

# HOUSE BILL No. 1237

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 6-6; IC 9-13-2-123; IC 9-19-10.

**Synopsis:** Motor vehicle restraint systems. Requires occupants of motor vehicles to wear safety belts, with certain exceptions.

**Effective:** July 1, 2007.

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**Welch, Lawson L, Brown C,  
Orentlicher**

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January 11, 2007, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

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# HOUSE BILL No. 1237



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 6-6-5-6.7 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6.7. (a) As used in this  
3 section, "passenger motor vehicle" and "truck" have the meanings set  
4 forth for those terms in ~~IC 9-13-2-123(a)~~ IC 9-13-2-123 and  
5 IC 9-13-2-188(a).

6 (b) Every owner of a passenger motor vehicle or passenger motor  
7 vehicles or of a truck or trucks who during a registration year regularly  
8 rents those vehicles or trucks for periods of under thirty (30) days to  
9 others in the regular course of the owner's business is entitled to a  
10 credit against the motor vehicle excise tax liability owed for those  
11 passenger motor vehicles or trucks for that registration year. The  
12 maximum credit an owner is entitled to claim against the tax owed for  
13 all those passenger motor vehicles and trucks for a registration year  
14 under this section equals the lesser of:

15 (1) the total motor vehicle excise taxes due for those passenger  
16 motor vehicles and trucks for that registration year, before the  
17 application of the credit allowed by this section; or



1 (2) the total auto rental excise taxes collected by the owner during  
2 the immediately preceding registration year.

3 (c) A passenger motor vehicle or truck is regularly rented by a  
4 person in the regular course of the person's business during a  
5 registration year if the passenger motor vehicle or truck is rented by the  
6 person to another person an average of ten (10) days each month of the  
7 registration year that the person owned the passenger motor vehicle or  
8 truck.

9 SECTION 2. IC 6-6-9-3 IS AMENDED TO READ AS FOLLOWS  
10 [EFFECTIVE JULY 1, 2007]: Sec. 3. As used in this chapter,  
11 "passenger motor vehicle" has the meaning set forth in  
12 ~~IC 9-13-2-123(a)~~. **IC 9-13-2-123.**

13 SECTION 3. IC 6-6-9.5-4, AS ADDED BY P.L.214-2005,  
14 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 2007]: Sec. 4. As used in this chapter, "passenger motor  
16 vehicle" has the meaning set forth in ~~IC 9-13-2-123(a)~~. **IC 9-13-2-123.**

17 SECTION 4. IC 6-6-9.7-3 IS AMENDED TO READ AS  
18 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. As used in this  
19 chapter, "passenger motor vehicle" has the meaning set forth in  
20 ~~IC 9-13-2-123(a)~~. **IC 9-13-2-123.**

21 SECTION 5. IC 9-13-2-123, AS AMENDED BY P.L.219-2005,  
22 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
23 JULY 1, 2007]: Sec. 123. ~~(a)~~ "Passenger motor vehicle" means **except**  
24 **as provided in subsection (b)**; a motor vehicle designed for carrying  
25 passengers. The term includes a low speed vehicle but does not include  
26 a motorcycle, a bus, a school bus, or an off-road vehicle.

27 ~~(b)~~ For purposes of ~~IC 9-19-10~~, the term includes buses, school  
28 buses, and private buses, and excludes trucks, tractors, and recreational  
29 vehicles.

30 SECTION 6. IC 9-19-10-1 IS AMENDED TO READ AS  
31 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. This chapter does not  
32 apply to a **front seat** an occupant **of a motor vehicle** who meets any of  
33 the following conditions:

- 34 (1) For medical reasons should not wear safety belts.
- 35 (2) Is a child required to be restrained by a child restraint system  
36 under IC 9-19-11.
- 37 (3) Is traveling in a commercial or a United States Postal Service  
38 vehicle that makes frequent stops for the purpose of pickup or  
39 delivery of goods or services.
- 40 (4) Is a rural carrier of the United States Postal Service and is  
41 operating a vehicle while serving a rural postal route.
- 42 (5) Is a newspaper motor route carrier or newspaper bundle hauler

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1 who stops to make deliveries from a vehicle.  
2 (6) Is a driver examiner designated and appointed under  
3 IC 9-14-2-3 and is conducting an examination of an applicant for  
4 a permit or license under IC 9-24-10.

5 **(7) Is an occupant of a farm truck being used on a farm in**  
6 **connection with agricultural pursuits that are usual and**  
7 **normal to the farming operation, as set forth in**  
8 **IC 9-29-5-13(b)(2).**

9 SECTION 7. IC 9-19-10-2 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. Each front seat  
11 occupant of a passenger motor vehicle that is equipped with a safety  
12 belt that:

13 (1) ~~meeting~~ **meets** the standards stated in the Federal Motor  
14 Vehicle Safety Standard Number 208 (49 CFR 571.208); **and**  
15 (2) **is standard equipment installed by the manufacturer;**  
16 shall have a safety belt properly fastened about the occupant's body at  
17 all times when the vehicle is in forward motion.

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