
SENATE BILL No. 195

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-25.

Synopsis: Motorists and insurance. Increases the minimum amount of financial responsibility required to operate a motor vehicle from \$25,000 to \$40,000 for an injury to one person and from \$50,000 to \$80,000 for an injury to two or more persons. Requires that the court suspend the license of a person for five to ten years if the person, within a five year period, has three convictions or judgments for operating a motor vehicle without proper insurance. Requires that the court suspend the license of a person for ten years if the person, without proper insurance, is involved in an accident causing the death of another person and has a prior judgment or conviction for driving without insurance in the previous five years.

Effective: July 1, 2008.

Young R Michael

January 8, 2008, read first time and referred to Committee on Insurance and Financial Institutions.

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Second Regular Session 115th General Assembly (2008)

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 2007 Regular Session of the General Assembly.

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SENATE BILL No. 195



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 9-25-4-5 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2008]: Sec. 5. Except as provided in section 6
3 of this chapter, the minimum amounts of financial responsibility are as
4 follows:

- 5 (1) Subject to the limit set forth in subdivision (2), ~~twenty-five~~
6 **forty** thousand dollars (~~\$25,000~~) (**\$40,000**) for bodily injury to or
7 the death of one (1) individual.
- 8 (2) **Fifty Eighty** thousand dollars (~~\$50,000~~) (**\$80,000**) for bodily
9 injury to or the death of two (2) or more individuals in any one (1)
10 accident.
- 11 (3) Ten thousand dollars (\$10,000) for damage to or the
12 destruction of property in one (1) accident.

13 SECTION 2. IC 9-25-6-5 IS AMENDED TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2008]: Sec. 5. (a) A judgment referred to in this
15 chapter is considered satisfied only when the following conditions are
16 fulfilled as appropriate:

- 17 (1) Subject to the limit in subdivision (2), ~~twenty-five~~ **forty**



1 thousand dollars (~~\$25,000~~) (**\$40,000**) has been credited upon a
 2 judgment rendered in excess of that amount because of bodily
 3 injury to or death of one (1) person as the result of one (1)
 4 accident.

5 (2) **Fifty Eighty** thousand dollars (~~\$50,000~~) (**\$80,000**) has been
 6 credited upon a judgment rendered in excess of that amount
 7 because of bodily injury to or death of two (2) or more persons as
 8 the result of any one (1) accident.

9 (3) Ten thousand dollars (\$10,000) has been credited upon a
 10 judgment or judgments rendered in excess of that amount because
 11 of injury to or destruction of property of others as a result of any
 12 one (1) accident.

13 (4) The judgment is satisfied by payment accepted by the
 14 judgment creditor in full satisfaction of all claims arising from
 15 bodily injury, death, or property damage arising from the motor
 16 vehicle accident involved in the judgment.

17 (b) A payment made in settlement of a claim because of bodily
 18 injury, death, or property damage arising from a motor vehicle accident
 19 shall be credited in reduction of the amounts provided for in this
 20 section.

21 SECTION 3. IC 9-25-8-2 IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2008]: Sec. 2. (a) A person who knowingly:

23 (1) operates; or

24 (2) permits the operation of;

25 a motor vehicle on a public highway in Indiana commits a Class A
 26 infraction unless financial responsibility is in effect with respect to the
 27 motor vehicle under IC 9-25-4-4. However, the offense is a Class C
 28 misdemeanor if the person knowingly or intentionally violates this
 29 section and has a prior unrelated conviction or judgment under this
 30 section.

31 (b) Subsection (a)(2) applies to:

32 (1) the owner of a rental company that is referred to in
 33 IC 9-25-6-3(e)(1); and

34 (2) an employer that is referred to in IC 9-25-6-3(e)(2).

35 (c) **Except as provided in subsection (d)**, in addition to any other
 36 penalty imposed on a person for violating this section, the court may
 37 recommend the suspension of the person's driving privileges for one (1)
 38 year. However, if, within the five (5) years preceding the conviction **or**
 39 **judgment** under this section, the person had: **α**

40 (1) **one (1) prior unrelated conviction or judgment** under this
 41 section, the court shall recommend the suspension of the person's
 42 driving privileges for one (1) year; **or**

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(2) two (2) or more prior unrelated convictions or judgments under this section, the court shall recommend the suspension of the person's driving privileges for at least five (5) and not more than ten (10) years.

In determining the period of suspension imposed under subdivision (2), the court shall consider all relevant circumstances concerning the person's unlawful operation of the motor vehicle, including whether the person was involved in an accident and whether the accident caused property damage or serious bodily injury.

(d) In addition to any other penalty imposed on a person for violating this section, if:

(1) the person was involved in an accident that resulted in the death of a person; and

(2) the person had one (1) or more prior unrelated convictions or judgments under this section within the five (5) years preceding the conviction or judgment under this section;

the court shall recommend the suspension of the person's driving privileges for ten (10) years.

(~~d~~) (e) Upon receiving the recommendation of the court under subsection (c) or (d), the bureau shall suspend the person's driving privileges for the period recommended by the court.

SECTION 4. [EFFECTIVE JULY 1, 2008] IC 9-25-8-2, as amended by this act, applies only to offenses committed after June 30, 2008.

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