



February 26, 2014

ENGROSSED HOUSE BILL No. 1343

DIGEST OF HB 1343 (Updated February 25, 2014 11:49 am - DI 84)

Citations Affected: IC 2-5; IC 6-3.5; IC 6-6; IC 7.1-1; IC 9-13; IC 9-17; IC 9-18; IC 9-19; IC 9-21; IC 9-24; IC 9-29; IC 9-30; IC 13-11; IC 14-19; IC 24-5.

Synopsis: Motor driven cycles. Repeals obsolete provisions concerning an interim study of motorized bicycles. Defines "Class A motor driven cycle", "Class B motor driven cycle", and "motor driven cycle". Repeals the definitions of "motor scooter" and "motorized bicycle". Provides that the county motor vehicle excise surtax and the motor vehicle excise tax apply to motor driven cycles. Requires that motor driven cycles must be registered with the bureau of motor vehicles. Excludes motor driven cycles from titling requirements. Requires that a license plate must be displayed on a motor driven cycle. Provides that certain equipment requirements and traffic regulations apply to motor driven cycles. Requires an individual who operates a Class A motor driven cycle to hold a valid driver's license with a motorcycle endorsement or a motorcycle endorsement with a Class A motor driven
(Continued next page)

Effective: January 1, 2015.

**Wolkins, McNamara, Sullivan,
Riecken, Smith M**

(SENATE SPONSORS — BUCK, BOOTS)

January 15, 2014, read first time and referred to Committee on Roads and Transportation.

January 28, 2014, reported — Do Pass.

January 30, 2014, read second time, ordered engrossed. Engrossed.

February 3, 2014, read third time, passed. Yeas 81, nays 14.

SENATE ACTION

February 10, 2014, read first time and referred to Committee on Homeland Security, Transportation, and Veterans Affairs.

February 25, 2014, reported favorably — Do Pass.

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cycle restriction and to provide proof of financial responsibility. Requires an individual who operates a Class B motor driven cycle to hold an unexpired identification card with a Class B motor driven cycle endorsement or a valid driver's license. Provides that a motor driven cycle may not be operated on an interstate highway. Provides that the operation of a Class B motor driven cycle may be a defense to certain motor vehicle offenses. Excludes motor driven cycles from: (1) the definition of "motorized cart" for purposes of certain natural resource laws; and (2) certain motor vehicle protection laws. Makes technical corrections. Reconciles a conflict with HEA 1006-2013 and other criminal law bills enacted in the 2013 legislative session.

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February 26, 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.

ENGROSSED HOUSE BILL No. 1343

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 2-5-28.5-1.3 IS REPEALED [EFFECTIVE
2 JANUARY 1, 2015]. ~~Sec. 1.3. As used in this chapter, "motor scooter"~~
3 ~~has the meaning set forth in IC 9-13-2-104.~~
- 4 SECTION 2. IC 2-5-28.5-1.5 IS REPEALED [EFFECTIVE
5 JANUARY 1, 2015]. ~~Sec. 1.5. As used in this chapter, "motorized~~
6 ~~bicycle" has the meaning set forth in IC 9-13-2-109.~~
- 7 SECTION 3. IC 2-5-28.5-4.5 IS REPEALED [EFFECTIVE
8 JANUARY 1, 2015]. ~~Sec. 4.5. In calendar year 2011, the committee~~
9 ~~shall study issues related to the use of motorized bicycles and motor~~
10 ~~scooters in Indiana, including the following topics:~~
- 11 (1) Definitions of the following:
- 12 (A) Motorized bicycle:
- 13 (B) Motor scooter:
- 14 (C) Moped:
- 15 (D) Motor-driven cycle:
- 16 (2) Issues related to:

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- 1 (A) internal combustion power; and
 2 (B) battery power;
 3 of motor vehicles described in subdivision (1);
 4 (3) Issues relating to:
 5 (A) necessary equipment for;
 6 (B) licensing of operators of;
 7 (C) titling of;
 8 (D) registration of;
 9 (E) taxation of; and
 10 (F) insurance requirements for;
 11 motor vehicles described in subdivision (1);

12 SECTION 4. IC 6-3.5-4-2, AS AMENDED BY P.L.205-2013,
 13 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JANUARY 1, 2015]: Sec. 2. (a) An adopting entity of any county may,
 15 subject to the limitation imposed by subsection (c), adopt an ordinance
 16 to impose an annual license excise surtax at the same rate or amount on
 17 each motor vehicle listed in subsection (b) that is registered in the
 18 county. The adopting entity may impose the surtax either:

- 19 (1) at a rate of not less than two percent (2%) nor more than ten
 20 percent (10%); or
 21 (2) at a specific amount of at least seven dollars and fifty cents
 22 (\$7.50) and not more than twenty-five dollars (\$25).

23 However, the surtax on a vehicle may not be less than seven dollars and
 24 fifty cents (\$7.50). The adopting entity shall state the surtax rate or
 25 amount in the ordinance which imposes the tax.

26 (b) The license excise surtax applies to the following vehicles:

- 27 (1) Passenger vehicles.
 28 (2) Motorcycles.
 29 (3) Trucks with a declared gross weight that does not exceed
 30 eleven thousand (11,000) pounds.

31 **(4) Motor driven cycles.**

32 (c) The adopting entity may not adopt an ordinance to impose the
 33 surtax unless it concurrently adopts an ordinance under IC 6-3.5-5 to
 34 impose the wheel tax.

35 (d) Notwithstanding any other provision of this chapter or
 36 IC 6-3.5-5, ordinances adopted by a county council before June 1,
 37 2013, to impose or change the annual license excise surtax and the
 38 annual wheel tax in the county remain in effect until the ordinances are
 39 amended or repealed under this chapter or IC 6-3.5-5.

40 SECTION 5. IC 6-6-5-5.6 IS ADDED TO THE INDIANA CODE
 41 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE
 42 JANUARY 1, 2015]: **Sec. 5.6. There is imposed an annual excise tax**



1 on motor driven cycles. The tax shall be paid at the same time the
 2 motor driven cycle is registered. Except for the amount of tax
 3 imposed, a motor driven cycle is to be treated the same as a vehicle
 4 for purposes of this chapter. The amount of tax owed for a motor
 5 driven cycle for a year is ten dollars (\$10). The tax is due at the
 6 same time the owner is or would be required to pay the motor
 7 vehicle excise tax under this chapter.

8 SECTION 6. IC 7.1-1-3-26.3 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 26.3. ~~(a)~~ "Motor
 10 vehicle" means a vehicle that is self-propelled.

11 ~~(b) The term does not include a motorized bicycle (as defined in~~
 12 ~~IC 9-13-2-109).~~

13 SECTION 7. IC 9-13-2-25.8 IS ADDED TO THE INDIANA CODE
 14 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 15 JANUARY 1, 2015]: Sec. 25.8. "Class A motor driven cycle" means
 16 a motor vehicle that:

- 17 (1) has a seat or saddle for the use of the rider;
- 18 (2) is designed to travel on not more than three (3) wheels in
- 19 contact with the ground;
- 20 (3) complies with applicable motor vehicle equipment
- 21 requirements under IC 9-19 and 49 CFR 571; and
- 22 (4) is registered as a Class A motor driven cycle under
- 23 IC 9-18.

24 The term does not include an electric personal assistive mobility
 25 device.

26 SECTION 8. IC 9-13-2-26.5 IS ADDED TO THE INDIANA CODE
 27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 28 JANUARY 1, 2015]: Sec. 26.5. "Class B motor driven cycle" means
 29 a motor vehicle that:

- 30 (1) has a seat or saddle for the use of the rider;
- 31 (2) is designed to travel on not more than three (3) wheels in
- 32 contact with the ground;
- 33 (3) complies with applicable motor vehicle equipment
- 34 requirements under IC 9-19 and 49 CFR 571;
- 35 (4) has a cylinder capacity not exceeding fifty (50) cubic
- 36 centimeters; and
- 37 (5) is registered as a Class B motor driven cycle under
- 38 IC 9-18.

39 The term does not include an electric personal assistive mobility
 40 device.

41 SECTION 9. IC 9-13-2-103 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 103. "Military



1 vehicle" means a vehicle that:

- 2 (1) was originally manufactured for military use;
 3 (2) is motorized or nonmotorized, including a motorcycle, ~~motor~~
 4 ~~scooter~~, **motor driven cycle**, and trailer;
 5 (3) is at least twenty-five (25) years old; and
 6 (4) is privately owned.

7 SECTION 10. IC 9-13-2-104 IS REPEALED [EFFECTIVE
 8 JANUARY 1, 2015]. ~~Sec. 104. "Motor scooter" means a vehicle that~~
 9 ~~has the following:~~

- 10 ~~(1) Motive power.~~
 11 ~~(2) A seat, but not a saddle, for the driver.~~
 12 ~~(3) Two (2) wheels.~~
 13 ~~(4) A floor pad for the driver's feet.~~

14 SECTION 11. IC 9-13-2-104.1 IS ADDED TO THE INDIANA
 15 CODE AS A NEW SECTION TO READ AS FOLLOWS
 16 [EFFECTIVE JANUARY 1, 2015]: **Sec. 104.1. "Motor driven cycle"**
 17 **refers to both of the following:**

- 18 **(1) A Class A motor driven cycle.**
 19 **(2) A Class B motor driven cycle.**

20 SECTION 12. IC 9-13-2-105, AS AMENDED BY P.L.92-2013,
 21 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JANUARY 1, 2015]: Sec. 105. (a) "Motor vehicle" means, except as
 23 otherwise provided in this section, a vehicle that is self-propelled. The
 24 term does not include a farm tractor, an implement of agriculture
 25 designed to be operated primarily in a farm field or on farm premises,
 26 or an electric personal assistive mobility device.

27 (b) "Motor vehicle", for purposes of IC 9-21, means:

- 28 (1) a vehicle ~~except a motorized bicycle~~ that is self-propelled; or
 29 (2) a vehicle that is propelled by electric power obtained from
 30 overhead trolley wires, but not operated upon rails.

31 (c) "Motor vehicle", for purposes of IC 9-19-10.5, ~~and IC 9-25,~~
 32 means a vehicle that is self-propelled upon a highway in Indiana. The
 33 term does not include **the following:**

- 34 **(1) A farm tractor.**
 35 **(2) A motorcycle.**
 36 **(3) A motor driven cycle.**

37 ~~(d) "Motor vehicle"; for purposes of IC 9-30-10, does not include a~~
 38 ~~motorized bicycle.~~

39 ~~(e) (d) "Motor vehicle", for purposes of IC 9-32-13, includes a~~
 40 ~~semitrailer.~~

41 ~~(f) (e) "Motor vehicle", for purposes of IC 9-24-6, has the meaning~~
 42 ~~set forth in 49 CFR 383.5 as in effect July 1, 2010.~~

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1 (f) "Motor vehicle", for purposes of IC 9-25, does not include
2 the following:

3 (1) A farm tractor.

4 (2) A Class B motor driven cycle.

5 SECTION 13. IC 9-13-2-108, AS AMENDED BY P.L.262-2013,
6 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JANUARY 1, 2015]: Sec. 108. "Motorcycle" means a motor vehicle
8 with motive power that:

9 (1) has a seat or saddle for the use of the rider;

10 (2) is designed to travel on not more than three (3) wheels in
11 contact with the ground; and

12 (3) satisfies the operational and equipment specifications
13 described in 49 CFR 571 and IC 9-19.

14 The term does not include a farm tractor a ~~motor scooter~~, or a
15 ~~motorized bicycle~~. or a **motor driven cycle**.

16 SECTION 14. IC 9-13-2-109 IS REPEALED [EFFECTIVE
17 JANUARY 1, 2015]. Sec. ~~109~~: "Motorized bicycle" means a two (2) or
18 three (3) wheeled vehicle that is propelled by an internal combustion
19 engine or a battery powered motor; and if powered by an internal
20 combustion engine; has the following:

21 (1) An engine rating of not more than two (2) horsepower and a
22 cylinder capacity not exceeding fifty (50) cubic centimeters.

23 (2) An automatic transmission.

24 (3) A maximum design speed of not more than twenty-five (25)
25 miles per hour on a flat surface.

26 The term does not include an electric personal assistive mobility
27 device.

28 SECTION 15. IC 9-13-2-123, AS AMENDED BY P.L.259-2013,
29 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JANUARY 1, 2015]: Sec. 123. "Passenger motor vehicle" means a
31 motor vehicle designed for carrying passengers. The term includes a
32 low speed vehicle but does not include **the following**:

33 (1) A motorcycle.

34 (2) A bus.

35 (3) A school bus.

36 (4) A snowmobile. ~~or~~

37 (5) An off-road vehicle.

38 (6) A motor driven cycle.

39 SECTION 16. IC 9-13-2-196, AS AMENDED BY P.L.9-2010,
40 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JANUARY 1, 2015]: Sec. 196. (a) "Vehicle" means, except as
42 otherwise provided in this section, a device in, upon, or by which a



1 person or property is, or may be, transported or drawn upon a highway.

2 (b) "Vehicle", for purposes of IC 9-14 through IC 9-18, does not
3 include the following:

4 (1) A device moved by human power.

5 (2) A vehicle that runs only on rails or tracks.

6 (3) A vehicle propelled by electric power obtained from overhead
7 trolley wires but not operated upon rails or tracks.

8 (4) A firetruck and apparatus owned by a person or municipal
9 division of the state and used for fire protection.

10 (5) A municipally owned ambulance.

11 (6) A police patrol wagon.

12 (7) A vehicle not designed for or employed in general highway
13 transportation of persons or property and occasionally operated or
14 moved over the highway, including the following:

15 (A) Road construction or maintenance machinery.

16 (B) A movable device designed, used, or maintained to alert
17 motorists of hazardous conditions on highways.

18 (C) Construction dust control machinery.

19 (D) Well boring apparatus.

20 (E) Ditch digging apparatus.

21 (F) An implement of agriculture designed to be operated
22 primarily in a farm field or on farm premises.

23 (G) An invalid chair.

24 (H) A yard tractor.

25 (8) An electric personal assistive mobility device.

26 (c) For purposes of IC 9-20 and IC 9-21, the term does not include
27 devices moved by human power or used exclusively upon stationary
28 rails or tracks.

29 (d) For purposes of IC 9-22, the term refers to an automobile, a
30 motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school
31 bus, a recreational vehicle, a trailer or semitrailer used in the
32 transportation of watercraft, or a ~~motorized bicycle~~. **motor driven**
33 **cycle.**

34 (e) For purposes of IC 9-24-6, the term has the meaning set forth in
35 49 CFR 383.5 as in effect July 1, 2010.

36 (f) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9,
37 the term means a device for transportation by land or air. The term does
38 not include an electric personal assistive mobility device.

39 SECTION 17. IC 9-17-1-1, AS AMENDED BY P.L.262-2013,
40 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JANUARY 1, 2015]: Sec. 1. This article does not apply to **the**
42 **following:**

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- 1 (1) Special machinery.
 2 (2) Farm wagons.
 3 (3) A golf cart when operated in accordance with an ordinance
 4 adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).
 5 (4) A motor vehicle that was designed to have a maximum design
 6 speed of not more than twenty-five (25) miles per hour and that
 7 was built, constructed, modified, or assembled by a person other
 8 than the manufacturer. ~~or~~
 9 (5) Snowmobiles.
 10 **(6) Motor driven cycles.**
 11 ~~or~~ (7) Except as otherwise provided, any other vehicle that is not
 12 registered in accordance with IC 9-18-2.
 13 SECTION 18. IC 9-18-2-1, AS AMENDED BY P.L.125-2012,
 14 SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JANUARY 1, 2015]: Sec. 1. (a) A person must register all motor
 16 vehicles owned by the person that:
 17 (1) are subject to the motor vehicle excise tax under IC 6-6-5; and
 18 (2) will be operated in Indiana.
 19 (b) A person must register all commercial vehicles owned by the
 20 person that:
 21 (1) are subject to the commercial vehicle excise tax under
 22 IC 6-6-5.5;
 23 (2) are not subject to proportional registration under the
 24 International Registration Plan; and
 25 (3) will be operated in Indiana.
 26 (c) A person must register all recreational vehicles owned by the
 27 person that:
 28 (1) are subject to the excise tax imposed under IC 6-6-5.1; and
 29 (2) will be operated in Indiana.
 30 (d) A person must register all vehicles owned by the person not later
 31 than sixty (60) days after becoming an Indiana resident.
 32 (e) Except as provided in subsection (f), an Indiana resident must
 33 register all motor vehicles operated in Indiana.
 34 (f) An Indiana resident who has a legal residence in a state that is
 35 not contiguous to Indiana may operate a motor vehicle in Indiana for
 36 not more than sixty (60) days without registering the motor vehicle in
 37 Indiana.
 38 (g) An Indiana resident who has registered a motor vehicle in
 39 Indiana in any previous registration year is not required to register the
 40 motor vehicle, is not required to pay motor vehicle excise tax under
 41 IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5 on the
 42 motor vehicle, and is exempt from property tax on the motor vehicle for



1 any registration year in which:

2 (1) the Indiana resident is:

3 (A) an active member of the armed forces of the United States;

4 and

5 (B) assigned to a duty station outside Indiana; and

6 (2) the motor vehicle is not operated inside or outside Indiana.

7 This subsection may not be construed as granting the bureau authority
8 to require the registration of any vehicle that is not operated in Indiana.

9 (h) When an Indiana resident registers a motor vehicle in Indiana
10 after the period of exemption described in subsection (g), the Indiana
11 resident may submit an affidavit that:

12 (1) states facts demonstrating that the motor vehicle is a motor
13 vehicle described in subsection (g); and

14 (2) is signed by the owner of the motor vehicle under penalties of
15 perjury;

16 as sufficient proof that the owner of the motor vehicle is not required
17 to register the motor vehicle during a registration year described in
18 subsection (g). The commission or bureau may not require the Indiana
19 resident to pay any civil penalty or any reinstatement or other fee that
20 is not also charged to other motor vehicles being registered in the same
21 registration year.

22 **(i) Notwithstanding IC 9-18-1-1(a)(7), a person shall register all**
23 **motor driven cycles owned by the person that:**

24 **(1) are subject to the motor vehicle excise tax under IC 6-6-5;**
25 **and**

26 **(2) will be operated in Indiana.**

27 SECTION 19. IC 9-18-2-8, AS AMENDED BY P.L.262-2013,
28 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JANUARY 1, 2015]: Sec. 8. (a) Except as provided in section 7(h) of
30 this chapter and subsection (f), the bureau shall determine the schedule
31 for registration for the following categories of vehicles:

32 (1) Passenger motor vehicles.

33 (2) Recreational vehicles.

34 (3) Motorcycles.

35 (4) Trucks that:

36 (A) are regularly rented to others for not more than
37 twenty-nine (29) days in the regular course of the corporation's
38 business; and

39 (B) have a declared gross weight of not more than eleven
40 thousand (11,000) pounds.

41 **(5) Motor driven cycles.**

42 (b) Except as provided in IC 9-18-12-2.5, a person that owns a vehicle



1 shall receive a license plate, renewal tag, or other indicia upon
 2 registration of the vehicle. The bureau may determine the indicia
 3 required to be displayed.

4 (c) A corporation that owns a vehicle that is regularly rented to
 5 others for periods of not more than twenty-nine (29) days in the regular
 6 course of the corporation's business must register the vehicle on the
 7 date prescribed by the bureau.

8 (d) A person that owns a vehicle in a category required to be
 9 registered under this section and desires to register the vehicle for the
 10 first time must apply to the bureau for a certificate of registration. The
 11 bureau shall do the following:

12 (1) Administer the certificate of registration.

13 (2) Issue the license plate according to the bureau's central
 14 fulfillment processes.

15 (3) Collect the proper registration and service fees in accordance
 16 with the procedure established by the bureau.

17 (e) Except as provided in IC 9-18-12-2.5, the bureau shall issue a
 18 semipermanent plate under section 30 of this chapter, or:

19 (1) an annual renewal tag; or

20 (2) other indicia;

21 to be affixed on the semipermanent plate.

22 (f) After June 30, 2011, the registration of a vehicle under
 23 IC 9-18-16-1(a)(1) or IC 9-18-16-1(a)(2) expires on December 14 of
 24 each year. However, if a vehicle is registered under IC 9-18-16-1(a)(1)
 25 or IC 9-18-16-1(a)(2) and the registration of the vehicle is in effect on
 26 June 30, 2011, the registration of the vehicle remains valid:

27 (1) throughout calendar year 2011; and

28 (2) during the period that:

29 (A) begins January 1, 2012; and

30 (B) ends on the date on which the vehicle was due for
 31 reregistration under the law in effect before this subsection
 32 took effect.

33 SECTION 20. IC 9-18-2-12, AS AMENDED BY P.L.262-2013,
 34 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JANUARY 1, 2015]: Sec. 12. The bureau may not register the
 36 following motor vehicles:

37 (1) A motor vehicle that:

38 (A) is subject under rules adopted under air pollution control
 39 laws (as defined in IC 13-11-2-6) to:

40 (i) inspection of vehicle air pollution control equipment; and

41 (ii) testing of emission characteristics; and

42 (B) has not been:



- 1 (i) inspected; and
- 2 (ii) certified by an inspection station under
- 3 IC 13-17-5-5.1(b) that the air pollution equipment is not in
- 4 a tampered condition and the vehicle meets air emission
- 5 control standards.
- 6 (2) A motor vehicle that does not comply with applicable motor
- 7 vehicle equipment requirements under IC 9-19.
- 8 **(3) A motor vehicle that does not comply with applicable**
- 9 **operational and equipment specifications described in 49 CFR**
- 10 **571.**
- 11 SECTION 21. IC 9-18-2-26, AS AMENDED BY P.L.262-2013,
- 12 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 13 JANUARY 1, 2015]: Sec. 26. (a) License plates, including temporary
- 14 license plates, shall be displayed as follows:
- 15 (1) For a motorcycle, **motor driven cycle**, trailer, semitrailer, or
- 16 recreational vehicle, upon the rear of the vehicle, except as
- 17 provided in subdivision (4).
- 18 (2) For a tractor or dump truck, upon the front of the vehicle.
- 19 (3) For every other vehicle, upon the rear of the vehicle, except as
- 20 provided in subdivision (4).
- 21 (4) For a truck with a rear mounted forklift or a mechanism to
- 22 carry a rear mounted forklift or implement, upon the front of the
- 23 vehicle.
- 24 (b) A license plate shall be securely fastened, in a horizontal
- 25 position, to the vehicle for which the plate is issued:
- 26 (1) to prevent the license plate from swinging;
- 27 (2) at a height of at least twelve (12) inches from the ground,
- 28 measuring from the bottom of the license plate;
- 29 (3) in a place and position that are clearly visible;
- 30 (4) maintained free from foreign materials and in a condition to
- 31 be clearly legible; and
- 32 (5) not obstructed or obscured by tires, bumpers, accessories, or
- 33 other opaque objects.
- 34 (c) An interim license plate must be displayed in the manner
- 35 required by IC 9-32-6-11(f).
- 36 (d) The bureau may adopt rules the bureau considers advisable to
- 37 enforce the proper mounting and securing of license plates on vehicles
- 38 consistent with this chapter.
- 39 SECTION 22. IC 9-18-2-29, AS AMENDED BY P.L.210-2005,
- 40 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 41 JANUARY 1, 2015]: Sec. 29. Except as otherwise provided, before:
- 42 (1) a motor vehicle;



- 1 (2) a motorcycle;
- 2 (3) a truck;
- 3 (4) a trailer;
- 4 (5) a semitrailer;
- 5 (6) a tractor;
- 6 (7) a bus;
- 7 (8) a school bus;
- 8 (9) a recreational vehicle; ~~or~~
- 9 (10) special machinery; ~~or~~
- 10 **(11) a motor driven cycle;**

11 is operated or driven on a highway, the person who owns the vehicle
 12 must register the vehicle with the bureau and pay the applicable
 13 registration fee.

14 SECTION 23. IC 9-18-12-4 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 4. (a) If a person
 16 who registers an antique motor vehicle under this chapter makes
 17 substantial alterations or changes to the vehicle after the date of the
 18 antique motor vehicle's registration, the registrant shall have the
 19 vehicle reinspected by the state police department.

20 (b) If the antique motor vehicle is not found to be in a mechanical
 21 condition that guarantees the vehicle's safe operation upon the
 22 highways, the mechanical condition shall be reported to the bureau.
 23 The bureau shall do the following:

- 24 (1) Immediately cancel the registration of the antique motor
 25 vehicle.
- 26 (2) Notify the person who registered the antique motor vehicle of
 27 the cancellation.

28 ~~(c) A motor scooter registered under this chapter is not required to
 29 have equipment that was not original on the motor scooter.~~

30 SECTION 24. IC 9-19-3-1 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 1. **(a) Subject to**
 32 **section 4 of this chapter**, a motor vehicle, ~~other than a motorcycle or~~
 33 ~~motor-driven cycle~~, when operated upon a highway, must be equipped
 34 with brakes adequate to control the movement of and to stop and hold
 35 the vehicle. ~~The brakes must~~

36 **(b) A motor vehicle other than a motorcycle or motor driven**
 37 **cycle must be equipped with brakes that** include two (2) separate
 38 means of applying the brakes, each of which means must apply the
 39 brakes to at least two (2) wheels. If these two (2) separate means of
 40 applying the brakes are connected in any way, the means must be
 41 constructed so that failure of one (1) part of the operating mechanism
 42 does not leave the motor vehicle without brakes on at least two (2)



1 wheels.

2 SECTION 25. IC 9-19-3-2 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 2. **Subject to**
4 **section 4 of this chapter**, a motorcycle and a ~~motor-driven motor~~
5 **driven** cycle, when operated upon a highway, must be equipped with
6 at least one (1) brake, which may be operated by hand or foot.

7 SECTION 26. IC 9-19-3-3 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 3. **Subject to**
9 **section 4 of this chapter**, a trailer or semitrailer of a gross weight of
10 at least three thousand (3,000) pounds, when operated upon a highway,
11 must be equipped with brakes adequate to control the movement of and
12 to stop and to hold the vehicle. The brakes must be designed so that the
13 driver of the towing motor vehicle can apply the brakes from the cab,
14 and must be designed and connected so that the brakes will be
15 automatically applied in an accidental breakaway of the towed vehicle.

16 SECTION 27. IC 9-19-3-4 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 4. (a) Except as
18 provided in subsections (b) through (c), a new motor vehicle, trailer, or
19 semitrailer sold in Indiana and operated upon the highways must be
20 equipped with service brakes upon all wheels of the vehicle.

21 (b) ~~The following are~~ **A semitrailer of less than three thousand**
22 **(3,000) pounds gross weight** is not required to be equipped with
23 brakes.

24 (1) ~~A motorcycle or motor-driven cycle.~~

25 (2) ~~A semitrailer of less than three thousand (3,000) pounds gross~~
26 ~~weight.~~

27 (c) A truck or truck-tractor having at least three (3) axles is not
28 required to have service brakes on the front wheels. If a truck or
29 truck-tractor is equipped with at least two (2) steerable axles, the
30 wheels of one (1) steerable axle are not required to have service brakes
31 although the truck or truck-tractor must be capable of complying with
32 the performance requirements of sections 7 through 8 of this chapter.

33 SECTION 28. IC 9-19-6-3 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 3. (a) A motor
35 vehicle other than a motorcycle or ~~motor-driven motor driven~~
36 **driven** cycle must be equipped with at least two (2) head lamps, with at least one (1)
37 of the head lamps on each side of the front of the motor vehicle. The
38 head lamps must comply with this chapter.

39 (b) Except as provided in subsection (c), a motorcycle and
40 ~~motor-driven motor driven~~ **driven** cycle must be equipped with at least one
41 (1) and not more than two (2) head lamps that comply with this
42 chapter.



1 (c) A motorcycle manufactured before January 1, 1956, is not
 2 required to be equipped with a head lamp if the motorcycle is not
 3 operated at the times when lighted head lamps and other illuminating
 4 devices are required under IC 9-21-7-2.

5 (d) A head lamp upon a motor vehicle, including a motorcycle and
 6 ~~motor-driven~~ **motor driven** cycle, must be located at a height
 7 measured from the center of the head lamp of not less than twenty-four
 8 (24) inches and not more than fifty-four (54) inches to be measured as
 9 set forth in section 2(b) of this chapter.

10 SECTION 29. IC 9-19-6-4, AS AMENDED BY P.L.34-2010,
 11 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JANUARY 1, 2015]: Sec. 4. (a) Except as otherwise provided in this
 13 section:

14 (1) a motor vehicle, trailer, semitrailer, and pole trailer; and

15 (2) any other vehicle that is drawn at the end of a train of
 16 vehicles;

17 must be equipped with at least one (1) tail lamp mounted on the rear
 18 that when lighted as required in this chapter, emits a red light plainly
 19 visible from a distance of five hundred (500) feet to the rear.

20 (b) Only the tail lamp on the rear-most vehicle of a train of vehicles
 21 is required to be seen from the distance specified.

22 (c) Excluding a truck-tractor semitrailer-semitrailer combination
 23 equipped with a B-train assembly (as defined in IC 9-13-2-13)
 24 governed by section 7 of this chapter, truck-tractor, motorcycle, or
 25 ~~motor-driven~~ **motor driven** cycle:

26 (1) a motor vehicle, trailer, semitrailer, and pole trailer; and

27 (2) any other vehicle drawn at the end of a train of vehicles;

28 that is registered in Indiana and manufactured or assembled after
 29 January 1, 1956, must be equipped with at least two (2) tail lamps
 30 mounted on the rear that, when lighted, complies with this section.

31 (d) A tail lamp upon a vehicle shall be located at a height of not less
 32 than twenty (20) inches and not more than seventy-two (72) inches.

33 (e) Either a tail lamp or a separate lamp must be placed and
 34 constructed so as to illuminate the rear registration plate with a white
 35 light and make the plate clearly legible from a distance of fifty (50) feet
 36 to the rear. A tail lamp or tail lamps, together with a separate lamp for
 37 illuminating the rear registration plate, must be wired so as to be
 38 lighted whenever the head lamps or auxiliary driving lamps are lighted.

39 SECTION 30. IC 9-19-6-5 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 5. (a) Except as
 41 provided in subsections (b) through (d), a new motor vehicle sold and
 42 operated upon a highway, other than a truck-tractor, must carry on the



1 rear, either as a part of the tail lamps or separately, two (2) red
2 reflectors.

3 (b) Except as provided in subsection (c), a motorcycle and
4 ~~motor-driven~~ **motor driven** cycle must carry at least one (1) reflector
5 meeting the requirements of this section.

6 (c) A motorcycle manufactured before January 1, 1956, is not
7 required to carry a reflector under this section if the motorcycle is not
8 operated at the times when lighted head lamps and other illuminating
9 devices are required under IC 9-21-7-2.

10 (d) A vehicle of the type listed in section 7 of this chapter must be
11 equipped with reflectors as required in those sections applicable to
12 those vehicles.

13 (e) A reflector must be mounted on a vehicle at a height not less
14 than twenty (20) inches and not more than sixty (60) inches as
15 measured in the manner set forth in section 2(b) of this chapter. Except
16 as otherwise provided, a reflector must be of the size and
17 characteristics and mounted so as to be visible at night from all
18 distances within three hundred fifty (350) feet to one hundred (100)
19 feet from the vehicle when directly in front of lawful upper beams of
20 head lamps.

21 SECTION 31. IC 9-19-6-6 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 6. (a) Except as
23 provided in subsection (b), a person may not:

24 (1) sell; or

25 (2) drive on the highways;

26 in Indiana a motor vehicle, including a motorcycle or ~~motor-driven~~
27 **motor driven** cycle unless the vehicle is equipped with at least one (1)
28 stoplight meeting the requirements of section 17 of this chapter.

29 (b) A motorcycle manufactured before January 1, 1956, is not
30 required to be equipped with a stoplight under subsection (a) if the
31 motorcycle is not operated at the times when lighted head lamps and
32 other illuminating devices are required under IC 9-21-7-2.

33 (c) This subsection does not apply to a motorcycle or ~~motor-driven~~
34 **motor driven** cycle. A person may not:

35 (1) sell;

36 (2) offer for sale; or

37 (3) operate on the highways;

38 a motor vehicle, trailer, or semitrailer registered in Indiana and
39 manufactured or assembled after January 1, 1956, unless the vehicle is
40 equipped with mechanical or electrical turn signals meeting the
41 requirements of section 17 of this chapter.

42 SECTION 32. IC 9-19-6-20 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 20. Except as
 2 otherwise provided in this chapter, the head lamps, the auxiliary
 3 driving lamp, the auxiliary passing lamp, or a combination of these
 4 lamps on motor vehicles, other than motorcycles or ~~motor-driven~~
 5 **motor driven** cycles, must be arranged so that the driver may select
 6 between distributions of light projected to different elevations. The
 7 lamps may, in addition, be arranged so that the selection can be made
 8 automatically, subject to the following limitations:

9 (1) There must be an uppermost distribution of light, or composite
 10 beam, aimed and of an intensity to reveal persons and vehicles at
 11 a distance of at least three hundred fifty (350) feet ahead for all
 12 conditions of loading.

13 (2) There must be a lowermost distribution of light, or composite
 14 beam, aimed and of an intensity to reveal persons and vehicles at
 15 a distance of at least one hundred (100) feet ahead. On a straight
 16 level road, under any condition of loading, none of the
 17 high-intensity part of the beam may be directed to strike the eyes
 18 of an approaching driver.

19 (3) A new motor vehicle, other than a motorcycle or ~~motor-driven~~
 20 **motor driven** cycle, registered in Indiana after January 1, 1956,
 21 that has multiple-beam road lighting equipment must be equipped
 22 with a beam indicator that must be lighted whenever the
 23 uppermost distribution of light from the head lamps is in use. The
 24 beam indicator must not otherwise be lighted. The beam indicator
 25 must be designed and located so that when lighted the indicator
 26 is readily visible without glare to the driver of the vehicle so
 27 equipped.

28 SECTION 33. IC 9-19-6-22 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 22. (a) The head
 30 lamp or head lamps upon a ~~motorcycle or motor-driven~~ **motor driven**
 31 cycle may be of the single-beam or multiple-beam type.

32 (b) A head lamp on a ~~motorcycle or motor-driven~~ **motor driven**
 33 cycle must be of sufficient intensity to reveal a person or a vehicle at
 34 a distance of not less than:

35 (1) one hundred (100) feet when the ~~motorcycle or motor-driven~~
 36 **motor driven** cycle is operated at a speed of less than twenty-five
 37 (25) miles per hour;

38 (2) two hundred (200) feet when the ~~motorcycle or motor-driven~~
 39 **motor driven** cycle is operated at a speed of at least twenty-five
 40 (25) miles per hour; and

41 (3) ~~for a motorcycle or Class A motor driven cycle~~, three
 42 hundred (300) feet when the ~~motorcycle or motor-driven~~ **motor**



1 **driven** cycle is operated at a speed of at least thirty-five (35)
2 miles per hour.

3 (c) If a **motorcycle or motor-driven motor driven** cycle is equipped
4 with a multiple beam head lamp, the upper beam must meet the
5 minimum requirements set forth in this section and must not exceed the
6 limitations set forth in section 20(1) of this chapter and the lowermost
7 distribution of light as set forth in section 20(2) of this chapter.

8 (d) If a **motorcycle or motor-driven motor driven** cycle is
9 equipped with a single beam lamp, the lamp must be aimed so that
10 when the vehicle is loaded none of the high-intensity part of the light
11 will, at a distance of twenty-five (25) feet ahead, project higher than the
12 level of the center of the lamp from which the light comes.

13 SECTION 34. IC 9-19-7-1 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 1. An individual
15 less than eighteen (18) years of age who is operating or riding on a
16 motorcycle **or motor driven cycle** on the streets or highways shall do
17 the following:

18 (1) Wear ~~protective headgear meeting the minimum standards set~~
19 ~~by the bureau.~~ **a helmet that meets the standards established by**
20 **the United States Department of Transportation under 49**
21 **CFR 571.218 as in effect January 1, 1979.**

22 (2) Wear protective glasses, goggles, or transparent face shields.

23 SECTION 35. IC 9-19-7-2, AS AMENDED BY P.L.87-2010,
24 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JANUARY 1, 2015]: Sec. 2. (a) Except as provided in subsection (b),
26 a motorcycle **or motor driven cycle** operated on the streets or
27 highways by a resident of Indiana must meet the following
28 requirements:

29 (1) Be equipped with handlebars that rise not higher than the
30 shoulders of the driver when the driver is seated in the driver's
31 seat or saddle.

32 (2) Be equipped with brakes in good working order on both front
33 and rear wheels.

34 (3) Be equipped with footrests or pegs for both operator and
35 passenger.

36 (4) Be equipped with lamps and reflectors meeting the standards
37 of the United States Department of Transportation.

38 (b) A motorcycle **or motor driven cycle** manufactured before
39 January 1, 1956, is not required to be equipped with lamps and other
40 illuminating devices under subsection (a) if the motorcycle **or motor**
41 **driven cycle** is not operated at the times when lighted head lamps and
42 other illuminating devices are required under IC 9-21-7-2.



1 SECTION 36. IC 9-19-7-2.5 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 2.5. A motorcycle
 3 **or motor driven cycle** manufactured before January 1, 1956, is not
 4 required to be equipped with the following devices:

- 5 (1) A rear view mirror.
- 6 (2) A speedometer.
- 7 (3) Mechanical or electric turn signals.

8 SECTION 37. IC 9-19-19-2 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 2. A motor
 10 vehicle, except a motorcycle or a ~~motor-driven~~ **motor driven** cycle,
 11 required to be registered with the bureau must be equipped with a front
 12 windshield.

13 SECTION 38. IC 9-21-5-8.5 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 8.5. A person may
 15 not ~~drive operate~~ a low speed vehicle on a highway that has a speed
 16 limit in excess of thirty-five (35) miles per hour.

17 SECTION 39. IC 9-21-7-3 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 3. (a) This section
 19 does not apply to a motorcycle or ~~motorized bicycle~~: **motor driven**
 20 **cycle**.

21 (b) A motor vehicle must display at least two (2) lighted lamps, one
 22 (1) on each side at the front of the motor vehicle.

23 (c) Whenever a motor vehicle equipped with head lamps required
 24 under subsection (b) is also equipped with:

- 25 (1) auxiliary lamps;
- 26 (2) a spot lamp; or
- 27 (3) any other lamp on the front of the motor vehicle projecting a

28 beam of intensity greater than three hundred (300) candlepower;
 29 not more than a total of four (4) lamps described in this subsection on
 30 the front of a vehicle may be lighted at one (1) time when upon a
 31 highway.

32 (d) Passenger buses, trucks, truck tractors, and certain trailers,
 33 semitrailers, and pole trailers must display clearance and marker lamps,
 34 reflectors, and stop lights as required under this title when operated
 35 upon a highway. Except as provided in subsection (e), all lamp
 36 equipment required on vehicles described in this subsection shall be
 37 lighted at the times specified in section 2 of this chapter.

38 (e) Clearance and sidemarker lamps are not required to be lighted
 39 on a vehicle described in subsection (d) when the vehicle is operated
 40 within a municipality where there is sufficient light to render clearly
 41 discernible persons and vehicles on the highway at a distance of five
 42 hundred (500) feet.



1 SECTION 40. IC 9-21-7-8 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 8. (a) This section
 3 applies to a vehicle that is parked or stopped upon a roadway or
 4 shoulder adjacent to a roadway between thirty (30) minutes after sunset
 5 and thirty (30) minutes before sunrise.

6 (b) If there is sufficient light to reveal a person or object within a
 7 distance of five hundred (500) feet upon the street or highway upon
 8 which the vehicle is parked, no lights need be displayed upon the
 9 parked vehicle.

10 (c) This subsection does not apply to a ~~motor-driven~~ **motor driven**
 11 cycle. This subsection applies whether a vehicle parked or stopped is
 12 attended or unattended. If there is not sufficient light to reveal a person
 13 or object within a distance of five hundred (500) feet upon the highway
 14 upon which the vehicle is parked or stopped, the vehicle parked or
 15 stopped shall be equipped with one (1) or more lamps that meet the
 16 following requirements:

17 (1) At least one (1) lamp must display a white or amber light
 18 visible from a distance of five hundred (500) feet to the front of
 19 the vehicle.

20 (2) The lamp described in subdivision (1) or at least one (1) other
 21 lamp must display a red light visible from a distance of five
 22 hundred (500) feet to the rear of the vehicle.

23 (3) The lamp or lamps described in subdivisions (1) and (2) shall
 24 be installed as near as practicable on the side of the vehicle that
 25 is closest to passing traffic.

26 (d) Lighted head lamps upon a parked vehicle must be depressed or
 27 dimmed.

28 SECTION 41. IC 9-21-8-2 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 2. (a) Upon all
 30 roadways of sufficient width, a vehicle shall be driven upon the right
 31 half of the roadway except as follows:

32 (1) When overtaking and passing another vehicle proceeding in
 33 the same direction under the rules governing overtaking and
 34 passing.

35 (2) When the right half of a roadway is closed to traffic under
 36 construction or repair.

37 (3) Upon a roadway divided into three (3) marked lanes for traffic
 38 under the rules applicable to a roadway divided into three (3)
 39 marked lanes.

40 (4) Upon a roadway designated and signposted for one-way
 41 traffic.

42 (b) Upon all roadways, a vehicle proceeding at less than the normal



1 speed of traffic at the time and place under the conditions then existing
2 shall be driven:

- 3 (1) in the right-hand lane then available for traffic; or
4 (2) as close as practicable to the right-hand curb or edge of the
5 roadway;

6 except when overtaking and passing another vehicle proceeding in the
7 same direction or when preparing for a left turn at an intersection or
8 into a private road or driveway.

9 **(c) Upon all roadways, a motor driven cycle shall be driven as**
10 **close as practicable to the right-hand curb or edge of the roadway**
11 **except when overtaking and passing another vehicle proceeding in**
12 **the same direction or when preparing for a left turn at an**
13 **intersection or into a private road or driveway.**

14 SECTION 42. IC 9-21-8-20 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 20. The Indiana
16 department of transportation may by resolution or order entered in its
17 minutes, and local authorities may by ordinance, with respect to any
18 freeway or interstate highway system under their respective
19 jurisdictions, prohibit the use of a highway by pedestrians, bicycles, or
20 other nonmotorized traffic or by a person operating a ~~motor-driven~~
21 **motor driven** cycle. The Indiana department of transportation or the
22 local authority adopting a prohibiting regulation shall erect and
23 maintain official signs on the freeway or interstate highway system on
24 which the regulations are applicable. If signs are erected, a person may
25 not disobey the restrictions stated on the signs.

26 SECTION 43. IC 9-21-9-0.5, AS AMENDED BY P.L.259-2013,
27 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JANUARY 1, 2015]: Sec. 0.5. (a) This chapter does not apply to the
29 following:

- 30 (1) An electric personal assistive mobility device.
31 (2) A low speed vehicle.
32 (3) Except as provided in subsection (b), a golf cart or off-road
33 vehicle.
34 **(4) A motor driven cycle.**

35 (b) An ordinance adopted in accordance with IC 9-21-1-3(a)(14) or
36 IC 9-21-1-3.3(a) may require a golf cart or off-road vehicle to display
37 a slow moving vehicle emblem in accordance with section 3 of this
38 chapter or a red or amber flashing lamp in accordance with section 4
39 of this chapter. A fine assessed for a violation of an ordinance under
40 this section shall be deposited in the general fund of the city, county,
41 or town.

42 SECTION 44. IC 9-21-10-1 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 1. **(a)** In addition
 2 to the person who operates a motorcycle ~~that has only two (2) wheels~~
 3 ~~in contact with the ground or pavement, or a Class A motor driven~~
 4 ~~cycle, one (1) person may be carried on the motorcycle or Class A~~
 5 ~~motor driven cycle. A passenger may be carried only on a firmly~~
 6 ~~attached and regular seat designed for passenger use.~~

7 **(b) A passenger may not be carried on a Class B motor driven**
 8 **cycle.**

9 SECTION 45. IC 9-21-10-2 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 2. A passenger
 11 may not be carried on a motorcycle **or Class A motor driven cycle** in
 12 a position that interferes with the operation or control of the motorcycle
 13 **or Class A motor driven cycle** or the view of the person who operates
 14 the motorcycle **or Class A motor driven cycle.**

15 SECTION 46. IC 9-21-10-3 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 3. A person who
 17 operates a motorcycle **or motor driven cycle** may not carry a package,
 18 bundle, or other article that prevents the person from keeping both
 19 hands on the handlebars.

20 SECTION 47. IC 9-21-10-4 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 4. A person may
 22 not drive, operate, or ride as a passenger on a motorcycle ~~that has only~~
 23 ~~two (2) wheels in contact with the ground or pavement or Class A~~
 24 ~~motor driven cycle~~ in a position other than astride the seat or saddle
 25 provided.

26 SECTION 48. IC 9-21-10-5 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 5. Headlamps
 28 shall be illuminated at all times when a motorcycle **or motor driven**
 29 **cycle** is in operation.

30 SECTION 49. IC 9-21-10-7 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 7. All traffic
 32 regulations and all rights and duties inured from the traffic regulations
 33 that apply to a person who drives or operates a motor vehicle apply to
 34 a person who operates a motorcycle **or motor driven cycle** except the
 35 following:

36 (1) Regulations that expressly do not apply to motorcycles **or**
 37 **motor driven cycles.**

38 (2) Regulations that by their nature have no application.

39 SECTION 50. IC 9-21-10-8 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 8. A ~~motorcycle:~~

41 ~~(1) with a design speed of not more than thirty (30) miles per~~
 42 ~~hour; and~~



1 (2) ~~that has a seat, but not a saddle; motor driven cycle~~ may not
2 be operated on an interstate highway. ~~or on a highway outside the~~
3 ~~limits of a city or town.~~

4 SECTION 51. IC 9-21-10-9 IS REPEALED [EFFECTIVE
5 JANUARY 1, 2015]. ~~Sec. 9: If a person who is less than eighteen (18)~~
6 ~~years of age is operating or riding on a motorcycle on the streets or~~
7 ~~highways, the person shall wear the following:~~

8 ~~(1) Protective headgear meeting the minimum standards set by the~~
9 ~~bureau.~~

10 ~~(2) Protective glasses, goggles, or a transparent face shield.~~

11 SECTION 52. IC 9-21-10-10 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 10. A person may
13 not rent, lease, or furnish a motorcycle **or Class A motor driven cycle**
14 to another person for use on the streets and highways who is not
15 regularly licensed to operate a motor vehicle by the state in which the
16 other person is a resident.

17 SECTION 53. IC 9-21-10-11 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 11. A person to
19 whom a motorcycle **or Class A motor driven cycle** is rented, leased,
20 or furnished may not rent, sublease, or otherwise authorize the use of
21 the motorcycle **or Class A motor driven cycle** on the streets and
22 highways to a person who is not licensed to operate a vehicle in
23 Indiana.

24 SECTION 54. IC 9-21-10-12 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 12. A person may
26 not rent, lease, or furnish a motorcycle **or motor driven cycle** that is
27 not in safe operating condition.

28 SECTION 55. IC 9-21-11-2 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 2. A person riding
30 a bicycle **or operating a Class B motor driven cycle** upon a roadway
31 has all the rights and duties under this article that are applicable to a
32 person who drives a vehicle, except the following:

33 (1) Special regulations of this article.

34 (2) Those provisions of this article that by their nature have no
35 application.

36 SECTION 56. IC 9-21-11-12 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 12. A ~~motorized~~
38 ~~bicycle~~ **Class B motor driven cycle** may not be operated under any of
39 the following conditions:

40 (1) By a person less than fifteen (15) years of age.

41 (2) By a person who has not obtained an identification card **with**
42 **a Class B motor driven cycle endorsement** under IC 9-24, a



1 permit under IC 9-24, an operator's license under IC 9-24, a
 2 chauffeur's license under IC 9-24, or a public passenger
 3 chauffeur's license under IC 9-24.

4 (3) On an interstate highway or a sidewalk.

5 (4) At a speed greater than ~~twenty-five (25)~~ **thirty-five (35)** miles
 6 per hour.

7 SECTION 57. IC 9-21-11-13 IS REPEALED [EFFECTIVE
 8 JANUARY 1, 2015]. ~~Sec. 13: A person less than eighteen (18) years~~
 9 ~~of age who operates or rides a motorized bicycle on a street or highway~~
 10 ~~shall do the following:~~

11 ~~(1) Wear protective headgear meeting the minimum standards set~~
 12 ~~by the bureau or a helmet that meets the standards established by~~
 13 ~~the United States Department of Transportation under 49 CFR~~
 14 ~~571.218 in effect January 1, 1979.~~

15 ~~(2) Wear protective glasses, goggles, or a transparent face shield.~~

16 SECTION 58. IC 9-24-1-1, AS AMENDED BY P.L.125-2012,
 17 SECTION 159, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JANUARY 1, 2015]: Sec. 1. **(a)** Except as otherwise
 19 provided in this chapter, an individual must have a valid Indiana:

20 (1) operator's license;

21 (2) chauffeur's license;

22 (3) public passenger chauffeur's license;

23 (4) commercial driver's license;

24 (5) driver's license listed in subdivision (1), (2), (3), or (4) with:

25 **(A) a motorcycle endorsement; or**

26 **(B) a motorcycle endorsement with a Class A motor driven**
 27 **cycle restriction;**

28 (6) learner's permit; or

29 (7) motorcycle learner's permit;

30 issued to the individual by the bureau under this article to **drive**
 31 **operate** upon an Indiana highway the type of motor vehicle for which
 32 the license or permit was issued.

33 **(b) An individual must have:**

34 **(1) an unexpired identification card with a Class B motor**
 35 **driven cycle endorsement issued to the individual by the**
 36 **bureau under IC 9-24-16; or**

37 **(2) a valid driver's license described in subsection (a);**

38 **to operate a Class B motor driven cycle upon an Indiana highway.**

39 SECTION 59. IC 9-24-1-5, AS AMENDED BY P.L.85-2013,
 40 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JANUARY 1, 2015]: Sec. 5. (a) An individual must have: a ~~valid~~
 42 ~~driver's license that may be any of the following to operate a~~



1 motorcycle upon an Indiana highway:

- 2 (1) ~~an~~ a **valid** operator's, a chauffeur's, a public passenger
3 chauffeur's, or a commercial driver's license with a motorcycle
4 endorsement;
5 (2) a **valid** motorcycle learner's permit subject to the limitations
6 imposed under IC 9-24-8; **or**
7 (3) a **valid** driver's license from any other jurisdiction that is valid
8 for the operation of a motorcycle in that jurisdiction;

9 **to operate a motorcycle upon an Indiana highway.**

10 (b) An individual who held a motorcycle operator's license on
11 December 31, 2011, must hold a valid operator's, chauffeur's, public
12 passenger chauffeur's, or commercial driver's license with a motorcycle
13 endorsement in order to operate a motorcycle after December 31, 2011,
14 without restrictions.

15 **(c) An individual must have:**

- 16 **(1) a driver's license or learner's permit described in**
17 **subsection (a); or**
18 **(2) a valid operator's, chauffeur's, public passenger**
19 **chauffeur's, or commercial driver's license with a motorcycle**
20 **endorsement with a Class A motor driven cycle restriction**
21 **under IC 9-24-8-4(g);**

22 **to operate a Class A motor driven cycle upon an Indiana highway.**

23 SECTION 60. IC 9-24-4-4, AS AMENDED BY P.L.125-2012,
24 SECTION 178, IS AMENDED TO READ AS FOLLOWS
25 [EFFECTIVE JANUARY 1, 2015]: Sec. 4. A chauffeur's license
26 entitles the licensee to operate a motor vehicle, except a motorcycle,
27 **Class A motor driven cycle**, or commercial motor vehicle without a
28 proper permit or endorsement, upon a public highway. A chauffeur's
29 license does not entitle the licensee to operate a motor vehicle as a
30 public passenger chauffeur.

31 SECTION 61. IC 9-24-5-3, AS AMENDED BY P.L.85-2013,
32 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JANUARY 1, 2015]: Sec. 3. A public passenger chauffeur's license
34 entitles the licensee to:

- 35 (1) transport persons for hire; and
36 (2) operate a motor vehicle, except a commercial motor vehicle,
37 **a Class A motor driven cycle**, or a motorcycle without the
38 proper permit or endorsement;

39 upon a public highway.

40 SECTION 62. IC 9-24-8-3, AS AMENDED BY P.L.125-2012,
41 SECTION 201, IS AMENDED TO READ AS FOLLOWS
42 [EFFECTIVE JANUARY 1, 2015]: Sec. 3. (a) The bureau shall issue

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1 a motorcycle learner's permit to an individual who meets the following
2 conditions:

3 (1) The individual holds a valid operator's, chauffeur's, public
4 passenger chauffeur's, or commercial driver's license issued under
5 this article.

6 (2) The individual passes a written examination developed by the
7 bureau concerning the safe operation of a motorcycle.

8 (b) A motorcycle learner's permit authorizes the permit's holder to
9 operate a motorcycle **or Class A motor driven cycle** upon a highway
10 during a period of one (1) year under the following conditions:

11 (1) The holder wears a helmet that meets the standards
12 established by the United States Department of Transportation
13 under 49 CFR 571.218 as in effect January 1, 1979.

14 (2) The motorcycle **or Class A motor driven cycle** is operated
15 only during daylight hours.

16 (3) The motorcycle **or Class A motor driven cycle** does not carry
17 passengers other than the operator.

18 (c) A motorcycle learner's permit may be renewed one (1) time for
19 a period of one (1) year. An individual who does not obtain a
20 motorcycle operator endorsement before the expiration of the renewed
21 learner's permit must wait one (1) year to reapply for a new motorcycle
22 learner's permit.

23 SECTION 63. IC 9-24-8-4, AS AMENDED BY P.L.85-2013,
24 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JANUARY 1, 2015]: Sec. 4. (a) Except as provided in subsections (b)
26 and (c), the bureau shall validate an operator's, a chauffeur's, a public
27 passenger chauffeur's, or a commercial driver's license for motorcycle
28 operation upon a highway by endorsement to a person who:

29 (1) satisfactorily completes the written and approved operational
30 skills tests;

31 (2) satisfactorily completes a motorcycle operator safety
32 education course approved by the bureau as set forth in IC 9-27-7;
33 or

34 (3) holds a current motorcycle operator endorsement or
35 motorcycle operator's license from any other jurisdiction and
36 successfully completes the written test.

37 The bureau may waive the testing requirements for an individual who
38 has completed a course described in subdivision (2).

39 (b) The bureau may not issue a motorcycle endorsement **or a**
40 **motorcycle endorsement with a Class A motor driven cycle**
41 **restriction** to an individual less than sixteen (16) years and one
42 hundred eighty (180) days of age.



1 (c) If an applicant for a motorcycle license endorsement **or a**
 2 **motorcycle endorsement with a Class A motor driven cycle**
 3 **restriction** is less than eighteen (18) years of age, the bureau may not
 4 issue a license endorsement described in subsection (a) **or (g), as**
 5 **applicable**, if the applicant is ineligible under IC 9-24-2-1.

6 (d) The bureau shall develop and implement both a written test and
 7 an operational skills test to determine whether an applicant for a
 8 motorcycle endorsement **or a motorcycle endorsement with a Class**
 9 **A motor driven cycle restriction** demonstrates the necessary
 10 knowledge and skills to operate a motorcycle upon a highway. The
 11 written test must be made available at license branch locations
 12 approved by the bureau. The operational skills test must be given at
 13 locations designated by the bureau. The bureau shall adopt rules under
 14 IC 4-22-2 to establish standards for persons administering operational
 15 skills tests and the provisions of the operational skills test. An
 16 individual applying for a motorcycle endorsement **or a motorcycle**
 17 **endorsement with a Class A motor driven cycle restriction** must
 18 pass the written exam before taking the operational skills test. If an
 19 applicant fails to satisfactorily complete either the written or
 20 operational tests, the applicant may reapply for and must be offered the
 21 examination upon the same terms and conditions as applicants may
 22 reapply for and be offered examinations for an operator's license. The
 23 bureau shall publish and make available at all locations where an
 24 individual may apply for an operator's license information concerning
 25 a motorcycle endorsement **or a motorcycle endorsement with a Class**
 26 **A motor driven cycle restriction**.

27 (e) An individual may apply for a motorcycle endorsement **or a**
 28 **motorcycle endorsement with a Class A motor driven cycle**
 29 **restriction** not later than the expiration date of the permit. However,
 30 an individual who holds a learner's permit and does not pass the
 31 operating skills examination after a third attempt is not eligible to take
 32 the examination until two (2) months after the date of the last failed
 33 examination.

34 (f) A person who held a valid Indiana motorcycle operator's license
 35 on December 31, 2011, may be issued a motorcycle operator's
 36 endorsement after December 31, 2011, on a valid Indiana operator's,
 37 chauffeur's, public passenger chauffeur's, or commercial driver's
 38 license after:

- 39 (1) making the appropriate application for endorsement;
- 40 (2) passing the appropriate examinations; and
- 41 (3) paying the appropriate fee set forth in IC 9-29-9-7 or
- 42 IC 9-29-9-8.



1 **(g) Except as provided in subsections (b) and (c), the bureau**
 2 **may validate a driver's license described in subsection (a) for Class**
 3 **A motor driven cycle operation upon a highway by endorsement**
 4 **with a Class A motor driven cycle restriction to a person who:**

- 5 **(1) makes the appropriate application for endorsement;**
 6 **(2) satisfactorily completes the written and approved**
 7 **operational skills tests described in subsection (a)(1); and**
 8 **(3) pays the appropriate fees under IC 9-29-9.**

9 SECTION 64. IC 9-24-8-6, AS AMENDED BY P.L.85-2013,
 10 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JANUARY 1, 2015]: Sec. 6. In addition to any other penalty, the
 12 bureau:

- 13 (1) shall revoke the motorcycle learner's permit of a person who
 14 is convicted of operating a motorcycle **or motor driven cycle**
 15 under the influence of alcohol; and
 16 (2) may not issue a motorcycle learner's permit or motorcycle
 17 endorsement to a person referred to in subdivision (1) for at least
 18 (1) year after the date of the person's conviction.

19 SECTION 65. IC 9-24-12-7, AS AMENDED BY P.L.109-2011,
 20 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JANUARY 1, 2015]: Sec. 7. A motorcycle ~~operator~~ endorsement **or**
 22 **motorcycle endorsement with a Class A motor driven cycle**
 23 **restriction** remains in effect for the same term as the license being
 24 endorsed and is subject to renewal at and after the expiration of the
 25 license in accordance with this chapter.

26 SECTION 66. IC 9-24-16-1.5 IS ADDED TO THE INDIANA
 27 CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE
 28 JANUARY 1, 2015]: **Sec. 1.5. An individual must**
 29 **have:**

- 30 **(1) an unexpired identification card with a Class B motor**
 31 **driven cycle endorsement issued to the individual by the**
 32 **bureau under this chapter; or**
 33 **(2) a valid driver's license described in IC 9-24-1-1(a);**
 34 **to operate a Class B motor driven cycle upon an Indiana highway.**

35 SECTION 67. IC 9-24-16-2, AS AMENDED BY P.L.85-2013,
 36 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JANUARY 1, 2015]: Sec. 2. (a) An application for an identification
 38 card issued under this chapter must require the following information
 39 concerning an applicant:

- 40 (1) The full legal name of the applicant.
 41 (2) The applicant's date of birth.
 42 (3) The gender of the applicant.



- 1 (4) The applicant's height, weight, hair color, and eye color.
 2 (5) The principal address and mailing address of the applicant.
 3 (6) A:
 4 (A) valid Social Security number; or
 5 (B) verification of an applicant's:
 6 (i) ineligibility to be issued a Social Security number; and
 7 (ii) identity and lawful status.
 8 (7) A digital photograph of the applicant.
 9 (8) The signature of the applicant showing the applicant's legal
 10 name as it will appear on the identification card.
 11 **(9) If the applicant is also applying for a Class B motor driven**
 12 **cycle endorsement, verification that the applicant has**
 13 **satisfactorily completed the test required under section 3.6 of**
 14 **this chapter.**
 15 The bureau shall maintain records of the information provided under
 16 subdivisions (1) through ~~(8)~~: **(9)**.
 17 (b) The bureau may invalidate an identification card that the bureau
 18 believes to have been issued as a result of fraudulent documentation.
 19 (c) The bureau:
 20 (1) shall adopt rules under IC 4-22-2 to establish a procedure to
 21 verify an applicant's identity and lawful status; and
 22 (2) may adopt rules to establish a procedure to temporarily
 23 invalidate an identification card that it believes to have been
 24 issued based on fraudulent documentation.
 25 (d) For purposes of subsection (a), an individual certified as a
 26 program participant in the address confidentiality program under
 27 IC 5-26.5 is not required to provide the individual's principal address
 28 and mailing address, but may provide an address designated by the
 29 office of the attorney general under IC 5-26.5 as the individual's
 30 principal address and mailing address.
 31 (e) In addition to the information required under subsection (a), an
 32 application for an identification card to be issued under this chapter
 33 must enable the applicant to indicate that the applicant is a veteran of
 34 the armed forces of the United States and wishes to have an indication
 35 of the applicant's veteran status appear on the identification card. An
 36 applicant who wishes to have an indication of the applicant's veteran
 37 status appear on the identification card must:
 38 (1) indicate on the application that the applicant:
 39 (A) is a veteran of the armed forces of the United States; and
 40 (B) wishes to have an indication of the applicant's veteran
 41 status appear on the identification card; and
 42 (2) verify the applicant's veteran status by providing proof of



- 1 discharge or separation, other than a dishonorable discharge, from
 2 the armed forces of the United States.
- 3 The bureau shall maintain records of the information provided under
 4 this subsection.
- 5 SECTION 68. IC 9-24-16-3, AS AMENDED BY P.L.85-2013,
 6 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JANUARY 1, 2015]: Sec. 3. (a) An identification card must have the
 8 same dimensions and shape as a driver's license, but the card must have
 9 markings sufficient to distinguish the card from a driver's license.
- 10 (b) Except as provided in subsection (g), the front side of an
 11 identification card must contain the expiration date of the identification
 12 card and the following information about the individual to whom the
 13 card is being issued:
- 14 (1) Full legal name.
 - 15 (2) The address of the principal residence.
 - 16 (3) Date of birth.
 - 17 (4) Date of issue and date of expiration.
 - 18 (5) Unique identification number.
 - 19 (6) Gender.
 - 20 (7) Weight.
 - 21 (8) Height.
 - 22 (9) Color of eyes and hair.
 - 23 (10) Reproduction of the signature of the individual identified.
 - 24 (11) Whether the individual is blind (as defined in
 25 IC 12-7-2-21(1)).
 - 26 (12) If the individual is less than eighteen (18) years of age at the
 27 time of issuance, the dates on which the individual will become:
 - 28 (A) eighteen (18) years of age; and
 - 29 (B) twenty-one (21) years of age. - 30 (13) If the individual is at least eighteen (18) years of age but less
 31 than twenty-one (21) years of age at the time of issuance, the date
 32 on which the individual will become twenty-one (21) years of age.
 - 33 (14) Digital photograph of the individual.
- 34 (c) The information contained on the identification card as required
 35 by subsection (b)(12) or (b)(13) for an individual who is less than
 36 twenty-one (21) years of age at the time of issuance shall be printed
 37 prominently on the ~~permit or license~~: **identification card**.
- 38 (d) If the individual:
- 39 (1) has indicated on the application that the individual is a veteran
 40 of the armed forces of the United States and wishes to have an
 41 indication of the applicant's veteran status appear on the
 42 identification card; and



- 1 (2) has provided proof of any discharge or separation, other than
 2 a dishonorable discharge, from the armed forces of the United
 3 States;
 4 an indication of the individual's veteran status shall be shown on the
 5 identification card.
- 6 (e) If the applicant for an identification card submits information to
 7 the bureau concerning the applicant's medical condition, the bureau
 8 shall place an identifying symbol on the face of the identification card
 9 to indicate that the applicant has a medical condition of note. The
 10 bureau shall include information on the identification card that briefly
 11 describes the medical condition of the holder of the card. The
 12 information must be printed in a manner that alerts a person reading the
 13 card to the existence of the medical condition. The applicant for an
 14 identification card is responsible for the accuracy of the information
 15 concerning the medical condition submitted under this subsection. The
 16 bureau shall inform an applicant that submission of information under
 17 this subsection is voluntary.
- 18 (f) An identification card issued by the state to an individual who:
 19 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant
 20 visa status for entry in the United States;
 21 (2) has a pending application for asylum in the United States;
 22 (3) has a pending or approved application for temporary protected
 23 status in the United States;
 24 (4) has approved deferred action status; or
 25 (5) has a pending application for adjustment of status to that of an
 26 alien lawfully admitted for permanent residence in the United
 27 States or conditional permanent residence status in the United
 28 States;
 29 must be clearly identified as a temporary identification card. A
 30 temporary identification card issued under this subsection may not be
 31 renewed without the presentation of valid documentary evidence
 32 proving that the holder of the identification card's temporary status has
 33 been extended.
- 34 (g) For purposes of subsection (b), an individual certified as a
 35 program participant in the address confidentiality program under
 36 IC 5-26.5 is not required to provide the address of the individual's
 37 principal residence, but may provide an address designated by the
 38 office of the attorney general under IC 5-26.5 as the address of the
 39 individual's principal residence.
- 40 **(h) The bureau shall validate an identification card for Class B**
 41 **motor driven cycle operation upon a highway by endorsement to**
 42 **an individual who:**



- 1 **(1) applies for or has previously been issued an identification**
 2 **card under this chapter;**
 3 **(2) makes the appropriate application for endorsement; and**
 4 **(3) satisfactorily completes the test required under section 3.6**
 5 **of this chapter.**

6 **The bureau shall place a designation on the face of the**
 7 **identification card to indicate that the individual has received a**
 8 **Class B motor driven cycle endorsement.**

9 SECTION 69. IC 9-24-16-3.6 IS ADDED TO THE INDIANA
 10 CODE AS A NEW SECTION TO READ AS FOLLOWS
 11 [EFFECTIVE JANUARY 1, 2015]: **Sec. 3.6. The bureau shall**
 12 **develop and implement a test to determine whether an applicant**
 13 **for a Class B motor driven cycle endorsement demonstrates the**
 14 **necessary knowledge of traffic control devices to operate a Class B**
 15 **motor driven cycle upon a highway. Upon the request of an**
 16 **individual with a disability, or of a representative of an individual**
 17 **with a disability, the bureau shall make available to the individual**
 18 **a test that:**

- 19 **(1) complies with this section; and**
 20 **(2) accommodates the individual's disability.**

21 SECTION 70. IC 9-24-16-10, AS AMENDED BY P.L.85-2013,
 22 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JANUARY 1, 2015]: Sec. 10. (a) The bureau may adopt rules under
 24 IC 4-22-2 and prescribe all forms necessary to implement this chapter.
 25 However, the bureau may not impose a fee for the issuance of:

- 26 (1) an original;
 27 (2) a renewal of an;
 28 (3) a replacement; or
 29 (4) an amended;

30 identification card to an individual described in subsection (b). **For**
 31 **purposes of this subsection, the amendment of an identification**
 32 **card includes the addition of a Class B motor driven cycle**
 33 **endorsement to the identification card.**

34 (b) An identification card must be issued without the payment of a
 35 fee or charge to an individual who:

- 36 (1) does not have a valid Indiana driver's license; and
 37 (2) will be at least eighteen (18) years of age and eligible to vote
 38 in the next general, municipal, or special election.

39 SECTION 71. IC 9-24-18-1, AS AMENDED BY P.L.85-2013,
 40 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JANUARY 1, 2015]: Sec. 1. (a) A person, except a person exempted
 42 under IC 9-24-1-7, who knowingly or intentionally operates a motor



1 vehicle upon a highway and has never received a valid driving license
 2 commits a Class C misdemeanor. However, the offense is a Class A
 3 misdemeanor if the person has a prior unrelated conviction under this
 4 section.

5 (b) In addition to any other penalty imposed for a conviction under
 6 this section, the court shall recommend that the person be prohibited
 7 from receiving a valid driving license for a fixed period of at least
 8 ninety (90) days and not more than two (2) years.

9 (c) The court shall specify:

10 (1) the length of the fixed period of the prohibition; and

11 (2) the date the fixed period of the prohibition begins;

12 whenever the court makes a recommendation under subsection (b).

13 (d) The bureau shall, upon receiving a record of conviction of a
 14 person upon a charge of operating a motor vehicle while never having
 15 received a valid driving license, prohibit the person from receiving a
 16 driving license by placing a suspension of driving privileges on the
 17 person's record for a fixed period of at least ninety (90) days and not
 18 more than two (2) years. The bureau shall fix this period in accordance
 19 with the recommendation of the court that entered the conviction, as
 20 provided in subsection (c). If the court fails to recommend a fixed term
 21 of suspension, or recommends a fixed term that is less than the
 22 minimum term required by statute, the bureau shall impose the
 23 minimum period of suspension required under this chapter.

24 (e) In a prosecution under this section, the burden is on the
 25 defendant to prove by a preponderance of the evidence that the
 26 defendant:

27 (1) had been issued a driver's license or permit that was valid; or

28 (2) was operating a Class B motor driven cycle;

29 at the time of the alleged offense. **However, it is not a defense under**
 30 **subdivision (2) if the defendant was operating the Class B motor**
 31 **driven cycle in violation of IC 9-21-11-12.**

32 SECTION 72. IC 9-24-19-7, AS AMENDED BY P.L.85-2013,
 33 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JANUARY 1, 2015]: Sec. 7. In a prosecution under this chapter, the
 35 burden is on the defendant to prove by a preponderance of the evidence
 36 that the defendant:

37 (1) had been issued a driver's license or permit that was valid; or

38 (2) was operating a Class B motor driven cycle;

39 at the time of the alleged offense. **However, it is not a defense under**
 40 **subdivision (2) if the defendant was operating the Class B motor**
 41 **driven cycle in violation of IC 9-21-11-12.**

42 SECTION 73. IC 9-29-3-10, AS AMENDED BY P.L.109-2011,



1 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JANUARY 1, 2015]: Sec. 10. (a) Fifty cents (\$0.50) of each service
3 charge collected under this section shall be deposited in the state motor
4 vehicle technology fund established by IC 9-29-16-1.

5 (b) The service charge for a motorcycle learner's permit, ~~or~~
6 motorcycle endorsement, **or motorcycle endorsement with a Class**
7 **A motor driven cycle restriction** of an operator's license issued to or
8 renewed for an individual who is at least seventy-five (75) years of age
9 is one dollar and fifty cents (\$1.50). The service charge for a
10 motorcycle endorsement **or motorcycle endorsement with a Class A**
11 **motor driven cycle restriction** of an operator's license issued to or
12 renewed for an individual less than seventy-five (75) years of age is
13 two dollars and twenty-five cents (\$2.25).

14 SECTION 74. IC 9-29-3-11 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 11. (a) The
16 service charge for each motorcycle ~~operator~~ endorsement **or**
17 **motorcycle endorsement with a Class A motor driven cycle**
18 **restriction** of a chauffeur's license or a public passenger chauffeur's
19 license is one dollar (\$1).

20 (b) Fifty cents (\$0.50) of each service charge collected under
21 subsection (a) shall be deposited in the state motor vehicle technology
22 fund established by IC 9-29-16-1.

23 SECTION 75. IC 9-29-5-2, AS AMENDED BY P.L.13-2013,
24 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JANUARY 1, 2015]: Sec. 2. The fee for the registration of a
26 motorcycle **or motor driven cycle** is seventeen dollars and thirty cents
27 (\$17.30). The revenue from this fee shall be allocated as follows:

28 (1) Seven dollars (\$7) to the motorcycle operator safety education
29 fund established by IC 9-27-7-7.

30 (2) An amount prescribed as a license branch service charge
31 under IC 9-29-3.

32 (3) Thirty cents (\$0.30) to the spinal cord and brain injury fund
33 under IC 16-41-42.2-3, as provided under section 0.5 of this
34 chapter.

35 (4) The balance to the state general fund for credit to the motor
36 vehicle highway account.

37 SECTION 76. IC 9-29-9-7, AS AMENDED BY P.L.109-2011,
38 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JANUARY 1, 2015]: Sec. 7. The fee for validation of a motorcycle
40 ~~operator~~ endorsement **or motorcycle endorsement with a Class A**
41 **motor driven cycle restriction** under IC 9-24-8-4 and IC 9-24-12-7 of
42 an operator's license issued to an individual who is:



- 1 (1) at least seventy-five (75) years of age is three dollars (\$3); and
 2 (2) less than seventy-five (75) years of age is four dollars and fifty
 3 cents (\$4.50).
- 4 SECTION 77. IC 9-29-9-8, AS AMENDED BY P.L.109-2011,
 5 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JANUARY 1, 2015]: Sec. 8. The fee for validation of a motorcycle
 7 ~~operator endorsement~~ **or motorcycle endorsement with a Class A**
 8 **motor driven cycle restriction** under IC 9-24-8-4 and IC 9-24-12-7 of
 9 a chauffeur's license issued to an individual who is:
- 10 (1) at least seventy-five (75) years of age is three dollars (\$3); and
 11 (2) less than seventy-five (75) years of age is four dollars and fifty
 12 cents (\$4.50).
- 13 SECTION 78. IC 9-29-9-9 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 9. The fee for a
 15 motorcycle ~~operator endorsement~~ **or motorcycle endorsement with**
 16 **a Class A motor driven cycle restriction** of a public passenger
 17 chauffeur's license is one dollar and fifty cents (\$1.50).
- 18 SECTION 79. IC 9-30-10-4, AS AMENDED BY P.L.85-2013,
 19 SECTION 100, IS AMENDED TO READ AS FOLLOWS
 20 [EFFECTIVE JANUARY 1, 2015]: Sec. 4. (a) A person who has
 21 accumulated at least two (2) judgments within a ten (10) year period
 22 for any of the following violations, singularly or in combination, and
 23 not arising out of the same incident, is a habitual violator:
- 24 (1) Reckless homicide resulting from the operation of a motor
 25 vehicle.
- 26 (2) Voluntary or involuntary manslaughter resulting from the
 27 operation of a motor vehicle.
- 28 (3) Failure of the driver of a motor vehicle involved in an accident
 29 resulting in death or injury to any person to stop at the scene of
 30 the accident and give the required information and assistance.
- 31 (4) Operation of a vehicle while intoxicated resulting in death.
- 32 (5) Before July 1, 1997, operation of a vehicle with at least
 33 ten-hundredths percent (0.10%) alcohol in the blood resulting in
 34 death.
- 35 (6) After June 30, 1997, and before July 1, 2001, operation of a
 36 vehicle with an alcohol concentration equivalent to at least
 37 ten-hundredths (0.10) gram of alcohol per:
- 38 (A) one hundred (100) milliliters of the blood; or
 39 (B) two hundred ten (210) liters of the breath;
 40 resulting in death.
- 41 (7) After June 30, 2001, operation of a vehicle with an alcohol
 42 concentration equivalent to at least eight-hundredths (0.08) gram



- 1 of alcohol per:
 2 (A) one hundred (100) milliliters of the blood; or
 3 (B) two hundred ten (210) liters of the breath;
 4 resulting in death.
 5 (b) A person who has accumulated at least three (3) judgments
 6 within a ten (10) year period for any of the following violations,
 7 singularly or in combination, and not arising out of the same incident,
 8 is a habitual violator:
 9 (1) Operation of a vehicle while intoxicated.
 10 (2) Before July 1, 1997, operation of a vehicle with at least
 11 ten-hundredths percent (0.10%) alcohol in the blood.
 12 (3) After June 30, 1997, and before July 1, 2001, operation of a
 13 vehicle with an alcohol concentration equivalent to at least
 14 ten-hundredths (0.10) gram of alcohol per:
 15 (A) one hundred (100) milliliters of the blood; or
 16 (B) two hundred ten (210) liters of the breath.
 17 (4) After June 30, 2001, operation of a vehicle with an alcohol
 18 concentration equivalent to at least eight-hundredths (0.08) gram
 19 of alcohol per:
 20 (A) one hundred (100) milliliters of the blood; or
 21 (B) two hundred ten (210) liters of the breath.
 22 (5) Operating a motor vehicle while the person's license to do so
 23 has been suspended or revoked as a result of the person's
 24 conviction of an offense under IC 9-1-4-52 (repealed July 1,
 25 1991), IC 9-24-18-5(b) (repealed July 1, 2000), IC 9-24-19-2, **or**
 26 IC 9-24-19-3. ~~or IC 9-24-19-4.~~
 27 (6) Operating a motor vehicle without ever having obtained a
 28 license to do so.
 29 (7) Reckless driving.
 30 (8) Criminal recklessness involving the operation of a motor
 31 vehicle.
 32 (9) Drag racing or engaging in a speed contest in violation of law.
 33 (10) Violating IC 9-4-1-40 (repealed July 1, 1991), IC 9-4-1-46
 34 (repealed July 1, 1991), IC 9-26-1-1(1), IC 9-26-1-1(2),
 35 IC 9-26-1-2(1), IC 9-26-1-2(2), IC 9-26-1-3, or IC 9-26-1-4.
 36 (11) Any felony under an Indiana motor vehicle statute or any
 37 felony in the commission of which a motor vehicle is used.
 38 **(12) Operating a Class B motor driven cycle in violation of**
 39 **IC 9-24-1-1(b).**
 40 A judgment for a violation enumerated in subsection (a) shall be added
 41 to the violations described in this subsection for the purposes of this
 42 subsection.



1 (c) A person who has accumulated at least ten (10) judgments
 2 within a ten (10) year period for any traffic violation, except a parking
 3 or an equipment violation, of the type required to be reported to the
 4 bureau, singularly or in combination, and not arising out of the same
 5 incident, is a habitual violator. However, at least one (1) of the
 6 judgments must be for a violation enumerated in subsection (a) or (b).
 7 A judgment for a violation enumerated in subsection (a) or (b) shall be
 8 added to the judgments described in this subsection for the purposes of
 9 this subsection.

10 (d) For purposes of this section, a judgment includes a judgment in
 11 any other jurisdiction in which the elements of the offense for which
 12 the conviction was entered are substantially similar to the elements of
 13 the offenses described in subsections (a), (b), and (c).

14 (e) For purposes of this section, the offense date is used when
 15 determining the number of judgments accumulated within a ten (10)
 16 year period.

17 SECTION 80. IC 9-30-10-9, AS AMENDED BY P.L.85-2013,
 18 SECTION 102, IS AMENDED TO READ AS FOLLOWS
 19 [EFFECTIVE JANUARY 1, 2015]: Sec. 9. (a) This section does not
 20 apply to a person who:

21 (1) holds a commercial driver's license; and

22 (2) has been charged with an offense involving the operation of
 23 a motor vehicle in accordance with the federal Motor Carrier
 24 Safety Improvement Act of 1999 (MCSIA) (Public Law
 25 106-159.113 Stat. 1748).

26 (b) If a court finds that a person:

27 (1) is a habitual violator under section 4(c) of this chapter;

28 (2) has not been previously placed on probation under this section
 29 by a court;

30 (3) operates a vehicle for commercial or business purposes, and
 31 the person's mileage for commercial or business purposes:

32 (A) is substantially in excess of the mileage of an average
 33 driver; and

34 (B) may have been a factor that contributed to the person's
 35 poor driving record;

36 (4) does not have:

37 (A) a judgment for a violation enumerated in section 4(a) of
 38 this chapter; or

39 (B) at least three (3) judgments (singularly or in combination
 40 and not arising out of the same incident) of the violations
 41 enumerated in section 4(b) of this chapter; and

42 (5) has not violated the terms of the person's suspension by



- 1 operating a vehicle;
 2 the court may place the person on probation in accordance with
 3 subsection (d).
- 4 (c) If a court finds that a person:
 5 (1) is a habitual violator under section 4(b) of this chapter;
 6 (2) has not been previously placed on probation under this section
 7 by a court;
 8 (3) does not have a judgment for any violation listed in section
 9 4(a) of this chapter;
 10 (4) has had the person's driving privileges suspended under this
 11 chapter for at least five (5) consecutive years; and
 12 (5) has not violated the terms of the person's suspension by
 13 operating a vehicle;
- 14 the court may place the person on probation in accordance with
 15 subsection (d). However, if the person has any judgments for operation
 16 of a vehicle before July 1, 2001, while intoxicated or with an alcohol
 17 concentration equivalent to at least ten-hundredths (0.10) gram of
 18 alcohol per one hundred (100) milliliters of the blood or two hundred
 19 ten (210) liters of the breath, or for the operation of a vehicle after June
 20 30, 2001, while intoxicated or with an alcohol concentration equivalent
 21 to at least eight-hundredths (0.08) gram of alcohol per one hundred
 22 (100) milliliters of the blood or two hundred ten (210) liters of the
 23 breath, the court, before the court places a person on probation under
 24 subsection (d), must find that the person has successfully fulfilled the
 25 requirements of a rehabilitation program certified by the division of
 26 mental health and addiction or the Indiana judicial center.
- 27 (d) Whenever a court places a habitual violator on probation, the
 28 court:
 29 (1) shall record each of the court's findings under this section in
 30 writing;
 31 (2) shall order the bureau to issue the person probationary driving
 32 privileges for a fixed period of not more than the applicable
 33 remaining period of suspension;
 34 (3) shall attach restrictions to the person's driving privileges,
 35 including restrictions limiting the person's driving to:
 36 (A) commercial or business purposes or other employment
 37 related driving;
 38 (B) specific purposes in exceptional circumstances;
 39 (C) rehabilitation programs; and
 40 (D) specified hours during which the person may drive;
 41 (4) shall require the person to submit to reasonable monitoring
 42 requirements;



1 (5) shall order the person to file proof of future financial
 2 responsibility for three (3) years following the date of being
 3 placed on probation; and

4 (6) shall impose other appropriate conditions of probation, which
 5 must include one (1) or more of the following conditions if the
 6 person was convicted of an offense described in
 7 IC 9-30-10-4(b)(1) through IC 9-30-10-4(b)(4):

8 (A) An order prohibiting the person from operating a motor
 9 vehicle ~~or motorized bicycle~~ with an alcohol concentration
 10 equivalent to at least two-hundredths (0.02) gram of alcohol
 11 per:

12 (i) one hundred (100) milliliters of the person's blood; or

13 (ii) two hundred ten (210) liters of the person's breath;

14 or while under the influence of any other intoxicating
 15 substance.

16 (B) An order that the person submit to a method to monitor the
 17 person's compliance with the prohibition against operating a
 18 motor vehicle ~~or motorized bicycle~~ with an alcohol
 19 concentration equivalent to at least two-hundredths (0.02)
 20 gram of alcohol per:

21 (i) one hundred (100) milliliters of the person's blood; or

22 (ii) two hundred ten (210) liters of the person's breath;

23 or while intoxicated (as defined under IC 9-13-2-86).

24 (C) The court shall determine the appropriate monitoring
 25 method, which may include one (1) or more of the following:

26 (i) The person may operate only a motor vehicle equipped
 27 with an ignition interlock device.

28 (ii) The person must submit to a chemical test if a law
 29 enforcement officer lawfully stops the person while
 30 operating a motor vehicle ~~or motorized bicycle~~ and the law
 31 enforcement officer requests that the person submit to a
 32 chemical test.

33 (iii) The person must wear a device that detects and records
 34 the person's use of alcohol.

35 (iv) The person must submit to any other reasonable
 36 monitoring requirement as determined by the court.

37 (e) If a court finds that a person:

38 (1) is a habitual violator under section 4(b) or 4(c) of this chapter;

39 (2) does not have any judgments for violations under section 4(a)
 40 of this chapter;

41 (3) does not have any judgments or convictions for violations
 42 under section 4(b) of this chapter, except for judgments or



1 convictions under section 4(b)(5) of this chapter that resulted
 2 from driving on a suspended license that was suspended for:

3 (A) the commission of infractions only; or

4 (B) previously driving on a suspended license;

5 (4) has not been previously placed on probation under this section
 6 by a court; and

7 (5) has had the person's driving privileges suspended under this
 8 chapter for at least three (3) consecutive years and has not
 9 violated the terms of the person's suspension by operating a
 10 vehicle for at least three (3) consecutive years;

11 the court may place the person on probation under the conditions
 12 described in subsection (d)(1) through (d)(5).

13 (f) If the bureau receives an order granting probationary driving
 14 privileges to a person who, according to the records of the bureau, does
 15 not qualify under this chapter, the bureau shall do the following:

16 (1) Issue the person probationary driving privileges and notify the
 17 prosecuting attorney of the county from which the order was
 18 received that the person is not eligible for the rescission and
 19 reinstatement.

20 (2) Send a certified copy of the person's driving record to the
 21 prosecuting attorney.

22 The prosecuting attorney shall, in accordance with IC 35-38-1-15,
 23 petition the court to correct the court's order. If the bureau does not
 24 receive a corrected order within sixty (60) days, the bureau shall notify
 25 the attorney general, who shall, in accordance with IC 35-38-1-15,
 26 petition the court to correct the court's order.

27 SECTION 81. IC 9-30-10-13, AS AMENDED BY P.L.85-2013,
 28 SECTION 103, IS AMENDED TO READ AS FOLLOWS
 29 [EFFECTIVE JANUARY 1, 2015]: Sec. 13. (a) The bureau may issue
 30 driving privileges to a habitual violator whose driving privileges were
 31 suspended under section 5(b) of this chapter if the following conditions
 32 exist:

33 (1) The time specified for the person's probation or the restriction
 34 or suspension of the person's driving privileges has elapsed.

35 (2) The person has met all the requirements of all applicable
 36 statutes and rules relating to the licensing of motor vehicle
 37 operators.

38 (3) The person files with the bureau and maintains, for three (3)
 39 years after termination of probation, restriction, or suspension of
 40 driving privileges, proof of future financial responsibility in
 41 accordance with IC 9-25.

42 (4) If the person has a prior conviction for operating while



1 intoxicated, the bureau places a restriction on the person's driver's
 2 license and driving record that indicates the person is prohibited
 3 from operating a motor vehicle ~~or motorized bicycle~~ with an
 4 alcohol concentration equivalent to at least two-hundredths (0.02)
 5 gram of alcohol per:

6 (A) one hundred (100) milliliters of the person's blood; or

7 (B) two hundred ten (210) liters of the person's breath;

8 for three (3) years after termination of probation, restriction, or
 9 suspension of driving privileges.

10 (5) The person signs a bureau form by which the person agrees
 11 that as a condition to obtaining the driving privileges the person
 12 will submit to a chemical test at any time during the period three
 13 (3) years after termination of probation, restriction, or suspension
 14 of driving privileges if a law enforcement officer lawfully stops
 15 the person while operating a motor vehicle ~~or motorized bicycle~~
 16 and the law enforcement officer requests that the person submit
 17 to a chemical test.

18 (b) The bureau may issue driving privileges to operate a motor
 19 vehicle to a habitual violator whose driving privileges have been
 20 suspended for life if the following conditions exist:

21 (1) The bureau has received an order for rescission of suspension
 22 and reinstatement issued under section 15 of this chapter.

23 (2) The person to whom the driving privileges are to be issued has
 24 never been convicted of a violation described in section 4(a) or 17
 25 of this chapter.

26 (3) The person has not been convicted of an offense under section
 27 16 of this chapter more than one (1) time.

28 (4) The person has met all the requirements of all applicable
 29 statutes and rules relating to the licensing of motor vehicle
 30 operators.

31 (5) The person:

32 (A) files with the bureau; and

33 (B) maintains for three (3) years after rescission of the
 34 suspension;

35 proof of future financial responsibility in accordance with
 36 IC 9-25.

37 (6) If the person has a prior conviction for operating while
 38 intoxicated, the bureau places a restriction on the person's driver's
 39 license and driving record that indicates the person is prohibited
 40 from operating a motor vehicle ~~or motorized bicycle~~ with an
 41 alcohol concentration equivalent to at least two-hundredths (0.02)
 42 gram of alcohol per:



- 1 (A) one hundred (100) milliliters of the person's blood; or
- 2 (B) two hundred ten (210) liters of the person's breath;
- 3 or while intoxicated (as defined under IC 9-13-2-86) for three (3)
- 4 years after termination of probation, restriction, or suspension of
- 5 driving privileges.
- 6 (7) The person signs a bureau form by which the person agrees
- 7 that as a condition to obtaining the driving privileges the person
- 8 will submit to a chemical test at any time during the period three
- 9 (3) years after termination of probation, restriction, or suspension
- 10 of driving privileges if a law enforcement officer lawfully stops
- 11 the person while operating a motor vehicle ~~or motorized bicycle~~
- 12 and the law enforcement officer requests that the person submit
- 13 to a chemical test.
- 14 (c) A habitual violator is not eligible for relief under the hardship
- 15 provisions of IC 9-24-15.
- 16 (d) The bureau shall not issue driving privileges to a person who
- 17 does not satisfy all of the requirements set forth in subsections (a) and
- 18 (b).
- 19 SECTION 82. IC 9-30-10-15, AS AMENDED BY P.L.85-2013,
- 20 SECTION 105, IS AMENDED TO READ AS FOLLOWS
- 21 [EFFECTIVE JANUARY 1, 2015]: Sec. 15. (a) Upon receiving a
- 22 petition filed under section 14 of this chapter, a court shall set a date
- 23 for hearing the matter and direct the clerk of the court to provide notice
- 24 of the hearing date to the following:
- 25 (1) The petitioner.
- 26 (2) The prosecuting attorney of the county where the petitioner
- 27 resides.
- 28 (3) The bureau.
- 29 (b) A court may order the rescission of the order that required the
- 30 suspension of the petitioner's driving privileges for life and may order
- 31 the bureau to reinstate the driving privileges of a petitioner whose
- 32 driving privileges have been suspended for life if, after the hearing of
- 33 the matter, the court makes the following written findings and
- 34 conclusions, based on clear and convincing evidence:
- 35 (1) That the petitioner has never been convicted of a violation
- 36 described in section 4(a) of this chapter.
- 37 (2) That the petitioner has never been convicted of an offense
- 38 under section 17 of this chapter.
- 39 (3) That the petitioner has not been convicted of an offense under
- 40 section 16 of this chapter more than one (1) time.
- 41 (4) If the person is petitioning the court under section 14(a) of this
- 42 chapter that ten (10) years have elapsed since the date on which



- 1 an order was issued that required the suspension of the petitioner's
 2 driving privileges for life.
- 3 (5) That there has been a substantial change in the petitioner's
 4 circumstances indicating the petitioner would no longer pose a
 5 risk to the safety of others if the petitioner's driving privileges
 6 were reinstated.
- 7 (6) That there has been a substantial change in the petitioner's
 8 circumstances indicating that the suspension of the petitioner's
 9 driving privileges for life has become unreasonable.
- 10 (7) That it is in the best interests of society for the petitioner's
 11 driving privileges to be reinstated.
- 12 (8) If the person is petitioning the court under section 14(e) of this
 13 chapter:
- 14 (A) that three (3) years have elapsed since the date the order
 15 was issued that required the suspension of the petitioner's
 16 driving privileges for life; and
- 17 (B) that the conditions listed under section 14(e) of this
 18 chapter are satisfied.
- 19 (c) The petitioner has the burden of proof under this section and an
 20 order issued under subsection (b) is a final order, appealable by any
 21 party to the action.
- 22 (d) In an order for reinstatement of driving privileges issued under
 23 this section, the court may require the bureau to issue the prevailing
 24 petitioner:
- 25 (1) driving privileges under section 13(b) of this chapter; or
- 26 (2) restricted driving privileges for a time and subject to
 27 conditions specified by the court, which must include one (1) or
 28 more of the following conditions if the person was determined to
 29 be a habitual violator under IC 9-30-10-4(a)(4) through
 30 IC 9-30-10-4(a)(7) or IC 9-30-10-4(b)(1) through
 31 IC 9-30-10-4(b)(4):
- 32 (A) Specified hours during which the person may drive.
- 33 (B) An order prohibiting the person from operating a motor
 34 vehicle ~~or motorized bicycle~~ with an alcohol concentration
 35 equivalent to at least two-hundredths (0.02) gram of alcohol
 36 per:
- 37 (i) one hundred (100) milliliters of the person's blood; or
- 38 (ii) two hundred ten (210) liters of the person's breath;
- 39 or while intoxicated (as defined under IC 9-13-2-86).
- 40 (C) An order that the person submit to a method to monitor the
 41 person's compliance with the prohibition against operating a
 42 motor vehicle ~~or motorized bicycle~~ with an alcohol



- 1 concentration equivalent to at least two-hundredths (0.02)
 2 gram of alcohol per:
- 3 (i) one hundred (100) milliliters of the person's blood; or
 4 (ii) two hundred ten (210) liters of the person's breath;
 5 or while intoxicated (as defined under IC 9-13-2-86).
- 6 (D) The court shall determine the appropriate monitoring
 7 method, which may include one (1) or more of the following:
- 8 (i) The person may operate only a motor vehicle equipped
 9 with an ignition interlock device.
- 10 (ii) The person must submit to a chemical test if a law
 11 enforcement officer lawfully stops the person while
 12 operating a motor vehicle ~~or motorized bicycle~~ and the law
 13 enforcement officer requests that the person submit to a
 14 chemical test.
- 15 (iii) The person must wear a device that detects and records
 16 the person's use of alcohol.
- 17 (iv) The person must submit to any other reasonable
 18 monitoring requirement as determined by the court.
- 19 (e) If a court orders the bureau to issue restricted or probationary
 20 driving privileges to a petitioner under subsection (d), the court shall
 21 specify the conditions under which the petitioner may be issued driving
 22 privileges to operate a motor vehicle under section 13(b) of this
 23 chapter. After the expiration date of the restricted or probationary
 24 driving privileges and upon:
- 25 (1) fulfillment by the petitioner of the conditions specified by the
 26 court; and
- 27 (2) the expiration of the restricted driving privileges issued under
 28 subsection (d)(2);
- 29 the bureau shall issue the petitioner driving privileges to operate a
 30 motor vehicle under section 13(b) of this chapter.
- 31 (f) If the bureau receives an order granting a rescission of the
 32 suspension order and reinstatement of driving privileges to a person
 33 who, according to the records of the bureau, does not qualify under this
 34 chapter, the bureau shall do the following:
- 35 (1) Issue the person probationary driving privileges and notify the
 36 prosecuting attorney of the county from which the order was
 37 received that the person is not eligible for the rescission and
 38 reinstatement.
- 39 (2) Send a certified copy of the person's driving record to the
 40 prosecuting attorney.
- 41 The prosecuting attorney shall, in accordance with IC 35-38-1-15,
 42 petition the court to correct the court's order. If the bureau does not



1 receive a corrected order within sixty (60) days, the bureau shall notify
 2 the attorney general, who shall, in accordance with IC 35-38-1-15,
 3 petition the court to correct the court's order.

4 SECTION 83. IC 9-30-10-17.5, AS AMENDED BY P.L.125-2012,
 5 SECTION 358, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE JANUARY 1, 2015]: Sec. 17.5. A person who operates
 7 a vehicle ~~or motorized bicycle~~ in violation of conditions of restricted
 8 driving privileges ordered by a court under section 9(d)(6) or 15(d)(2)
 9 of this chapter commits a Class A misdemeanor.

10 SECTION 84. IC 9-30-10-18, AS AMENDED BY P.L.28-2010,
 11 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JANUARY 1, 2015]: Sec. 18. **(a)** In a criminal action brought under
 13 section 16, 17, or 17.5 of this chapter, it is a defense that the operation
 14 of a motor vehicle ~~or motorized bicycle~~ was necessary to save life or
 15 limb in an extreme emergency. The defendant must bear the burden of
 16 proof by a preponderance of the evidence to establish this defense.

17 **(b) In an action brought under section 16, 17, or 17.5 of this**
 18 **chapter, it is a defense that the defendant was operating a Class B**
 19 **motor driven cycle, unless the defendant was operating the Class**
 20 **B motor driven cycle in violation of IC 9-21-11-12. The defendant**
 21 **must bear the burden of proof by a preponderance of the evidence**
 22 **to establish this defense.**

23 SECTION 85. IC 13-11-2-130.1, AS ADDED BY P.L.170-2006,
 24 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JANUARY 1, 2015]: Sec. 130.1. (a) "Motor vehicle", for purposes of
 26 this chapter, means a vehicle that is self-propelled on a highway in
 27 Indiana. The term does not include a farm tractor or a ~~motorized~~
 28 ~~bicycle:~~ **motor driven cycle.**

29 (b) This section expires on the date IC 13-20-17.7 expires under
 30 IC 13-20-17.7-9.

31 SECTION 86. IC 14-19-1-0.5, AS ADDED BY P.L.225-2005,
 32 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JANUARY 1, 2015]: Sec. 0.5. (a) "Motorized cart" means a
 34 conveyance that is:

- 35 (1) motor driven, either by gas or electricity;
- 36 (2) used to carry passengers or equipment; and
- 37 (3) smaller than the types of motor vehicles required to be
 38 registered by the bureau of motor vehicles such as a:
 - 39 (A) passenger motor vehicle (as defined in IC 9-13-2-123);
 - 40 (B) recreational vehicle (as defined in IC 9-13-2-150); or
 - 41 (C) truck (as defined in IC 9-13-2-188).

42 A motorized cart may be characterized as a golf cart, utility cart, or



- 1 similar form of motor vehicle.
 2 (b) The term does not include:
 3 (1) an electric personal assistive mobility device (as defined in
 4 IC 9-13-2-49.3);
 5 (2) a motorcycle (as defined in IC 9-13-2-108);
 6 ~~(3) a motor scooter (as defined in IC 9-13-2-104);~~
 7 ~~(4) a motorized bicycle (as defined in IC 9-13-2-109);~~
 8 **(3) a motor driven cycle (as defined in IC 9-13-2-104.1);** or
 9 ~~(5) (4) an off-road vehicle.~~

10 SECTION 87. IC 24-5-13-5 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 5. As used in this
 12 chapter, "motor vehicle" or "vehicle" means any self-propelled vehicle
 13 that:

- 14 (1) has a declared gross vehicle weight of less than ten thousand
 15 (10,000) pounds;
 16 (2) is sold to:
 17 (A) a buyer in Indiana and registered in Indiana; or
 18 (B) a buyer in Indiana who is not an Indiana resident (as
 19 defined in IC 9-13-2-78);
 20 (3) is intended primarily for use and operation on public
 21 highways; and
 22 (4) is required to be registered or licensed before use or operation.

23 The term does not include conversion vans, motor homes, farm
 24 tractors, and other machines used in the actual production, harvesting,
 25 and care of farm products, road building equipment, truck tractors, road
 26 tractors, motorcycles, ~~mopeds~~, **motor driven cycles**, snowmobiles, or
 27 vehicles designed primarily for offroad use.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1343, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1343 as introduced.)

Committee Vote: Yeas 9, Nays 0

Representative Soliday

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation, and Veterans Affairs, to which was referred House Bill No. 1343, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1343 as introduced.)

Committee Vote: Yeas 8, Nays 1

Senator Wyss, Chairperson

