
HOUSE BILL No. 1130

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-24.

Synopsis: Renewal of driver's license after military service. Provides that if an individual is temporarily residing outside Indiana because of service in the armed forces of the United States, the individual's driver's license (which includes any type of license authorizing the operation of a motor vehicle on public streets and highways), despite expiring, remains valid for 90 days following the individual's discharge from service in the armed forces. (Current law similarly provides for a 90 day period of post-discharge validity, but it applies only to an individual's operator's license.) Provides for certain exceptions applying to the operation of certain vehicles during the 90 day period. Makes a technical correction.

Effective: July 1, 2009.

Barnes

January 12, 2009, read first time and referred to Committee on Veterans Affairs and Public Safety.

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First Regular Session 116th General Assembly (2009)

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 2008 Regular Session of the General Assembly.

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HOUSE BILL No. 1130

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 9-24-4-4 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2009]: Sec. 4. **Except as provided in**
3 **IC 9-24-12-6(f)**, a chauffeur's license entitles the licensee to operate a
4 motor vehicle, except a motorcycle, upon a public highway. A
5 chauffeur's license does not entitle the licensee to operate a motor
6 vehicle as a public passenger chauffeur.

7 SECTION 2. IC 9-24-6-2, AS AMENDED BY P.L.188-2006,
8 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2009]: Sec. 2. (a) The bureau shall adopt rules under
10 IC 4-22-2 to regulate persons required to hold a commercial driver's
11 license.

12 (b) The rules must carry out 49 U.S.C. 521, 49 U.S.C. 31104, 49
13 U.S.C. 31301 through 31306, 49 U.S.C. 31308 through 31317, and 49
14 CFR 383 through 384, and may not be more restrictive than the federal
15 Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public Law
16 ~~106-159, 113~~ **106-159, 113** Stat. 1748).

17 (c) Rules adopted under this section must include the following:



- 1 (1) Establishment of classes and periods of validation of
- 2 commercial driver's licenses, **including the period set forth in**
- 3 **IC 9-24-12-6(e).**
- 4 (2) Standards for commercial driver's licenses, including
- 5 suspension and revocation procedures.
- 6 (3) Requirements for documentation of eligibility for legal
- 7 employment, as set forth in 8 CFR 274a.2, and proof of Indiana
- 8 residence.
- 9 (4) Development of written or oral tests, driving tests, and fitness
- 10 requirements.
- 11 (5) Defining the commercial driver's licenses by classification and
- 12 the information to be contained on the licenses, including a
- 13 unique identifier of the holder.
- 14 (6) Establishing fees for the issuance of commercial driver's
- 15 licenses, including fees for testing and examination.
- 16 (7) Procedures for the notification by the holder of a commercial
- 17 driver's license to the bureau and the driver's employer of
- 18 pointable traffic offense convictions.
- 19 (8) Conditions for reciprocity with other states, including
- 20 requirements for a written commercial driver's license test and
- 21 operational skills test, and a hazardous materials endorsement
- 22 written test and operational skills test, before a license may be
- 23 issued.
- 24 (9) Other rules necessary to administer this chapter.
- 25 (d) 49 CFR 383 through 384 are adopted as Indiana law.

26 SECTION 3. IC 9-24-12-6, AS AMENDED BY P.L.184-2007,
 27 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2009]: Sec. 6. (a) As used in this section, "good cause"
 29 includes the following:

- 30 (1) Temporarily residing at least fifty (50) miles outside the
- 31 boundaries of Indiana.
- 32 (2) Serving in the armed forces of the United States.
- 33 (b) The bureau may renew a valid Indiana operator's license held by
- 34 an individual temporarily residing outside Indiana if the applicant does
- 35 the following:
- 36 (1) Shows good cause why the license cannot be renewed within
- 37 Indiana.
- 38 (2) Submits a completed application provided by the bureau and
- 39 payment of the fee required in IC 9-29-9.
- 40 (3) Submits a written affidavit that affirms that no source
- 41 document upon which the operator's license was issued has
- 42 changed or been altered since the prior issuance of the operator's

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1 license.

2 (c) The Indiana operator's license of an individual who is

3 temporarily residing outside Indiana remains valid for thirty (30) days

4 beyond the expiration date of that license if the individual meets the

5 following conditions:

6 (1) Has applied for a renewal of the license.

7 (2) Has not been denied a renewal of the license by the bureau.

8 (d) Upon receiving an application for the renewal of an Indiana

9 operator's license from an individual temporarily residing outside

10 Indiana, the bureau shall do the following:

11 (1) Either renew or deny the renewal of the license within ten (10)

12 days.

13 (2) Notify the individual of the decision.

14 (e) When the Indiana ~~operator's~~ **driver's** license of an individual

15 who is temporarily residing outside Indiana because of service in the

16 armed forces of the United States has expired, the **driver's** license

17 remains valid for ninety (90) days following the ~~person's individual's~~

18 discharge from service in the armed forces. To obtain a renewed

19 **driver's** license, the individual must do the following:

20 (1) Apply for a renewal of the ~~operator's~~ **driver's** license during

21 the ninety (90) day period following the individual's discharge.

22 (2) Show proof of the individual's discharge from service in the

23 armed forces **to the bureau** when applying for the renewal.

24 **(f) Notwithstanding the extension of the validity of an**

25 **individual's driver's license for a ninety (90) day period under**

26 **subsection (e), the individual is not authorized during the period of**

27 **extension:**

28 **(1) to operate a commercial motor vehicle;**

29 **(2) to operate a motor vehicle as a chauffeur or public**

30 **passenger chauffeur; or**

31 **(3) to operate a motor vehicle for hire.**

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