
HOUSE BILL No. 1774

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-25.

Synopsis: Motor vehicle financial responsibility. Specifies that the minimum amount of financial responsibility that must be in effect with respect to a motor vehicle owned or primarily operated by a person who has at least one conviction of operating while intoxicated is \$100,000. Makes it a Class C misdemeanor for a person to knowingly or intentionally operate a motor vehicle: (1) that is owned or primarily operated by a person who has at least one conviction of operating while intoxicated; and (2) for which the required \$100,000 minimum amount of financial responsibility is not in effect with respect to the motor vehicle.

Effective: July 1, 2003.

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January 21, 2003, read first time and referred to Committee on Insurance, Corporations 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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HOUSE BILL No. 1774



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 9-25-4-4 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2003]: Sec. 4. (a) For the purposes of this
3 article, financial responsibility is in effect with respect to a motor
4 vehicle if:
5 (1) a motor vehicle liability insurance policy issued with respect
6 to the vehicle;
7 (2) a bond executed with respect to the vehicle under section 7 of
8 this chapter; or
9 (3) the status of the owner or operator of the vehicle as a
10 self-insurer, as recognized by the bureau through the issuance of
11 a certificate of self-insurance under section 11 of this chapter;
12 provides the ability to respond in damages for liability arising out of the
13 ownership, maintenance, or use of the motor vehicle in amounts at least
14 equal to those set forth in section 5, ~~or 6, or 6.5~~ of this chapter.
15 (b) A motor vehicle liability policy under this article must contain
16 the terms, conditions, and provisions required by statute and must be
17 approved by the state insurance commissioner.



1 SECTION 2. IC 9-25-4-5 IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2003]: Sec. 5. Except as provided in ~~section~~
 3 **sections 6 and 6.5** of this chapter, the minimum amounts of financial
 4 responsibility are as follows:

5 (1) Subject to the limit set forth in subdivision (2), twenty-five
 6 thousand dollars (\$25,000) for bodily injury to or the death of one
 7 (1) individual.

8 (2) Fifty thousand dollars (\$50,000) for bodily injury to or the
 9 death of two (2) or more individuals in any one (1) accident.

10 (3) Ten thousand dollars (\$10,000) for damage to or the
 11 destruction of property in one (1) accident.

12 SECTION 3. IC 9-25-4-6.5 IS ADDED TO THE INDIANA CODE
 13 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
 14 1, 2003]: **Sec. 6.5. The minimum amount of financial responsibility**
 15 **that must be in effect with respect to a motor vehicle owned or**
 16 **primarily operated by a person who has at least one (1) conviction**
 17 **of operating while intoxicated that was entered:**

18 (1) **in Indiana for a crime committed after June 30, 2003,**
 19 **under IC 9-30-5-1 through IC 9-30-5-9; or**

20 (2) **in any other jurisdiction in which the elements of a crime**
 21 **committed after June 30, 2003, for which the conviction was**
 22 **entered are substantially similar to the elements of a crime**
 23 **described in IC 9-30-5-1 through IC 9-30-5-9;**

24 **is a combined one hundred thousand dollars (\$100,000) for bodily**
 25 **injury to or the death of one (1) individual and for damage to or**
 26 **the destruction of property in any one (1) accident.**

27 SECTION 4. IC 9-25-8-2 IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) **Except as provided in**
 29 **subsection (b), a person who:**

30 (1) operates; or

31 (2) permits the operation of;

32 a motor vehicle on a public highway in Indiana commits a Class A
 33 infraction unless financial responsibility is in effect with respect to the
 34 motor vehicle under IC 9-25-4-4.

35 (b) **A person who knowingly or intentionally operates a motor**
 36 **vehicle:**

37 (1) **on a public highway in Indiana;**

38 (2) **that is owned or primarily operated by a person who has**
 39 **at least one (1) conviction of operating while intoxicated as**
 40 **described in IC 9-25-4-6.5; and**

41 (3) **for which the minimum amount of financial responsibility**
 42 **required under IC 9-25-4-6.5 is not in effect with respect to**

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1 **the motor vehicle;**
2 **commits a Class C misdemeanor.**
3 **(c)** Subsection (a)(2) applies to:
4 (1) the owner of a rental company that is referred to in
5 IC 9-25-6-3(e)(1); and
6 (2) an employer that is referred to in IC 9-25-6-3(e)(2).

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