
SENATE BILL No. 450

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-6-1.1-903; IC 6-6-2.5-11; IC 9-13-2; IC 9-18; IC 9-19; IC 9-20-2-2; IC 9-21-8; IC 9-24-1-7; IC 9-29-5; IC 10-1-1-25; IC 13-11-2-245; IC 26-1-9.1-311.

Synopsis: Motorized farm vehicles. Redefines implement of husbandry to implement of agriculture for purposes of the motor vehicle code. Repeals the definition of, and references to, farm machinery, farm tractor used in transportation, and special farm machinery within the motor vehicle code. Deletes an obsolete reference to a financing statement for a farm tractor. Repeals the license fee for certain vehicles used in farming operations. Makes conforming amendments.

Effective: July 1, 2003.

Weatherwax

January 21, 2003, read first time and referred to Committee on Agriculture and Small Business.

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First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

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SENATE BILL No. 450



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

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

1 SECTION 1. IC 6-6-1.1-903 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 903. (a) A person is
 3 entitled to a refund of gasoline tax paid on gasoline purchased or used
 4 for the following purposes:

- 5 (1) Operating stationary gas engines.
- 6 (2) Operating equipment mounted on motor vehicles, whether or
- 7 not operated by the engine propelling the motor vehicle.
- 8 (3) Operating a tractor used for agricultural purposes.
- 9 (3.1) Operating implements of husbandry agriculture (as defined
- 10 in IC 9-13-2-77).
- 11 (4) Operating motorboats or aircraft.
- 12 (5) Cleaning or dyeing.
- 13 (6) Other commercial use, except propelling motor vehicles
- 14 operated in whole or in part on an Indiana public highway.
- 15 (7) Operating a taxicab (as defined in section 103 of this chapter).
- 16 (b) If a refund is not issued within ninety (90) days of filing of the
- 17 verified statement and all supplemental information required by



1 IC 6-6-1.1-904.1, the department shall pay interest at the rate
 2 established by IC 6-8.1-9 computed from the date of filing of the
 3 verified statement and all supplemental information required by the
 4 department until a date determined by the administrator that does not
 5 precede by more than thirty (30) days the date on which the refund is
 6 made.

7 SECTION 2. IC 9-13-2-60 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 60. "Farm wagon"
 9 means a wagon, other than an implement of ~~husbandry~~, **agriculture**,
 10 used primarily for transporting farm products and farm supplies in
 11 connection with a farming operation.

12 SECTION 3. IC 9-13-2-77 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 77. "Implement of
 14 ~~husbandry~~" **agriculture**" means ~~special farm machinery, farm~~
 15 ~~machinery, and other agricultural implements, pull type and~~
 16 self-propelled, ~~equipment~~ used for the: ~~transportation and~~

17 **(1) transport;**

18 **(2) delivery; or**

19 **(3) application of ~~plant food materials or agricultural chemicals~~**
 20 **crop inputs, including seed, fertilizers, and crop protection**
 21 **products;**

22 and vehicles designed to transport **farm these types of agricultural**
 23 implements.

24 SECTION 4. IC 9-13-2-105, AS AMENDED BY P.L.143-2002,
 25 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2003]: Sec. 105. (a) "Motor vehicle" means, except as
 27 otherwise provided in this section, a vehicle that is self-propelled. The
 28 term does not include a farm tractor, an implement of ~~husbandry~~,
 29 **agriculture**, or an electric personal assistive mobility device.

30 (b) "Motor vehicle", for purposes of IC 9-21, means:

31 (1) a vehicle except a motorized bicycle that is self-propelled; or

32 (2) a vehicle that is propelled by electric power obtained from
 33 overhead trolley wires, but not operated upon rails.

34 (c) "Motor vehicle", for purposes of IC 9-25, means a vehicle that
 35 is self-propelled upon a highway in Indiana. The term does not include
 36 a farm tractor.

37 (d) "Motor vehicle", for purposes of IC 9-30-10, does not include a
 38 motorized bicycle.

39 SECTION 5. IC 9-13-2-180 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 180. "Tractor" means
 41 a motor vehicle designed and used primarily for drawing or propelling
 42 trailers, semitrailers, or vehicles of any kind. The term does not include

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1 the following:

2 (1) A farm tractor.

3 ~~(2) A farm tractor used in transportation.~~

4 ~~(2)~~ (2) A tractor that is used exclusively for drawing a passenger
5 carrying semitrailer.

6 SECTION 6. IC 9-13-2-188 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 188. (a) "Truck" means
8 a motor vehicle designed, used, or maintained primarily for the
9 transportation of property.

10 (b) "Truck", for purposes of IC 9-21-8-3, includes the following:

11 (1) A motor vehicle designed and used primarily for drawing
12 another vehicle and constructed to carry a load other than a part
13 of the weight of the vehicle and load so drawn.

14 (2) A motor vehicle designed and used primarily as a farm
15 implement for drawing plows, mowing machines, and other
16 implements of ~~husbandry~~ **agriculture**.

17 SECTION 7. IC 9-13-2-196, AS AMENDED BY P.L.143-2002,
18 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2003]: Sec. 196. (a) "Vehicle" means, except as otherwise
20 provided in this section, a device in, upon, or by which a person or
21 property is, or may be, transported or drawn upon a highway.

22 (b) "Vehicle", for purposes of IC 9-14 through IC 9-18, does not
23 include the following:

24 (1) A device moved by human power.

25 (2) A vehicle that runs only on rails or tracks.

26 (3) A vehicle propelled by electric power obtained from overhead
27 trolley wires but not operated upon rails or tracks.

28 (4) A firetruck and apparatus owned by a person or municipal
29 division of the state and used for fire protection.

30 (5) A municipally owned ambulance.

31 (6) A police patrol wagon.

32 (7) A vehicle not designed for or employed in general highway
33 transportation of persons or property and occasionally operated or
34 moved over the highway, including the following:

35 (A) Road construction or maintenance machinery.

36 (B) A movable device designed, used, or maintained to alert
37 motorists of hazardous conditions on highways.

38 (C) Construction dust control machinery.

39 (D) Well boring apparatus.

40 (E) Ditchdigging apparatus.

41 (F) An implement of ~~husbandry~~ **agriculture**.

42 (G) An invalid chair.

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- 1 (H) A yard tractor.
- 2 (8) An electric personal assistive mobility device.
- 3 (c) For purposes of IC 9-20 and IC 9-21, the term does not include
- 4 devices moved by human power or used exclusively upon stationary
- 5 rails or tracks.
- 6 (d) For purposes of IC 9-22, the term refers to an automobile, a
- 7 motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school
- 8 bus, a recreational vehicle, or a motorized bicycle.
- 9 (e) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9,
- 10 the term means a device for transportation by land or air. The term does
- 11 not include an electric personal assistive mobility device.
- 12 SECTION 8. IC 9-18-1-1 IS AMENDED TO READ AS FOLLOWS
- 13 [EFFECTIVE JULY 1, 2003]: Sec. 1. This article does not apply to the
- 14 following:
- 15 (1) Farm wagons.
- 16 (2) Farm tractors.
- 17 ~~(3) Farm machinery.~~
- 18 ~~(4)~~ **(3)** A new motor vehicle if the new motor vehicle is being
- 19 operated in Indiana solely to remove it from an accident site to a
- 20 storage location because:
- 21 (A) the new motor vehicle was being transported on a railroad
- 22 car or semitrailer; and
- 23 (B) the railroad car or semitrailer was involved in an accident
- 24 that required the unloading of the new motor vehicle to
- 25 preserve or prevent further damage to it.
- 26 SECTION 9. IC 9-18-2-26 IS AMENDED TO READ AS
- 27 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 26. (a) License plates
- 28 shall be displayed as follows:
- 29 (1) For a motorcycle, trailer, semitrailer, or recreational vehicle,
- 30 upon the rear of the vehicle.
- 31 (2) For a ~~farm tractor~~ or tractor, upon the front of the vehicle.
- 32 (3) For every other vehicle, upon the rear of the vehicle.
- 33 (b) A license plate shall be securely fastened, in a horizontal
- 34 position, to the vehicle for which the plate is issued:
- 35 (1) to prevent the license plate from swinging;
- 36 (2) at a height of at least twelve (12) inches from the ground,
- 37 measuring from the bottom of the license plate;
- 38 (3) in a place and position that are clearly visible;
- 39 (4) maintained free from foreign materials and in a condition to
- 40 be clearly legible; and
- 41 (5) not obstructed or obscured by tires, bumpers, accessories, or
- 42 other opaque objects.

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1 (c) The bureau may adopt rules the bureau considers advisable to
 2 enforce the proper mounting and securing of license plates on vehicles
 3 consistent with this chapter.

4 SECTION 10. IC 9-18-2-29 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 29. Except as otherwise
 6 provided, before:

- 7 (1) a motor vehicle;
 8 (2) a motorcycle;
 9 (3) a truck;
 10 (4) a trailer;
 11 (5) a semitrailer;
 12 (6) a tractor;
 13 ~~(7) an implement of husbandry or a farm tractor used in~~
 14 ~~transportation;~~
 15 ~~(8) (7) a bus;~~
 16 ~~(9) (8) a school bus; or~~
 17 ~~(10) (9) a recreational vehicle; or~~
 18 ~~(11) special farm machinery;~~

19 is operated or driven on a highway, the person who owns the vehicle
 20 must register the vehicle with the bureau and pay the applicable
 21 registration fee.

22 SECTION 11. IC 9-19-1-1 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) Except as
 24 provided in subsections (b) through (c) and as otherwise provided in
 25 this chapter, this article does not apply to the following with respect to
 26 equipment on vehicles:

- 27 (1) Implements of ~~husbandry~~; **agriculture**.
 28 (2) Road machinery.
 29 (3) Road rollers.
 30 (4) Farm tractors.
 31 (5) Vehicle chassis that:
 32 (A) are a part of a vehicle manufacturer's work in process; and
 33 (B) are driven under this subdivision only for a distance of less
 34 than one (1) mile.

35 ~~(b) A farm type dry or liquid fertilizer tank trailer or spreader that~~
 36 ~~is drawn or towed on a highway by:~~

- 37 ~~(1) a farm tractor; or~~
 38 ~~(2) a motor vehicle at a speed not greater than thirty (30) miles~~
 39 ~~per hour;~~

40 is considered an implement of husbandry with respect to equipment
 41 requirements and all the requirements of this article regarding lamps
 42 on combinations; including farm tractors; apply.

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1 (☞) **(b)** A farm type dry or liquid fertilizer tank trailer or spreader
2 that is drawn or towed on a highway by a motor vehicle other than a
3 farm tractor at a speed greater than thirty (30) miles per hour is
4 considered a trailer for equipment requirement purposes and all
5 equipment requirements concerning trailers apply.

6 SECTION 12. IC 9-19-1-3, AS AMENDED BY P.L.1-1999,
7 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2003]: Sec. 3. Sections 4 through 5 of this chapter and
9 IC 9-19-4-3, IC 9-19-4-4, and IC 9-19-5-7:

10 (1) do not apply to:

11 (A) machinery or equipment used in highway construction or
12 maintenance by the Indiana department of transportation,
13 counties, or municipalities;

14 (B) farm drainage machinery;

15 (C) implements of **husbandry agriculture** when used during
16 farming operations or when so constructed that they can be
17 moved without material damage to the highways; or

18 (D) firefighting apparatus owned or operated by a political
19 subdivision or a volunteer fire department (as defined in
20 IC 36-8-12-1); and

21 (2) do not limit the width or height of farm vehicles when loaded
22 with farm products.

23 SECTION 13. IC 9-19-6-11 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 11. (a) A farm tractor
25 and a self-propelled farm equipment unit or an implement of **husbandry**
26 **agriculture** not equipped with an electric lighting system must, at all
27 times required by IC 9-21-7-2, be equipped with the following:

28 (1) At least one (1) lamp displaying a white light visible from a
29 distance of not less than five hundred (500) feet to the front of the
30 vehicle.

31 (2) At least one (1) lamp displaying a red light visible from a
32 distance of not less than five hundred (500) feet to the rear of the
33 vehicle.

34 (3) Two (2) red reflectors visible from a distance of one hundred
35 (100) feet to six hundred (600) feet to the rear when illuminated
36 by the upper beams of head lamps.

37 The lights required by this subsection must be positioned so that one
38 (1) lamp showing to the front and one (1) lamp or reflector showing to
39 the rear will indicate the furthest projection of the tractor, unit, or
40 implement on the side of the road used in passing the vehicle.

41 (b) A combination of farm tractor and towed unit of farm equipment
42 or implement of **husbandry agriculture** not equipped with an electric

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1 lighting system must, at all times required by IC 9-21-7-2, be equipped
2 with two (2) red reflectors that meet the following requirements:

3 (1) Are visible from a distance of one hundred (100) feet to six
4 hundred (600) feet to the rear when illuminated by the upper
5 beams of head lamps.

6 (2) Are mounted in a manner so as to indicate as nearly as
7 practicable the extreme left and right rear projections of the towed
8 unit or implement on the highway.

9 (c) A farm tractor and a self-propelled unit of farm equipment or an
10 implement of **husbandry agriculture** equipped with an electric lighting
11 system must, at all times required by IC 9-21-7-2, be equipped with the
12 following:

13 (1) Two (2) single-beam or multiple-beam head lamps meeting
14 the requirements of section 20 or 21 of this chapter IC 9-21-7-9.

15 (2) Two (2) red lamps visible from a distance of not less than five
16 hundred (500) feet to the rear, or in the alternative, one (1) red
17 lamp visible from a distance of not less than five hundred (500)
18 feet to the rear and two (2) red reflectors visible from a distance
19 of one hundred (100) feet to six hundred (600) feet to the rear
20 when illuminated by the upper beams of head lamps.

21 The red lamps or reflectors must be mounted in the rear of the farm
22 tractor or self-propelled implement of **husbandry agriculture** so as to
23 indicate as nearly as practicable the extreme left and right projections
24 of the vehicle on the highways.

25 (d) A combination of farm tractor and towed farm equipment or
26 towed implement of **husbandry agriculture** equipped with an electric
27 lighting system must, at all times required by IC 9-21-7-2, be equipped
28 as follows:

29 (1) The farm tractor element of each combination must be
30 equipped with two (2) single-beam or multiple-beam head lamps
31 meeting the requirements of section 20 or 21 of this chapter or
32 IC 9-21-7-9.

33 (2) The towed unit of farm equipment or implement of **husbandry**
34 **agriculture** element of each combination must be equipped with
35 the following:

36 (A) Two (2) red lamps visible from a distance of not less than
37 five hundred (500) feet to the rear, or as an alternative, one (1)
38 red lamp visible from a distance of not less than five hundred
39 (500) feet to the rear.

40 (B) Two (2) red reflectors visible from a distance of one
41 hundred (100) feet to six hundred (600) feet to the rear when
42 illuminated by the upper beams of head lamps.

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1 The red lamps or reflectors must be located so as to indicate as
 2 nearly as practicable the extreme left and right rear projections of
 3 the towed unit or implement on the highway.

4 (3) A combination of farm tractor and towed farm equipment or
 5 towed implement of husbandry equipped with an electric lighting
 6 system must be equipped with the following:

7 (A) A lamp displaying a white or an amber light, or any shade
 8 of color between white and amber, visible from a distance of
 9 not less than five hundred (500) feet to the front.

10 (B) A lamp displaying a red light visible from a distance of not
 11 less than five hundred (500) feet to the rear.

12 The lamps must be installed or capable of being positioned so as
 13 to indicate to the front and rear the furthest projection of that
 14 combination on the side of the road used by other vehicles in
 15 passing that combination.

16 (e) A farm tractor, a self-propelled farm equipment unit, or an
 17 implement of husbandry **agriculture** must not display blinding field or
 18 flood lights when operated on a highway.

19 (f) All rear lighting requirements may be satisfied by having a
 20 vehicle with flashing lights immediately trail farm equipment in
 21 accordance with IC 9-21-7-11.

22 SECTION 14. IC 9-19-18-3 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. (a) Except as
 24 provided in subsections (b) through (d), a tire on a vehicle moved on
 25 a highway may not have on the tire's periphery a block, stud, flange,
 26 cleat, or spike or any other protuberance of any material other than
 27 rubber that projects beyond the tread of the traction surface of the tire.

28 (b) **Farm machinery Implements of agriculture** may use tires
 29 having protuberances that will not injure the highway.

30 (c) Tire chains of reasonable proportions may be used upon a
 31 vehicle when required for safety because of snow, ice, or other
 32 conditions tending to cause a vehicle to skid.

33 (d) From October 1 to the following May 1, a vehicle may use tires
 34 in which have been inserted ice grips or tire studs of wear-resisting
 35 material, installed in a manner that provides resiliency upon contact
 36 with the road, with projections that do not exceed three thirty-seconds
 37 (3/32) of an inch beyond the tread of the traction surface of the tire, and
 38 constructed to prevent any appreciable damage to the road surface.

39 SECTION 15. IC 9-19-18-4 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. The Indiana
 41 department of transportation and local authorities in their respective
 42 jurisdictions may in their discretion issue special permits authorizing

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1 the operation upon a highway of:

2 (1) traction engines; ~~or~~

3 (2) tractors having movable tracks with transverse corrugations
4 upon the periphery of movable tracks; or

5 (3) farm tractors or ~~other farm machinery~~, **implements of**
6 **agriculture**;

7 the operation of which upon a highway would otherwise be prohibited
8 under this chapter.

9 SECTION 16. IC 9-20-2-2, AS AMENDED BY P.L.1-1999,
10 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2003]: Sec. 2. (a) As used in this section, "farm vehicle loaded
12 with a farm product" includes a truck hauling unprocessed leaf tobacco.

13 (b) Except for interstate highway travel, this article does not apply
14 to the following:

15 (1) Machinery or equipment used in highway construction or
16 maintenance by the Indiana department of transportation,
17 counties, or municipalities.

18 (2) ~~Farm drainage machinery~~.

19 (3) (2) Implements of ~~husbandry~~ **agriculture** when used during
20 farming operations or when so constructed that the implements
21 can be moved without material damage to the highways.

22 (c) This article does not apply to firefighting apparatus owned or
23 operated by a political subdivision or volunteer fire department (as
24 defined in IC 36-8-12-2).

25 (d) Except for interstate highway travel, this article does not limit
26 the width or height of a farm vehicle loaded with a farm product.

27 SECTION 17. IC 9-21-8-27 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 27. (a) Except as
29 provided in subsection (b), a stop or turn signal required under this
30 chapter may be given by means of the hand and arm or by a signal lamp
31 or lamps or mechanical signal device.

32 (b) This subsection does not apply to farm tractors and implements
33 **of agriculture**. A motor vehicle in use on a highway must be equipped
34 with and a required signal shall be given by a signal lamp or lamps or
35 mechanical signal device when either of the following conditions exist:

36 (1) The distance from the center of the top of the steering post to
37 the left outside limit of the body, cab, or load of the motor vehicle
38 exceeds twenty-four (24) inches.

39 (2) The distance from the center of the top of the steering post to
40 the rear limit of the body or load of the motor vehicle exceeds
41 fourteen (14) feet. This measurement applies to a single vehicle
42 and a combination of vehicles.



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1 SECTION 18. IC 9-21-8-46 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 46. A person may not
 3 drive or operate an implement of ~~husbandry~~ **agriculture** upon any part
 4 of an interstate highway.

5 SECTION 19. IC 9-21-8-47, AS AMENDED BY P.L.1-1999,
 6 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2003]: Sec. 47. The following vehicles must be moved or
 8 operated so as to avoid any material damage to the highway or
 9 unreasonable interference with other highway traffic:

- 10 (1) Machinery or equipment used in highway construction or
- 11 maintenance by the Indiana department of transportation,
- 12 counties, or municipalities.
- 13 (2) Farm drainage machinery.
- 14 (3) Implements of ~~husbandry~~ **agriculture**.
- 15 (4) Firefighting apparatus owned or operated by a political
- 16 subdivision or a volunteer fire department (as defined in
- 17 IC 36-8-12-2).
- 18 (5) Farm vehicles loaded with farm products.

19 SECTION 20. IC 9-24-1-7 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 7. Sections 1 through
 21 5 of this chapter do not apply to the following individuals:

- 22 (1) An individual in the service of the armed forces of the United
- 23 States while operating an official motor vehicle in that service.
- 24 (2) An individual while operating: ~~an~~
- 25 (A) a road roller;
- 26 (B) road construction or maintenance machinery, except where
- 27 the road roller or machinery is required to be registered under
- 28 Indiana law;
- 29 (C) a ditch digging apparatus;
- 30 (D) a well drilling apparatus;
- 31 (E) a concrete mixer; or
- 32 (F) a farm tractor or ~~an~~ implement of ~~husbandry~~ **agriculture**;

33 that is being temporarily drawn, moved, or propelled on an Indiana
 34 public highway.

- 35 (3) A nonresident who:
 - 36 (A) is at least sixteen (16) years and one (1) month of age; and
 - 37 (B) has in the nonresident's immediate possession a valid
 - 38 operator's license that was issued to the nonresident in the
 - 39 nonresident's home state or country;
 while operating a motor vehicle in Indiana only as an operator.
- 40 (4) A nonresident who:
 - 41 (A) is at least eighteen (18) years of age; and
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- 1 (B) has in the nonresident's immediate possession a valid
- 2 chauffeur's license that was issued to the nonresident in the
- 3 nonresident's home state or country;
- 4 while operating a motor vehicle upon a public highway, either as
- 5 an operator or a chauffeur.
- 6 (5) A nonresident who:
- 7 (A) is at least eighteen (18) years of age; and
- 8 (B) has in the nonresident's immediate possession a valid
- 9 license issued by the nonresident's home state for the operation
- 10 of any motor vehicle upon a public highway when in use as a
- 11 public passenger carrying vehicle;
- 12 while operating a motor vehicle upon a public highway.
- 13 (6) A nonresident whose home state or country does not require
- 14 the licensing of operators or chauffeurs and who has not been
- 15 licensed as an operator or a chauffeur in the nonresident's home
- 16 state or country as an operator if the nonresident is at least sixteen
- 17 (16) years and thirty (30) days of age and less than eighteen (18)
- 18 years of age or as a chauffeur if the nonresident is at least
- 19 eighteen (18) years of age, for not more than sixty (60) days in
- 20 any one (1) year if the following conditions exist:
- 21 (A) The unlicensed nonresident is the owner of the motor
- 22 vehicle or the authorized driver of the vehicle.
- 23 (B) The vehicle has been registered for the current year in the
- 24 state or country of which the owner is a resident.
- 25 (C) The motor vehicle at all times displays a registration plate
- 26 issued in the home state or country of the owner.
- 27 (D) The nonresident owner or driver has in the owner's or
- 28 driver's immediate possession a registration card evidencing
- 29 ownership and registration in the owner's or driver's home
- 30 state or country or is able at any required time or place to do
- 31 the following:
- 32 (i) Prove lawful possession or the right to operate the motor
- 33 vehicle.
- 34 (ii) Establish the nonresident's proper identity.
- 35 (7) An individual who is legally licensed to operate a motor
- 36 vehicle in the state of the individual's residence and who is
- 37 employed in Indiana, subject to the restrictions imposed by the
- 38 state of the individual's residence.
- 39 (8) A new resident of Indiana who possesses an unexpired driver's
- 40 license issued by the resident's former state of residence, for a
- 41 period of sixty (60) days after becoming a resident of Indiana.
- 42 (9) An individual who is an engineer, a conductor, a brakeman, or

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1 another member of the crew of a locomotive or a train that is
 2 being operated upon rails, including the operation of the
 3 locomotive or the train on a crossing over a street or a highway.
 4 An individual described in this subdivision is not required to
 5 display a license to a law enforcement officer in connection with
 6 the operation of a locomotive or a train in Indiana.

7 SECTION 21. IC 9-29-5-42 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 42. (a) Except as
 9 provided in subsection (c), vehicles not subject to IC 9-18-2-8 shall be
 10 registered at one-half (1/2) of the regular rate, subject to IC 9-18-2-7,
 11 if the vehicle is registered after July 31 of any year. This subsection
 12 does not apply to the following:

13 (1) A farm tractor. ~~used in transportation.~~

14 ~~(2) Special farm machinery.~~

15 ~~(3) (2)~~ Semitrailers registered on a five (5) year or permanent
 16 basis under IC 9-18-10-2.

17 (b) Except as provided in subsection (c), subsection (a) and
 18 IC 9-18-2-7 determine the registration fee for the registration of a
 19 vehicle subject to registration under IC 9-18-2-8(c), IC 9-18-2-8(d),
 20 and IC 9-18-2-8(e) and acquired by an owner subsequent to the date
 21 required for the annual registration of vehicles by an owner set forth in
 22 IC 9-18-2-8.

23 (c) Subject to subsection (d), a vehicle subject to the International
 24 Registration Plan that is registered after September 30 shall be
 25 registered at a rate determined by the following formula:

26 STEP ONE: Determine the number of months before April 1 of
 27 the following year beginning with the date of registration. A
 28 partial month shall be rounded to one (1) month.

29 STEP TWO: Multiply the STEP ONE result by one-twelfth
 30 (1/12).

31 STEP THREE: Multiply the annual registration fee for the vehicle
 32 by the STEP TWO result.

33 (d) If the department of state revenue adopts rules under IC 9-18-2-7
 34 to implement staggered registration for motor vehicles subject to the
 35 International Registration Plan, a motor vehicle subject to the
 36 International Registration Plan that is registered after the date
 37 designated for registration of the motor vehicle in rules adopted under
 38 IC 9-17-2-7 shall be registered at a rate determined by the following
 39 formula:

40 STEP ONE: Determine the number of months before the motor
 41 vehicle must be re-registered. A partial month shall be rounded to
 42 one (1) month.

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- 1 STEP TWO: Multiply the STEP ONE result by one-twelfth
- 2 (1/12).
- 3 STEP THREE: Multiply the annual registration fee for the vehicle
- 4 by the STEP TWO result.
- 5 SECTION 22. IC 10-1-1-25 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 25. (a) The
- 7 superintendent may assign qualified persons who are not state police
- 8 officers to supervise or operate permanent or portable weigh stations.
- 9 A person assigned under this section may stop, inspect, and issue
- 10 citations to operators of trucks and trailers having a declared gross
- 11 weight of eleven thousand (11,000) pounds or more and buses at a
- 12 permanent or portable weigh station or while operating a clearly
- 13 marked Indiana state police vehicle for violations of the following:
- 14 (1) IC 6-1.1-7-10.
- 15 (2) IC 6-6-1.1-1202.
- 16 (3) IC 6-6-2.5.
- 17 (4) IC 6-6-4.1-12.
- 18 (5) IC 8-2.1.
- 19 (6) IC 9-18.
- 20 (7) IC 9-19.
- 21 (8) IC 9-20.
- 22 (9) IC 9-21-7-2 through IC 9-21-7-11.
- 23 (10) IC 9-21-8-41 pertaining to the duty to obey an official traffic
- 24 control device for a weigh station.
- 25 (11) IC 9-21-8-45 through IC 9-21-8-48.
- 26 (12) IC 9-21-9.
- 27 (13) IC 9-21-15.
- 28 (14) IC 9-24-1-1 through IC 9-24-1-3.
- 29 (15) IC 9-24-1-7.
- 30 (16) Except as provided in subsection (c), IC 9-24-1-6,
- 31 IC 9-24-6-16, IC 9-24-6-17, and IC 9-24-6-18, commercial
- 32 driver's license.
- 33 (17) IC 9-24-4.
- 34 (18) IC 9-24-5.
- 35 (19) IC 9-24-11-4.
- 36 (20) IC 9-24-13-3.
- 37 (21) IC 9-24-18-1 through IC 9-24-18-2.
- 38 (22) IC 9-25-4-3.
- 39 (23) IC 9-28-4.
- 40 (24) IC 9-28-5.
- 41 (25) IC 9-28-6.
- 42 (26) ~~IC 9-29-5-11~~ through IC 9-29-5-13.

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- 1 (27) IC 9-29-5-42.
- 2 (28) IC 9-29-6-1.
- 3 (29) IC 13-17-5-1, IC 13-17-5-2, IC 13-17-5-3, or IC 13-17-5-4.
- 4 (30) IC 13-30-2-1.

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

8 (c) A person assigned under this section may not enforce
 9 IC 9-24-6-14 and IC 9-24-6-15.

10 SECTION 23. IC 13-11-2-245 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 245. (a) "Vehicle", for
 12 purposes of IC 13-17-5, refers to a vehicle required to be registered
 13 with the bureau of motor vehicles and required to have brakes. The
 14 term does not include the following:

- 15 ~~(1)~~ Farm tractors.
- 16 ~~(2)~~ Implements of husbandry.
- 17 ~~(3)~~ Farm tractors used in transportation.
- 18 ~~(4)~~ (1) Mobile homes (house trailers).
- 19 ~~(5)~~ (2) Trailers weighing not more than three thousand (3,000)
 20 pounds.
- 21 ~~(6)~~ (3) Antique motor vehicles.

22 (b) "Vehicle", for purposes of IC 13-18-12, means a device used to
 23 transport a tank.

24 (c) "Vehicle", for purposes of IC 13-20-4, refers to a municipal
 25 waste collection and transportation vehicle.

26 (d) "Vehicle", for purposes of IC 13-20-13-7, means a motor vehicle
 27 and types of equipment, machinery, implements, or other devices used
 28 in transportation, manufacturing, agriculture, construction, or mining.
 29 The term does not include the following:

- 30 (1) A lawn and garden tractor that is propelled by a motor of not
 31 more than twenty (20) horsepower.
- 32 (2) A semitrailer.

33 (e) "Vehicle", for purposes of IC 13-20-14, has the meaning set forth
 34 in IC 9-13-2-196.

35 SECTION 24. IC 26-1-9.1-311, AS ADDED BY P.L.57-2000,
 36 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2003]: Sec. 311. (a) Except as otherwise provided in
 38 subsection (d), the filing of a financing statement is not necessary or
 39 effective to perfect a security interest in property subject to:

- 40 (1) a statute, regulation, or treaty of the United States whose
 41 requirements for a security interest's obtaining priority over the
 42 rights of a lien creditor with respect to the property preempt

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1 IC 26-1-9.1-310(a);
 2 (2) any Indiana certificate-of-title statute covering automobiles,
 3 trailers, mobile homes, ~~or boats, farm tractors or the like~~, which
 4 provides for a security interest to be indicated on the certificate as
 5 a condition or result of perfection; or
 6 (3) a certificate-of-title statute of another jurisdiction which
 7 provides for a security interest to be indicated on the certificate as
 8 a condition or result of the security interest's obtaining priority
 9 over the rights of a lien creditor with respect to the property.
 10 (b) Compliance with the requirements of a statute, regulation, or
 11 treaty described in subsection (a) for obtaining priority over the rights
 12 of a lien creditor is equivalent to the filing of a financing statement
 13 under IC 26-1-9.1. Except as otherwise provided in subsection (d),
 14 IC 26-1-9.1-313, IC 26-1-9.1-316(d), and IC 26-1-9.1-316(e) for goods
 15 covered by a certificate of title, a security interest in property subject
 16 to a statute, regulation, or treaty described in subsection (a) may be
 17 perfected only by compliance with those requirements, and a security
 18 interest so perfected remains perfected notwithstanding a change in the
 19 use or transfer of possession of the collateral.
 20 (c) Except as otherwise provided in subsection (d),
 21 IC 26-1-9.1-316(d), and IC 26-1-9.1-316(e), duration and renewal of
 22 perfection of a security interest perfected by compliance with the
 23 requirements prescribed by a statute, regulation, or treaty described in
 24 subsection (a) are governed by the statute, regulation, or treaty. In other
 25 respects, the security interest is subject to IC 26-1-9.1.
 26 (d) During any period in which collateral, subject to a statute
 27 specified in subsection (a)(2), is inventory held for sale or lease by a
 28 person or leased by that person as lessor, and that person is in the
 29 business of selling goods of that kind, this section does not apply to a
 30 security interest in that collateral created by that person, but instead,
 31 the filing provisions of IC 26-1-9.1-501 through IC 26-1-9.1-527 apply.
 32 SECTION 25. THE FOLLOWING ARE REPEALED [EFFECTIVE
 33 JULY 1, 2003]: IC 6-6-2.5-11; IC 9-13-2-55; IC 9-13-2-57;
 34 IC 9-13-2-169; IC 9-29-5-11; IC 9-29-5-12; IC 9-29-5-19.

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