



January 15, 2021

SENATE BILL No. 134

DIGEST OF SB 134 (Updated January 12, 2021 12:15 pm - DI 106)

Citations Affected: IC 9-24.

Synopsis: License suspension and transport of passengers during probationary period. Increases the penalty for operating a motor vehicle containing passengers during the initial 180 day probationary period after issuance of a driver's license and permits license suspension for a violation. Allows a court to suspend the license of a person convicted of operating a motor vehicle after failing to take a prescribed medication.

Effective: July 1, 2021.

**Freeman, Sandlin, Walker K,
Bohacek, Glick**

January 5, 2021, read first time and referred to Committee on Corrections and Criminal Law.
January 14, 2021, amended, reported favorably — Do Pass.

SB 134—LS 6587/DI 143



January 15, 2021

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

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

SENATE BILL No. 134

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 9-24-11-8, AS AMENDED BY P.L.120-2020,
2 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 8. (a) Except as provided in subsections (b), ~~and~~
4 (c), **and (e)**, an individual who violates this chapter commits a Class C
5 infraction.
6 (b) An individual who:
7 (1) has been issued a permit or driver's license on which there is
8 a notated restriction as provided under section 7 of this chapter;
9 and
10 (2) operates a motor vehicle in violation of the restriction;
11 commits a Class C infraction.
12 (c) An individual who causes serious bodily injury to or the death
13 of another individual when operating a motor vehicle after knowingly
14 or intentionally failing to take prescribed medication, the taking of
15 which was a condition of the issuance of the restricted driver's license
16 under section 7 of this chapter, commits a Class A misdemeanor.
17 However, the offense is a Level 6 felony if, within the five (5) years

SB 134—LS 6587/DI 143



1 preceding the commission of the offense, the individual had a prior
2 unrelated conviction under this subsection.

3 (d) An individual who violates subsection (c) commits a separate
4 offense for each individual whose serious bodily injury or death is
5 caused by the violation of subsection (c).

6 ~~(e) Notwithstanding the July 1, 2021, effective date in HEA~~
7 ~~1506-2019, SECTION 51 (P.L.178-2019), this section takes effect July~~
8 ~~1, 2020 (rather than July 1, 2021).~~

9 **(e) An individual who violates section 3.5(b)(2) of this chapter**
10 **commits a Class B infraction.**

11 SECTION 2. IC 9-24-11-10, AS AMENDED BY P.L.198-2016,
12 SECTION 488, IS AMENDED TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2021]: Sec. 10. (a) In addition to any other
14 penalty imposed for a conviction **or violation** under section 8(b), **8(c),**
15 **or 8(e)** of this chapter, the court may recommend that the individual's
16 driving privileges be suspended for a fixed period of not more than two
17 (2) years and the court may also order specialized driving privileges
18 under IC 9-30-16.

19 (b) The court shall specify:

20 (1) the length of the fixed period of suspension; and

21 (2) the date the fixed period of suspension begins;

22 whenever the court issues an order under subsection (a).



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 134, 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 2, line 14, after "conviction" insert "**or violation**".

Page 2, line 14, after "section 8(b)" insert ", **8(c), or 8(e)**".

Page 2, delete lines 18 through 22.

Page 2, line 23, reset in roman "(b)".

Page 2, line 23, delete "(c)".

Page 2, line 26, delete "or (b)." and insert ".".

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 134 as introduced.)

YOUNG M, Chairperson

Committee Vote: Yeas 7, Nays 1.

