

HOUSE BILL No. 1339

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-3.5; IC 6-6-5; IC 9-18.1; IC 9-26-11; IC 9-27-8; IC 34-30-2-32.3.

Synopsis: Bureau of motor vehicles matters. Provides that certain vehicles are exempt from the motor vehicle excise tax in certain instances. Provides for a limited registration permit that allows a person to operate a vehicle on limited days identified by the person. Requires the bureau of motor vehicles to develop a decal to identify operators of motor vehicles who are less than 18 years of age or at least 75 years of age. Establishes the yellow dot emergency medical information program.

Effective: July 1, 2019.

Thompson

January 14, 2019, read first time and referred to Committee on Roads and Transportation.



First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

HOUSE BILL No. 1339

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 6-3.5-4-2, AS AMENDED BY P.L.256-2017,
- 2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2019]: Sec. 2. (a) An adopting entity of any county may,
- 4 subject to the limitation imposed by subsection (f), adopt an ordinance
- 5 to impose a county vehicle excise tax in accordance with this chapter
- 6 on each vehicle listed in subsection (e) that is registered in the county.
- 7 (b) If a county does not use a transportation asset management plan
- 8 approved by the Indiana department of transportation, the adopting
- 9 entity of the county may impose the surtax either:
- 10 (1) at a rate of not less than two percent (2%) nor more than ten
- 11 percent (10%); or
- 12 (2) at a specific amount of at least seven dollars and fifty cents
- 13 (\$7.50) and not more than twenty-five dollars (\$25).
- 14 However, the surtax on a vehicle may not be less than seven dollars and
- 15 fifty cents (\$7.50). The adopting entity shall state the surtax rate or
- 16 amount in the ordinance which imposes the tax.
- 17 (c) If a county uses a transportation asset management plan



1 approved by the Indiana department of transportation, the adopting
2 entity of the county may impose the surtax either:

- 3 (1) at a rate of at least two percent (2%) and not more than twenty
4 percent (20%); or
5 (2) at a specific amount of at least seven dollars and fifty cents
6 (\$7.50) and not more than fifty dollars (\$50).

7 However, the surtax on a vehicle may not be less than seven dollars and
8 fifty cents (\$7.50). The adopting entity shall state the surtax rate or
9 amount in the ordinance that imposes the tax.

10 (d) Subject to the limits and requirements of this section, the
11 adopting entity may do any of the following:

- 12 (1) Impose the county vehicle excise tax at the same rate or
13 amount on each vehicle that is subject to the tax.
14 (2) Impose the county vehicle excise tax on vehicles subject to the
15 tax at one (1) or more different rates based on the class of vehicle
16 listed in subsection (e).

17 (e) **Except as provided in subsection (i),** the county vehicle excise
18 tax applies to the following vehicles:

- 19 (1) Passenger vehicles.
20 (2) Motorcycles.
21 (3) Trucks with a declared gross weight that does not exceed
22 eleven thousand (11,000) pounds.
23 (4) Motor driven cycles.

24 (f) The adopting entity may not adopt an ordinance to impose the
25 surtax unless it concurrently adopts an ordinance under IC 6-3.5-5 to
26 impose the wheel tax.

27 (g) Notwithstanding any other provision of this chapter or
28 IC 6-3.5-5, ordinances adopted by a county council before June 1,
29 2013, to impose or change the county vehicle excise tax and the annual
30 wheel tax in the county remain in effect until the ordinances are
31 amended or repealed under this chapter or IC 6-3.5-5.

32 (h) A county vehicle excise tax imposed by this chapter for a vehicle
33 is due and shall be paid each year at the time the vehicle is registered.

34 **(i) The county vehicle excise tax does not apply to a vehicle that
35 is exempt from the vehicle excise tax imposed under IC 6-6-5.**

36 SECTION 2. IC 6-3.5-5-4, AS AMENDED BY P.L.257-2017,
37 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2019]: Sec. 4. A vehicle is exempt from the wheel tax
39 imposed under this chapter if the vehicle is:

- 40 (1) owned by this state;
41 (2) owned by a state agency of this state;
42 (3) owned by a political subdivision of this state;



- 1 (4) subject to the annual license excise surtax imposed under
 2 IC 6-3.5-4;
 3 (5) a bus owned and operated by a religious or nonprofit youth
 4 organization and used to haul persons to religious services or for
 5 the benefit of their members;
 6 (6) a school bus; ~~or~~
 7 (7) a motor vehicle that is funeral equipment and that is used in
 8 the operation of funeral services (as defined in IC 25-15-2-17); **or**
 9 **(8) a vehicle that is exempt from the vehicle excise tax**
 10 **imposed under IC 6-6-5.**

11 SECTION 3. IC 6-3.5-10-2, AS AMENDED BY P.L.256-2017,
 12 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2019]: Sec. 2. (a) The fiscal body of an eligible municipality
 14 may, subject to subsections (d) and (e), adopt an ordinance to impose
 15 a municipal vehicle excise tax on each vehicle listed in subsection (c)
 16 that is registered in the eligible municipality. The eligible municipality
 17 may impose the surtax at a specific amount of:

- 18 (1) at least seven dollars and fifty cents (\$7.50); and
 19 (2) not more than twenty-five dollars (\$25).

20 The eligible municipality shall state the surtax rate or amount in the
 21 ordinance that imposes the tax.

22 (b) Subject to the limits and requirements of this section, the fiscal
 23 body of an eligible municipality may do any of the following:

- 24 (1) Impose the municipal vehicle excise tax at the same amount
 25 on each vehicle that is subject to the tax.
 26 (2) Impose the municipal vehicle excise tax on vehicles subject to
 27 the tax at one (1) or more different amounts based on the class of
 28 vehicle listed in subsection (c).

29 (c) **Except as provided in subsection (g)**, the municipal vehicle
 30 excise tax applies to the following vehicles:

- 31 (1) Passenger vehicles.
 32 (2) Motorcycles.
 33 (3) Trucks with a declared gross weight that does not exceed
 34 eleven thousand (11,000) pounds.
 35 (4) Motor driven cycles.

36 (d) The fiscal body of an eligible municipality may not adopt an
 37 ordinance to impose the surtax unless the fiscal body concurrently
 38 adopts an ordinance under IC 6-3.5-11 to impose the municipal wheel
 39 tax.

40 (e) The fiscal body of an eligible municipality may not adopt an
 41 ordinance to impose the surtax unless the eligible municipality uses a
 42 transportation asset management plan approved by the Indiana



1 department of transportation.

2 (f) A municipal vehicle excise tax imposed by this chapter for a
3 vehicle is due and shall be paid each year at the time the vehicle is
4 registered.

5 **(g) A municipal vehicle excise tax does not apply to a vehicle
6 that is exempt from the vehicle excise tax imposed under IC 6-6-5.**

7 SECTION 4. IC 6-3.5-11-4, AS AMENDED BY P.L.86-2018,
8 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2019]: Sec. 4. A vehicle is exempt from the wheel tax
10 imposed under this chapter if the vehicle is:

- 11 (1) owned by the state;
12 (2) owned by a state agency of the state;
13 (3) owned by a political subdivision of the state;
14 (4) subject to the municipal vehicle excise tax imposed under
15 IC 6-3.5-10;
16 (5) a bus owned and operated by a religious or nonprofit youth
17 organization and used to transport persons to religious services or
18 for the benefit of its members;
19 (6) a school bus; ~~or~~
20 (7) a motor vehicle that is funeral equipment and that is used in
21 the operation of funeral services (as defined in IC 25-15-2-17); **or**
22 **(8) a vehicle that is exempt from the vehicle excise tax**
23 **imposed under IC 6-6-5.**

24 SECTION 5. IC 6-6-5-2, AS AMENDED BY P.L.256-2017,
25 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2019]: Sec. 2. (a) **Except as provided in section 2.5 of this**
27 **chapter**, the vehicle excise tax is imposed on the following vehicles in
28 accordance with this chapter:

- 29 (1) Passenger motor vehicles.
30 (2) Motorcycles.
31 (3) Motor driven cycles.
32 (4) Collector vehicles.
33 (5) Trailer vehicles with a declared gross weight of nine thousand
34 (9,000) pounds or less.
35 (6) Trucks with a declared gross weight of eleven thousand
36 (11,000) pounds or less.
37 (7) Mini-trucks.
38 (8) Military vehicles.
39 (b) The vehicle excise tax is imposed on a vehicle:
40 (1) instead of the ad valorem property tax levied for state or local
41 purposes; and
42 (2) in addition to any registration fees imposed under IC 9-18.1 on



1 the vehicle.

2 (c) The vehicle excise tax imposed by this chapter is a listed tax and
3 subject to the provisions of IC 6-8.1.

4 (d) The vehicle excise tax imposed by this chapter for a vehicle is
5 due and shall be paid each year at the time the vehicle is registered.

6 SECTION 6. IC 6-6-5-2.5 IS ADDED TO THE INDIANA CODE
7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
8 1, 2019]: **Sec. 2.5. (a) A vehicle listed in section 2(a) of this chapter
9 is exempt from the vehicle excise tax imposed under this chapter if:**

10 **(1) the owner submits an affidavit to the bureau under
11 IC 9-18.1-11-4 demonstrating that the vehicle will not be used
12 upon a highway; and**

13 **(2) the vehicle is not used upon a highway during the period
14 affirmed in the affidavit under IC 9-18.1-11-4.**

15 **(b) A vehicle described in subsection (a) becomes subject to the
16 vehicle excise tax as imposed under this chapter on the date on
17 which the vehicle is used upon a highway.**

18 SECTION 7. IC 9-18.1-11-5, AS AMENDED BY P.L.256-2017,
19 SECTION 124, IS AMENDED TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2019]: **Sec. 5. (a) The bureau shall collect an
21 administrative penalty of fifteen dollars (\$15) from the following
22 persons:**

23 (1) A person that fails to:

24 (A) register; or

25 (B) provide full payment for the registration of;
26 a vehicle within forty-five (45) days after the date on which the
27 person acquires the vehicle.

28 (2) **Except as provided in subsection (b),** a person that fails to:

29 (A) renew; or

30 (B) provide full payment for the renewal of;
31 the registration of a vehicle by the date on which the registration
32 expires.

33 (3) A person who:

34 (A) owns a vehicle;

35 (B) becomes an Indiana resident; and

36 (C) fails to register or provide full payment for the registration
37 of;

38 a vehicle within sixty (60) days after the person becomes an
39 Indiana resident.

40 **(b) An administrative penalty collected under subsection (a)
41 does not apply to a person who has filed an affidavit under section
42 4(b) of this chapter.**



1 ~~(b)~~ (c) An administrative penalty collected under subsection (a)
2 shall be deposited in the commission fund.

3 ~~(c)~~ (d) A person described in subsection (a) commits a Class C
4 infraction.

5 SECTION 8. IC 9-18.1-12-2.5 IS ADDED TO THE INDIANA
6 CODE AS A NEW SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2019]: **Sec. 2.5. (a) A person may apply to the**
8 **bureau for a limited registration permit for a vehicle. The bureau**
9 **shall issue the person the limited registration permit after the**
10 **person does the following:**

11 **(1) Provides proof of financial responsibility in effect with**
12 **respect to the vehicle in the amounts specified under IC 9-25.**

13 **(2) Pays a fee of nine dollars (\$9) or ten percent (10%) of the**
14 **fee to register the applicable vehicle under IC 9-18.1-5,**
15 **whichever is greater. The fee shall be distributed as follows:**

16 **(A) Twenty-five cents (\$0.25) to the state police building**
17 **account.**

18 **(B) Fifty cents (\$0.50) to the state motor vehicle technology**
19 **fund.**

20 **(C) One dollar and twenty-five cents (\$1.25) to the**
21 **integrated public safety communications fund.**

22 **(D) Five dollars (\$5) to the commission fund.**

23 **(E) Any remaining amount to the motor vehicle highway**
24 **account.**

25 **(3) Pays all applicable vehicle excise tax under IC 6-6.**

26 **(b) A limited registration permit for a vehicle under this section**
27 **is valid for a period of ten (10) days selected by the person making**
28 **the application. The limited registration authorizes the use of the**
29 **vehicle on a highway for the period of days selected by the person**
30 **making the application during the vehicle's current registration**
31 **year. A limited registration permit expires not later than the**
32 **vehicle's annual registration date of the following year.**

33 **(c) The days selected by the person under subsection (b) need**
34 **not be consecutive and may be selected by the person after making**
35 **application.**

36 **(d) The bureau shall indicate the days selected under subsection**
37 **(b) on the face of the limited registration permit.**

38 **(e) The bureau may use an online system to issue the permits.**

39 **(f) A limited registration permit shall be displayed on a vehicle**
40 **in a manner determined by the bureau.**

41 SECTION 9. IC 9-26-11 IS ADDED TO THE INDIANA CODE AS
42 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY



- 1, 2019]:
- Chapter 11. Yellow Dot Emergency Medical Information Program**
- Sec. 1. (a)** As used in this chapter, "credential" has the meaning set forth in IC 9-13-2-39.7.
- (b)** As used in this chapter, "emergency medical services provider" has the meaning set forth in IC 16-41-10-1.
- (c)** As used in this chapter, "envelope" means a yellow dot information envelope described in section 3(e) of this chapter.
- (d)** As used in this chapter, "health information card" means a yellow dot health information card described in section 3(f) of this chapter.
- (e)** As used in this chapter, "participating automobile" means a motor vehicle displaying a yellow dot decal as described in section 5(a)(1) of this chapter.
- (f)** As used in this chapter, "program" refers to the yellow dot emergency medical information program established by section 2 of this chapter.
- (g)** As used in this chapter, "program materials" means:
- (1)** a bureau issued yellow dot decal;
 - (2)** a bureau issued envelope; and
 - (3)** a bureau issued health information card or bureau issued health information cards, if applicable.
- (h)** As used in this chapter, "program participant" means an individual who:
- (1)** has completed a health information card; or
 - (2)** is listed on a completed health information card.
- Sec. 2. (a)** The yellow dot emergency medical information program is established. The purpose of the program is to provide emergency medical services providers with critical health information for motorists and passengers unable to communicate with an emergency medical services provider due to injury, impairment, an incapacitating automobile accident, or a medical emergency. The bureau shall administer the program.
- (b)** Participation in the program is voluntary. A program participant wishing to terminate participation in the program may do so at any time.
- (c)** Participation in the program may be terminated by removing all program materials from a participating automobile.
- (d)** The bureau may not charge an individual for program materials.
- (e)** The bureau shall adopt rules under IC 4-22-2 necessary for



1 the administration of the program. The rules must address the
2 following:

- 3 (1) The creation, maintenance, and operation of the program.
4 (2) The layout of any forms required by this chapter.
5 (3) The content and layout of any additional forms that the
6 bureau determines are necessary.
7 (4) The creation and enforcement of any protocols related to
8 the establishment, maintenance, or operation of the program.
9 (5) Program publicity and community education.
10 (6) Any other aspect of the program that the bureau
11 determines necessary to implement this chapter.

12 Sec. 3. (a) An individual, upon applying for the issuance or
13 renewal of a credential, shall be given the opportunity to request
14 and receive program materials.

15 (b) A credential may not be denied renewal, invalidated, or
16 withheld on the basis of an individual's refusal to participate in the
17 program.

18 (c) Participation in the program does not exempt an individual
19 from any:

- 20 (1) statutory prerequisite; or
21 (2) bureau mandated policy;

22 related to the issuance or renewal of a credential.

23 (d) A bureau issued yellow dot decal must be yellow in color.

24 (e) A bureau issued envelope must:

- 25 (1) be yellow in color; and
26 (2) display the phrase "Yellow Dot Medical Information" in
27 black lettering on the exterior of the envelope.

28 (f) A bureau issued health information card must:

- 29 (1) be yellow in color; and
30 (2) request the following information from each individual
31 wishing to become a program participant:

32 (A) Name.

33 (B) Date of birth.

34 (C) Telephone number.

35 (D) Residential address.

36 (E) Not more than two (2) emergency contact persons.

37 Emergency contact information must consist of the
38 following information:

39 (i) Name.

40 (ii) Telephone number.

41 (iii) Residential address.

42 (iv) A description of the emergency contact person's



- 1 relationship to the program participant.
 2 (F) Medical conditions.
 3 (G) Allergies.
 4 (H) Recent surgeries.
 5 (I) Current medications.
 6 (J) Contact information for the program participant's
 7 primary care physician.
 8 (g) A health information card may not contain information for
 9 more than one (1) program participant or passenger participant.
 10 The bureau shall provide an individual with additional health
 11 information cards upon request.
 12 (h) The parent or guardian of a minor may complete a health
 13 information card on behalf of any minor in the parent's or
 14 guardian's care, control, or custody.
 15 (i) All health information cards of a passenger participant must
 16 be:
 17 (1) stored in a bureau issued envelope described in subsection
 18 (e); and
 19 (2) placed in the glove compartment of the participating
 20 automobile.
 21 (j) An individual's participation in the program serves as an
 22 agreement to release the information described in subsection (f)(2)
 23 to an emergency medical services provider.
 24 Sec. 4. (a) Except as provided in subsection (b), a program
 25 participant is responsible for ensuring that:
 26 (1) the information displayed in the health information card
 27 is accurate, complete, and current; and
 28 (2) a health information card is stored as described in section
 29 3(i) of this chapter.
 30 (b) The parent or guardian of a minor participating in the
 31 program is responsible for ensuring that:
 32 (1) the information displayed on the minor's health
 33 information card is accurate, complete, and current; and
 34 (2) the minor's health information card is stored as described
 35 in section 3(i) of this chapter.
 36 (c) The bureau is not liable to any person for any damages,
 37 including punitive damages, caused by:
 38 (1) any act, error, or omission that results in the display of
 39 inaccurate, incomplete, or outdated information on a health
 40 information card; or
 41 (2) any act, error, or omission that delays or prevents an
 42 emergency medical services provider from accessing or



1 **locating a health information card.**

2 **(d) An emergency medical services provider is not liable to any**
 3 **person for any damages, including punitive damages, caused by:**

4 **(1) any act, error, or omission that results in the display of**
 5 **inaccurate, incomplete, or outdated information on a health**
 6 **information card; or**

7 **(2) any act, error, or omission that delays or prevents an**
 8 **emergency medical services provider from accessing or**
 9 **locating a health information card.**

10 **(e) An emergency medical services provider's good faith attempt**
 11 **to contact a program participant's emergency contact persons**
 12 **immunizes the emergency medical services provider from civil**
 13 **liability and all associated damages, including punitive damages,**
 14 **related to the emergency medical services provider's inability to**
 15 **make contact with a program participant's emergency contact**
 16 **persons.**

17 **(f) If an emergency medical services provider is not responsible**
 18 **for an act or omission under this chapter, no other person incurs**
 19 **liability by reason of an agency relationship with the emergency**
 20 **medical services provider.**

21 **Sec. 5. (a) A person wishing to participate in the program shall:**

22 **(1) display a bureau issued yellow dot decal on the lower right**
 23 **interior corner of a participating automobile's driver side**
 24 **window;**

25 **(2) complete a health information card described in section**
 26 **3(f) of this chapter; and**

27 **(3) store a completed health information card for each**
 28 **program participant in:**

29 **(A) an envelope described in section 3(e) of this chapter;**
 30 **and**

31 **(B) the manner described in section 3(i) of this chapter.**

32 **(b) The protocol described in subsection (a) must be repeated**
 33 **for each automobile participating in the program.**

34 **(c) A yellow dot decal described in subsection (a) serves as**
 35 **notice to an emergency medical services provider that the**
 36 **occupants of the participating automobile may be program**
 37 **participants.**

38 **(d) An emergency medical services provider, upon encountering**
 39 **a yellow dot decal described in section 3(d) of this chapter, shall**
 40 **search the glove compartment of the participating automobile for**
 41 **an envelope and any accompanying health information cards.**

42 **(e) An emergency medical services provider may not use the**



1 authorization granted by subsection (d) to search:

2 (1) for contraband; or

3 (2) any location other than the glove compartment of the
4 participating automobile.

5 (f) Contraband discovered during an authorized search of a
6 glove compartment described in subsection (d) may be reported to
7 a law enforcement officer or confiscated by a law enforcement
8 officer if, at the time of the contraband's discovery, the emergency
9 medical services provider was:

10 (1) searching for an envelope or health information card as
11 described in subsection (d); and

12 (2) not conducting a criminal investigation.

13 (g) An emergency medical services provider may use the
14 information displayed on a health information card to perform any
15 of the following actions:

16 (1) Positively identify a program participant or passenger
17 participant.

18 (2) Determine if a program participant or passenger
19 participant has a medical condition that may impede or
20 prevent communication with an emergency medical services
21 provider.

22 (3) Attempt contact with a program participant's or
23 passenger participant's emergency contact persons.

24 (4) Consider the program participant's or passenger
25 participant's:

26 (A) current medications;

27 (B) preexisting medical conditions; or

28 (C) recent surgeries;

29 when administering emergency medical treatment.

30 (5) Share the contents of a health information card with
31 another emergency medical services provider for the purpose
32 of administering proper medical treatment.

33 SECTION 10. IC 9-27-8 IS ADDED TO THE INDIANA CODE AS
34 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
35 1, 2019]:

36 **Chapter 8. Driving Decals**

37 **Sec. 1.** The bureau shall develop a decal to be placed on a vehicle
38 to identify the operator as being less than eighteen (18) years of age
39 or at least seventy-five (75) years of age.

40 **Sec. 2.** The bureau shall consult with the state police department
41 on the design of the decal.

42 **Sec. 3.** The bureau shall provide the decal to an individual who



1 is less than eighteen (18) years of age or at least seventy-five (75)
2 years of age upon request from the individual.
3 **Sec. 4. An individual who is less than eighteen (18) years of age**
4 **or at least seventy-five (75) years of age and holds a license or**
5 **permit under IC 9-24 may display a decal designed under this**
6 **chapter when operating a vehicle.**
7 SECTION 11. IC 34-30-2-32.3 IS ADDED TO THE INDIANA
8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2019]: **Sec. 32.3. IC 9-26-11-4 (Concerning**
10 **the bureau of motor vehicles and emergency medical services**
11 **provider use of or reliance on yellow dot emergency medical**
12 **information program health information cards).**

