States. Provides that these permits may not be used for: (1) federal identification; or (2) any federal purposes. Requires that an individual who holds such a permit and operates a motor vehicle must ensure that required financial responsibility on the motor vehicle is continuously maintained in the amounts required by law. Makes conforming amendments. Removes outdated language.

Effective: July 1, 2016.

Broden

January 5, 2016, read first time and referred to Committee on Homeland Security & Transportation.



Second Regular Session 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

SENATE BILL No. 133

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 9-14-3-7, AS AMENDED BY P.L.125-2012,
2 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]: Sec. 7. (a) The bureau shall maintain a driving record
4 for each person licensed **or issued a permit** by the bureau to drive a
5 motor vehicle.
6 (b) A driving record must contain the following:
7 (1) A person's convictions for any of the following:
8 (A) A moving traffic violation.
9 (B) Operating a vehicle without financial responsibility in
10 violation of IC 9-25.
11 (2) Any administrative penalty imposed by the bureau.
12 (3) If the driving privileges of a person have been suspended or
13 revoked by the bureau, an entry in the record stating that a notice
14 of suspension or revocation was mailed by the bureau and the date
15 of the mailing of the notice.
16 (4) Any suspensions, revocations, or reinstatements of a person's
17 driving privileges, license, or permit.



- 1 (5) Any requirement that the person may operate only a motor
 2 vehicle equipped with a certified ignition interlock device.
- 3 (c) An entry in the driving record of a defendant stating that notice
 4 of suspension or revocation was mailed by the bureau to the defendant
 5 constitutes prima facie evidence that the notice was mailed to the
 6 defendant's address as shown in the records of the bureau.
- 7 (d) A driving record maintained under this section:
 8 (1) is not admissible as evidence in any action for damages arising
 9 out of a motor vehicle accident; and
 10 (2) may not include voter registration information.
- 11 SECTION 2. IC 9-21-11-12, AS AMENDED BY P.L.221-2014,
 12 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2016]: Sec. 12. A Class B motor driven cycle may not be
 14 operated under any of the following conditions:
 15 (1) By a person less than fifteen (15) years of age.
 16 (2) By a person who has not obtained an identification card with
 17 a Class B motor driven cycle endorsement under IC 9-24, a permit
 18 under IC 9-24, an operator's license under IC 9-24, a chauffeur's
 19 license under IC 9-24, **or** a public passenger chauffeur's license
 20 under IC 9-24, **or a driving authority permit or driving**
 21 **authority learner's permit under IC 9-24.**
 22 (3) On an interstate highway or a sidewalk.
 23 (4) At a speed greater than thirty-five (35) miles per hour.
- 24 SECTION 3. IC 9-24-1-1, AS AMENDED BY P.L.188-2015,
 25 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2016]: Sec. 1. (a) Except as otherwise provided in this
 27 chapter, an individual must have a valid Indiana:
 28 (1) operator's license;
 29 (2) chauffeur's license;
 30 (3) public passenger chauffeur's license;
 31 (4) commercial driver's license;
 32 (5) driver's license listed in subdivision (1), (2), (3), or (4) with:
 33 (A) a motorcycle endorsement; or
 34 (B) a motorcycle endorsement with a Class A motor driven
 35 cycle restriction;
 36 (6) learner's permit; **or**
 37 (7) motorcycle learner's permit;
 38 **(8) driving authority permit; or**
 39 **(9) driving authority learner's permit;**
 40 issued to the individual by the bureau under this article to operate upon
 41 an Indiana highway the type of motor vehicle for which the license or
 42 permit was issued.



1 (b) An individual must have:

- 2 (1) an unexpired identification card with a Class B motor driven
 3 cycle endorsement issued to the individual by the bureau under
 4 IC 9-24-16; ~~or~~
 5 (2) a valid driver's license described in subsection (a);
 6 **(3) a driving authority permit; or**
 7 **(4) a driving authority learner's permit;**

8 to operate a Class B motor driven cycle upon an Indiana highway.

9 (c) A person who operates a motor vehicle or motor driven cycle
 10 upon a road or highway without the proper license commits a Class C
 11 infraction.

12 SECTION 4. IC 9-24-2-1, AS AMENDED BY P.L.125-2012,
 13 SECTION 166, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) The bureau shall suspend the
 15 driving privileges or invalidate the learner's permit **or driving**
 16 **authority learner's permit** of an individual less than eighteen (18)
 17 years of age who meets any of the following conditions:

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

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

- 31 (1) driver's license, ~~or~~ learner's permit, **driving authority permit,**
 32 **or driving authority learner's permit;** and
 33 (2) employment certificate.

34 SECTION 5. IC 9-24-2-2, AS AMENDED BY P.L.125-2012,
 35 SECTION 167, IS AMENDED TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 2016]: Sec. 2. The bureau shall suspend the
 37 driving privileges or invalidate the learner's permit **or driving**
 38 **authority learner's permit** of an individual less than eighteen (18)
 39 years of age who is under an order entered by a juvenile court under
 40 IC 31-37-19-13 through IC 31-37-19-17 (or IC 31-6-4-15.9(d),
 41 IC 31-6-4-15.9(e), or IC 31-6-4-15.9(f) before their repeal).

42 SECTION 6. IC 9-24-2-2.5, AS AMENDED BY P.L.125-2012,



1 SECTION 168, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2016]: Sec. 2.5. (a) The bureau shall suspend
 3 the driving privileges or invalidate the learner's permit **or driving**
 4 **authority learner's permit** of an individual who is under an order
 5 entered by a court under IC 35-43-1-2(c).

6 (b) The bureau shall suspend the driving privileges or invalidate the
 7 learner's permit **or driving authority learner's permit** of a person
 8 who is the subject of an order issued under IC 31-37-19-17 (or
 9 IC 31-6-4-15.9(f) before its repeal) or IC 35-43-1-2(c).

10 SECTION 7. IC 9-24-2-3, AS AMENDED BY P.L.2-2014,
 11 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2016]: Sec. 3. (a) The bureau may not issue a driver's license,
 13 **or** learner's permit, **driving authority permit, or driving authority**
 14 **learner's permit** or grant driving privileges to the following
 15 individuals:

16 (1) An individual whose driving privileges have been suspended,
 17 during the period for which the driving privileges are suspended,
 18 or to an individual whose driver's license **or driving authority**
 19 **permit** has been revoked, until the time the bureau is authorized
 20 under Indiana law to issue the individual a new license.

21 (2) An individual whose learner's permit **or driving authority**
 22 **learner's permit** has been suspended or revoked until the time
 23 the bureau is authorized under Indiana law to issue the individual
 24 a new permit.

25 (3) An individual who, in the opinion of the bureau, is afflicted
 26 with or suffering from a physical or mental disability or disease
 27 that prevents the individual from exercising reasonable and
 28 ordinary control over a motor vehicle while operating the vehicle
 29 upon the public highways.

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

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

34 (A) the person successfully passes the examination; or

35 (B) the bureau waives the examination requirement.

36 (6) An individual who is required under IC 9-25 or any other
 37 statute to deposit or provide proof of financial responsibility and
 38 who has not deposited or provided that proof.

39 (7) An individual when the bureau has good cause to believe that
 40 the operation of a motor vehicle on a public highway of Indiana
 41 by the individual would be inimical to public safety or welfare.

42 (8) An individual who is the subject of an order issued by:



- 1 (A) a court under IC 31-16-12-7 (or IC 31-1-11.5-13,
2 IC 31-6-6.1-16, or IC 31-14-12-4 before their repeal); or
3 (B) the Title IV-D agency;
4 ordering that a driver's license or permit not be issued to the
5 individual.
- 6 **(9) This subdivision does not apply to an applicant for a**
7 **driving authority permit under IC 9-24-3.5 or a driving**
8 **authority learner's permit under IC 9-24-7.** An individual who
9 has not presented valid documentary evidence to the bureau of the
10 person's legal status in the United States, as required by
11 ~~IC 9-24-9-2.5.~~ **IC 9-24-9-2.5(a).**
- 12 (10) An individual who does not otherwise satisfy the
13 requirements of this article.
- 14 (b) An individual subject to epileptic seizures may not be denied a
15 driver's license or permit under this section if the individual presents
16 a statement from a licensed physician, on a form prescribed by the
17 bureau, that the individual is under medication and is free from
18 seizures while under medication.
- 19 SECTION 8. IC 9-24-3.5 IS ADDED TO THE INDIANA CODE
20 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2016]:
- 22 **Chapter 3.5. Driving Authority Permit**
- 23 **Sec. 1. An individual who is unable to present the valid**
24 **documentary evidence required by IC 9-24-9-2.5(a) may apply to**
25 **the bureau for a driving authority permit.**
- 26 **Sec. 2. The bureau shall issue a driving authority permit to an**
27 **individual who meets the following conditions:**
- 28 (1) Satisfies the age requirements set forth in section 3 of this
29 chapter.
- 30 (2) Makes proper application to the bureau under IC 9-24-9
31 upon a form prescribed by the bureau. The form must include
32 an attestation concerning the number of hours of supervised
33 driving practice that the individual has completed if the
34 individual is required under section 3 of this chapter to
35 complete a certain number of hours of supervised driving
36 practice in order to receive a driving authority permit. The:
- 37 (A) parent or guardian of an applicant less than eighteen
38 (18) years of age; or
39 (B) applicant, if the applicant is at least eighteen (18) years
40 of age;
41 shall attest in writing under penalty of perjury to the time
42 logged in practice driving.



1 **(3) Satisfactorily passes the examination and tests required**
 2 **for issuance of a driving authority permit.**

3 **(4) Pays the fee prescribed by IC 9-29-9-1.**

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

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

8 **(A) Is at least sixteen (16) years and one hundred eighty**
 9 **(180) days of age.**

10 **(B) Has held a valid driving authority learner's permit for**
 11 **at least one hundred eighty (180) days.**

12 **(C) Obtains an instructor's certification that the individual**
 13 **has satisfactorily completed an approved driver education**
 14 **course.**

15 **(D) Passes the required examination.**

16 **(E) Completes at least fifty (50) hours of supervised driving**
 17 **practice, of which at least ten (10) hours are nighttime**
 18 **driving, with:**

19 **(i) a licensed instructor or a licensed driver, with valid**
 20 **driving privileges, who is at least twenty-five (25) years**
 21 **of age; or**

22 **(ii) the spouse of the individual who is a licensed driver**
 23 **with valid driving privileges and is at least twenty-one**
 24 **(21) years of age.**

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

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

28 **(B) Has held a valid driving authority learner's permit for**
 29 **at least one hundred eighty (180) days.**

30 **(C) Passes the required examination.**

31 **(D) Completes at least fifty (50) hours of supervised**
 32 **driving practice, of which at least ten (10) hours are**
 33 **nighttime driving, with:**

34 **(i) a licensed instructor or a licensed driver, with valid**
 35 **driving privileges, who is at least twenty-five (25) years**
 36 **of age; or**

37 **(ii) the spouse of the individual who is a licensed driver**
 38 **with valid driving privileges and is at least twenty-one**
 39 **(21) years of age.**

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

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

42 **(B) Has previously been a nonresident of Indiana but, at**



1 **the time of application, qualifies as an Indiana resident.**

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

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

5 **(b) An applicant who is required to complete at least fifty (50)**
 6 **hours of supervised practice driving under subsection (a)(1)(E) or**
 7 **(a)(2)(D) must submit to the commission under IC 9-24-9-2(c)**
 8 **evidence of the time logged in practice driving.**

9 **Sec. 4. A driving authority permit or driving authority learner's**
 10 **permit must include a statement on the face of the permit that**
 11 **indicates that the permit may not be accepted by any federal**
 12 **agency for federal identification or any other federal purpose.**

13 **Sec. 5. A driving authority permit or driving authority learner's**
 14 **permit allows the holder to operate a passenger motor vehicle, a**
 15 **truck with a declared gross weight equal to or less than eleven**
 16 **thousand (11,000) pounds, or a Class B motor driven cycle.**

17 **Sec. 6. A person who holds a driving authority permit or driving**
 18 **authority learner's permit and operates a motor vehicle shall**
 19 **ensure that required financial responsibility on a motor vehicle**
 20 **that the holder operates is continuously maintained in the amounts**
 21 **set forth in IC 9-25-4.**

22 **Sec. 7. The bureau shall adopt rules under IC 4-22-2 to carry**
 23 **out this chapter.**

24 SECTION 9. IC 9-24-7-1, AS AMENDED BY P.L.125-2012,
 25 SECTION 196, IS AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) The bureau shall issue a
 27 learner's permit **for an operator's license** to an individual who:

28 (1) is at least fifteen (15) years of age;

29 (2) if less than eighteen (18) years of age, is not ineligible under
 30 IC 9-24-2-1;

31 (3) is enrolled in an approved driver education course; and

32 (4) has passed a written examination as required under
 33 IC 9-24-10.

34 (b) The bureau shall issue a learner's permit **for an operator's**
 35 **license** to an individual who:

36 (1) is at least sixteen (16) years of age;

37 (2) if less than eighteen (18) years of age, is not ineligible under
 38 IC 9-24-2; and

39 (3) has passed a written examination as required under
 40 IC 9-24-10.

41 **(c) An individual who is unable to present the valid**
 42 **documentary evidence required by IC 9-24-9-2.5(a) may apply for**



1 a driving authority learner's permit, which may be used as the
 2 basis to be issued a driving authority permit under IC 9-24-3.5.
 3 The bureau shall issue a driving authority learner's permit to an
 4 individual:

5 (1) who:

6 (A) is at least fifteen (15) years of age, but if less than
 7 eighteen (18) years of age, is not ineligible under
 8 IC 9-24-2-1;

9 (B) is enrolled in an approved driver education course; and

10 (C) has passed a written examination as required under
 11 IC 9-24-10; or

12 (2) who:

13 (A) is at least sixteen (16) years of age, but if less than
 14 eighteen (18) years of age, is not ineligible under IC 9-24-2;
 15 and

16 (B) has passed a written examination as required under
 17 IC 9-24-10.

18 SECTION 10. IC 9-24-7-2, AS AMENDED BY P.L.125-2012,
 19 SECTION 197, IS AMENDED TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2016]: Sec. 2. The instructor of an approved
 21 driver education course shall validate or certify a learner's permit **or**
 22 **driving authority learner's permit** when the holder has satisfactorily
 23 completed the course. If the instructor is unable to certify the actual
 24 learner's permit **or driving authority learner's permit**, the instructor
 25 may certify that the holder has satisfactorily completed the course in a
 26 manner the bureau prescribes.

27 SECTION 11. IC 9-24-7-4, AS AMENDED BY P.L.150-2015,
 28 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2016]: Sec. 4. A learner's permit **for an operator's license or**
 30 **a driving authority learner's permit** authorizes the permit holder to
 31 operate a motor vehicle, except a motorcycle or commercial motor
 32 vehicle, upon a public highway under the following conditions:

33 (1) While the holder is participating in practice driving in a
 34 approved driver education course and is accompanied in the seat
 35 beside the holder by an individual with valid driving privileges
 36 who:

37 (A) is licensed as a driver education instructor under
 38 IC 9-27-6-8 and is working under the direction of a driver
 39 training school described in IC 9-27-6-3(a)(2); or

40 (B) is a certified driver rehabilitation specialist recognized by
 41 the bureau who is employed through a driver rehabilitation
 42 program.



1 (2) While the holder is participating in practice driving after
 2 having commenced an approved driver education course and the
 3 seat beside the holder is occupied by a licensed driver with valid
 4 driving privileges who is at least:

5 (A) twenty-five (25) years of age and related to the applicant
 6 by blood, marriage, or legal status; or

7 (B) if the licensed driver is the holder's spouse, twenty-one
 8 (21) years of age.

9 (3) If the holder is not participating in an approved driver
 10 education course, and is less than eighteen (18) years of age, the
 11 holder may participate in practice driving if the seat beside the
 12 holder is occupied by an individual who is:

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

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

15 (ii) related to the applicant by blood, marriage, or legal
 16 status;

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

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

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

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

21 (i) is licensed as a driver education instructor under
 22 IC 9-27-6-8 and is working under the direction of a driver
 23 training school described in IC 9-27-6-3(a)(2); or

24 (ii) is a certified driver rehabilitation specialist recognized
 25 by the bureau who is employed through a driver
 26 rehabilitation program.

27 (4) If the holder is not participating in an approved driver
 28 education course, and is at least eighteen (18) years of age, the
 29 holder may participate in practice driving if accompanied in the
 30 front seat of the vehicle by an individual who is:

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

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

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

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

36 SECTION 12. IC 9-24-7-5, AS AMENDED BY P.L.125-2012,
 37 SECTION 200, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2016]: Sec. 5. (a) A holder of a learner's permit
 39 may take the skills examination for an operator's license not later than
 40 the expiration date of the learner's permit. A holder who does not pass
 41 the skills examination after a third attempt is not eligible to take the
 42 examination until two (2) months after the date of the last failed



1 examination.

2 **(b) A holder of a driving authority learner's permit may take**
 3 **the skills examination for a driving authority permit not later than**
 4 **the expiration date of the driving authority learner's permit. A**
 5 **holder who does not pass the skills examination after a third**
 6 **attempt is not eligible to take the examination until two (2) months**
 7 **after the date of the last failed examination.**

8 SECTION 13. IC 9-24-7-7, AS AMENDED BY P.L.85-2013,
 9 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2016]: Sec. 7. The bureau shall publish the following:

11 (1) An online driving guide that may be used by the holder of a
 12 learner's permit **or a driving authority learner's permit** and the
 13 parent of the holder of a learner's permit **or a driving authority**
 14 **learner's permit**, if applicable.

15 (2) An online log that must be completed to show evidence of the
 16 completion of the hours of supervised practice driving required
 17 under IC 9-24-3-2.5(a)(1)(E), ~~or~~ IC 9-24-3-2.5(a)(2)(D),
 18 **IC 9-24-3.5-3(a)(1)(E), or IC 9-24-3.5-3(a)(2)(D).**

19 SECTION 14. IC 9-24-9-1, AS AMENDED BY P.L.128-2015,
 20 SECTION 226, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) Each application for a permit
 22 or license under this ~~chapter~~ **article** must:

23 (1) be made upon the approved form for the application furnished
 24 by the bureau;

25 (2) include a signed affidavit in which the applicant swears or
 26 affirms that the information set forth in the application by the
 27 applicant is correct; and

28 (3) include a voter registration form as provided in IC 3-7-14 and
 29 52 U.S.C. 20504(c)(1).

30 However, an online application does not have to include a voter
 31 registration form under subdivision (3).

32 (b) The Indiana election commission may prescribe a voter
 33 registration form for use under subsection (a) that is a separate
 34 document from the remaining portions of the application described in
 35 subsection (a)(1) and (a)(2) if the voter registration form remains a part
 36 of the application, as required under 52 U.S.C. 20504(c)(1).

37 SECTION 15. IC 9-24-9-2, AS AMENDED BY P.L.149-2015,
 38 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2016]: Sec. 2. (a) Except as provided in subsection (b), each
 40 application for a license or permit under this chapter must require the
 41 following information:

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



- 1 (2) The applicant's date of birth.
 2 (3) The gender of the applicant.
 3 (4) The applicant's height, weight, hair color, and eye color.
 4 (5) The principal address and mailing address of the applicant.
 5 (6) **Unless the applicant is applying for a driving authority**
 6 **permit under IC 9-24-3.5 or a learner's permit leading only to**
 7 **a driving authority permit under IC 9-24-7-1(c), a:**
 8 (A) valid Social Security number; or
 9 (B) verification of an applicant's:
 10 (i) ineligibility to be issued a Social Security number; and
 11 (ii) identity and lawful status.
 12 (7) Whether the applicant has been subject to fainting spells or
 13 seizures.
 14 (8) Whether the applicant has been licensed as an operator, a
 15 chauffeur, or a public passenger chauffeur or has been the holder
 16 of a learner's permit, and if so, when and by what state.
 17 (9) Whether the applicant's license or permit has ever been
 18 suspended or revoked, and if so, the date of and the reason for the
 19 suspension or revocation.
 20 (10) Whether the applicant has been convicted of:
 21 (A) a crime punishable as a felony under Indiana motor
 22 vehicle law; or
 23 (B) any other felony in the commission of which a motor
 24 vehicle was used;
 25 that has not been expunged by a court.
 26 (11) Whether the applicant has a physical or mental disability,
 27 and if so, the nature of the disability and other information the
 28 bureau directs.
 29 (12) The signature of the applicant showing the applicant's legal
 30 name as it appears or will appear on the license or permit.
 31 (13) A digital photograph of the applicant.
 32 The bureau shall maintain records of the information provided under
 33 subdivisions (1) through (13).
 34 (b) For purposes of subsection (a), an individual certified as a
 35 program participant in the address confidentiality program under
 36 IC 5-26.5 is not required to provide the individual's principal address
 37 and mailing address, but may provide an address designated by the
 38 office of the attorney general under IC 5-26.5 as the individual's
 39 principal address and mailing address.
 40 (c) In addition to the information required by subsection (a), an
 41 applicant who is required to complete at least fifty (50) hours of
 42 supervised practice driving under IC 9-24-3-2.5(a)(1)(E), or



1 IC 9-24-3-2.5(a)(2)(D), **IC 9-24-3.5-3(a)(1)(E), or**
 2 **IC 9-24-3.5-3(a)(2)(D)** must submit to the bureau evidence of the time
 3 logged in practice driving. The bureau shall maintain a record of the
 4 time log provided.

5 (d) In addition to the information required under subsection (a), an
 6 application for a license or permit to be issued under this chapter must
 7 enable the applicant to indicate that the applicant is a member of the
 8 armed forces of the United States and wishes to have an indication of
 9 the applicant's veteran or active military or naval service status appear
 10 on the license or permit. An applicant who wishes to have an indication
 11 of the applicant's veteran or active military or naval service status
 12 appear on a license or permit must:

13 (1) indicate on the application that the applicant:

14 (A) is a member of the armed forces of the United States; and

15 (B) wishes to have an indication of the applicant's veteran or
 16 active military or naval service status appear on the license or
 17 permit; and

18 (2) verify the applicant's:

19 (A) veteran status by providing proof of discharge or
 20 separation, other than a dishonorable discharge, from the
 21 armed forces of the United States ; or

22 (B) active military or naval service status by means of a
 23 current armed forces identification card.

24 The bureau shall maintain records of the information provided under
 25 this subsection.

26 (e) The bureau may adopt rules under IC 4-22-2 to:

27 (1) verify an applicant's identity, lawful status, and residence; and

28 (2) invalidate on a temporary basis a license or permit that has
 29 been issued based on fraudulent documentation.

30 SECTION 16. IC 9-24-9-2.5, AS AMENDED BY P.L.162-2009,
 31 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2016]: Sec. 2.5. **(a) Except as provided in subsection (b)**, in
 33 addition to the information required from the applicant for a license or
 34 permit under sections 1 and 2 of this chapter, the bureau shall require
 35 an applicant to present to the bureau valid documentary evidence that
 36 the applicant:

37 (1) is a citizen or national of the United States;

38 (2) is an alien lawfully admitted for permanent residence in the
 39 United States;

40 (3) has conditional permanent resident status in the United States;

41 (4) has an approved application for asylum in the United States or
 42 has entered into the United States in refugee status;



1 (5) is an alien lawfully admitted for temporary residence in the
 2 United States;
 3 (6) has a valid unexpired nonimmigrant visa or nonimmigrant visa
 4 status for entry into the United States;
 5 (7) has a pending application for asylum in the United States;
 6 (8) has a pending or approved application for temporary protected
 7 status in the United States;
 8 (9) has approved deferred action status; or
 9 (10) has a pending application for adjustment of status to that of
 10 an alien lawfully admitted for permanent residence in the United
 11 States or conditional permanent resident status in the United
 12 States.

13 **(b) An applicant for a driving authority permit under**
 14 **IC 9-24-3.5 or a driving authority learner's permit under**
 15 **IC 9-24-7-1(c) who is unable to provide the documentation**
 16 **required under subsection (a) must provide the bureau with**
 17 **documentation of residence in Indiana as required by rules**
 18 **adopted by the bureau under IC 4-22-2. The rules must provide**
 19 **that the supporting documentation may be shown by official**
 20 **documentation from a foreign consulate.**

21 SECTION 17. IC 9-24-9-3, AS AMENDED BY P.L.156-2006,
 22 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2016]: Sec. 3. The application of an individual less than
 24 eighteen (18) years of age for a permit or license under this ~~chapter~~
 25 **article** must be signed and sworn to or affirmed by one (1) of the
 26 following in order of preference:

- 27 (1) The parent having custody of the minor applicant or a
 28 designee of the custodial parent specified by the custodial parent.
- 29 (2) The noncustodial parent (as defined in IC 31-9-2-83) of the
 30 minor applicant or a designee of the noncustodial parent specified
 31 by the noncustodial parent.
- 32 (3) The guardian having custody of the minor applicant.
- 33 (4) In the absence of a person described in subdivisions (1)
 34 through (3), any other adult who is willing to assume the
 35 obligations imposed by the provisions of this chapter.

36 SECTION 18. IC 9-24-9-4 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) An individual
 38 who signs an application for a permit or license under this ~~chapter~~
 39 **article** agrees to be responsible jointly and severally with the minor
 40 applicant for any injury or damage that the minor applicant causes by
 41 reason of the operation of a motor vehicle if the minor applicant is
 42 liable in damages.



1 (b) An individual who has signed the application of a minor
 2 applicant for a permit or license may subsequently file with the bureau
 3 a verified written request that the permit or license be canceled. The
 4 bureau shall cancel the permit or license and the individual who signed
 5 the application of the minor applicant shall be relieved from the
 6 liability that is imposed under this ~~chapter~~ **article** by reason of having
 7 signed the application and that is subsequently incurred by the minor
 8 applicant in operating a motor vehicle.

9 (c) When a minor applicant becomes eighteen (18) years of age, the
 10 individual who signed the minor's application is relieved from the
 11 liability imposed under this ~~chapter~~ **article** and subsequently incurred
 12 by the applicant operating a motor vehicle.

13 SECTION 19. IC 9-24-10-2 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. The bureau may
 15 adopt rules under IC 4-22-2 necessary for the conduct of examinations
 16 for a learner's permit, **a driving authority learner's permit**, an
 17 operator's license, **a driving authority permit**, a chauffeur's license,
 18 and a public passenger chauffeur's license in accordance with this
 19 chapter concerning the qualifications and ability of applicants to
 20 operate motor vehicles in accordance with the rights and privileges of
 21 those permits and licenses.

22 SECTION 20. IC 9-24-10-4, AS AMENDED BY P.L.149-2015,
 23 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2016]: Sec. 4. (a) Except as provided in subsection (c), an
 25 examination for a learner's permit, **driving authority learner's**
 26 **permit, driving authority permit**, or driver's license must include the
 27 following:

28 (1) A test of the following of the applicant:

29 (A) Eyesight.

30 (B) Ability to read and understand highway signs regulating,
 31 warning, and directing traffic.

32 (C) Knowledge of Indiana traffic laws, including
 33 IC 9-26-1-1.5.

34 (2) An actual demonstration of the applicant's skill in exercising
 35 ordinary and reasonable control in the operation of a motor
 36 vehicle under the type of permit or license applied for.

37 (b) The examination may include further physical and mental
 38 examination that the bureau finds necessary to determine the
 39 applicant's fitness to operate a motor vehicle safely upon Indiana
 40 highways. The applicant must provide the motor vehicle used in the
 41 examination. An autocycle may not be used as the motor vehicle
 42 provided for the examination.



- 1 (c) The bureau:
 2 (1) may waive the actual demonstration required under subsection
 3 (a)(2) for a person who has passed a driver's education class and
 4 a skills test given by a driver training school or driver education
 5 program given by an entity licensed under IC 9-27; and
 6 (2) may waive the testing, other than testing under subsection
 7 (a)(1)(A), of an applicant who has passed:
 8 (A) an examination concerning:
 9 (i) subsection (a)(1)(B); and
 10 (ii) subsection (a)(1)(C); and
 11 (B) a skills test;
 12 given by a driver training school or an entity licensed under
 13 IC 9-27.
- 14 (d) The bureau shall adopt rules under IC 4-22-2 specifying
 15 requirements for a skills test given under subsection (c) and the testing
 16 required under subsection (a)(1).
- 17 (e) An instructor having a license under IC 9-27-6-8 who did not
 18 instruct the applicant for the license or permit in driver education is not
 19 civilly or criminally liable for a report made in good faith to the:
 20 (1) bureau;
 21 (2) commission; or
 22 (3) driver licensing medical advisory board;
 23 concerning the fitness of the applicant to operate a motor vehicle in a
 24 manner that does not jeopardize the safety of individuals or property.
- 25 SECTION 21. IC 9-24-11-3.3, AS AMENDED BY P.L.150-2015,
 26 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2016]: Sec. 3.3. (a) This section applies to a probationary
 28 operator's license ~~issued after June 30, 2009.~~ **or a probationary**
 29 **driving authority permit.**
- 30 (b) A license issued to or held by an individual less than twenty-one
 31 (21) years of age is a probationary license. **A driving authority permit**
 32 **issued to or held by an individual less than twenty-one (21) years**
 33 **of age is a probationary driving authority permit.** An individual
 34 holds a probationary license **or a probationary driving authority**
 35 **permit** subject to the following conditions:
 36 (1) Except as provided in subdivision (3), the individual may not
 37 operate a motor vehicle from 10 p.m. until 5 a.m. of the following
 38 morning during the first one hundred eighty (180) days after
 39 issuance of the probationary license **or the probationary driving**
 40 **authority permit.**
 41 (2) Except as provided in subdivision (3), after one hundred
 42 eighty (180) days after issuance of the probationary license **or the**



1 **probationary driving authority permit**, and until the individual
 2 becomes eighteen (18) years of age, an individual may not operate
 3 a motor vehicle:

4 (A) between 1 a.m. and 5 a.m. on a Saturday or Sunday;

5 (B) after 11 p.m. on Sunday, Monday, Tuesday, Wednesday,
 6 or Thursday; or

7 (C) before 5 a.m. on Monday, Tuesday, Wednesday, Thursday,
 8 or Friday.

9 (3) The individual may operate a motor vehicle during the periods
 10 described in subdivisions (1) and (2) if the individual operates the
 11 motor vehicle while:

12 (A) participating in, going to, or returning from:

13 (i) lawful employment;

14 (ii) a school sanctioned activity; or

15 (iii) a religious event; or

16 (B) accompanied in the front seat of the motor vehicle by a
 17 licensed driver with valid driving privileges who is:

18 (i) at least twenty-five (25) years of age; or

19 (ii) if the licensed driver is the individual's spouse, at least
 20 twenty-one (21) years of age.

21 (4) The individual may not operate a motor vehicle while using a
 22 telecommunications device until the individual becomes
 23 twenty-one (21) years of age unless the telecommunications
 24 device is being used to make a 911 emergency call.

25 (5) Except as provided in subdivision (6), during the one hundred
 26 eighty (180) days after the issuance of the probationary license **or**
 27 **the probationary driving authority permit**, the individual may
 28 not operate a motor vehicle in which there are passengers until the
 29 individual becomes twenty-one (21) years of age unless
 30 accompanied in the front seat of the motor vehicle by:

31 (A) a certified driver education instructor; or

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

33 (i) at least twenty-five (25) years of age; or

34 (ii) if the licensed driver is the individual's spouse, at least
 35 twenty-one (21) years of age.

36 (6) The individual may operate a motor vehicle and transport:

37 (A) a child or stepchild of the individual;

38 (B) a sibling of the individual, including step or half siblings;

39 (C) the spouse of the individual; or

40 (D) any combination of individuals described in clauses (A)
 41 through (C);

42 without another accompanying individual present in the motor



- 1 vehicle.
- 2 (7) The individual may operate a motor vehicle only if the
- 3 individual and each occupant of the motor vehicle are:
- 4 (A) properly restrained by a properly fastened safety belt; or
- 5 (B) if the occupant is a child, restrained in a properly fastened
- 6 child restraint system according to the manufacturer's
- 7 instructions under IC 9-19-11;
- 8 properly fastened about the occupant's body at all times when the
- 9 motor vehicle is in motion.
- 10 (c) An individual who holds a probationary license issued under this
- 11 section for at least one hundred eighty (180) days may be eligible to
- 12 receive an operator's license, a chauffeur's license, a public passenger
- 13 chauffeur's license, or a commercial driver's license when the
- 14 individual is at least eighteen (18) years of age. **An individual who**
- 15 **holds a probationary driving authority permit may not receive an**
- 16 **operator's license, a chauffeur's license, a public passenger**
- 17 **chauffeur's license, or a commercial driver's license. However, an**
- 18 **individual who holds a probationary driving authority permit may**
- 19 **receive a driving authority permit when the individual becomes**
- 20 **eighteen (18) years of age.**
- 21 (d) Except as provided in IC 9-24-12-1(d), a probationary license **or**
- 22 **a probationary driving authority permit** issued under this section:
- 23 (1) expires at midnight of the date thirty (30) days after the
- 24 twenty-first birthday of the holder; and
- 25 (2) may not be renewed.
- 26 (e) Nothing in this section limits the authority of a court to require
- 27 an individual who holds a probationary license to attend and complete:
- 28 (1) a driver safety program under IC 9-30-3-12; or
- 29 (2) a driver improvement or safety course under IC 9-30-3-16;
- 30 if the individual is otherwise eligible or required to attend the program
- 31 or course.
- 32 SECTION 22. IC 9-24-12-0.5, AS ADDED BY P.L.101-2009,
- 33 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 34 JULY 1, 2016]: Sec. 0.5. ~~This section applies beginning January 1,~~
- 35 ~~2010.~~ A learner's permit **or driving authority learner's permit** issued
- 36 under this article expires two (2) years after the date of issuance.
- 37 SECTION 23. IC 9-24-12-1, AS AMENDED BY P.L.150-2015,
- 38 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 39 JULY 1, 2016]: Sec. 1. (a) Notwithstanding subsection (c) and except
- 40 as provided in subsection (b) and sections 10, 11, and 12 of this
- 41 chapter, the expiration date of an operator's license that is the renewal
- 42 license for a license that contains a 2012 expiration date is as follows:



1 (1) If the license was previously issued or renewed after May 14,
2 2007, and before January 1, 2008, the renewal license expires at
3 midnight on the birthday of the holder that occurs in 2017.

4 (2) If the license was previously issued or renewed after
5 December 31, 2007, and before January 1, 2009, the renewal
6 license expires at midnight on the birthday of the holder that
7 occurs in 2018.

8 (3) If the license was previously issued or renewed after
9 December 31, 2005, and before January 1, 2007, the renewal
10 license expires at midnight on the birthday of the holder that
11 occurs in 2016.

12 (b) Except as provided in sections 10, 11, and 12 of this chapter, an
13 operator's license issued to an applicant who is at least seventy-five
14 (75) years of age expires at midnight of the birthday of the holder that
15 occurs three (3) years following the date of issuance.

16 (c) Except as provided in subsections (a), (b), and (e) and sections
17 10, 11, and 12 of this chapter, an operator's license issued under this
18 article expires at midnight of the birthday of the holder that occurs six
19 (6) years following the date of issuance.

20 (d) A probationary operator's license issued under IC 9-24-11-3.3 to
21 an individual who complies with ~~IC 9-24-9-2.5(5)~~ **IC 9-24-9-2.5(a)(5)**
22 through ~~IC 9-24-9-2.5(9)~~ **IC 9-24-9-2.5(a)(9)** expires:

23 (1) at midnight one (1) year after issuance if there is no expiration
24 date on the authorization granted to the individual to remain in the
25 United States; or

26 (2) if there is an expiration date on the authorization granted to
27 the individual to remain in the United States, the earlier of the
28 following:

29 (A) At midnight of the date the authorization to remain in the
30 United States expires.

31 (B) At midnight of the date thirty (30) days after the
32 twenty-first birthday of the holder.

33 (e) Except as provided in subsection (d), a probationary operator's
34 license issued under IC 9-24-11-3.3 expires at midnight of the date
35 thirty (30) days after the twenty-first birthday of the holder.

36 **(f) Except as provided in sections 10 and 11 of this chapter, a**
37 **driving authority permit issued under this article expires at**
38 **midnight of the birthday of the holder that occurs six (6) years**
39 **after the date of issuance.**

40 SECTION 24. IC 9-24-12-4, AS AMENDED BY P.L.197-2015,
41 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2016]: Sec. 4. (a) Except as provided in subsections (b) and



1 (c), the application for renewal of:
 2 (1) an operator's license;
 3 (2) a chauffeur's license;
 4 (3) a public passenger chauffeur's license;
 5 (4) an identification card; ~~or~~
 6 (5) a photo exempt identification card; **or**
 7 **(6) a driving authority permit;**
 8 under this article may be filed not more than twelve (12) months before
 9 the expiration date of the license, identification card, or photo exempt
 10 identification card held by the applicant.

11 (b) When the applicant complies with ~~IC 9-24-9-2.5(5)~~
 12 **IC 9-24-9-2.5(a)(5)** through ~~IC 9-24-9-2.5(10)~~; **IC 9-24-9-2.5(a)(10)**,
 13 an application for renewal of a driver's license in subsection (a)(1),
 14 (a)(2), or (a)(3) may be filed not more than one (1) month before the
 15 expiration date of the license held by the applicant.

16 (c) When the applicant complies with IC 9-24-16-3.5(1)(E) through
 17 IC 9-24-16-3.5(1)(J), an application for renewal of an identification
 18 card under subsection (a)(4) may be filed not more than one (1) month
 19 before the expiration date of the identification card held by the
 20 applicant.

21 **(d) When the applicant complies with IC 9-24-9-2.5(b), an**
 22 **application for renewal of a driving authority permit under**
 23 **subsection (a)(6) may be filed not more than one (1) month before**
 24 **the expiration date of the permit held by the applicant.**

25 SECTION 25. IC 9-24-12-5, AS AMENDED BY P.L.85-2013,
 26 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2016]: Sec. 5. (a) Except as provided in subsection (b), an
 28 individual applying for renewal of an operator's **license**, a chauffeur's
 29 **license**, ~~or~~ a public passenger chauffeur's license, **or a driving**
 30 **authority permit** must apply in person at a license branch and do the
 31 following:

- 32 (1) Pass an eyesight examination.
- 33 (2) Pass a written examination if:
 - 34 (A) the applicant has at least six (6) active points on the
 - 35 applicant's driving record maintained by the bureau;
 - 36 (B) the applicant holds a valid operator's license **or driving**
 - 37 **authority permit**, has not reached the applicant's twenty-first
 - 38 birthday, and has active points on the applicant's driving
 - 39 record maintained by the bureau; or
 - 40 (C) the applicant is in possession of a driver's license **or a**
 - 41 **driving authority permit** that is expired beyond one hundred
 - 42 eighty (180) days.



1 (b) The bureau may adopt rules under IC 4-22-2 concerning the
 2 ability of a holder of an operator's, a chauffeur's, or a public passenger
 3 chauffeur's license to renew the license by mail or by electronic service.
 4 If rules are adopted under this subsection, the rules must provide that
 5 an individual's renewal of a license by mail or by electronic service is
 6 subject to the following conditions:

7 (1) A valid computerized image of the individual must exist
 8 within the records of the bureau.

9 (2) The previous renewal of the individual's operator's,
 10 chauffeur's, or public passenger chauffeur's license must not have
 11 been by mail or by electronic service.

12 (3) The application for or previous renewal of the individual's
 13 license must have included a test of the individual's eyesight
 14 approved by the bureau.

15 (4) If the individual were applying for the license renewal in
 16 person at a license branch, the individual would not be required
 17 under subsection (a)(2) to submit to a written examination.

18 (5) The individual must be a citizen of the United States, as
 19 shown in the records of the bureau.

20 (6) There must not have been any change in the:

21 (A) address; or

22 (B) name;

23 of the individual since the issuance or previous renewal of the
 24 individual's operator's, chauffeur's, or public passenger chauffeur's
 25 license.

26 (7) The operator's, chauffeur's, or public passenger chauffeur's
 27 license of the individual must not be:

28 (A) suspended; or

29 (B) expired more than one hundred eighty (180) days;

30 at the time of the application for renewal.

31 (8) The individual must be less than seventy-five (75) years of age
 32 at the time of the application for renewal.

33 (c) An individual applying for the renewal of an operator's, a
 34 chauffeur's, or a public passenger chauffeur's license must apply in
 35 person at a license branch under subsection (a) if the individual is not
 36 entitled to apply by mail or by electronic service under rules adopted
 37 under subsection (b).

38 SECTION 26. IC 9-24-12-10, AS AMENDED BY P.L.85-2013,
 39 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2016]: Sec. 10. (a) Except as provided in section 11 of this
 41 chapter: ~~after June 30, 2005:~~

42 (1) an operator's;



1 (2) a chauffeur's; or
 2 (3) a public passenger chauffeur's;
 3 license **or a driving authority permit** issued to or renewed by a driver
 4 who is at least eighty-five (85) years of age expires at midnight of the
 5 birthday of the holder that occurs two (2) years following the date of
 6 issuance.

7 **(b) Except as provided in section 11 of this chapter, a driving**
 8 **authority permit issued under this article to an applicant who is at**
 9 **least seventy-five (75) years of age but less than eighty-five (85)**
 10 **years of age expires at midnight of the birthday of the holder that**
 11 **occurs three (3) years following the date of issuance.**

12 SECTION 27. IC 9-24-12-11, AS AMENDED BY P.L.149-2015,
 13 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2016]: Sec. 11. (a) This section applies to a driver's license
 15 issued under:

- 16 (1) IC 9-24-3;
 17 (2) IC 9-24-4; or
 18 (3) IC 9-24-5;

19 **or a driving authority permit issued under IC 9-24-3.5.**

20 (b) If the birthday of a holder on which the holder's driver's license
 21 issued under a chapter referred to in subsection (a) would otherwise
 22 expire falls on:

- 23 (1) Sunday;
 24 (2) a legal holiday (as set forth in IC 1-1-9-1); or
 25 (3) a weekday when all license branches in the county of
 26 residence of the holder are closed;

27 the driver's license **or driving authority permit** of the holder does not
 28 expire until midnight of the first day after the birthday on which a
 29 license branch is open for business in the county of residence of the
 30 holder.

31 SECTION 28. IC 9-24-12-12, AS AMENDED BY P.L.109-2011,
 32 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2016]: Sec. 12. (a) This section applies to a driver's license
 34 issued under:

- 35 (1) IC 9-24-3;
 36 (2) IC 9-24-4; and
 37 (3) IC 9-24-5.

38 (b) A driver's license listed in subsection (a) that is issued after
 39 December 31, 2007, to an applicant who complies with
 40 ~~IC 9-24-9-2.5(5)~~ **IC 9-24-9-2.5(a)(5)** through ~~IC 9-24-9-2.5(10)~~
 41 **IC 9-24-9-2.5(a)(10)** expires:

- 42 (1) at midnight one (1) year after issuance if there is no expiration



1 date on the authorization granted to the individual to remain in the
2 United States; or

3 (2) if there is an expiration date on the authorization granted to
4 the individual to remain in the United States, the earlier of the
5 following:

6 (A) At midnight of the date the authorization of the holder to
7 be a legal permanent resident or conditional resident alien of
8 the United States expires.

9 (B) At midnight of the birthday of the holder that occurs six
10 (6) years after the date of issuance.

11 SECTION 29. IC 9-24-18-1, AS AMENDED BY P.L.221-2014,
12 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2016]: Sec. 1. (a) A person, except a person exempted under
14 IC 9-24-1-7, who knowingly or intentionally operates a motor vehicle
15 upon a highway and has never received a valid driving license **or**
16 **permit** commits a Class C misdemeanor. However, the offense is a
17 Class A misdemeanor if the person has a prior unrelated conviction
18 under this section.

19 (b) In a prosecution under this section, the burden is on the
20 defendant to prove by a preponderance of the evidence that the
21 defendant:

22 (1) had been issued a driver's license or permit that was valid; or

23 (2) was operating a Class B motor driven cycle;

24 at the time of the alleged offense. However, it is not a defense under
25 subdivision (2) if the defendant was operating the Class B motor driven
26 cycle in violation of IC 9-21-11-12.

27 SECTION 30. IC 9-26-1-1.1, AS AMENDED BY P.L.188-2015,
28 SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2016]: Sec. 1.1. (a) The operator of a motor vehicle involved
30 in an accident shall do the following:

31 (1) Immediately stop the operator's motor vehicle:

32 (A) at the scene of the accident; or

33 (B) as close to the accident as possible in a manner that does
34 not obstruct traffic more than is necessary.

35 (2) Remain at the scene of the accident until the operator does the
36 following:

37 (A) Gives the operator's name and address and the registration
38 number of the motor vehicle the operator was driving to any
39 person involved in the accident.

40 (B) Exhibits the operator's driver's license, **driving authority**
41 **permit, or driving authority learner's permit** to any person
42 involved in the accident or occupant of or any person attending



- 1 to any vehicle involved in the accident.
- 2 (3) If the accident results in the injury or death of another person,
3 the operator shall, in addition to the requirements of subdivisions
4 (1) and (2):
- 5 (A) provide reasonable assistance to each person injured in or
6 entrapped by the accident, as directed by a law enforcement
7 officer, medical personnel, or a 911 telephone operator; and
8 (B) as soon as possible after the accident, immediately give
9 notice of the accident, or ensure that another person gives
10 notice of the accident, by the quickest means of
11 communication to one (1) of the following:
- 12 (i) The local police department, if the accident occurs within
13 a municipality.
- 14 (ii) The office of the county sheriff or the nearest state police
15 post, if the accident occurs outside a municipality.
- 16 (iii) A 911 telephone operator.
- 17 (4) If the accident involves a collision with an unattended vehicle
18 or damage to property other than a vehicle, the operator shall, in
19 addition to the requirements of subdivisions (1) and (2):
- 20 (A) take reasonable steps to locate and notify the owner or
21 person in charge of the damaged vehicle or property of the
22 damage; and
- 23 (B) if after reasonable inquiry the operator cannot find the
24 owner or person in charge of the damaged vehicle or property,
25 the operator must contact a law enforcement officer or agency
26 and provide the information required by this section.
- 27 (b) An operator of a motor vehicle who knowingly or intentionally
28 fails to comply with subsection (a) commits leaving the scene of an
29 accident, a Class B misdemeanor. However, the offense is:
- 30 (1) a Class A misdemeanor if the accident results in bodily injury
31 to another person;
- 32 (2) a Level 6 felony if:
- 33 (A) the accident results in serious bodily injury to another
34 person; or
- 35 (B) within the five (5) years preceding the commission of the
36 offense, the operator had a previous conviction of any of the
37 offenses listed in IC 9-30-10-4(a);
- 38 (3) a Level 5 felony if the accident results in the death of another
39 person; and
- 40 (4) a Level 3 felony if the operator knowingly or intentionally
41 fails to stop or comply with subsection (a) during or after the
42 commission of the offense of operating while intoxicated causing



- 1 serious bodily injury (IC 9-30-5-4) or operating while intoxicated
2 causing death (IC 9-30-5-5).
- 3 SECTION 31. IC 9-26-1-1.5, AS AMENDED BY P.L.188-2015,
4 SECTION 100, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2016]: Sec. 1.5. (a) If:
- 6 (1) the operator of a motor vehicle is physically incapable of
7 determining the need for or rendering assistance to any injured or
8 entrapped person as required under section 1.1(a)(3) of this
9 chapter;
- 10 (2) there is another occupant in the motor vehicle at the time of
11 the accident who is:
- 12 (A) at least:
- 13 (i) fifteen (15) years of age and holds a learner's permit
14 issued under IC 9-24-7-1, **or a driving authority learner's**
15 **permit under IC 9-24-7-1**, a driver's license issued under
16 IC 9-24-11, **or a driving authority permit under**
17 **IC 9-24-3.5**; or
- 18 (ii) eighteen (18) years of age; and
- 19 (B) capable of determining the need for and rendering
20 reasonable assistance to injured or entrapped persons as
21 provided in section 1.1(a)(3) of this chapter; and
- 22 (3) the other occupant in the motor vehicle knows that the
23 operator of the motor vehicle is physically incapable of
24 determining the need for or rendering assistance to any injured or
25 entrapped person;
- 26 the motor vehicle occupant referred to in subdivisions (2) and (3) shall
27 immediately determine the need for and render reasonable assistance
28 to each person injured or entrapped in the accident as provided in
29 section 1.1(a)(3) of this chapter.
- 30 (b) If there is more than one (1) motor vehicle occupant to whom
31 subsection (a) applies, it is a defense to a prosecution of one (1) motor
32 vehicle occupant under subsection (a) that the defendant reasonably
33 believed that another occupant of the motor vehicle determined the
34 need for and rendered reasonable assistance as required under
35 subsection (a).
- 36 (c) A person who knowingly or intentionally violates this section
37 commits a Class C misdemeanor.
- 38 SECTION 32. IC 9-29-9-1, AS AMENDED BY P.L.149-2015,
39 SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2016]: Sec. 1. (a) The fee for an original learner's permit **or**
41 **an original driving authority learner's permit** issued under
42 IC 9-24-7 is nine dollars and fifty cents (\$9.50). The fee shall be



- 1 distributed as follows:
- 2 (1) Fifty cents (\$0.50) to the motor vehicle highway account.
- 3 (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- 4 (3) Two dollars (\$2) to the crossroads 2000 fund.
- 5 (4) For an original learner's permit **or an original driving**
- 6 **authority learner's permit** issued before July 1, 2019, as
- 7 follows:
- 8 (A) One dollar and seventy-five cents (\$1.75) to the integrated
- 9 public safety communications fund.
- 10 (B) Four dollars and seventy-five cents (\$4.75) to the
- 11 commission fund.
- 12 (5) For an original learner's permit **or an original driving**
- 13 **authority learner's permit** issued after June 30, 2019, six dollars
- 14 and fifty cents (\$6.50) to the commission fund.
- 15 (b) The fee for a replacement learner's permit **or a replacement**
- 16 **driving authority learner's permit** issued under IC 9-24-7 is ten
- 17 dollars and fifty cents (\$10.50). The fee shall be distributed as follows:
- 18 (1) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- 19 (2) Two dollars (\$2) to the motor vehicle highway account.
- 20 (3) Two dollars (\$2) to the crossroads 2000 fund.
- 21 (4) For a replacement learner's permit **or a replacement driving**
- 22 **authority learner's permit** issued before July 1, 2019, as
- 23 follows:
- 24 (A) One dollar and twenty-five cents (\$1.25) to the integrated
- 25 public safety communications fund.
- 26 (B) Four dollars and seventy-five cents (\$4.75) to the
- 27 commission fund.
- 28 (5) For a replacement learner's permit **or a replacement driving**
- 29 **authority learner's permit** issued after June 30, 2019, six dollars
- 30 (\$6) to the commission fund.
- 31 SECTION 33. IC 9-29-9-2.1, AS ADDED BY P.L.216-2014,
- 32 SECTION 126, IS AMENDED TO READ AS FOLLOWS
- 33 [EFFECTIVE JULY 1, 2016]: Sec. 2.1. (a) The fee for an operator's
- 34 license issued under IC 9-24-3 **or a driving authority permit issued**
- 35 **under IC 9-24-3.5** or renewed under IC 9-24-12 to an individual who
- 36 is less than seventy-five (75) years of age is seventeen dollars and fifty
- 37 cents (\$17.50). The fee shall be distributed as follows:
- 38 (1) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- 39 (2) Two dollars (\$2) to the crossroads 2000 fund.
- 40 (3) Four dollars and fifty cents (\$4.50) to the motor vehicle
- 41 highway account.
- 42 (4) For an operator's license **or a driving authority permit**



- 1 issued or renewed before July 1, 2019, as follows:
- 2 (A) One dollar and twenty-five cents (\$1.25) to the integrated
- 3 public safety communications fund.
- 4 (B) Nine dollars and twenty-five cents (\$9.25) to the
- 5 commission fund.
- 6 (5) For an operator's license **or a driving authority permit**
- 7 issued or renewed after June 30, 2019, ten dollars and fifty cents
- 8 (\$10.50) to the commission fund.
- 9 (b) The fee for an operator's license issued under IC 9-24-3 **or a**
- 10 **driving authority permit issued under IC 9-24-3.5** or renewed under
- 11 IC 9-24-12 to an individual who is at least seventy-five (75) years of
- 12 age and less than eighty-five (85) years of age is eleven dollars (\$11).
- 13 The fee shall be distributed as follows:
- 14 (1) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- 15 (2) One dollar and fifty cents (\$1.50) to the crossroads 2000 fund.
- 16 (3) Three dollars (\$3) to the motor vehicle highway account.
- 17 (4) For an operator's license **or a driving authority permit**
- 18 issued or renewed before July 1, 2019, as follows:
- 19 (A) One dollar and twenty-five cents (\$1.25) to the integrated
- 20 public safety communications fund.
- 21 (B) Four dollars and seventy-five cents (\$4.75) to the
- 22 commission fund.
- 23 (5) For an operator's license **or a driving authority permit**
- 24 issued or renewed after June 30, 2019, six dollars (\$6) to the
- 25 commission fund.
- 26 (c) The fee for an operator's license issued under IC 9-24-3 **or a**
- 27 **driving authority permit issued under IC 9-24-3.5** or renewed under
- 28 IC 9-24-12 to an individual who is at least eighty-five (85) years of age
- 29 is seven dollars (\$7). The fee shall be distributed as follows:
- 30 (1) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- 31 (2) One dollar (\$1) to the crossroads 2000 fund.
- 32 (3) Two dollars (\$2) to the motor vehicle highway account.
- 33 (4) For an operator's license **or a driving authority permit**
- 34 issued or renewed before July 1, 2019, as follows:
- 35 (A) One dollar and twenty-five cents (\$1.25) to the integrated
- 36 public safety communications fund.
- 37 (B) Two dollars and twenty-five cents (\$2.25) to the
- 38 commission fund.
- 39 (5) For an operator's license **or a driving authority permit**
- 40 issued or renewed after June 30, 2019, three dollars and fifty
- 41 cents (\$3.50) to the commission fund.
- 42 SECTION 34. IC 9-30-3-12, AS AMENDED BY P.L.85-2013,



1 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2016]: Sec. 12. (a) If during any twelve (12) month period a
3 person has committed moving traffic violations for which the person
4 has:

- 5 (1) been convicted of at least two (2) traffic misdemeanors;
- 6 (2) had at least two (2) traffic judgments entered against the
7 person; or
- 8 (3) been convicted of at least one (1) traffic misdemeanor and has
9 had at least one (1) traffic judgment entered against the person;

10 the bureau may require the person to attend and satisfactorily complete
11 a driver safety program approved by the bureau. The person shall pay
12 all applicable fees required by the bureau.

13 (b) This subsection applies to an individual who holds a
14 probationary license **or a probationary driving authority permit**
15 under IC 9-24-11-3.3 or is less than eighteen (18) years of age. An
16 individual is required to attend and satisfactorily complete a driver
17 safety program approved by the bureau if either of the following occurs
18 at least twice or if both of the following have occurred when the
19 individual was less than eighteen (18) years of age:

- 20 (1) The individual has been convicted of a moving traffic offense,
21 other than an offense that solely involves motor vehicle
22 equipment.
- 23 (2) The individual has been the operator of a motor vehicle
24 involved in an accident for which a report is required to be filed
25 under IC 9-26-2.

26 The individual shall pay all applicable fees required by the bureau.

27 (c) The bureau may suspend the driving privileges of any person
28 who:

- 29 (1) fails to attend a driver safety program; or
- 30 (2) fails to satisfactorily complete a driver safety program;

31 as required by this section.

32 (d) Notwithstanding IC 33-37-4-2, any court may suspend one-half
33 (1/2) of each applicable court cost (including fees) for which a person
34 is liable due to a traffic violation if the person enrolls in and completes
35 a driver safety program or a similar school conducted by an agency of
36 the state or local government.

37 SECTION 35. IC 20-33-2-11, AS AMENDED BY P.L.233-2015,
38 SECTION 248, IS AMENDED TO READ AS FOLLOWS
39 [EFFECTIVE JULY 1, 2016]: Sec. 11. (a) Notwithstanding IC 9-24
40 concerning the minimum requirements for qualifying for the issuance
41 of an operator's license, **a driving authority permit, a driving**
42 **authority learner's permit**, or a learner's permit, and subject to



- 1 subsections (c) through (e), an individual who is:
 2 (1) at least thirteen (13) years of age but less than fifteen (15)
 3 years of age;
 4 (2) a habitual truant under the definition of habitual truant
 5 established under subsection (b); and
 6 (3) identified in the information submitted to the bureau of motor
 7 vehicles under subsection (f);
 8 may not be issued an operator's license, **a driving authority permit,**
 9 **a driving authority learner's permit,** or a learner's permit to drive a
 10 motor vehicle under IC 9-24 until the individual is at least eighteen
 11 (18) years of age.
 12 (b) Each governing body may establish and include as part of the
 13 written copy of its discipline rules described in IC 20-33-8-12:
 14 (1) a definition of a child who is designated as a habitual truant,
 15 which must, at a minimum, define the term as a student who is
 16 chronically absent, by having unexcused absences from school for
 17 more than ten (10) days of school in one (1) school year; and
 18 (2) all other pertinent matters related to this action.
 19 (c) An individual described in subsection (a) is entitled to the
 20 procedure described in IC 20-33-8-19.
 21 (d) An individual described in subsection (a) who is at least thirteen
 22 (13) years of age and less than eighteen (18) years of age is entitled to
 23 a periodic review of the individual's attendance record in school to
 24 determine whether the prohibition described in subsection (a) shall
 25 continue. The periodic reviews may not be conducted less than one (1)
 26 time each school year.
 27 (e) Upon review, the governing body may determine that the
 28 individual's attendance record has improved to the degree that the
 29 individual may become eligible to be issued an operator's license, **a**
 30 **driving authority permit, a driving authority learner's permit,** or
 31 a learner's permit.
 32 (f) The governing body of the school corporation may submit to the
 33 bureau of motor vehicles the pertinent information concerning an
 34 individual's ineligibility under subsection (a) to be issued an operator's
 35 license, **a driving authority permit, a driving authority learner's**
 36 **permit,** or a learner's permit.
 37 (g) The department shall develop guidelines concerning criteria
 38 used in defining a habitual truant that may be considered by a
 39 governing body in complying with subsection (b).
 40 SECTION 36. IC 20-33-2-28.5, AS AMENDED BY P.L.185-2006,
 41 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2016]: Sec. 28.5. (a) This section applies to an individual:



- 1 (1) who:
- 2 (A) attends or last attended a public school;
- 3 (B) is at least sixteen (16) years of age but less than eighteen
- 4 (18) years of age; and
- 5 (C) has not completed the requirements for graduation;
- 6 (2) who:
- 7 (A) wishes to withdraw from school before graduation;
- 8 (B) fails to return at the beginning of a semester; or
- 9 (C) stops attending school during a semester; and
- 10 (3) who has no record of transfer to another school.
- 11 (b) An individual to whom this section applies may withdraw from
- 12 school only if all of the following conditions are met:
- 13 (1) An exit interview is conducted.
- 14 (2) The individual's parent consents to the withdrawal.
- 15 (3) The school principal approves of the withdrawal.
- 16 (4) The withdrawal is due to:
- 17 (A) financial hardship and the individual must be employed to
- 18 support the individual's family or a dependent;
- 19 (B) illness; or
- 20 (C) an order by a court that has jurisdiction over the child.
- 21 During the exit interview, the school principal shall provide to the
- 22 student and the student's parent a copy of statistics compiled by the
- 23 department concerning the likely consequences of life without a high
- 24 school diploma. The school principal shall advise the student and the
- 25 student's parent that the student's withdrawal from school may prevent
- 26 the student from receiving or result in the revocation of the student's
- 27 employment certificate and driver's license, **driving authority permit,**
- 28 **driving authority learner's permit,** or learner's permit.
- 29 (c) For purposes of this section, the following must be in written
- 30 form:
- 31 (1) An individual's request to withdraw from school.
- 32 (2) A parent's consent to a withdrawal.
- 33 (3) A principal's consent to a withdrawal.
- 34 (d) If the individual's principal does not consent to the individual's
- 35 withdrawal under this section, the individual's parent may appeal the
- 36 denial of consent to the governing body of the public school that the
- 37 individual last attended.
- 38 (e) Each public school, including each school corporation and each
- 39 charter school (as defined in IC 20-24-1-4), shall provide an annual
- 40 report to the department setting forth the following information:
- 41 (1) The total number of individuals:
- 42 (A) who withdrew from school under this section; and



- 1 (B) who either:
 2 (i) failed to return to school at the beginning of a semester;
 3 or
 4 (ii) stopped attending school during a semester;
 5 and for whom there is no record of transfer to another school.
 6 (2) The number of individuals who withdrew from school
 7 following an exit interview.
 8 (f) If an individual to which this section applies:
 9 (1) has not received consent to withdraw from school under this
 10 section; and
 11 (2) fails to return to school at the beginning of a semester or
 12 during the semester;
 13 the principal of the school that the individual last attended shall deliver
 14 by certified mail or personal delivery to the bureau of child labor a
 15 record of the individual's failure to return to school so that the bureau
 16 of child labor revokes any employment certificates issued to the
 17 individual and does not issue any additional employment certificates
 18 to the individual. For purposes of IC 20-33-3-13, the individual shall
 19 be considered a dropout.
 20 (g) At the same time that a school principal delivers the record
 21 under subsection (f), the principal shall deliver by certified mail or
 22 personal delivery to the bureau of motor vehicles a record of the
 23 individual's failure to return to school so that the bureau of motor
 24 vehicles revokes any driver's license, **driving authority permit,**
 25 **driving authority learner's permit,** or learner's permit issued to the
 26 individual and does not issue any additional driver's licenses, **driving**
 27 **authority permits, driving authority learner's permits,** or learner's
 28 permits to the individual before the individual is at least eighteen (18)
 29 years of age. For purposes of IC 9-24-2-1, the individual shall be
 30 considered a dropout.
 31 (h) If:
 32 (1) a principal has delivered the record required under subsection
 33 (f) or (g), or both; and
 34 (2) the school subsequently gives consent to the individual to
 35 withdraw from school under this section;
 36 the principal of the school shall send a notice of withdrawal to the
 37 bureau of child labor and the bureau of motor vehicles by certified mail
 38 or personal delivery and, for purposes of IC 20-33-3-13 and
 39 IC 9-24-2-1, the individual shall no longer be considered a dropout.
 40 SECTION 37. IC 20-33-8-33, AS AMENDED BY P.L.233-2015,
 41 SECTION 264, IS AMENDED TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2016]: Sec. 33. Before February 1 and before



1 October 1 of each year, except when a hearing has been requested to
 2 determine financial hardship under IC 9-24-2-1(a)(4), a principal may
 3 submit to the bureau of motor vehicles the pertinent information
 4 concerning an individual's ineligibility under IC 9-24-2-1 to be issued
 5 a driver's license, **driving authority permit, driving authority**
 6 **learner's permit**, or learner's permit, or concerning the suspension of
 7 driving privileges under IC 9-24-2-4.

8 SECTION 38. IC 31-37-19-13 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 13. (a) This section
 10 applies if a child is a delinquent child under IC 31-37-1 due to the
 11 commission of a delinquent act that, if committed by an adult, would
 12 be:

13 (1) dealing in:

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

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

16 (2) possessing:

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

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

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

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

21 (2).

22 (b) The juvenile court shall, in addition to any other order or decree
 23 the court makes under this chapter, order the bureau of motor vehicles
 24 to invalidate the child's operator's license, **driving authority permit**,
 25 or permit for a period specified by the court of at least six (6) months
 26 but not more than one (1) year from the time the child would otherwise
 27 be eligible for a learner's permit **or driving authority learner's**
 28 **permit**.

29 SECTION 39. IC 31-37-19-14 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 14. (a) This section
 31 applies if:

32 (1) a child has been previously determined to be a delinquent
 33 child under IC 31-37-1 (or IC 31-6-4-1(b)(1) before its repeal)
 34 due to the commission of a delinquent act described in section
 35 13(a)(1), 13(a)(2), or 13(a)(3) of this chapter (or
 36 IC 31-6-4-15.9(d)(1), IC 31-6-4-15.9(d)(2), or
 37 IC 31-6-4-15.9(d)(3) before its repeal); or

38 (2) the delinquent act described in section 13(a)(1), 13(a)(2), or
 39 13(a)(3) of this chapter (or IC 31-6-4-15.9(d)(1),
 40 IC 31-6-4-15.9(d)(2), or IC 31-6-4-15.9(d)(3) before its repeal)
 41 was committed:

42 (A) on school property;



- 1 (B) within one thousand (1,000) feet of school property; or
 2 (C) on a school bus.

3 (b) The juvenile court shall, in addition to any other order or decree
 4 the court makes under this chapter, order the bureau of motor vehicles
 5 to invalidate the child's operator's license **or driving authority permit**
 6 for a period specified by the court of at least six (6) months but not
 7 more than two (2) years from the time the child would otherwise be
 8 eligible for a learner's permit **or driving authority learner's permit**.

9 SECTION 40. IC 31-37-19-15 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 15. (a) This section
 11 applies if a child is a delinquent child under IC 31-37-1 due to the
 12 commission of a delinquent act that, if committed by an adult, would
 13 be:

- 14 (1) dealing in:
 15 (A) a controlled substance (as defined in IC 35-48-1-9); or
 16 (B) a counterfeit substance (as defined in IC 35-48-1-10);
 17 (2) possessing:
 18 (A) a controlled substance (as defined in IC 35-48-1-9); or
 19 (B) a prescription drug (as defined in IC 35-48-1-25);
 20 for which the child does not have a prescription; or
 21 (3) conspiring to commit an act described in subdivision (1) or
 22 (2).

23 (b) The juvenile court shall, in addition to any other order or decree
 24 the court makes under this chapter, order the bureau of motor vehicles
 25 not to issue the child a learner's permit **or driving authority learner's**
 26 **permit** for a period specified by the court of at least six (6) months but
 27 not more than one (1) year from the time the child would otherwise be
 28 eligible for a learner's permit **or driving authority learner's permit**.

29 SECTION 41. IC 31-37-19-16 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 16. (a) This section
 31 applies if:

- 32 (1) a child has been previously determined to be a delinquent
 33 child under IC 31-37-1 (or IC 31-6-4-1(b)(1) before its repeal)
 34 due to the commission of a delinquent act described in section
 35 15(a)(1), 15(a)(2), or 15(a)(3) of this chapter (or
 36 IC 31-6-4-15.9(e)(1), IC 31-6-4-15.9(e)(2), or
 37 IC 31-6-4-15.9(e)(3) before its repeal); or
 38 (2) the delinquent act described in section 15(a)(1), 15(a)(2), or
 39 15(a)(3) of this chapter (or IC 31-6-4-15.9(e)(1),
 40 IC 31-6-4-15.9(e)(2), or IC 31-6-4-15.9(e)(3) before its repeal)
 41 was committed:
 42 (A) on school property;



- 1 (B) within one thousand (1,000) feet of school property; or
 2 (C) on a school bus.

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

9 SECTION 42. IC 31-37-19-17 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 17. (a) This section
 11 applies if a child is a delinquent child under IC 31-37-1 due to the
 12 commission of a delinquent act that, if committed by an adult, would
 13 be criminal mischief or institutional criminal mischief under
 14 IC 35-43-1-2 that involves the use of graffiti.

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

- 18 (1) suspend the child's operator's license **or driving authority**
 19 **permit; or**
 20 (2) invalidate the child's learner's permit **or driving authority**
 21 **learner's permit;**

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

23 SECTION 43. IC 31-37-19-20 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 20. (a) This section
 25 applies if the juvenile court has entered an order for suspension or
 26 invalidation of an operator's license, **driving authority permit, or a**
 27 **learner's permit, or driving authority learner's permit** under section
 28 17 of this chapter (or IC 31-6-4-15.9(f) before its repeal).

29 (b) Following a determination by the juvenile court that the child
 30 has removed or painted over the graffiti or has made other suitable
 31 restitution, the court may:

- 32 (1) rescind the order for suspension or invalidation; and
 33 (2) allow the child to receive a license or permit before the period
 34 of suspension or invalidation ends.

35 SECTION 44. IC 33-39-1-8, AS AMENDED BY P.L.209-2015,
 36 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2016]: Sec. 8. (a) After June 30, 2005, this section does not
 38 apply to a person who:

- 39 (1) holds a commercial driver's license; and
 40 (2) has been charged with an offense involving the operation of
 41 a motor vehicle in accordance with the federal Motor Carrier
 42 Safety Improvement Act of 1999 (MCSIA) (Public Law



- 1 106-159.113 Stat. 1748).
- 2 (b) This section does not apply to a person arrested for or charged
- 3 with:
- 4 (1) an offense under IC 9-30-5-1 through IC 9-30-5-5; or
- 5 (2) if a person was arrested or charged with an offense under
- 6 IC 9-30-5-1 through IC 9-30-5-5, an offense involving:
- 7 (A) intoxication; or
- 8 (B) the operation of a vehicle;
- 9 if the offense involving intoxication or the operation of a vehicle was
- 10 part of the same episode of criminal conduct as the offense under
- 11 IC 9-30-5-1 through IC 9-30-5-5.
- 12 (c) This section does not apply to a person:
- 13 (1) who is arrested for or charged with an offense under:
- 14 (A) IC 7.1-5-7-7, if the alleged offense occurred while the
- 15 person was operating a motor vehicle;
- 16 (B) IC 9-30-4-8(a), if the alleged offense occurred while the
- 17 person was operating a motor vehicle;
- 18 (C) IC 35-44.1-2-13(b)(1); or
- 19 (D) IC 35-43-1-2(a), if the alleged offense occurred while the
- 20 person was operating a motor vehicle; and
- 21 (2) who held a probationary license **or a probationary driving**
- 22 **authority permit** (as **those terms are** defined in
- 23 IC 9-24-11-3.3(b)) and was less than eighteen (18) years of age at
- 24 the time of the alleged offense.
- 25 (d) A prosecuting attorney may withhold prosecution against an
- 26 accused person if:
- 27 (1) the person is charged with a misdemeanor, a Level 6 felony,
- 28 or a Level 5 felony;
- 29 (2) the person agrees to conditions of a pretrial diversion program
- 30 offered by the prosecuting attorney;
- 31 (3) the terms of the agreement are recorded in an instrument
- 32 signed by the person and the prosecuting attorney and filed in the
- 33 court in which the charge is pending; and
- 34 (4) the prosecuting attorney electronically transmits information
- 35 required by the prosecuting attorneys council concerning the
- 36 withheld prosecution to the prosecuting attorneys council, in a
- 37 manner and format designated by the prosecuting attorneys
- 38 council.
- 39 (e) An agreement under subsection (d) may include conditions that
- 40 the person:
- 41 (1) pay to the clerk of the court an initial user's fee and monthly
- 42 user's fees in the amounts specified in IC 33-37-4-1;



- 1 (2) work faithfully at a suitable employment or faithfully pursue
 2 a course of study or career and technical education that will equip
 3 the person for suitable employment;
 4 (3) undergo available medical treatment or mental health
 5 counseling and remain in a specified facility required for that
 6 purpose, including:
 7 (A) addiction counseling;
 8 (B) inpatient detoxification; and
 9 (C) medication assisted treatment, including a federal Food
 10 and Drug Administration approved long acting, nonaddictive
 11 medication for the treatment of opioid or alcohol dependence;
 12 (4) receive evidence based mental health and addiction,
 13 intellectual disability, developmental disability, autism, and
 14 co-occurring autism and mental illness forensic treatment services
 15 to reduce the risk of recidivism;
 16 (5) support the person's dependents and meet other family
 17 responsibilities;
 18 (6) make restitution or reparation to the victim of the crime for the
 19 damage or injury that was sustained;
 20 (7) refrain from harassing, intimidating, threatening, or having
 21 any direct or indirect contact with the victim or a witness;
 22 (8) report to the prosecuting attorney at reasonable times;
 23 (9) answer all reasonable inquiries by the prosecuting attorney
 24 and promptly notify the prosecuting attorney of any change in
 25 address or employment; and
 26 (10) participate in dispute resolution either under IC 34-57-3 or
 27 a program established by the prosecuting attorney.
 28 (f) An agreement under subsection (d)(2) may include other
 29 provisions reasonably related to the defendant's rehabilitation, if
 30 approved by the court.
 31 (g) The prosecuting attorney shall notify the victim when
 32 prosecution is withheld under this section.
 33 (h) All money collected by the clerk as user's fees under this section
 34 shall be deposited in the appropriate user fee fund under IC 33-37-8.
 35 (i) If a court withholds prosecution under this section and the terms
 36 of the agreement contain conditions described in subsection (e)(7):
 37 (1) the clerk of the court shall comply with IC 5-2-9; and
 38 (2) the prosecuting attorney shall file a confidential form
 39 prescribed or approved by the division of state court
 40 administration with the clerk.
 41 SECTION 45. IC 34-28-5-1, AS AMENDED BY P.L.125-2012,
 42 SECTION 412, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) As used in this section,
 2 "probationary license" refers to a license **or probationary driving**
 3 **authority permit** described in IC 9-24-11-3.3(b).

4 (b) An action to enforce a statute defining an infraction shall be
 5 brought in the name of the state of Indiana by the prosecuting attorney
 6 for the judicial circuit in which the infraction allegedly took place.
 7 However, if the infraction allegedly took place on a public highway (as
 8 defined in IC 9-25-2-4) that runs on and along a common boundary
 9 shared by two (2) or more judicial circuits, a prosecuting attorney for
 10 any judicial circuit sharing the common boundary may bring the action.

11 (c) An action to enforce an ordinance shall be brought in the name
 12 of the municipal corporation. The municipal corporation need not
 13 prove that it or the ordinance is valid unless validity is controverted by
 14 affidavit.

15 (d) Actions under this chapter (or IC 34-4-32 before its repeal):

16 (1) shall be conducted in accordance with the Indiana Rules of
 17 Trial Procedure; and

18 (2) must be brought within two (2) years after the alleged conduct
 19 or violation occurred.

20 (e) The plaintiff in an action under this chapter must prove the
 21 commission of an infraction or ordinance violation by a preponderance
 22 of the evidence.

23 (f) The complaint and summons described in IC 9-30-3-6 may be
 24 used for any infraction or ordinance violation.

25 (g) Subsection (h) does not apply to an individual holding a
 26 probationary license who is alleged to have committed an infraction
 27 under any of the following when the individual was less than eighteen
 28 (18) years of age at the time of the alleged offense:

29 IC 9-19

30 IC 9-21

31 IC 9-24

32 IC 9-25

33 IC 9-26

34 IC 9-30-5

35 IC 9-30-10

36 IC 9-30-15.

37 (h) This subsection does not apply to an offense or violation under
 38 IC 9-24-6 involving the operation of a commercial motor vehicle. The
 39 prosecuting attorney or the attorney for a municipal corporation may
 40 establish a deferral program for deferring actions brought under this
 41 section. Actions may be deferred under this section if:

42 (1) the defendant in the action agrees to conditions of a deferral



- 1 program offered by the prosecuting attorney or the attorney for a
 2 municipal corporation;
 3 (2) the defendant in the action agrees to pay to the clerk of the
 4 court an initial user's fee and monthly user's fee set by the
 5 prosecuting attorney or the attorney for the municipal corporation
 6 in accordance with IC 33-37-4-2(e);
 7 (3) the terms of the agreement are recorded in an instrument
 8 signed by the defendant and the prosecuting attorney or the
 9 attorney for the municipal corporation;
 10 (4) the defendant in the action agrees to pay a fee of seventy
 11 dollars (\$70) to the clerk of court if the action involves a moving
 12 traffic offense (as defined in IC 9-13-2-110);
 13 (5) the agreement is filed in the court in which the action is
 14 brought; and
 15 (6) if the deferral program is offered by the prosecuting attorney,
 16 the prosecuting attorney electronically transmits information
 17 required by the prosecuting attorneys council concerning the
 18 withheld prosecution to the prosecuting attorneys council, in a
 19 manner and format designated by the prosecuting attorneys
 20 council.

21 When a defendant complies with the terms of an agreement filed under
 22 this subsection (or IC 34-4-32-1(f) before its repeal), the prosecuting
 23 attorney or the attorney for the municipal corporation shall request the
 24 court to dismiss the action. Upon receipt of a request to dismiss an
 25 action under this subsection, the court shall dismiss the action. An
 26 action dismissed under this subsection (or IC 34-4-32-1(f) before its
 27 repeal) may not be refiled.

28 (i) If a judgment is entered against a defendant in an action to
 29 enforce an ordinance, the defendant may perform community
 30 restitution or service (as defined in IC 35-31.5-2-50) instead of paying
 31 a monetary judgment for the ordinance violation as described in section
 32 4(e) of this chapter if:

- 33 (1) the:
 34 (A) defendant; and
 35 (B) attorney for the municipal corporation;
 36 agree to the defendant's performance of community restitution or
 37 service instead of the payment of a monetary judgment;
 38 (2) the terms of the agreement described in subdivision (1):
 39 (A) include the amount of the judgment the municipal
 40 corporation requests that the defendant pay under section 4(e)
 41 of this chapter for the ordinance violation if the defendant fails
 42 to perform the community restitution or service provided for



1 in the agreement as approved by the court; and
2 (B) are recorded in a written instrument signed by the
3 defendant and the attorney for the municipal corporation;
4 (3) the agreement is filed in the court where the judgment was
5 entered; and
6 (4) the court approves the agreement.
7 If a defendant fails to comply with an agreement approved by a court
8 under this subsection, the court shall require the defendant to pay up to
9 the amount of the judgment requested in the action under section 4(e)
10 of this chapter as if the defendant had not entered into an agreement
11 under this subsection.

