



January 24, 2020

HOUSE BILL No. 1301

DIGEST OF HB 1301 (Updated January 22, 2020 11:22 am - DI 75)

Citations Affected: IC 9-22; IC 22-1.

Synopsis: Truck safety technology; abandoned vehicle storage costs. Provides that a motor carrier safety improvement that is deployed, implemented, used by, or required by a motor carrier shall not be considered when evaluating an individual's status as an employee, independent contractor, or jointly employed employee. Provides that the costs for storage of an abandoned vehicle that has a gross vehicle weight rating of 11,000 pounds or more may not exceed \$5,000.

Effective: July 1, 2020.

Carbaugh

January 14, 2020, read first time and referred to Committee on Roads and Transportation.
January 23, 2020, amended, reported — Do Pass.

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January 24, 2020

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 a statute 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. 1301

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

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

1 SECTION 1. IC 9-22-1-4, AS AMENDED BY P.L.157-2017,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 4. (a) Except as provided in subsection ~~(c)~~; **(d)**,
4 the owner of an abandoned vehicle or parts is:
5 (1) responsible for the abandonment; and
6 (2) liable for all of the costs incidental to the removal, storage,
7 and disposal;
8 of the vehicle or the parts under this chapter.
9 (b) **Except as provided in subsection (c)**, the costs for storage of
10 an abandoned vehicle may not exceed two thousand dollars (\$2,000).
11 (c) **Notwithstanding subsection (b), the costs for storage of an**
12 **abandoned vehicle that has a gross vehicle weight rating of eleven**
13 **thousand (11,000) pounds or more may not exceed five thousand**
14 **dollars (\$5,000).**
15 ~~(c)~~ **(d)** If an abandoned vehicle is sold by a person who removed,
16 towed, or stored the vehicle, the person who previously owned the
17 vehicle is not responsible for storage fees.

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1 (†) (e) If an abandoned vehicle is sold by a person who removed,
 2 towed, or stored the vehicle, and proceeds from the sale of the vehicle
 3 covered the removal, towing, sale disposal, and storage expenses, any
 4 remaining proceeds from the sale of the vehicle shall be returned as
 5 described in this chapter or IC 9-22-6, whichever is applicable.

6 SECTION 2. IC 22-1-7 IS ADDED TO THE INDIANA CODE AS
 7 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 8 1, 2020]:

9 **Chapter 7. Motor Carriers**

10 **Sec. 1. As used in this chapter, "motor carrier" has the meaning**
 11 **set forth in IC 8-2.1-17-10 or 49 U.S.C. 13102(14).**

12 **Sec. 2. (a) As used in this section, "motor carrier safety**
 13 **improvement" means any device, equipment, software, technology,**
 14 **procedure, training, policy, program, or operational practice**
 15 **intended and primarily used to improve or facilitate:**

16 **(1) compliance with traffic safety or motor carrier safety**
 17 **laws;**

18 **(2) safety of a motor vehicle;**

19 **(3) safety of the operator of a motor vehicle; or**

20 **(4) safety of third party users of a public highway (as defined**
 21 **in IC 8-2.1-17-14).**

22 **(b) The deployment, implementation, or use of a motor carrier**
 23 **safety improvement by, or as required by, a motor carrier or its**
 24 **related entity, including by a contract, shall not be considered**
 25 **when evaluating an individual's status as an employee, independent**
 26 **contractor, or jointly employed employee under any state law.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1301, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-22-1-4, AS AMENDED BY P.L.157-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) Except as provided in subsection ~~(c)~~; **(d)**, the owner of an abandoned vehicle or parts is:

- (1) responsible for the abandonment; and
- (2) liable for all of the costs incidental to the removal, storage, and disposal;

of the vehicle or the parts under this chapter.

(b) Except as provided in subsection (c), the costs for storage of an abandoned vehicle may not exceed two thousand dollars (\$2,000).

(c) Notwithstanding subsection (b), the costs for storage of an abandoned vehicle that has a gross vehicle weight rating of eleven thousand (11,000) pounds or more may not exceed five thousand dollars (\$5,000).

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

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

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1301 as introduced.)

SULLIVAN

Committee Vote: yeas 11, nays 0.

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