



Reprinted
March 19, 2021

ENGROSSED HOUSE BILL No. 1356

DIGEST OF HB 1356 (Updated March 18, 2021 2:11 pm - DI 139)

Citations Affected: IC 6-3.5; IC 9-18.1.

Synopsis: Permanent trailer registration. Defines "permanent registration" for purposes of motor vehicles. Provides that the owner of a trailer that weighs 3,000 pounds or less may apply to the bureau of motor vehicles (bureau) for a permanent registration for a fee of \$82. Requires the owner of a trailer that applies to the bureau for a permanent registration to pay twice the amount of the surtax otherwise due when the owner obtains a permanent registration. Provides that the owner of a trailer that obtains a permanent registration is not subject to additional surtax payments.

Effective: July 1, 2021.

Wesco, DeVon

(SENATE SPONSORS — DORIOT, CRIDER, DONATO)

January 14, 2021, read first time and referred to Committee on Roads and Transportation.
February 1, 2021, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

February 11, 2021, reported — Do Pass.
February 15, 2021, read second time, ordered engrossed. Engrossed.
February 17, 2021, read third time, passed. Yeas 90, nays 0.

SENATE ACTION

February 24, 2021, read first time and referred to Committee on Homeland Security and Transportation.

March 2, 2021, reported favorably — Do Pass; reassigned to Committee on Appropriations.

March 15, 2021, reported favorably — Do Pass.
March 18, 2021, read second time, amended, ordered engrossed.

EH 1356—LS 6736/DI 139



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First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1356

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 6-3.5-4-2, AS AMENDED BY P.L.178-2019,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 2. (a) An adopting entity of any county may,
4 subject to the limitation imposed by subsection (e), adopt an ordinance
5 to impose a county vehicle excise tax in accordance with this chapter
6 on each vehicle that is subject to the vehicle excise tax under IC 6-6-5
7 and that is registered in the county.
8 (b) If a county does not use a transportation asset management plan
9 approved by the Indiana department of transportation, the adopting
10 entity of the county may impose the surtax either:
11 (1) at a rate of not less than two percent (2%) nor more than ten
12 percent (10%); or
13 (2) at a specific amount of at least seven dollars and fifty cents
14 (\$7.50) and not more than twenty-five dollars (\$25).
15 However, the surtax on a vehicle may not be less than seven dollars and
16 fifty cents (\$7.50). The adopting entity shall state the surtax rate or
17 amount in the ordinance which imposes the tax.

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1 (c) If a county uses a transportation asset management plan
 2 approved by the Indiana department of transportation, the adopting
 3 entity of the county may impose the surtax either:

- 4 (1) at a rate of at least two percent (2%) and not more than twenty
 5 percent (20%); or
 6 (2) at a specific amount of at least seven dollars and fifty cents
 7 (\$7.50) and not more than fifty dollars (\$50).

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

11 (d) Subject to the limits and requirements of this section, the
 12 adopting entity may do any of the following:

- 13 (1) Impose the county vehicle excise tax at the same rate or
 14 amount on each vehicle that is subject to the tax.
 15 (2) Impose the county vehicle excise tax on vehicles subject to the
 16 tax at one (1) or more different rates based on the class of vehicle
 17 listed in IC 6-6-5-2(a).

18 (e) The adopting entity may not adopt an ordinance to impose the
 19 surtax unless it concurrently adopts an ordinance under IC 6-3.5-5 to
 20 impose the wheel tax.

21 (f) Notwithstanding any other provision of this chapter or
 22 IC 6-3.5-5, ordinances adopted by a county council before June 1,
 23 2013, to impose or change the county vehicle excise tax and the annual
 24 wheel tax in the county remain in effect until the ordinances are
 25 amended or repealed under this chapter or IC 6-3.5-5.

26 (g) **Except as provided under section 7.5 of this chapter and**
 27 **subject to subsection (h), a county vehicle excise tax imposed by this**
 28 **chapter for a vehicle is due and shall be paid each year at the time the**
 29 **vehicle is registered.**

30 (h) If the county vehicle excise tax imposed by this chapter was not
 31 paid for one (1) or more preceding years, the bureau may collect only
 32 the county vehicle excise tax imposed by this chapter for the:

- 33 (1) registration year immediately preceding the current
 34 registration year;
 35 (2) current registration year; and
 36 (3) registration year immediately following the current
 37 registration year.

38 SECTION 2. IC 6-3.5-4-7, AS AMENDED BY P.L.256-2017,
 39 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2021]: Sec. 7. **Except for a person described under section**
 41 **7.5 of this chapter,** a person may not register a vehicle in a county that
 42 has adopted the surtax unless the person pays the surtax due, if any, to



1 the bureau of motor vehicles. The amount of the surtax due equals the
 2 greater of seven dollars and fifty cents (\$7.50), the amount established
 3 under section 2 of this chapter, or the product of:

- 4 (1) the amount determined under section 7.3 of this chapter for
 5 the vehicle, as adjusted under section 7.4 of this chapter;
 6 multiplied by
 7 (2) the surtax rate in effect at the time of registration.

8 The bureau of motor vehicles shall collect the surtax due, if any, at the
 9 time a vehicle is registered.

10 SECTION 3. IC 6-3.5-4-7.5 IS ADDED TO THE INDIANA CODE
 11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 12 1, 2021]: **Sec. 7.5. (a) This section applies to a person who has
 13 obtained a permanent registration for a trailer with a declared
 14 gross vehicle weight of three thousand (3,000) pounds or less under
 15 IC 9-18.1-5-13.**

16 **(b) A person described in subsection (a) shall pay twice the
 17 amount of the surtax otherwise due under this chapter when the
 18 person obtains a permanent registration for a trailer with a
 19 declared gross vehicle weight of three thousand (3,000) pounds or
 20 less under IC 9-18.1-5-13.**

21 **(c) A person described in subsection (a) is not subject to
 22 additional surtax payments under this chapter for a trailer
 23 described in subsection (a) after the surtax payment is made under
 24 subsection (b).**

25 SECTION 4. IC 6-3.5-10-2, AS AMENDED BY P.L.178-2019,
 26 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2021]: **Sec. 2. (a) The fiscal body of an eligible municipality
 28 may, subject to subsections (c) and (d), adopt an ordinance to impose
 29 a municipal vehicle excise tax on each vehicle that is subject to the
 30 vehicle excise tax under IC 6-6-5 and that is registered in the eligible
 31 municipality. The eligible municipality may impose the surtax at a
 32 specific amount of:**

- 33 (1) at least seven dollars and fifty cents (\$7.50); and
 34 (2) not more than twenty-five dollars (\$25).

35 The eligible municipality shall state the surtax rate or amount in the
 36 ordinance that imposes the tax.

37 (b) Subject to the limits and requirements of this section, the fiscal
 38 body of an eligible municipality may do any of the following:

- 39 (1) Impose the municipal vehicle excise tax at the same amount
 40 on each vehicle that is subject to the tax.
 41 (2) Impose the municipal vehicle excise tax on vehicles subject to
 42 the tax at one (1) or more different amounts based on the class of



1 vehicle listed in IC 6-6-5-2(a).

2 (c) The fiscal body of an eligible municipality may not adopt a
3 ordinance to impose the surtax unless the fiscal body concurrently
4 adopts an ordinance under IC 6-3.5-11 to impose the municipal wheel
5 tax.

6 (d) The fiscal body of an eligible municipality may not adopt an
7 ordinance to impose the surtax unless the eligible municipality uses a
8 transportation asset management plan approved by the Indiana
9 department of transportation.

10 (e) **Except as provided under section 8.5 of this chapter and**
11 subject to subsection (f), a municipal vehicle excise tax imposed by this
12 chapter for a vehicle is due and shall be paid each year at the time the
13 vehicle is registered.

14 (f) If the municipal vehicle excise tax imposed by this chapter was
15 not paid for one (1) or more preceding registration years, the bureau
16 may collect only the municipal vehicle excise tax imposed by this
17 chapter for the:

- 18 (1) registration year immediately preceding the current
19 registration year;
20 (2) current registration year; and
21 (3) registration year immediately following the current
22 registration year.

23 SECTION 5. IC 6-3.5-10-7, AS AMENDED BY P.L.256-2017,
24 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2021]: Sec. 7. **Except for a person described under section**
26 **8.5 of this chapter**, a person may not register a vehicle in an adopting
27 municipality unless the person pays the surtax due, if any, to the bureau
28 of motor vehicles. The amount of the surtax due equals the amount
29 established under section 2 of this chapter. The bureau of motor
30 vehicles shall collect the surtax due, if any, at the time a vehicle is
31 registered.

32 SECTION 6. IC 6-3.5-10-8.5 IS ADDED TO THE INDIANA
33 CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 8.5. (a) This section applies to a**
34 **person who has obtained a permanent registration for a trailer**
35 **with a declared gross vehicle weight of three thousand (3,000)**
36 **pounds or less under IC 9-18.1-5-13.**

37 (b) **A person described in subsection (a) shall pay twice the**
38 **amount of the surtax otherwise due under this chapter when the**
39 **person obtains a permanent registration for a trailer with a**
40 **declared gross vehicle weight of three thousand (3,000) pounds or**
41 **less under IC 9-18.1-5-13.**
42



1 (c) A person described in subsection (a) is not subject to
 2 additional surtax payments under this chapter for a trailer
 3 described in subsection (a) after the surtax payment is made under
 4 subsection (b).

5 SECTION 7. IC 9-18.1-1-4.5 IS ADDED TO THE INDIANA
 6 CODE AS A NEW SECTION TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2021]: Sec. 4.5. "Permanent registration"
 8 refers to:

9 (1) a certificate of registration; or

10 (2) any other indication of registration issued by the bureau
 11 or the motor carrier services division of the department of
 12 state revenue;

13 where the term of the registration does not expire unless the
 14 registered owner sells or disposes of the registered vehicle.

15 SECTION 8. IC 9-18.1-5-8, AS AMENDED BY P.L.108-2019,
 16 SECTION 167, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2021]: Sec. 8. (a) Except as provided in
 18 sections 11 and 13 of this chapter, the fee to register a trailer is as
 19 follows:

Declared Gross	Weight (Pounds)	Fee (\$)
Greater than	Equal to or less than	
0	3,000	\$ 16.35
3,000	9,000	25.35
9,000	12,000	72
12,000	16,000	108
16,000	22,000	168
22,000		228

29 (b) A fee described in subsection (a) that is collected under the
 30 International Registration Plan shall be distributed as set forth in
 31 section 10.5 of this chapter.

32 (c) A fee described in subsection (a) that is not required to be
 33 distributed under subsection (b) shall be distributed as follows:

34 (1) Twenty-five cents (\$0.25) to the state construction fund.

35 (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.

36 (3) Two dollars and ninety cents (\$2.90) to the highway, road and
 37 street fund.

38 (4) Four dollars (\$4) to the crossroads 2000 fund.

39 (5) One dollar and twenty-five cents (\$1.25) to the integrated
 40 public safety communications fund.

41 (6) Three dollars and ten cents (\$3.10) to the commission fund.

42 (7) Any remaining amount to the motor vehicle highway account.



1 SECTION 9. IC 9-18.1-5-13 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2021]: **Sec. 13. (a) A trailer registration under this section applies
4 after December 31, 2021.**

5 **(b) This section applies to a trailer with a declared gross vehicle
6 weight of three thousand (3,000) pounds or less.**

7 **(c) The owner of a vehicle under subsection (b) may apply to the
8 bureau for a permanent registration.**

9 **(d) The fee to register a vehicle under subsection (b) for a
10 permanent registration is eighty-two dollars (\$82).**

11 **(e) A fee described in subsection (d) shall be distributed in the
12 same manner as the applicable registration fee under section 8 of
13 this chapter.**

14 **(f) A vehicle described under subsection (b) is subject to:**

15 **(1) a surtax payment under IC 6-3.5-4-7.5;**

16 **(2) a surtax payment under IC 6-3.5-10-8.5; or**

17 **(3) both;**

18 **whichever is applicable.**

19 **(g) A tax described in subsection (f) shall be distributed in the
20 same manner as the applicable surtax under IC 6-3.5-4 or
21 IC 6-3.5-10.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1356, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, delete "Lifetime" and insert "**Permanent**".

Page 2, line 29, delete "lifetime" and insert "**permanent**".

Page 2, line 30, delete "for the" and insert "**for a permanent registration is eighty-two dollars (\$82)**".

Page 2, delete lines 31 through 32.

and when so amended that said bill do pass.

(Reference is to HB 1356 as introduced.)

PRESSEL

Committee Vote: yeas 11, nays 0.

 COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1356, 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 1356 as printed February 1, 2021.)

BROWN T

Committee Vote: Yeas 21, Nays 0

 COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred House Bill No. 1356, 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 and be reassigned to the Senate Committee on Appropriations.

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(Reference is to HB 1356 as printed February 11, 2021.)

CRIDER, Chairperson

Committee Vote: Yeas 7, Nays 0

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill No. 1356, 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 EHB 1356 as printed March 3, 2021.)

MISHLER, Chairperson

Committee Vote: Yeas 10, Nays 3

SENATE MOTION

Madam President: I move that Engrossed House Bill 1356 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-3.5-4-2, AS AMENDED BY P.L.178-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) An adopting entity of any county may, subject to the limitation imposed by subsection (e), adopt an ordinance to impose a county vehicle excise tax in accordance with this chapter on each vehicle that is subject to the vehicle excise tax under IC 6-6-5 and that is registered in the county.

(b) If a county does not use a transportation asset management plan approved by the Indiana department of transportation, the adopting entity of the county may impose the surtax either:

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

However, the surtax on a vehicle may not be less than seven dollars and

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fifty cents (\$7.50). The adopting entity shall state the surtax rate or amount in the ordinance which imposes the tax.

(c) If a county uses a transportation asset management plan approved by the Indiana department of transportation, the adopting entity of the county may impose the surtax either:

- (1) at a rate of at least two percent (2%) and not more than twenty percent (20%); or
- (2) at a specific amount of at least seven dollars and fifty cents (\$7.50) and not more than fifty dollars (\$50).

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

(d) Subject to the limits and requirements of this section, the adopting entity may do any of the following:

- (1) Impose the county vehicle excise tax at the same rate or amount on each vehicle that is subject to the tax.
- (2) Impose the county vehicle excise tax on vehicles subject to the tax at one (1) or more different rates based on the class of vehicle listed in IC 6-6-5-2(a).

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

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

(g) **Except as provided under section 7.5 of this chapter and** subject to subsection (h), a county vehicle excise tax imposed by this chapter for a vehicle is due and shall be paid each year at the time the vehicle is registered.

(h) If the county vehicle excise tax imposed by this chapter was not paid for one (1) or more preceding years, the bureau may collect only the county vehicle excise tax imposed by this chapter for the:

- (1) registration year immediately preceding the current registration year;
- (2) current registration year; and
- (3) registration year immediately following the current registration year.

SECTION 2. IC 6-3.5-4-7, AS AMENDED BY P.L.256-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 7. **Except for a person described under section**



7.5 of this chapter, a person may not register a vehicle in a county that has adopted the surtax unless the person pays the surtax due, if any, to the bureau of motor vehicles. The amount of the surtax due equals the greater of seven dollars and fifty cents (\$7.50), the amount established under section 2 of this chapter, or the product of:

- (1) the amount determined under section 7.3 of this chapter for the vehicle, as adjusted under section 7.4 of this chapter; multiplied by
- (2) the surtax rate in effect at the time of registration.

The bureau of motor vehicles shall collect the surtax due, if any, at the time a vehicle is registered.

SECTION 3. IC 6-3.5-4-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 7.5. (a) This section applies to a person who has obtained a permanent registration for a trailer with a declared gross vehicle weight of three thousand (3,000) pounds or less under IC 9-18.1-5-13.**

(b) A person described in subsection (a) shall pay twice the amount of the surtax otherwise due under this chapter when the person obtains a permanent registration for a trailer with a declared gross vehicle weight of three thousand (3,000) pounds or less under IC 9-18.1-5-13.

(c) A person described in subsection (a) is not subject to additional surtax payments under this chapter for a trailer described in subsection (a) after the surtax payment is made under subsection (b).

SECTION 4. IC 6-3.5-10-2, AS AMENDED BY P.L.178-2019, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 2. (a) The fiscal body of an eligible municipality may, subject to subsections (c) and (d), adopt an ordinance to impose a municipal vehicle excise tax on each vehicle that is subject to the vehicle excise tax under IC 6-6-5 and that is registered in the eligible municipality. The eligible municipality may impose the surtax at a specific amount of:**

- (1) at least seven dollars and fifty cents (\$7.50); and
- (2) not more than twenty-five dollars (\$25).

The eligible municipality shall state the surtax rate or amount in the ordinance that imposes the tax.

(b) Subject to the limits and requirements of this section, the fiscal body of an eligible municipality may do any of the following:

- (1) Impose the municipal vehicle excise tax at the same amount on each vehicle that is subject to the tax.



(2) Impose the municipal vehicle excise tax on vehicles subject to the tax at one (1) or more different amounts based on the class of vehicle listed in IC 6-6-5-2(a).

(c) The fiscal body of an eligible municipality may not adopt an ordinance to impose the surtax unless the fiscal body concurrently adopts an ordinance under IC 6-3.5-11 to impose the municipal wheel tax.

(d) The fiscal body of an eligible municipality may not adopt an ordinance to impose the surtax unless the eligible municipality uses a transportation asset management plan approved by the Indiana department of transportation.

(e) **Except as provided under section 8.5 of this chapter and subject to subsection (f), a municipal vehicle excise tax imposed by this chapter for a vehicle is due and shall be paid each year at the time the vehicle is registered.**

(f) If the municipal vehicle excise tax imposed by this chapter was not paid for one (1) or more preceding registration years, the bureau may collect only the municipal vehicle excise tax imposed by this chapter for the:

- (1) registration year immediately preceding the current registration year;
- (2) current registration year; and
- (3) registration year immediately following the current registration year.

SECTION 5. IC 6-3.5-10-7, AS AMENDED BY P.L.256-2017, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 7. **Except for a person described under section 8.5 of this chapter, a person may not register a vehicle in an adopting municipality unless the person pays the surtax due, if any, to the bureau of motor vehicles. The amount of the surtax due equals the amount established under section 2 of this chapter. The bureau of motor vehicles shall collect the surtax due, if any, at the time a vehicle is registered.**

SECTION 6. IC 6-3.5-10-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8.5. (a) This section applies to a person who has obtained a permanent registration for a trailer with a declared gross vehicle weight of three thousand (3,000) pounds or less under IC 9-18.1-5-13.**

(b) A person described in subsection (a) shall pay twice the amount of the surtax otherwise due under this chapter when the person obtains a permanent registration for a trailer with a



declared gross vehicle weight of three thousand (3,000) pounds or less under IC 9-18.1-5-13.

(c) A person described in subsection (a) is not subject to additional surtax payments under this chapter for a trailer described in subsection (a) after the surtax payment is made under subsection (b)."

Page 2, after line 34, begin a new paragraph and insert:

"(f) A vehicle described under subsection (b) is subject to:

- (1) a surtax payment under IC 6-3.5-4-7.5;**
- (2) a surtax payment under IC 6-3.5-10-8.5; or**
- (3) both;**

whichever is applicable.

(g) A tax described in subsection (f) shall be distributed in the same manner as the applicable surtax under IC 6-3.5-4 or IC 6-3.5-10."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1356 as printed March 16, 2021.)

DORIoT

