

SENATE BILL No. 173

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-30; IC 35-52-9-55.3.

Synopsis: Vulnerable road users. Defines "vulnerable road user". Provides that it is a criminal offense if a person commits a moving traffic offense that results in the serious bodily injury or death of a vulnerable road user. Urges the legislative council to assign certain topics to an existing study committee.

Effective: July 1, 2022.

Ford J.D.

January 6, 2022, read first time and referred to Committee on Corrections and Criminal Law.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

SENATE BILL No. 173

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 9-30-16-2, AS AMENDED BY P.L.256-2017,
2 SECTION 182, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2022]: Sec. 2. (a) The court shall order that the
4 driving privileges of a person are suspended for a period of at least one
5 (1) year for a person convicted of the following:
6 (1) An offense that includes the element of causing or resulting in
7 serious bodily injury while operating a motor vehicle.
8 (2) An offense under IC 9-30-5 that includes the element of
9 causing or resulting in serious bodily injury.
10 (3) An offense under IC 9-30-5 when the person has a prior
11 conviction for an offense under IC 9-30-5.
12 **(4) An offense under IC 9-30-17 that includes the element of**
13 **causing or resulting in serious bodily injury or death.**
14 (b) A person whose driving privileges are suspended under
15 subsection (a) is eligible for specialized driving privileges under
16 section 3 of this chapter.
17 (c) If a person is convicted of an offense that includes the element



1 of causing the death of another person and the offense involved the
 2 operation of a motor vehicle or was an offense under IC 9-30-5, the
 3 court shall order that the person's driving privileges are suspended for
 4 a period of at least two (2) years and not more than the maximum
 5 allowable period of incarceration of the criminal penalty for the
 6 offense. A person whose driving privileges are suspended under this
 7 section is not eligible for specialized driving privileges under section
 8 3 of this chapter.

9 SECTION 2. IC 9-30-17 IS ADDED TO THE INDIANA CODE AS
 10 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 11 1, 2022]:

12 **Chapter 17. Vulnerable Road Users**

13 **Sec. 1. As used in this chapter, "vulnerable road user" means a**
 14 **person who is:**

- 15 (1) a pedestrian;
 16 (2) engaged in road work along a highway or street;
 17 (3) operating a bicycle, electric foot scooter, Class A or Class
 18 B motorcycle, or Class 1, 2, or 3 electric bicycle on a highway
 19 or street; or
 20 (4) operating a farm tractor or farm wagon on a highway or
 21 street.

22 **Sec. 2. (a) A person who commits a moving traffic offense (as**
 23 **defined in IC 9-13-2-110) that results in serious bodily injury to a**
 24 **vulnerable road user commits a Class A misdemeanor. However,**
 25 **the offense is a Level 6 felony if it results in the death of the**
 26 **vulnerable road user.**

27 **(b) A person who commits an offense under subsection (a)**
 28 **commits a separate offense for each person whose serious bodily**
 29 **injury or death is caused by the violation of subsection (a).**

30 SECTION 3. IC 35-52-9-55.3 IS ADDED TO THE INDIANA
 31 CODE AS A NEW SECTION TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2022]: **Sec. 55.3. IC 9-30-17-2 defines a crime**
 33 **concerning serious bodily injury or death of a vulnerable road**
 34 **user.**

35 SECTION 4. [EFFECTIVE JULY 1, 2022] **(a) The general**
 36 **assembly urges the legislative council to assign to an existing study**
 37 **committee the following topics:**

- 38 (1) The implementation of a statewide "safe streets" program
 39 for pedestrians and cyclists.
 40 (2) The implementation of a separate, interconnected
 41 infrastructure for pedestrians and cyclists in each city or
 42 municipality with a population of more than fifty thousand



1 **(50,000).**
2 **(3) The implementation of automated traffic enforcement via**
3 **speed and red light cameras in worksite and school zones.**
4 **(b) If the topics listed in subsection (a) are assigned to an**
5 **existing study committee under subsection (a), the study committee**
6 **shall issue a final report to the legislative council containing the**
7 **study committee's findings and recommendations, including any**
8 **recommended legislation concerning the topic, not later than**
9 **November 1, 2022.**
10 **(c) This SECTION expires December 31, 2022.**

