

SENATE BILL No. 554

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-16-1; IC 14-22.

Synopsis: Off-road vehicles and hunting and fishing stamps. Specifies that for purposes of the law regulating off-road vehicles and snowmobiles, the definition of "operate" applies to both types of vehicles. Specifies that snowmobiles must be registered under the off-road vehicle and snowmobile law. Makes possessing an off-road vehicle or snowmobile with an altered or defaced vehicle number a Class B misdemeanor. Makes failure of a dealer to maintain rented vehicles in a safe operating condition or to maintain liability insurance a Class C infraction (instead of a Class B misdemeanor). Allows bird hunting stamps in an electronically generated form. Allows commemorative bird hunting stamps to be sold. Provides that hunting and fishing licenses and stamps expire on March 31. Requires electronically obtained licenses to be signed to be valid. Amends procedures to obtain a duplicate license. (The introduced version of this bill was prepared by the natural resources study committee.)

Effective: July 1, 2005.

Waterman, Weatherwax

January 20, 2005, read first time and referred to Committee on Natural Resources.

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First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

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SENATE BILL No. 554



A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

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

1 SECTION 1. IC 14-16-1-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. As used in this
3 chapter, "operate" means to:

- 4 (1) ride in or on; and
- 5 (2) be in actual physical control of the operation of;
- 6 ~~an off-road~~ a vehicle.

7 SECTION 2. IC 14-16-1-8 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. (a) Except as
9 otherwise provided, the following may not be operated on public
10 property unless registered:

- 11 (1) An off-road vehicle.
- 12 (2) A snowmobile.
- 13 (b) Except as provided under subsection (c), ~~an off-road~~ a vehicle
- 14 that is purchased after December 31, 2003, must be registered under
- 15 this chapter.
- 16 (c) Registration is not required for the following vehicles:
- 17 (1) A vehicle that is exclusively operated in a special event of



1 limited duration that is conducted according to a prearranged
 2 schedule under a permit from the governmental unit having
 3 jurisdiction.
 4 (2) A vehicle being operated by a nonresident of Indiana as
 5 authorized under section 19 of this chapter.
 6 (3) A vehicle being operated for purposes of testing or
 7 demonstration with temporary placement of numbers as set forth
 8 in section 16 of this chapter.
 9 (4) A vehicle the operator of which has in the operator's
 10 possession a bill of sale from a dealer or private individual that
 11 includes the following:
 12 (A) The purchaser's name and address.
 13 (B) A date of purchase that is not more than thirty-one (31)
 14 days preceding the date that the operator is required to show
 15 the bill of sale.
 16 (C) The make, model, and vehicle number of the vehicle
 17 provided by the manufacturer as required by section 13 of this
 18 chapter.
 19 SECTION 3. IC 14-16-1-29 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 29. (a) Except as
 21 provided in subsection (b), a person who violates this chapter commits
 22 a Class C infraction.
 23 (b) A person who violates ~~section 18, 23(1), 23(2),~~ **section 17,**
 24 **23(a)(1), 23(a)(2),** or 24 of this chapter commits a Class B
 25 misdemeanor.
 26 SECTION 4. IC 14-22-7-3 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) A person may not
 28 hunt or take a migratory waterfowl within Indiana without having a
 29 migratory waterfowl stamp issued by the department. The stamp must
 30 be in the possession of each person hunting or taking a migratory
 31 waterfowl. ~~However, the stamp need not be affixed to the hunting~~
 32 ~~license.~~ The licensee shall validate the stamp with the signature, in ink,
 33 of the licensee ~~written across the face of the stamp on the hunting~~
 34 **license on which the electronically generated form of the stamp is**
 35 **attached.**
 36 (b) The department shall determine the form of the migratory
 37 waterfowl stamp **and may create and sell commemorative migratory**
 38 **waterfowl stamps.**
 39 (c) The department may furnish the **commemorative** migratory
 40 waterfowl stamps **or the electronically generated form of the stamps**
 41 ~~to each a~~ clerk of the circuit court ~~and~~ **or** the clerk's designated
 42 depositories for issuance or sale in the same manner as hunting licenses

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1 are issued or sold under IC 14-22-11.

2 SECTION 5. IC 14-22-7-4 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. A stamp shall be
4 issued to each hunting license applicant or holder upon ~~written~~ request
5 ~~on forms furnished by the department~~ and the payment of a fee of six
6 dollars and seventy-five cents (\$6.75). Each stamp expires on ~~the last~~
7 ~~day of February~~ **March 31** of the year following issuance.

8 SECTION 6. IC 14-22-8-4 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) A person may not
10 hunt or take a game bird within Indiana without having a game bird
11 habitat restoration stamp issued by the department. The stamp must be
12 in the possession of each person hunting or taking a game bird. The
13 licensee shall validate the stamp with the signature of the licensee
14 ~~written across the face of the stamp~~ **on the hunting license on which**
15 **the electronically generated form of the stamp is attached.**

16 (b) The department shall do the following:

17 (1) Determine the form of the stamp **and may create and sell**
18 **commemorative game bird habitat restoration stamps.**

19 (2) Furnish the **commemorative stamps or the electronically**
20 **generated form of the stamps** to ~~each~~ a clerk of the circuit court
21 ~~and or~~ the clerk's designated depositories for issuance or sale in
22 the same manner as hunting licenses are issued or sold under
23 IC 14-22-11.

24 SECTION 7. IC 14-22-8-5 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. ~~An electronically~~
26 **generated** stamp shall be issued to each hunting license applicant or
27 holder upon ~~written~~ request ~~on forms furnished by the department~~ and
28 the payment of a fee of six dollars and seventy-five cents (\$6.75). Each
29 stamp expires on ~~the last day of February~~ **March 31** of the year
30 following issuance.

31 SECTION 8. IC 14-22-11-3 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) An applicant for
33 a hunting, trapping, or fishing license must provide the applicant's
34 Social Security number in the ~~space provided on the application~~ for
35 **order to obtain** the license. Social Security numbers acquired under
36 this subsection shall be kept confidential and used only to carry out the
37 purposes of the Title IV-D program.

38 (b) The director and agents appointed by the director as authorized
39 representatives of the department shall issue hunting, trapping, and
40 fishing licenses.

41 (c) The clerk of the circuit court in each county may issue hunting,
42 trapping, and fishing licenses.

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1 (d) Each hunting, trapping, or fishing license must be in a form
2 prescribed by the director. ~~and shall be countersigned by the clerk or~~
3 ~~agent issuing the license.~~ The director ~~shall~~ **may** furnish the clerks and
4 agents with all necessary ~~blank forms.~~ **equipment needed to issue a**
5 **license.**

6 (e) **All licenses, stamps, or permits purchased electronically are**
7 **valid only with the original signature of the licensee on the form**
8 **prescribed by the director. The licensee's signature serves as an**
9 **affidavit that the license, stamp, or permit information is true and**
10 **accurate.**

11 ~~(e)~~ (f) A person who violates the confidentiality requirement of
12 subsection (a) commits a Class A infraction.

13 SECTION 9. IC 14-22-11-4 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) Except as
15 provided in IC 14-22-13-9 and IC 14-22-15-3, each yearly hunting or
16 fishing license expires on ~~the last day of February~~ **March 31** of the
17 year following the year in which the license became effective.

18 (b) A yearly trapping license expires on March 31 of the year
19 following the year in which the license became effective.

20 SECTION 10. IC 14-22-12-5 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) ~~Upon receiving~~
22 ~~an application,~~ The department may issue a duplicate license to replace
23 a lost license issued to an Indiana resident under sections 1 and 4 of
24 this chapter.

25 (b) ~~An application for~~ A duplicate license under subsection (a) must
26 meet the following conditions:

- 27 (1) ~~Be in writing on a form prescribed by the department.~~
- 28 (2) ~~State that the applicant had been issued a license.~~
- 29 (3) ~~State that the license was lost.~~
- 30 (4) (1) Be signed by the applicant.
- 31 (5) (2) Be accompanied by a fee equal to one-half (1/2) the cost
- 32 of the lost license, rounded to the next highest dollar.
- 33 (6) ~~Be submitted to the division office in Indianapolis.~~
- 34 (7) ~~State that the applicant is an Indiana resident.~~
- 35 **established by the commission.**

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