



February 24, 2017

SENATE BILL No. 295

DIGEST OF SB 295 (Updated February 21, 2017 10:45 am - DI 84)

Citations Affected: IC 9-20; noncode.

Synopsis: Enforcement of vehicle weight restrictions. Prohibits the bureau of motor vehicles from assessing points under the point system for violations after December 31, 2015, of commercial weight limitations. Provides that points assessed after December 31, 2015, for such violations are null and void.

Effective: January 1, 2016 (retroactive).

Leising, Doriot, Niezgodski

January 10, 2017, read first time and referred to Committee on Rules and Legislative Procedure.

January 26, 2017, reassigned to Committee on Homeland Security and Transportation pursuant to Rule 68(b).

February 23, 2017, reported favorably — Do Pass.

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February 24, 2017

First Regular Session 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.

SENATE BILL No. 295

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

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

- 1 SECTION 1. IC 9-20-18-12 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JANUARY 1, 2016 (RETROACTIVE)]:
3 Sec. 12. (a) Except as provided in subsection (b), a person who violates
4 this article commits a Class C infraction.
5 (b) A violation of a weight limitation in IC 9-20-4, IC 9-20-5,
6 IC 9-20-11, or IC 9-20-7-1 is:
7 (1) a Class B infraction if the total of all excesses of weight under
8 those limitations is more than five thousand (5,000) pounds but
9 not more than ten thousand (10,000) pounds; and
10 (2) a Class A infraction if the total of all excesses of weight under
11 those limitations is more than ten thousand (10,000) pounds.
12 (c) This subsection does not apply to violations that occur on an
13 interstate highway. It is a defense to a charge of violating a weight
14 limitation in IC 9-20-4, IC 9-20-5, or IC 9-20-11 that the total of all
15 excesses of weight under those limitations is less than one thousand
16 (1,000) pounds.
17 (d) The court may suspend the registration of a vehicle used in

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- 1 violating this article for not more than ninety (90) days.
- 2 (e) Upon the conviction of a person for a violation of a law
3 regarding the weight limit of vehicles operated upon a highway, the
4 court may recommend suspension of the person's current chauffeur's
5 license if the violation was committed knowingly.
- 6 (f) Notwithstanding IC 34-28-5-4, funds collected as judgments,
7 except for costs, for violations under subsection (a) or (b) shall be
8 deposited in the state highway fund.
- 9 **(g) The bureau may not assess points under the point system for
10 a violation of a weight limitation in IC 9-20-4, IC 9-20-5,
11 IC 9-20-11, or IC 9-20-7-1.**
- 12 SECTION 2. [EFFECTIVE JANUARY 1, 2016 (RETROACTIVE)]
- 13 **(a) Points assessed by the bureau of motor vehicles against a
14 person for a violation after December 31, 2015, of a weight
15 limitation in IC 9-20-4, IC 9-20-5, IC 9-20-11, or IC 9-20-7-1 are
16 null and void.**
- 17 **(b) The denial, suspension, or revocation of an operator's,
18 chauffeur's, or public passenger chauffeur's license by the bureau
19 of motor vehicles that is based on the total or partial accumulation
20 of points described in subsection (a) is null and void.**
- 21 SECTION 3. An emergency is declared for this act.



Report of the President
Pro Tempore

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Bill 295, currently assigned to the Committee on Rules and Legislative Procedure, be reassigned to the Committee on Homeland Security and Transportation.

LONG

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill No. 295, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 295 as introduced.)

CRIDER, Chairperson

Committee Vote: Yeas 8, Nays 0

