



Reprinted  
February 18, 2009

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## SENATE BILL No. 457

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DIGEST OF SB 457 (Updated February 17, 2009 3:16 pm - DI 96)

**Citations Affected:** IC 9-13; IC 9-18; IC 9-29.

**Synopsis:** Various motor vehicle registration matters. Removes provisions: (1) requiring the bureau of motor vehicles to adopt rules providing that a license plate issued for certain vehicles be valid for five years; and (2) requiring that a registration for a personalized license plate must be completed before May 1 of each year. Requires the reservation of a low numbered motor vehicle registration plate or a special numbered motor vehicle registration plate to be completed before October 31 of the year before issuance or renewal of the low numbered vehicle registration plate or the special numbered motor vehicle registration plate. Requires the bureau to adopt rules providing that a special group that is not currently participating in the special group recognition license plate program be eligible to petition the bureau for qualification in participation in the special group recognition license plate program under certain time frames. Makes technical corrections. Removes outdated language.

**Effective:** July 1, 2009.

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### Merritt, Rogers

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January 14, 2009, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.  
February 3, 2009, amended, reported favorably — Do Pass.  
February 17, 2009, read second time, amended, ordered engrossed.

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SB 457—LS 7318/DI 96+



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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## SENATE BILL No. 457

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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 9-13-2-94.4 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 94.4. "Low numbered  
3 motor vehicle registration plate" for purposes of ~~IC 9-29-3-19~~; has the  
4 meaning set forth in ~~IC 9-29-3-19~~. **means any motor vehicle**  
5 **registration plate numbered from one (1) to one hundred (100).**

6 SECTION 2. IC 9-13-2-170.5 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 170.5. "Special  
8 numbered motor vehicle registration plate" for purposes of  
9 ~~IC 9-29-3-19~~; has the meaning set forth in ~~IC 9-29-3-19~~. **means any**  
10 **plate, other than a low numbered motor vehicle registration plate,**  
11 **requested for issuance out of its established numerical sequence.**

12 SECTION 3. IC 9-18-2-28, AS AMENDED BY P.L.103-2006,  
13 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2009]: Sec. 28. (a) Notwithstanding any other law, ~~license low~~  
15 **numbered motor vehicle registration** plates for:

- 16 (1) passenger motor vehicles;  
17 (2) recreational vehicles;

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1 (3) motor vehicles registered to disabled veterans under  
 2 IC 9-18-18; or  
 3 (4) motor vehicles registered to former prisoners of war under  
 4 IC 9-18-17; or  
 5 (5) trucks with a declared gross weight equal to or less than  
 6 eleven thousand (11,000) pounds;  
 7 that contain any of the numerals 1 through 100 following the prefix  
 8 numbers and letter that are not designed and issued as special group  
 9 recognition plates under IC 9-18-25 or are not issued under  
 10 IC 9-18-24.5, IC 9-18-30, IC 9-18-45.8, IC 9-18-50, or IC 9-18-51  
 11 shall be issued biennially by the bureau.

12 (b) Notwithstanding any other law, a low numbered motor  
 13 vehicle registration plate for a motor vehicle:

- 14 (1) that is designed and issued as a special group recognition  
 15 plate under IC 9-18-25; or  
 16 (2) that is issued under:  
 17 (A) IC 9-18-24.5;  
 18 (B) IC 9-18-30;  
 19 (C) IC 9-18-45.8;  
 20 (D) IC 9-18-50; or  
 21 (E) IC 9-18-51;

22 is valid for the duration of the plate cycle as determined by the  
 23 commissioner under section 47 of this chapter.

24 (c) A reservation of a low numbered motor vehicle registration  
 25 plate or a special numbered motor vehicle registration plate must  
 26 be completed by October 31 of the year before issuance or renewal  
 27 of the low numbered motor vehicle registration or special  
 28 numbered motor vehicle registration plate.

29 SECTION 4. IC 9-18-2-47, AS AMENDED BY P.L.103-2006,  
 30 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2009]: Sec. 47. (a) The commissioner shall adopt rules under  
 32 IC 4-22-2 prescribing the cycle for the issuance and replacement of  
 33 license plates under this article. The rules adopted under this section  
 34 shall provide that a license plate for a vehicle issued under this article  
 35 is valid for **not less than** five (5) years.

- 36 (b) The rules adopted under this section do not apply to:  
 37 (1) low digit license plates issued under section 28 of this chapter;  
 38 (2) truck license plates issued under section 4.5 or 18 of this  
 39 chapter;  
 40 (3) (1) general assembly and other state official license plates  
 41 issued under IC 9-18-16; and  
 42 (4) (2) personalized license plates issued under IC 9-18-15.

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1 SECTION 5. IC 9-18-15-15 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 15. ~~(a)~~ Applications for  
3 personalized license plates shall be accepted at any time for initial  
4 issuance of the plates for the following year.

5 ~~(b)~~ Notwithstanding IC 9-18-2-7 and IC 9-18-2-8, a person who is  
6 the registered owner or lessee of a vehicle who is issued a personalized  
7 license plate shall be required to register the vehicle before May 1 of  
8 each year.

9 SECTION 6. IC 9-18-25-2 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) The bureau shall  
11 adopt rules under IC 4-22-2 establishing the requirements to qualify for  
12 participation in the special group recognition license plate program.  
13 **The rules must provide that beginning January 1, 2011, and each**  
14 **successive five (5) year period beginning January 1, 2016, a special**  
15 **group that is not currently participating in the special group**  
16 **recognition license plate program shall be eligible to petition the**  
17 **bureau**

18 ~~(b)~~ Representatives of a special group shall petition the bureau to  
19 qualify for **qualification in** participation in the special group  
20 recognition license plate program.

21 ~~(c)~~ **(b)** Each petition submitted under this section must contain the  
22 printed name, address, and signature of at least five hundred (500)  
23 members of the special group who pledge to purchase the special group  
24 recognition license plate if a special group recognition license plate is  
25 issued for the group under this chapter.

26 ~~(d)~~ **(c)** When a petition containing the information required in  
27 subsection ~~(c)~~ **(b)** is submitted to the bureau, the bureau may design  
28 and issue a special group recognition license plate that designates a  
29 vehicle as being registered under this chapter by a person (as defined  
30 in IC 9-13-2-124) who is a member of the special group.

31 SECTION 7. IC 9-18-26-18, AS AMENDED BY P.L.106-2008,  
32 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
33 JULY 1, 2009]: Sec. 18. **(a) As used in this section, "records"**  
34 **includes, but is not limited to, the following:**

- 35 **(1) Bills of sale.**
- 36 **(2) Finance agreements.**
- 37 **(3) Titles.**
- 38 **(4) Inventory records.**
- 39 **(5) Sales receipts from auctions.**
- 40 **(6) Form ST-108 (department of state revenue certificate of**
- 41 **gross retail or use tax paid on the purchase of a motor vehicle**
- 42 **or watercraft).**

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1 (b) All records directly related to the use of interim plates by a  
2 dealer must be made available to an investigating employee of the  
3 secretary of state upon demand at the dealer's place of business.

4 SECTION 8. IC 9-29-3-19, AS AMENDED BY P.L.68-2006,  
5 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2009]: Sec. 19. (a) As used in this section, "low numbered  
7 motor vehicle registration plate" means any motor vehicle registration  
8 plate numbered from one (1) to one hundred (100) before or after the  
9 county designation number or letter series designation; or both.

10 (b) As used in this section, "pull service charge" refers to the  
11 charge that the commission may require for a requested low numbered  
12 motor vehicle registration plate or a special numbered motor vehicle  
13 registration plate.

14 (c) As used in this section, "special numbered motor vehicle  
15 registration plate" means any plate, other than a low numbered motor  
16 vehicle registration plate, requested for issuance out of its established  
17 numerical sequence.

18 (d) Subject to subsections (e) (c) and (f) (d) and with the  
19 approval of the commission, the bureau may adopt rules under  
20 IC 4-22-2 to do the following:

- 21 (1) Increase or decrease any of the service charges listed in
- 22 sections 1 through 18 of this chapter.
- 23 (2) Impose a service charge on any other license branch service
- 24 that is not listed in sections 1 through 18 of this chapter.
- 25 (3) Increase or decrease a service charge imposed under
- 26 subdivision (2).

27 (e) The bureau's authority to adopt rules under subsection (d) (b)  
28 is subject to the condition that a service charge must be uniform  
29 throughout all license branches and at all partial service locations in  
30 Indiana.

31 (f) The bureau may not impose a pull service charge for a  
32 requested passenger motor vehicle registration plate containing the  
33 numbers set forth in IC 9-18-2-28 for a motor vehicle:

- 34 (1) issued a license plate under IC 9-18-17 that designates the
- 35 motor vehicle as being owned by a former prisoner of war or by
- 36 the surviving spouse of a former prisoner of war; or
- 37 (2) after December 31, 2006, issued a license plate under
- 38 IC 9-18-19 that designates the motor vehicle as being owned by
- 39 a person who has received a Purple Heart decoration.

40 (g) The bureau may not impose a pull service charge of more  
41 than fifteen dollars (\$15) for a requested motor vehicle registration  
42 plate issued under IC 9-18-25 for a special group recognition license

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1 plate that commemorates the bicentennial of the Lewis and Clark  
2 expedition.

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COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill No. 457, 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, line 14, after "28." insert "(a)".

Page 2, line 2, strike "or".

Page 2, line 4, after "IC 9-18-17;" insert "or

**(5) trucks with a declared gross weight equal to or less than eleven thousand (11,000) pounds;"**

Page 2, line 6, after "letter" insert "**that are not designed and issued as special group recognition plates under IC 9-18-25 or are not issued under IC 9-18-24.5, IC 9-18-30, IC 9-18-45.8, IC 9-18-50, or IC 9-18-51**".

Page 2, line 6, after "bureau." begin a new paragraph and insert:

**"(b) Notwithstanding any other law, a low numbered motor vehicle registration plate for a motor vehicle:**

**(1) that is designed and issued as a special group recognition plate under IC 9-18-25; or**

**(2) that is issued under:**

**(A) IC 9-18-24.5;**

**(B) IC 9-18-30;**

**(C) IC 9-18-45.8;**

**(D) IC 9-18-50; or**

**(E) IC 9-18-51;**

**is valid for the duration of the plate cycle as determined by the commissioner under section 47 of this chapter.**

**(c)".**

Page 2, line 10, after "registration" insert "**or special numbered motor vehicle registration**".

Page 2, line 15, reset in roman "The rules adopted under this section".

Page 2, reset in roman lines 16 through 17.

Page 2, line 17, after "for" insert "**not less than**".

and when so amended that said bill do pass.

(Reference is to SB 457 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 0.

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## SENATE MOTION

Madam President: I move that Senate Bill 457 be amended to read as follows:

Page 3, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 7. IC 9-18-26-18, AS AMENDED BY P.L.106-2008, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 18. **(a) As used in this section, "records" includes, but is not limited to, the following:**

- (1) Bills of sale.**
- (2) Finance agreements.**
- (3) Titles.**
- (4) Inventory records.**
- (5) Sales receipts from auctions.**
- (6) Form ST-108 (department of state revenue certificate of gross retail or use tax paid on the purchase of a motor vehicle or watercraft).**

**(b)** All records directly related to the use of interim plates by a dealer must be made available to an investigating employee of the secretary of state upon demand at the dealer's place of business."

Re-number all SECTIONS consecutively.

(Reference is to SB 457 as printed February 4, 2009.)

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