

HOUSE BILL No. 1319

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-21-8-57; IC 14-16-1-20.

Synopsis: Public utility use of off-road vehicles. Provides that an employee of a public utility may operate an off-road vehicle on a highway under certain conditions.

Effective: July 1, 2020.

Lindauer

January 14, 2020, read first time and referred to Committee on Roads and Transportation.



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. 1319

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 9-21-8-57, AS AMENDED BY P.L.259-2013,
- 2 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2020]: Sec. 57. **(a)** A golf cart or off-road vehicle may not be
- 4 operated on a highway except **as provided in subsection (b) or in**
- 5 accordance with:
- 6 (1) an ordinance adopted under IC 9-21-1-3(a)(14) and
- 7 IC 9-21-1-3.3(a) authorizing the operation of a golf cart or an
- 8 off-road vehicle on the highway; or
- 9 (2) IC 14-16-1-20 authorizing an off-road vehicle to operate on a
- 10 highway.
- 11 **(b) An off-road vehicle may be operated on a highway for**
- 12 **survey and inspection purposes by a person employed by or**
- 13 **contracted with a public utility (as defined in IC 8-1-2-1(a)) if:**
- 14 (1) the operation occurs in the course of the person's
- 15 employment or contract;
- 16 (2) the person:
- 17 (A) holds a driver's license; or



1 **(B) is at least sixteen (16) years and one hundred eighty**
 2 **(180) days of age and holds:**

3 **(i) an identification card issued under IC 9-24-16; or**

4 **(ii) a photo exempt identification card issued under**
 5 **IC 9-24-16.5; and**

6 **(3) the off-road vehicle displays a slow moving vehicle emblem**
 7 **in accordance with IC 9-21-9-3 or a red or amber flashing**
 8 **lamp in accordance with IC 9-21-9-4.**

9 SECTION 2. IC 14-16-1-20, AS AMENDED BY P.L.256-2017,
 10 SECTION 184, IS AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2020]: Sec. 20. (a) Except as provided in
 12 IC 9-21-1-3(a)(14), ~~and~~ IC 9-21-1-3.3, **and IC 9-21-8-57(b)**, an
 13 individual may not operate a vehicle required to be registered under
 14 this chapter, under IC 9-18-2.5 (before its expiration), or under
 15 IC 9-18.1-14 upon a public highway, street, or rights-of-way thereof or
 16 on a public or private parking lot not specifically designated for the use
 17 of vehicles, except under the following conditions:

18 (1) A vehicle may be operated on the public right-of-way adjacent
 19 to the traveled part of the public highway, except a limited access
 20 highway, if there is sufficient width to operate at a reasonable
 21 distance off and away from the traveled part and in a manner so
 22 as not to endanger life or property.

23 (2) The operator of a vehicle may cross a public highway, other
 24 than a limited access highway, at right angles for the purpose of
 25 getting from one (1) area to another when the operation can be
 26 done in safety. The operator shall bring the vehicle to a complete
 27 stop before proceeding across a public highway and shall yield the
 28 right-of-way to all traffic.

29 (3) Notwithstanding this section, a vehicle may be operated on a
 30 highway in a county road system outside the corporate limits of a
 31 city or town if the highway is designated for this purpose by the
 32 county highway department having jurisdiction.

33 (4) A law enforcement officer of a city, town, or county or the
 34 state may authorize use of a vehicle on the public highways,
 35 streets, and rights-of-way within the officer's jurisdiction during
 36 emergencies when conventional motor vehicles cannot be used
 37 for transportation due to snow or other extreme highway
 38 conditions.

39 (5) A vehicle may be operated on a street or highway for a special
 40 event of limited duration conducted according to a prearranged
 41 schedule only under permit from the governmental unit having
 42 jurisdiction. The event may be conducted on the frozen surface of



- 1 public waters only under permit from the department.
- 2 (b) An individual less than fourteen (14) years of age may not
- 3 operate a vehicle without immediate supervision of an individual at
- 4 least eighteen (18) years of age, except on land owned or under the
- 5 control of the individual or the individual's parent or legal guardian.
- 6 (c) Except as provided in IC 9-21-1-3(a)(14) and IC 9-21-1-3.3, an
- 7 individual may not operate a vehicle on a public highway without a
- 8 valid motor vehicle driver's license.
- 9 (d) A vehicle may not be used to hunt, pursue, worry, or kill a wild
- 10 bird or a domestic or wild animal.

