

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1162

---

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 8-14-1-3, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2024 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:  
Sec. 3. The money collected for the motor vehicle highway account fund and remaining after refunds and the payment of all expenses incurred in the collection of the money and after transferring three hundred twenty-five thousand dollars (\$325,000) each month to the motor carrier regulation fund (IC 8-2.1-23), shall be allocated to and distributed among the department and subdivisions designated as follows:

(1) Of the net amount in the motor vehicle highway account the ~~auditor of state~~ **comptroller** shall set aside for the cities and towns of the state twelve and thirteen hundredths percent (12.13%). This sum shall be allocated to the cities and towns upon the basis that the population of each city and town bears to the total population of all the cities and towns and shall be used for the construction or reconstruction and maintenance of streets and alleys and shall be annually budgeted as now provided by law. However, no part of such sum shall be used for any other purpose than for the purposes defined in this chapter. If any funds allocated to any city or town shall be used by any officer or officers of such city or town for any purpose or purposes other



than for the purposes as defined in this chapter, such officer or officers shall be liable upon their official bonds to such city or town in such amount so used for other purposes than for the purposes as defined in this chapter, together with the costs of said action and reasonable attorney fees, recoverable in an action or suit instituted in the name of the state of Indiana on the relation of any taxpayer or taxpayers resident of such city or town. A monthly distribution thereof of funds accumulated during the preceding month shall be made by the ~~auditor~~ of state **comptroller**.

(2) Of the net amount in the motor vehicle highway account, the ~~auditor~~ of state **comptroller** shall set aside for the counties of the state twenty-five and eighty-seven hundredths percent (25.87%). However, as to the allocation to cities and towns under subdivision (1) and as to the allocation to counties under this subdivision, in the event that the amount in the motor vehicle highway account fund remaining after refunds and after the payment of all expenses incurred in the collection thereof is less than twenty-two million six hundred fifty thousand dollars (\$22,650,000) in any fiscal year, then the amount so set aside in the next calendar year for distributions to counties shall be reduced fifty-four percent (54%) of such deficit and the amount so set aside for distribution in the next calendar year to cities and towns shall be reduced thirteen percent (13%) of such deficit. Such reduced distributions shall begin with the distribution January 1 of each year.

(3) The amount set aside for the counties of the state under the provisions of subdivision (2) shall be allocated monthly upon the following basis:

(A) Five percent (5%) of the amount allocated to the counties to be divided equally among the ninety-two (92) counties.

(B) Sixty-five percent (65%) of the amount allocated to the counties to be divided on the basis of the ratio of the actual miles, now traveled and in use, of county roads in each county to the total mileage of county roads in the state, which shall be annually determined, accurately, by the department and submitted to the ~~auditor~~ of state **comptroller** before April 1 of each year.

(C) Thirty percent (30%) of the amount allocated to the counties to be divided on the basis of the ratio of the motor vehicle registrations of each county to the total motor vehicle registration of the state. The bureau of motor vehicles shall



annually determine the ~~amount~~ **number of motor vehicle registrations by county** under this clause and submit its determination to the ~~auditor~~ of state **comptroller** before April 1 each year.

All money so distributed to the several counties of the state shall constitute a special road fund for each of the respective counties and shall be under the exclusive supervision and direction of the board of county commissioners in the construction, reconstruction, maintenance, or repair of the county highways or bridges on such county highways within such county.

(4) Each month the remainder of the net amount in the motor vehicle highway account shall be credited to the state highway fund for the use of the department.

(5) Money in the fund may not be used for any toll road or toll bridge project.

(6) Notwithstanding any other provisions of this section, money in the motor vehicle highway account fund may be appropriated to the Indiana department of transportation from the amounts distributed to the political subdivisions of the state to pay the costs incurred by the department in providing services to those subdivisions.

(7) Notwithstanding any other provisions of this section or of IC 8-14-8, for the purpose of maintaining a sufficient working balance in accounts established primarily to facilitate the matching of federal and local money for highway projects, money may be appropriated to the Indiana department of transportation as follows:

(A) One-half (1/2) from the amounts set aside under subdivisions (1) and (2) for counties and for those cities and towns with a population greater than five thousand (5,000).

(B) One-half (1/2) from the distressed road fund under IC 8-14-8.

SECTION 2. IC 9-13-2-48, AS AMENDED BY P.L.211-2023, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 48. "Driver's license" means the following:

(1) Any type of license issued by the state in the form of a physical credential authorizing an individual to operate the type of vehicle for which the license was issued, in the manner for which the license was issued, on a highway. The term includes any endorsements added to the license under IC 9-24-8.5.

(2) ~~Except for a commercial driver's license issued under IC 9-24-6.1,~~ Any type of license issued by the state in the form of



a mobile credential authorizing an individual to operate the type of vehicle for which the license was issued, in the manner for which the license was issued, on a highway. The term includes any endorsements added to the license under IC 9-24-8.5.

SECTION 3. IC 9-13-2-78, AS AMENDED BY P.L.211-2023, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 78. "Indiana resident" refers to a person that is one (1) of the following:

(1) An individual who lives in Indiana for at least one hundred eighty-three (183) days during a calendar year and who has a legal residence in another state. However, the term does not include an individual who lives in Indiana for any of the following purposes:

- (A) Attending a postsecondary educational institution.
- (B) Serving on active duty in the armed forces of the United States.
- (C) Temporary employment.
- (D) Other purposes, without the intent of making Indiana a permanent home.

(2) An individual who is living in Indiana if the individual has no other legal residence.

(3) An individual who is registered to vote in Indiana or who satisfies the standards for determining residency in Indiana under IC 3-5-5.

(4) An individual who has a dependent enrolled in an elementary or a secondary school located in Indiana.

(5) A person that maintains a:

- (A) main office;
- (B) branch office;
- (C) warehouse; or
- (D) business facility;

in Indiana.

(6) A person that bases and operates vehicles in Indiana.

(7) A person that operates vehicles in intrastate haulage in Indiana.

~~(8) A person who is living in Indiana and has been granted parole.~~

**(9) (8)** A person that has more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) derived from sources in Indiana using the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person that is considered a resident under this subdivision is not a resident if the person



proves by a preponderance of the evidence that the person is not a resident under subdivisions (1) through ~~(8)~~: **(7)**.

SECTION 4. IC 9-13-2-103.4, AS AMENDED BY P.L.211-2023, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 103.4. "Mobile credential" means digital data issued to a telecommunications device by the bureau under IC 9-24-17.5 of the information contained on the following:

- (1) A driver's license.
- (2) A learner's permit.
- (3) An identification card.

The term does not include a ~~commercial driver's license or commercial learner's permit issued under IC 9-24-6.1~~, a motorcycle learner's permit issued under IC 9-24-8-3, a photo exempt driver's license issued under IC 9-24-11-5(b), or a photo exempt identification card issued under IC 9-24-16.5.

SECTION 5. IC 9-13-2-121.5 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. ~~121.5~~: "Parole" means ~~temporary legal presence in the United States under 8 U.S.C. 1182(d)(5) granted to an individual who:~~

- ~~(1) is a citizen or national of Ukraine or last was a habitual resident of Ukraine; and~~
- ~~(2) meets the criteria established under Section 401(a) of the Additional Ukraine Supplemental Appropriations Act (Public Law 117-128) as in effect on January 1, 2023.~~

SECTION 6. IC 9-13-2-138.5, AS ADDED BY P.L.118-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 138.5. "Proof of discharge" means a ~~document that:~~

- ~~(1) is issued by the United States Department of Defense; and~~
- ~~(2) confirms a veteran's discharge from the armed forces of the United States.~~

The term includes a ~~DD-214 form~~: **physical document or digital verification that:**

- (1) confirms a veteran's discharge from the armed forces of the United States or its reserves or the National Guard; and**
- (2) was issued by the United States Department of Veterans Affairs, the United States Department of Defense, or the National Guard Bureau.**

SECTION 7. IC 9-13-2-177.3, AS AMENDED BY P.L.198-2016, SECTION 171, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 177.3. (a) "Telecommunications device", for purposes of IC 9-21-8, IC 9-25-4-7, IC 9-24-11-3.3 (before



its repeal), and IC 9-24-11-3.7, means an electronic or digital telecommunications device. The term includes ~~at~~ **the following:**

(1) **A wireless telephone, personal digital assistant, pager, or text messaging device that is intended for handheld use.**

~~(2) personal digital assistant;~~

~~(3) pager; or~~

~~(4) text messaging device.~~

**(2) A wearable device that blocks, in whole or in part, the field of vision of the person wearing the device.**

(b) The term does not include:

(1) amateur radio equipment that is being operated by a person licensed as an amateur radio operator by the Federal Communications Commission under 47 CFR Part 97; or

(2) a communications system installed in a commercial motor vehicle weighing more than ten thousand (10,000) pounds.

SECTION 8. IC 9-14-8-2, AS ADDED BY P.L.198-2016, SECTION 188, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2025]: Sec. 2. The bureau shall do the following:

(1) Prescribe and provide all forms necessary to carry out any laws or rules administered and enforced by the bureau. **Each form must state the law or rule making the form necessary.**

(2) Maintain records under IC 9-14-12.

(3) At the close of the calendar year, make a final settlement for all the money in accounts administered by the bureau and make any necessary adjustments to meet the intent of IC 8-14-2.

SECTION 9. IC 9-14-8-3.5 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 3.5: The bureau of motor vehicles shall adopt rules under IC 4-22-2, including emergency rules in the manner provided under IC 4-22-2-37.1, necessary to implement the issuance and administration of the following:~~

~~(1) Driver's licenses, permits, or identification cards for individuals granted parole.~~

~~(2) Registrations and certificates of title for motor vehicles of individuals granted parole.~~

SECTION 10. IC 9-14-12-3, AS ADDED BY P.L.198-2016, SECTION 192, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) For each individual licensed by the bureau to operate a motor vehicle, the bureau shall create and maintain a driving record that contains the following:

(1) The individual's convictions for any of the following:

(A) A moving traffic violation.



(B) Operating a vehicle without financial responsibility in violation of IC 9-25.

- (2) Any administrative penalty imposed by the bureau.
- (3) Any suspensions, revocations, or reinstatements of the individual's driving privileges, license, or permit.
- (4) If the driving privileges of the individual have been suspended or revoked by the bureau, an entry in the record stating that a notice of suspension or revocation was mailed to the individual by the bureau **or sent electronically if the individual has indicated a preference for receiving notices from the bureau electronically**, and the date of the mailing **or sending** of the notice.
- (5) Any requirement that the individual may operate only a motor vehicle equipped with a certified ignition interlock device.

A driving record may not contain voter registration information.

(b) For an Indiana resident who does not hold any type of valid driving license, the bureau shall maintain a driving record as provided in IC 9-24-18-9.

SECTION 11. IC 9-17-2-14.5, AS AMENDED BY P.L.27-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 14.5. (a) The bureau may:

- (1) make investigations or require additional information; and
- (2) reject an application or request;

if the bureau is not satisfied of the genuineness, regularity, or legality of an application or the truth of a statement in an application, or for any other reason.

(b) If the bureau is satisfied that the person applying for a certificate of title for a vehicle is the owner of the vehicle, the bureau shall issue a certificate of title for the vehicle after the person pays the applicable fee under subsection (c) or (d).

(c) The fee for a certificate of title for a vehicle other than a watercraft is fifteen dollars (\$15). Except as provided in subsection (e), the fee shall be distributed as follows:

- (1) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (2) To the motor vehicle highway account as follows:
  - (A) For a title issued before January 1, 2017, one dollar (\$1).
  - (B) For a title issued after December 31, 2016, three dollars and twenty-five cents (\$3.25).
- (3) For a title issued before January 1, 2017, three dollars (\$3) to the highway, road and street fund.
- (4) Five dollars (\$5) to the crossroads 2000 fund.
- (5) One dollar and twenty-five cents (\$1.25) to the integrated



public safety communications fund.

(6) To the commission fund as follows:

(A) For a title issued before January 1, 2017, four dollars and twenty-five cents (\$4.25).

(B) For a title issued after December 31, 2016, five dollars (\$5).

(d) The fee for a certificate of title for a watercraft is as follows:

(1) For a certificate of title issued before January 1, 2017, fifteen dollars and fifty cents (\$15.50). The fee shall be distributed as follows:

(A) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(B) Two dollars (\$2) to the crossroads 2000 fund.

(C) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(D) Four dollars and seventy-five cents (\$4.75) to the commission fund.

(E) Seven dollars (\$7) to the department of natural resources.

(2) For a certificate of title issued after December 31, 2016, fifteen dollars (\$15). The fee shall be distributed as follows:

(A) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(B) Three dollars and twenty-five cents (\$3.25) to the motor vehicle highway account.

(C) Five dollars (\$5) to the crossroads 2000 fund.

(D) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(E) Five dollars (\$5) to the commission fund.

(e) Fees paid by dealers under this section shall be deposited in the motor vehicle odometer fund.

(f) Except as provided in subsection (g), the bureau shall deliver a certificate of title:

(1) to the person that owns the vehicle for which the certificate of title was issued, if no lien or encumbrance appears on the certificate of title; or

(2) if a lien or an encumbrance appears on the certificate of title, to the person that holds the lien or encumbrance as set forth in the application for the certificate of title.

(g) If a certificate of title is maintained electronically by the bureau, the bureau is not required to physically deliver the certificate of title but shall provide ~~electronic~~ notification:

(1) to the person who owns the vehicle for which the certificate of



title was issued, if no lien or encumbrance appears on the certificate of title; or

(2) if a lien or an encumbrance appears on the certificate of title, to the person that holds the lien or an encumbrance as set forth in the application for the certificate of title.

SECTION 12. IC 9-18.1-13-3, AS AMENDED BY P.L.257-2017, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2025]: Sec. 3. (a) Upon payment of the annual registration fee under 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)~~ **five (5)** 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



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)~~ **five (5)** commercial vehicles.

SECTION 13. IC 9-18.1-14-4, AS ADDED BY P.L.198-2016, SECTION 326, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) The fee to register an off-road vehicle or snowmobile is thirty dollars (\$30). The fee shall be deposited in the off-road vehicle and snowmobile fund established by IC 14-16-1-30.

(b) The registration of an off-road vehicle or a snowmobile under this chapter is valid until the earlier of the following:

- (1) Three (3) years from the date of registration **or renewal** under this chapter.
- (2) The date on which the off-road vehicle or snowmobile is sold or transferred to another person. **The bureau may designate an expiration month that aligns with the schedule of expiration dates described in IC 9-18.1-11-1. However, the registration period must be at least thirty-six (36) months and not more than forty-eight (48) months for a given registration or renewal.**

(c) If a person sells or otherwise disposes of an off-road vehicle or snowmobile:

- (1) the certificate of registration and decals for the off-road vehicle or snowmobile are canceled; and
- (2) except as provided in IC 9-33-3, the person is not entitled to a refund of any unused part of a fee paid by the person under this section.

(d) A person that acquires an off-road vehicle or a snowmobile that is registered under this chapter must apply to the bureau under this chapter to register the off-road vehicle or snowmobile.

SECTION 14. IC 9-18.5-29-3, AS AMENDED BY P.L.211-2023, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) An individual who registers a vehicle under this title may apply for and receive a Hoosier veteran license plate for one (1) or more vehicles upon doing the following:

- (1) Completing an application for a Hoosier veteran license plate.
- (2) Presenting one (1) of the following to the bureau:
  - (A) A United States Uniformed Services Retiree Identification Card.
  - (B) ~~A DD 214 or DD 215 record.~~ **Proof of discharge.**



- (C) United States military discharge papers.
- (D) A current armed forces identification card.
- (E) A physical credential or mobile credential issued to the individual that contains an indication of veteran status under IC 9-24-11-5.5.

(3) Paying a fee in an amount of fifteen dollars (\$15).

(b) The bureau shall distribute at least one (1) time each month the fee described in subsection (a)(3) to the director of veterans' affairs for deposit in the military family relief fund established under IC 10-17-12-8.

SECTION 15. IC 9-18.5-34-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2025]: **Sec. 5. (a) The bureau may not require a person, at the time of the renewal of:**

- (1) a registration for a collector vehicle under IC 9-18.1-5-5;**
- (2) a historic vehicle license plate under section 2 of this chapter; and**
- (3) an authentic license plate under section 3 of this chapter; to appear in person to affirm that the collector vehicle meets the requirements of IC 9-13-2-28.4.**

**(b) The bureau may require a person to appear in person for an initial inspection to determine the authenticity of an Indiana license plate from the model year of a collector vehicle under section 4(c) of this chapter.**

SECTION 16. IC 9-18.5-35-3, AS ADDED BY P.L.29-2021, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 3. (a) An individual who registers a vehicle under this title may apply for and receive an Armed Forces Expeditionary Medal license plate for one (1) or more vehicles upon doing the following:**

- (1) Completing an application for an Armed Forces Expeditionary Medal license plate.
- (2) Presenting one (1) of the following to the bureau that shows the individual has been awarded the Armed Forces Expeditionary Medal:
  - (A) A DD 214 or DD 215 record.
  - (B) United States military discharge papers.
  - (C) A current armed forces identification card.
  - (D) Digital verification through the United States Department of Defense.**

- (3) Paying a fee in the amount of fifteen dollars (\$15).
- (b) The bureau shall distribute the fee described in subsection (a)(3)



to the director of veterans' affairs for deposit in the military family relief fund established under IC 10-17-12-8.

SECTION 17. IC 9-21-8-59, AS AMENDED BY P.L.100-2020, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 59. (a) Except as provided in subsections (b) and (c), a person may not hold or use a telecommunications device while operating a moving motor vehicle.

(b) A telecommunications device **described in IC 9-13-2-177.3(a)(1)** may be used in conjunction with hands free or voice operated technology.

(c) A telecommunications device may be used or held to call 911 to report a bona fide emergency.

(d) A police officer may not, without the consent of the person:

- (1) confiscate a telecommunications device for the purpose of determining compliance with this section;
- (2) confiscate a telecommunications device and retain it as evidence pending trial for a violation of this section; or
- (3) extract or otherwise download information from a telecommunications device for a violation of this section unless:
  - (A) the police officer has probable cause to believe that the telecommunications device has been used in the commission of a crime;
  - (B) the information is extracted or otherwise downloaded under a valid search warrant; or
  - (C) otherwise authorized by law.

(e) The bureau may not assess points under the point system for a violation of this section occurring before July 1, 2021.

SECTION 18. IC 9-24-2-3, AS AMENDED BY P.L.211-2023, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The bureau may not issue a driver's license or learner's permit or grant driving privileges to the following individuals:

- (1) An individual whose driving privileges have been suspended, during the period for which the driving privileges are suspended, or to an individual whose driver's license has been revoked, until the time the bureau is authorized under Indiana law to issue the individual a new driver's license.
- (2) An individual whose learner's permit has been suspended or revoked until the time the bureau is authorized under Indiana law to issue the individual a new learner's permit.
- (3) An individual who, in the opinion of the bureau, is afflicted with or suffering from a physical or mental disability or disease



that prevents the individual from exercising reasonable and ordinary control over a motor vehicle while operating the motor vehicle on a highway.

(4) An individual who is unable to understand highway warnings or direction signs written in the English language.

(5) An individual who is required under this article to take an examination unless:

(A) the individual successfully passes the examination; or

(B) the bureau waives the examination requirement.

(6) An individual who is required under IC 9-25 or any other statute to deposit or provide proof of financial responsibility and who has not deposited or provided that proof.

(7) An individual when the bureau has good cause to believe that the operation of a motor vehicle on a highway by the individual would be inimical to public safety or welfare.

(8) An individual who is the subject of an order issued by:

(A) a court under IC 31-16-12-7 (or IC 31-1-11.5-13, IC 31-6-6.1-16, or IC 31-14-12-4 before their repeal); or

(B) the Title IV-D agency;

ordering that a driver's license or permit not be issued to the individual.

(9) ~~Except for an individual granted parole,~~ An individual who has not presented valid documentary evidence to the bureau of the individual's lawful status in the United States, as required by IC 9-24-9-2.5.

(10) An individual who does not otherwise satisfy the requirements of this article.

(b) An individual subject to epileptic seizures may not be denied a driver's license or permit under this section if the individual presents a statement from a licensed physician or an advanced practice registered nurse, on a form prescribed by the bureau, that the individual is under medication and is free from seizures while under medication.

SECTION 19. IC 9-24-2-4, AS AMENDED BY P.L.111-2021, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) If an individual is at least fifteen (15) years of age and less than eighteen (18) years of age and is a habitual truant, is under a suspension or an expulsion, or has withdrawn from school as described in section 1 of this chapter, the bureau shall, upon notification by an authorized representative of the individual's school corporation, suspend the individual's driving privileges until the earliest of the following:

(1) The individual becomes eighteen (18) years of age.



(2) One hundred twenty (120) days after the individual is suspended.

(3) The suspension, expulsion, or exclusion is reversed after the individual has had a hearing under IC 20-33-8.

(b) The bureau shall promptly mail a notice to the individual's last known address, **or send the notice electronically if the individual has indicated a preference for receiving notices from the bureau electronically**, that states the following:

(1) That the individual's driving privileges will be suspended for a specified period commencing five (5) days after the date of the notice.

(2) That the individual has the right to appeal the suspension of the driving privileges.

(c) If an aggrieved individual believes that:

(1) the information provided was technically incorrect; or

(2) the bureau committed a technical or procedural error;

the aggrieved individual may appeal the invalidation of a driver's license under section 5 of this chapter.

(d) If an individual satisfies the conditions for reinstatement of a driver's license under this section, the individual may submit to the bureau for review the necessary information certifying that at least one (1) of the events described in subsection (a) has occurred.

(e) Upon reviewing and certifying the information received under subsection (d), the bureau shall reinstate the individual's driving privileges.

(f) An individual may not operate a motor vehicle in violation of this section.

(g) An individual whose driving privileges are suspended under this section is eligible to apply for specialized driving privileges under IC 9-30-16.

(h) The bureau shall reinstate the driving privileges of an individual whose driving privileges were suspended under this section if the individual does the following:

(1) Establishes to the satisfaction of the principal of the school where the action occurred that caused the suspension of the driving privileges that the individual has:

(A) enrolled in a full-time or part-time program of education; and

(B) participated for thirty (30) or more days in the program of education.

(2) Submits to the bureau a form developed by the bureau that contains:



- (A) the verified signature of the principal or the president of the governing body of the school described in subdivision (1); and
- (B) notification to the bureau that the person has complied with subdivision (1).

An individual may appeal the decision of a principal under subdivision (1) to the governing body of the school corporation where the principal's school is located.

SECTION 20. IC 9-24-7-4, AS AMENDED BY P.L.111-2021, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) A learner's permit authorizes the holder to operate a motor vehicle, except a motorcycle or a commercial motor vehicle, upon a highway under the following conditions:

- (1) While the holder is participating in practice driving in an approved driver education course and is accompanied in the front seat of the motor vehicle by an individual with valid driving privileges who:

- (A) is licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or
- (B) is a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program.

- (2) While the holder is participating in practice driving after having commenced an approved driver education course and is accompanied in the front seat of the motor vehicle by an individual with valid driving privileges who is at least:

- (A) twenty-five (25) years of age and related to the applicant by blood, marriage, or legal status; or
- (B) if the licensed individual is the holder's spouse, twenty-one (21) years of age.

- (3) If the holder is not participating in an approved driver education course, and is less than eighteen (18) years of age, the holder may participate in practice driving if accompanied in the front seat of the motor vehicle by an individual who is:

- (A) a licensed driver, with valid driving privileges, who is:
  - (i) at least twenty-five (25) years of age; and
  - (ii) related to the applicant by blood, marriage, or legal status;
- (B) the spouse of the applicant who is:
  - (i) a licensed driver with valid driving privileges; and
  - (ii) at least twenty-one (21) years of age; or



- (C) an individual with valid driving privileges who:
    - (i) is licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); **or**
    - (ii) is a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program; **or**
    - (iii) is a bureau or commission employee who is conducting a skills examination.**
  - (4) If the holder is not participating in an approved driver education course, and is at least eighteen (18) years of age, the holder may participate in practice driving if accompanied in the front seat of the motor vehicle by an individual who is:
    - (A) a licensed driver, with valid driving privileges, who is at least twenty-five (25) years of age; or
    - (B) the spouse of the applicant who is:
      - (i) a licensed driver with valid driving privileges; and
      - (ii) at least twenty-one (21) years of age.
  - (5) If the holder is less than eighteen (18) years of age and is under the care and supervision of the department of child services, the holder may participate in practice driving if accompanied in the front seat of the motor vehicle by an individual who is:
    - (A) a licensed driver with valid driving privileges who is:
      - (i) at least twenty-five (25) years of age; and
      - (ii) related to the applicant by blood, marriage, or legal status;
    - (B) a licensed driver with valid driving privileges who is:
      - (i) at least twenty-five (25) years of age; and
      - (ii) approved by the department of child services; or
    - (C) an individual with valid driving privileges who is:
      - (i) licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or
      - (ii) a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program.
  - (b) A holder of a learner's permit may operate a motor driven cycle.
- SECTION 21. IC 9-24-8.5-2, AS AMENDED BY P.L.111-2021, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) A driver's license issued under IC 9-24-3 may include one (1) or more of the following:



- (1) A motorcycle endorsement under IC 9-24-8-4 (before its expiration) or section 3 of this chapter.
- (2) A for-hire endorsement under section 5 of this chapter.
- (b) A commercial driver's license may include one (1) or more of the following:
  - (1) A motorcycle endorsement under IC 9-24-8-4 (before its expiration) or section 3 of this chapter.
  - (2) **Except for a hazardous materials endorsement**, an endorsement under IC 9-24-6.1, including under any rules adopted under IC 9-24-6.1, **if the applicant is at least twenty-one (21) years of age.**
  - (3) **A hazardous materials endorsement under IC 9-24-6.1, including under any rules adopted under IC 9-24-6.1, if the applicant is at least eighteen (18) years of age.**

SECTION 22. IC 9-24-9-2, AS AMENDED BY P.L.211-2023, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Except as provided in subsection (b), each application for a driver's license or permit under this chapter must require the following information:

- (1) The full legal name of the applicant.
- (2) The applicant's date of birth.
- (3) The gender of the applicant.
- (4) The applicant's height, weight, hair color, and eye color.
- (5) The address of the applicant.
- (6) A:
  - (A) valid Social Security number; or
  - (B) verification of an applicant's:
    - (i) ineligibility to be issued a Social Security number;
    - (ii) identity; and
    - (iii) lawful status. ~~except for an individual granted parole.~~
- (7) Whether the applicant has been subject to fainting spells or seizures.
- (8) Whether the applicant has been issued a driver's license or has been the holder of a permit, and if so, when and by what jurisdiction.
- (9) Whether the applicant's driver's license or permit has ever been suspended or revoked, and if so, the date of and the reason for the suspension or revocation.
- (10) Whether the applicant has been convicted of:
  - (A) a crime punishable as a felony under Indiana motor vehicle law; or
  - (B) any other felony in the commission of which a motor



vehicle was used;  
that has not been expunged by a court.

(11) Whether the applicant has a physical or mental disability, and if so, the nature of the disability.

(12) The signature of the applicant showing the applicant's legal name as it appears or will appear on the driver's license or permit.

(13) A digital photograph of the applicant.

(14) Any other information the bureau requires.

(b) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the individual's address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's address.

(c) In addition to the information required by subsection (a), an applicant who is required to complete at least fifty (50) hours of supervised practice driving under IC 9-24-3-2.5(a)(1)(E) or IC 9-24-3-2.5(a)(2)(D) must submit to the bureau evidence of the time logged in practice driving.

SECTION 23. IC 9-24-9-2.3, AS AMENDED BY P.L.82-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2.3. (a) **Except for an application for a minor applicant**, an application for a driver's license or permit under this chapter must contain the following questions:

(1) "Have you served in the armed forces of the United States?".

(2) "Are you the surviving spouse of someone who served in the armed forces of the United States or their reserves, in the National Guard, or in the Indiana National Guard?".

(b) In addition to the questions set forth in subsection (a), an application for a driver's license or permit to be issued under this article must enable the applicant to indicate the following:

(1) The applicant is a veteran and wishes to have an indication of the applicant's veteran status appear on the driver's license or permit.

(2) The applicant is the surviving spouse of a veteran of the armed forces of the United States and wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the license or permit.

(3) The applicant has a medical condition of note and wishes to have an identifying symbol and a brief description of the medical condition appear on the driver's license or permit.

(c) The bureau shall keep in a data base and share the information submitted under subsections (a), (b)(1), and (b)(2) upon request by the



Indiana department of veterans' affairs. The information submitted under subsections (a), **(b)(1)**, and (b)(2) may be used by the Indiana department of veterans' affairs to develop outreach programs for veterans and their families.

(d) The application for a driver's license or permit under this chapter must indicate that an applicant has the option whether or not to answer the questions set forth in subsection (a).

SECTION 24. IC 9-24-9-2.5, AS AMENDED BY P.L.211-2023, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.5. In addition to the information required from the applicant for a driver's license or permit under sections 1 and 2 of this chapter, the bureau shall require an applicant to present to the bureau valid documentary evidence that the applicant has lawful status. ~~or is granted parole.~~

SECTION 25. IC 9-24-11-5, AS AMENDED BY P.L.211-2023, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Except as provided in subsection (d), a learner's permit or driver's license issued under this article must contain the following information:

- (1) The full legal name of the permittee or licensee.
  - (2) The date of birth of the permittee or licensee.
  - (3) The address of the principal residence of the permittee or licensee.
  - (4) The hair color and eye color of the permittee or licensee.
  - (5) The date of issue and expiration date of the permit or license.
  - (6) The gender of the permittee or licensee.
  - (7) The unique identifying number of the permit or license.
  - (8) The weight of the permittee or licensee.
  - (9) The height of the permittee or licensee.
  - (10) A reproduction of the signature of the permittee or licensee.
  - (11) If the permittee or licensee is less than eighteen (18) years of age at the time of issuance, the dates, notated prominently, on which the permittee or licensee will become:
    - (A) eighteen (18) years of age; and
    - (B) twenty-one (21) years of age.
  - (12) If the permittee or licensee is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date, notated prominently, on which the permittee or licensee will become twenty-one (21) years of age.
  - (13) Except as provided in subsection (b), a digital photograph of the permittee or licensee.
- (b) The bureau may provide for the omission of a photograph or



computerized image from any driver's license or learner's permit issued in the form of a physical credential if there is good cause for the omission. However, a driver's license or learner's permit issued without a digital photograph may not be issued in the form of a mobile credential and must include a statement that indicates that the driver's license or learner's permit issued without a digital photograph may not be accepted by a federal agency for federal identification or any other federal purpose.

(c) A driver's license or learner's permit issued to an individual who has

(+) temporary lawful status as indicated by:

~~(A)~~ (1) a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;

~~(B)~~ (2) a pending application for asylum in the United States;

~~(C)~~ (3) a pending or approved application for temporary protected status in the United States;

~~(D)~~ (4) having an approved deferred action status; or

~~(E)~~ (5) a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States; or

~~(2) been granted parole;~~

must be clearly identified as a temporary driver's license or learner's permit. A temporary driver's license or learner's permit issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the licensee's or permittee's temporary status has been extended.

(d) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence.

SECTION 26. IC 9-24-11-5.5, AS AMENDED BY P.L.120-2020, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5.5. (a) If an individual has:

(1) indicated on the application for a driver's license or learner's permit that the individual is a veteran and wishes to have an indication of the individual's veteran status appear on the driver's license or learner's permit; and

(2) provided proof of **discharge** at the time of application of the individual's veteran status;



an indication of the individual's veteran status shall be shown on the driver's license or learner's permit.

(b) If an individual has:

(1) indicated on the individual's application for a driver's license or learner's permit that the applicant:

(A) is a surviving spouse of a veteran; and

(B) wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the driver's license or learner's permit; and

(2) provided the documentation necessary to verify that the applicant was married, at the time of the decedent's death, to a veteran;

an indication of the individual's status as a surviving spouse of a veteran shall be shown on the driver's license or learner's permit.

(c) If an individual submits information concerning the individual's medical condition in conjunction with the individual's application for a driver's license or learner's permit, the bureau shall place an identifying symbol in a prominent location on a driver's license or learner's permit to indicate that the individual has a medical condition of note. The bureau shall include information on the individual's driver's license or learner's permit that briefly describes the individual's medical condition. The information must be notated in a manner that alerts an individual reading the driver's license or learner's permit to the existence of the medical condition. The individual submitting the information concerning the medical condition is responsible for its accuracy.

~~(d) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 50 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021):~~

SECTION 27. IC 9-24-12-1, AS AMENDED BY P.L.211-2023, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Except as provided in sections 10 and 11 of this chapter, a driver's license issued in the form of a physical credential to an applicant who is at least seventy-five (75) years of age expires at midnight of the birthday of the holder that occurs three (3) years following the date of issuance.

(b) Except as provided in subsections (a) and (c) and sections 10 and 11 of this chapter, a driver's license issued in the form of a physical credential under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

(c) A driver's license issued in the form of a physical credential to an individual who is less than twenty-one (21) years of age expires at



midnight of the date thirty (30) days after the twenty-first birthday of the holder. However, if the individual complies with IC 9-24-9-2.5, ~~or is granted parole~~, the driver's license expires:

- (1) at midnight one (1) year after issuance if there is no expiration date on the authorization granted to the individual to remain in the United States; or
- (2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:
  - (A) At midnight of the date the authorization to remain in the United States expires.
  - (B) At midnight of the date thirty (30) days after the twenty-first birthday of the holder.

SECTION 28. IC 9-24-12-4, AS AMENDED BY P.L.211-2023, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Except as provided in subsections (c) and (d), the application for renewal of:

- (1) a driver's license;
- (2) a chauffeur's license (before the expiration of IC 9-24-4 on July 1, 2024);
- (3) a public passenger chauffeur's license (before the expiration of IC 9-24-5 on July 1, 2022);
- (4) an identification card; or
- (5) a photo exempt identification card;

under this article may be filed not more than twenty-four (24) months before the expiration date of the license, identification card, or photo exempt identification card held by the applicant.

(b) Except as provided in subsections (c) and (d), an application for the renewal of a learner's permit issued under this article may be filed not more than thirty (30) days before the expiration of the learner's permit.

(c) When the applicant complies with IC 9-24-9-2.5, ~~or is granted parole~~, an application for renewal of a driver's license in subsection (a)(1), (a)(2), or (a)(3) may be filed not more than one (1) month before the expiration date of the license held by the applicant.

(d) When the applicant complies with IC 9-24-16-3.5, an application for renewal of an identification card under subsection (a)(4) may be filed not more than one (1) month before the expiration date of the identification card held by the applicant.

SECTION 29. IC 9-24-12-6, AS AMENDED BY P.L.85-2013, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) When the Indiana driver's license of an



individual who is temporarily residing outside Indiana because of service in the armed forces of the United States has expired, the driver's license remains valid for ninety (90) days following the individual's discharge from service in the armed forces or postdeployment in the armed forces. To obtain a renewed driver's license, the individual must do the following:

- (1) Apply for a renewal of the driver's license during the ninety (90) day period following the individual's discharge or postdeployment in the armed forces.
- (2) Show proof of ~~the individual's~~ discharge from service in the armed forces or status as postdeployment in the armed forces to the bureau when applying for the renewal.

An individual who held a commercial driver's license that expired during the individual's service in the armed forces may renew the commercial driver's license as if the commercial driver's license had not expired but had remained valid during the period of service in the armed forces of the United States.

(b) When the Indiana driver's license of an individual who is temporarily residing outside Indiana because of the service of a spouse, parent, or guardian in the armed forces of the United States has expired, the driver's license remains valid for ninety (90) days following the discharge from service in the armed forces or end of deployment in the armed forces of the individual's spouse, parent, or guardian. To obtain a renewed driver's license, the individual must do the following:

- (1) Apply for a renewal of the driver's license during the ninety (90) day period following the discharge from or end of deployment in the armed forces of the individual's spouse, parent, or guardian.
- (2) Show ~~proof~~ to the bureau ~~of the proof of~~ discharge ~~from~~ or end of deployment in the armed forces of the individual's spouse, parent, or guardian when applying for the renewal.

SECTION 30. IC 9-24-12-11, AS AMENDED BY P.L.211-2023, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. (a) This section applies to a driver's license other than a commercial driver's license.

(b) If the birthday of a holder on which the holder's driver's license would otherwise expire falls on:

- (1) Sunday;
- (2) a legal holiday (as set forth in IC 1-1-9-1); or
- (3) a weekday when all license branches in the county of residence of the holder are closed;



the driver's license of the holder does not expire until midnight of the first day after the birthday on which a license branch is open for business in the county of residence of the holder.

(c) A driver's license issued to an applicant who complies with IC 9-24-9-2.5 ~~or who is granted parole~~ expires:

(1) at midnight one (1) year after issuance if there is no expiration date on the authorization granted to the individual to remain in the United States; or

(2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:

(A) At midnight of the date the authorization of the holder to have lawful status as a permanent resident or conditional resident alien of the United States expires.

(B) At midnight of the birthday of the holder that occurs six (6) years after the date of issuance.

**(d) A driver's license expires upon the bureau receiving notice of the death of the holder.**

SECTION 31. IC 9-24-14-3.5, AS AMENDED BY P.L.211-2023, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3.5. (a) If a valid computerized image or digital photograph of an individual exists within the records of the bureau, an individual may apply for a replacement driver's license or learner's permit issued in the form of a physical credential by electronic service.

**(b) An individual may apply by electronic service for the individual's driver's license or learner's permit to be converted into an identification card for a nondriver.**

~~(b) (c) An individual applying for a replacement of a driver's license or a learner's permit issued in the form of a physical credential must apply in person at a license branch if the individual is not entitled to apply by mail or by electronic service. under subsection (a):~~

SECTION 32. IC 9-24-16-1, AS AMENDED BY P.L.211-2023, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The bureau shall issue an identification card in the form of a physical credential to an individual who meets the following conditions:

(1) Makes an application.

(2) Is an Indiana resident.

(3) Has presented valid documentary evidence to the bureau of the individual's lawful status in the United States, ~~or valid documentary evidence that the individual is granted parole,~~ as required by section 3.5 of this chapter.



SECTION 33. IC 9-24-16-2, AS AMENDED BY P.L.211-2023, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) **Except for an application for a minor applicant**, an application for an identification card to be issued under this chapter in the form of a physical credential must contain the following questions:

- (1) "Have you served in the armed forces of the United States?".
- (2) "Are you the surviving spouse of someone who served in the armed forces of the United States or their reserves, in the National Guard, or in the Indiana National Guard?".

(b) In addition to the questions set forth in subsection (a), an application for an identification card issued under this chapter in the form of a physical credential must require the following information concerning an applicant:

- (1) The full legal name of the applicant.
- (2) The applicant's date of birth.
- (3) The gender of the applicant.
- (4) The applicant's height, weight, hair color, and eye color.
- (5) The principal address and mailing address of the applicant.
- (6) A:
  - (A) valid Social Security number; or
  - (B) verification of an applicant's:
    - (i) ineligibility to be issued a Social Security number;
    - (ii) identity; and
    - (iii) lawful status. ~~except for an individual granted parole.~~
- (7) A digital photograph of the applicant.
- (8) The signature of the applicant showing the applicant's legal name as it will appear on the identification card issued in the form of a physical credential.
- (9) If the applicant is also applying for a motor driven cycle endorsement, verification that the applicant has satisfactorily completed the test required under section 3.6 of this chapter.

(c) The bureau may invalidate an identification card issued in the form of a physical credential that the bureau believes to have been issued as a result of fraudulent documentation.

(d) The bureau:

- (1) shall adopt rules under IC 4-22-2 to establish a procedure to verify an applicant's identity and lawful status; and
- (2) may adopt rules to establish a procedure to temporarily invalidate an identification card issued in the form of a physical credential that it believes to have been issued based on fraudulent documentation.



(e) For purposes of subsection (b), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the individual's principal address and mailing address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's principal address and mailing address.

(f) In addition to the information required under subsection (b), an application for an identification card to be issued under this chapter in the form of a physical credential must enable the applicant to indicate that the applicant is a veteran and wishes to have an indication of the applicant's veteran status appear on the identification card issued in the form of a physical credential. An applicant who wishes to have an indication of the applicant's veteran status appear on the identification card issued in the form of a physical credential must:

- (1) indicate on the application that the applicant:
  - (A) is a veteran; and
  - (B) wishes to have an indication of the applicant's veteran status appear on the identification card; and
- (2) provide proof **of discharge** at the time of application of the applicant's veteran status.

(g) In addition to the information required under subsection (b), an application for an identification card to be issued under this chapter in the form of a physical credential must enable the applicant to indicate that the applicant is a surviving spouse of a veteran and wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the identification card issued in the form of a physical credential. An applicant who wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the identification card issued in the form of a physical credential must:

- (1) indicate on the application that the applicant:
  - (A) is the surviving spouse of a veteran of the armed forces of the United States; and
  - (B) wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the identification card issued in the form of a physical credential; and
- (2) provide the documentation necessary to verify that the applicant was married, at the time of the decedent's death, to a veteran.

(h) The bureau shall keep in a data base and share the information submitted under subsections (a) and (g) at least annually with the Indiana department of veterans' affairs. The information submitted under subsections (a) and (g) may be used by the Indiana department



of veterans' affairs to develop outreach programs for veterans and their families.

(i) The application for an identification card to be issued under this chapter in the form of a physical credential must indicate that an applicant has the option whether or not to answer the questions set forth in subsection (a).

SECTION 34. IC 9-24-16-3, AS AMENDED BY P.L.211-2023, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) An identification card:

- (1) issued in the form of a physical credential must have the same dimensions and shape as a driver's license; and
- (2) in the form of a mobile credential must contain the same data contained in a driver's license;

but the card must have markings sufficient to distinguish the card from a driver's license.

(b) Except as provided in subsection (g), the front side of an identification card issued in the form of a physical credential must contain the expiration date of the identification card and the following information about the individual to whom the card is being issued:

- (1) Full legal name.
- (2) The address of the principal residence.
- (3) Date of birth.
- (4) Date of issue and date of expiration.
- (5) Unique identification number.
- (6) Gender.
- (7) Weight.
- (8) Height.
- (9) Color of eyes and hair.
- (10) Reproduction of the signature of the individual identified.
- (11) Whether the individual is blind (as defined in IC 12-7-2-21(1)).
- (12) If the individual is less than eighteen (18) years of age at the time of issuance, the dates on which the individual will become:
  - (A) eighteen (18) years of age; and
  - (B) twenty-one (21) years of age.
- (13) If the individual is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the individual will become twenty-one (21) years of age.
- (14) Digital photograph of the individual.

(c) The information contained on the identification card as required by subsection (b)(12) or (b)(13) for an individual who is less than twenty-one (21) years of age at the time of issuance shall be notated



prominently on the identification card issued in the form of a physical credential.

(d) If the individual complies with section 2(f) or 2(g) of this chapter, an indication of the individual's veteran status or status as the surviving spouse of a veteran of the armed forces of the United States, as applicable, shall be shown on the identification card issued in the form of a physical credential.

(e) If the applicant for an identification card issued in the form of a physical credential submits information to the bureau concerning the applicant's medical condition, the bureau shall place an identifying symbol on the face of the identification card issued in the form of a physical credential to indicate that the applicant has a medical condition of note. The bureau shall include information on the identification card issued in the form of a physical credential that briefly describes the medical condition of the holder of the card issued in the form of a physical credential. The information must be printed in a manner that alerts a person reading the card issued in the form of a physical credential to the existence of the medical condition. The applicant for an identification card issued in the form of a physical credential is responsible for the accuracy of the information concerning the medical condition submitted under this subsection. The bureau shall inform an applicant that submission of information under this subsection is voluntary.

(f) An identification card issued by the state to an individual who has

(1) temporary lawful status as indicated by:

(A) (1) a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;

(B) (2) a pending application for asylum in the United States;

(C) (3) a pending or approved application for temporary protected status in the United States;

(D) (4) having an approved deferred action status; or

(E) (5) a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States; or

(2) been granted parole;

must be issued in the form of a physical credential and clearly identified as a temporary identification card. A temporary identification card issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the holder of the identification card's temporary status has been extended.



(g) For purposes of subsection (b), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence.

(h) The bureau shall validate an identification card issued in the form of a physical credential for motor driven cycle operation upon a highway by endorsement to an individual who:

- (1) applies for or has previously been issued an identification card under this chapter;
- (2) makes the appropriate application for endorsement; and
- (3) satisfactorily completes the test required under section 3.6 of this chapter.

The bureau shall place a designation on the face of the identification card issued in the form of a physical credential to indicate that the individual has received a motor driven cycle endorsement.

SECTION 35. IC 9-24-16-3.5, AS AMENDED BY P.L.211-2023, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3.5. In addition to the information required for the applicant for an identification card under section 3 of this chapter, the bureau shall require an applicant to present to the bureau:

- (1) valid documentary evidence that the applicant has:
  - (A) lawful status; **or**
  - (B) a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States; **or**
  - ~~(C) been granted parole;~~ and
- (2) evidence of the Social Security number of the applicant. If federal law prohibits the issuance of a Social Security number to the applicant, the applicant must provide verification of the applicant's ineligibility to be issued a Social Security number.

SECTION 36. IC 9-24-16-4.5, AS AMENDED BY P.L.211-2023, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4.5. (a) ~~The bureau may adopt rules under IC 4-22-2 concerning the ability of an individual to renew an identification card issued in the form of a physical credential under section 5 of this chapter; An individual may~~ apply for a replacement identification card issued in the form of a physical credential under section 9 of this chapter, ~~or~~ apply for a replacement identification card issued in the form of a physical credential under section 6 of this



chapter, **or convert a driver's license or learner's permit into an identification card under IC 9-24-14-3.5** by electronic service. ~~If rules are adopted under this subsection, the rules must provide that~~ An individual's renewal, amendment, or replacement of, **or conversion to**, an identification card issued in the form of a physical credential by electronic service is subject to the following conditions:

- (1) A valid computerized image or digital photograph of the individual must exist within the records of the bureau.
- (2) The individual must be a citizen of the United States, as shown in the records of the bureau.
- (3) There must not have been any change in the:
  - (A) legal address; or
  - (B) name;

of the individual since the issuance or previous renewal of the identification card issued in the form of a physical credential of the individual.

- (4) The identification card issued in the form of a physical credential of the individual must not be expired more than one hundred eighty (180) days at the time of the application for renewal.

(b) An individual applying for:

- (1) the renewal of an identification card; or
- (2) a replacement identification card;

must apply in person if the individual is not entitled to apply by mail or by electronic service under subsection (a).

SECTION 37. IC 9-24-16-5, AS AMENDED BY P.L.211-2023, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) An application for renewal of an identification card issued in the form of a physical credential may be made not more than twenty-four (24) months before the expiration date of the card issued in the form of a physical credential. However, when the applicant complies with section 3.5 of this chapter, an application for renewal of an identification card issued in the form of a physical credential may be filed not more than one (1) month before the expiration date of the identification card issued in the form of a physical credential held by the applicant.

(b) Except as provided in subsection (d), a renewed card issued in the form of a physical credential is valid on the birth date of the holder and remains valid for six (6) years.

(c) Renewal may not be granted if the cardholder was issued a driver's license issued in the form of a physical credential subsequent to the last issuance of an identification card issued in the form of a



physical credential.

(d) A renewed identification card issued under this article in the form of a physical credential to an applicant who complies with section 3.5 of this chapter expires:

(1) at midnight one (1) year after issuance, if there is no expiration date on the authorization granted to the individual to remain in the United States; or

(2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:

(A) At midnight of the date the authorization of the holder to have lawful status as a permanent resident or conditional resident alien of the United States expires.

(B) At midnight of the birthday of the holder that occurs six (6) years after the date of issuance.

**(e) An identification card expires upon the bureau receiving notice of the death of the holder.**

SECTION 38. IC 9-24-17.5-2, AS AMENDED BY P.L.211-2023, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) In addition to a physical credential issued under this article, upon request by an applicant, the bureau may issue a mobile credential to an individual who satisfies the requirements for application under this article for the following:

(1) A driver's license.

(2) A learner's permit.

(3) An identification card.

**(4) A commercial driver's license issued under IC 9-24-6.1.**

**(5) A commercial learner's permit issued under IC 9-24-6.1.**

(b) The bureau may not issue a mobile credential for:

~~(1) a commercial driver's license issued under IC 9-24-6.1;~~

~~(2) a commercial learner's permit issued under IC 9-24-6.1;~~

~~(3) (1) a motorcycle learner's permit issued under IC 9-24-8-3;~~

~~(4) (2) a photo exempt driver's license issued under IC 9-24-11-5(b); or~~

~~(5) (3) a photo exempt identification card issued under IC 9-24-16.5.~~

SECTION 39. IC 9-24-18-9, AS AMENDED BY P.L.198-2016, SECTION 532, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) The bureau may establish a driving record for an Indiana resident who does not hold any type of valid driving license. The driving record shall be established for an unlicensed driver when the bureau receives an abstract of court



conviction for the type of conviction that would appear on an official driver's record.

(b) If an unlicensed driver applies for and receives any type of driver's license in Indiana, the individual's driving record as an unlicensed driver shall be recorded on the permanent record file.

(c) The bureau shall also certify traffic violation convictions on the driving record of an unlicensed driver who subsequently receives an Indiana driver's license.

(d) A driving record established under this section must include the following:

- (1) The individual's convictions for any of the following:
  - (A) A moving traffic violation.
  - (B) Operating a vehicle without financial responsibility in violation of IC 9-25.
- (2) Any administrative penalty imposed by the bureau.
- (3) Any suspensions, revocations, or reinstatements of the individual's driving privileges, license, or permit.
- (4) If the driving privileges of the individual have been suspended or revoked by the bureau, an entry in the record stating that a notice of suspension or revocation was mailed to the individual by the bureau **or sent electronically if the individual has indicated a preference for receiving notices from the bureau electronically**, and the date of the mailing **or sending** of the notice.
- (5) Any requirement that the individual may operate only a motor vehicle equipped with a certified ignition interlock device.

A driving record may not contain voter registration information.

SECTION 40. IC 9-24-19-8, AS AMENDED BY P.L.147-2018, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. Service by the bureau of motor vehicles of a notice or an order suspending or revoking an individual's driving privileges by mailing the notice or order by first class mail to the individual at the last address shown for the individual in the records of the bureau, **or by sending the notice or order electronically if the individual has indicated a preference for receiving notices from the bureau electronically**, establishes a rebuttable presumption that the individual knows that the individual's driving privileges are suspended or revoked, as applicable.

SECTION 41. IC 9-25-5-3, AS AMENDED BY P.L.149-2015, SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) A request for evidence of financial responsibility must do the following:



(1) Direct the person to provide the bureau with evidence that financial responsibility was in effect with respect to the motor vehicle, or the operation of the motor vehicle, operated by the person on the date requested.

(2) Instruct the person on how to furnish the bureau with evidence of financial responsibility in compliance with this article.

(3) Inform the person that failure to furnish evidence of financial responsibility to the bureau, if not already provided, will result in suspension of the person's current driving privileges or motor vehicle registration, or both, under this article.

(b) The bureau shall mail a request for evidence of financial responsibility to a person by first class mail to the mailing address of the person appearing in the records of the bureau **or send the request electronically if the person has indicated a preference for receiving requests from the bureau electronically.**

SECTION 42. IC 9-28-2-9, AS AMENDED BY P.L.188-2015, SECTION 103, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) Upon written notification from a jurisdiction that is a party to an agreement entered into under this chapter, the bureau shall take appropriate action against a licensed driver for failure to meet the conditions set out in the citation of the jurisdiction in which the traffic offense occurred.

(b) The bureau shall notify the driver by first class mail, **or electronically if the driver has indicated a preference for receiving requests from the bureau electronically,** of the request by the respective jurisdiction to have the driver's driving privileges suspended. For the purposes of this chapter, a written notice sent to the driver's last registered address with the bureau meets the conditions of due notice.

(c) The driver has fifteen (15) days from the date of notice to satisfy the conditions of the citation issued by the jurisdiction or to request a hearing before a bureau hearing officer to show evidence or present information why the bureau should not suspend the driver's driving privileges for failure to meet the terms of the citation.

(d) Upon holding the hearing, the bureau may suspend the driver's driving privileges until the conditions of the citation are met or a release from the citing jurisdiction is obtained.

(e) If the bureau does not receive information from the driver concerning the notification, the bureau shall suspend the driver's driving privileges until the conditions of the citation are met or a release is obtained.

(f) A driver whose driving privileges have been suspended for failure to meet the conditions of a citation in another jurisdiction is not



eligible for specialized driving privileges under IC 9-30-16.

(g) The bureau may not suspend driving privileges under this section for a nonmoving traffic offense occurring in another jurisdiction.

SECTION 43. IC 9-30-3-8, AS AMENDED BY P.L.211-2023, SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) Except as provided in subsection (b), the court may issue a warrant for the arrest of a defendant who is an Indiana resident who:

- (1) fails to appear or answer a traffic information and summons for a misdemeanor or felony; or
- (2) fails to appear or answer a complaint and summons for a misdemeanor or felony served upon the defendant.

If the warrant is not executed within thirty (30) days after issue, the court shall promptly forward the court copy of the traffic information and summons or complaint and summons to the bureau indicating that the defendant failed to appear in court as ordered. The court shall then mark the case as failure to appear on the court's records.

(b) If a defendant who is not an Indiana resident or a minor who is an Indiana resident fails to appear or answer a traffic summons served upon the defendant or minor and upon which the information or complaint has been filed thirty (30) days after the return date of the information and summons or complaint and summons, the court shall promptly forward the court copy of the traffic information and summons or complaint and summons to the bureau. If the defendant is a nonresident, the bureau shall notify the motor vehicle commission of the state of the nonresident defendant of the defendant's failure to appear and also of any action taken by the bureau relative to the Indiana driving privileges of the defendant. If the defendant or minor fails to appear or otherwise answer within thirty (30) days, the court shall mark the case as failure to appear on the court's records.

(c) The court may suspend the driving privileges of a defendant who fails to satisfy a judgment entered against the defendant for:

- (1) commission of a moving traffic offense as defined by IC 9-13-2-110; or
- (2) commission of a traffic infraction listed in 140 IAC 1-4.5-10; for a period of three (3) years from the date set by the court under IC 34-28-5-6. The court shall forward notice to the bureau indicating that the defendant failed to pay as ordered.

(d) If the bureau receives a copy of the traffic information and summons or complaint under subsection (a) or a notice of failure to pay under subsection (c), either on a form prescribed by the bureau or in an



electronic format prescribed by the office of judicial administration, the bureau shall suspend the driving privileges of the defendant until:

- (1) the defendant appears in court;
- (2) the case has been disposed of;
- (3) payment is received by the court; or
- (4) three (3) years from a date set by the court under subsection (c).

The order of suspension may be served upon the defendant by mailing the order by first class mail to the defendant at the last address shown for the defendant or minor in the records of the bureau **or by sending the order electronically if the defendant has indicated a preference for receiving notices from the bureau electronically**. A suspension under this section begins thirty (30) days after the date the notice of suspension is mailed **or sent electronically** by the bureau to the defendant.

(e) For nonresidents of Indiana or a minor resident of Indiana under subsection (b), the order of suspension shall be mailed to the defendant or minor at the address given to the arresting officer or the clerk of court by the defendant or minor as shown by the traffic information or complaint. A copy of the order shall also be sent to the motor vehicle bureau of the state of the nonresident defendant and the bureau. If:

- (1) the defendant's or minor's failure to appear in court has been certified to the bureau under this chapter; and
- (2) the defendant or minor subsequently appears in court to answer the charges against the defendant or minor;

the court shall proceed to hear and determine the case in the same manner as other cases pending in the court. Upon final determination of the case, the court shall notify the bureau of the determination either in an electronic format or upon forms prescribed by the bureau. The notification shall be made by the court within ten (10) days after the final determination of the case, and information from the original copy of the traffic information and summons or complaint and summons must accompany the notification.

(f) If the bureau receives notice that a defendant or minor failed to appear under subsection (b), the bureau shall suspend the defendant's or minor's Indiana driving privileges until either:

- (1) the defendant or minor appears in court to answer for the charges against the defendant or minor; or
- (2) the case is disposed of.

(g) This section does not preclude preliminary proceedings under IC 35-33.

SECTION 44. IC 9-30-4-6.1, AS ADDED BY P.L.198-2016,



SECTION 598, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6.1. (a) The bureau shall suspend or revoke the current driver's license or driving privileges ~~and all certificates of registration and proof of registration issued to or registered in the name~~ of an individual who is convicted of any of the following:

- (1) Manslaughter or reckless homicide resulting from the operation of a motor vehicle.
- (2) Knowingly making a false application, or committing perjury with respect to an application made, under:
  - (A) this chapter; or
  - (B) any other law requiring the registration of motor vehicles or regulating motor vehicle operation on highways.
- (3) Three (3) charges of criminal recklessness involving the use of a motor vehicle within the preceding twelve (12) months.
- (4) Failure to stop and give information or assistance or failure to stop and disclose the individual's identity at the scene of an accident that has resulted in death, personal injury, or property damage in excess of two hundred dollars (\$200).

~~However, and unless otherwise required by law, the bureau may not suspend a certificate of registration or proof of registration if the individual gives and maintains, during the three (3) years following the date of suspension or revocation, proof of financial responsibility in the future in the manner specified in this section:~~

(b) The bureau shall suspend a driver's license or driving privileges of an individual upon conviction in another jurisdiction for the following:

- (1) Manslaughter or reckless homicide resulting from the operation of a motor vehicle.
- (2) Knowingly making a false application, or committing perjury with respect to an application made, under:
  - (A) this chapter; or
  - (B) any other law requiring the registration of motor vehicles or regulating motor vehicle operation on highways.
- (3) Three (3) charges of criminal recklessness involving the use of a motor vehicle within the preceding twelve (12) months.
- (4) Failure to stop and give information or assistance or failure to stop and disclose the individual's identity at the scene of an accident that has resulted in death, personal injury, or property damage in excess of two hundred dollars (\$200).

However, if property damage under subdivision (4) is equal to or less than two hundred dollars (\$200), the bureau may determine whether



the driver's license or driving privileges ~~and certificates of registration and proof of registration~~ shall be suspended or revoked.

(c) An individual whose driving privileges are suspended under this chapter is eligible for specialized driving privileges under IC 9-30-16.

(d) A suspension or revocation remains in effect and a new or renewal license may not be issued to the individual ~~and a motor vehicle may not be registered in the name of the individual~~ as follows:

(1) Except as provided in subdivision (2), for six (6) months after the date of conviction or on the date on which the individual is otherwise eligible for a license, whichever is later.

(2) Upon conviction of an offense described in subsection (a)(1), (a)(4), (b)(1), or (b)(4), when the accident has resulted in death, for a fixed period of at least two (2) years and not more than five (5) years, to be fixed by the bureau based upon recommendation of the court entering a conviction. A new or reinstated driver's license or driving privileges may not be issued to the individual unless that individual, within the three (3) years following the expiration of the suspension or revocation, gives and maintains in force at all times during the effective period of a new or reinstated license proof of financial responsibility in the future in the manner specified in this chapter. However, the liability of the insurance carrier under a motor vehicle liability policy that is furnished for proof of financial responsibility in the future as set out in this chapter becomes absolute whenever loss or damage covered by the policy occurs, and the satisfaction by the insured of a final judgment for loss or damage is not a condition precedent to the right or obligation of the carrier to make payment on account of loss or damage, but the insurance carrier has the right to settle a claim covered by the policy. If the settlement is made in good faith, the amount must be deducted from the limits of liability specified in the policy. A policy may not be canceled or annulled with respect to a loss or damage by an agreement between the carrier and the insured after the insured has become responsible for the loss or damage, and a cancellation or annulment is void. The policy may provide that the insured or any other person covered by the policy shall reimburse the insurance carrier for payment made on account of any loss or damage claim or suit involving a breach of the terms, provisions, or conditions of the policy. If the policy provides for limits that exceed the limits specified in this chapter, the insurance carrier may plead against any plaintiff, with respect to the amount of the excess limits of liability, any defenses that the carrier may be entitled to



plead against the insured. The policy may further provide for prorating of the insurance with other applicable valid and collectible insurance. An action does not lie against the insurance carrier by or on behalf of any claimant under the policy until a final judgment has been obtained after actual trial by or on behalf of any claimant under the policy.

(e) The bureau may take action as required in this section upon receiving satisfactory evidence of a conviction of an individual in another state.

(f) A suspension or revocation under this section or IC 9-30-13-0.5 stands pending appeal of the conviction to a higher court and may be set aside or modified only upon the receipt by the bureau of the certificate of the court reversing or modifying the judgment that the cause has been reversed or modified. However, if the suspension or revocation follows a conviction in a court of no record in Indiana, the suspension or revocation is stayed pending appeal of the conviction to a court of record.

(g) A person aggrieved by an order or act of the bureau under this section or IC 9-30-13-0.5 may file a petition for a court review.

(h) An entry in the driving record of a defendant stating that notice of suspension or revocation was mailed by the bureau, **or sent electronically if the defendant has indicated a preference for receiving notices from the bureau electronically**, to the defendant constitutes prima facie evidence that the notice was mailed to the defendant's address as shown in the records of the bureau.

SECTION 45. IC 9-30-4-13, AS AMENDED BY P.L.125-2012, SECTION 334, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13. (a) Whenever the bureau is authorized or required to give notice under this chapter or any other law regulating the operation of vehicles, unless a different method of giving notice is otherwise expressly prescribed, the notice may be given ~~either~~ by personal delivery to the person to be notified, ~~or~~ by deposit with the United States Postal Service of the notice by first class mail, **or sent electronically if the person has indicated a preference for receiving notices from the bureau electronically**.

(b) A person who, after notification, fails to return or surrender to the bureau upon demand a suspended, revoked, or invalidated driver's license, permit, certificate of registration, or license plate commits a Class C misdemeanor. The bureau may file with the prosecuting attorney of the county in which the person resides an affidavit charging the person with the offense.

SECTION 46. IC 9-30-6-8.5, AS AMENDED BY P.L.149-2015,



SECTION 103, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8.5. If the bureau receives an order recommending use of an ignition interlock device under section 8(d) of this chapter, the bureau shall immediately do the following:

(1) Mail notice to the person's address contained in the records of the bureau, **or send notice electronically if the person has indicated a preference for receiving notices from the bureau electronically**, stating that the person may not operate a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8 commencing:

(A) five (5) days after the date of the notice; or

(B) on the date the court enters an order recommending use of an ignition interlock device;

whichever occurs first.

(2) Notify the person of the right to a judicial review under section 10 of this chapter.

SECTION 47. IC 9-30-6-9, AS AMENDED BY P.L.188-2015, SECTION 111, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) This section does not apply if an ignition interlock device order is issued under section 8(d) of this chapter.

(b) If the affidavit under section 8(b) of this chapter states that a person refused to submit to a chemical test, the bureau shall suspend the driving privileges of the person:

(1) for:

(A) one (1) year; or

(B) if the person has at least one (1) previous conviction for operating while intoxicated, two (2) years; or

(2) until the suspension is ordered terminated under IC 9-30-5.

(c) If the affidavit under section 8(b) of this chapter states that a chemical test resulted in prima facie evidence that a person was intoxicated, the bureau shall suspend the driving privileges of the person:

(1) for one hundred eighty (180) days; or

(2) until the bureau is notified by a court that the charges have been disposed of;

whichever occurs first.

(d) Whenever the bureau is required to suspend a person's driving privileges under this section, the bureau shall immediately do the following:

(1) Mail notice to the person's address contained in the records of the bureau, **or send the notice electronically if the person has**



**indicated a preference for receiving notices from the bureau electronically**, stating that the person's driving privileges will be suspended for a specified period, commencing:

- (A) seven (7) days after the date of the notice; or
- (B) on the date the court enters an order recommending suspension of the person's driving privileges under section 8(c) of this chapter;

whichever occurs first.

- (2) Notify the person of the right to a judicial review under section 10 of this chapter.

SECTION 48. IC 9-30-10-5, AS AMENDED BY P.L.188-2015, SECTION 114, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) If it appears from the records maintained by the bureau that a person's driving record makes the person a habitual violator under section 4 of this chapter and a court has not already found the person to be a habitual violator under section 6.5 of this chapter based on the same underlying violations, the bureau shall mail a notice to the person's last known address, **or send the notice electronically if the person has indicated a preference for receiving notices from the bureau electronically**, that informs the person that the person's driving privileges will be suspended in thirty (30) days because the person is a habitual violator according to the records of the bureau.

(b) Thirty (30) days after the bureau has mailed a notice under this section, the bureau shall suspend the person's driving privileges for:

- (1) except as provided in subdivision (2), ten (10) years if the person is a habitual violator under section 4(a) of this chapter;
- (2) life if the person is a habitual violator under section 4(a) of this chapter and has at least two (2) violations under section 4(a)(4) through 4(a)(7) of this chapter;
- (3) ten (10) years if the person is a habitual violator under section 4(b) of this chapter; or
- (4) five (5) years if the person is a habitual violator under section 4(c) of this chapter.

(c) The notice must inform the person that the person may be entitled to relief under IC 9-33-2.

(d) Notwithstanding subsection (b), if the bureau does not discover that a person's driving record makes the person a habitual violator under section 4 of this chapter for more than two (2) years after the bureau receives the person's final qualifying conviction, the bureau shall not suspend the person's driving privileges for any period.

SECTION 49. IC 9-30-10-16, AS AMENDED BY P.L.188-2015,



SECTION 117, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 16. (a) A person who operates a motor vehicle:

- (1) while the person's driving privileges are validly suspended under this chapter or IC 9-12-2 (repealed July 1, 1991) and the person knows that the person's driving privileges are suspended; or
- (2) in violation of restrictions imposed under this chapter or IC 9-12-2 (repealed July 1, 1991) and who knows of the existence of the restrictions;

commits a Level 6 felony.

(b) Service by the bureau of notice of the suspension or restriction of a person's driving privileges under subsection (a)(1) or (a)(2):

- (1) in compliance with section 5 of this chapter; and
- (2) by first class mail, **or electronically if the person has indicated a preference for receiving notices from the bureau electronically**, to the person at the last address shown for the person in the bureau's records;

establishes a rebuttable presumption that the person knows that the person's driving privileges are suspended or restricted.

SECTION 50. IC 9-30-13-6, AS AMENDED BY P.L.217-2014, SECTION 150, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) The bureau shall, upon receiving an order of a court issued under IC 31-16-12-7 (or IC 31-14-12-4 before its repeal), suspend the driving privileges of the person who is the subject of the order.

(b) The bureau may not reinstate driving privileges suspended under this section until the bureau receives an order allowing reinstatement from the court that issued the order for suspension.

(c) Upon receiving an order for suspension under subsection (a), the bureau shall promptly mail a notice to the last known address of the person who is the subject of the order, **or send the notice electronically if the person has indicated a preference for receiving notices from the bureau electronically**, stating the following:

- (1) That the person's driving privileges are suspended, beginning eighteen (18) business days after the date the notice is mailed, and that the suspension will terminate ten (10) business days after the bureau receives an order allowing reinstatement from the court that issued the suspension order.
  - (2) That the person has the right to petition for reinstatement of driving privileges to the court that issued the order for suspension.
- (d) A person who operates a motor vehicle in violation of this



section commits a Class A infraction, unless:

- (1) the person's driving privileges are suspended under this section; and
- (2) the person has been granted specialized driving privileges under IC 9-30-16 as a result of the suspension under this section.

SECTION 51. IC 9-30-13-8, AS AMENDED BY P.L.217-2014, SECTION 152, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) Upon receiving an order issued by a court under IC 35-43-4-8(b) concerning a person convicted of fuel theft, the bureau shall do the following:

- (1) Suspend under subsection (b) the driving privileges of the person who is the subject of the order, whether or not the person's current driver's license accompanies the order.
- (2) Mail to the last known address of the person who is the subject of the order, **or send electronically if the person has indicated a preference for receiving notices from the bureau electronically**, a notice:

- (A) stating that the person's driving privileges are being suspended for fuel theft;
- (B) setting forth the date on which the suspension takes effect and the date on which the suspension terminates; and
- (C) stating that the person may be granted specialized driving privileges under IC 9-30-16 if the person meets the conditions for obtaining specialized driving privileges.

(b) The suspension of the driving privileges of a person who is the subject of an order issued under IC 35-43-4-8(b):

- (1) begins five (5) business days after the date on which the bureau mails the notice to the person under subsection (a)(2); and
- (2) terminates thirty (30) days after the suspension begins.

(c) A person who operates a motor vehicle during a suspension of the person's driving privileges under this section commits a Class A infraction unless the person's operation of the motor vehicle is authorized by specialized driving privileges granted to the person under IC 9-30-16.

(d) The bureau shall, upon receiving a record of conviction of a person upon a charge of driving a motor vehicle while the driving privileges, permit, or license of the person is suspended, fix the period of suspension in accordance with the order of the court.

SECTION 52. IC 9-30-13-9, AS ADDED BY P.L.41-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) Upon receiving an order issued by a court under IC 9-21-5-11(f) concerning a person who has committed the



infraction of violating a worksite speed limit for the second time within one (1) year, the bureau shall do the following:

(1) Suspend under subsection (b) the driving privileges of the person who is the subject of the order, whether or not the person's current driver's license accompanies the order.

(2) Mail to the last known address of the person who is the subject of the order, **or send electronically if the person has indicated a preference for receiving notices from the bureau electronically**, a notice:

(A) stating that the person's driving privileges are being suspended for a second or subsequent offense of exceeding a worksite speed limit within one (1) year;

(B) setting forth the date on which the suspension takes effect and the date on which the suspension terminates; and

(C) stating that the person may be granted specialized driving privileges under IC 9-30-16 if the person meets the conditions for obtaining specialized driving privileges.

(b) The suspension of the driving privileges of a person who is the subject of an order issued under IC 9-21-5-11(f):

(1) begins five (5) business days after the date on which the bureau mails the notice to the person under subsection (a)(2); and

(2) terminates sixty (60) days after the suspension begins.

(c) A person who operates a motor vehicle during a suspension of the person's driving privileges under this section commits a Class A infraction unless the person's operation of the motor vehicle is authorized by specialized driving privileges granted to the person under IC 9-30-16.

(d) The bureau shall, upon receiving a record of conviction of a person upon a charge of driving a motor vehicle while the driving privileges, permit, or license of the person is suspended, fix the period of suspension in accordance with the order of the court.

SECTION 53. IC 9-33-3-1, AS ADDED BY P.L.198-2016, SECTION 632, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) This section applies if:

(1) the bureau charges a person a fee in an amount greater than required by law and the person pays the fee;

(2) the bureau charges a person a fee in error and the person pays the fee; or

(3) a person pays a fee in error to the bureau.

(b) A person described in subsection (a) may file a claim for a refund with the bureau on a form furnished by the bureau. The claim must:



- (1) be filed within three (3) years after the date on which the person pays the fee;
- (2) set forth the amount of the refund that the person is claiming;
- (3) set forth the reasons the person is claiming the refund; and
- (4) include any documentation supporting the claim.

(c) After considering the claim and all evidence relevant to the claim, the bureau shall issue a decision on the claim, stating the part, if any, of the refund allowed and containing a statement of the reasons for any part of the refund that is denied. The bureau shall mail, **or send electronically if the claimant has indicated a preference for receiving notices from the bureau electronically**, a copy of the decision to the claimant. However, if the bureau allows the full refund claimed, a warrant for the payment of the claim is sufficient notice of the decision.

(d) If a person disagrees with all or part of the bureau's decision, the person may file a petition under IC 9-33-2-3.

SECTION 54. IC 34-30-35 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:

**Chapter 35. Liability Connected With the Absence of Optional Equipment**

**Sec. 1. This chapter applies only to an action in tort.**

**Sec. 2. As used in this chapter, "commercial motor vehicle" means a motor vehicle that is used for commercial purposes in interstate or intrastate commerce to transport property or passengers, deliver or transport goods, or provide services.**

**Sec. 3. As used in this chapter, "optional equipment" means equipment or a component part of a commercial motor vehicle that:**

- (1) was not required to be installed or equipped on the commercial motor vehicle under 49 CFR Part 571 (Federal Motor Vehicle Safety Standards) at the time the commercial motor vehicle was manufactured or first sold, whichever is later; and
- (2) was not required to be installed or equipped on the commercial motor vehicle by a law or regulation issued after the commercial motor vehicle was manufactured or first sold.

**Sec. 4. As used in this chapter, "person" means an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a sole proprietorship.**

**Sec. 5. (a) Except as provided in subsection (b):**

- (1) an owner, lessor, or operator of a commercial motor



vehicle; or

(2) a person renting or leasing the commercial motor vehicle to another person;

is not civilly liable for a claim asserting that the person described in subdivisions (1) through (2) has an obligation or duty to install or equip optional equipment on a commercial motor vehicle.

(b) The immunity described in subsection (a) does not apply if the person described in subsection (a)(1) or (a)(2) fails to comply with a law, rule, or regulation issued after the commercial motor vehicle involved in an accident was manufactured or first sold that requires a mandatory retrofit or recall of the commercial motor vehicle to install or equip optional equipment.

**Sec. 6. Evidence relating to the failure to install or equip optional equipment on a commercial motor vehicle is inadmissible as evidence unless the immunity under section 5 of this chapter does not apply.**

SECTION 55. IC 35-44.1-3-1, AS AMENDED BY P.L.174-2021, SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) A person who knowingly or intentionally:

(1) forcibly resists, obstructs, or interferes with a law enforcement officer or a person assisting the officer while the officer is lawfully engaged in the execution of the officer's duties;

(2) forcibly resists, obstructs, or interferes with the authorized service or execution of a civil or criminal process or order of a court; or

(3) flees from a law enforcement officer after the officer has, by visible or audible means, including operation of the law enforcement officer's siren or emergency lights, identified himself or herself and ordered the person to stop;

commits resisting law enforcement, a Class A misdemeanor, except as provided in subsection (c).

(b) A person who, having been denied entry by a firefighter, an emergency medical services provider, or a law enforcement officer, knowingly or intentionally enters an area that is marked off with barrier tape or other physical barriers, commits interfering with public safety, a Class B misdemeanor, except as provided in subsection (c) or (k).

(c) The offense under subsection (a) or (b) is a:

(1) Level 6 felony if:

(A) the person uses a vehicle to commit the offense; or

(B) while committing the offense, the person:

(i) draws or uses a deadly weapon;

(ii) inflicts bodily injury on or otherwise causes bodily injury



- to another person; or
- (iii) operates a vehicle in a manner that creates a substantial risk of bodily injury to another person;
- (2) Level 5 felony if:
- (A) while committing the offense, the person operates a vehicle in a manner that causes serious bodily injury to another person; or
- (B) the person uses a vehicle to commit the offense and the person has a prior unrelated conviction under this section involving the use of a vehicle in the commission of the offense;
- (3) Level 3 felony if, while committing the offense, the person operates a vehicle in a manner that causes the death or catastrophic injury of another person; and
- (4) Level 2 felony if, while committing any offense described in subsection (a), the person operates a vehicle in a manner that causes the death or catastrophic injury of a firefighter, an emergency medical services provider, or a law enforcement officer while the firefighter, emergency medical services provider, or law enforcement officer is engaged in the firefighter's, emergency medical services provider's, or officer's official duties.
- (d) The offense under subsection (a) is a Level 6 felony if, while committing an offense under:
- (1) subsection (a)(1) or (a)(2), the person:
- (A) creates a substantial risk of bodily injury to the person or another person; and
- (B) has two (2) or more prior unrelated convictions under subsection (a); or
- (2) subsection (a)(3), the person has two (2) or more prior unrelated convictions under subsection (a).
- (e) If a person uses a vehicle to commit a felony offense under subsection (c)(1)(B), (c)(2), (c)(3), or (c)(4), as part of the criminal penalty imposed for the offense, the court shall impose a minimum executed sentence of at least:
- (1) thirty (30) days, if the person does not have a prior unrelated conviction under this section;
- (2) one hundred eighty (180) days, if the person has one (1) prior unrelated conviction under this section; or
- (3) one (1) year, if the person has two (2) or more prior unrelated convictions under this section.
- (f) Notwithstanding IC 35-50-2-2.2 and IC 35-50-3-1, the mandatory minimum sentence imposed under subsection (e) may not be



suspended.

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

- (1) subsection (c)(1)(A), if the person exceeded the speed limit by at least twenty (20) miles per hour while committing the offense;
- (2) subsection (c)(2); or
- (3) subsection (c)(3);

the court may notify the bureau of motor vehicles to suspend or revoke the person's driver's license ~~and all certificates of registration and license plates issued or registered in the person's name~~ in accordance with IC 9-30-4-6.1(b) for the period described in IC 9-30-4-6.1(d)(1) or IC 9-30-4-6.1(d)(2). The court shall inform the bureau whether the person has been sentenced to a term of incarceration. At the time of conviction, the court may obtain the person's current driver's license and return the license to the bureau of motor vehicles.

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

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

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

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

- (1) was in the marked off area; and
- (2) had suffered bodily injury or was at risk of suffering bodily injury;

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

**SECTION 56. 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: \_\_\_\_\_

HEA 1162 — CC 1

