

HOUSE BILL No. 1417

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-6-5-3; IC 9-17.

Synopsis: Specialty constructed and replica vehicles. Provides that a vehicle currently designated as a "specialty constructed" vehicle under the motor vehicle code will be designated after June 30, 2018, as a "replica vehicle". Provides that a vehicle currently designated as a "reconstructed vehicle" in the motor vehicle code will be designated after June 30, 2018, as a "specialty constructed" vehicle. Provides that a description of a replica vehicle on a title application includes both the year of assembly or manufacture and the model year of the vehicle that the replica vehicle is intended to resemble or reproduce. Provides that excise taxes imposed on a replica vehicle are based on the year of assembly or manufacture and not the model year of the vehicle that the replica vehicle is intended to resemble or reproduce.

Effective: July 1, 2018.

Jordan

January 16, 2018, read first time and referred to Committee on Roads and Transportation.



Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

HOUSE BILL No. 1417

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 6-6-5-3, AS AMENDED BY P.L.256-2017,
2 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2018]: Sec. 3. (a) This section applies to vehicles that:
4 (1) are registered as:
5 (A) passenger motor vehicles;
6 (B) motorcycles;
7 (C) collector vehicles; or
8 (D) trucks with a declared gross weight of eleven thousand
9 (11,000) pounds or less; and
10 (2) were manufactured after December 31, 1980.
11 (b) The bureau shall adopt rules under IC 4-22-2 to determine the
12 value of vehicles to which this section applies as the basis for
13 measuring the vehicle excise tax. The rules must determine the value
14 of a vehicle as of the time it is first offered for sale as a new vehicle in
15 Indiana.
16 (c) For each vehicle, beginning with the 1990 model year, the
17 bureau shall reduce the value determined under subsection (b) by



1 dividing:

- 2 (1) the price determined under subsection (b); by
 3 (2) one (1) plus the average percentage increase in new
 4 automobile prices using the most recent annual reference to the
 5 Consumer Price Index for Private New Automobiles as published
 6 by the Bureau of Labor Statistics, United States Department of
 7 Labor.

8 (d) The bureau shall classify each vehicle based on the value
 9 determined under subsection (c) according to the following schedule:

10	Class I	less than \$ 1,500
11	Class II	at least \$ 1,500 but less than \$ 2,250
12	Class III	at least \$ 2,250 but less than \$ 3,000
13	Class IV	at least \$ 3,000 but less than \$ 4,000
14	Class V	at least \$ 4,000 but less than \$ 5,500
15	Class VI	at least \$ 5,500 but less than \$ 7,000
16	Class VII	at least \$ 7,000 but less than \$ 8,500
17	Class VIII	at least \$ 8,500 but less than \$10,000
18	Class IX	at least \$10,000 but less than \$12,500
19	Class X	at least \$12,500 but less than \$15,000
20	Class XI	at least \$15,000 but less than \$18,000
21	Class XII	at least \$18,000 but less than \$22,000
22	Class XIII	at least \$22,000 but less than \$25,000
23	Class XIV	at least \$25,000 but less than \$30,000
24	Class XV	at least \$30,000 but less than \$35,000
25	Class XVI	at least \$35,000 but less than \$42,500
26	Class XVII	\$42,500 and over

27 (e) The age of a vehicle is determined by subtracting the model year
 28 from the current calendar year. **However, if the vehicle is a replica**
 29 **vehicle described in IC 9-17-4-4(3)(C), the age of the vehicle is**
 30 **determined by subtracting the year in which the vehicle was**
 31 **assembled or manufactured from the current calendar year.**

32 (f) The tax schedule is as follows:

33	Age	I	II	III	IV	V
34	0	\$12	\$36	\$50	\$50	\$66
35	1	12	30	50	50	57
36	2	12	27	42	50	50
37	3	12	24	33	50	50
38	4	12	18	24	48	50
39	5	12	12	18	36	50
40	6	12	12	12	24	42
41	7	12	12	12	18	24
42	8	12	12	12	12	12



1	9	12	12	12	12	12
2	and thereafter					
3	Age	VI	VII	VIII	IX	X
4	0	\$84	\$103	\$123	\$150	\$172
5	1	74	92	110	134	149
6	2	63	77	93	115	130
7	3	52	64	78	98	112
8	4	50	52	64	82	96
9	5	50	50	50	65	79
10	6	49	50	50	52	65
11	7	30	40	50	50	53
12	8	18	21	34	40	50
13	9	12	12	12	12	12
14	and thereafter					
15	Age	XI	XII	XIII	XIV	XV
16	0	\$207	\$250	\$300	\$350	\$406
17	1	179	217	260	304	353
18	2	156	189	225	265	307
19	3	135	163	184	228	257
20	4	115	139	150	195	210
21	5	94	114	121	160	169
22	6	78	94	96	132	134
23	7	64	65	65	91	91
24	8	50	50	50	50	50
25	9	21	26	30	36	42
26	and thereafter					
27	Age	XVI	XVII			
28	0	\$469	\$532			
29	1	407	461			
30	2	355	398			
31	3	306	347			
32	4	261	296			
33	5	214	242			
34	6	177	192			
35	7	129	129			
36	8	63	63			
37	9	49	50			
38	and thereafter.					

39 SECTION 2. IC 9-17-2-2, AS AMENDED BY P.L.198-2016,
40 SECTION 203, IS AMENDED TO READ AS FOLLOWS
41 [EFFECTIVE JULY 1, 2018]: Sec. 2. (a) A person applying for a
42 certificate of title for a vehicle must submit an application in the form



1 and manner prescribed by the bureau and provide the following
2 information:

3 (1) A full description of the vehicle, including the make, model,
4 and year of manufacture of the vehicle. **If the vehicle is a replica
5 vehicle described in IC 9-17-4-4(3)(C), the description must
6 also include the model year of the vehicle that the replica is
7 intended to resemble or reproduce.**

8 (2) A statement of any liens, mortgages, or other encumbrances
9 on the vehicle.

10 (3) The vehicle identification number or special identification
11 number of the vehicle.

12 (4) The former title number, if applicable.

13 (5) The purchase or acquisition date.

14 (6) The name and Social Security number or federal identification
15 number of the person.

16 (7) Any other information that the bureau requires, including a
17 valid permit to transfer title issued under IC 6-1.1-7-10, if
18 applicable.

19 (b) This subsection applies only to a person that receives an interest
20 in a vehicle under IC 9-17-3-9. To obtain a certificate of title for the
21 vehicle, the person must do the following:

22 (1) Surrender the certificate of title designating the person as a
23 transfer on death beneficiary.

24 (2) Submit proof of the transferor's death.

25 (3) Submit an application for a certificate of title in the form and
26 manner prescribed by the bureau.

27 SECTION 3. IC 9-17-3-5, AS AMENDED BY P.L.256-2017,
28 SECTION 105, IS AMENDED TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2018]: Sec. 5. (a) Whenever a vehicle for which
30 a certificate of title is required by this article is sold or transferred:

31 (1) under an order or a process of an Indiana court;

32 (2) under any provision of an Indiana statute; or

33 (3) by operation of law;

34 the person that obtains the vehicle may obtain a certificate of title for
35 the vehicle by filing an application for the certificate of title with the
36 bureau and attaching to the application written evidence showing the
37 order, process, statute, or operation under which the person obtained
38 ownership of the vehicle.

39 (b) The bureau shall use due diligence to ascertain that the sale was
40 in conformity with the order, process, statute, or operation under which
41 the sale or transfer occurred. The order, process, statute, or operation
42 may substitute for proof of ownership under IC 9-17-2-4, but the



1 applicant must comply with IC 9-17 to receive a certificate of title.

2 (c) An order or a process of an Indiana court described in subsection
3 (a) must include: ~~the:~~

4 (1) **the vehicle's** year of manufacture **and, in the case of a**
5 **replica vehicle described in IC 9-17-4-4(3)(C), the model year**
6 **of the vehicle that the replica vehicle is intended to resemble**
7 **or reproduce;**

8 (2) **the vehicle's** make and model; ~~of;~~

9 (3) **the vehicle's** vehicle identification number; ~~of;~~ and

10 (4) **the** name and address of the person that is entitled to the
11 vehicle.

12 SECTION 4. IC 9-17-4-4, AS AMENDED BY P.L.62-2017,
13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2018]: Sec. 4. A certificate of title issued under this chapter
15 must contain the following:

16 (1) A description and other evidence of identification of the
17 vehicle as required by the bureau.

18 (2) A statement of any liens or encumbrances that the application
19 shows to be on the certificate of title.

20 (3) The appropriate notation prominently recorded on the front of
21 the title as follows:

22 (A) For a vehicle that is assembled using all new or used
23 vehicle parts (other than a ~~specialty constructed replica~~
24 vehicle described in clause (C)):

25 (i) "RECONSTRUCTED VEHICLE", **if the certificate of**
26 **title is issued before July 1, 2018; or**

27 (ii) "SPECIALTY CONSTRUCTED VEHICLE", **if the**
28 **certificate of title is issued after June 30, 2018.**

29 (B) For a vehicle assembled using a salvage vehicle or parts,
30 "REBUILT".

31 (C) For a vehicle:

32 (i) with a body built to resemble and be a reproduction of
33 another vehicle of a given year that was manufactured at
34 least twenty-five (25) years in the past; and

35 (ii) that is assembled using all new or used parts;

36 "SPECIALTY CONSTRUCTED VEHICLE", **if the certificate**
37 **of title is issued before July 1, 2018, or "REPLICA**
38 **VEHICLE", if the certificate of title is issued after June 30,**
39 **2018.**

