

First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1492

AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 1-1-1.1-8, AS ADDED BY P.L.220-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. Section 2 of this chapter does not repeal ~~the following statutes concerning motor vehicles:~~

(+) P.L.2-1991, SECTION 110 (concerning the effect of the enactment of the amendments to IC 9-8-6-20 (before its repeal)).

(2) P.L.61-1996, SECTION 26 (concerning certain practices of the bureau of motor vehicles under ~~IC 9-18-2-1~~).

SECTION 2. IC 2-5-1.3-13, AS ADDED BY P.L.53-2014, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. A study committee shall study the issues assigned by the legislative council that are within the subject matter for the study committee, as described in section 4 of this chapter. In addition, the interim study committee on roads and transportation shall advise the bureau of motor vehicles regarding the suitability of a special group (as defined in IC 9-13-2-170) to receive a special group recognition license plate for the special group (as defined in IC 9-13-2-170) for the first time under ~~IC 9-18-25-2.5~~ **IC 9-18.5-12-4** and the suitability of a special group (as defined in IC 9-13-2-170) to continue participating in the special group recognition license plate program under ~~IC 9-18-25-2.7~~ **IC 9-18.5-12-5**.

SECTION 3. IC 5-2-8-2, AS AMENDED BY P.L.20-2009,

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SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The following definitions apply in this section:

- (1) "Abuse" has the meaning set forth in section 1(a) of this chapter.
- (2) "City or town law enforcement agency" includes:
 - (A) postsecondary educational institution police officers appointed under IC 21-17-5 or IC 21-39-4; and
 - (B) school corporation police officers appointed under IC 20-26-16.

(b) There is established in each city and in each town with a city or town court a local law enforcement continuing education program. The program is funded by amounts appropriated under IC 33-37-8-4 and fees collected under ~~IC 9-29-4-2~~, ~~IC 9-29-11-1~~, **IC 9-17-2-12(e)**, **IC 9-26-9-3**, and IC 35-47-2-3.

(c) A city or town law enforcement agency receiving amounts based upon claims for law enforcement continuing education funds under IC 33-37-8-4 or IC 33-37-8-6 shall deposit each fee collected into the local law enforcement continuing education fund.

(d) Distribution of money in a local law enforcement continuing education fund shall be made to a city or town law enforcement agency without the necessity of first obtaining an appropriation from the fiscal body of the city or town.

(e) To make a claim under IC 33-37-8-4, a law enforcement agency shall submit to the fiscal body a verified statement of cause numbers for fees collected that are attributable to the law enforcement efforts of that agency.

(f) A city or town law enforcement agency shall provide to each law enforcement officer employed by the city or town law enforcement agency continuing education concerning the following:

- (1) Duties of a law enforcement officer in enforcing restraining orders, protective orders, temporary injunctions, and permanent injunctions involving abuse.
- (2) Guidelines for making felony and misdemeanor arrests in cases involving abuse.
- (3) Techniques for handling incidents of abuse that:
 - (A) minimize the likelihood of injury to the law enforcement officer; and
 - (B) promote the safety of a victim.
- (4) Information about the nature and extent of abuse.
- (5) Information about the legal rights of and remedies available to victims of abuse.



- (6) How to document and collect evidence in an abuse case.
- (7) The legal consequences of abuse.
- (8) The impact on children of law enforcement intervention in abuse cases.
- (9) Services and facilities available to victims of abuse and abusers.
- (10) Verification of restraining orders, protective orders, temporary injunctions, and permanent injunctions.
- (11) Policies concerning arrest or release of suspects in abuse cases.
- (12) Emergency assistance to victims of abuse and criminal justice options for victims of abuse.
- (13) Landlord-tenant concerns in abuse cases.
- (14) The taking of an abused child into protective custody.
- (15) Assessment of a situation in which the child may be seriously endangered if the child is left in the child's home.
- (16) Assessment of a situation involving an endangered adult (as defined in IC 12-10-3-2).
- (17) Response to a sudden, unexpected infant death.
- (18) Performing cardiopulmonary resuscitation and the Heimlich maneuver.

(g) A city or town law enforcement agency may enter into an agreement with other county, city, or town law enforcement agencies to provide the continuing education required by this section and section 1(h) of this chapter.

SECTION 4. IC 6-3.5-4-1, AS AMENDED BY P.L.146-2016, SECTION 5, AND AS AMENDED BY P.L.198-2016, SECTION 22, AND AS AMENDED BY P.L.197-2016, SECTION 34, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. *As used in* The following definitions apply throughout this chapter:

- (1) "Adopting entity" means either the county council or the ~~county~~ local income tax council established by ~~IC 6-3.5-6-2~~ IC 6-3.6-3-1 for the county, whichever adopts an ordinance to impose a surtax first.
- ~~(2) "Branch office" means a branch office of the bureau of motor vehicles.~~
- ~~(3) (2) "County council" includes the city-county council of a county that contains a consolidated city of the first class.~~
- ~~(4) (3) "Motor vehicle" means a vehicle which is subject to the annual license excise tax imposed under IC 6-6-5.~~
- ~~(5) (4) "Net annual license excise tax" means the tax due under~~



IC 6-6-5 after the application of the adjustments and credits provided by that chapter.

~~(6)~~ **(5)** "Surtax" means the annual license excise surtax imposed by an adopting entity under this chapter.

~~(7)~~ **(6)** "*Transportation asset management plan*" includes planning for drainage systems and rights-of-way that affect transportation assets.

SECTION 5. IC 6-3.5-5-1, AS AMENDED BY P.L.146-2016, SECTION 8, AND AS AMENDED BY P.L.198-2016, SECTION 24, AND AS AMENDED BY P.L.197-2016, SECTION 36, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. *As used in* The following definitions apply throughout this chapter:

(1) "Adopting entity" means either the county council or the *county local* income tax council established by ~~IC 6-3.5-6-2~~ IC 6-3.6-3-1 for the county, whichever adopts an ordinance to impose a wheel tax first.

~~(2)~~ "*Branch office*" means a branch office of the bureau of motor vehicles.

~~(3)~~ **(2)** "Bus" has the meaning set forth in ~~IC 9-13-2-17(a)~~. **IC 9-13-2-17.**

~~(4)~~ **(3)** "Commercial ~~motor~~ vehicle" has the meaning set forth in IC 6-6-5.5-1(c).

~~(5)~~ **(4)** "County council" includes the city-county council of a county that contains a consolidated city of the first class.

~~(6)~~ **(5)** "In-state miles" has the meaning set forth in IC 6-6-5.5-1(i).

~~(7)~~ **(6)** "Political subdivision" has the meaning set forth in IC 34-6-2-110.

~~(8)~~ **(7)** "Recreational vehicle" has the meaning set forth in IC 9-13-2-150.

(8) "School bus" has the meaning set forth in **IC 9-13-2-161(a).**

~~(9)~~ **(9)** "Semitrailer" has the meaning set forth in IC 9-13-2-164(a).

~~(10)~~ **(10)** "State agency" has the meaning set forth in IC 34-6-2-141.

~~(11)~~ **(11)** "Tractor" has the meaning set forth in IC 9-13-2-180.

~~(12)~~ **(12)** "Trailer" has the meaning set forth in IC 9-13-2-184(a).

~~(13)~~ **(13)** "*Transportation asset management plan*" includes planning for drainage systems and rights-of-way that affect transportation assets.



~~(14)~~ (14) "Truck" has the meaning set forth in IC 9-13-2-188(a).

~~(15)~~ (15) "Wheel tax" means the tax imposed under this chapter.

SECTION 6. IC 6-3.5-5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. A vehicle is exempt from the wheel tax imposed under this chapter if the vehicle is:

- (1) owned by this state;
- (2) owned by a state agency of this state;
- (3) owned by a political subdivision of this state;
- (4) subject to the annual license excise surtax imposed under IC 6-3.5-4; ~~or~~
- (5) a bus owned and operated by a religious or nonprofit youth organization and used to haul persons to religious services or for the benefit of their members;
- (6) a school bus; or**
- (7) a motor vehicle that is funeral equipment and that is used in the operation of funeral services (as defined in IC 25-15-2-17).**

SECTION 7. IC 6-3.5-11-1, AS ADDED BY P.L.146-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The following definitions apply throughout this chapter:

- (1) "Adopting municipality" means an eligible municipality that has adopted the wheel tax.
- (2) "Branch office" means a branch office of the bureau of motor vehicles.
- (3) "Bus" has the meaning set forth in ~~IC 9-13-2-17(a)~~. **IC 9-13-2-17.**
- (4) "Commercial vehicle" has the meaning set forth in IC 6-6-5.5-1(c).
- (5) "Department" refers to the department of state revenue.
- (6) "Eligible municipality" means a municipality having a population of at least ten thousand (10,000).
- (7) "In-state miles" has the meaning set forth in IC 6-6-5.5-1(i).
- (8) "Political subdivision" has the meaning set forth in IC 34-6-2-110.
- (9) "Recreational vehicle" has the meaning set forth in IC 9-13-2-150.
- (10) "School bus" has the meaning set forth in IC 9-13-2-161(a).**
- ~~(11)~~ (11) "Semitrailer" has the meaning set forth in IC 9-13-2-164(a).
- ~~(12)~~ (12) "State agency" has the meaning set forth in



IC 34-6-2-141.

~~(12)~~ **(13)** "Tractor" has the meaning set forth in IC 9-13-2-180.

~~(13)~~ **(14)** "Trailer" has the meaning set forth in IC 9-13-2-184(a).

~~(14)~~ **(15)** "Transportation asset management plan" includes planning for drainage systems and rights-of-way that affect transportation assets.

~~(15)~~ **(16)** "Truck" has the meaning set forth in IC 9-13-2-188(a).

~~(16)~~ **(17)** "Wheel tax" means the tax imposed under this chapter.

SECTION 8. IC 6-3.5-11-4, AS ADDED BY P.L.146-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. A vehicle is exempt from the wheel tax imposed under this chapter if the vehicle is:

- (1) owned by the state;
- (2) owned by a state agency of the state;
- (3) owned by a political subdivision of the state;
- (4) subject to the annual license excise surtax imposed under IC 6-3.5-10; ~~or~~
- (5) a bus owned and operated by a religious or nonprofit youth organization and used to transport persons to religious services or for the benefit of its members;
- (6) a school bus; or**
- (7) a motor vehicle that is funeral equipment and that is used in the operation of funeral services (as defined in IC 25-15-2-17).**

SECTION 9. IC 6-6-4.1-13, AS AMENDED BY P.L.198-2016, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) A carrier may, in lieu of paying the tax imposed under this chapter that would otherwise result from the operation of a particular commercial motor vehicle, obtain from the department a trip permit authorizing the carrier to operate the commercial motor vehicle for a period of five (5) consecutive days. The department shall specify the beginning and ending days on the face of the permit. The fee for a trip permit for each commercial motor vehicle is fifty dollars (\$50). The report otherwise required under section 10 of this chapter is not required with respect to a vehicle for which a trip permit has been issued under this subsection.

(b) The department may issue a temporary written authorization if unforeseen or uncertain circumstances require operations by a carrier of a commercial motor vehicle for which neither a trip permit described in subsection (a) nor an annual permit described in section 12 of this chapter has been obtained. A temporary authorization may be issued only if the department finds that undue hardship would result if

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operation under a temporary authorization were prohibited. A carrier who receives a temporary authorization shall:

- (1) pay the trip permit fee at the time the temporary authorization is issued; or
- (2) subsequently apply for and obtain an annual permit.

(c) A carrier may obtain an International Fuel Tax Agreement (IFTA) repair and maintenance permit to:

- (1) travel from another state into Indiana to repair or maintain any of the carrier's motor vehicles, semitrailers (as defined in IC 9-13-2-164), or trailers (as defined in IC 9-13-2-184); and
- (2) return to the same state after the repair or maintenance is completed.

The permit allows the travel described in this section. In addition to any other fee established in this chapter, and instead of paying the quarterly motor fuel tax imposed under this chapter, a carrier may pay an annual IFTA repair and maintenance fee of forty dollars (\$40) and receive an IFTA annual repair and maintenance permit. The IFTA annual repair and maintenance permit and fee applies to all of the motor vehicles operated by a carrier. The IFTA annual repair and maintenance permit is not transferable to another carrier. A carrier may not carry cargo or passengers under the IFTA annual repair and maintenance permit. All fees collected under this subsection shall be deposited in the motor carrier regulation fund (IC 8-2.1-23). The report otherwise required under section 10 of this chapter is not required with respect to a motor vehicle that is operated under an IFTA annual repair and maintenance permit.

(d) A carrier may obtain an International Registration Plan (IRP) repair and maintenance permit to:

- (1) travel from another state into Indiana to repair or maintain any of the carrier's motor vehicles, semitrailers (as defined in IC 9-13-2-164), or trailers (as defined in IC 9-13-2-184); and
- (2) return to the same state after the repair or maintenance is completed.

The permit allows the travel described in this section. In addition to any other fee established in this chapter, and instead of paying apportioned or temporary IRP fees under ~~IC 9-18-2 or IC 9-18-7~~, **IC 9-18.1**, a carrier may pay an annual IRP repair and maintenance fee of forty dollars (\$40) and receive an IRP annual repair and maintenance permit. The IRP annual repair and maintenance permit and fee **applies apply** to all of the motor vehicles operated by a carrier. The IRP annual repair and maintenance permit is not transferable to another carrier. A carrier may not carry cargo or passengers under the IRP annual repair and



maintenance permit. All fees collected under this subsection shall be deposited in the motor carrier regulation fund (IC 8-2.1-23).

(e) A person may obtain a repair and maintenance permit to:

- (1) move an unregistered off-road vehicle from a quarry or mine to a maintenance or repair facility; and
- (2) return the unregistered off-road vehicle to its place of origin.

The fee for the permit is forty dollars (\$40). The permit is an annual permit and applies to all unregistered off-road vehicles from the same quarry or mine.

(f) A carrier may obtain a repair, maintenance, and relocation permit to:

- (1) move a yard tractor from a terminal or loading or spotting facility to:
 - (A) a maintenance or repair facility; or
 - (B) another terminal or loading or spotting facility; and
- (2) return the yard tractor to its place of origin.

The fee for the permit is forty dollars (\$40). The permit is an annual permit and applies to all yard tractors operated by the carrier. The permit is not transferable to another carrier. A carrier may not carry cargo or transport or draw a semitrailer or other vehicle under the permit. A carrier may operate a yard tractor under the permit instead of paying the tax imposed under this chapter. As used in this subsection, "yard tractor" refers to a tractor that is used to move semitrailers around a terminal or a loading or spotting facility. The term also refers to a tractor that is operated on a highway with a permit issued under this section if the tractor is ordinarily used to move semitrailers around a terminal or spotting facility.

(g) The department shall establish procedures, by rules adopted under IC 4-22-2, for:

- (1) the issuance and use of trip permits, temporary authorizations, and repair and maintenance permits; and
- (2) the display in commercial motor vehicles of evidence of compliance with this chapter.

SECTION 10. IC 6-6-4.1-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 26. A special permit may not be issued under IC 9-20-6 to a carrier that is required to be registered under this chapter or under the International Fuel Tax Agreement under IC 6-8.1-3-14 until the carrier furnishes reasonable proof of registration:

- (1) under this chapter or under the International Fuel Tax Agreement under IC 6-8.1-3-14; and
- (2) under ~~IC 9-18-2~~, **IC 9-18.1**, if applicable.

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SECTION 11. IC 6-6-5.1-5, AS ADDED BY P.L.131-2008, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. As used in this chapter, "owner" means:

- (1) in the case of a recreational vehicle, the person in whose name the recreational vehicle is registered under ~~IC 9-18~~; **IC 9-18.1**; or
- (2) in the case of a truck camper, the person holding title to the truck camper.

SECTION 12. IC 6-6-5.5-9, AS AMENDED BY P.L.293-2013(ts), SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) The excise tax on a semitrailer that is registered on a permanent basis shall be due on or before the regular date each year in which the owner is required to renew such registration under the terms of the International Registration Plan or under ~~rules adopted~~ **a schedule established** by the bureau under ~~IC 9-18-10-3~~. **IC 9-18.1-11-1**. The excise tax shall be paid at the time the registration is renewed by the owner. The payment of the excise tax imposed by this chapter shall be a condition of the right to renew the permanent registration and shall be in addition to all other conditions prescribed by law.

(b) A voucher from the department showing payment of the excise tax imposed by this chapter may be accepted by the bureau in lieu of a payment under subsection (a).

SECTION 13. IC 6-6-5.5-10, AS AMENDED BY P.L.198-2016, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) A vehicle subject to the International Registration Plan that is registered after the date designated for registration of the vehicle under IC 9-18-2-7 (before its expiration), under IC 9-18.1-13, or under rules adopted by the department shall be taxed at a rate determined by the following formula:

STEP ONE: Determine the number of months remaining until the vehicle's next registration date. A partial month shall be rounded to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

STEP THREE: Multiply the annual excise tax for the vehicle by the STEP TWO product.

(b) A vehicle that is registered with the department under IC 9-18-2-4.6 (**before its expiration**) or IC 9-18.1-13-3 or the bureau after the date designated for registration of the vehicle under IC 9-18-2-7 (before its expiration) or IC 9-18.1 shall be taxed at a rate determined by the formula set forth in subsection (a).

(c) This subsection applies after December 31, 2016. A vehicle



described in subsection (a) or (b) that has a renewal registration period described in IC 9-18.1-11-3(b) shall be taxed at the annual excise tax rate for the vehicle's current registration period.

SECTION 14. IC 6-8.1-4-4, AS AMENDED BY P.L.190-2014, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The department shall establish a registration center to service owners of commercial motor vehicles.

(b) The registration center is under the supervision of the department through the motor carrier services division.

(c) An owner or operator of a commercial motor vehicle may apply to the registration center for the following:

- (1) Vehicle registration (~~IC 9-18~~): **(IC 9-18.1)**.
- (2) Motor carrier fuel tax annual permit.
- (3) Proportional use credit certificate (IC 6-6-4.1-4.7).
- (4) Certificate of operating authority.
- (5) Oversize vehicle permit (IC 9-20-3).
- (6) Overweight vehicle permit (IC 9-20-4).
- (7) Payment of the commercial vehicle excise tax imposed under IC 6-6-5.5.

(d) The commissioner may deny an application described in subsection (c) if the applicant fails to do any of the following with respect to a listed tax:

- (1) File all tax returns or information reports.
- (2) Pay all taxes, penalties, and interest.

(e) The commissioner may:

- (1) deny an application for an oversize vehicle permit, an overweight vehicle permit, or a single oversize-overweight permit; or
- (2) suspend any permit issued to a person;

if the applicant or permit holder is delinquent in paying escort fees to the state police department.

(f) The commissioner may suspend or revoke any registration, permit, certificate, or authority if the person to whom the registration, permit, certificate, or authority is issued fails to do any of the following with respect to a listed tax:

- (1) File all tax returns or information reports.
- (2) Pay all taxes, penalties, and interest.

(g) Funding for the development and operation of the registration center shall be taken from the motor carrier regulation fund (IC 8-2.1-23-1).

(h) The department shall recommend to the general assembly other functions that the registration center may perform.

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SECTION 15. IC 6-8.1-5-2, AS AMENDED BY P.L.198-2016, SECTION 58, AND AS AMENDED BY P.L.197-2016, SECTION 76, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Except as otherwise provided in this section, the department may not issue a proposed assessment under section 1 of this chapter more than three (3) years after the latest of the date the return is filed, or either of the following:

(1) The due date of the return.

(2) In the case of a return filed for the state gross retail or use tax, the gasoline tax, the special fuel tax, the motor carrier fuel tax, the oil inspection fee, or the petroleum severance tax, the end of the calendar year which contains the taxable period for which the return is filed.

(b) If a person files a *return for the utility receipts tax return* (IC 6-2.3), ~~an~~ adjusted gross income tax (IC 6-3), supplemental net income tax (IC 6-3-8) (repealed), county adjusted gross income tax (IC 6-3.5-1.1) (*repealed*), county option income tax (IC 6-3.5-6) (*repealed*), *local income tax* (IC 6-3.6), or financial institutions tax (IC 6-5.5) ~~return~~ that understates the person's income, as that term is defined in the particular income tax law, by at least twenty-five percent (25%), the proposed assessment limitation is six (6) years instead of the three (3) years provided in subsection (a).

(c) In the case of the motor vehicle excise tax (IC 6-6-5), the tax shall be assessed as provided in IC 6-6-5-5 and IC 6-6-5-6 and shall include the penalties and interest due on all listed taxes not paid by the due date. A person that fails to properly register a vehicle as required by IC 9-18 (*before its expiration*) or IC 9-18.1 and pay the tax due under IC 6-6-5 is considered to have failed to file a return for purposes of this article.

(d) In the case of the commercial vehicle excise tax imposed under IC 6-6-5.5, the tax shall be assessed as provided in IC 6-6-5.5 and shall include the penalties and interest due on all listed taxes not paid by the due date. A person that fails to properly register a commercial vehicle as required by IC 9-18 (*before its expiration*) or IC 9-18.1 and pay the tax due under IC 6-6-5.5 is considered to have failed to file a return for purposes of this article.

(e) In the case of the excise tax imposed on recreational vehicles and truck campers under IC 6-6-5.1, the tax shall be assessed as provided in IC 6-6-5.1 and must include the penalties and interest due on all listed taxes not paid by the due date. A person ~~who~~ that fails to properly register a recreational vehicle as required by IC 9-18 (*before its expiration*) or IC 9-18.1 and pay the tax due under IC 6-6-5.1 is



considered to have failed to file a return for purposes of this article. A person ~~who~~ that fails to pay the tax due under IC 6-6-5.1 on a truck camper is considered to have failed to file a return for purposes of this article.

(f) If a person files a fraudulent, unsigned, or substantially blank return, or if a person does not file a return, there is no time limit within which the department must issue its proposed assessment.

(g) If any part of a listed tax has been erroneously refunded by the department, the erroneous refund may be recovered through the assessment procedures established in this chapter. An assessment issued for an erroneous refund must be issued:

- (1) within two (2) years after making the refund; or
- (2) within five (5) years after making the refund if the refund was induced by fraud or misrepresentation.

(h) If, before the end of the time within which the department may make an assessment, the department and the person agree to extend that assessment ~~time~~ period, the period may be extended according to the terms of a written agreement signed by both the department and the person. The agreement must contain:

- (1) the date to which the extension is made; and
- (2) a statement that the person agrees to preserve the person's records until the extension terminates.

The department and a person may agree to more than one (1) extension under this subsection.

(i) If a taxpayer's federal taxable income, federal adjusted gross income, or federal income tax liability for a taxable year is modified due to a modification as provided under IC 6-3-4-6(c) and IC 6-3-4-6(d) (for the adjusted gross income tax), or a modification or alteration as provided under IC 6-5.5-6-6(c) and IC 6-5.5-6-6(e) (for the financial institutions tax), then the date by which the department must issue a proposed assessment under section 1 of this chapter for tax imposed under IC 6-3 is extended to six (6) months after the date on which the notice of modification is filed with the department by the taxpayer.

SECTION 16. IC 8-2.1-24-28, AS AMENDED BY P.L.176-2006, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 28. (a) Pursuant to an operations out of service order issued by the United States Department of Transportation or the Federal Highway Administration affecting a motor carrier operating in Indiana, the department of state revenue or the state police department may revoke and confiscate any registrations, license plates, or cab cards issued under IC 9-18 (**before January 1, 2017**) or



IC 9-18.1 (after December 31, 2016).

(b) The department of state revenue may not register or title a motor carrier:

- (1) if the motor carrier fails to comply with federal regulations under 49 CFR 386;
- (2) under an operations out of service order issued by a federal agency; or
- (3) if the motor carrier's ability to operate has been terminated or denied by a federal agency.

SECTION 17. IC 8-14-1-1, AS AMENDED BY P.L.216-2014, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. As used in this chapter:

- (1) "Motor vehicle highway account" means the account of the general fund of the state known as the "motor vehicle highway account" to which is credited collections from motor vehicle registration fees, licenses, driver's and chauffeur's license fees, gasoline taxes, auto transfer fees, certificate of title fees, weight taxes or excise taxes and all other similar special taxes, duties or excises of all kinds on motor vehicles, trailers, motor vehicle fuel, or motor vehicle owners or operators. The account also includes amounts distributed to the fund **by the bureau of motor vehicles** under ~~IC 9-29~~. **IC 9**.
- (2) The term "department" refers to the Indiana department of transportation.
- (3) The term "highways" includes roadway, rights of way, bridges, drainage structures, signs, guard rails, protective structures in connection with highways, drains, culverts, and bridges and the substructure and superstructure of bridges and approaches thereto and streets and alleys of cities or towns.
- (4) The term "construction" means the planning, supervising, inspecting, actual building, draining, and all expenses incidental to the construction of a highway.
- (5) The term "reconstruction" means a widening or a rebuilding of the highway or any portion thereof.
- (6) The term "maintenance" when used in reference to cities, towns, and counties as applied to that part of the highway other than bridges, means the constant making of needed repairs, to preserve a smooth surfaced highway, adequately drained, marked and guarded by protective structures for public safety and, as to bridges, means the constant making of needed repairs to preserve a smooth surfaced highway thereon and the safety and preservation of the bridge and its approaches, together with the



substructure and superstructure thereof; and such term also means and includes the acquisition and use, in any manner, of all needed equipment, fuel, materials, and supplies essential and incident thereto.

(7) The term "vehicle registration" means the number of vehicles subject to registration under IC 9-18 **(before January 1, 2017) or IC 9-18.1 (after December 31, 2016)** which are registered thereunder, and, when used with respect to the state, shall mean the number of vehicles registered in the state and, when used in respect to a county, city, or town, shall mean the number of vehicles registered by owners resident in the county, city, or town.

SECTION 18. IC 8-14-2-2.1, AS AMENDED BY P.L.216-2014, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.1. The auditor shall create a special fund to be known as the "Highway, Road and Street Fund" for the deposit of the revenues from:

- (1) the gasoline and special fuel taxes dedicated to the fund under IC 6-6-1.1-802 and IC 6-6-2.5; and
- (2) amounts deposited in or distributed to the fund under ~~IC 9-29-~~
IC 9.

SECTION 19. IC 8-14-10-9, AS AMENDED BY P.L.216-2014, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) The crossroads 2000 fund is established for the purpose of constructing or reconstructing state highways. The crossroads 2000 fund consists of distributions received under ~~IC 9-29-~~
IC 9.

(b) The crossroads 2000 fund shall be administered by the department. The treasurer of state shall invest the money in the crossroads 2000 fund not currently needed to meet the obligations of the crossroads 2000 fund in the same manner as other public funds may be invested.

(c) Money in the crossroads 2000 fund at the end of a state fiscal year does not revert to the state general fund.

(d) The department may use the money in the crossroads 2000 fund only to pay the following costs:

- (1) The cost of construction or reconstruction of a state highway.
- (2) The cost of acquisition of all land, rights-of-way, property, rights, easements, and any other legal or equitable interests acquired by the department for the construction or reconstruction of a state highway, including the cost of any relocations incident to the acquisition.
- (3) The cost of demolishing or removing any buildings, structures,



or improvements on property acquired by the department for the construction or reconstruction of a state highway.

(4) Engineering and legal expenses and the costs of plans, specifications, surveys, estimates, and any necessary feasibility studies.

(5) Payment of rentals and performance of other obligations under contracts or leases securing bonds issued under IC 8-14.5-6.

SECTION 20. IC 9-13-2-25.8, AS ADDED BY P.L.221-2014, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 25.8. "Class A motor driven cycle" means a motor vehicle that:

- (1) has a seat or saddle for the use of the rider;
- (2) is designed to travel on not more than three (3) wheels in contact with the ground;
- (3) complies with applicable motor vehicle equipment requirements under IC 9-19 and 49 CFR 571; and
- (4) is registered as a Class A motor driven cycle under IC 9-18 **(before its expiration) or IC 9-18.1.**

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

SECTION 21. IC 9-13-2-26.5, AS ADDED BY P.L.221-2014, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 26.5. "Class B motor driven cycle" means a motor vehicle that:

- (1) has a seat or saddle for the use of the rider;
- (2) is designed to travel on not more than three (3) wheels in contact with the ground;
- (3) complies with applicable motor vehicle equipment requirements under IC 9-19 and 49 CFR 571;
- (4) has a cylinder capacity not exceeding fifty (50) cubic centimeters; and
- (5) is registered as a Class B motor driven cycle under IC 9-18 **(before its expiration) or IC 9-18.1.**

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

SECTION 22. IC 9-13-2-31.5 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 31.5: (a) Before January 1, 2016, "commercial vehicle", for purposes of IC 9-18-2-4.5, means a motor vehicle or combination of motor vehicles used in commerce to transport property if the motor vehicle:

- (1) has a gross combination weight rating of at least twenty-six thousand one (26,001) pounds, including a towed unit with a



gross vehicle weight rating of more than ten thousand (10,000) pounds;

(2) has a gross vehicle weight rating of at least twenty-six thousand one (26,001) pounds; or

(3) meets both of the following requirements:

(A) The motor vehicle has a gross vehicle weight rating of at least seven thousand (7,000) pounds, but less than twenty-six thousand one (26,001) pounds:

(B) The motor vehicle is owned by a registered carrier holding a valid Indiana fuel tax permit under IC 6-6-4.1:

(b) After December 31, 2015, "commercial vehicle", for purposes of IC 9-18-2-4.6, means a motor vehicle used in commerce to transport property if the motor vehicle:

(1) has a declared gross vehicle weight of at least sixteen thousand (16,000) pounds; and

(2) is subject to the commercial motor vehicle excise tax under IC 6-6-5.5:

SECTION 23. IC 9-13-2-97, AS AMENDED BY P.L.151-2015, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 97. (a) "Manufacturer" means, except as provided in subsection (b), a person engaged in the business of constructing or assembling vehicles, of a type required to be registered under IC 9-18 (**before its expiration**) or **IC 9-18.1** at an established place of business. The term does not include a converter manufacturer, an automotive mobility dealer, or a recreational vehicle manufacturer.

(b) "Manufacturer", for purposes of IC 9-32, means a person who is engaged in the business of manufacturing or assembling new motor vehicles or major component parts of motor vehicles, or both, and sells new motor vehicles to dealers, wholesale dealers, distributors, or the general public. The term includes the following:

(1) A factory branch office of the manufacturer.

(2) A partnership, a firm, an association, a joint venture, a limited liability company, a corporation, or a trust, resident or nonresident, that is controlled by the manufacturer.

The term does not include a converter manufacturer, an automotive mobility dealer, or a recreational vehicle manufacturer.

SECTION 24. IC 9-13-2-102.3, AS AMENDED BY P.L.198-2016, SECTION 130, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 102.3. "Metered space", for purposes of **IC 9-18.5-4**, IC 9-18.5-5, **and** IC 9-18.5-6, **and** ~~IC 9-18.5-8~~, means a public parking space at which parking is regulated by:



- (1) a parking meter; or
- (2) an official traffic control device that imposes a maximum parking time for the public parking space.

The term does not include parking spaces or areas regulated under IC 9-21-18.

SECTION 25. IC 9-13-2-196, AS AMENDED BY P.L.198-2016, SECTION 176, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway. The term does not include the following:

- (1) A device moved by human power.
- (2) A device that runs only on rails or tracks.
- (3) A wheelchair.
- (b) For purposes of IC 9-17, the term includes the following:
 - (1) Off-road vehicles.
 - (2) Manufactured homes or mobile homes that are:
 - (A) personal property not held for resale; and
 - (B) not attached to real estate by a permanent foundation.
 - (3) Watercraft.

(c) For purposes of IC 9-22 and IC 9-32, the term refers to a vehicle of a type that must be registered under IC 9-18-2 (before its expiration) or IC 9-18.1, other than an off-road vehicle or a snowmobile under IC 9-18-2.5 (before its expiration) or ~~IC 9-18.1-4~~. **IC 9-18.1-14.**

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

SECTION 26. IC 9-14-10-1, AS ADDED BY P.L.198-2016, SECTION 190, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The commission board shall do the following:

- (1) Recommend legislation needed to operate the license branches.
- (2) Recommend rules needed to operate the license branches.
- (3) Review budget proposals for the commission and the license branches operated under IC 9-14.1, including the budget required by IC 9-14.1-5-4 and IC 9-14.1-5-5.
- (4) Establish the determination criteria and determine the number and location of license branches to be operated under IC 9-14.1.
- (5) Establish and adopt minimum standards for the operation and maintenance of each physical or virtual location at which services are provided by a full service provider or partial services provider



~~operated~~ under IC 9-14.1.

(6) Administer the commission fund established under IC 9-14-14-1.

SECTION 27. IC 9-18.1-13-2, AS ADDED BY P.L.198-2016, SECTION 326, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The authority granted to the bureau throughout this article extends to the department of state revenue when the department administers transactions under IC 9-17-2, IC 9-17-3, IC 9-18 (**before its expiration**), or IC 9-18.1. The department's authority includes the following:

- (1) Registering vehicles (IC 9-18.1-3 and IC 9-18.1-4).
- (2) Withholding registration of a vehicle when the vehicle was used in the commission of a toll violation (IC 9-18.1-3).
- (3) Determining the size, character, display, mounting, securing, content, issuance, replacement, and life cycle of license plates, temporary license plates, renewal stickers, and other proof of registration issued by the department (IC 9-18.1-4).
- (4) Publishing a schedule of expiration dates (IC 9-18.1-11).
- (5) Transferring registration and license plates (IC 9-18.1-11).
- (6) Issuing a duplicate license plate that is lost, stolen, or destroyed (IC 9-18.1-11).
- (7) Changing ownership information (IC 9-18.1-11).
- (8) Issuing temporary permits (IC 9-18.1-12).
- (9) Issuing certificates of title (IC 9-17-2).

(b) Plates issued by the department of state revenue remain the property of the department (IC 9-18.1-4).

(c) The department of state revenue may adopt rules under IC 4-22-2 to administer this chapter.

SECTION 28. IC 9-18.1-13-3, AS ADDED BY P.L.198-2016, SECTION 326, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) Upon payment of the annual registration fee under ~~IC 9-29-5~~ **IC 9-18.1-5** and any applicable commercial vehicle excise tax under IC 6-6-5.5, the department of state revenue may issue a license plate for each commercial vehicle registered to the owner of at least twenty-five (25) commercial vehicles. The license plate issued under this section for a commercial vehicle is permanently valid.

(b) The application of registration for the commercial vehicles must be on an aggregate basis by electronic means. If the application is approved, the department of state revenue shall issue a certificate of registration that shall be carried at all times in the vehicle for which it is issued.



(c) The registration for a commercial vehicle is void when the registered owner:

- (1) sells (and does not replace);
- (2) disposes of; or
- (3) does not renew the registration of;

the commercial vehicle or the commercial vehicle is destroyed.

(d) This section does not relieve the owner of a vehicle from payment of any applicable commercial vehicle excise tax under IC 6-6-5.5 on a yearly basis.

(e) A registered license plate issued under subsection (a) may be transferred to another vehicle in a fleet of the same weight and plate type, with a new certificate of registration issued under subsection (b), upon application to the department of state revenue. A commercial vehicle excise tax credit may be applied to any plate transfer of the same vehicle type and same weight category.

(f) The following apply to rules adopted by the bureau before January 1, 2014, under IC 9-18-2-4.5(f) (before its expiration):

- (1) The rules are transferred to the department of state revenue and are considered rules of the department of state revenue.
- (2) The rules are treated as if they had been adopted by the department of state revenue.

(g) Upon qualification under this section, a vehicle subject to the commercial vehicle excise tax under IC 6-6-5.5, including trailers and ~~semi-trailers~~, **semitrailers**, must be registered with the department of state revenue and issued a permanent license plate.

(h) A registered owner may continue to register commercial vehicles under this section even after a reduction in the registered owner's fleet to fewer than twenty-five (25) commercial vehicles.

SECTION 29. IC 9-18.1-13-7, AS ADDED BY P.L.198-2016, SECTION 326, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Except as provided in subsection (b), a person that fails to:

- (1) apply for the registration of, or transfer a registration to, a vehicle;
- (2) provide full payment for the registration of a vehicle; or
- (3) both:

(A) apply for the registration of, or transfer a registration to, a vehicle; and

(B) provide full payment for the registration of a vehicle;

as required under this chapter is subject to the penalties and interest imposed under IC 6-8.1-10.

(b) A person that fails to:

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- (1) apply for the registration of, or transfer a registration to, a vehicle;
- (2) provide full payment for the registration of a vehicle; or
- (3) both:
 - (A) apply for the registration of, or transfer a registration to, a vehicle; and
 - (B) provide full payment for the registration of a vehicle;

as required under IC 9-18-2-4.6 **(before its expiration)** or IC 9-18.1-13-3 is subject to the administrative penalty imposed under IC 9-18.1-11-5.

(c) An administrative penalty collected under subsection (b) shall be deposited in the commission fund.

SECTION 30. IC 9-20-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. The movement of a disabled vehicle or combination of vehicles for a distance that does not exceed fifty (50) highway miles by a registered recovery vehicle or by a vehicle described in ~~IC 9-18-13-5~~ **IC 9-18.1-6-5** is exempt from the dimension and weight limits under this article.

SECTION 31. IC 9-20-5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. The Indiana department of transportation may not issue a permit under this chapter for the operation of a vehicle if any of the following conditions apply:

- (1) The owner or operator of the vehicle has not complied with IC 8-2.1-24.
- (2) The owner or operator of the vehicle has not provided the Indiana department of transportation with the owner's or operator's Social Security number or federal identification number.
- (3) The owner or operator of the vehicle has not registered the vehicle with the bureau, if the vehicle is required to be registered under IC 9-18 **(before its expiration) or IC 9-18.1.**

SECTION 32. IC 9-20-6-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) A permit issued under this chapter shall:

- (1) be carried in or on the vehicle or other object to which the permit refers; and
 - (2) be open to inspection by a police officer.
- (b) A person may not violate the terms or conditions of a special permit.
- (c) The issuance of a special permit under this chapter:
- (1) does not relieve the responsibility for damages to a highway imposed by this article; and



(2) does not, for:

- (A) the use of a vehicle already registered and licensed;
- (B) the use of a vehicle not subject to registration and licensing under IC 9-18 **(before its expiration), IC 9-18.1, or IC 9-18.5;** or
- (C) the moving of objects other than vehicles under the special permit;

require further registration and licensing to authorize the issuance of the special permit.

SECTION 33. IC 9-20-6-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. The Indiana department of transportation may not issue a permit under this chapter for the operation of a vehicle if any of the following conditions apply:

- (1) The owner or operator of the vehicle has not complied with IC 8-2.1-24.
- (2) The owner or operator of the vehicle has not provided the Indiana department of transportation with the owner's or operator's Social Security number or federal identification number.
- (3) The owner or operator of the vehicle has not registered the vehicle with the bureau, if the vehicle is required to be registered under IC 9-18 **(before its expiration) or IC 9-18.1.**

SECTION 34. IC 9-20-9-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. The movement of a disabled vehicle or combination of vehicles for a distance that does not exceed fifty (50) highway miles by a registered recovery vehicle or by a vehicle described in ~~IC 9-18-13-5~~ **IC 9-18.1-6-5** is exempt from the requirements for permits under this chapter.

SECTION 35. IC 9-21-3.5-5, AS ADDED BY P.L.47-2006, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. As used in this chapter, "owner" means a person in whose name a motor vehicle is registered under:

- (1) IC 9-18 **(before its expiration) or IC 9-18.1;**
- (2) the laws of another state;
- (3) the laws of a foreign country; or
- (4) the International Registration Plan.

SECTION 36. IC 9-21-3.5-10, AS AMENDED BY P.L.152-2015, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) The department or the authority may adopt and enforce rules concerning:

- (1) the placement and use of automated traffic law enforcement systems to enforce collection of user fees;

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(2) required notification in the form of a citation to the owner of a vehicle used in the commission of a moving violation under section 9 of this chapter;

(3) the process for notification, collection, and enforcement of unpaid amounts;

(4) the amount of fines, charges, and assessments for toll violations;

(5) including, with respect to the use of or contracting with a collection agency to recover amounts unpaid by violators who are not subject to ~~IC 9-18-2-17(b)~~: IC 9-18.1-3-7(a), including authorization in the contract for collection services for

(A) contracting with a collection agency; and

(B) authorizing the collection agency in the contract for collection services to impose on and collect from the violator an additional collection fee; and

~~(5)~~ **(6)** other matters relating to automated traffic law enforcement systems that the department or the authority considers appropriate.

(b) A rule adopted under subsection (a)(2) must establish:

(1) a deadline for the department, authority, or operator, as applicable, to issue a citation to an owner of a vehicle used in the commission of a moving violation under section 9 of this chapter; and

(2) a deadline, not to exceed thirty (30) days following receipt of the citation as determined under section 12(2) of this chapter, for the owner to pay a fine, charge, or other assessment for the toll violation.

(c) The department or the authority shall establish a process by which the department, authority, or operator, as applicable, shall notify the bureau of an owner's failure to pay a fine, charge, or other assessment for a toll violation following the expiration of the deadline described in subsection (b)(2).

(d) This section does not apply with respect to a private toll facility.

SECTION 37. IC 9-22-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. This chapter applies to a motor vehicle that is:

(1) subject to registration under IC 9-18 **(before its expiration) or IC 9-18.1**; and

(2) stored, parked, or left in a garage, trailer park, or other storage or parking lot for more than fifteen (15) days.

SECTION 38. IC 9-24-2-2.5, AS AMENDED BY P.L.76-2016, SECTION 3, AND AS AMENDED BY P.L.198-2016, SECTION 423,

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IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.5. (a) The bureau shall suspend the driving privileges or invalidate the learner's permit of an individual who is under an order entered by a court under ~~IC 35-43-1-2(e)~~. IC 35-43-1-2(d).

(b) The bureau shall suspend the driving privileges or invalidate the learner's permit of ~~a person~~ *an individual* who is the subject of an order issued under IC 31-37-19-17 (or IC 31-6-4-15.9(f) before its repeal) or ~~IC 35-43-1-2(c)~~. IC 35-43-1-2(d).

SECTION 39. IC 9-30-11-6, AS AMENDED BY P.L.125-2012, SECTION 359, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. The bureau shall reinstate motor vehicle registration that is suspended under this chapter if the following occur:

- (1) The court presents the bureau with adequate proof that all unpaid judgments with respect to the motor vehicle have been paid.
- (2) A reinstatement fee ~~under IC 9-29~~ is paid to the bureau, if applicable.

SECTION 40. IC 9-31-3-2, AS AMENDED BY P.L.198-2016, SECTION 618, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) A motorboat does not have to be registered and numbered under this chapter if any of the following conditions are met:

- (1) The motorboat is legally registered in another state and:
 - (A) the motorboat has not been within Indiana for more than sixty (60) consecutive days;
 - (B) the owner of the motorboat has paid:
 - (i) the excise tax required under IC 6-6-11;
 - (ii) the fees required under IC 6-6-11-13; and
 - (iii) a two dollar (\$2) fee to the bureau; or
 - (C) the motorboat is moored on the Indiana part of Lake Michigan for not more than one hundred eighty (180) consecutive days.
- (2) The motorboat is from a country other than the United States temporarily using the waters of Indiana.
- (3) The motorboat is a ship's lifeboat.
- (4) The motorboat belongs to a class of boats that has been exempted from registration and numbering by the bureau after the bureau has found the following:
 - (A) That the registration and numbering of motorboats of that class will not materially aid in their identification.



(B) That an agency of the federal government has a numbering system applicable to the class of motorboats to which the motorboat in question belongs.

(C) That the motorboat would also be exempt from numbering if the motorboat were subject to the federal law.

(b) The following are prima facie evidence that a motorboat will be operated on the waters of Indiana for more than sixty (60) consecutive days and is not exempt from registration under subsection (a)(1)(A):

(1) The rental or lease for more than sixty (60) consecutive days of a mooring facility that is located on the waters of Indiana for the motorboat.

(2) The purchase of a mooring facility that is located on the waters of Indiana for the motorboat.

(3) Any other contractual agreement that allows the use of a mooring facility that is located on the waters of Indiana for:

(A) the motorboat; and

(B) more than sixty (60) consecutive days.

(c) A fee imposed under subsection ~~(a)(1)(B)~~ **(a)(1)(B)(iii)** shall be distributed as follows:

(1) Twenty-five cents (\$0.25) to the state police building account.

(2) One dollar and seventy-five cents (\$1.75) to the commission fund.

SECTION 41. IC 10-11-2-26, AS AMENDED BY P.L.198-2016, SECTION 633, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 26. (a) The superintendent may assign qualified persons who are not state police officers to supervise or operate permanent or portable weigh stations. A person assigned under this section may stop, inspect, and issue citations to operators of trucks and trailers having a declared gross weight of at least ten thousand one (10,001) pounds and buses at a permanent or portable weigh station or while operating a clearly marked Indiana state police vehicle for violations of the following:

(1) IC 6-1.1-7-10.

(2) IC 6-6-1.1-1202.

(3) IC 6-6-2.5.

(4) IC 6-6-4.1-12.

(5) IC 8-2.1.

(6) IC 9-18 **(before its expiration) or IC 9-18.1.**

(7) IC 9-19.

(8) IC 9-20.

(9) IC 9-21-7-2 through IC 9-21-7-11.

(10) IC 9-21-8-41 pertaining to the duty to obey an official traffic

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control device for a weigh station.

(11) IC 9-21-8-45 through IC 9-21-8-48.

(12) IC 9-21-9.

(13) IC 9-21-15.

~~(14) IC 9-21-21 (before its expiration) or IC 9-18.1-7.~~

~~(15) (14) IC 9-24-1-1.~~

~~(16) (15) IC 9-24-1-7.~~

~~(17) Except as provided in subsection (c), IC 9-24-6.1-6 and IC 9-24-6.1-7, commercial driver's license:~~

(16) IC 9-24-3-4.5.

~~(18) (17) IC 9-24-4.~~

~~(19) (18) IC 9-24-5 (before its expiration).~~

(19) Except as provided in subsection (c), IC 9-24-6.1.

(20) IC 9-24-8.5.

~~(21) (21) IC 9-24-11-4.~~

~~(22) (22) IC 9-24-13-3.~~

~~(23) (23) IC 9-24-18-1. through IC 9-24-18-2.~~

~~(24) (24) IC 9-25-4-3.~~

~~(25) (25) IC 9-28-4.~~

~~(26) (26) IC 9-28-5.~~

~~(27) IC 9-28-6.~~

~~(28) IC 9-29-5-11 through IC 9-29-5-13 (before their expiration):~~

~~(29) IC 9-29-5-42 (before its expiration):~~

~~(30) (27) IC 10-14-8.~~

~~(31) (28) IC 13-17-5-1, IC 13-17-5-3, or IC 13-17-5-4.~~

~~(32) (29) IC 13-30-2-1.~~

(b) For the purpose of enforcing this section, a person assigned under this section may detain a person in the same manner as a law enforcement officer under IC 34-28-5-3.

(c) A person assigned under this section may not enforce IC 9-24-6.1-7 **and IC 9-24-6.1-8.**

SECTION 42. IC 13-17-5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) Whenever:

(1) an officer or employee of the department; or

(2) a person the department has contracted with under section 5 (before its repeal) or 5.1 of this chapter or IC 13-1-1-11 (before its repeal);

learns of a violation of section 1, 2, 3, or 4 of this chapter or IC 13-1-1-6 (before its repeal), the officer or employee shall notify the bureau of motor vehicles in writing of the violation or failure for purposes of the suspension of the registration of the vehicle in question under ~~IC 9-18-2-39~~: **IC 9-18.1-3-8.**

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(b) After a vehicle's registration is suspended under ~~IC 9-18-2-39~~:
IC 9-18.1-3-8:

- (1) an officer or employee of the department; or
- (2) a person the department has contracted with under section 5 (before its repeal) or 5.1 of this chapter or IC 13-1-1-11 (before its repeal);

who recognizes that the violation of section 1, 2, 3, or 4 of this chapter or IC 13-1-1-6 (before its repeal) has been corrected shall notify the bureau of motor vehicles in writing of the correction or achievement of compliance for purposes of the reinstatement of the vehicle's registration under ~~IC 9-18-2-39~~: **IC 9-18.1-3-8.**

SECTION 43. IC 14-19-3-4, AS AMENDED BY P.L.87-2010, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Upon application to the department, a resident of Indiana:

- (1) who:
 - (A) if born in 1933, 1934, 1935, 1936, or 1937, is at least sixty (60) years of age; or
 - (B) if born before 1933 or after 1937, is at least sixty-five (65) years of age;
- (2) who is eligible for Social Security disability payments under 42 U.S.C. 423;
- (3) who is eligible for a disabled Hoosier veteran license plate under ~~IC 9-18-18-1~~; **IC 9-18.5-5-1**; or
- (4) who is issued a prisoner of war license plate under ~~IC 9-18-17-1~~; **IC 9-18.5-4-1**;

may purchase or is eligible to receive an annual Golden Hoosier Passport.

(b) A Golden Hoosier Passport entitles:

- (1) the resident;
- (2) the resident's motor vehicle; and
- (3) the resident's passengers;

to unlimited admission for one (1) calendar year to the Indiana state parks, recreation areas, reservoirs, forests, historic sites, museums, memorials, and other department properties for which admission is charged during the year for which the passport was issued.

(c) Except as provided in subsection (d), the fee for an annual Golden Hoosier Passport issued under this section is fifty percent (50%) of the fee that the department charges a resident who is not described in subsection (a)(1), (a)(2), or (a)(3) for unlimited admission for one (1) calendar year to the Indiana state parks, recreation areas, reservoirs, forests, historic sites, museums, memorials, and other



department properties for which admission is charged.

(d) A fee may not be charged for an annual Golden Hoosier Passport issued under this section to a resident described in subsection (a)(4).

SECTION 44. IC 16-19-3-26, AS AMENDED BY P.L.86-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 26. (a) The anatomical gift promotion fund is established. The fund consists of amounts distributed to the fund by the auditor of state under ~~IC 9-18-2-16~~. **IC 9-18.1-3-9.**

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the fund.

(c) The state department shall administer the fund. Any expenses incurred in administering the fund shall be paid from the fund.

(d) The money in the fund shall be distributed quarterly to the Indiana Donation Alliance Foundation and Donate Life Indiana for the purpose of implementing an organ, tissue, and marrow registry and to promote organ, tissue, and marrow donation. However, money in the fund may not be distributed under this subsection for any quarter of a year until the annual report for the previous year has been submitted under subsection (f).

(e) The Indiana Donation Alliance Foundation and Donate Life Indiana shall keep information regarding the identity of an individual who has indicated a desire to make an organ or tissue donation confidential.

(f) The Indiana Donation Alliance Foundation and Donate Life Indiana shall submit an annual audited report, including a list of all expenditures, to the:

- (1) speaker of the house of representatives;
- (2) president pro tempore of the senate;
- (3) senate health and provider services committee; and
- (4) house public health committee;

before February 1. The report must be in an electronic format under IC 5-14-6.

(g) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(h) This subsection applies if the Indiana Donation Alliance Foundation or Donate Life Indiana loses its status as an organization exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code. The Indiana Donation Alliance Foundation and Donate Life Indiana shall report in an electronic format under IC 5-14-6 to the chairpersons of the senate standing committee, as



determined by the president pro tempore of the senate, and the house standing committee, as determined by the speaker of the house of representatives, that have subject matter jurisdiction over health issues. The chairpersons shall review the report and recommend to the state department whether to continue distributions under subsection (d).

(i) ~~Any annual reports that were not submitted by the Indiana Donation Alliance Foundation or Donate Life Indiana before March 15, 2011, under subsection (f) must be submitted before August 1, 2012.~~

SECTION 45. IC 20-27-7-18, AS AMENDED BY P.L.31-2008, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. (a) A school corporation that owns a school bus or a special purpose bus and uses the school bus or special purpose bus to transport students is exempt from the payment of the annual registration fee for the school bus or special purpose bus. On application by a school corporation, the commissioner of motor vehicles shall furnish registration number plates for exempted vehicles without charge. Application for registration of exempted vehicles shall be:

- (1) made whenever a newly acquired school bus or special purpose bus requires a registration number plate;
- (2) made whenever a registration number plate is transferred from one (1) school bus or special purpose bus owned by the school corporation to another school bus or special purpose bus owned by the school corporation;
- (3) made in the name of the school corporation that owns the school bus or special purpose bus to be registered; and
- (4) signed by the proper official of the school corporation.

(b) An owner other than a school corporation that owns a school bus or a special purpose bus and uses the school bus or special purpose bus to transport students is not exempt from annual registration ~~as required under IC 9-18-2-8.5~~ **IC 9-18.1-3** or payment of the annual registration fee for school buses.

SECTION 46. IC 35-44.1-4-3, AS ADDED BY P.L.126-2012, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. As used in this chapter, "firefighter" has the meaning set forth in ~~IC 9-18-34-1~~ **IC 9-18.5-17-1**.

SECTION 47. IC 35-47-4.5-3, AS AMENDED BY P.L.158-2013, SECTION 591, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. As used in this chapter, "public safety officer" means:

- (1) a state police officer;
- (2) a county sheriff;

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- (3) a county police officer;
- (4) a correctional officer;
- (5) an excise police officer;
- (6) a county police reserve officer;
- (7) a city police officer;
- (8) a city police reserve officer;
- (9) a conservation enforcement officer;
- (10) a gaming agent;
- (11) a town marshal;
- (12) a deputy town marshal;
- (13) a state educational institution police officer appointed under IC 21-39-4;
- (14) a probation officer;
- (15) a firefighter (as defined in ~~IC 9-18-34-1~~; **IC 9-18.5-17-1**);
- (16) an emergency medical technician;
- (17) a paramedic;
- (18) a member of a consolidated law enforcement department established under IC 36-3-1-5.1;
- (19) a gaming control officer; or
- (20) a community corrections officer.

SECTION 48. IC 35-52-9-4 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 4. IC 9-18-2-44 defines a crime concerning motor vehicle registration and license plates.~~

SECTION 49. IC 35-52-9-5 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 5. IC 9-18-2-45 defines a crime concerning motor vehicle registration and license plates.~~

SECTION 50. IC 35-52-9-6 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 6. IC 9-18-2.5-12 defines a crime concerning off-road vehicles and snowmobiles.~~

SECTION 51. IC 35-52-9-6.8 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 6.8. IC 9-18-19-1 defines a crime concerning vehicle registration and license plates.~~

SECTION 52. IC 35-52-9-7.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.1. IC 9-18.1-2-12 defines a crime concerning motor vehicle registration and license plates.**

SECTION 53. IC 35-52-9-7.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.3. IC 9-18.1-4-8 defines a crime concerning motor vehicle registration and license plates.**

SECTION 54. IC 35-52-9-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS



[EFFECTIVE UPON PASSAGE]: **Sec. 7.5. IC 9-18.1-14-10 defines a crime concerning off-road vehicles and snowmobiles.**

SECTION 55. IC 35-52-9-7.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.8. IC 9-18.5-6-1 defines crimes concerning vehicle registration and license plates.**

SECTION 56. P.L.61-1996, SECTION 26, IS REPEALED [EFFECTIVE UPON PASSAGE]. SECTION 26: (a) Any rule or practice of the bureau of motor vehicles or bureau of motor vehicles commission that is inconsistent with IC 9-18-2-1, as amended by this act, is void:

(b) A property tax, excise tax, or motor vehicle registration required for a period before the effective date of this SECTION that would have been prohibited if IC 9-18-2-1, as amended by this act, had been in effect during the period may not be imposed or collected after the effective date of this SECTION.

SECTION 57. **An emergency is declared for this act.**



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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