

HOUSE BILL No. 1047

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2; IC 9-17-1-1; IC 9-18-1-2; IC 9-21-8-46.

Synopsis: Mini-trucks. Authorizes the use of mini-trucks on Indiana roads. Requires a mini-truck that is operated on an Indiana road to be titled and registered. Prohibits the operation of a mini-truck on an interstate highway. Requires a dealer of mini-trucks to register as a dealer. Makes conforming amendments.

Effective: Upon passage; July 1, 2015.

Wolkins

January 6, 2015, read first time and referred to Committee on Roads and Transportation.



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 BILL No. 1047

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 9-13-2-42, AS AMENDED BY P.L.62-2014,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 42. (a) "Dealer" means, except as otherwise
4 provided in this section, a person who sells to the general public,
5 including a person who sells directly by the Internet or other computer
6 network, at least twelve (12) vehicles each year. The term includes a
7 person who sells off-road vehicles, ~~and, after December 31, 2013, a~~
8 ~~person who sells~~ snowmobiles, **or mini-trucks**. A dealer must have an
9 established place of business that meets the minimum standards
10 prescribed by the secretary of state under rules adopted under
11 IC 4-22-2.

12 (b) The term does not include the following:
13 (1) A receiver, trustee, or other person appointed by or acting
14 under the judgment or order of a court.
15 (2) A public officer while performing official duties.



- 1 (3) An automotive mobility dealer.
- 2 (c) "Dealer", for purposes of IC 9-31, means a person that sells to
- 3 the general public at least six (6):
- 4 (1) boats; or
- 5 (2) trailers:
- 6 (A) designed and used exclusively for the transportation of
- 7 watercraft; and
- 8 (B) sold in general association with the sale of watercraft;
- 9 per year.
- 10 (d) "Dealer", for purposes of IC 9-32, and unless otherwise
- 11 provided, means:
- 12 (1) an automobile auctioneer;
- 13 (2) an automotive mobility dealer;
- 14 (3) a converter manufacturer;
- 15 (4) a dealer;
- 16 (5) a distributor;
- 17 (6) a distributor representative;
- 18 (7) a factory or manufacturer representative;
- 19 (8) a manufacturer;
- 20 (9) a salvage dealer;
- 21 (10) a transfer dealer;
- 22 (11) a watercraft dealer; or
- 23 (12) a wholesale dealer.
- 24 SECTION 2. IC 9-13-2-103.1 IS ADDED TO THE INDIANA
- 25 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 26 [EFFECTIVE UPON PASSAGE]: **Sec. 103.1. "Mini-truck" means**
- 27 **a truck that:**
- 28 **(1) is powered by an internal combustion engine with a piston**
- 29 **or rotary displacement of not less than six hundred sixty (660)**
- 30 **cubic centimeters;**
- 31 **(2) is sixty (60) inches or less in width;**
- 32 **(3) has an unladen dry weight of one thousand six hundred**
- 33 **(1,600) pounds or less;**
- 34 **(4) can achieve a top speed of not more than sixty (60) miles**
- 35 **per hour;**
- 36 **(5) is manufactured with a locking enclosed cab and a heated**
- 37 **interior; and**
- 38 **(6) is operated on a highway.**
- 39 SECTION 3. IC 9-17-1-1, AS AMENDED BY P.L.221-2014,
- 40 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 41 JULY 1, 2015]: Sec. 1. **(a)** This article does not apply to the following:
- 42 (1) Special machinery.



- 1 (2) Farm wagons.
 2 (3) A golf cart when operated in accordance with an ordinance
 3 adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).
 4 (4) A motor vehicle that was designed to have a maximum design
 5 speed of not more than twenty-five (25) miles per hour and that
 6 was built, constructed, modified, or assembled by a person other
 7 than the manufacturer.
 8 (5) Snowmobiles.
 9 (6) Motor driven cycles.
 10 (7) Except as otherwise provided, any other vehicle that is not
 11 registered in accordance with IC 9-18-2.

12 **(b) IC 9-17-2, IC 9-17-3, IC 9-17-4, and IC 9-17-5 apply to a**
 13 **mini-truck.**

14 SECTION 4. IC 9-18-1-2 IS ADDED TO THE INDIANA CODE
 15 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 16 1, 2015]: **Sec. 2. This article applies to a mini-truck with the**
 17 **exception of the following:**

- 18 (1) IC 9-18-7.
 19 (2) IC 9-18-9 through IC 9-18-11.
 20 (3) IC 9-18-13 through IC 9-18-14.
 21 (4) IC 9-18-27 through IC 9-18-28.
 22 (5) IC 9-18-32.

23 SECTION 5. IC 9-21-8-46, AS AMENDED BY P.L.210-2005,
 24 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2015]: Sec. 46. A person may not drive or operate:

- 26 (1) an implement of agriculture designed to be operated primarily
 27 in a farm field or on farm premises; ~~or~~
 28 (2) a piece of special machinery; **or**
 29 (3) **a mini-truck;**

30 upon any part of an interstate highway.

31 SECTION 6. [EFFECTIVE UPON PASSAGE] **(a) As used in this**
 32 **SECTION, "bureau" refers to the bureau of motor vehicles**
 33 **created by IC 9-14-1-1.**

34 **(b) As used in this SECTION, "mini-truck" has the meaning set**
 35 **forth in IC 9-13-2-103.1, as added by this act.**

36 **(c) Before July 1, 2015, in accordance with IC 6-6-5-3(b), the**
 37 **bureau shall determine the true tax value for each make and model**
 38 **of mini-truck, subject to review and adjustment by the department**
 39 **of local government finance.**

40 **(d) This SECTION expires December 31, 2015.**

41 SECTION 7. **An emergency is declared for this act.**

