

# SENATE BILL No. 244

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-13-2; IC 9-14-13-7; IC 9-21; IC 9-30-3-14; IC 34-6-2-85; IC 36-1-6-3.

**Synopsis:** Speed control in school zones. Authorizes a county or municipality to adopt and enforce an ordinance that regulates the use of a school zone speed control system (system) to detect certain violations. Provides a civil penalty for a violation. Specifies that a civil penalty must first be applied to defray the cost of the installation, operation, and maintenance of the system. Specifies the manner in which the remaining money from the civil penalty must be distributed. Requires a county or municipality to report data to the interim study committee on roads and transportation. Makes conforming changes.

**Effective:** July 1, 2024.

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## Hunley

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January 10, 2024, read first time and referred to Committee on Homeland Security and Transportation.

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Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

# SENATE BILL No. 244



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 9-13-2-2.1 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2024]: **Sec. 2.1. "Agent", for purposes of IC 9-21-23, has the**
- 4 **meaning set forth in IC 9-21-23-1.**
- 5 SECTION 2. IC 9-13-2-110.7 IS ADDED TO THE INDIANA
- 6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 7 [EFFECTIVE JULY 1, 2024]: **Sec. 110.7. "Municipality", for**
- 8 **purposes of IC 9-21-23, has the meaning set forth in IC 36-1-2-11.**
- 9 SECTION 3. IC 9-13-2-121, AS AMENDED BY P.L.164-2020,
- 10 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 11 JULY 1, 2024]: Sec. 121. (a) Except as otherwise provided in
- 12 ~~subsection~~ **subsections (b) and (c)**, "owner" means a person, other than
- 13 a lienholder, that:
- 14 (1) holds the property in or title to, as applicable, a vehicle,
- 15 manufactured home, mobile home, off-road vehicle, snowmobile,
- 16 or watercraft; or
- 17 (2) is entitled to the use or possession of, as applicable, a vehicle,



- 1 manufactured home, off-road vehicle, snowmobile, or watercraft,  
 2 through a lease or other agreement intended to operate as a  
 3 security.
- 4 (b) "Owner" for purposes of IC 9-18.1-14.5, has the meaning set  
 5 forth in 33 CFR 174.3.
- 6 (c) **"Owner", for purposes of IC 9-21-23, has the meaning set  
 7 forth in IC 9-21-23-5.**
- 8 SECTION 4. IC 9-13-2-161.6 IS ADDED TO THE INDIANA  
 9 CODE AS A **NEW SECTION TO READ AS FOLLOWS**  
 10 [EFFECTIVE JULY 1, 2024]: **Sec. 161.6. "School zone speed control  
 11 system", for purposes of IC 9-21-23, has the meaning set forth in  
 12 IC 9-21-23-6.**
- 13 SECTION 5. IC 9-14-13-7, AS ADDED BY P.L.198-2016,  
 14 SECTION 193, IS AMENDED TO READ AS FOLLOWS  
 15 [EFFECTIVE JULY 1, 2024]: Sec. 7. The bureau may disclose certain  
 16 personal information that is not highly restricted personal information  
 17 if the person requesting the information provides proof of identity and  
 18 represents that the use of the personal information will be strictly  
 19 limited to at least one (1) of the following:
- 20 (1) For use by a government agency, including a court or law  
 21 enforcement agency, in carrying out its functions, or a person  
 22 acting on behalf of a government agency in carrying out its  
 23 functions, **including an agent in carrying out its  
 24 responsibilities under IC 9-21-23.**
- 25 (2) For use in connection with matters concerning:
- 26 (A) motor vehicle or driver safety and theft;  
 27 (B) motor vehicle emissions;  
 28 (C) motor vehicle product alterations, recalls, or advisories;  
 29 (D) performance monitoring of motor vehicles, motor vehicle  
 30 parts, and dealers;  
 31 (E) motor vehicle market research activities, including survey  
 32 research;  
 33 (F) the removal of nonowner records from the original owner  
 34 records of motor vehicle manufacturers; and  
 35 (G) motor fuel theft under IC 24-4.6-5.
- 36 (3) For use in the normal course of business by a business or its  
 37 agents, employees, or contractors, but only:
- 38 (A) to verify the accuracy of personal information submitted  
 39 by an individual to the business or its agents, employees, or  
 40 contractors; and  
 41 (B) if information submitted to a business is not correct or is  
 42 no longer correct, to obtain the correct information only for



- 1           purposes of preventing fraud by pursuing legal remedies  
2           against, or recovering on a debt or security interest against, the  
3           individual.
- 4           (4) For use in connection with a civil, a criminal, an  
5           administrative, or an arbitration proceeding in a court or  
6           government agency or before a self-regulatory body, including the  
7           service of process, investigation in anticipation of litigation, and  
8           the execution or enforcement of judgments and orders, or under  
9           an order of a court.
- 10          (5) For use in research activities, and for use in producing  
11          statistical reports, as long as the personal information is not  
12          published, redisclosed, or used to contact the individuals who are  
13          the subject of the personal information.
- 14          (6) For use by an insurer, an insurance support organization, or a  
15          self-insured entity, or the agents, employees, or contractors of an  
16          insurer, an insurance support organization, or a self-insured entity  
17          in connection with claims investigation activities, anti-fraud  
18          activities, rating, or underwriting.
- 19          (7) For use in providing notice to the owners of towed or  
20          impounded vehicles.
- 21          (8) For use by a licensed private investigative agency or licensed  
22          security service for a purpose allowed under this section.
- 23          (9) For use by an employer or its agent or insurer to obtain or  
24          verify information relating to a holder of a commercial driver's  
25          license that is required under the Commercial Motor Vehicle  
26          Safety Act of 1986 (49 U.S.C. 31131 et seq.).
- 27          (10) For use in connection with the operation of private toll  
28          transportation facilities.
- 29          (11) For any use in response to requests for individual motor  
30          vehicle records when the bureau has obtained the written consent  
31          of the person to whom the personal information pertains.
- 32          (12) For bulk distribution for surveys, marketing, or solicitations  
33          when the bureau has obtained the written consent of the person to  
34          whom the personal information pertains.
- 35          (13) For use by any person, when the person demonstrates, in a  
36          form and manner prescribed by the bureau, that written consent  
37          has been obtained from the individual who is the subject of the  
38          information.
- 39          (14) For any other use specifically authorized by law that is  
40          related to the operation of a motor vehicle or public safety.
- 41          However, this section does not affect the use of anatomical gift  
42          information on a person's driver's license or identification document



1 issued by the bureau, nor does this section affect the administration of  
2 anatomical gift initiatives in Indiana.

3 SECTION 6. IC 9-21-5-6, AS AMENDED BY P.L.164-2018,  
4 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2024]: Sec. 6. (a) Except as provided in subsections (e) and  
6 (f), whenever a local authority in the authority's jurisdiction determines  
7 that the maximum speed permitted under this chapter is greater or less  
8 than reasonable and safe under the conditions found to exist on a  
9 highway or part of a highway, the local authority may determine and  
10 declare a reasonable and safe maximum limit on the highway. The  
11 maximum limit declared under this section may do any of the  
12 following:

13 (1) Decrease the limit within urban districts, but not to less than  
14 twenty (20) miles per hour.

15 (2) Increase the limit within an urban district, but not to more than  
16 fifty-five (55) miles per hour during daytime and fifty (50) miles  
17 per hour during nighttime.

18 (3) Decrease the limit outside an urban district, but not to less  
19 than thirty (30) miles per hour.

20 (4) Decrease the limit in an alley, but to not less than five (5)  
21 miles per hour.

22 (5) Increase the limit in an alley, but to not more than thirty (30)  
23 miles per hour.

24 The local authority must perform an engineering and traffic  
25 investigation before a determination may be made to change a speed  
26 limit under subdivision (2), (3), (4), or (5) or before the speed limit  
27 within an urban district may be decreased to less than twenty-five (25)  
28 miles per hour under subdivision (1).

29 (b) Except as provided in subsection (f), a local authority in the  
30 authority's jurisdiction shall determine by an engineering and traffic  
31 investigation the proper maximum speed for all local streets and shall  
32 declare a reasonable and safe maximum speed permitted under this  
33 chapter for an urban district. However, an engineering and traffic study  
34 is not required to be performed for the local streets in an urban district  
35 under this subsection if the local authority determines that the proper  
36 maximum speed in the urban district is not less than twenty-five (25)  
37 miles per hour.

38 (c) An altered limit established under this section is effective at all  
39 times or during hours of darkness or at other times as may be  
40 determined when appropriate signs giving notice of the altered limit are  
41 erected on the street or highway.

42 (d) Except as provided in this subsection **and notwithstanding**



1 **IC 9-21-23 or IC 36-1-3-8(a)**, a local authority may not alter a speed  
 2 limit on a highway or extension of a highway in the state highway  
 3 system. A city or town may establish speed limits on state highways  
 4 upon which a school is located. However, a speed limit established  
 5 under this subsection is valid only if the following conditions exist:

- 6 (1) The limit is not less than twenty (20) miles per hour.  
 7 (2) The limit is imposed only in the immediate vicinity of the  
 8 school.

9 (3) Children are present.

10 (4) The speed zone is properly signed. There must be:

11 (A) a sign located:

12 (i) where the reduced speed zone begins; or

13 (ii) as near as practical to the point where the reduced speed  
 14 zone begins;

15 indicating the reduced speed limit; and

16 (B) a sign located at the end of the reduced speed zone  
 17 indicating:

18 (i) the speed limit for the section of highway that follows; or

19 (ii) the end of the reduced speed zone.

20 (5) The Indiana department of transportation has been notified of  
 21 the limit imposed by certified mail.

22 (e) A local authority may decrease a limit on a street to not less than  
 23 fifteen (15) miles per hour if the following conditions exist:

24 (1) The street is located within a park or playground established  
 25 under IC 36-10.

26 (2) The:

27 (A) board established under IC 36-10-3;

28 (B) board established under IC 36-10-4; or

29 (C) park authority established under IC 36-10-5;

30 requests the local authority to decrease the limit.

31 (3) The speed zone is properly signed.

32 (f) A city, town, or county may establish speed limits on a street or  
 33 highway upon which a school is located if the street or highway is  
 34 under the jurisdiction of the city, town, or county, respectively.  
 35 However, a speed limit established under this subsection is valid only  
 36 if the following conditions exist:

37 (1) The limit is not less than twenty (20) miles per hour.

38 (2) The limit is imposed only in the immediate vicinity of the  
 39 school.

40 (3) Children are present.

41 (4) The speed zone is properly signed. There must be:

42 (A) a sign located where the reduced speed zone begins or as



1 near as practical to the point where the reduced speed zone  
 2 begins indicating the reduced speed limit and a sign located at  
 3 the end of the reduced speed zone indicating the end of the  
 4 reduced speed zone; and

5 (B) if the school operates on a twelve (12) month schedule, a  
 6 sign indicating that the school is an all year school.

7 **Notwithstanding IC 36-1-3-8(a), a city, town, or county may**  
 8 **establish speed limits on a street or highway upon which a school**  
 9 **is located if the street or highway is under the jurisdiction of the**  
 10 **city, town, or county, respectively, under IC 9-21-23.**

11 (g) Except as provided in subsection (h), a person who exceeds a  
 12 speed limit established by a local authority under this section commits  
 13 a Class C infraction.

14 (h) A person who exceeds a speed limit that is established under  
 15 subsection (d) or (f) commits a Class B infraction.

16 SECTION 7. IC 9-21-23 IS ADDED TO THE INDIANA CODE AS  
 17 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
 18 1, 2024]:

19 **Chapter 23. School Zone Speed Control Program**

20 **Sec. 1. As used in this chapter, "agent" means a person that:**

- 21 (1) provides services to a county or municipality;  
 22 (2) operates, maintains, leases, or licenses school zone speed  
 23 control systems as authorized by a county or municipality; or  
 24 (3) is authorized to review and assemble a recorded image  
 25 captured by a school zone speed control system for review by  
 26 a police officer employed by a county or municipality.

27 **Sec. 2. As used in this chapter, "motor vehicle" has the meaning**  
 28 **set forth in IC 9-13-2-105(a).**

29 **Sec. 3. As used in this chapter, "motor vehicle rental company"**  
 30 **means a person that routinely engages in the business of renting**  
 31 **motor vehicles for periods of not more than thirty (30) days.**

32 **Sec. 4. As used in this chapter, "municipality" means a city or**  
 33 **town.**

34 **Sec. 5. As used in this chapter, "owner" means a person in**  
 35 **whose name a motor vehicle is registered under any of the**  
 36 **following:**

- 37 (1) IC 9-18.1.  
 38 (2) The law of another state.  
 39 (3) The law of a foreign country.  
 40 (4) The International Registration Plan.

41 **Sec. 6. As used in this chapter, "school zone speed control**  
 42 **system" means a photographic device, radar device, laser device,**



1 or other electrical or mechanical device or devices designed to:

- 2 (1) record the speed of a motor vehicle;  
 3 (2) obtain a clear photograph or other recorded image of the  
 4 rear of the motor vehicle and the license plate affixed to the  
 5 motor vehicle at the time the recorded speed of the motor  
 6 vehicle exceeds a school zone speed limit;  
 7 (3) indicate on at least one (1) recorded image the date, time,  
 8 and location of the violation; and  
 9 (4) undergo an annual calibration check, the results of which  
 10 are kept on file with the county or municipality that uses the  
 11 school zone speed control system.

12 **Sec. 7.** As used in this chapter, "school zone speed limit" means  
 13 a speed limit established under IC 9-21-5-6.

14 **Sec. 8. (a)** Notwithstanding IC 36-1-3-8(a)(8), a county or  
 15 municipality may adopt an ordinance to use a school zone speed  
 16 control system to enforce a violation of a school zone speed limit.

17 (b) An ordinance adopted under subsection (a) must be adopted  
 18 as follows:

- 19 (1) In a municipality, by the legislative body of the  
 20 municipality.  
 21 (2) In a county subject to IC 36-2-3.5 or IC 36-3-1, by the  
 22 legislative body of the county.  
 23 (3) In any other county, by the executive of the county.

24 (c) An ordinance adopted under subsection (a) is subject to an  
 25 interlocal agreement under IC 36-1-7.

26 **Sec. 9. (a)** A municipality, county, or school corporation that  
 27 uses a school zone speed control system may enter into a contract  
 28 with an agent for the installation, operation, notice processing,  
 29 administration, and maintenance of the school zone speed control  
 30 system.

31 (b) An agent is not required to be licensed under IC 25-30-1.

32 (c) The records, documents, and books kept by an agent are not  
 33 considered public records (as defined in IC 5-14-3-2(r)).

34 **Sec. 10.** A county or municipality may adopt an ordinance to  
 35 establish a speed limit under IC 9-21-5-6 that is enforced by a  
 36 school zone speed control system.

37 **Sec. 11. (a)** If a county or municipality adopts an ordinance  
 38 under section 8 of this chapter, the ordinance must include the  
 39 following regarding the school zone speed control system:

- 40 (1) That the school zone speed control system is maintained in  
 41 accordance with specified self-test performance standards.  
 42 (2) That an ordinance adopted under this chapter may be





1           **challenged pursuant to the requirements of IC 34-13-6.**

2           **(b) If a county or municipality adopts an ordinance under**  
 3 **section 8 of this chapter, the ordinance must include the following**  
 4 **regarding a violation:**

5           **(1) That a police officer employed by the county or**  
 6 **municipality:**

7           **(A) must review and approve an image recorded by the**  
 8 **school zone speed control system before notice of an**  
 9 **ordinance violation may be forwarded to the owner of the**  
 10 **motor vehicle; and**

11           **(B) may not forward notice of an ordinance violation to a**  
 12 **owner under clause (A) if, in the opinion of the police**  
 13 **officer, it was not possible for the operator of the motor**  
 14 **vehicle to safely avoid committing the ordinance violation**  
 15 **due to inclement weather conditions.**

16           **(2) Except as otherwise provided under this chapter, that the**  
 17 **owner of a motor vehicle identified through a school zone**  
 18 **speed control system is liable for the civil penalty for a**  
 19 **violation under this chapter.**

20           **(3) The defenses to a violation under section 17 of this**  
 21 **chapter.**

22           **(4) The civil penalty to be assessed for a violation under**  
 23 **section 18 of this chapter.**

24           **(5) That an owner may pay a civil penalty for a violation by**  
 25 **electronic means.**

26           **(6) That a county or municipality may bring an action under**  
 27 **IC 36-1-6 to enforce an ordinance or action taken under this**  
 28 **chapter.**

29           **(c) A county or municipality that adopts an ordinance under**  
 30 **section 8 of this chapter shall publish notice of the location of each**  
 31 **school zone speed control system on the website of the county or**  
 32 **municipality.**

33           **Sec. 12. (a) A school corporation that uses a school zone speed**  
 34 **control system to enforce an ordinance adopted under this chapter**  
 35 **must forward a recorded image produced by the school zone speed**  
 36 **control system to the law enforcement agency of the county or**  
 37 **municipality in which the school corporation is located for review**  
 38 **and approval by a police officer employed by the law enforcement**  
 39 **agency before notice of the ordinance violation may be sent to the**  
 40 **owner of the motor vehicle.**

41           **(b) A police officer described in subsection (a) may not send**  
 42 **notice of the ordinance violation to the owner of the motor vehicle**



1 if, in the opinion of the police officer, the operator of the motor  
2 vehicle could not have safely avoided committing the ordinance  
3 violation due to inclement weather conditions.

4 **Sec. 13. Before installing a school zone speed control system, a**  
5 **county or municipality shall:**

6 (1) **conduct a public information campaign to inform drivers**  
7 **about the use of a school zone speed control system to detect**  
8 **speeds in excess of a school zone speed limit; and**

9 (2) **post signs indicating that school zone speed limits are**  
10 **monitored by a school zone speed control system before the**  
11 **entrance to a school zone in which a school zone speed control**  
12 **system is in use.**

13 **Sec. 14. (a) A school zone speed control system must undergo an**  
14 **annual calibration check performed by an independent calibration**  
15 **laboratory.**

16 (b) **The independent calibration laboratory performing the**  
17 **annual calibration check required under subsection (a) shall issue**  
18 **a certificate of calibration to the department for the school zone**  
19 **speed control system as proof that:**

20 (1) **the annual calibration check was performed; and**

21 (2) **the school zone speed control system is accurately**  
22 **calibrated.**

23 **Sec. 15. (a) A school zone speed control system may not be used**  
24 **to take a photograph or recorded image of the front of a motor**  
25 **vehicle.**

26 (b) **A photograph or recorded image of the front of a motor**  
27 **vehicle obtained through the use of a school zone speed control**  
28 **system may not be used as evidence of a violation under this**  
29 **chapter.**

30 (c) **The information and recorded images collected under this**  
31 **chapter are confidential under IC 5-14-3.**

32 (d) **Except as otherwise provided in this section, information**  
33 **and photographs or recorded images collected under this chapter**  
34 **are not discoverable by court order as evidence in a proceeding**  
35 **except to assess a penalty under section 18 of this chapter.**

36 (e) **Information and a photograph or recorded image collected**  
37 **under this chapter must be destroyed not later than two (2) years**  
38 **after the date the information and photograph or recorded image**  
39 **is collected.**

40 **Sec. 16. (a) Except as otherwise provided by this chapter, use of**  
41 **a photograph or recorded image obtained through the use of a**  
42 **school zone speed control system for the purpose of enforcing a**



1 traffic offense (as defined in IC 9-13-2-183) is prohibited.

2 (b) A photograph or recorded image obtained through the use  
3 of a school zone speed control system may not be used as evidence  
4 in any action other than the action to collect a school zone speed  
5 limit civil penalty for which the photograph or recorded image was  
6 obtained.

7 (c) Unless authorized by court order, a photograph or recorded  
8 image obtained through the use of a school zone speed control  
9 system may not be disclosed to anyone other than:

10 (1) the owner of the motor vehicle at the time the recorded  
11 speed of the motor vehicle exceeded a school zone speed limit;

12 (2) an individual alleged to have been operating the motor  
13 vehicle at the time the school zone speed limit was exceeded as  
14 described in subdivision (1);

15 (3) an attorney representing an individual described in  
16 subdivision (1) or (2);

17 (4) a law enforcement officer;

18 (5) the department;

19 (6) a person administering the school zone speed control  
20 system; and

21 (7) the court in a proceeding for judicial review under  
22 IC 4-21.5.

23 Sec. 17. (a) Except as provided in subsection (d), the owner of a  
24 motor vehicle identified through a school zone speed control system  
25 is liable for the civil penalty described in section 18 of this chapter  
26 for exceeding a school zone speed limit.

27 (b) There is a rebuttable presumption that the owner of a motor  
28 vehicle that is the subject of a photograph or recorded image was  
29 operating the motor vehicle when the photograph or recorded  
30 image was obtained through a school zone speed control system.

31 (c) The presumption under subsection (b) does not apply to an  
32 owner of a motor vehicle that is a motor vehicle rental company.

33 (d) The owner of a motor vehicle may submit information to  
34 rebut the presumption created by subsection (b).

35 (e) It is a defense under this section if any of the following apply:

36 (1) The person receiving a notice of violation issued under this  
37 chapter:

38 (A) was not the owner of the motor vehicle; or

39 (B) was not operating the motor vehicle;

40 at the time that the school zone speed limit was exceeded.

41 (2) The vehicle was reported stolen prior to the time that the  
42 school zone speed limit was exceeded and was not recovered



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prior to that time.

(3) The school zone speed control system was not properly tested for accuracy, certification, or calibration.

Sec. 18. (a) Notwithstanding IC 36-1-3-8(a)(10)(B), a person who exceeds a school zone speed limit that is detected under this chapter is subject to the following civil penalties:

(1) A written warning for the first violation.

(2) A civil penalty of seventy-five dollars (\$75) for the second violation.

(3) A civil penalty of one hundred fifty dollars (\$150) for the third and each subsequent violation.

(b) A county or municipality may impose a fee associated with the electronic processing of the civil penalty imposed under subsection (a).

(c) A county or municipality must apply at least fifty percent (50%) of the amount of the civil penalty imposed under subsection (a) to defray the cost to install, operate, and maintain a school zone speed control system.

(d) The remaining money from the civil penalty imposed under subsection (a) must be transferred to the general fund of the county or municipality to be used for public safety and infrastructure.

Sec. 19. (a) Not later than November 1 of each year, a county or municipality shall submit a report to the interim study committee on roads and transportation established by IC 2-5-1.3-4 that includes the following:

(1) The number of violations issued in a school zone where a school zone speed control system was operated.

(2) The amount of fines imposed for violations occurring in a school zone where a school zone speed control system was operated.

(b) A report under this section must be submitted in an electronic format under IC 5-14-6.

SECTION 8. IC 9-30-3-14, AS AMENDED BY P.L.111-2021, SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 14. **This section does not apply to a violation of an ordinance adopted under IC 9-21-23.** If a court convicts a person for a moving traffic offense and the person is known or believed by the court not to be the owner of the motor vehicle, the court shall, within seven (7) days after entering the conviction, deposit with the United States Postal Service, first class postage prepaid, notice addressed to the owner of the motor vehicle giving the owner the following information:



- 1 (1) The name and address of the person convicted.
- 2 (2) The name and address of the owner of the motor vehicle.
- 3 (3) The offense upon which the conviction was made.
- 4 (4) The date of arrest of the person convicted and the location of
- 5 the place of the offense.
- 6 (5) The license plate number of the motor vehicle.
- 7 (6) The driver's or chauffeur's license number of the person
- 8 convicted.
- 9 (7) The date of the conviction and the name of the court making
- 10 the conviction.

11 SECTION 9. IC 34-6-2-85 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 85. "Moving traffic  
 13 violation", for purposes of IC 34-28-5, means a violation of:

- 14 (1) a statute defining an infraction; or
- 15 (2) an ordinance, **other than a violation under IC 9-21-23;**  
 16 that applies when a motor vehicle is in motion.

17 SECTION 10. IC 36-1-6-3 IS AMENDED TO READ AS  
 18 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) Certain  
 19 ordinances may be enforced by a municipal corporation without  
 20 proceeding in court through:

- 21 (1) an admission of violation before the violations clerk under
- 22 IC 33-36; or
- 23 (2) administrative enforcement under section 9 of this chapter.
- 24 (b) Except as provided in subsection (a), a proceeding to enforce an
- 25 ordinance must be brought in accordance with IC 34-28-5, section 4 of
- 26 this chapter, or both.
- 27 (c) An ordinance defining a moving traffic violation may not be
- 28 enforced under IC 33-36 and must be enforced in accordance with
- 29 IC 34-28-5.

30 **(d) An ordinance adopted under IC 9-21-23 may be enforced**  
 31 **under IC 33-36 or IC 34-28-5.**

