

# SENATE BILL No. 13

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-21; IC 9-30; IC 33-37-5-18; IC 34-24-1-1; IC 35-44.1.

**Synopsis:** Public safety. Provides that a person who knowingly, intentionally, or recklessly operates a vehicle in a repeated or continuous manner with the intent of causing a rotational skid commits reckless driving, a Class B misdemeanor, and increases the penalty if certain circumstances apply. Specifies that a person may request specialized driving privileges even after the initial hearing. Provides that a vehicle used to commit reckless driving involving a rotational skid or obstruction of traffic involving a rotational skid is subject to seizure for purposes of civil forfeiture if the person has a prior unrelated conviction for the offense. Increases the penalty for resisting law enforcement to a Level 5 felony if a person operates a vehicle in a manner that creates a substantial risk of bodily injury to another person. Makes conforming amendments.

**Effective:** July 1, 2025.

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## Tomes, Dernulc, Niemeyer

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January 8, 2025, read first time and referred to Committee on Corrections and Criminal Law.

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First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

## SENATE BILL No. 13

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

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

1 SECTION 1. IC 9-21-8-52, AS AMENDED BY P.L.144-2019,  
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2025]: Sec. 52. (a) A person who operates a vehicle and who  
4 recklessly:  
5 (1) drives at such an unreasonably high rate of speed or at such an  
6 unreasonably low rate of speed under the circumstances as to:  
7 (A) endanger the safety or the property of others; or  
8 (B) block the proper flow of traffic;  
9 (2) passes another vehicle from the rear while on a slope or on a  
10 curve where vision is obstructed for a distance of less than five  
11 hundred (500) feet ahead;  
12 (3) drives in and out of a line of traffic, except as otherwise  
13 permitted; or  
14 (4) speeds up or refuses to give one-half (1/2) of the roadway to  
15 a driver overtaking and desiring to pass;  
16 commits a Class C misdemeanor. However, the offense is a Class A  
17 misdemeanor if it causes bodily injury to a person.



1           **(b) This subsection does not apply to a person who operates a**  
 2 **vehicle at an off-road recreation area or another location where**  
 3 **using a vehicle to perform a rotational skid is permitted. A person**  
 4 **who knowingly, intentionally, or recklessly operates a vehicle in a**  
 5 **repeated or continuous manner with the intent of causing the**  
 6 **vehicle to perform a rotational skid commits a Class B**  
 7 **misdemeanor. However, the offense is a Class A misdemeanor if it**  
 8 **endangers a person, a Level 6 felony if it causes bodily injury to a**  
 9 **person, and a Level 5 felony if it results in the death of any person.**

10           ~~(b)~~ **(c)** A person who operates a vehicle and who recklessly passes  
 11 a school bus stopped on a roadway or a private road when the arm  
 12 signal device specified in IC 9-21-12-13 is in the device's extended  
 13 position commits a Class A misdemeanor. However, the offense is a  
 14 Level 6 felony if it causes bodily injury to a person, and a Level 5  
 15 felony if it causes the death of a person.

16           ~~(c)~~ **(d)** If an offense under:

17           **(1)** subsection (a) results in damage to the property of another  
 18 person, it is a Class B misdemeanor and the court may  
 19 recommend the suspension of the current driving license of the  
 20 person convicted of the offense described in subsection (a) for a  
 21 fixed period of not more than one (1) year; **and**

22           **(2) subsection (b) results in damage to the property of another**  
 23 **person, the court may recommend the suspension of the**  
 24 **current driving license of the person convicted of the offense**  
 25 **described in subsection (b) for a fixed period of not more than**  
 26 **one (1) year.**

27           ~~(d)~~ **(e)** If an offense under subsection (a) **or (b)** causes bodily injury  
 28 to a person, the court may recommend the suspension of the driving  
 29 privileges of the person convicted of the offense described in this  
 30 subsection for a fixed period of not more than one (1) year.

31           ~~(e)~~ **(f)** In addition to any other penalty imposed under ~~subsection (b);~~  
 32 **subsection (c),** the court may suspend the person's driving privileges:

33           (1) for ninety (90) days; or

34           (2) if the person has committed at least one (1) previous offense  
 35 under this section or IC 9-21-12-1, for one (1) year.

36           SECTION 2. IC 9-21-12-1, AS AMENDED BY P.L.144-2019,  
 37 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2025]: Sec. 1. (a) A person who drives a vehicle that:

39           (1) meets or overtakes from any direction a school bus stopped on  
 40 a roadway or a private road and is not stopped before reaching the  
 41 school bus when the arm signal device specified in ~~IC 9-21-12-13~~  
 42 **section 13 of this chapter** is in the device's extended position; or



1 (2) proceeds before the arm signal device is no longer extended;  
2 commits a Class A infraction.

3 (b) In addition to any other penalty imposed under this section, the  
4 court may suspend the person's driving privileges:

5 (1) for ninety (90) days; or

6 (2) if the person has committed at least one (1) previous offense  
7 under this section or ~~IC 9-21-8-52(b)~~, **IC 9-21-8-52(c)**, for one (1)  
8 year.

9 (c) This section is applicable only if the school bus is in substantial  
10 compliance with the markings required by the state school bus  
11 committee.

12 (d) There is a rebuttable presumption that the owner of the vehicle  
13 involved in the violation of this section committed the violation. This  
14 presumption does not apply to the owner of a vehicle involved in the  
15 violation of this section if the owner routinely engages in the business  
16 of renting the vehicle for periods of thirty (30) days or less.

17 SECTION 3. IC 9-30-2-2, AS AMENDED BY P.L.144-2019,  
18 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2025]: Sec. 2. (a) Except as provided in subsection (b), a law  
20 enforcement officer may not arrest or issue a traffic information and  
21 summons to a person for a violation of an Indiana law regulating the  
22 use and operation of a motor vehicle on a highway or an ordinance of  
23 a city or town regulating the use and operation of a motor vehicle on a  
24 highway unless at the time of the arrest the officer is:

25 (1) wearing a distinctive uniform and a badge of authority; or

26 (2) operating a motor vehicle that is clearly marked as a police  
27 vehicle;

28 that will clearly show the officer or the officer's vehicle to casual  
29 observations to be an officer or a police vehicle.

30 (b) Subsection (a) does not apply to an officer in an unmarked  
31 police vehicle making an arrest or issuing a traffic information and  
32 summons:

33 (1) when there is a uniformed officer present at the time of the  
34 arrest; or

35 (2) for a violation of one (1) or more of the following:

36 (A) IC 9-21-8-52(a)(1)(A) (reckless driving causing  
37 endangerment).

38 **(B) IC 9-21-8-52(b) (reckless driving involving a rotational  
39 skid).**

40 ~~(B) (C) IC 9-21-8-52(b)~~ **IC 9-21-8-52(c)** as a Level 6 felony  
41 (recklessly passing a stopped school bus resulting in bodily  
42 injury).



- 1           ~~(C)~~ **(D)** ~~IC 9-21-8-52(b)~~ **IC 9-21-8-52(c)** as a Level 5 felony  
 2           (recklessly passing a stopped school bus resulting in death).  
 3           ~~(D)~~ **(E)** IC 9-30-5-2(b) as a Class A misdemeanor (operating  
 4           while intoxicated in a manner that endangers a person).

5           SECTION 4. IC 9-30-16-1, AS AMENDED BY P.L.111-2021,  
 6           SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7           JULY 1, 2025]: Sec. 1. (a) Except as provided in subsection (b), the  
 8           following are ineligible for specialized driving privileges under this  
 9           chapter:

- 10           (1) A person who has never been an Indiana resident.  
 11           (2) A person seeking specialized driving privileges with respect  
 12           to a suspension based on the person's refusal to submit to a  
 13           chemical test offered under IC 9-30-6 or IC 9-30-7. However, a  
 14           court may grant this person driving privileges under  
 15           IC 9-30-6-8(d).  
 16           (3) A person whose driving privileges have been suspended or  
 17           revoked under IC 9-24-10-7(b)(2)(A).  
 18           (4) A person whose driving privileges have been suspended under  
 19           ~~IC 9-21-8-52(e)~~ **IC 9-21-8-52(f)** or IC 9-21-12-1(b).

20           (b) This chapter applies to the following:

- 21           (1) A person who held a driver's license (issued under IC 9-24-3),  
 22           or a commercial driver's, a public passenger chauffeur's, or a  
 23           chauffeur's license at the time of:  
 24                (A) the criminal conviction for which the operation of a motor  
 25                vehicle is an element of the offense;  
 26                (B) any criminal conviction for an offense under IC 9-30-5,  
 27                IC 35-46-9, or IC 14-15-8 (before its repeal); or  
 28                (C) committing the infraction of exceeding a worksite speed  
 29                limit for the second time in one (1) year under IC 9-21-5-11(f).  
 30           (2) A person who:  
 31                (A) has never held a valid Indiana driver's license or does not  
 32                currently hold a valid Indiana learner's permit; and  
 33                (B) was an Indiana resident when the driving privileges for  
 34                which the person is seeking specialized driving privileges  
 35                were suspended.  
 36           (c) Except as specifically provided in this chapter, a court may  
 37           suspend the driving privileges of a person convicted of any of the  
 38           following offenses for a period up to the maximum allowable period of  
 39           incarceration under the penalty for the offense:  
 40                (1) Any criminal conviction in which the operation of a motor  
 41                vehicle is an element of the offense.  
 42                (2) Any criminal conviction for an offense under IC 9-30-5,



1 IC 35-46-9, or IC 14-15-8 (before its repeal).

2 (3) Any offense under IC 35-42-1, IC 35-42-2, or IC 35-44.1-3-1  
3 that involves the use of a vehicle.

4 (d) Except as provided in section 3.5 of this chapter, a suspension  
5 of driving privileges under this chapter may begin before the  
6 conviction. Multiple suspensions of driving privileges ordered by a  
7 court that are part of the same episode of criminal conduct shall be  
8 served concurrently. A court may grant credit time for any suspension  
9 that began before the conviction, except as prohibited by section  
10 6(a)(2) of this chapter.

11 (e) If a person has had an ignition interlock device installed as a  
12 condition of specialized driving privileges or under IC 9-30-6-8(d), the  
13 period of the installation shall be credited as part of the suspension of  
14 driving privileges.

15 (f) This subsection applies to a person described in subsection  
16 (b)(2). A court shall, as a condition of granting specialized driving  
17 privileges to the person, require the person to apply for and obtain an  
18 Indiana driver's license.

19 (g) If a person indicates to the court at an initial hearing (as  
20 described in IC 35-33-7) that the person intends to file a petition for a  
21 specialized driving privileges hearing with that court under section 3  
22 or 4 of this chapter, the following apply:

23 (1) The court shall:

24 (A) stay the suspension of the person's driving privileges at the  
25 initial hearing and shall not submit the probable cause  
26 affidavit related to the person's offense to the bureau; and

27 (B) set the matter for a specialized driving privileges hearing  
28 not later than thirty (30) days after the initial hearing.

29 (2) If the person does not file a petition for a specialized driving  
30 privileges hearing not later than ten (10) days after the date of the  
31 initial hearing, the court shall lift the stay of the suspension of the  
32 person's driving privileges and shall submit the probable cause  
33 affidavit related to the person's offense to the bureau for  
34 automatic suspension.

35 (3) If the person files a petition for a specialized driving privileges  
36 hearing not later than ten (10) days after the initial hearing, the  
37 stay of the suspension of the person's driving privileges continues  
38 until the matter is heard and a determination is made by the court  
39 at the specialized driving privileges hearing.

40 (4) If the specialized driving privileges hearing is continued due  
41 to:

42 (A) a congestion of the court calendar;



- 1 (B) the prosecuting attorney's motion for a continuance; or  
 2 (C) the person's motion for a continuance with no objection by  
 3 the prosecuting attorney;  
 4 the stay of the suspension of the person's driving privileges  
 5 continues until addressed at the next hearing.
- 6 (5) If the person moves for a continuance of the specialized  
 7 driving privileges hearing and the court grants the continuance  
 8 over the prosecuting attorney's objection, the court shall lift the  
 9 stay of the suspension of the person's driving privileges and shall  
 10 submit the probable cause affidavit related to the person's offense  
 11 to the bureau for automatic suspension.
- 12 SECTION 5. IC 33-37-5-18, AS AMENDED BY P.L.156-2020,  
 13 SECTION 123, IS AMENDED TO READ AS FOLLOWS  
 14 [EFFECTIVE JULY 1, 2025]: Sec. 18. (a) In each criminal action in  
 15 which a person is convicted of an offense in which the possession or  
 16 use of a firearm was an element of the offense, the court shall assess a  
 17 safe schools fee of at least two hundred dollars (\$200) and not more  
 18 than one thousand dollars (\$1,000).
- 19 (b) For each offense described in ~~IC 9-21-8-52(b)~~, **IC 9-21-8-52(c)**,  
 20 the court may assess a safe schools fee of at least two hundred dollars  
 21 (\$200) and not more than one thousand dollars (\$1,000).
- 22 (c) In determining the amount of the safe schools fee assessed  
 23 against a person under subsection (a), a court shall consider the  
 24 person's ability to pay the fee.
- 25 (d) The clerk shall collect the safe schools fee set by the court when  
 26 a person is convicted of an offense:
- 27 (1) in which the possession or use of a firearm was an element of  
 28 the offense; or  
 29 (2) described in ~~IC 9-21-8-52(b)~~ **IC 9-21-8-52(c)** and the court  
 30 assesses a safe schools fee under subsection (b).
- 31 SECTION 6. IC 34-24-1-1, AS AMENDED BY P.L.185-2023,  
 32 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2025]: Sec. 1. (a) The following may be seized:
- 34 (1) All vehicles (as defined by IC 35-31.5-2-346), if they are used  
 35 or are intended for use by the person or persons in possession of  
 36 them to transport or in any manner to facilitate the transportation  
 37 of the following:
- 38 (A) A controlled substance for the purpose of committing,  
 39 attempting to commit, or conspiring to commit any of the  
 40 following:
- 41 (i) Dealing in or manufacturing cocaine or a narcotic drug  
 42 (IC 35-48-4-1).



- 1 (ii) Dealing in methamphetamine (IC 35-48-4-1.1).  
 2 (iii) Manufacturing methamphetamine (IC 35-48-4-1.2).  
 3 (iv) Dealing in a schedule I, II, or III controlled substance  
 4 (IC 35-48-4-2).  
 5 (v) Dealing in a schedule IV controlled substance (IC  
 6 35-48-4-3).  
 7 (vi) Dealing in a schedule V controlled substance (IC  
 8 35-48-4-4).  
 9 (vii) Dealing in a counterfeit substance (IC 35-48-4-5).  
 10 (viii) Possession of cocaine or a narcotic drug (IC  
 11 35-48-4-6).  
 12 (ix) Possession of methamphetamine (IC 35-48-4-6.1).  
 13 (x) Dealing in paraphernalia (IC 35-48-4-8.5).  
 14 (xi) Dealing in marijuana, hash oil, hashish, or salvia (IC  
 15 35-48-4-10).  
 16 (xii) An offense under IC 35-48-4 involving a synthetic drug  
 17 (as defined in IC 35-31.5-2-321), a synthetic drug lookalike  
 18 substance (as defined in IC 35-31.5-2-321.5 (before its  
 19 repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its  
 20 repeal on July 1, 2019), a controlled substance analog (as  
 21 defined in IC 35-48-1-9.3), or a substance represented to be  
 22 a controlled substance (as described in IC 35-48-4-4.6).  
 23 (B) Any stolen (IC 35-43-4-2 or IC 35-43-4-2.2) or converted  
 24 property (IC 35-43-4-3) if the retail or repurchase value of that  
 25 property is one hundred dollars (\$100) or more.  
 26 (C) Any hazardous waste in violation of IC 13-30-10-1.5.  
 27 (D) A bomb (as defined in IC 35-31.5-2-31) or weapon of  
 28 mass destruction (as defined in IC 35-31.5-2-354) used to  
 29 commit, used in an attempt to commit, or used in a conspiracy  
 30 to commit a felony terrorist offense (as defined in  
 31 IC 35-50-2-18) or an offense under IC 35-47 as part of or in  
 32 furtherance of an act of terrorism (as defined by  
 33 IC 35-31.5-2-329).  
 34 (2) All money, negotiable instruments, securities, weapons,  
 35 communications devices, or any property used to commit, used in  
 36 an attempt to commit, or used in a conspiracy to commit a felony  
 37 terrorist offense (as defined in IC 35-50-2-18) or an offense under  
 38 IC 35-47 as part of or in furtherance of an act of terrorism or  
 39 commonly used as consideration for a violation of IC 35-48-4  
 40 (other than items subject to forfeiture under IC 16-42-20-5 or  
 41 IC 16-6-8.5-5.1, before its repeal):  
 42 (A) furnished or intended to be furnished by any person in





- 1 exchange for an act that is in violation of a criminal statute;  
 2 (B) used to facilitate any violation of a criminal statute; or  
 3 (C) traceable as proceeds of the violation of a criminal statute.  
 4 (3) Any portion of real or personal property purchased with  
 5 money that is traceable as a proceed of a violation of a criminal  
 6 statute.  
 7 (4) A vehicle that is used by a person to:  
 8 (A) commit, attempt to commit, or conspire to commit;  
 9 (B) facilitate the commission of; or  
 10 (C) escape from the commission of;  
 11 murder (IC 35-42-1-1), dealing in a controlled substance resulting  
 12 in death (IC 35-42-1-1.5), kidnapping (IC 35-42-3-2), criminal  
 13 confinement (IC 35-42-3-3), rape (IC 35-42-4-1), child molesting  
 14 (IC 35-42-4-3), or child exploitation (IC 35-42-4-4), or an offense  
 15 under IC 35-47 as part of or in furtherance of an act of terrorism.  
 16 (5) Real property owned by a person who uses it to commit any of  
 17 the following as a Level 1, Level 2, Level 3, Level 4, or Level 5  
 18 felony:  
 19 (A) Dealing in or manufacturing cocaine or a narcotic drug (IC  
 20 35-48-4-1).  
 21 (B) Dealing in methamphetamine (IC 35-48-4-1.1).  
 22 (C) Manufacturing methamphetamine (IC 35-48-4-1.2).  
 23 (D) Dealing in a schedule I, II, or III controlled substance (IC  
 24 35-48-4-2).  
 25 (E) Dealing in a schedule IV controlled substance (IC  
 26 35-48-4-3).  
 27 (F) Dealing in marijuana, hash oil, hashish, or salvia (IC  
 28 35-48-4-10).  
 29 (G) Dealing in a synthetic drug (as defined in  
 30 IC 35-31.5-2-321) or synthetic drug lookalike substance (as  
 31 defined in IC 35-31.5-2-321.5 (before its repeal on July 1,  
 32 2019)) under IC 35-48-4-10.5 (before its repeal on July 1,  
 33 2019).  
 34 (H) Dealing in a controlled substance resulting in death (IC  
 35 35-42-1-1.5).  
 36 (6) Equipment and recordings used by a person to commit fraud  
 37 under IC 35-43-5.  
 38 (7) Recordings sold, rented, transported, or possessed by a person  
 39 in violation of IC 24-4-10.  
 40 (8) Property (as defined by IC 35-31.5-2-253) or an enterprise (as  
 41 defined by IC 35-45-6-1) that is the object of a corrupt business  
 42 influence violation (IC 35-45-6-2).



- 1 (9) Unlawful telecommunications devices (as defined in  
 2 IC 35-45-13-6) and plans, instructions, or publications used to  
 3 commit an offense under IC 35-45-13.  
 4 (10) Any equipment, including computer equipment and cellular  
 5 telephones, used for or intended for use in preparing,  
 6 photographing, recording, videotaping, digitizing, printing,  
 7 copying, or disseminating matter in violation of IC 35-42-4.  
 8 (11) Destructive devices used, possessed, transported, or sold in  
 9 violation of IC 35-47.5.  
 10 (12) Tobacco products that are sold in violation of IC 24-3-5,  
 11 tobacco products that a person attempts to sell in violation of  
 12 IC 24-3-5, and other personal property owned and used by a  
 13 person to facilitate a violation of IC 24-3-5.  
 14 (13) Property used by a person to commit counterfeiting or  
 15 forgery in violation of IC 35-43-5-2.  
 16 (14) After December 31, 2005, if a person is convicted of an  
 17 offense specified in IC 25-26-14-26(b) or IC 35-43-10, the  
 18 following real or personal property:  
 19 (A) Property used or intended to be used to commit, facilitate,  
 20 or promote the commission of the offense.  
 21 (B) Property constituting, derived from, or traceable to the  
 22 gross proceeds that the person obtained directly or indirectly  
 23 as a result of the offense.  
 24 (15) Except as provided in subsection (e), a vehicle used by a  
 25 person who operates the vehicle:  
 26 (A) while intoxicated, in violation of IC 9-30-5-1 through  
 27 IC 9-30-5-5, if in the previous five (5) years the person has two  
 28 (2) or more prior unrelated convictions for operating a motor  
 29 vehicle while intoxicated in violation of IC 9-30-5-1 through  
 30 IC 9-30-5-5; or  
 31 (B) on a highway while the person's driving privileges are  
 32 suspended in violation of IC 9-24-19-2 through IC 9-24-19-3,  
 33 if in the previous five (5) years the person has two (2) or more  
 34 prior unrelated convictions for operating a vehicle while  
 35 intoxicated in violation of IC 9-30-5-1 through IC 9-30-5-5.  
 36 If a court orders the seizure of a vehicle under this subdivision,  
 37 the court shall transmit an order to the bureau of motor vehicles  
 38 recommending that the bureau not permit a vehicle to be  
 39 registered in the name of the person whose vehicle was seized  
 40 until the person possesses a current driving license (as defined in  
 41 IC 9-13-2-41).  
 42 (16) The following real or personal property:



- 1 (A) Property used or intended to be used to commit, facilitate,  
 2 or promote the commission of an offense specified in  
 3 IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or  
 4 IC 30-2-13-38(f).
- 5 (B) Property constituting, derived from, or traceable to the  
 6 gross proceeds that a person obtains directly or indirectly as a  
 7 result of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b),  
 8 IC 30-2-10-9(b), or IC 30-2-13-38(f).
- 9 (17) Real or personal property, including a vehicle, that is used by  
 10 a person to:
- 11 (A) commit, attempt to commit, or conspire to commit;  
 12 (B) facilitate the commission of; or  
 13 (C) escape from the commission of;  
 14 a violation of IC 35-42-3.5-1 through IC 35-42-3.5-1.4 (human  
 15 trafficking) or IC 35-45-4-4 (promoting prostitution).
- 16 **(18) A motor vehicle used by a person to commit:**
- 17 **(A) reckless driving involving a rotational skid under**  
 18 **IC 9-21-8-52(b); or**  
 19 **(B) obstruction of traffic committed in connection with**  
 20 **reckless driving involving a rotational skid under**  
 21 **IC 9-21-8-52(b);**  
 22 **if the person has a prior conviction for an offense described in**  
 23 **this subdivision.**
- 24 (b) A vehicle used by any person as a common or contract carrier in  
 25 the transaction of business as a common or contract carrier is not  
 26 subject to seizure under this section, unless it can be proven by a  
 27 preponderance of the evidence that the owner of the vehicle knowingly  
 28 permitted the vehicle to be used to engage in conduct that subjects it to  
 29 seizure under subsection (a).
- 30 (c) Equipment under subsection (a)(10) may not be seized unless it  
 31 can be proven by a preponderance of the evidence that the owner of the  
 32 equipment knowingly permitted the equipment to be used to engage in  
 33 conduct that subjects it to seizure under subsection (a)(10).
- 34 (d) Money, negotiable instruments, securities, weapons,  
 35 communications devices, or any property commonly used as  
 36 consideration for a violation of IC 35-48-4 found near or on a person  
 37 who is committing, attempting to commit, or conspiring to commit any  
 38 of the following offenses shall be admitted into evidence in an action  
 39 under this chapter as prima facie evidence that the money, negotiable  
 40 instrument, security, or other thing of value is property that has been  
 41 used or was to have been used to facilitate the violation of a criminal  
 42 statute or is the proceeds of the violation of a criminal statute:



- 1 (1) IC 35-42-1-1.5 (dealing in a controlled substance resulting in
- 2 death).
- 3 (2) IC 35-48-4-1 (dealing in or manufacturing cocaine or a
- 4 narcotic drug).
- 5 (3) IC 35-48-4-1.1 (dealing in methamphetamine).
- 6 (4) IC 35-48-4-1.2 (manufacturing methamphetamine).
- 7 (5) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled
- 8 substance).
- 9 (6) IC 35-48-4-3 (dealing in a schedule IV controlled substance).
- 10 (7) IC 35-48-4-4 (dealing in a schedule V controlled substance)
- 11 as a Level 4 felony.
- 12 (8) IC 35-48-4-6 (possession of cocaine or a narcotic drug) as a
- 13 Level 3, Level 4, or Level 5 felony.
- 14 (9) IC 35-48-4-6.1 (possession of methamphetamine) as a Level
- 15 3, Level 4, or Level 5 felony.
- 16 (10) IC 35-48-4-10 (dealing in marijuana, hash oil, hashish, or
- 17 salvia) as a Level 5 felony.
- 18 (11) IC 35-48-4-10.5 (before its repeal on July 1, 2019) (dealing
- 19 in a synthetic drug or synthetic drug lookalike substance) as a
- 20 Level 5 felony or Level 6 felony (or as a Class C felony or Class
- 21 D felony under IC 35-48-4-10 before its amendment in 2013).
- 22 (e) A vehicle operated by a person who is not:
- 23 (1) an owner of the vehicle; or
- 24 (2) the spouse of the person who owns the vehicle;
- 25 is not subject to seizure under subsection (a)(15) unless it can be
- 26 proven by a preponderance of the evidence that the owner of the
- 27 vehicle knowingly permitted the vehicle to be used to engage in
- 28 conduct that subjects it to seizure under subsection (a)(15).
- 29 SECTION 7. IC 35-44.1-2-13, AS AMENDED BY P.L.174-2021,
- 30 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 31 JULY 1, 2025]: Sec. 13. (a) Except as provided in subsection (b), a
- 32 person who, with the intent to obstruct vehicular or pedestrian traffic,
- 33 obstructs vehicular or pedestrian traffic commits obstruction of traffic,
- 34 a Class B misdemeanor.
- 35 (b) The offense described in subsection (a) is:
- 36 (1) a Class A misdemeanor if the offense:
- 37 (A) includes the use of a motor vehicle; or
- 38 (B) **is committed in connection with reckless driving**
- 39 **involving a rotational skid under IC 9-21-8-52(b);**
- 40 (2) a Level 6 felony if:
- 41 (A) the offense results in serious bodily injury;
- 42 (B) the person blocks an authorized emergency vehicle (as



- 1 defined in IC 9-13-2-6) while the vehicle is:
- 2 (i) responding to an emergency call;
- 3 (ii) in the pursuit of an actual or suspected violator of the
- 4 law; or
- 5 (iii) responding to, but not returning from, a fire alarm;
- 6 if the vehicle is using visible or audible signals as required by
- 7 law; or
- 8 (C) the person obstructs the entryway to a facility that provides
- 9 emergency medical services; and
- 10 (3) a Level 5 felony if the offense results in catastrophic bodily
- 11 injury or death.
- 12 (c) A person who unreasonably obstructs vehicular or pedestrian
- 13 traffic commits a Class C infraction.
- 14 (d) It is a defense to an action under subsection (c) that the
- 15 obstruction was caused by a vehicle malfunction.
- 16 SECTION 8. IC 35-44.1-3-1, AS AMENDED BY P.L.141-2024,
- 17 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 18 JULY 1, 2025]: Sec. 1. (a) A person who knowingly or intentionally:
- 19 (1) forcibly resists, obstructs, or interferes with a law enforcement
- 20 officer or a person assisting the officer while the officer is
- 21 lawfully engaged in the execution of the officer's duties;
- 22 (2) forcibly resists, obstructs, or interferes with the authorized
- 23 service or execution of a civil or criminal process or order of a
- 24 court; or
- 25 (3) flees from a law enforcement officer after the officer has, by
- 26 visible or audible means, including operation of the law
- 27 enforcement officer's siren or emergency lights, identified himself
- 28 or herself and ordered the person to stop;
- 29 commits resisting law enforcement, a Class A misdemeanor, except as
- 30 provided in subsection (c).
- 31 (b) A person who, having been denied entry by a firefighter, an
- 32 emergency medical services provider, or a law enforcement officer,
- 33 knowingly or intentionally enters an area that is marked off with barrier
- 34 tape or other physical barriers, commits interfering with public safety,
- 35 a Class B misdemeanor, except as provided in subsection (c) or (k).
- 36 (c) The offense under subsection (a) or (b) is a:
- 37 (1) Level 6 felony if:
- 38 (A) the person uses a vehicle to commit the offense; or
- 39 (B) while committing the offense, the person:
- 40 (i) draws or uses a deadly weapon; **or**
- 41 (ii) inflicts bodily injury on or otherwise causes bodily injury
- 42 to another person; **or**



- 1 (iii) operates a vehicle in a manner that creates a substantial  
 2 risk of bodily injury to another person;
- 3 (2) Level 5 felony if:
- 4 (A) while committing the offense, the person operates a  
 5 vehicle in a manner that:
- 6 (i) causes serious bodily injury to another person; or  
 7 (ii) **creates a substantial risk of bodily injury to another**  
 8 **person; or**
- 9 (B) the person uses a vehicle to commit the offense and the  
 10 person has a prior unrelated conviction under this section  
 11 involving the use of a vehicle in the commission of the  
 12 offense;
- 13 (3) Level 3 felony if, while committing the offense, the person  
 14 operates a vehicle in a manner that causes the death or  
 15 catastrophic injury of another person; and
- 16 (4) Level 2 felony if, while committing any offense described in  
 17 subsection (a), the person operates a vehicle in a manner that  
 18 causes the death or catastrophic injury of a firefighter, an  
 19 emergency medical services provider, or a law enforcement  
 20 officer while the firefighter, emergency medical services provider,  
 21 or law enforcement officer is engaged in the firefighter's,  
 22 emergency medical services provider's, or officer's official duties.
- 23 (d) The offense under subsection (a) is a Level 6 felony if, while  
 24 committing an offense under:
- 25 (1) subsection (a)(1) or (a)(2), the person:
- 26 (A) creates a substantial risk of bodily injury to the person or  
 27 another person; and  
 28 (B) has two (2) or more prior unrelated convictions under  
 29 subsection (a); or
- 30 (2) subsection (a)(3), the person has two (2) or more prior  
 31 unrelated convictions under subsection (a).
- 32 (e) If a person uses a vehicle to commit a felony offense under  
 33 subsection (c)(1)(B), (c)(2), (c)(3), or (c)(4), as part of the criminal  
 34 penalty imposed for the offense, the court shall impose a minimum  
 35 executed sentence of at least:
- 36 (1) thirty (30) days, if the person does not have a prior unrelated  
 37 conviction under this section;
- 38 (2) one hundred eighty (180) days, if the person has one (1) prior  
 39 unrelated conviction under this section; or
- 40 (3) one (1) year, if the person has two (2) or more prior unrelated  
 41 convictions under this section.
- 42 (f) Notwithstanding IC 35-50-2-2.2 and IC 35-50-3-1, the mandatory



1 minimum sentence imposed under subsection (e) may not be  
2 suspended.

3 (g) If a person is convicted of an offense involving the use of a  
4 motor vehicle under:

5 (1) subsection (c)(1)(A), if the person exceeded the speed limit by  
6 at least twenty (20) miles per hour while committing the offense;

7 (2) subsection (c)(2); or

8 (3) subsection (c)(3);

9 the court may notify the bureau of motor vehicles to suspend or revoke  
10 the person's driver's license in accordance with IC 9-30-4-6.1(b) for the  
11 period described in IC 9-30-4-6.1(d)(1) or IC 9-30-4-6.1(d)(2). The  
12 court shall inform the bureau whether the person has been sentenced  
13 to a term of incarceration. At the time of conviction, the court may  
14 obtain the person's current driver's license and return the license to the  
15 bureau of motor vehicles.

16 (h) A person may not be charged or convicted of a crime under  
17 subsection (a)(3) if the law enforcement officer is a school resource  
18 officer acting in the officer's capacity as a school resource officer.

19 (i) A person who commits an offense described in subsection (c)  
20 commits a separate offense for each person whose bodily injury,  
21 serious bodily injury, catastrophic injury, or death is caused by a  
22 violation of subsection (c).

23 (j) A court may order terms of imprisonment imposed on a person  
24 convicted of more than one (1) offense described in subsection (c) to  
25 run consecutively. Consecutive terms of imprisonment imposed under  
26 this subsection are not subject to the sentencing restrictions set forth in  
27 IC 35-50-1-2(c) through IC 35-50-1-2(d).

28 (k) As used in this subsection, "family member" means a child,  
29 grandchild, parent, grandparent, or spouse of the person. It is a defense  
30 to a prosecution under subsection (b) that the person reasonably  
31 believed that the person's family member:

32 (1) was in the marked off area; and

33 (2) had suffered bodily injury or was at risk of suffering bodily  
34 injury;

35 if the person is not charged as a defendant in connection with the  
36 offense, if applicable, that caused the area to be secured by barrier tape  
37 or other physical barriers.

