



January 25, 2008

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## SENATE BILL No. 195

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DIGEST OF SB 195 (Updated January 24, 2008 10:16 am - DI 110)

**Citations Affected:** IC 9-25; noncode.

**Synopsis:** Motorists and insurance. 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.

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### Young R Michael

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January 8, 2008, read first time and referred to Committee on Insurance and Financial Institutions.  
January 24, 2008, amended, reported favorably — Do Pass.

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SB 195—LS 6799/DI 106+



January 25, 2008

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

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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 9-25-8-2 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2008]: Sec. 2. (a) A person who knowingly:  
3 (1) operates; or  
4 (2) permits the operation of;  
5 a motor vehicle on a public highway in Indiana commits a Class A  
6 infraction unless financial responsibility is in effect with respect to the  
7 motor vehicle under IC 9-25-4-4. However, the offense is a Class C  
8 misdemeanor if the person knowingly or intentionally violates this  
9 section and has a prior unrelated conviction or judgment under this  
10 section.  
11 (b) Subsection (a)(2) applies to:  
12 (1) the owner of a rental company that is referred to in  
13 IC 9-25-6-3(e)(1); and  
14 (2) an employer that is referred to in IC 9-25-6-3(e)(2).  
15 (c) **Except as provided in subsection (d)**, in addition to any other  
16 penalty imposed on a person for violating this section, the court may  
17 recommend the suspension of the person's driving privileges for one (1)

SB 195—LS 6799/DI 106+



1 year. However, if, within the five (5) years preceding the conviction **or**  
 2 **judgment** under this section, the person had: **a**  
 3 **(1) one (1) prior unrelated conviction or judgment** under this  
 4 section, the court shall recommend the suspension of the person's  
 5 driving privileges for one (1) year; **or**  
 6 **(2) two (2) or more prior unrelated convictions or judgments**  
 7 **under this section, the court shall recommend the suspension**  
 8 **of the person's driving privileges for at least five (5) and not**  
 9 **more than ten (10) years.**  
 10 **In determining the period of suspension imposed under subdivision**  
 11 **(2), the court shall consider all relevant circumstances concerning**  
 12 **the person's unlawful operation of the motor vehicle, including**  
 13 **whether the person was involved in an accident and whether the**  
 14 **accident caused property damage or serious bodily injury.**  
 15 **(d) In addition to any other penalty imposed on a person for**  
 16 **violating this section, if:**  
 17 **(1) the person was involved in an accident that resulted in the**  
 18 **death of a person; and**  
 19 **(2) the person had one (1) or more prior unrelated convictions**  
 20 **or judgments under this section within the five (5) years**  
 21 **preceding the conviction or judgment under this section;**  
 22 **the court shall recommend the suspension of the person's driving**  
 23 **privileges for ten (10) years.**  
 24 ~~(d)~~ **(e) Upon receiving the recommendation of the court under**  
 25 **subsection (c) or (d), the bureau shall suspend the person's driving**  
 26 **privileges for the period recommended by the court.**  
 27 **SECTION 2. [EFFECTIVE JULY 1, 2008] IC 9-25-8-2, as**  
 28 **amended by this act, applies only to offenses committed after June**  
 29 **30, 2008.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill No. 195, 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, delete lines 1 through 17.

Page 2, delete lines 1 through 20.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 195 as introduced.)

PAUL, Chairperson

Committee Vote: Yeas 10, Nays 0.

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