



April 5, 2019

ENGROSSED
SENATE BILL No. 144

DIGEST OF SB 144 (Updated April 4, 2019 10:08 am - DI 75)

Citations Affected: IC 9-20; noncode.

Synopsis: Vehicle weight. Allows the Indiana department of transportation and certain local authorities to issue a permit that allows for the transportation of: (1) material; (2) products; or (3) equipment; belonging to an electric cooperative in certain instances. Urges the legislative council to assign to an appropriate interim study committee the task of studying overweight divisible loads. Urges the legislative council to assign to an appropriate interim study committee the task of studying: (1) the use of automated traffic control systems in work zones; and (2) the use of special signaling devices on construction vehicles in critical work zones.

Effective: Upon passage; July 1, 2019.

Ford Jon, Bassler,
Randolph Lonnie M, Bohacek
(HOUSE SPONSORS — PRESSEL, MORRISON)

January 3, 2019, read first time and referred to Committee on Homeland Security and Transportation.

February 12, 2019, amended, reported favorably — Do Pass.

February 14, 2019, read second time, ordered engrossed. Engrossed.

February 18, 2019, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 26, 2019, read first time and referred to Committee on Roads and Transportation.

April 4, 2019, amended, reported — Do Pass.

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April 5, 2019

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.

ENGROSSED SENATE BILL No. 144

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 9-20-6-2.1, AS ADDED BY P.L.54-2018,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 2.1. **(a) As used in this section, "electric
4 cooperative" means an entity that is organized under IC 8-1-13.**
5 ~~(a)~~ **(b)** As used in this section, "equivalent single axle load" means
6 the known quantifiable and standardized amount of damage to highway
7 pavement structures equivalent to one (1) pass of a single eighteen
8 thousand (18,000) pound dual tire axle, with all four (4) tires on the
9 axle inflated to one hundred ten (110) pounds per square inch.
10 ~~(b)~~ **(c)** The Indiana department of transportation or local authority
11 that:
12 (1) has jurisdiction over a highway or street; and
13 (2) is responsible for the repair and maintenance of the highway
14 or street;
15 may, upon proper application in writing and upon good cause shown,
16 grant a permit for transporting bulk milk ~~in~~ **or material, products, or**
17 **equipment belonging to an electric cooperative that are necessary**

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1 **for the installation or maintenance of facilities owned or operated**
 2 **by the electric cooperative which allows for transportation of loads**
 3 of up to one hundred thousand (100,000) pounds.

4 ~~(c)~~ **(d)** If the department of transportation grants a permit under
 5 subsection ~~(b)~~ **(c)** to an applicant whose total equivalent single axle
 6 load calculation is equal to or less than 2.40 equivalent single axle
 7 load credit, the department of transportation shall issue the permit annually.

8 ~~(d)~~ **(e)** If the department of transportation grants a permit under
 9 subsection ~~(b)~~ **(c)** to an applicant whose total equivalent single axle
 10 load calculation is greater than 2.40 equivalent single axle load credit,
 11 the department of transportation may issue the permit pursuant to
 12 section 2 of this chapter.

13 ~~(e)~~ **(f)** The fee for an annual ~~bulk milk~~ permit issued under
 14 subsection ~~(c)~~ **(d)** is twenty dollars (\$20).

15 SECTION 2. [EFFECTIVE UPON PASSAGE] **(a) The legislative**
 16 **council is urged to assign to an appropriate interim study**
 17 **committee the task of studying overweight divisible loads,**
 18 **including a tractor-semitrailer and load that is involved in hauling,**
 19 **delivering, or otherwise carrying either of the following:**

20 (1) **Masonry products.**

21 (2) **Scrap metal products.**

22 **(b) This SECTION expires January 1, 2020.**

23 SECTION 3. [EFFECTIVE UPON PASSAGE] **(a) As used in this**
 24 **SECTION, "automated traffic control system" means a**
 25 **photographic device, radar device, laser device, or other electrical**
 26 **or mechanical device or devices designed to:**

27 (1) **record the speed of a motor vehicle; and**

28 (2) **obtain a clear photograph or other recorded image of the**
 29 **motor vehicle, the operator of the motor vehicle, and the**
 30 **license plate affixed to the motor vehicle at the time the**
 31 **recorded speed of the motor vehicle exceeds a speed limit**
 32 **established under IC 9-21-5-11(a).**

33 **(b) As used in this SECTION, "critical work zone" means an**
 34 **area:**

35 (1) **that is located within a worksite;**

36 (2) **in which:**

37 (A) **the normal lane path is offset;**

38 (B) **the road surface is significantly disturbed; or**

39 (C) **road machinery is located;**

40 (3) **in which workers are present; and**

41 (4) **that is designated with signage that identifies the beginning**
 42 **and end of the area.**



- 1 **(c) As used in this SECTION, "work zone" means any part of a**
- 2 **road or bridge on which the Indiana department of transportation**
- 3 **has established a speed limit under IC 9-21-5-11(a).**
- 4 **(d) The legislative council is urged to assign to an appropriate**
- 5 **interim study committee the task of studying the following:**
- 6 **(1) The use of automated traffic control systems in work**
- 7 **zones.**
- 8 **(2) The use of special signaling devices on construction**
- 9 **vehicles in critical work zones.**
- 10 **(e) This SECTION expires January 1, 2020.**
- 11 **SECTION 4. An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill No. 144, 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:

Delete the title and insert the following:

A BILL FOR AN ACT concerning motor vehicles.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to SB 144 as introduced.)

CRIDER, Chairperson

Committee Vote: Yeas 7, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 144, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-20-6-2.1, AS ADDED BY P.L.54-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2.1. **(a) As used in this section, "electric cooperative" means an entity that is organized under IC 8-1-13.**

~~(a)~~ **(b)** As used in this section, "equivalent single axle load" means the known quantifiable and standardized amount of damage to highway pavement structures equivalent to one (1) pass of a single eighteen thousand (18,000) pound dual tire axle, with all four (4) tires on the axle inflated to one hundred ten (110) pounds per square inch.

~~(b)~~ **(c)** The Indiana department of transportation or local authority that:

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- (1) has jurisdiction over a highway or street; and
- (2) is responsible for the repair and maintenance of the highway or street;

may, upon proper application in writing and upon good cause shown, grant a permit for transporting bulk milk ~~in or material, products, or equipment belonging to an electric cooperative that are necessary for the installation or maintenance of facilities owned or operated by the electric cooperative which allows for transportation of~~ loads of up to one hundred thousand (100,000) pounds.

~~(e)~~ **(d)** If the department of transportation grants a permit under subsection ~~(b)~~ **(c)** to an applicant whose total equivalent single axle load calculation is equal to or less than 2.40 equivalent single axle load credit, the department of transportation shall issue the permit annually.

~~(d)~~ **(e)** If the department of transportation grants a permit under subsection ~~(b)~~ **(c)** to an applicant whose total equivalent single axle load calculation is greater than 2.40 equivalent single axle load credit, the department of transportation may issue the permit pursuant to section 2 of this chapter.

~~(e)~~ **(f)** The fee for an annual ~~bulk milk~~ permit issued under subsection ~~(e)~~ **(d)** is twenty dollars (\$20)."

Page 1, line 5, delete "masonry products." and insert **"either of the following:**

- (1) Masonry products.**
- (2) Scrap metal products."**

Page 1, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "automated traffic control system" means a photographic device, radar device, laser device, or other electrical or mechanical device or devices designed to:

- (1) record the speed of a motor vehicle; and**
- (2) obtain a clear photograph or other recorded image of the motor vehicle, the operator of the motor vehicle, and the license plate affixed to the motor vehicle at the time the recorded speed of the motor vehicle exceeds a speed limit established under IC 9-21-5-11(a).**

(b) As used in this SECTION, "critical work zone" means an area:

- (1) that is located within a worksite;**
- (2) in which:**
 - (A) the normal lane path is offset;**
 - (B) the road surface is significantly disturbed; or**
 - (C) road machinery is located;**



- (3) in which workers are present; and**
- (4) that is designated with signage that identifies the beginning and end of the area.**

(c) As used in this SECTION, "work zone" means any part of a road or bridge on which the Indiana department of transportation has established a speed limit under IC 9-21-5-11(a).

(d) The legislative council is urged to assign to an appropriate interim study committee the task of studying the following:

- (1) The use of automated traffic control systems in work zones.**
- (2) The use of special signaling devices on construction vehicles in critical work zones.**

(e) This SECTION expires January 1, 2020."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 144 as printed February 13, 2019.)

SULLIVAN

Committee Vote: yeas 10, nays 0.

