



January 16, 2004

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## SENATE BILL No. 43

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DIGEST OF SB 43 (Updated January 15, 2004 2:42 pm - DI 71)

**Citations Affected:** Noncode.

**Synopsis:** Motor vehicle dealer consumer complaints. Directs the attorney general, superintendent of the state police, and commissioner of the bureau of motor vehicles or their designees to report to the governor and legislative council regarding motor vehicle dealer consumer complaints. (The introduced version of this bill was prepared by the public safety matters evaluation committee.)

**Effective:** July 1, 2004.

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### Wyss, Skinner

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November 21, 2003, read first time and referred to Committee on Transportation and Homeland Security.  
January 15, 2004, amended, reported favorably — Do Pass.

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SB 43—LS 6126/DI 96+



January 16, 2004

Second Regular Session 113th General Assembly (2004)

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 2003 Regular Session of the General Assembly.

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## SENATE BILL No. 43

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A BILL FOR AN ACT concerning motor vehicles.

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

- 1 SECTION 1. [EFFECTIVE JULY 1, 2004] (a) As used in this
- 2 SECTION, "commissioner" has the meaning set forth in
- 3 IC 9-13-2-33.
- 4 (b) As used in this SECTION, "department" has the meaning
- 5 set forth in IC 10-11-1-3.
- 6 (c) As used in this SECTION, "superintendent" has the meaning
- 7 set forth in IC 10-11-1-4.
- 8 (d) Not later than August 1, 2004, the superintendent shall
- 9 convene a task force to accumulate and forward to the department
- 10 the information required by subsection (e). The task force consists
- 11 of three (3) members as follows:
- 12 (1) The attorney general or the attorney general's designee.
- 13 (2) The commissioner or the commissioner's designee.
- 14 (3) The superintendent or the superintendent's designee.
- 15 (e) Not later than December 1, 2004, the department, in
- 16 cooperation with the task force convened under subsection (d):
- 17 (1) shall review the data regarding motor vehicle dealer
- 18 consumer complaints filed with the consumer protection

SB 43—LS 6126/DI 96+



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division of the office of the attorney general from January 2002 through September 2004;

(2) shall evaluate the complaints based on category of allegations against the motor vehicle dealers, with a focus on IC 9-17-3-3(a)(2), IC 9-17-3-3(a)(4), and IC 9-17-3-3.1; and

(3) may make recommendations for proposed changes to statutes and rules concerning issues raised in the evaluation under subdivision (2).

(f) Not later than January 1, 2005, the department shall report the evaluations and any recommendations determined under subsection (e) to the legislative council and the governor.

(g) A member of the task force is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). However, a member of the task force is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and for other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) The expenses of the task force shall be paid from money appropriated to the department.

(i) The department shall provide staff and administrative support to the task force.

(j) This SECTION expires December 31, 2005.

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COMMITTEE REPORT

Madam President: The Senate Committee on Transportation and Homeland Security, to which was referred Senate Bill No. 43, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 16, delete "(d)," and insert "(d):".

Page 1, delete line 17.

Page 1, line 18, after "(1)" insert "**shall**".

Page 2, line 3, delete "and".

Page 2, line 4, after "(2)" insert "**shall**".

Page 2, line 6, delete "IC 9-17-3-3.1." and insert "**IC 9-17-3-3.1;**  
**and**

**(3) may make recommendations for proposed changes to statutes and rules concerning issues raised in the evaluation under subdivision (2).**"

Page 2, line 8, after "evaluations" insert "**and any recommendations**".

and when so amended that said bill do pass.

(Reference is to SB 43 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 0.

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