

HOUSE BILL No. 1224

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-19-11-9; IC 9-30-8-3; IC 20-27-3-1.

Synopsis: Council on impaired and dangerous driving. Removes references to the governor's council on impaired and dangerous driving. Transfers duties of the governor's council on impaired and dangerous driving to the Indiana criminal justice institute.

Effective: July 1, 2020.

McNamara

January 13, 2020, read first time and referred to Committee on Courts and Criminal Code.



Second Regular Session of the 121st General Assembly (2020)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1224

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 9-19-11-9 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) The child
- 3 restraint system account is established within the state general fund to
- 4 make grants under subsection (d).
- 5 (b) The account consists of the following:
- 6 (1) Funds collected as judgments for violations under this chapter.
- 7 (2) Appropriations to the account from the general assembly.
- 8 (3) Grants, gifts, and donations intended for deposit in the
- 9 account.
- 10 (4) Interest that accrues from money in the account.
- 11 (c) The account shall be administered by the criminal justice
- 12 institute.
- 13 (d) The criminal justice institute ~~upon the recommendation of the~~
- 14 ~~governor's council on impaired and dangerous driving~~; shall use money
- 15 in the account to make grants to ~~private and public organizations~~
- 16 **entities specified in IC 5-2-6-10** to:
- 17 (1) purchase child restraint systems; and



1 (2) distribute the child restraint systems:

2 (A) without charge; or

3 (B) for a minimal charge;

4 to persons who are not otherwise able to afford to purchase child
5 restraint systems.

6 The criminal justice institute shall adopt rules under IC 4-22-2 to
7 implement this section.

8 (e) Money in the account is appropriated continuously to the
9 criminal justice institute for the purposes stated in subsection (a).

10 (f) The expenses of administering the account shall be paid from
11 money in the account.

12 (g) The treasurer of state shall invest the money in the account not
13 currently needed to meet the obligations of the account in the same
14 manner as other public money may be invested. Interest that accrues
15 from these investments shall be deposited in the account.

16 (h) Money in the account at the end of a state fiscal year does not
17 revert to the state general fund.

18 SECTION 2. IC 9-30-8-3, AS AMENDED BY P.L.71-2016,
19 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2020]: Sec. 3. (a) The director of the state department of
21 toxicology ~~based on the recommendation of the governor's council on~~
22 ~~impaired and dangerous driving~~, shall adopt rules under IC 4-22-2 to
23 establish standards and specifications for a certified ignition interlock
24 device. The standards and specifications must require at a minimum
25 that the device meets the following requirements:

26 (1) Is accurate.

27 (2) Does not impede the safe operation of a vehicle.

28 (3) Provides a minimum opportunity to be bypassed.

29 (4) Shows evidence of tampering if tampering is attempted.

30 (5) Has a label affixed warning a person that tampering with or
31 misusing the device is a crime and may subject that person to
32 criminal and civil penalties.

33 (6) Provides the ability to accurately identify the user.

34 (b) After July 1, 2015, all ignition interlock devices used in Indiana
35 must be certified under rules adopted by the state department of
36 toxicology.

37 (c) A vendor or provider may submit an application for approval of
38 an ignition interlock device in a form prescribed by the director of the
39 state department of toxicology.

40 (d) If testing is required to determine whether an ignition interlock
41 device complies with standards set forth by the state department of
42 toxicology, the testing must be performed by an independent laboratory



1 designated by the state department of toxicology. The vendor shall pay
2 any testing expenses under this section.

3 (e) If the director of the state department of toxicology finds that the
4 ignition interlock device complies with the standards of the state
5 department of toxicology, the director may approve the ignition
6 interlock device as a certified ignition interlock device.

7 (f) The director of the state department of toxicology shall provide
8 periodic reports to the ~~governor's council on impaired and dangerous~~
9 ~~driving~~, **criminal justice institute**, including, but not limited to:

- 10 (1) the number of ignition interlock devices certified by the state
11 department of toxicology;
12 (2) the number of ignition interlock devices currently installed in
13 Indiana; and
14 (3) the number of ignition interlock devices rejected by the state
15 department of toxicology.

16 (g) The state department of toxicology shall consider all
17 recommendations made by the ~~governor's council on impaired and~~
18 ~~dangerous driving~~, **criminal justice institute**.

19 (h) The ~~governor's council on impaired and dangerous driving~~
20 **criminal justice institute** shall: ~~meet once a year to:~~

- 21 (1) evaluate reports submitted by the state department of
22 toxicology;
23 (2) evaluate and study ignition interlock issues; **and**
24 (3) make recommendations to the state department of toxicology.
25 **and**
26 ~~(4) make recommendations to the general assembly in an~~
27 ~~electronic format under IC 5-14-6.~~

28 SECTION 3. IC 20-27-3-1, AS ADDED BY P.L.218-2005,
29 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2020]: Sec. 1. (a) The state school bus committee is
31 established. The committee has the following voting members:

- 32 (1) The state superintendent or the state superintendent's
33 authorized representative, who serves as chairperson of the
34 committee.
35 (2) The commissioner of the bureau of motor vehicles, or the
36 commissioner's authorized representative.
37 (3) The administrator of the motor carrier services division of the
38 department of state revenue.
39 (4) The director of the ~~governor's council on impaired and~~
40 ~~dangerous driving~~, **criminal justice institute**.
41 (5) A school bus driver appointed by the state superintendent
42 upon the recommendation of the Indiana State Association of



- 1 School Bus Drivers, Inc.
2 (6) A superintendent of a school corporation appointed by the
3 state superintendent upon the recommendation of the Indiana
4 Association of Public School Superintendents.
5 (7) A member of the governing body of a school corporation
6 appointed by the state superintendent upon the recommendation
7 of the Indiana School Boards Association.
8 (8) A representative of the Indiana School for the Blind and
9 Visually Impaired or the Indiana School for the Deaf appointed by
10 the state superintendent.
11 (9) A member of the School Transportation Association of
12 Indiana appointed by the state superintendent upon the
13 recommendation of the School Transportation Association of
14 Indiana.
15 (b) The state superintendent shall designate a secretary from the
16 department who shall keep the official record of the meetings and of
17 official transactions of the committee.

