
HOUSE BILL No. 1207

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-25-7-3; IC 9-30-4-6.1; IC 31-9-2-42.5; IC 31-37-19.

Synopsis: Driver's license suspension for juvenile offense. Requires a juvenile court to recommend the suspension of a child's driving privileges if the child is found to have committed an act that would be a certain vehicular crime if committed by an adult.

Effective: July 1, 2003.

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January 8, 2003, read first time and referred to Committee on Roads and Transportation.

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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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HOUSE BILL No. 1207



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

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

1 SECTION 1. IC 9-25-7-3, AS AMENDED BY P.L.1-2001,
 2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2003]: Sec. 3. (a) The bureau shall, upon request, cancel a
 4 bond or return a certificate of insurance, direct the treasurer of state to
 5 return to the person entitled any money or securities deposited under
 6 this article as proof of financial responsibility, or waive the requirement
 7 of filing proof of financial responsibility in any of the following
 8 circumstances:
 9 (1) At any time after three (3) years from the date the proof was
 10 required, if during the three (3) year period preceding the request
 11 the person furnishing the proof has not been:
 12 (A) convicted of an offense referred to in IC 9-30-4-6; or
 13 (B) adjudicated a delinquent child as described in
 14 IC 31-37-19-17.4.
 15 (2) If the person on whose behalf the proof was filed dies or the
 16 person becomes permanently incapable of operating a motor
 17 vehicle.



1 (3) If the person who has given proof of financial responsibility
 2 surrenders the person's operator's or chauffeur's license,
 3 registration certificates, and registration plates to the bureau. The
 4 bureau may not release the proof if an action for damages upon a
 5 liability referred to in this article is pending, a judgment upon a
 6 liability is outstanding and unsatisfied, or the bureau has received
 7 notice that the person has, within the period of three (3) months
 8 immediately preceding, been involved as a driver in a motor
 9 vehicle accident. An affidavit of the applicant of the nonexistence
 10 of the facts referred to in this subdivision is sufficient evidence of
 11 the nonexistence of the facts in the absence of evidence to the
 12 contrary in the records of the department.

13 (b) Whenever a person to whom proof has been surrendered under
 14 subsection (a)(3) applies for an operator's or chauffeur's license or the
 15 registration of a motor vehicle within a period of three (3) years from
 16 the date the proof of financial responsibility was originally required,
 17 the bureau shall reject the application unless the applicant reestablishes
 18 the proof for the remainder of the period.

19 SECTION 2. IC 9-30-4-6.1 IS ADDED TO THE INDIANA CODE
 20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 21 1, 2003]: **Sec. 6.1. (a) The bureau shall suspend without notice or
 22 hearing an individual's driver's license or learner's permit if a
 23 juvenile court recommends that the individual's driver's license or
 24 learner's permit be suspended under IC 31-37-19-17.4.**

25 (b) If the bureau suspends an individual's driver's license or
 26 learner's permit under subsection (a), the bureau may also suspend
 27 a certificate of registration and license plate issued for a motor
 28 vehicle registered in the individual's name.

29 (c) A suspension under this section remains in effect and:

30 (1) a new or renewal license may not be issued to; and

31 (2) a motor vehicle may not be registered in the name of;

32 the individual during the period recommended by the juvenile
 33 court under IC 31-37-19-17.4.

34 (d) Upon expiration of a suspension under this section, and after
 35 the individual furnishes proof of financial responsibility, the
 36 bureau may issue to the individual the following:

37 (1) A learner's permit.

38 (2) A new or reinstated driver's license.

39 (3) A certificate of registration and license plate.

40 SECTION 3. IC 31-9-2-42.5 IS ADDED TO THE INDIANA CODE
 41 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 42 1, 2003]: **Sec. 42.5. "Driving privileges", for purposes of**

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1 **IC 31-37-19-17.4, has the meaning set forth in IC 31-37-19-17.4(a).**

2 SECTION 4. IC 31-37-19-17.4 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2003]: **Sec. 17.4. (a) As used in this section,**
5 **"driving privileges" includes:**

6 (1) a driver's license; or

7 (2) a learner's permit.

8 (b) Recommendations made by a juvenile court under this
9 section are in addition to any other order or decree the court
10 makes under this chapter.

11 (c) If a juvenile court finds that a child is a delinquent child
12 under IC 31-37-1 because the child has, using a motor vehicle,
13 committed an act that, if committed by an adult, would be a crime
14 under IC 35-42-2-2, the juvenile court shall recommend to the
15 bureau of motor vehicles that the child's current driving privileges
16 be suspended for a fixed period of at least sixty (60) days and not
17 more than two (2) years.

18 (d) If a juvenile court finds that a child is a delinquent child
19 under IC 31-37-1 because the child has, using a motor vehicle,
20 committed an act that, if committed by an adult, would be a crime
21 under IC 35-42-2-4 or IC 35-43-1-2, the juvenile court may
22 recommend to the bureau of motor vehicles that the child's current
23 driving privileges be suspended for a fixed period of at least sixty
24 (60) days and not more than two (2) years.

25 (e) If a juvenile court finds that a child is a delinquent child
26 under IC 31-37-1 because the child has, using a motor vehicle,
27 committed an act that, if committed by an adult, would be a crime
28 under IC 35-42-1-4 or IC 35-42-1-5, the juvenile court shall
29 recommend to the bureau of motor vehicles that the child's current
30 driving privileges be suspended for a fixed period of at least two (2)
31 years and not more than five (5) years.

32 SECTION 5. IC 31-37-19-18, AS AMENDED BY P.L.32-2000,
33 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2003]: **Sec. 18. (a) If the:**

35 (1) court orders invalidation or denial of issuance of a driver's
36 license or permit as described in IC 31-37-5-7 or section 4, 13, 14,
37 15, 16, 17, or 17.3 of this chapter (or IC 31-6-4-15.9(c),
38 IC 31-6-4-15.9(d), IC 31-6-4-15.9(e), or IC 31-6-4-15.9(f) before
39 the repeal of IC 31-6-4-15.9):

40 (1) (A) the bureau of motor vehicles shall comply with the
41 order for invalidation or denial of issuance; and

42 (2) (B) the child shall surrender to the court all driver's

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1 licenses or permits of the child and the court shall immediately
 2 forward the licenses or permits to the bureau of motor
 3 vehicles; or
 4 **(2) juvenile court recommends suspension of driving**
 5 **privileges under section 17.4 of this chapter:**
 6 **(A) the bureau of motor vehicles shall comply with the**
 7 **recommendation; and**
 8 **(B) the child shall surrender to the court the child's**
 9 **driver's license or learner's permit, and the court shall**
 10 **immediately forward the driver's license or learner's**
 11 **permit to the bureau of motor vehicles.**
 12 **(b) If a juvenile court recommends suspension of driving privileges**
 13 **under section 17.3 of this chapter, IC 9-30-6-12(b), IC 9-30-6-12(c),**
 14 **and IC 9-30-6-12(d) apply to the child's driving privileges.**
 15 **(c) If a juvenile court recommends suspension of driving**
 16 **privileges under section 17.4 of this chapter, IC 9-30-4-6.1 applies**
 17 **to the child's driving privileges.**

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