



Adopted	Rejected
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# COMMITTEE REPORT

YES:	11
NO:	0

**MR. SPEAKER:**

*Your Committee on Roads and Transportation, to which was referred House Bill 1150, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1           Page 1, between the enacting clause and line 1, begin a new
- 2           paragraph and insert:
- 3           "SECTION 1. IC 9-20-4-2, AS AMENDED BY P.L.13-2015,
- 4           SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5           JULY 1, 2021]: Sec. 2. (a) Section 1 of this chapter relating to vehicle
- 6           weight, section 3 of this chapter assessing a penalty for transporting a
- 7           load in excess of the registered limit of the load for the transporting
- 8           vehicle, and section 3 of this chapter prohibiting a person from moving
- 9           a transported vehicle with an excess load until a penalty is paid do not
- 10          apply to a vehicle or combination of vehicles that transports:
- 11           (1) farm commodities from the place of production to the first
- 12           point of delivery where the commodities are weighed and title to
- 13           the commodities is transferred if the weight of the vehicle with
- 14           load or combination of vehicles with load does not exceed the

1 gross weight limit by more than ten percent (10%); or  
 2 (2) logs, wood chips, bark, and sawdust if the weight of the  
 3 vehicle with load does not exceed either:  
 4 (A) the gross weight limit; or  
 5 (B) the axle weight limit;  
 6 by more than ten percent (10%).

7 **(b) Except for a vehicle or combination of vehicles exempted**  
 8 **under subsection (a), a person who transports a vehicle or**  
 9 **combination of vehicles with an overweight divisible load is subject**  
 10 **to permitting requirements under this article.**

11 ~~(b)~~ (c) The exemptions in subsection (a) do not apply to the  
 12 following:

13 (1) Weight limits imposed for bridges or sections of highways  
 14 under IC 9-20-1-3.

15 (2) A vehicle operated on any part of an interstate highway.

16 SECTION 2. IC 9-20-5-8, AS AMENDED BY P.L.257-2017,  
 17 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2021]: Sec. 8. The Indiana department of transportation may  
 19 not issue a permit under this chapter for the operation of a vehicle if  
 20 any of the following conditions apply:

21 (1) The owner or operator of the vehicle has not complied with  
 22 IC 8-2.1-24.

23 (2) The owner or operator of the vehicle has not provided the  
 24 Indiana department of transportation with the owner's or  
 25 operator's Social Security number or federal identification  
 26 number.

27 (3) The owner or operator of the vehicle has not registered the  
 28 vehicle with the bureau, if the vehicle is required to be registered  
 29 under IC 9-18 (before its expiration) or IC 9-18.1.

30 **(4) The owner or operator of the vehicle has not provided the**  
 31 **department of state revenue with full payment for a permit**  
 32 **prior to transporting an overweight divisible load under this**  
 33 **article."**

34 Page 1, line 7, strike "person whose United States Department of".

35 Page 1, line 8, strike "Transportation number is registered on the  
 36 vehicle" and insert "**carrier**".

37 Page 1, line 9, after "the" insert "**vehicle or**".

38 Page 1, line 12, after "any" insert "**fees or**".

- 1 Page 1, line 13, after "assessed" insert "**and determined**".
- 2 Page 1, line 15, strike "person who obtains" and insert "**carrier**
- 3 **transporting vehicles or loads under**".
- 4 Page 1, line 15, after "permit" insert "**issued**".
- 5 Page 1, line 15, strike "and" and insert "**who**".
- 6 Page 2, line 2, strike "person who" and insert "**carrier that**".
- 7 Page 2, between lines 5 and 6, begin a new paragraph and insert:
- 8 "**(d) A carrier who transports an overweight divisible load that**
- 9 **exceeds limits on weight or dimensions and fails to obtain a permit**
- 10 **required to transport the overweight divisible load is subject to a**
- 11 **civil penalty of not more than ten thousand dollars (\$10,000) for**
- 12 **each violation.**".
- 13 Page 2, line 6, delete "(d)" and insert "(e)".
- 14 Page 2, line 8, delete "a person receives a citation for an overweight
- 15 load." and insert "**the department is notified of a violation described**
- 16 **under subsection (b), (c), or (d).**".
- 17 Page 2, line 9, delete "(e)" and insert "(f)".
- 18 Page 2, line 9, strike "person" and insert "**carrier**".
- 19 Page 2, line 10, after "protest the" insert "**civil**".
- 20 Page 2, line 11, strike "hearing is requested," and insert "**carrier**
- 21 **protests a civil penalty,**".
- 22 Page 2, line 11, strike "hold an".
- 23 Page 2, line 12, strike "administrative hearing at which the person
- 24 has" and insert "**allow the carrier**".
- 25 Page 2, line 13, after "assessed." insert "**A person may assert a**
- 26 **defense described under section 7 of this chapter.**".
- 27 Page 2, line 14, delete "(f)" and insert "(g)".
- 28 Page 2, after line 15, begin a new paragraph and insert:
- 29 "SECTION 4. IC 9-22-1-4, AS AMENDED BY P.L.157-2017,
- 30 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 31 JULY 1, 2021]: Sec. 4. (a) Except as provided in subsection ~~(e)~~, **(d)**,
- 32 the owner of an abandoned vehicle or parts is:
- 33 (1) responsible for the abandonment; and
- 34 (2) liable for all of the costs incidental to the removal, storage,
- 35 and disposal;
- 36 of the vehicle or the parts under this chapter.
- 37 **(b) Except as provided in subsection (c)**, the costs for storage of

1 an abandoned vehicle may not exceed two thousand dollars (\$2,000).

2 **(c) The costs for storage of an abandoned vehicle with a length**  
3 **of at least thirty (30) feet may not exceed five thousand dollars**  
4 **(\$5,000).**

5 ~~(c)~~ **(d)** If an abandoned vehicle is sold by a person who removed,  
6 towed, or stored the vehicle, the person who previously owned the  
7 vehicle is not responsible for storage fees.

8 ~~(d)~~ **(e)** If an abandoned vehicle is sold by a person who removed,  
9 towed, or stored the vehicle, and proceeds from the sale of the vehicle  
10 covered the removal, towing, sale disposal, and storage expenses, any  
11 remaining proceeds from the sale of the vehicle shall be returned as  
12 described in this chapter or IC 9-22-6, whichever is applicable."

13 Renumber all SECTIONS consecutively.  
(Reference is to HB 1150 as introduced.)

**and when so amended that said bill do pass.**

**Representative Pressel**

*Jim Pressel*

