

SENATE BILL No. 254

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-30-16-3.

Synopsis: Specialized driving privileges. Provides that the duration of certain court ordered specialized driving privileges may not exceed 2.5 years in length.

Effective: July 1, 2017.

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January 9, 2017, read first time and referred to Committee on Homeland Security and Transportation.



First Regular Session 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

SENATE BILL No. 254

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 9-30-16-3, AS AMENDED BY P.L.198-2016,
2 SECTION 608, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) This section does not apply
4 to specialized driving privileges granted in accordance with section 3.5
5 of this chapter. If a court orders a suspension of driving privileges
6 under this chapter, or imposes a suspension of driving privileges under
7 IC 9-30-6-9(c), the court may stay the suspension and grant a
8 specialized driving privilege as set forth in this section.

9 (b) An individual who seeks specialized driving privileges must file
10 a petition for specialized driving privileges in each court that has
11 ordered or imposed a suspension of the individual's driving privileges.

12 Each petition must:

- 13 (1) be verified by the petitioner;
- 14 (2) state the petitioner's age, date of birth, and address;
- 15 (3) state the grounds for relief and the relief sought;
- 16 (4) be filed in a circuit or superior court; and
- 17 (5) be served on the bureau and the prosecuting attorney.



1 A prosecuting attorney shall appear on behalf of the bureau to respond
2 to a petition filed under this subsection.

3 (c) Regardless of the underlying offense, specialized driving
4 privileges granted under this section shall be granted for:

5 (1) at least one hundred eighty (180) days; **and**

6 (2) **not more than two and one-half (2.5) years.**

7 (d) The terms of specialized driving privileges must be determined
8 by a court.

9 (e) A stay of a suspension and specialized driving privileges may
10 not be granted to an individual who:

11 (1) has previously been granted specialized driving privileges;
12 and

13 (2) has more than one (1) conviction under section 5 of this
14 chapter.

15 (f) An individual who has been granted specialized driving
16 privileges shall:

17 (1) maintain proof of future financial responsibility insurance
18 during the period of specialized driving privileges;

19 (2) carry a copy of the order granting specialized driving
20 privileges or have the order in the vehicle being operated by the
21 individual;

22 (3) produce the copy of the order granting specialized driving
23 privileges upon the request of a police officer; and

24 (4) carry a validly issued state identification card or driver's
25 license.

26 (g) An individual who holds a commercial driver's license and has
27 been granted specialized driving privileges under this chapter may not,
28 for the duration of the suspension for which the specialized driving
29 privileges are sought, operate any vehicle that requires the individual
30 to hold a commercial driver's license to operate the vehicle.

