



April 8, 2015

ENGROSSED HOUSE BILL No. 1047

DIGEST OF HB 1047 (Updated April 7, 2015 11:34 am - DI 103)

Citations Affected: IC 9-13; IC 9-17; IC 9-18; IC 9-21; noncode.

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, Cherry, Harman, Forestal
(SENATE SPONSOR — YODER)

January 6, 2015, read first time and referred to Committee on Roads and Transportation.
January 14, 2015, reported — Do Pass.
January 20, 2015, read second time, ordered engrossed. Engrossed.
January 22, 2015, read third time, passed. Yeas 88, nays 3.

SENATE ACTION

February 24, 2015, read first time and referred to Committee on Homeland Security & Transportation.
April 7, 2015, reported favorably — Do Pass.

EH 1047—LS 6637/DI 96



April 8, 2015

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.

ENGROSSED 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.

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- 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.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1047, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1047 as introduced.)

SOLIDAY

Committee Vote: Yeas 12, Nays 0

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security & Transportation, to which was referred House Bill No. 1047, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1047 as printed January 15, 2015.)

YODER, Chairperson

Committee Vote: Yeas 8, Nays 0

