

HOUSE BILL No. 1395

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-5; IC 9-13-2; IC 9-14-3-5; IC 9-22-5-18.2; IC 9-24; IC 9-29; IC 11-8-8-15; IC 14-15-11-9; IC 26-1-9.1-503; IC 34-28-2-2.5; IC 34-30-2; IC 35-43-5-2; IC 35-48-7-5; IC 35-51-9-1.

Synopsis: Commercial identification cards from the BMV. Requires the bureau of motor vehicles (BMV) to issue a commercial identification card (card) that: (1) does not bear the photograph of the holder; and (2) is to be used for the limited purpose of commercial transactions. Provides that a permittee in a criminal prosecution or in a proceeding before the alcoholic beverage commission or a local board based upon a charge of unlawfully furnishing an alcoholic beverage to a minor, as a defense to the prosecution or proceeding, may offer a statement from the purchaser that the purchaser was at least 21 years of age at the time of purchasing the beverage, along with two documents, one of which was the card. Sets a fee of \$6 for the issuance, renewal, amendment, or replacement of a card. Makes technical corrections and corresponding changes.

Effective: July 1, 2014.

Morris

January 16, 2014, read first time and referred to Committee on Roads and Transportation.



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.

HOUSE BILL No. 1395



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 7.1-5-7-5.1, AS AMENDED BY P.L.10-2010,
2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]: Sec. 5.1. (a) A permittee in a criminal prosecution or
4 in a proceeding before the commission or a local board based upon a
5 charge of unlawfully furnishing an alcoholic beverage to a minor may
6 offer either or both of the following proofs as a defense or defenses to
7 the prosecution or proceeding:
8 (1) That:
9 (A) the purchaser:
10 (i) falsely represented the purchaser's age in a written
11 statement, such as that prescribed by subsection (b),
12 supported by two (2) forms of identification showing the
13 purchaser to be at least twenty-one (21) years of age, **one (1)**
14 **of which was a commercial identification card issued**
15 **under IC 9-24-16.5;**
16 (ii) produced a driver's license bearing the purchaser's



- 1 photograph;
- 2 (iii) produced a photographic identification card, issued
- 3 under IC 9-24-16-1 or a similar card, issued under the laws
- 4 of another state or the federal government, showing that the
- 5 purchaser was of legal age to make the purchase; or
- 6 (iv) produced a government issued document bearing the
- 7 purchaser's photograph and showing the purchaser to be at
- 8 least twenty-one (21) years of age;
- 9 (B) the appearance of the purchaser was such that an ordinary
- 10 prudent person would believe the purchaser to be of legal age
- 11 to make the purchase; and
- 12 (C) the sale was made in good faith based upon the reasonable
- 13 belief that the purchaser was actually of legal age to make the
- 14 purchase.
- 15 (2) That the permittee or the permittee's agent had taken all
- 16 reasonable precautions in instructing the permittee's employees,
- 17 in hiring the permittee's employees, and in supervising them as to
- 18 sale of alcoholic beverages to minors.

19 (b) The following written statement is sufficient for the purposes of
 20 subsection (a)(1)(A)(i):

21 REPRESENTATION AND STATEMENT
 22 OF AGE
 23 FOR PURCHASE OF ALCOHOLIC
 24 BEVERAGES

25 I understand that misrepresentation of age to induce the sale,
 26 service, or delivery of alcoholic beverages to me is cause for my arrest
 27 and prosecution, which can result in punishment as follows:

- 28 (1) Possible payment of a fine of up to \$500.
- 29 (2) Possible imprisonment for up to 60 days.
- 30 (3) Possible loss or deferment of driver's license privileges for up
- 31 to one year.
- 32 (4) Possible requirement to participate in an alcohol education or
- 33 treatment program.

34 Knowing the possible penalties for misstatement, I hereby represent
 35 and state, for the purpose of inducing _____

(Name of licensee)

37 to sell, serve, or deliver alcoholic beverages to me, that I was born:

38 _____, _____, _____ and am _____ years of age.

39 (Month) (Day) (Year)

40 Date _____

Signed _____

41 Address _____

42 _____



- 1 (1) securing a medical prescription;
- 2 (2) purchasing farm chemicals;
- 3 (3) using a bank account;
- 4 (4) completing an application for employment;
- 5 (5) check cashing;
- 6 (6) making a retail transaction;
- 7 (7) operating watercraft;
- 8 (8) obtaining a vaccination;
- 9 (9) making a property transaction;
- 10 (10) purchasing alcohol; or
- 11 (11) donating blood.

12 SECTION 5. IC 9-14-3-5, AS AMENDED BY P.L.125-2012,
 13 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2014]: Sec. 5. (a) Except as provided in subsection (b), (d), or
 15 (e), the bureau shall prepare and deliver information on titles,
 16 registrations, and licenses and permits upon the request of any person.
 17 All requests must be:

- 18 (1) submitted in writing; or
 - 19 (2) made electronically through the computer gateway
 20 administered under IC 4-13.1-2-2(a)(5) by the office of
 21 technology;
- 22 to the bureau and, unless exempted under IC 9-29, must be
 23 accompanied by the payment of the fee prescribed in IC 9-29-2-2.

24 (b) The bureau shall not disclose:

- 25 (1) the Social Security number;
- 26 (2) the federal identification number;
- 27 (3) the driver's license number;
- 28 (4) the digital image of the driver's license applicant;
- 29 (5) a reproduction of the signature secured under IC 9-24-9-1, or
 30 IC 9-24-16-3, or **IC 9-24-16.5-2**; or
- 31 (6) medical or disability information;

32 of any person except as provided in subsection (c).

33 (c) The bureau may disclose any information listed in subsection
 34 (b):

- 35 (1) to a law enforcement officer;
- 36 (2) to an agent or a designee of the department of state revenue;
- 37 (3) for uses permitted under IC 9-14-3.5-10(1), IC 9-14-3.5-10(4),
 38 IC 9-14-3.5-10(6), and IC 9-14-3.5-10(9); or
- 39 (4) for voter registration and election purposes required under
 40 IC 3-7 or IC 9-24-2.5.

41 (d) As provided under 42 U.S.C. 1973gg-3(b), the bureau may not
 42 disclose any information concerning the failure of an applicant for a



1 motor vehicle driver's license to sign a voter registration application,
2 except as authorized under IC 3-7-14.

3 (e) The bureau may not disclose any information concerning the
4 failure of an applicant for a title, registration, license, or permit (other
5 than a motor vehicle license described under subsection (d)) to sign a
6 voter registration application, except as authorized under IC 3-7-14.

7 SECTION 6. IC 9-22-5-18.2, AS ADDED BY P.L.92-2013,
8 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2014]: Sec. 18.2. (a) A disposal facility, a scrap metal
10 processor, or an agent of a disposal facility or scrap metal processor
11 may purchase a motor vehicle without a certificate of title for the motor
12 vehicle if:

- 13 (1) the motor vehicle is at least fifteen (15) model years old;
- 14 (2) the purchase is solely for the purpose of dismantling or
15 wrecking the motor vehicle for the recovery of scrap metal or the
16 sale of parts; and
- 17 (3) the disposal facility or scrap metal processor records all
18 purchase transactions of vehicles as required in subsection (b).

19 (b) A disposal facility or scrap metal processor shall maintain the
20 following information with respect to each motor vehicle purchase
21 transaction to which the disposal facility or scrap metal processor is a
22 party for at least two (2) years following the date of the purchase
23 transaction:

- 24 (1) The name and address of any secondary metals recycler or
25 salvage yard.
- 26 (2) The name, initials, or other identifying symbol of the person
27 entering the information.
- 28 (3) The date of the purchase transaction.
- 29 (4) A description of the motor vehicle that is the subject of the
30 purchase transaction, including the make and model of the motor
31 vehicle, if practicable.
- 32 (5) The vehicle identification number of the motor vehicle.
- 33 (6) The amount of consideration given for the motor vehicle.
- 34 (7) A written statement signed by the seller or the seller's agent
35 certifying that the seller or the seller's agent has the lawful right
36 to sell and dispose of the motor vehicle.
- 37 (8) The name and address of the person from whom the motor
38 vehicle is being purchased.
- 39 (9) A photocopy or electronic scan of one (1) of the following
40 forms of identification issued to the seller or the seller's agent:
41 (A) A current and valid driver's license.
42 (B) An identification card issued under IC 9-24-16-1, a



- 1 **commercial identification card issued under IC 9-24-16.5,**
 2 or a similar card issued under the laws of another state or the
 3 federal government.
 4 (C) A government issued document bearing an image of the
 5 seller or seller's agent, as applicable.
 6 For purposes of complying with this subdivision, a disposal
 7 facility or scrap metal processor is not required to make a separate
 8 copy of the seller's or seller's agent's identification for each
 9 purchase transaction involving the seller or seller's agent but may
 10 instead refer to a copy maintained in reference to a particular
 11 purchase transaction.
 12 (c) A disposal facility or scrap metal processor may not complete a
 13 purchase transaction in the absence of the information required under
 14 subsection (b)(9).
 15 (d) A disposal facility, a scrap metal processor, or an agent of a
 16 disposal facility or scrap metal processor that knowingly, intentionally,
 17 or recklessly buys a motor vehicle that is less than fifteen (15) model
 18 years old without a certificate of title for the motor vehicle commits a
 19 Class ~~D~~ Level 6 felony.
 20 SECTION 7. IC 9-24-11-4, AS AMENDED BY P.L.85-2013,
 21 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2014]: Sec. 4. (a) An individual may not have more than one
 23 (1) driver's license or identification card at a time.
 24 (b) An individual may not hold a driver's license and an
 25 identification card at the same time.
 26 **(c) An individual may hold a driver's license and a commercial**
 27 **identification card issued under IC 9-24-16.5 at the same time.**
 28 SECTION 8. IC 9-24-12-4, AS AMENDED BY P.L.109-2011,
 29 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2014]: Sec. 4. (a) Except as provided in subsections (b) and
 31 (c), the application for renewal of:
 32 (1) an operator's license;
 33 (2) a chauffeur's license;
 34 (3) a public passenger chauffeur's license; ~~or~~
 35 (4) an identification card; ~~or~~
 36 **(5) a commercial identification card;**
 37 under this article may be filed not more than twelve (12) months before
 38 the expiration date of the license, ~~or~~ identification card, ~~or~~ **commercial**
 39 **identification card** held by the applicant.
 40 (b) When the applicant complies with IC 9-24-9-2.5(5) through
 41 IC 9-24-9-2.5(10), an application for renewal of a driver's license in
 42 subsection (a)(1), (a)(2), or (a)(3) may be filed not more than one (1)



1 month before the expiration date of the license held by the applicant.

2 (c) When the applicant complies with IC 9-24-16-3.5(1)(E) through
3 IC 9-24-16-3.5(1)(J), an application for renewal of an identification
4 card in subsection ~~(a)(5)~~ **(a)(4)** may be filed not more than one (1)
5 month before the expiration date of the identification card held by the
6 applicant.

7 SECTION 9. IC 9-24-16-0.5 IS ADDED TO THE INDIANA CODE
8 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY
9 1, 2014]: **Sec. 0.5. This chapter does not apply to commercial
10 identification cards.**

11 SECTION 10. IC 9-24-16-14 IS ADDED TO THE INDIANA
12 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
13 [EFFECTIVE JULY 1, 2014]: **Sec. 14. (a) An individual may not
14 hold an identification card issued under this chapter and a
15 commercial identification card issued under IC 9-24-16.5 at the
16 same time.**

17 **(b) An individual who violates this section commits a Class C
18 infraction.**

19 SECTION 11. IC 9-24-16.5 IS ADDED TO THE INDIANA CODE
20 AS A **NEW CHAPTER TO READ AS FOLLOWS** [EFFECTIVE
21 JULY 1, 2014]:

22 **Chapter 16.5. Commercial Identification Cards**

23 **Sec. 1. The bureau shall issue a commercial identification card
24 to an individual who meets the following conditions:**

- 25 (1) **Makes an application.**
26 (2) **Is a resident of Indiana.**

27 **Sec. 2. (a) An application for a commercial identification card
28 issued under this chapter must require the following information
29 concerning an applicant:**

- 30 (1) **The full legal name of the applicant.**
31 (2) **The applicant's date of birth.**
32 (3) **The gender of the applicant.**
33 (4) **The applicant's height, weight, hair color, and eye color.**
34 (5) **The principal address and mailing address of the
35 applicant.**
36 (6) **A:**
37 (A) **valid Social Security number;**
38 (B) **verification of an applicant's ineligibility to be issued a
39 Social Security number; or**
40 (C) **statement from the applicant in which the applicant
41 swears or affirms that the applicant has a sincerely held
42 religious belief against the issuance of a Social Security**



- 1 number to the applicant and a copy of Form 4029 from the
 2 United States Internal Revenue Service concerning the
 3 applicant.
 4 (7) The signature of the applicant.
 5 (8) An imprint of the applicant's right index finger.
 6 (9) A statement:
 7 (A) from the applicant in which the applicant swears or
 8 affirms that the applicant has a sincerely held religious
 9 belief against the taking of a photograph of the applicant;
 10 and
 11 (B) from a member of the clergy of the religious
 12 organization of which the applicant is a member regarding
 13 the prohibition of photography of members of the religious
 14 organization.
- 15 The bureau shall maintain records of the information provided
 16 under subdivisions (1) through (9).
 17 (b) The bureau may invalidate a commercial identification card
 18 that the bureau believes to have been issued as a result of
 19 fraudulent documentation.
 20 (c) The bureau:
 21 (1) shall adopt rules under IC 4-22-2 to establish a procedure
 22 to verify an applicant's identity; and
 23 (2) may adopt rules to establish a procedure to temporarily
 24 invalidate a commercial identification card that the bureau
 25 believes to have been issued based on fraudulent
 26 documentation.
- 27 Sec. 3. (a) A commercial identification card must have the same
 28 dimensions and shape as a driver's license and an identification
 29 card issued under IC 9-24-16, but the commercial identification
 30 card must have markings sufficient to distinguish the card from a
 31 driver's license or an identification card issued under IC 9-24-16.
 32 (b) The front side of a commercial identification card must
 33 contain the expiration date of the commercial identification card
 34 and the following information about the individual to whom the
 35 card is being issued:
 36 (1) Full legal name.
 37 (2) The address of the principal residence.
 38 (3) Date of birth.
 39 (4) Date of issue and date of expiration.
 40 (5) Unique identification number.
 41 (6) Gender.
 42 (7) Weight.



- 1 **(8) Height.**
 2 **(9) Color of eyes and hair.**
 3 **(10) A reproduction of the signature of the individual**
 4 **identified.**
 5 **(11) A reproduction of an imprint of the individual's right**
 6 **index finger.**
 7 **(12) If the individual is less than eighteen (18) years of age at**
 8 **the time of issuance, the dates on which the individual will**
 9 **become:**
 10 **(A) eighteen (18) years of age; and**
 11 **(B) twenty-one (21) years of age.**
 12 **(13) If the individual is at least eighteen (18) years of age but**
 13 **less than twenty-one (21) years of age at the time of issuance,**
 14 **the date on which the individual will become twenty-one (21)**
 15 **years of age.**
 16 **(c) The information contained on the commercial identification**
 17 **card as required by subsection (b)(12) or (b)(13) for an individual**
 18 **who is less than twenty-one (21) years of age at the time of issuance**
 19 **must be printed prominently on the commercial identification**
 20 **card.**
 21 **Sec. 4. A commercial identification card must include a**
 22 **statement on the card that indicates that the commercial**
 23 **identification card may not be accepted by any federal agency for**
 24 **federal identification or any other federal purpose.**
 25 **Sec. 5. (a) A commercial identification card expires at midnight**
 26 **on the birth date of the holder that occurs six (6) years following**
 27 **the date of issuance.**
 28 **(b) An application for renewal of a commercial identification**
 29 **card may be made not more than twelve (12) months before the**
 30 **expiration date of the card.**
 31 **(c) A renewed commercial identification card is valid on the**
 32 **birth date of the holder and remains valid for six (6) years.**
 33 **(d) A commercial identification card may not be renewed if the**
 34 **holder was issued a driver's license or an identification card after**
 35 **the last issuance of a commercial identification card.**
 36 **(e) An application for the renewal of a commercial identification**
 37 **card may not be made by mail or by electronic service.**
 38 **Sec. 6. (a) The bureau shall issue:**
 39 **(1) an amended commercial identification card if any**
 40 **information contained on the commercial identification card**
 41 **becomes invalid or obsolete; or**
 42 **(2) a replacement commercial identification card if the card**



1 is lost, stolen, damaged, or destroyed.

2 (b) If information on a commercial identification card becomes
3 invalid or obsolete, the holder shall, within thirty (30) days after
4 the card becomes invalid or obsolete, apply for an amended card
5 containing correct information.

6 (c) If a commercial identification card is lost, stolen, damaged,
7 or destroyed, the holder may apply for a replacement commercial
8 identification card.

9 (d) An application for an amended or replacement commercial
10 identification card may not be made by mail or by electronic
11 service.

12 Sec. 7. The bureau may adopt rules under IC 4-22-2 and
13 prescribe all forms necessary to implement this chapter.

14 Sec. 8. A commercial identification card issued under this
15 chapter may not be used to identify the individual who holds the
16 commercial identification card as the operator of a motor vehicle.

17 Sec. 9. (a) An individual may not hold a commercial
18 identification card and an identification card issued under
19 IC 9-24-16 at the same time.

20 (b) An individual who violates this section commits a Class C
21 infraction.

22 Sec. 10. A person who:

23 (1) knowingly permits the use of a commercial identification
24 card issued under this chapter by a person other than the
25 person to whom the card was issued;

26 (2) knowingly displays or represents as the person's own
27 commercial identification card issued under this chapter a
28 commercial identification card that was not issued to the
29 person displaying the card or representing that the card is
30 that person's card;

31 (3) knowingly or intentionally does not surrender, upon
32 demand of the proper official, a commercial identification
33 card issued under this chapter that has become invalid or
34 expired; or

35 (4) knowingly sells, offers to sell, buys, possesses, or offers a
36 false commercial identification card that could reasonably be
37 mistaken for a valid commercial identification card required
38 by this chapter to be issued by the bureau but that has not
39 been issued by the bureau;

40 commits a Class B misdemeanor.

41 Sec. 11. A person who forges or reproduces a commercial
42 identification card issued under this chapter:



1 (1) with intent to use the commercial identification card; or
 2 (2) with intent that the commercial identification card may be
 3 used by another person;
 4 commits a Class B misdemeanor.

5 Sec. 12. The commissioner and the employees or agents of the
 6 bureau are not civilly responsible for the validity of information
 7 contained on a commercial identification card issued under this
 8 chapter. The bureau may adopt rules under IC 4-22-2 to place an
 9 appropriate disclaimer on a commercial identification card.

10 Sec. 13. Except for gross misconduct, if a retailer, or an
 11 employee of a retailer, in good faith accepts a commercial
 12 identification card issued under this chapter as proof of
 13 identification for purposes of a retail transaction, the retailer or
 14 employee is immune from any civil liability that may occur as a
 15 result of the acceptance.

16 SECTION 12. IC 9-24-17-1, AS AMENDED BY P.L.147-2007,
 17 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2014]: Sec. 1. The application form for a driver's license, ~~and~~
 19 an identification card issued under IC 9-24-16, ~~and a commercial~~
 20 **identification card issued under IC 9-24-16.5** must allow an
 21 applicant to acknowledge the making of an anatomical gift under
 22 IC 29-2-16.1.

23 SECTION 13. IC 9-24-17-2, AS AMENDED BY P.L.125-2012,
 24 SECTION 232, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) The bureau shall verbally ask
 26 every individual who applies for a driver's license, ~~or~~ an identification
 27 card issued under IC 9-24-16, ~~or a commercial identification card~~
 28 **issued under IC 9-24-16.5** whether the individual desires to make an
 29 anatomical gift.

30 (b) If the individual does desire to make an anatomical gift, the
 31 bureau shall provide the individual the form by which the individual
 32 makes the gift.

33 SECTION 14. IC 9-29-3-14, AS AMENDED BY P.L.1-2007,
 34 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2014]: Sec. 14. (a) Fifty cents (\$0.50) of each service charge
 36 collected under this section shall be deposited in the state motor
 37 vehicle technology fund established by IC 9-29-16-1.

38 (b) The service charge for an identification card issued under
 39 ~~IC 9-24-16~~ **IC 9-24-16** is seventy-five cents (\$0.75) and one-half (1/2) of
 40 each fee collected as set forth in ~~IC 9-29-9-15~~ **IC 9-29-9-15(a)**.

41 (c) **The service charge for a commercial identification card**
 42 **issued under IC 9-24-16.5 is seventy-five cents (\$0.75) and one-half**



1 **(1/2) of each fee collected as set forth in IC 9-29-9-15(b).**

2 SECTION 15. IC 9-29-9-15, AS AMENDED BY P.L.109-2011,
3 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2014]: Sec. 15. **(a)** The fees for the issuance, renewal,
5 amendment, or replacement of an identification card under IC 9-24-16
6 are as follows:

7 (1) For an individual at least sixty-five (65) years of age or an
8 individual with a physical disability and not entitled to obtain a
9 driver's license, three dollars and fifty cents (\$3.50).

10 (2) For any other individual, six dollars (\$6).

11 **(b) The fee for the issuance, renewal, amendment, or**
12 **replacement of a commercial identification card under**
13 **IC 9-24-16.5 is six dollars (\$6).**

14 SECTION 16. IC 11-8-8-15, AS AMENDED BY P.L.214-2013,
15 SECTION 11, AND AS AMENDED BY P.L.158-2013, SECTION
16 173, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2014]: Sec. 15. (a) A sex or violent offender
18 who is a resident of Indiana shall obtain and keep in the sex or violent
19 offender's possession:

20 (1) a valid Indiana driver's license; or

21 (2) a valid Indiana identification card (as described in IC 9-24-16)
22 **or commercial identification card (as described in**
23 **IC 9-24-16.5);**

24 *that contains the offender's current address and current physical*
25 *description.*

26 (b) A sex or violent offender required to register in Indiana who is
27 not a resident of Indiana shall obtain and keep in the sex or violent
28 offender's possession:

29 (1) a valid driver's license issued by the state in which the sex or
30 violent offender resides; or

31 (2) a valid state issued identification card issued by the state in
32 which the sex or violent offender resides;

33 *that contains the offender's current address and current physical*
34 *description.*

35 (c) A person who knowingly or intentionally violates this section
36 commits failure of a sex or violent offender to possess identification,
37 a Class A misdemeanor. However, the offense is a ~~Class D~~ Level 6
38 felony if the person:

39 (1) is a sexually violent predator; or

40 (2) has a prior unrelated conviction:

41 (A) under this section; or

42 (B) based on the person's failure to comply with any



- 1 requirement imposed on an offender under this chapter.
- 2 (d) It is a defense to a prosecution under this section that:
- 3 (1) the person has been unable to obtain a valid driver's license,
- 4 ~~or~~ state issued identification card, **or commercial identification**
- 5 **card** because less than thirty (30) days have passed since the
- 6 person's release from incarceration; ~~or~~
- 7 (2) the person possesses a driver's license, ~~or~~ state issued
- 8 identification card, **or commercial identification card** that
- 9 expired not more than thirty (30) days before the date the person
- 10 violated subsection (a) or (b); *or*
- 11 *(3) the person possesses a valid driver's license, ~~or~~ state issued*
- 12 *identification card, **or commercial identification card**, but the*
- 13 *card does not reflect the person's current address or current*
- 14 *physical description because fewer than thirty (30) days have*
- 15 *passed since the person changed the person's current address or*
- 16 *physical characteristics.*
- 17 SECTION 17. IC 14-15-11-9 IS AMENDED TO READ AS
- 18 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9. (a) Except as
- 19 provided in subsections (b) and (c), an individual may not operate a
- 20 motorboat on public waters unless the individual holds a valid driver's
- 21 license.
- 22 (b) An individual who is at least fifteen (15) years of age and who
- 23 does not hold a valid driver's license may operate a motorboat on public
- 24 waters if the individual:
- 25 (1) has been issued an identification card by the bureau under
- 26 IC 9-24-16 **or a commercial identification card under**
- 27 **IC 9-24-16.5;** and
- 28 (2) has successfully completed a boating education course
- 29 approved by the department for the purposes of this chapter.
- 30 (c) An individual who:
- 31 (1) is at least twenty-one (21) years of age; and
- 32 (2) does not hold:
- 33 (A) a valid driver's license; or
- 34 (B) a driver's license that is suspended or revoked;
- 35 may operate a motorboat on public waters if the individual is issued an
- 36 identification card by the bureau under IC 9-24-16 before January 1,
- 37 1996.
- 38 SECTION 18. IC 26-1-9.1-503, AS AMENDED BY P.L.54-2011,
- 39 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 40 JULY 1, 2014]: Sec. 503. (a) A financing statement sufficiently
- 41 provides the name of the debtor:
- 42 (1) except as otherwise provided in subdivision (3), if the debtor



- 1 is a registered organization or the collateral is held in a trust that
 2 is a registered organization, only if the financing statement
 3 provides the name that is stated to be the registered organization's
 4 name on the public organic record most recently filed with or
 5 issued or enacted by the registered organization's jurisdiction of
 6 organization which purports to state, amend, or restate the
 7 registered organization's name;
- 8 (2) subject to subsection (f), if the collateral is being administered
 9 by the personal representative of a decedent only if the financing
 10 statement provides as the name of the debtor the name of the
 11 decedent, and, in a separate part of the financing statement,
 12 indicates that the collateral is being administered by a personal
 13 representative;
- 14 (3) if the collateral is held in a trust that is not a registered
 15 organization, only if the financing statement:
- 16 (A) provides as the name of the debtor:
- 17 (i) if the organic record of the trust specifies a name for the
 18 trust, the name specified; or
 19 (ii) if the organic record of the trust does not specify a name
 20 for the trust, the name of the settlor or testator; and
- 21 (B) in a separate part of the financing statement:
- 22 (i) if the name is provided in accordance with clause (A)(i),
 23 indicates that the collateral is held in a trust; or
 24 (ii) if the name is provided in accordance with clause (A)(ii),
 25 provides additional information sufficient to distinguish the
 26 trust from other trusts having one (1) or more of the same
 27 settlors of the same testator and indicates that the collateral
 28 is held in a trust, unless the additional information so
 29 indicates;
- 30 (4) subject to subsection (g), if the debtor is an individual to
 31 whom this state has issued a driver's license, ~~or~~ an identification
 32 card for nondrivers under IC 9-24-16, **or a commercial**
 33 **identification card for nondrivers under IC 9-24-16.5** that has
 34 not expired, only if the financing statement provides the name of
 35 the individual which is indicated on the driver's license, ~~or~~
 36 identification card, **or commercial identification card;**
- 37 (5) if the debtor is an individual to whom subdivision (4) does not
 38 apply, only if the financing statement provides the individual
 39 name of the debtor or the surname and first personal name of the
 40 debtor; and
- 41 (6) in other cases:
- 42 (A) if the debtor has a name, only if it provides the individual



- 1 or organizational name of the debtor; and
 2 (B) if the debtor does not have a name, only if it provides the
 3 names of the partners, members, associates, or other persons
 4 comprising the debtor in a manner that each name provided
 5 would be sufficient if the person named were the debtor.
- 6 (b) A financing statement that provides the name of the debtor in
 7 accordance with subsection (a) is not rendered ineffective by the
 8 absence of:
- 9 (1) a trade name or other name of the debtor; or
 10 (2) unless required under subsection (a)(6)(B), names of partners,
 11 members, associates, or other persons comprising the debtor.
- 12 (c) A financing statement that provides only the debtor's trade name
 13 does not sufficiently provide the name of the debtor.
- 14 (d) Failure to indicate the representative capacity of a secured party
 15 or representative of a secured party does not affect the sufficiency of a
 16 financing statement.
- 17 (e) A financing statement may provide the name of more than one
 18 (1) debtor and the name of more than one (1) secured party.
- 19 (f) The name of the decedent indicated on the order appointing the
 20 personal representative of the decedent issued by the court having
 21 jurisdiction over the collateral is sufficient as the "name of the
 22 decedent" under subsection (a)(2).
- 23 (g) If this state has issued to an individual more than one (1) driver's
 24 license or identification card of a kind described in subsection (a)(4),
 25 the one (1) that was issued most recently is the one (1) to which
 26 subsection (a)(4) refers.
- 27 (h) In this section, "name of the settlor or testator" means:
- 28 (1) if the settlor is a registered organization, the name that is
 29 stated to be the settlor's name on the public organic record most
 30 recently filed with or issued or enacted by the settlor's jurisdiction
 31 of organization which purports to state, amend, or restate the
 32 settlor's name; or
 33 (2) in other cases, the name of the settlor or testator indicated in
 34 the trust's organic record.
- 35 SECTION 19. IC 34-28-2-2.5, AS ADDED BY P.L.61-2010,
 36 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2014]: Sec. 2.5. (a) If a person petitioning for a change of
 38 name under this chapter is at least seventeen (17) years of age, the
 39 person's petition must include at least the following information:
- 40 (1) The person's date of birth.
 41 (2) The person's current:
 42 (A) residence address; and



- 1 (B) if different than the person's residence address, mailing
- 2 address.
- 3 (3) The person's valid:
- 4 (A) Indiana driver's license number; ~~or~~
- 5 (B) Indiana identification card (as described in IC 9-24-16)
- 6 number; ~~or~~
- 7 **(C) Indiana commercial identification card (as described**
- 8 **in IC 9-24-16.5).**
- 9 (4) A list of all previous names used by the person.
- 10 (5) Proof that the person is a United States citizen.
- 11 (6) A statement concerning whether the person holds a valid
- 12 United States passport.
- 13 (7) A description of all judgments of criminal conviction of a
- 14 felony under the laws of any state or the United States that have
- 15 been entered against the person.
- 16 (b) A petition under subsection (a) is subject to Indiana Rules of
- 17 Court Administrative Rule 9.
- 18 SECTION 20. IC 34-30-2-31.5 IS ADDED TO THE INDIANA
- 19 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
- 20 **[EFFECTIVE JULY 1, 2014]: Sec. 31.5. IC 9-24-16.5-12 (Concerning**
- 21 **the commissioner, employees, and agents of the bureau of motor**
- 22 **vehicles for the validity of the information contained on**
- 23 **commercial identification cards).**
- 24 SECTION 21. IC 34-30-2-31.7 IS ADDED TO THE INDIANA
- 25 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
- 26 **[EFFECTIVE JULY 1, 2014]: Sec. 31.7. IC 9-24-16.5-13 (Concerning**
- 27 **actions taken by retailers and employees of retailers concerning**
- 28 **commercial identification cards).**
- 29 SECTION 22. IC 35-43-5-2, AS AMENDED BY P.L.158-2013,
- 30 SECTION 469, IS AMENDED TO READ AS FOLLOWS
- 31 **[EFFECTIVE JULY 1, 2014]: Sec. 2. (a) A person who knowingly or**
- 32 **intentionally:**
- 33 (1) makes or utters a written instrument in such a manner that it
- 34 purports to have been made:
- 35 (A) by another person;
- 36 (B) at another time;
- 37 (C) with different provisions; or
- 38 (D) by authority of one who did not give authority; or
- 39 (2) possesses more than one (1) written instrument knowing that
- 40 the written instruments were made in a manner that they purport
- 41 to have been made:
- 42 (A) by another person;



- 1 (B) at another time;
 2 (C) with different provisions; or
 3 (D) by authority of one who did not give authority;
 4 commits counterfeiting, a Level 6 felony.
 5 (b) A person who, with intent to defraud:
 6 (1) makes or delivers to another person:
 7 (A) a false sales receipt;
 8 (B) a duplicate of a sales receipt; or
 9 (C) a label or other item with a false universal product code
 10 (UPC) or other product identification code; or
 11 (2) places a false universal product code (UPC) or another
 12 product identification code on property displayed or offered for
 13 sale;
 14 commits making or delivering a false sales document, a Level 6 felony.
 15 (c) A person who, with intent to defraud, possesses:
 16 (1) a retail sales receipt;
 17 (2) a label or other item with a universal product code (UPC); or
 18 (3) a label or other item that contains a product identification code
 19 that applies to an item other than the item to which the label or
 20 other item applies;
 21 commits possession of a fraudulent sales document, a Class A
 22 misdemeanor. However, the offense is a Level 6 felony if the person
 23 possesses at least fifteen (15) retail sales receipts, at least fifteen (15)
 24 labels containing a universal product code (UPC), at least fifteen (15)
 25 labels containing another product identification code, or at least fifteen
 26 (15) of any combination of the items described in subdivisions (1)
 27 through (3).
 28 (d) A person who, with intent to defraud, makes, utters, or possesses
 29 a written instrument in such a manner that it purports to have been
 30 made:
 31 (1) by another person;
 32 (2) at another time;
 33 (3) with different provisions; or
 34 (4) by authority of one who did not give authority;
 35 commits forgery, a Level 6 felony.
 36 (e) This subsection applies to a person who applies for a driver's
 37 license (as defined in IC 9-13-2-48), ~~or~~ a state identification card (as
 38 described in IC 9-24-16), **or a commercial identification card (as**
 39 **described in IC 9-24-16.5)**. A person who:
 40 (1) knowingly or intentionally uses a false or fictitious name or
 41 gives a false or fictitious address in an application for a driver's
 42 license, ~~or~~ a state identification card, **or a commercial**



- 1 **identification card** or for a renewal or a duplicate of a driver's
- 2 license, ~~or~~ a state identification card, **or a commercial**
- 3 **identification card; or**
- 4 (2) knowingly or intentionally makes a false statement or conceals
- 5 a material fact in an application for a driver's license, ~~or~~ a state
- 6 identification card, **or a commercial identification card;**
- 7 commits application fraud, a Level 6 felony.
- 8 SECTION 23. IC 35-48-7-5, AS AMENDED BY P.L.204-2005,
- 9 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 10 JULY 1, 2014]: Sec. 5. As used in this chapter, "identification number"
- 11 refers to the following:
- 12 (1) The unique number contained on any of the following:
- 13 (A) A valid driver's license of a recipient or a recipient's
- 14 representative issued under Indiana law or the law of any other
- 15 state.
- 16 (B) A recipient's or a recipient representative's valid military
- 17 identification card.
- 18 (C) A valid identification card of a recipient or a recipient's
- 19 representative issued by:
- 20 (i) the bureau of motor vehicles as described in
- 21 IC 9-24-16-3; or
- 22 (ii) any other state and that is similar to the identification
- 23 card issued by the bureau of motor vehicles.
- 24 **(D) A valid commercial identification card of a recipient or**
- 25 **a recipient's representative issued by:**
- 26 **(i) the bureau of motor vehicles as described in**
- 27 **IC 9-24-16.5-1; or**
- 28 **(ii) any other state and that is similar to the commercial**
- 29 **identification card issued by the bureau of motor**
- 30 **vehicles.**
- 31 ~~(E)~~ **(E) If the recipient is an animal:**
- 32 (i) the valid driver's license issued under Indiana law or the
- 33 law of any other state;
- 34 (ii) the valid military identification card; or
- 35 (iii) the valid identification card issued by the bureau of
- 36 motor vehicles and described in IC 9-24-16-3, **a valid**
- 37 **commercial identification card issued by the bureau of**
- 38 **motor vehicles as described in IC 9-24-16.5-1, or a valid**
- 39 **identification card or commercial identification card of**
- 40 similar description that is issued by any other state;
- 41 of the animal's owner.
- 42 (2) The identification number or phrase designated by the central



1 repository.

2 SECTION 24. IC 35-51-9-1, AS AMENDED BY P.L.262-2013,

3 SECTION 143, IS AMENDED TO READ AS FOLLOWS

4 [EFFECTIVE JULY 1, 2014]: Sec. 1. The following statutes define

5 crimes in IC 9:

6 IC 9-14-3.5-15 (Concerning bureau of motor vehicles).

7 IC 9-14-5-9 (Concerning parking placards for persons with

8 physical disabilities).

9 IC 9-17-2-15 (Concerning certificates of title).

10 IC 9-17-2-16 (Concerning certificates of title).

11 IC 9-17-3-3.2 (Concerning certificates of title).

12 IC 9-17-3-7 (Concerning certificates of title).

13 IC 9-17-4-14 (Concerning special identification numbers).

14 IC 9-17-4-15 (Concerning special identification numbers).

15 IC 9-17-4-16 (Concerning special identification numbers).

16 IC 9-17-4-17 (Concerning identification numbers).

17 IC 9-17-4-18 (Concerning identification numbers).

18 IC 9-18-2-42 (Concerning motor vehicle registration and license

19 plates).

20 IC 9-18-2-44 (Concerning motor vehicle registration and license

21 plates).

22 IC 9-18-2-45 (Concerning motor vehicle registration and license

23 plates).

24 IC 9-18-2.5-16 (Concerning off-road vehicles and snowmobiles).

25 IC 9-18-4-8 (Concerning motor vehicle registration and license

26 plates).

27 IC 9-18-13-9 (Concerning motor vehicle registration and license

28 plates).

29 IC 9-18-22-6 (Concerning motor vehicle registration and license

30 plates).

31 IC 9-19-9-5 (Concerning motor vehicle equipment).

32 IC 9-19-10.5-4 (Concerning motor vehicle equipment).

33 IC 9-19-10.5-5 (Concerning motor vehicle equipment).

34 IC 9-20-18-4 (Concerning motor vehicle size and weight

35 regulation).

36 IC 9-21-5-13 (Concerning traffic regulation).

37 IC 9-21-6-3 (Concerning traffic regulation).

38 IC 9-21-8-50 (Concerning traffic regulation).

39 IC 9-21-8-52 (Concerning traffic regulation).

40 IC 9-21-8-55 (Concerning traffic regulation).

41 IC 9-21-8-56 (Concerning traffic regulation).

42 IC 9-21-8-58 (Concerning traffic regulation).



- 1 IC 9-21-12-9 (Concerning traffic regulation).
 2 IC 9-21-12-11 (Concerning traffic regulation).
 3 IC 9-22-3-31 (Concerning abandoned, salvaged, and scrap
 4 vehicles).
 5 IC 9-22-3-32 (Concerning abandoned, salvaged, and scrap
 6 vehicles).
 7 IC 9-22-3-33 (Concerning abandoned, salvaged, and scrap
 8 vehicles).
 9 IC 9-22-5-18.2 (Concerning buying a motor vehicle without a
 10 certificate of title).
 11 IC 9-22-5-19 (Concerning scrapping and dismantling vehicles).
 12 IC 9-22-6-3 (Concerning mechanic's liens for vehicles).
 13 IC 9-24-1-8 (Concerning driver's licenses).
 14 IC 9-24-6-16 (Concerning driver's licenses).
 15 IC 9-24-6-17 (Concerning driver's licenses).
 16 IC 9-24-11-8 (Concerning driver's licenses).
 17 IC 9-24-15-11 (Concerning driver's licenses).
 18 IC 9-24-16-12 (Concerning ~~driver's licenses~~: **identification**
 19 **cards**).
 20 IC 9-24-16-13 (Concerning ~~driver's licenses~~: **identification**
 21 **cards**).
 22 **IC 9-24-16.5-10 (Concerning commercial identification cards).**
 23 **IC 9-24-16.5-11 (Concerning commercial identification cards).**
 24 IC 9-24-18-1 (Concerning driver's licenses).
 25 IC 9-24-18-2 (Concerning driver's licenses).
 26 IC 9-24-18-7 (Concerning driver's licenses).
 27 IC 9-24-19-2 (Concerning driver's licenses).
 28 IC 9-24-19-3 (Concerning driver's licenses).
 29 IC 9-24-19-4 (Concerning driver's licenses).
 30 IC 9-25-6-18 (Concerning financial responsibility).
 31 IC 9-25-8-2 (Concerning financial responsibility).
 32 IC 9-26-1-8 (Concerning accidents and accident reports).
 33 IC 9-26-1-9 (Concerning accidents and accident reports).
 34 IC 9-26-6-4 (Concerning accidents and accident reports).
 35 IC 9-30-4-7 (Concerning licenses and registrations).
 36 IC 9-30-4-8 (Concerning licenses and registrations).
 37 IC 9-30-4-13 (Concerning licenses and registrations).
 38 IC 9-30-5-1 (Concerning operating a vehicle while intoxicated).
 39 IC 9-30-5-2 (Concerning operating a vehicle while intoxicated).
 40 IC 9-30-5-3 (Concerning operating a vehicle while intoxicated).
 41 IC 9-30-5-4 (Concerning operating a vehicle while intoxicated).
 42 IC 9-30-5-5 (Concerning operating a vehicle while intoxicated).



- 1 IC 9-30-5-7 (Concerning operating a vehicle while intoxicated).
- 2 IC 9-30-5-8 (Concerning operating a vehicle while intoxicated).
- 3 IC 9-30-6-8.7 (Concerning implied consent).
- 4 IC 9-30-9-7.5 (Concerning alcohol abuse deterrent programs).
- 5 IC 9-30-10-16 (Concerning habitual violator of traffic laws).
- 6 IC 9-30-10-17 (Concerning habitual violator of traffic laws).
- 7 IC 9-30-10-17.5 (Concerning habitual violator of traffic laws).
- 8 IC 9-31-2-26 (Concerning watercraft titling and registration).
- 9 IC 9-31-2-27 (Concerning watercraft titling and registration).
- 10 IC 9-31-2-28 (Concerning watercraft titling and registration).
- 11 IC 9-32-17-2 (Concerning certificates of title).
- 12 IC 9-32-17-3 (Concerning dealer license plates).
- 13 IC 9-32-17-4 (Concerning licensing of vehicle salvaging).
- 14 IC 9-32-17-5 (Concerning regulation of vehicle merchandising).
- 15 IC 9-32-17-6 (Concerning unfair practices by dealers).

