

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 ENROLLED ACT No. 1059

AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

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

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

(1) If the person seeks only to reinstate the person's suspended driver's license or driving privileges, the person is not required to give proof of financial responsibility.

(2) If subdivision (1) does not apply, an operator's policy of liability insurance is sufficient proof of financial responsibility.

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

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

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

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

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

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

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

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

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

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

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

- (1) for a first or second offense**, for a period of three (3) years;
- or**
- (2) for a third or subsequent offense, for a period of five (5) years;**

beginning on the date on which the suspension of the person's driving privileges terminates.

SECTION 5. IC 9-29-10-1 IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) **Before January 1, 2015**, the fee for the reinstatement of a driving license that was suspended under IC 9-25 is as follows:

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

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

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

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

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

The remaining amount of each fee paid under this section must be deposited in the motor vehicle highway account.

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

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

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

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



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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