



January 10, 2014

HOUSE BILL No. 1059

DIGEST OF HB 1059 (Updated January 9, 2014 8:43 am - DI 84)

Citations Affected: IC 9-13; IC 9-25; IC 9-29.

Synopsis: Motor vehicle financial responsibility. Makes various changes to the motor vehicle financial responsibility law, including the: (1) definition of "registration" to include the license plate issued in connection with the registration of a vehicle; (2) requirement of proof of financial responsibility and reinstatement fees; (3) suspension of a registration as a consequence of operation of the vehicle without financial responsibility in effect; and (4) requirement of proof of future financial responsibility for five years related to operating a vehicle without financial responsibility in effect. (The introduced version of this bill was prepared by the interim study committee on insurance.)

Effective: July 1, 2014; January 1, 2015.

Lehman

January 7, 2014, read first time and referred to Committee on Roads and Transportation.
January 9, 2014, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

HB 1059—LS 6879/DI 97



January 10, 2014

Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1059

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 9-13-2-150.7 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JANUARY 1, 2015]: **Sec. 150.7. "Registration", for**
4 **purposes of IC 9-25-8, with respect to a vehicle, includes the license**
5 **plate that is issued by the bureau in connection with the**
6 **registration of the vehicle.**

7 SECTION 2. IC 9-25-5-7, AS AMENDED BY P.L.59-2013,
8 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JANUARY 1, 2015]: Sec. 7. Whenever a person required to give proof
10 of financial responsibility under this article is not the owner of a motor
11 vehicle, **the following apply:**

12 **(1) If the person seeks only to reinstate the person's suspended**
13 **driver's license or driving privileges, the person is not**
14 **required to give proof of financial responsibility.**
15 **(2) If subdivision (1) does not apply, an operator's policy of**
16 **liability insurance is sufficient proof of financial responsibility.**

HB 1059—LS 6879/DI 97



1 SECTION 3. IC 9-25-8-2, AS AMENDED BY P.L.59-2013,
 2 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JANUARY 1, 2015]: Sec. 2. (a) A person who knowingly:

- 4 (1) operates; or
 5 (2) permits the operation of;

6 a motor vehicle on a public highway in Indiana without financial
 7 responsibility in effect as set forth in IC 9-25-4-4 commits a Class A
 8 infraction. However, the offense is a Class C misdemeanor if the
 9 person knowingly or intentionally violates this section and has a prior
 10 unrelated conviction or judgment under this section.

11 (b) Subsection (a)(2) applies to:

- 12 (1) the owner of a rental company under IC 9-25-6-3(f)(1); and
 13 (2) an employer under IC 9-25-6-3(f)(2).

14 (c) In addition to any other penalty imposed on a person for
 15 violating this section, the court shall recommend the suspension of the
 16 person's driving privileges for at least ninety (90) days but not more
 17 than one (1) year. However, if, within the five (5) years preceding the
 18 conviction under this section, the person had a prior unrelated
 19 conviction under this section, the court shall recommend the
 20 suspension of the person's driving privileges **and vehicle registration**
 21 for one (1) year.

22 (d) Upon receiving the recommendation of the court under
 23 subsection (c), the bureau shall suspend the person's driving privileges
 24 **and vehicle registration, as applicable**, for the period recommended
 25 by the court. If no suspension is recommended by the court, or if the
 26 court recommends a fixed term that is less than the minimum term
 27 required by statute, the bureau shall impose the minimum period of
 28 suspension required under this article.

29 SECTION 4. IC 9-25-8-6, AS ADDED BY P.L.59-2013, SECTION
 30 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JANUARY 1, 2015]: Sec. 6. (a) This section applies to a person:

- 32 (1) who is convicted of;
 33 (2) against whom a judgment is entered for;
 34 (3) against whom the bureau has taken administrative action for;
 35 or
 36 (4) who the bureau otherwise determines was;

37 operating a motor vehicle without financial responsibility in violation
 38 of this article.

39 (b) A person described in subsection (a) must provide proof of
 40 future financial responsibility:

- 41 (1) **for a first or second offense**, for a period of three (3) years;
 42 or



1 **(2) for a third or subsequent offense, for a period of five (5)**
 2 **years;**
 3 beginning on the date on which the suspension of the person's driving
 4 privileges terminates.

5 SECTION 5. IC 9-29-10-1 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) **Before January**
 7 **1, 2015**, the fee for the reinstatement of a driving license that was
 8 suspended under IC 9-25 is as follows:

- 9 (1) For a first suspension, one hundred fifty dollars (\$150).
 10 (2) For a second suspension, two hundred twenty-five dollars
 11 (\$225).
 12 (3) For a third or subsequent suspension, three hundred dollars
 13 (\$300).

14 **(b) Beginning January 1, 2015, the fee for the reinstatement of**
 15 **a driving license that was suspended under IC 9-25 is as follows:**

- 16 **(1) For a first suspension, two hundred fifty dollars (\$250).**
 17 **(2) For a second suspension, five hundred dollars (\$500).**
 18 **(3) For a third or subsequent suspension, one thousand dollars**
 19 **(\$1,000).**

20 ~~(b)~~ (c) The following amount of each fee paid under this section
 21 shall be deposited in the financial responsibility compliance
 22 verification fund established by IC 9-25-9-7:

- 23 (1) Of the fee paid for reinstatement after a first suspension, one
 24 hundred twenty dollars (\$120).
 25 (2) Of the fee paid for reinstatement after a second suspension,
 26 one hundred ninety-five dollars (\$195).
 27 (3) Of the fee paid for reinstatement after a third or subsequent
 28 suspension, two hundred seventy dollars (\$270).

29 ~~(c)~~ (d) If:

- 30 (1) a person's driving license is suspended for registering or
 31 operating a vehicle in violation of IC 9-25-4-1;
 32 (2) the person is required to pay a fee for the reinstatement of the
 33 person's license under this section; and
 34 (3) the person later establishes that the person did not register or
 35 operate a vehicle in violation of IC 9-25-4-1;

36 the fee paid by the person under this section shall be refunded.

37 **(e) Notwithstanding subsection (a), during the period beginning**
 38 **on July 1, 2014, and ending on December 31, 2014, the bureau of**
 39 **motor vehicles may negotiate, with an individual whose driver's**
 40 **license or driving privileges were suspended before July 1, 2014, a**
 41 **reinstatement fee that is lower than the reinstatement fee specified**
 42 **in subsection (a). This subsection expires January 1, 2015.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1059, 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:

Page 1, line 3, delete "JULY 1, 2014]:" and insert "JANUARY 1, 2015]:".

Page 1, line 9, delete "JULY 1, 2014]:" and insert "JANUARY 1, 2015]:".

Page 2, line 3, delete "JULY 1, 2014]:" and insert "JANUARY 1, 2015]:".

Page 2, line 30, delete "JULY 1," and insert "JANUARY 1, 2015]:".

Page 2, line 31, delete "2014]:".

and when so amended that said bill do pass.

(Reference is to HB 1059 as introduced.)

SOLIDAY, Chair

Committee Vote: yeas 11, nays 0.

