

First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE ENROLLED ACT No. 1017

AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 9-13-2-31, AS AMENDED BY P.L.125-2012, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 31. (a) "Commercial motor vehicle" means, except as provided in subsection (b), a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

(1) has a gross combination weight rating **or gross combination weight** of at least twenty-six thousand one (26,001) pounds, **whichever is greater**, including a towed unit with a:

(A) gross vehicle weight rating; **or**

(B) **gross vehicle weight**;

of more than ten thousand (10,000) pounds;

(2) has a:

(A) gross vehicle weight rating; **or**

(B) **gross vehicle weight**;

of at least twenty-six thousand one (26,001) pounds, **whichever is greater**;

(3) is designed to transport sixteen (16) or more passengers, including the driver; or

(4) is:

(A) of any size;

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(B) used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act; and

(C) required to be placarded under the Hazardous Materials Regulations (49 CFR Part 172, Subpart F).

(b) The bureau of motor vehicles may, by rule, broaden the definition of "commercial motor vehicle" under subsection (a) to include vehicles with a gross declared weight greater than eleven thousand (11,000) pounds but less than twenty-six thousand one (26,001) pounds.

SECTION 2. IC 9-13-2-56, AS AMENDED BY P.L.210-2005, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 56. "Farm tractor" means a ~~motor vehicle designed and used primarily~~ as a **farm self-propelled implement of agriculture designed and used primarily as a farm implement** for drawing implements of agriculture used on a farm and, when using the highways, in traveling from one (1) field or farm to another or to or from places of repairs. ~~The term includes a wagon, trailer, or other vehicle pulled by a farm tractor.~~

SECTION 3. IC 9-13-2-70.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 70.1. "Gross combination weight", for purposes of section 31 of this chapter, means the:**

- (1) gross weight of the power unit and any load thereon; and**
- (2) total weight of the towed unit and any load thereon.**

SECTION 4. IC 9-13-2-70.2 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 70.2. "Gross combination weight rating" means:**

- (1) the value specified by the manufacturer as the loaded weight of a combination or articulated motor vehicle; or**
- (2) in the absence of a value specified by the manufacturer, the total of the:**
 - (A) gross vehicle weight rating of the power unit; and**
 - (B) total weight of the towed unit and any load thereupon.**

SECTION 5. IC 9-13-2-71 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 71. "Gross vehicle weight" or "gross weight" means the weight of a vehicle without load, plus the weight of any load on the vehicle.**

SECTION 6. IC 9-13-2-71.4 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 71.4. "Gross vehicle weight rating" means**

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the value specified by the manufacturer as the loaded weight of a motor vehicle.

SECTION 7. IC 9-20-4-2, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2015 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Section 1 of this chapter relating to vehicle weight, ~~IC 9-30 section 3 of this chapter~~ assessing a penalty for transporting a load in excess of the registered limit of the load for the transporting vehicle, and ~~IC 9-30 section 3 of this chapter~~ prohibiting a person from moving a transported vehicle with an excess load until a penalty is paid do not apply to a vehicle or combination of vehicles that transports:

(1) farm commodities from the place of production to the first point of delivery where the commodities are weighed and title to the commodities is transferred if the weight of the vehicle with load or combination of vehicles with load does not exceed the gross weight limit by more than ten percent (10%); **or**

(2) logs, wood chips, bark, and sawdust if the weight of the vehicle with load does not exceed either:

(A) the gross weight limit; **or**

(B) the axle weight limit;

by more than ten percent (10%).

(b) The ~~exemption~~ **exemptions** in subsection (a) ~~does~~ **do** not apply to the following:

(1) Weight limits imposed for bridges or sections of highways under ~~IC 9-20-1-4~~. **IC 9-20-1-3.**

(2) A vehicle operated on any part of an interstate highway.

SECTION 8. An emergency is declared for this act.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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