

TITLE 140 BUREAU OF MOTOR VEHICLES**Proposed Rule**
LSA Document #21-122

DIGEST

Amends [140 IAC 1-4.5-10](#) updating the point value table for vehicle, driving, and related violations as provided by the point study committee. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)[140 IAC 1-4.5-10](#)

SECTION 1. [140 IAC 1-4.5-10](#) IS AMENDED TO READ AS FOLLOWS:

[140 IAC 1-4.5-10](#) Point value table

Authority: [IC 9-14-8-3](#)

Affected: [IC 9-19](#); [IC 9-20](#); [IC 9-21](#); [IC 9-24](#); [IC 9-25](#); [IC 9-26](#); [IC 9-28](#); [IC 9-30](#); [IC 14-15](#); [IC 35-42](#); [IC 35-43](#); [IC 35-44.1](#); [IC 35-46](#)

Sec. 10. (a) The bureau shall periodically update the point value table, as needed, with the assistance of the point study committee. Points assessed in subsection (f), Table 1 shall be for:

- (1) in-state violations; or
- (2) out-of-state violations reported to the bureau from any state for which an equivalent violation exists in Indiana.

(b) Requirements for entering violations onto a driver record shall be as follows:

- (1) All abstracts of court record received by the bureau shall be recorded based upon the Indiana Code citation or the applicable bureau offense code reflected on the abstract.
- (2) Out-of-state violations shall be recorded based upon the American Association of Motor Vehicle Administrators Code Dictionary (ACD) Code provided by the state reporting the violation.
- (3) Leaving the scene of an accident under [IC 9-26-1](#) shall be treated as an accident in excess of one thousand dollars (\$1,000) requiring a mandatory suspension unless the accident is specifically designated on the abstract of court record or court order as less than one thousand dollars (\$1,000).
- (4) Property damage or personal injury shall not be presumed to have occurred when assessing points for reckless driving violations unless such property damage or personal injury is specifically indicated in the court order or on the abstract of court record by the court.

(c) Any violation that is subject to statutory change shall retain the same point designation until the regulations are amended unless such violation is entirely repealed by the statutory change whereby no points shall be assessed for that violation.

(d) The point value assigned to a violation shall be determined by the point value table in effect on the date the violation was committed.

(e) All violations that are removed from the point value table shall retain their assigned point value for violations committed prior to the removal of the violation from the table.

(f) Point value Table 1, establishing the point value system, shall be as follows:

Table 1.		
Indiana Code Cross Reference	Description of Violation	Point Value
9-19-3-1 et seq. 9-19-7-2(a)(2)	Equipment violation with respect to brakes	4
9-19-4-1 et seq.	Bumper violation	2
9-19-5-6	Failure of commercial motor vehicle to carry required emergency	2

	equipment	
9-19-6-1.5 et seq. 9-19-7-2(a) 9-19-7-2(b) 9-21-7-1 et seq.	Equipment violation with respect to vehicle lights, reflectors, stop lights, warning signals	2
9-21-7-1 et seq.	Failure to use lights, reflectors, stop lights, warning signals when required	2
9-19-7-1 9-21-10-9 (repealed)	No motorcycle or motor driven cycle headgear or protective eyewear (under 18 years of age)	4
9-21-3-7 9-21-3-8 9-21-3-9 9-21-3-10 (repealed) 9-21-3-11	Disregarding traffic control signal	4
9-21-4-11 9-21-4-17 9-21-4-18 9-21-8-29 9-21-8-30 9-21-8-31 9-21-8-32 9-21-8-33 9-21-8-34 9-21-8-36	Failure to yield; failure to obey stop or yield signs	4
9-21-8-35(a)	Failure to yield to moving emergency vehicle	6
9-21-8-35(b) 9-21-8-35(c)	Failure to change lanes or decrease speed when approaching a stationary emergency, recovery, or maintenance vehicle	8
9-21-4-12 9-21-4-13 9-21-4-18	Improper passing in violation of clearly visible signs or markings	4
9-21-4-16 9-21-4-18	Disregarding stop sign at railroad crossing	6
9-21-5-1 9-21-5-2 9-21-5-3 9-21-5-4 9-21-5-5 9-21-5-6(a) 9-21-5-6(e) 9-21-5-11 9-21-5-12 9-21-5-13 (repealed)	Miscellaneous speeding violations: Excessive speed not indicated 1-15 MPH in excess of limit 16-25 MPH in excess of limit Over 25 MPH in excess of limit	2 2 4 6
9-21-5-6(d) 9-21-5-6(f)	Speeding in a school zone: Excessive speed not indicated 1-15 MPH in excess of limit 16-25 MPH in excess of limit Over 25 MPH in excess of limit	4 4 6 8
9-21-5-11	Speeding in a work site: Excessive speed not indicated 1-15 MPH in excess of limit 16-25 MPH in excess of limit Over 25 MPH in excess of limit	4 4 6 8
9-21-5-7 9-21-5-8 9-21-5-9 9-21-8-2(b)	Minimum speed violation, slow vehicle in improper lane	2
9-21-5-10	Unsafe speed on bridge or elevated structure	4

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9-21-6-1 9-21-8-56(d)(2)	Speed contest on streets or highways (drag racing)	8
9-21-8-1	Failure to comply with order of law enforcement officer	6
9-21-8-2(a) 9-21-8-8	Driving on left side of road when not permitted	4
9-21-8-4	Improper passing on two lane highway	4
9-21-8-5	Improper passing (cutting in); refusing to give way to overtaking vehicle	4
9-21-8-6	Improper passing to the right	4
9-21-8-7	Improper passing on the left of center	6
9-21-8-7.5	Worksite no passing	8
9-21-8-8	Driving to the left of center on two-way roadway (special conditions)	4
9-21-8-9	Wrong way on a one-way roadway	4
9-21-8-10	Driving left of rotary island	4
9-21-8-11	Improper driving on roadways with traffic lanes	4
9-21-8-12	Lane restriction violation by truck	4
9-21-8-13		
9-21-8-14 9-21-8-15 9-21-8-16	Following too closely	6
9-21-8-18 9-21-8-19	Entrance or exit violation on limited access highways	4
9-21-8-21	Improper turn at intersection	4
9-21-8-19 9-21-8-22	Improper U-turn	4
9-21-8-23	Unsafe start from parked position	4
9-21-8-24 9-21-8-25 9-21-8-26 9-21-8-27 9-21-8-28	Failure to signal when required, improper signal	2
9-21-8-37	Failure to exercise due care for pedestrian	6
9-21-8-38	Operating through or within a pedestrian safety zone	4
9-21-8-39	Disregarding signal indicating approach of train	6
9-21-8-40 9-21-12-5	Failure of commercial vehicle or other special vehicle to stop at railroad crossing	8
9-21-8-41	Disregarding official traffic control device at a worksite	6
9-21-8-50	Reckless driving while operating a tractor-trailer combination	8
9-21-8-51	Failure to dim bright or blinding lights	2
9-21-8-52(a) 9-21-8-52(b)	Reckless driving	6
9-21-8-52	Reckless driving with damage to property	8
9-21-8-52	Reckless driving with bodily injury	10
9-21-8-55	Aggressive driving	8
9-21-8-56	Reckless operation in highway work zone	8
9-21-8-59	Texting or e-mailing while operating a motor vehicle Use of a telecommunications device while operating a motor vehicle	4
9-21-9-4 9-19-16-4 (repealed)	No flashing amber or red light on slow moving vehicle when other lights not required (this is in addition to slow moving emblem)	2
9-21-10-1 9-21-10-2 9-21-10-4	Motorcycle or motor driven cycle passenger violation	4
9-21-10-3	Carrying articles to prevent proper use of handlebars	4
9-21-10-5	Operating motorcycle or motor driven cycle without headlamp illuminated	2
9-21-10-6	Operating motorcycles three or more abreast in single lane	4
9-21-10-6	Depriving motor vehicle (including motorcycle) of full lane usage	4

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9-21-10-8	Motor driven cycle operated on interstate	4
9-21-11-12	Improper operation of Class B motor driven cycle	4
9-21-12-1	Passing of school bus while loading or unloading	8
9-21-12-1	Passing of school bus when arm signal is out	8
9-21-12-18	Hazardous or obstructed exit on school or special purpose bus	6
9-24-1-1 9-24-1-4 (repealed) 9-24-1-5 (repealed) 9-24-1-8 (repealed) 9-24-11-3.6 9-24-12-1 9-24-12-2	No valid license for type of vehicle that was operated (noncommercial motor vehicle)	4
9-24-1-6 (repealed) 9-24-6.1-3	Operating commercial motor vehicle without valid commercial driver's license	8
9-24-6-15 (repealed) 9-24-6.1-6	Operating a commercial motor vehicle with a BAC or BrAC of at least .04 but less than .08	8
9-24-6-16 (repealed) 9-24-6.1-7	Operating a commercial motor vehicle while disqualified	8
9-24-7-3 (repealed) 9-24-7-4	Learner's permit violation	4
9-24-8-3	Motorcycle learner's permit violation	4
9-24-1-1(b) 9-24-1-8 (repealed) 9-24-8-4 [IC 9-24-8-4 expired under P.L. 198-2016, SECTION 460, effective December 31, 2016.]	Improper motorcycle endorsement or motor driven cycle endorsement or restriction	6
9-24-11-3 (repealed) 9-24-11-3.3 (repealed) 9-24-11-3.5 9-24-11-3.6 9-24-11-3.7	Probationary license violation (under 18 years of age)	4
9-24-11-8(a)	Violation of driver's license restriction or mechanical control device requirement	4
9-24-11-8(b) 9-24-11-8(c)	Violation of driver's license restriction or mechanical control device causing serious bodily injury or death	10
9-24-18-1	Operating without ever having a valid license	6
9-24-18-5 (repealed) 9-24-19-1 9-24-19-2 9-24-19-3 9-24-19-4 (repealed) 9-30-13-6 9-30-13-7	Driving while license or driving privileges are suspended or revoked	8
9-24-19-3	Driving while license or driving privileges are suspended or revoked resulting in bodily injury or death	10
9-25-4-1 9-25-8-5	Violation of financial responsibility requirements	2
9-26-1-1.1	Leaving the scene of accident; failure to give information; failure of other duties	8
9-26-1-1 (repealed) 9-26-1-2 (repealed) 9-26-1-3 (repealed) 9-26-1-4 (repealed) 9-26-1-1.1	Leaving the scene of accident; failure to give information; failure of other duties (damage to unattended vehicle or other property)	8

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9-26-1-1 (repealed) 9-26-1-2 (repealed) 9-26-1-3 (repealed) 9-26-1-4 (repealed) 9-26-1-1.1	Leaving the scene of accident; failure to give information; failure of other duties (injury or death)	10
9-30-4-8	Operating a vehicle with suspended registration	8
9-30-5-1	Per se operating while intoxicated (OWI) or operating with a controlled substance or metabolite in the body	8
9-30-5-2	OWI	8
9-30-5-3	OWI per se or OWI conviction in past 5 years or with passenger under 18 years of age	8
9-30-5-4	OWI per se, OWI, or operating with a controlled substance or metabolite in the body causing serious bodily injury to another	10
9-30-5-5	OWI per se, OWI, or operating with a controlled substance or metabolite in the body causing death of another person or of a law enforcement animal	10
9-24-15-11 (repealed) 9-30-5-6 9-30-5-13 (repealed) 9-30-16-5	Violation of probationary, hardship/restricted, or specialized driving privileges	8
9-30-5-7 9-30-6-8.7 (repealed)	Interlock device violation	8
9-30-5-8	Tampering with interlock device	8
9-30-5-8.5	Operating with at least BAC .02%, but less than BAC .08% (under 21 years of age)	6
9-30-10-16 9-30-10-17	Operating a vehicle while driving privileges are suspended or forfeited as a habitual traffic violator	8
9-30-13-1 (repealed) 35-42-2-2	Criminal recklessness with vehicle	8
9-30-13-2 (repealed) 35-42-2-4 (repealed) 35-44.1-2-13(b)(2)	Obstruction of traffic causing serious bodily injury or death	10
9-30-13-3 (repealed) 35-43-1-2	Criminal mischief with vehicle	8
9-30-13-4 (repealed) 35-42-1-3 35-42-1-4	Voluntary or involuntary manslaughter with a vehicle	10
9-30-13-4 (repealed) 35-42-1-5	Reckless homicide with a vehicle	10
9-30-15-4	Consumption of alcohol while operating vehicle	6
14-15-3-7 14-15-3-8 14-15-3-10	Speeding in boat	2
14-15-4-1 14-15-4-2 14-15-4-3	Leaving the scene of a watercraft accident or failure of other duties	8
14-15-8-8 (repealed) 14-15-8-13 (repealed) 35-46-9-6	Operating a personal watercraft or motorboat while intoxicated or with a controlled substance or metabolite in the body	8
14-15-8-9 (repealed) 14-15-8-10 (repealed) 35-46-9-7	Operation of motorboat after being ordered not to operate	8
14-15-3-6	Dangerous operation of a boat	8
14-15-11-9	Operating motorboat without a valid license or identification card	4
14-15-11-11	Operating motorboat while suspended	8
14-15-12-10	Unsafe operation of a personal watercraft	8
9-21-5-13 (repealed)	Speeding in school bus:	

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9-21-5-14 20-9.1-5-10 (repealed)	Speed not indicated 1-15 MPH in excess of limit Over 15 MPH in excess of limit	6 6 8
9-21-12-5 9-21-12-17 (repealed) 20-9.1-5-11 (repealed)	Failure of school bus to stop at railroad crossing	8
9-21-12-13 20-9.1-5-14 (repealed)	Improper use or failure of school bus to display stop arm signal	4
9-21-12-14 20-9.1-5-15 (repealed)	Improper use or failure of school bus to use directional signal	4
9-21-12-15 20-9.1-5-16 (repealed)	Improper use or failure of school bus to use red flashing warning lights	4
35-44.1-2-13(b)(1)	Obstruction of traffic involving vehicle (without serious bodily injury or death)	4
35-44.1-3-1(b)	Resisting law enforcement in vehicle	8
35-46-9-6	Operating a personal watercraft or motorboat while intoxicated or having a controlled substance or metabolite in the body causing serious bodily injury to another or death	10
14-15-3-20	Improper towing of persons or objects with motorboat	2
14-15-3-24	Operating motorboat with occupant on gunwales or bow decking	2
14-15-13-3	Violation of motorboat watersport prohibitions	2

(Bureau of Motor Vehicles; [140 IAC 1-4.5-10](#); filed Sep 5, 1995, 12:00 p.m.: 19 IR 8; readopted filed Oct 17, 2001, 4:46 p.m.: 25 IR 903; readopted filed Nov 14, 2007, 1:31 p.m.: [20071212-IR-140070562RFA](#); filed Jun 17, 2013, 11:21 a.m.: [20130717-IR-140120377FRA](#); readopted filed Nov 26, 2013, 11:22 a.m.: [20131225-IR-140130487RFA](#); filed Nov 16, 2015, 12:44 p.m.: [20151216-IR-140150061FRA](#), eff Jan 1, 2016; filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))

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Posted: 05/05/2021 by Legislative Services Agency
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