

**TITLE 140 BUREAU OF MOTOR VEHICLES****Final Rule**

LSA Document #16-492(F)

**DIGEST**

Amends [140 IAC 1-4.5-10](#) concerning points value table updates mandated by the points study committee. Amends [140 IAC 1-7-3](#), [140 IAC 2-1-0.5](#), [140 IAC 2-1-2](#), [140 IAC 2-1-3](#), [140 IAC 2-1-14](#), [140 IAC 2-5-4](#), [140 IAC 2-5-6](#), [140 IAC 4-2-1](#), [140 IAC 4-5-1](#), [140 IAC 4-5-2](#), [140 IAC 6-1-0.5](#), [140 IAC 6-1-2](#), [140 IAC 6-1-4](#), [140 IAC 6-1-14](#), [140 IAC 6-1-15.5](#), [140 IAC 6-1-18.5](#), [140 IAC 6-1-21](#), [140 IAC 7-1.1-1](#), [140 IAC 7-1.1-3](#), [140 IAC 7-1.2-1](#), [140 IAC 7-2-5](#), [140 IAC 7-2-6](#), [140 IAC 7-2-10](#), [140 IAC 7-5-3](#), [140 IAC 8-1-1](#), [140 IAC 8-2-5](#), [140 IAC 8-3-29](#), and [140 IAC 9-1-0.5](#) to clarify, simplify, and update regulations in light of large scale reform of [IC 9](#). Adds [140 IAC 2-1-19](#), [140 IAC 2-1-20](#), [140 IAC 2-1-21](#), [140 IAC 2-5-8](#), [140 IAC 2-5-9](#), [140 IAC 2-5-10](#), [140 IAC 2-5-11](#), and [140 IAC 6-1-23](#) concerning agency procedures recodified from repealed regulations by this rule and to address actions mandated by [IC 9](#). Repeals [140 IAC 2-1-9.5](#), [140 IAC 2-1-11](#), [140 IAC 2-1-12](#), [140 IAC 2-1-15](#), [140 IAC 2-1-16](#), [140 IAC 2-1-17](#), [140 IAC 2-2](#), [140 IAC 2-3-1](#), [140 IAC 2-3-2](#), [140 IAC 2-3-3](#), [140 IAC 2-3-5](#), [140 IAC 2-4-1](#), [140 IAC 2-4-2](#), [140 IAC 2-4-3.5](#), [140 IAC 2-4-4](#), [140 IAC 2-4-5](#), [140 IAC 2-4-6](#), [140 IAC 2-4-7](#), [140 IAC 2-4-9](#), [140 IAC 2-4-10](#), [140 IAC 2-5-1](#), [140 IAC 2-5-3](#), [140 IAC 2-5-5](#), [140 IAC 2-5-7](#), [140 IAC 3-4-3](#), [140 IAC 6-1-3](#), [140 IAC 6-1-5](#), [140 IAC 6-1-13](#), [140 IAC 6-1-17.5](#), [140 IAC 6-1-22](#), [140 IAC 7-2-11](#), [140 IAC 8-3-1.1](#), [140 IAC 8-5-1](#), [140 IAC 8-5-8](#), [140 IAC 9-2-3.5](#), [140 IAC 9-2-5.5](#), [140 IAC 9-2-7](#), [140 IAC 9-2-8.5](#), [140 IAC 9-2-14.5](#), [140 IAC 9-2-15.5](#), [140 IAC 9-2-21](#), [140 IAC 9-2-22](#), [140 IAC 9-2-24.5](#), [140 IAC 9-2-25.5](#), [140 IAC 9-2-28](#), [140 IAC 9-4-3.5](#), [140 IAC 9-4-4.5](#), and [140 IAC 9-4-6](#). Effective 30 days after filing with the Publisher.

[140 IAC 1-4.5-10](#); [140 IAC 1-7-3](#); [140 IAC 2-1-0.5](#); [140 IAC 2-1-2](#); [140 IAC 2-1-3](#); [140 IAC 2-1-9.5](#); [140 IAC 2-1-11](#); [140 IAC 2-1-12](#); [140 IAC 2-1-14](#); [140 IAC 2-1-15](#); [140 IAC 2-1-16](#); [140 IAC 2-1-17](#); [140 IAC 2-1-19](#); [140 IAC 2-1-20](#); [140 IAC 2-1-21](#); [140 IAC 2-2](#); [140 IAC 2-3-1](#); [140 IAC 2-3-2](#); [140 IAC 2-3-3](#); [140 IAC 2-3-5](#); [140 IAC 2-4-1](#); [140 IAC 2-4-2](#); [140 IAC 2-4-3.5](#); [140 IAC 2-4-4](#); [140 IAC 2-4-5](#); [140 IAC 2-4-6](#); [140 IAC 2-4-7](#); [140 IAC 2-4-9](#); [140 IAC 2-4-10](#); [140 IAC 2-5-1](#); [140 IAC 2-5-3](#); [140 IAC 2-5-4](#); [140 IAC 2-5-5](#); [140 IAC 2-5-6](#); [140 IAC 2-5-7](#); [140 IAC 2-5-8](#); [140 IAC 2-5-9](#); [140 IAC 2-5-10](#); [140 IAC 2-5-11](#); [140 IAC 3-4-3](#); [140 IAC 4-2-1](#); [140 IAC 4-5-1](#); [140 IAC 4-5-2](#); [140 IAC 6-1-0.5](#); [140 IAC 6-1-2](#); [140 IAC 6-1-3](#); [140 IAC 6-1-4](#); [140 IAC 6-1-5](#); [140 IAC 6-1-13](#); [140 IAC 6-1-14](#); [140 IAC 6-1-15.5](#); [140 IAC 6-1-17.5](#); [140 IAC 6-1-18.5](#); [140 IAC 6-1-21](#); [140 IAC 6-1-22](#); [140 IAC 6-1-23](#); [140 IAC 7-1.1-1](#); [140 IAC 7-1.1-3](#); [140 IAC 7-1.2-1](#); [140 IAC 7-2-5](#); [140 IAC 7-2-6](#); [140 IAC 7-2-10](#); [140 IAC 7-2-11](#); [140 IAC 7-5-3](#); [140 IAC 8-1-1](#); [140 IAC 8-2-5](#); [140 IAC 8-3-1.1](#); [140 IAC 8-3-29](#); [140 IAC 8-5-1](#); [140 IAC 8-5-8](#); [140 IAC 9-1-0.5](#); [140 IAC 9-2-3.5](#); [140 IAC 9-2-5.5](#); [140 IAC 9-2-7](#); [140 IAC 9-2-8.5](#); [140 IAC 9-2-14.5](#); [140 IAC 9-2-15.5](#); [140 IAC 9-2-21](#); [140 IAC 9-2-22](#); [140 IAC 9-2-24.5](#); [140 IAC 9-2-25.5](#); [140 IAC 9-2-28](#); [140 IAC 9-4-3.5](#); [140 IAC 9-4-4.5](#); [140 IAC 9-4-6](#)

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.<br>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 equipment   | 2           |
| 9-19-6-1.5 et seq.<br>9-19-7-2(a)<br>9-19-7-2(b)<br>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<br>9-21-10-9 (repealed)   | No motorcycle or motor driven cycle headgear or protective eyewear (under 18 years of age)                          | 4           |
| 9-20-4-1 et seq.<br>9-20-5-1 et seq.<br>9-20-7-1 et seq.<br>9-20-11-1 et seq.  | Commercial motor vehicle weight violation   | 4           |
| 9-21-3-7<br>9-21-3-8<br>9-21-3-9<br>9-21-3-10 (repealed)<br>9-21-3-11  | Disregarding traffic control signal   | 4           |
| 9-21-4-11<br>9-21-4-17<br>9-21-4-18<br>9-21-8-29<br>9-21-8-30<br>9-21-8-31<br>9-21-8-32<br>9-21-8-33<br>9-21-8-34<br>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)<br>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<br>9-21-4-13<br>9-21-4-18  | Improper passing in violation of clearly visible signs or markings  | 4           |

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| 9-21-4-16<br>9-21-4-18   | Disregarding stop sign at railroad crossing  | 6                |
| 9-21-5-1<br>9-21-5-2<br>9-21-5-3<br>9-21-5-4<br>9-21-5-5<br>9-21-5-6<br>9-21-5-11<br>9-21-5-12<br>9-21-5-13 (repealed) | Miscellaneous speeding violations:<br>Excessive speed not indicated<br>1-15 MPH in excess of limit<br>16-25 MPH in excess of limit<br>Over 25 MPH in excess of limit | 2<br>2<br>4<br>6 |
| 9-21-5-7<br>9-21-5-8<br>9-21-5-9<br>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                |
| 9-21-6-1<br>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)<br>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<br>9-21-8-13   | Lane restriction violation by truck  | 4                |
| 9-21-8-14<br>9-21-8-15<br>9-21-8-16  | Following too closely  | 6                |
| 9-21-8-18<br>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<br>9-21-8-22   | Improper U-turn  | 4                |
| 9-21-8-23  | Unsafe start from parked position  | 4                |
| 9-21-8-24<br>9-21-8-25<br>9-21-8-26<br>9-21-8-27<br>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<br>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                |

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| 9-21-8-52(a)<br>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   | 4  |
| 9-21-9-4<br>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<br>9-21-10-2<br>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  |
| 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<br>9-24-1-4 (repealed)<br>9-24-1-5 (repealed)<br>9-24-1-8 (repealed)<br><b>9-24-11-3.6</b><br>9-24-12-1<br>9-24-12-2  | No valid license for type of vehicle that was operated (noncommercial motor vehicle)   | 4  |
| 9-24-1-6 (repealed)<br><b>9-24-6.1-3</b>   | Operating commercial motor vehicle without valid commercial driver's license   | 8  |
| 9-24-6-15 (repealed)<br><b>9-24-6.1-6</b>  | Operating a commercial motor vehicle with a BAC or BrAC of at least .04 but less than .08  | 8  |
| 9-24-6-16 (repealed)<br><b>9-24-6.1-7</b>  | Operating a commercial motor vehicle while disqualified  | 8  |
| 9-24-7-3 (repealed)<br>9-24-7-4  | Learner's permit violation   | 4  |
| 9-24-8-3   | Motorcycle learner's permit violation  | 4  |
| 9-24-1-1(a)(5)(B)<br>9-24-1-1(b)<br>9-24-1-8 (repealed)<br>9-24-8-4 <a href="#">[IC 9-24-8-4 expired under P.L. 198-2016, SECTION 460, effective December 31, 2016.]</a> | Improper motorcycle endorsement or motor driven cycle endorsement or restriction   | 6  |
| 9-24-11-3 (repealed)<br>9-24-11-3.3 (repealed)<br><b>9-24-11-3.5</b><br><b>9-24-11-3.6</b><br><b>9-24-11-3.7</b>   | 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)<br>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  |

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| 9-24-18-5 (repealed)<br>9-24-19-1<br>9-24-19-2<br>9-24-19-3<br>9-24-19-4 (repealed)<br>9-30-13-6<br>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<br>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)<br>9-26-1-2 (repealed)<br>9-26-1-3 (repealed)<br>9-26-1-4 (repealed)<br>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  |
| 9-26-1-1 (repealed)<br>9-26-1-2 (repealed)<br>9-26-1-3 (repealed)<br>9-26-1-4 (repealed)<br>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 <b>person or of a law enforcement animal</b> | 10 |
| 9-24-15-11 (repealed)<br>9-30-5-6<br>9-30-5-13 (repealed)<br>9-30-16-5  | Violation of probationary, hardship/restricted, or specialized driving privileges   | 8  |
| 9-30-5-7<br>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<br>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)<br>35-42-2-2   | Criminal recklessness with vehicle  | 8  |
| 9-30-13-2 (repealed)<br>35-42-2-4 (repealed)<br><b>35-44.1-2-13(b)(2)</b>                                     | Obstruction of traffic causing serious bodily injury or death   | 10 |
| 9-30-13-3 (repealed)<br>35-43-1-2   | Criminal mischief with vehicle  | 8  |
| 9-30-13-4 (repealed)<br>35-42-1-3<br>35-42-1-4  | Voluntary or involuntary manslaughter with a vehicle  | 10 |
| 9-30-13-4 (repealed)<br>35-42-1-5   | Reckless homicide with a vehicle  | 10 |

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| 9-30-15-4   | Consumption of alcohol while operating vehicle  | 6            |
| 14-15-3-7<br>14-15-3-8<br>14-15-3-10                                  | Speeding in boat  | 2            |
| 14-15-4-1<br>14-15-4-2<br>14-15-4-3                                   | Leaving the scene of a watercraft accident or failure of other duties   | 8            |
| 14-15-8-8 (repealed)<br>14-15-8-13 (repealed)<br>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)<br>14-15-8-10 (repealed)<br>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)<br>9-21-5-14<br>20-9.1-5-10 (repealed)           | Speeding in school bus:<br>Speed not indicated<br>1-15 MPH in excess of limit<br>Over 15 MPH in excess of limit   | 6<br>6<br>8  |
| 9-21-12-5<br>9-21-12-17 (repealed)<br>20-9.1-5-11 (repealed)          | Failure of school bus to stop at railroad crossing  | 8            |
| <del>9-21-12-12 (repealed)</del><br><del>20-9.1-5-12 (repealed)</del> | <del>Stopping school bus to load or unload on left of one-way thoroughfare</del>  | <del>4</del> |
| 9-21-12-13<br>20-9.1-5-14 (repealed)                                  | Improper use or failure of school bus to display stop arm signal  | 4            |
| 9-21-12-14<br>20-9.1-5-15 (repealed)                                  | Improper use or failure of school bus to use directional signal   | 4            |
| 9-21-12-15<br>20-9.1-5-16 (repealed)                                  | Improper use or failure of school bus to use red flashing warning lights  | 4            |
| <del>35-44.1-2-13</del><br><b>35-44.1-2-13(b)(1)</b>                  | 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](#))

SECTION 2. [140 IAC 1-7-3](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 1-7-3](#) Financial collateral**

**Authority:** [IC 9-14-8-3](#); [IC 9-25-4-11](#)

**Affected:** [IC 9-25-4-10](#)

Sec. 3. (a) No person shall be approved as a self-insurer unless certain minimum financial collateral is deposited with the treasurer with receipt to the bureau or with the bureau. The minimum financial collateral to be

furnished by the self-insurer is ~~forty~~ **fifty** thousand dollars (~~\$40,000~~) (**\$50,000**) for the first vehicle and twenty thousand **dollars** (\$20,000) for each additional vehicle up to a maximum of one million dollars (\$1,000,000). Provided, however, that should the amount of collateral to be posted under [IC 9-25-4-10](#) be increased or decreased, then the amount of financial collateral to be deposited for the self-insured's initial vehicle shall be increased or decreased accordingly.

(b) Only the following shall be accepted as valid collateral for self-insurance purposes:

- (1) United States currency or security as may be legally purchased by banks or for trust funds that has a market value of the amount required to be posted for collateral.
- (2) Evidence of escrow deposits in favor of the bureau of motor vehicles in federal or state banks, credit unions, or savings and loan associations if federally insured; such escrow deposits shall be established only for providing collateral to meet the obligations of the self-insurer.
- (3) Irrevocable letter or letters of credit issued by any bank on behalf of the applicant for self-insurance.
- (4) Surety bond.

(c) Financial collateral shall not accumulate any interest while on deposit.

*(Bureau of Motor Vehicles; [140 IAC 1-7-3](#); filed Dec 21, 1983, 1:16 p.m.: 7 IR 563, eff Jan 2, 1984 [[IC 4-22-2-5](#) suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #83-94(F) was filed Dec 21, 1983]; errata filed Aug 10, 1992, 3:00 p.m.: 15 IR 2593; readopted filed Jul 30, 2001, 10:23 a.m.: 24 IR 4227; readopted filed Nov 14, 2007, 1:31 p.m.: [20071212-IR-140070562RFA](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 3. [140 IAC 2-1-0.5](#) IS AMENDED TO READ AS FOLLOWS:

## Rule 1. Administration of Excise Tax and Registration

### [140 IAC 2-1-0.5](#) Definitions

**Authority:** [IC 9-13-2-58](#); [IC 9-14-8-3](#)

**Affected:** [IC 6-6-5-1](#); [IC 9-13-2-124](#); [IC 9-13-2-125](#); [IC 9-13-2-170](#)

Sec. 0.5. (a) The definitions in this section apply throughout this article.

(b) "Annual record update fee" ~~pertains to permanent registrations under [IC 9-29-5-6](#).~~

(c) "Apportioned plate" means a license plate issued pursuant to the international registration plan.

(d) ~~(b)~~ "Bureau" has the meaning set forth in [IC 9-13-2-16](#). **refers to the bureau of motor vehicles.**

(e) "Certificate of origin" means the original ownership document for a vehicle that the vehicle's manufacturer issues to the initial purchaser of that vehicle.

(f) "Certificate of registration" ~~refers to the document that evidences that a vehicle was registered, and issued under [IC 9-18-2-20](#).~~

(g) "Commercial motor vehicle" ~~has the meaning set forth in [IC 9-13-2-31](#).~~

(h) "Commission" ~~has the meaning set forth in [IC 9-13-2-32](#).~~

(i) ~~(c)~~ **(c)** "Commissioner" has the meaning set forth in [IC 9-13-2-33](#). **refers to the commissioner of the bureau of motor vehicles.**

(j) "Excise tax" ~~has the meaning set forth in [IC 6-6-5](#).~~

~~(k) "International registration plan" or "IRP" has the meaning set forth in [50 IAC 4.2-15-13](#).~~

~~(l) (d) "Factory advertised delivered price" or "FADP" means the price at which the manufacturer recommends a dealer sells a vehicle.~~

~~(m) "License branch" means the offices that the commission authorizes to conduct business under [IC 9-16](#).~~

~~(n) "Military vehicle" has the meaning set forth in [IC 9-13-2-103](#).~~

~~(o) "Owner" has the meaning set forth in [IC 9-13-2-121](#).~~

~~(p) (e) "Person" has the meaning set forth in [IC 9-13-2-124](#)(a); [IC 9-13-2-124](#).~~

~~(q) (f) "Personalized license plate" or "PLP" has the meaning set forth in [IC 9-13-2-125](#).~~

~~(r) "Proof of financial responsibility" has the meaning set forth in [IC 9-25-2-3](#) and [IC 9-13-2-106](#).~~

~~(s) "Registration" means the recording of a vehicle with the state under [IC 9-18](#).~~

~~(t) "Registration month" means the month during which a vehicle must be registered under [IC 9-18-2-8](#).~~

~~(u) (g) "Registration year" means that period of twelve (12) consecutive months beginning with the registration date and ending on the last date before the registration expiration date.~~

~~(v) "Semitrailer" has the meaning set forth in [IC 9-13-2-164](#).~~

~~(w) "Semitrailer fleet" means two (2) or more semitrailers owned by a person or a single entity.~~

~~(x) "Special equipment" has the meaning set forth in [IC 9-13-2-170.3](#).~~

~~(y) (h) "Special group" has the meaning set forth in [IC 9-13-2-170](#).~~

~~(z) "State" has the meaning set forth in [IC 9-13-2-173](#).~~

~~(aa) (i) "Vehicle" has the meaning set forth in [IC 6-6-5-1](#).~~

~~(bb) "Vehicle class" refers to [IC 6-6-5-4](#).~~

*(Bureau of Motor Vehicles; [140 IAC 2-1-0.5](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 4. [140 IAC 2-1-2](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 2-1-2](#) Valuation of vehicles and watercraft**

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

**Affected:** [IC 6-6-5](#); [IC 6-6-11](#)

Sec. 2. (a) A vehicle's value used to determine its classification for excise tax purposes in [IC 6-6-5](#) shall be based upon the FADP for each vehicle make and model, ~~disregarding special equipment,~~ **based on the information available in the vehicle identification number**, at the time that it is first offered for sale in Indiana.



(b) A boat's value used to determine its classification for excise tax purposes of [IC 6-6-11](#) shall be based upon the amount listed on:

- (1) the certificate of origin;
- (2) the Indiana department of state revenue form that reflects the purchase price;
- (3) the boat's value as determined by the manufacturer; or
- (4) any other information known to the bureau regarding the boat's value.

*(Bureau of Motor Vehicles; Vehicle Excise Tax Rule II; filed Dec 22, 1971: Rules and Regs. 1972, p. 10; filed Sep 23, 1988, 8:30 a.m.: 12 IR 246; readopted filed Jul 30, 2001, 10:24 a.m.: 24 IR 4228; readopted filed Nov 14, 2007, 1:31 p.m.: [20071212-IR-140070562RFA](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 5. [140 IAC 2-1-3](#) IS AMENDED TO READ AS FOLLOWS:

#### **[140 IAC 2-1-3](#) Valuation of unlisted vehicles**

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

**Affected:** [IC 4-21.5](#); [IC 6-6-5-3](#)

Sec. 3. Whenever the FADP of a vehicle does not appear in the publication compiling the manufacturer's price information, which the bureau uses, because the vehicle is specially constructed, then the vehicle bureau shall be classified according to the FADP for the make and year of the chassis, subject to review by the board of state tax commissioners. If the chassis' make or year is unknown or cannot be determined, the customer shall **classify the vehicle based on information known to the bureau. The registrant may** provide the bureau with receipts to determine the cost to build such vehicle. Then, the bureau shall classify the vehicle in the appropriate class based on the bureau's determination of the vehicle's value. **assist in the bureau's valuation, but those receipts are not determinative of the vehicle's tax value. The registrant may seek administrative review under [IC 4-21.5](#) of the bureau's tax value determined under this section.**

*(Bureau of Motor Vehicles; Vehicle Excise Tax Rule III; filed Dec 22, 1971: Rules and Regs. 1972, p. 10; filed Sep 23, 1988, 8:30 a.m.: 12 IR 246; readopted filed Jul 30, 2001, 10:24 a.m.: 24 IR 4228; readopted filed Nov 14, 2007, 1:31 p.m.: [20071212-IR-140070562RFA](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 6. [140 IAC 2-1-14](#) IS AMENDED TO READ AS FOLLOWS:

#### **[140 IAC 2-1-14](#) License plate life cycle**

**Authority:** [IC 9-14-8-3](#); [IC 9-18.1-4-3](#)

**Affected:** [IC 9-18.1-4](#); [IC 9-18.5-3](#); [IC 9-18.5-10](#)

Sec. 14. The registration cycle and initial registration year for (a) **Except as provided in this section, a license plate described in [IC 9-18-2-47](#) is any eighty-four (84) month period selected by the commissioner. has a life cycle of seven (7) registration years from its initial circulation.**

(b) The commissioner or the commissioner's designee shall designate the life cycle, not to exceed seven (7) registration years, for the following license plates:

- (1) General assembly and state official plates issued under [IC 9-18.5-3](#).
- (2) County political party license plates issued under [140 IAC 2-5-8](#).
- (3) Any license plate with a special pull license plate number under [140 IAC 2-5-10](#) that is controlled by a specialty group or other organization.
- (4) Civic event license plates issued under [IC 9-18.5-10](#).
- (5) Any plate determined by the commissioner or the commissioner's designee to need a life cycle shorter than seven (7) registration years.

(c) A license plate issued as a permanent plate does not have a fixed license plate life cycle.

(Bureau of Motor Vehicles; [140 IAC 2-1-14](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Nov 4, 2015, 1:14 p.m.: [20151202-IR-140150119FRA](#), eff Jan 1, 2016; filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))

SECTION 7. [140 IAC 2-1-19](#) IS ADDED TO READ AS FOLLOWS:

**[140 IAC 2-1-19](#) Certificate of registration**

Authority: [IC 9-18.1-4-2](#)

Affected: [IC 9-18.1-4-2](#)

**Sec. 19. A vehicle's certificate of registration shall contain at least the following information:**

- (1) The name and address of the person leasing the vehicle or who owns the vehicle.**
- (2) The license plate number assigned to the vehicle.**
- (3) The make and model of the vehicle.**
- (4) The dates for which the registration of the vehicle is valid.**

(Bureau of Motor Vehicles; [140 IAC 2-1-19](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))

SECTION 8. [140 IAC 2-1-20](#) IS ADDED TO READ AS FOLLOWS:

**[140 IAC 2-1-20](#) License plate format**

Authority: [IC 9-18.1-4-3](#)

Affected: [IC 9-18.1-4-3](#); [IC 9-18.1-4-4](#)

**Sec. 20. (a) The bureau may issue stickers that are to be attached to the license plate. These stickers are proof of registration and shall be considered part of the license plate.**

**(b) A license plate shall include the following:**

- (1) The unique registration number assigned to the vehicle.**
- (2) For passenger motor vehicles, a number designating the owner's county of residence at the time of registration.**
- (3) The expiration date for the registration of the vehicle.**

**(c) Upon receipt of a sticker that is to be attached to the license plate, a person must securely affix the sticker to the license plate. A sticker with a new expiration date must be securely affixed so that the sticker covers the previous registration expiration date.**

**(d) A person that fails to display a sticker when required by this rule violates [IC 9-18.1-4-4](#).**

**(e) A person that displays a license plate that is upside down or inverted violates [IC 9-18.1-4-4](#).**

(Bureau of Motor Vehicles; [140 IAC 2-1-20](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))

SECTION 9. [140 IAC 2-1-21](#) IS ADDED TO READ AS FOLLOWS:

**[140 IAC 2-1-21](#) Fee for reinstatement following toll violation**

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

Affected: [IC 9-18.1-3-7](#)

**Sec. 21. The bureau shall not impose a separate fee to reinstate an annual registration that was withheld under [IC 9-18-2-17](#)(c) (before its expiration) or [IC 9-18.1-3-7](#).**

(Bureau of Motor Vehicles; [140 IAC 2-1-21](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))

SECTION 10. [140 IAC 2-5-4](#) IS AMENDED TO READ AS FOLLOWS:

**Rule 5. Distinctive License Plates**

**[140 IAC 2-5-4](#) Revocation of personalized license plate**

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

Affected: [IC 9-18.5-2](#)

Sec. 4. ~~(a)~~ The bureau may revoke a previously issued PLP if the bureau: **as follows:**

~~(1) receives a substantial number of complaints regarding the previously issued PLP; and~~ **If the bureau issued a PLP using the same combination of letters and numbers to two (2) customers at the same time in error. In that instance, the bureau shall revoke the PLP of the person who last applied for the PLP.**

~~(2) determines the previously issued PLP contains references or expressions that Indiana law prohibits.~~ **If the bureau determines the previously issued PLP:**

**(A) carries a connotation offensive to good taste and decency;**

**(B) would be misleading; or**

**(C) is otherwise considered improper for issuance by the bureau.**

~~(b) The bureau shall notify a person of the bureau's revoking a previously issued PLP under [IC 4-21.5-3-1](#).~~

~~(c) A person shall return the revoked PLP to the bureau within thirty (30) days of the date of the notice sent under subsection (b) unless the person timely requests a petition for an administrative review of the bureau's revocation decision.~~

*(Bureau of Motor Vehicles; [140 IAC 2-5-4](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); filed Nov 12, 2009, 3:44 p.m.: [20091209-IR-140090169FRA](#); readopted filed Nov 24, 2015, 4:18 p.m.: [20151223-IR-140150108RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 11. [140 IAC 2-5-6](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 2-5-6](#) Petition for agency review**

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

Affected: [IC 4-21.5-3-1](#); [IC 4-21.5-3-7](#); [IC 9-18.5-2](#)

Sec. 6. (a) ~~A person may seek administrative review of the bureau's decision to reject an application for or renewal of a PLP, or a revocation of a previously issued PLP under [IC 4-21.5-3-7](#).~~ **If the bureau denies an application for a new PLP or revokes a previously issued PLP, the bureau shall provide notice to the applicant or PLP holder.**

(b) The bureau's PLP rejection or revocation decisions shall become final unless the person timely files a written petition for an administrative **agency** review up to eighteen (18) days after the notice date.

**(c) Unless the PLP applicant or PLP holder timely files a written petition for an agency review, the bureau's PLP rejection or revocation decision shall become final.**

**(d) The procedures in [140 IAC 1](#) apply to agency review of the bureau's decision to reject a PLP application or revoke a previously issued PLP. [IC 4-21.5-3-1](#) and [IC 4-21.5-3-7](#) do not apply to proceedings under this section.**

*(Bureau of Motor Vehicles; [140 IAC 2-5-6](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 12. [140 IAC 2-5-8](#) IS ADDED TO READ AS FOLLOWS:

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**[140 IAC 2-5-8](#) License plates for a county political party**

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

Affected: [IC 9-18.5-2-8](#)

Sec. 8. (a) Any political party who has fielded a candidate for governor in the last statewide general election may qualify to have that political party's county chairs, in conjunction with that political party's state party chair, designate persons to receive county political party license plates.

(b) County political party license plates are special PLPs in the format of:

- (1) a number designating the county;
- (2) a letter denoting the political party that qualifies under subsection (a); and
- (3) a number between one (1) and one hundred (100).

(c) A political party's county chair's designation:

- (1) must be on a form approved by the bureau; and
- (2) may be made only once every four (4) years, on a schedule determined by the bureau.

(d) The bureau shall issue a county political party license plate to a person who:

- (1) otherwise qualifies to register a vehicle;
- (2) presents the bureau with a political party's county chair's designation as provided for in this section; and
- (3) pays the annual personalized license plate fee as provided for in [IC 9-18.5-2-8](#).

(e) A person may not receive a PLP in the same format as a county political party license plate.

*(Bureau of Motor Vehicles; [140 IAC 2-5-8](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 13. [140 IAC 2-5-9](#) IS ADDED TO READ AS FOLLOWS:

**[140 IAC 2-5-9](#) Special groups**

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

Affected: [IC 9-18.5-12-13](#)

Sec. 9. The bureau may terminate an organization's qualification for the special group recognition license plate program if the group fails to comply with the program's requirements under [IC 9-18.5-12-13](#).

*(Bureau of Motor Vehicles; [140 IAC 2-5-9](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 14. [140 IAC 2-5-10](#) IS ADDED TO READ AS FOLLOWS:

**[140 IAC 2-5-10](#) Special pulls**

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

Affected: [IC 9-18.1](#); [IC 9-18.5](#)

Sec. 10. Besides the applicable fees in [IC 9-18.1](#) and [IC 9-18.5](#), there is no additional fee for a license plate that:

- (1) is not a PLP;
- (2) follows the standard format of letters and numbers that the bureau uses for a particular license plate type; and
- (3) is a specific sequence of letters and numbers outside the bureau's standard method for assigning license plate numbers.

*(Bureau of Motor Vehicles; [140 IAC 2-5-10](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 15. [140 IAC 2-5-11](#) IS ADDED TO READ AS FOLLOWS:

**[140 IAC 2-5-11](#) Civic event license plates**

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

Affected: [IC 8-14-1-1](#); [IC 8-14-10-9](#); [IC 9-14-14-1](#); [IC 9-18.5-10](#)

Sec. 11. (a) The fee for a civic event license plate issued under [IC 9-18.5-10](#) is twenty-one dollars (\$21).

(b) The fee shall be distributed as follows:

(1) Eight dollars (\$8) to the commission fund established in [IC 9-14-14-1](#).

(2) Eight dollars (\$8) to the motor vehicle highway account established in [IC 8-14-1-1\(1\)](#).

(3) Five dollars (\$5) to the crossroads 2000 fund established in [IC 8-14-10-9](#).

(c) The commissioner may waive this fee if, in the commissioner's opinion, the waiver would be in the best interest of the bureau.

(Bureau of Motor Vehicles; [140 IAC 2-5-11](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))

SECTION 16. [140 IAC 4-2-1](#) IS AMENDED TO READ AS FOLLOWS:

**Rule 2. Operator Licensing; Requirements; Procedures**

**[140 IAC 4-2-1](#) Waiver of age and experience requirements**

Authority: [IC 9-14-8-3](#); [IC 9-24-3-3](#)

Affected: [IC 9-24-3](#); [IC 9-24-4](#)

Sec. 1. (a) The bureau may grant a hardship waiver of the age and experience requirements for an initial operator's or ~~chauffeur's~~ license if it is determined either of the following conditions for a hardship are demonstrated by the applicant:

(1) The applicant would be the only licensed driver in the applicant's household, a household member owns or leases a properly registered motor vehicle, and a household member needs the individual to operate the motor vehicle to enable a household member to receive regularly required medical care.

(2) The applicant is the primary means of financial support for the family and no alternative means of transportation exists from another family member or from public transportation to get to and from the applicant's place of employment.

~~(b) To obtain a hardship waiver of the age and experience requirements for an initial chauffeur's license, a waiver applicant must also show proof that the applicant has employment as a chauffeur with an entity that is legally authorized to provide chauffeur services.~~

~~(e)~~ (b) An applicant's driving privileges must not be or have been suspended, revoked, invalidated, canceled, or the subject of any other similar action.

~~(d)~~ (c) Each applicant must submit a written request on a form prescribed by the bureau for review and investigation.

~~(e)~~ (d) If a waiver is granted, the applicant will receive a written waiver that may be presented to any branch at the time of application for an initial operator or chauffeur's license.

~~(f)~~ (e) This waiver does not affect any requirement as to the written, vision, and driving tests.

~~(g)~~ (f) The commissioner may alter any of the foregoing procedures when in his or her opinion an extreme emergency exists.

(Bureau of Motor Vehicles; Driver Examiner Rule 15; filed Jan 14, 1980, 11:50 a.m.: 3 IR 160; readopted filed Jul 30, 2001, 10:27 a.m.: 24 IR 4230; readopted filed Nov 14, 2007, 1:31 p.m.: [20071212-IR-140070562RFA](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.:

SECTION 17. [140 IAC 4-5-1](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 4-5-1](#) Examination requirements for an Indiana driver's license after prior Indiana driver's license expired**

**Authority:** [IC 9-14-8-3](#); [IC 9-24-11-2](#)

**Affected:** [IC 9-24](#)

Sec. 1. In addition to all other legal requirements, an individual applying for an Indiana operator's ~~motorcycle operator's, chauffeur's, or public passenger chauffeur's~~ license after the individual's Indiana license expired must do the following:

- (1) If the license expired not more than six (6) months before the current application, the individual must pass an eyesight examination.
- (2) If the license expired more than six (6) months but not more than three (3) years before the current application, the individual must pass:
  - (A) an eyesight examination; and
  - (B) the written examination or examinations applicable to the type of license **and endorsement** sought.
- (3) If the license expired more than three (3) years before the current application, the individual must pass:
  - (A) an eyesight examination;
  - (B) the written examination or examinations applicable to the type of license **and endorsement** sought; and
  - (C) a driving skills examination.

(Bureau of Motor Vehicles, [140 IAC 4-5-1](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))

SECTION 18. [140 IAC 4-5-2](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 4-5-2](#) Examination requirements for an Indiana operator's license after prior out-of-state license expired**

**Authority:** [IC 9-14-8-3](#); [IC 9-24-11-2](#)

**Affected:** [IC 9-24](#)

Sec. 2. In addition to all other legal requirements, an individual applying for an Indiana operator's license after the individual's out-of-state ~~operator's, chauffeur's, or public passenger chauffeur's~~ license expired must do the following:

- (1) If the applicant held an unrevoked license for at least one (1) year, and the license expired not more than three (3) years before the current application, the individual must pass:
  - (A) an eyesight examination; and
  - (B) the written examination.
- (2) If the applicant held an unrevoked license for less than one (1) year, or the license expired more than three (3) years before the current application, the individual must pass:
  - (A) an eyesight examination;
  - (B) the written examination; and
  - (C) a driving skills examination.

(Bureau of Motor Vehicles, [140 IAC 4-5-2](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))

SECTION 19. [140 IAC 6-1-0.5](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 6-1-0.5](#) Definitions**

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

**Affected:** [IC 9-13-2](#)

Sec. 0.5. (a) The definitions in this section apply throughout this article.

~~(b) "Assembled vehicle" has the meaning set forth in [IC 9-17-4-0.3](#).~~

~~(c) "Attorney" means any person duly authorized to engage in the practice of law in the state of Indiana or any other state.~~

~~(d) (b) "Bureau" has the meaning set forth in [IC 9-13-2-16](#).~~ **refers to the bureau of motor vehicles.**

~~(e) (c) "Certificate of origin" means the original ownership document for a vehicle issued by a manufacturer and provided to the initial purchaser of that vehicle, which begins the vehicle's chain of ownership.~~

~~(f) "Certificate of title" has the meaning set forth in [IC 26-1-9.1-102](#)(a)(10), as it pertains to a vehicle, and issued under [IC 9-17](#).~~

~~(g) "Commission" has the meaning set forth in [IC 9-13-2-32](#).~~

~~(h) "Commissioner" has the meaning set forth in [IC 9-13-2-33](#).~~

~~(i) "Dealer" has the meaning set forth in [IC 9-13-2-42](#).~~

~~(j) "Dealer inspection" has the meaning set forth in [IC 9-17-2-12](#).~~

~~(k) "Federal Employer Identification Number" or "FEIN" means the IRS number used to identify taxpayers who must file various business tax returns. The taxpayers include employers, sole proprietors, corporations, partnerships, nonprofit associations, trusts, estates of decedents, government agencies, certain individuals, and other business entities.~~

~~(l) (d) "Identification number" means a unique set of numbers or letters, or both, assigned to a motor vehicle or motor vehicle part.~~ **has the meaning set forth in [IC 9-13-2-75](#).**

~~(m) "License branch" means the commission's branch offices authorized to conduct the business that [IC 9-16-1-3](#) authorizes.~~

~~(n) "Manufactured home" has the meaning set forth in [IC 9-13-2-96](#).~~

~~(o) "Manufacturer's statement" means a motor vehicle's certificate of origin.~~

~~(p) "Mobile home" has the meaning set forth in [IC 9-13-2-103.2](#).~~

~~(q) "Motor vehicle" has the meaning set forth in [IC 9-13-2-105](#).~~

~~(r) "Motor vehicle part" has the meaning set forth in [IC 9-18-8-1](#).~~

~~(s) "Officer" has the meaning set forth in [IC 9-22-1-2](#).~~

~~(t) "Off road vehicle" has the meaning set forth in [IC 14-8-2-185](#).~~

~~(u) (e) "Person" has the meaning set forth in [IC 9-13-2-124](#)(a).~~ **[IC 9-13-2-124](#).**

~~(v) "Police officer" has the meaning set forth in [IC 9-13-2-127](#).~~

~~(w)~~ **(f)** "Rebuilt vehicle" has the meaning set forth in [IC 9-13-2-149](#).

~~(x)~~ "Recreational vehicle" has the meaning set forth in [IC 9-13-2-150](#).

~~(y)~~ "Security agreement" has the meaning set forth in [IC 26-1-9.1-102\(a\)\(73\)](#) and [IC 26-1-1-201\(37\)](#).

~~(z)~~ "Semitrailer" has the meaning set forth in [IC 9-13-2-164](#).

~~(aa)~~ "Special identification number" has the meaning set forth in [IC 9-18-8-2](#).

~~(bb)~~ "SSN" means a Social Security number.

~~(cc)~~ "State" has the meaning set forth in [IC 9-13-2-173\(a\)](#).

~~(dd)~~ **(g)** "Stop title order" means an administrative order, based upon proper supporting evidence, that will permanently or temporarily suspend the bureau's processing a title application or applications for a vehicle and the subsequent issuance of a new certificate of title for the vehicle.

~~(ee)~~ "Trailer" has the meaning set forth in [IC 9-13-2-184](#).

~~(ff)~~ **(h)** "Vehicle" has the meaning set forth in [IC 9-13-2-196](#); [IC 9-13-2-196\(b\)](#).

~~(gg)~~ "VIN" means the identification number for a vehicle or vehicle part provided by the manufacturer or by the special identification number process.

~~(hh)~~ "VIN inspection" has the meaning set forth in [IC 9-17-2-12](#).

*(Bureau of Motor Vehicles; [140 IAC 6-1-0.5](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 20. [140 IAC 6-1-2](#) IS AMENDED TO READ AS FOLLOWS:

### **[140 IAC 6-1-2](#) Application for title; contents**

**Authority:** [IC 4-1-8-1](#); [IC 9-14-8-3](#)

**Affected:** [IC 6-2.5](#); [IC 9-17-2-6](#); [IC 9-17-2-12](#); [IC 9-24-9-2.5](#); [IC 9-24-16-3.5](#); [IC 9-32](#)

Sec. 2. (a) In addition to the requirements in [IC 9-17-2](#), an application for a certificate of title shall contain the following: **An individual's information and Social Security number presented to the bureau must match the information that the Social Security Administration has in its records for the Social Security number. An individual who is not a United States citizen must show proof of current lawful status in the United States by presenting sufficient evidence showing the individual meets the requirements of:**

(1) The name, residence, mailing address, and SSN or FEIN for the person in whose name the vehicle is titled. An applicant's information and SSN presented to the bureau must match the information that the Social Security Administration has in its records for the SSN. An applicant who is not a United States citizen must show proof of current lawful status in the United States by presenting sufficient evidence showing the applicant meets the requirements of:

(A) **(1)** [IC 9-24-9-2.5](#) for a driver's license; or

(B) **(2)** [IC 9-24-16-3.5\(1\)](#) for an identification card.

(2) The vehicle's description shall include the vehicle's:

(A) make;

(B) model;

(C) model number;



- ~~(D) manufacture year; and~~
- ~~(E) VIN or special identification number.~~
- ~~(3) The former title number, if any.~~
- ~~(4) The purchase or acquisition date.~~

~~(b) An individual must apply for an Indiana title before obtaining registration plates; however, registration plates need not be purchased at the time application for title is made.~~

~~(c) Accompanying the application for certificate of title shall be an affidavit of the seller or transferor certifying that the Indiana sales or use tax has been paid to the seller or transferor. If the affidavit is not presented to the license branch, the branch shall collect the sales or use tax on the vehicle.~~

~~(d) If the owner assembled or rebuilt the vehicle, then the owner must have a police officer's inspection of the vehicle. The inspecting police officer shall verify the facts stated in the application and note the following information on the application:~~

- ~~(1) The VIN.~~
- ~~(2) The make and year of the vehicle.~~
- ~~(3) The police officer's:~~
  - ~~(A) name;~~
  - ~~(B) title;~~
  - ~~(C) police agency; and~~
  - ~~(D) signature.~~
- ~~(4) The inspection date.~~

~~(e) In addition to [IC 9-17-2](#), (b) An applicant who purchased a vehicle and is unable to obtain a properly executed title for a vehicle that is valued at five thousand dollars (\$5,000) or less may obtain a title by presenting all of the following items:~~

- ~~(1) A valid bill of sale.~~
- ~~(2) An affidavit of ownership on the bureau's designated form.~~
- ~~(3) A letter requesting the registered owner/seller to provide the signed title to the purchaser. The letter must have been:~~
  - ~~(A) sent to the seller by registered mail at the seller's last known address; and~~
  - ~~(B) returned to the sender unopened and marked as being unclaimed.~~
- ~~(4) A ~~VIN~~ vehicle inspection, if required under [IC 9-17-2-12](#).~~
- ~~(5) A lien release, if necessary.~~

~~**(6) An odometer statement, if required under [IC 9-17-2-6](#).**~~

~~The bureau will issue a new title to the applicant if the bureau determines that sufficient credible evidence exists to substantiate the applicant's claim of ownership.~~

~~(f) In addition to [IC 9-17-2](#), an applicant who purchased a vehicle and is unable to obtain a properly executed title for a vehicle that is valued at more than five thousand dollars (\$5,000) shall present a court order that establishes the applicant as the legal owner of the purchased vehicle for which the applicant is seeking a title.~~

~~(g) United States government verification will be accepted as proof of ownership from military personnel who did not obtain the standard port of entry forms for importing the personnel's personal vehicle from out of the country.~~

~~(h) To record a lien on an existing title, an applicant must apply for a new title and include the following information:~~

- ~~(1) The new lien holder's information.~~
- ~~(2) The signatures of all the persons whose names appeared on the original title.~~

~~(i) The bureau may require a VIN inspection whenever unusual or suspicious circumstances exist pertaining to a title transaction or a title's information.~~

*(Bureau of Motor Vehicles; (9-1-2-1)-1; filed Feb 13, 1978, 10:31 a.m.: Rules and Regs. 1979, p. 133; filed Sep 23, 1988, 8:30 a.m.: 12 IR 249; errata filed Aug 10, 1992, 3:00 p.m.: 15 IR 2595; readopted filed Jul 30, 2001, 10:29 a.m.: 24 IR 4230; readopted filed Nov 14, 2007, 1:31 p.m.: [20071212-IR-140070562RFA](#); filed Oct 7, 2008,*

10:23 a.m.: [20081105-IR-140080215FRA](#); filed Nov 12, 2009, 3:44 p.m.: [20091209-IR-140090169FRA](#); readopted filed Nov 24, 2015, 4:18 p.m.: [20151223-IR-140150108RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))

SECTION 21. [140 IAC 6-1-4](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 6-1-4](#) Adding or removing names from title**

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

**Affected:** [IC 9-17](#)

Sec. 4. (a) To add a name to a title, each person whose name will appear on the new title must sign the title application. Alternatively, a person may use a power of attorney document to authorize another person to sign the title application on the person's behalf. Additionally, in lieu of the person's signature the person whose name will be added to a title may submit a properly executed affidavit authorizing the bureau to add the person's name to the title. Then, only the original title owner or owners need to sign the title application.

(b) To remove a name from a title, each person whose name appears on the title must sign the title application as a seller. Then, the person whose name will appear on the new title shall sign the old title as purchaser. Alternatively, in lieu of the person's signature the party whose name is to be removed from the title may use a properly executed affidavit authorizing the bureau to remove the party's name from the title. or use a power of attorney document.

*(Bureau of Motor Vehicles; (9-1-2-1)-3; filed Feb 13, 1978, 10:31 a.m.: Rules and Regs. 1979, p. 135; readopted filed Jul 30, 2001, 10:29 a.m.: 24 IR 4230; readopted filed Nov 14, 2007, 1:31 p.m.: [20071212-IR-140070562RFA](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 22. [140 IAC 6-1-14](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 6-1-14](#) Dealer's title; assignment and reassignment**

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

**Affected:** [IC 9-17](#); [IC 9-32](#)

Sec. 14. (a) A registered dealer may reassign a certificate of title without first applying for the title. If the dealer reassigns the vehicle to another dealer, then that dealer may also reassign the title by utilizing the applicable bureau designated form. **As used in this section, "dealer" means a dealer licensed under [IC 9-32](#).**

(b) A registered Indiana dealer may reassign an out-of-state title on a bureau designated form. **A dealer may reassign a certificate of title without first applying for the title. If the dealer reassigns the vehicle to another dealer, then that dealer may also reassign the title by using the applicable bureau designated form.**

(c) A total of three (3) dealer reassignments may occur. After three (3) reassignments, the last named purchaser must apply for a certificate of title. **A dealer may reassign an out-of-state title on a bureau designated form.**

(d) In making an assignment or reassignment, the dealer must place its dealer number on the certificate of title and applicable form. **A total of three (3) dealer reassignments may occur. After three (3) reassignments, the last named purchaser must apply for a certificate of title.**

(e) The person who signs the certificate of title and applicable form on the dealer's behalf must place information about the person's position with the dealer on the title or form next to the person's signature. **In making an assignment or reassignment, the dealer must place its dealer number on the certificate of title and applicable form.**

**(f) The person who signs the certificate of title and applicable form on the dealer's behalf must place information about the person's position with the dealer on the title or form next to the person's signature.**

*(Bureau of Motor Vehicles; (9-1-2-3)-2; filed Feb 13, 1978, 10:31 a.m.: Rules and Regs. 1979, p. 141; readopted filed Jul 30, 2001, 10:29 a.m.: 24 IR 4230; readopted filed Nov 14, 2007, 1:31 p.m.: [20071212-IR-140070562RFA](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 23. [140 IAC 6-1-15.5](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 6-1-15.5](#) Repossession title; resale**

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

**Affected:** [IC 6-2.5](#); [IC 9-17-2](#); [IC 9-17-5-2](#)

Sec. 15.5. (a) To obtain a certificate of title **under [IC 9-17-5-2](#)**, a lienholder who repossessed a vehicle must **comply with the following requirements: submit an application using the bureau's designated form and comply with the requirements of [IC 9-17-2](#) to obtain a title.**

(1) ~~Submit the lien holder's application for title by using the bureau's designated form. The applicant must provide the following information:~~

~~(A) The vehicle owner's name.~~

~~(B) The owner's address.~~

~~(C) The vehicle make, model, and manufacture year.~~

~~(D) The VIN.~~

~~(E) The type and amount of the lien on the vehicle.~~

~~(F) The lien holder's name.~~

~~(G) The lien holder's address.~~

~~(2) The person from whom the vehicle was repossessed must be the vehicle's last registered owner; and~~

~~(3) If the lien holder possesses the title, then the title must indicate the lien or the lien holder must provide a certified copy of the loan or financing statement.~~

~~(4) If the lien holder does not have the title because the owner of the motor vehicle did not apply for a certificate of title, then the lien holder must provide the assigned title or certificate of origin with the lien indicated on the document; or~~

~~(5) If the vehicle owner does not provide the assigned title or certificate of origin to the lien holder, then the lien holder must present an affidavit providing the person or dealer's name and address who sold the vehicle to the owner and the name of the person to whom the person or dealer sold the vehicle.~~

(b) If the original lienholder assigned the lien to a financial institution that repossessed the vehicle, then the financial institution must obtain an affidavit from the original lienholder indicating the assignment of the lien or present the properly executed Indiana title with its front indicating the assignment of the lienholder's interest.

(c) A person who has a security interest in a repossessed manufactured home may obtain a certificate of title by: **If there are multiple lienholders recorded on the title:**

(1) ~~submitting the person's application for title by using the bureau's designated form; and the first lienholder can repossess the vehicle without proof of lien release from a subsequent lienholder or lienholders; and~~

~~(2) providing properly executed judicial foreclosure papers. a subsequent lienholder or lienholders must have proof of lien release from the prior lienholder or lienholders in order to repossess the vehicle.~~

~~(d) If the original owner obtains possession of the vehicle after it was repossessed, the owner must pay sales tax on the balance of the existing lien.~~

~~(e) (d) The lienholder cannot **must not** sell a repossessed vehicle until after properly **without first** obtaining a certificate of title in the lienholder's name.~~

*(Bureau of Motor Vehicles; [140 IAC 6-1-15.5](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 24. [140 IAC 6-1-18.5](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 6-1-18.5](#) Title correction process**

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

**Affected:** [IC 9-17-2-12](#); [IC 9-32](#)

Sec. 18.5. (a) To obtain a correct title in place of an erroneous title caused by an error in the certificate of origin that the a dealer **licensed under [IC 9-32](#)** gave to the motor vehicle purchaser, the applicant must present:

- (1) a corrected certificate of origin;
- (2) an affidavit from the dealer explaining the circumstances of the mistake;
- (3) a ~~VIN~~ **vehicle inspection under [IC 9-17-2-12](#)**;
- (4) a completed title application;
- (5) the title application fee; and
- (6) the erroneous title.

(b) To obtain a correct title in place of an erroneous title that a dealer **licensed under [IC 9-32](#)** caused by selling two (2) ~~motor~~ vehicles and switching the titles such that each purchaser obtained the wrong title, an applicant must present the following:

- (1) Both incorrect titles or, if the other vehicle's owner cannot be located or will not participate in the correction process, then the applicant must present the person's incorrect title. In addition, the applicant must send a letter by registered mail to the other owner at the other owner's last known address requesting the other owner to provide the erroneous title. The applicant must present a copy of that letter and a copy of the returned signed receipt, or the certified mailing returned to the sender unopened and marked as being unclaimed.
- (2) An affidavit from the dealer explaining the circumstances of the mistake.
- (3) A ~~VIN~~ **vehicle inspection under [IC 9-17-2-12](#)**.
- (4) A title application from each purchaser, unless the other purchaser is not participating in this corrective process.
- (5) The title application fees.

~~(c)~~ (c) The other vehicle owner may subsequently apply for a correct title. The applicant must present the applicant's incorrect title and comply with the requirements in ~~subdivisions (2)~~ **subsection (b)(2)** through ~~(5)~~ **(b)(5)**.

~~(d)~~ (d) To obtain a correct Indiana title for a ~~motor~~ vehicle with an erroneous out-of-state title, the applicant must first obtain a corrected title from the state of the title's origin.

*(Bureau of Motor Vehicles; [140 IAC 6-1-18.5](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 25. [140 IAC 6-1-21](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 6-1-21](#) Stop title orders; removal**

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

**Affected:** [IC 9-17-2-14.5](#)

Sec. 21. (a) The bureau may issue a stop title order ~~in the following circumstances:~~ (1) if during the process of a person applying for a title to a vehicle, the bureau determines that another title exists for that vehicle due to a duplicate certificate of origin, a duplicate title, or a duplicate ~~VIN~~ **vehicle identification number**. The bureau will remove the stop title order upon the applicant satisfying the requirements of ~~[IC 9-17-2-10](#)~~, [IC 9-17-2-14.5](#), or an order entered after an administrative hearing, including any subsequent court order entered due to an appeal of the administrative hearing result.

~~(2)~~ (b) **The bureau may issue a stop title order** if a law enforcement agency's authorized representative submits a written request to the bureau to issue a stop title order for a vehicle. The written request must identify the law enforcement agency, the authorized representative's name and position within the agency, a brief

explanation for why the agency is requesting the stop title order, and the length of time that the agency is requesting the stop title order be effective. The bureau will remove the stop title order pursuant to the law enforcement agency's request, an order entered after an administrative hearing, including any subsequent court order entered due to an appeal of the administrative hearing result, or by the commissioner **of the bureau** or his or her **the commissioner's** designee.

~~(3)~~ **(c) The bureau may issue a stop title order** if the bureau cannot verify the accuracy of the title applicant's information. The bureau will remove the stop title order ~~if the applicant provides proof of the accuracy of the information sufficient to resolve the discrepancy or discrepancies. Alternatively, if the applicant sells the vehicle, then the subsequent applicant must meet the requirements found in section 2 of this rule.~~ **upon the applicant satisfying the requirements of [IC 9-17-2-14.5](#), or an order entered after an administrative hearing, including any subsequent court order entered due to an appeal of the administrative hearing result.**

**(4) (d) The bureau may issue a stop title order** if during the title application process, the bureau discovers an error in the information necessary to ensure a valid title. The bureau will remove the stop title when the error is corrected.

~~(5) A person entitled to receive title information about a vehicle may submit an application to the bureau requesting a title inquiry report, which provides information about the last person recorded for a title, or a title history report, which provides the complete title history for a vehicle.~~

*(Bureau of Motor Vehicles; [140 IAC 6-1-21](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 26. [140 IAC 6-1-23](#) IS ADDED TO READ AS FOLLOWS:

**[140 IAC 6-1-23](#) Watercraft title**

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

**Affected:** [IC 9-17-4](#)

**Sec. 23. An identification number assigned by the bureau to a watercraft under [IC 9-17-4](#) must be engraved or embossed on the exterior of the starboard (right) transom of the watercraft.**

*(Bureau of Motor Vehicles; [140 IAC 6-1-23](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 27. [140 IAC 7-1.1-1](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 7-1.1-1](#) Definitions**

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

**Affected:** [IC 3-5-2-42.5](#); [IC 9-13-2](#); [IC 9-14.1](#); [IC 9-24](#); [IC 12-7-2-61](#)

Sec. 1. (a) The definitions in this section apply throughout this article.

(b) "Bureau" has the meaning set forth in [IC 9-13-2-16](#).

(c) "CDL applicant" means any person requesting a CDL, or renewal, reinstatement, or requalification thereof.

(d) "CDL learner's permit" or "CLP" has the meaning set forth in ~~[IC 9-24-6-0.5](#)~~. **49 CFR 383.5\***.

(e) "CDL skills test" means the bureau, or a certified CDL skills test examiner, administered examination of a CDL or CDL endorsement applicant's skills as required by 49 CFR 383\*.

(f) "Certified CDL skills test examiner" means a person who the bureau certifies and authorizes to administer a driving skills test to any applicant for a CDL.

(g) "Class" means group as set forth in 49 CFR 383.91\*.

(h) "Commercial driver's license" or "CDL" has the meaning set forth in 49 CFR 383.5\*.

(i) "Commercial motor vehicle" or "CMV" has the meaning set forth in 49 CFR 383.5\*.

(j) "Commission" has the meaning set forth in [IC 9-13-2-32](#).

(k) "Commissioner" has the meaning set forth in [IC 9-13-2-33](#).

(l) "Core knowledge exam" means a written test designed to verify the applicant's knowledge in the operation of a CMV as required by 49 CFR 383\*.

(m) "Disqualification" means any of the following actions:

(1) The suspension, revocation, or cancellation of a CDL by the state or jurisdiction of issuance. A disqualification will be considered a suspension action when a person with a CDL is prohibited from operating a CMV for a determinate period of time due to the person having:

(A) been convicted; or

(B) refused to submit to a certified chemical test.

(2) Any withdrawal of a person's privileges to drive a CMV by the state or other jurisdiction as a result of a violation of state or local law relating to motor vehicle traffic control, other than:

(A) parking;

(B) vehicle weight; or

(C) vehicle defect;

violations.

(3) A determination by the Federal Motor Carrier Safety Administration or the state that a person:

(A) is not qualified to operate a CMV under 49 CFR Part 391\*; or

(B) has committed an action that requires disqualification pursuant to 49 CFR 383\*.

(n) "Driver's license" has the meaning set forth in [IC 9-13-2-48](#).

(o) "Endorsement" has the meaning set forth in 49 CFR 383.5\*.

(p) "Endorsement knowledge test" means a test designed to verify the applicant's knowledge in the operation of a specific type of CMV as required by 49 CFR 383\*.

(q) "Full legal name" means, pursuant to 6 CFR 37.3\*, an individual's:

(1) first name;

(2) middle name or names; and

(3) last name or surname;

without the use of initials or nicknames.

(r) "Gross combination weight rating" or "GCWR" has the meaning set forth in 49 CFR 383.5\*.

(s) "Gross vehicle weight rating" or "GVWR" has the meaning set forth in 49 CFR 383.5\*.

(t) "Incapacitated person" means an individual who:

(1) because of insanity, mental illness, mental deficiency, physical illness, or infirmity is unable to:

(A) manage, in whole or in part, the individual's property; or

(B) provide self-care;

or both; or

(2) has a developmental disability as defined in [IC 12-7-2-61](#).

(u) "Lawful status" means a person who meets the requirements of:

- (1) [IC 9-24-9-2.5](#) for a driver's license; or
- (2) [IC 9-24-16-3.5\(1\)](#) for an identification card.

(v) "License branch" means the commission's branch offices authorized to perform the functions and conduct the transactions pursuant to ~~IC 9-16-~~ [IC 9-14.1](#).

(w) "Mobile home" has the meaning set forth in [IC 9-13-2-103.2](#).

(x) "Motorcycle" has the meaning set forth in [IC 9-13-2-108](#).

(y) "Motorcycle learner's permit" means a bureau issued permit that entitles a person to operate a motorcycle on Indiana highways subject to Indiana laws and regulations.

(z) "Motorcycle license endorsement" means an authorization placed on an existing driver's license that authorizes a person to operate a motorcycle on Indiana highways.

(aa) "Motorcycle operational skills test" means the bureau approved standardized driving skills examination given by a state driver examiner or an approved examiner to determine whether a student has sufficient physical and mental ability to operate a motorcycle properly to qualify for a motorcycle license or motorcycle endorsement.

(bb) "Operator's license" means the driver's license issued under [IC 9-24-3](#).

(cc) "Person" has the meaning set forth in [IC 9-13-2-124](#).

(dd) "Qualified jurisdiction" means a country specified in 49 CFR 383.23(b)(1)(n.1)\*.

(ee) "Residence" has the meaning set forth in [IC 3-5-2-42.5](#).

(ff) "Resident" has the meaning set forth in [IC 9-13-2-78](#).

(gg) "State" has the meaning set forth in [IC 9-13-2-173](#).

(hh) "State driver examiner" means a commission designated person whose duties include the administration of driving skills tests on the commission's behalf.

~~(ii) "Truck driver training school" has the meaning set forth in [IC 9-13-2-188.5](#).~~

~~(jj) (ii) "Visual screening" means an eye screening that the bureau administers to:~~

- ~~(1) license;~~
- ~~(2) permit; and~~
- ~~(3) endorsement;~~

~~applicants.~~

\*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Bureau of Motor Vehicles, Indiana Government Center North, Fourth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204.

*(Bureau of Motor Vehicles; [140 IAC 7-1.1-1](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); filed Nov 12, 2009, 3:44 p.m.: [20091209-IR-140090169FRA](#); filed Nov 25, 2014, 3:50 p.m.: [20141224-IR-140140292FRA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 28. [140 IAC 7-1.1-3](#) IS AMENDED TO READ AS FOLLOWS:

**140 IAC 7-1.1-3 License, permit, and identification card documentation requirements****Authority:** [IC 9-14-8-3](#); [IC 9-24](#)**Affected:** [IC 5-26.5](#); [IC 9-24](#)

Sec. 3. (a) Each applicant for an initial, renewed, ~~duplicate~~, **replacement**, and amended driver's license and identification card must submit qualified documents or information, or both, to the bureau to prove the applicant's identity, lawful status in the United States (U.S.), residence address, and Social Security number (SSN) or that the applicant does not qualify for an SSN, and that the applicant is an Indiana resident. An applicant for an initial driver's license includes an applicant who held an Indiana driver's license or identification card, became a non-Indiana resident, and then reestablished Indiana residency. For some requirements, the bureau may allow applicants to use one (1) or more qualified documents to satisfy more than one (1) of the requirements in this section. A U.S. citizen, as verified through bureau records or the applicant's documents, who applies for a renewed, ~~duplicate~~, **replacement**, or amended driver's license or identification card and who otherwise qualifies for a driver's license or identification card but does not comply with the documentation requirements in this section may receive a driver's license or identification card with a notation that the driver's license or identification card may not be accepted for federal identification purposes. The bureau will only allow an applicant's documents to serve as proof for the applicable requirement in this section if the documents meet the following requirements:

- (1) Must be unaltered and valid original documents or certified facsimiles from the issuing agency.
- (2) Must be:
  - (A) in the English language; or
  - (B) be presented with a verifiably accurate English translation of the document.

(b) All applicants for an initial, renewed, ~~duplicate~~, **replacement**, or amended Indiana driver's license or identification card must comply with the requirements in this subsection one (1) time, except for non-U.S. citizens, as verified through bureau records or the applicant's documents, who must comply with the requirements in this subsection each time the applicant applies for an initial, renewed, ~~duplicate~~, **replacement**, or amended Indiana driver's license or identification card. This subsection does not apply to a U.S. citizen, as verified through bureau records or the applicant's documents, who applies for a renewed, ~~duplicate~~, **replacement**, or amended driver's license or identification card with a notation that the driver's license or identification card may not be accepted for federal identification purposes. An applicant must show proof of the following:

- (1) Identity, which includes full legal name and date of birth, by presenting one (1) of the following documents:
  - (A) An unexpired U.S. passport or U.S. passport card.
  - (B) A certified birth certificate, and if applicable a certified amended birth certificate showing a change in name, date of birth, or gender, filed with a state office of vital statistics, or equivalent state entity, in the applicant's state of birth.
  - (C) A Consular Report of Birth Abroad issued by the U.S. State Department (Form FS-240, Form DS-1350, or Form FS-545).
  - (D) An unexpired U.S. Department of Homeland Security (DHS) or U.S. Immigration and Naturalization Service (INS) issued Permanent Resident Card (Form ~~4-554~~) **I-551**) for those individuals whose authorized admittance and lawful status can be verified by the DHS.
  - (E) An unexpired DHS issued Employment Authorization Document (Form I-688B or Form ~~4-766~~) **I-766**) for those individuals whose authorized admittance and lawful status can be verified by the DHS.
  - (F) An unexpired foreign passport with an unexpired U.S. visa accompanied by the approved ~~4-94~~ **I-94** form documenting either the applicant's most recent admittance into the U.S. or current status, or an unexpired foreign passport without a U.S. visa, for those individuals whose authorized admittance and lawful status can be verified by the DHS.
  - (G) A DHS issued Certificate of Naturalization (Form N-550 or Form N-570) for those individuals whose authorized admittance and lawful status can be verified by the DHS.
  - (H) A DHS issued Certificate of Citizenship (Form N-560 or Form N-561) for those individuals whose authorized admittance and lawful status can be verified by the DHS.
  - (I) Non-U.S. citizens, as verified through bureau records or the applicant's documents, who have complied with the requirements in this subsection at least one (1) time and thereafter received an Indiana driver's license or identification card may use the Indiana driver's license or identification card for proof of identity.
  - (J) Other documents that a U.S. federal agency issued to show identity if the bureau can verify that the document's information is accurate.
  - (K) An applicant whose full legal name, date of birth, or gender was changed and is different than how the corresponding information appears in any of the documents delineated in clauses (A) through (J) ~~of this subsection~~ must show proof of the change by presenting additional documents supporting the change, which include: ~~the following~~:



- (i) a marriage license; **certificate**;
  - (ii) a divorce decree;
  - (iii) a court order approving a name change or a date of birth change;
  - (iv) a certified amended birth certificate for a gender change; or
  - (v) a physician's signed and dated statement that "(insert applicant's name) successfully underwent all treatment necessary to permanently change (insert applicant's name) gender from (insert prior gender) to (insert new gender).".
- (2) Lawful status in the U.S. by presenting: ~~the following:~~
- (A) one (1) of the documents delineated in ~~subsections~~ **subdivision (1)(A) through (H) of this section; or (1)(H);**
  - (B) a Notice of Action (Form I-797) document, if the bureau can verify that the DHS received it and has not denied action, and documents that a U.S. federal agency issued to show lawful status that pertain to the applicant's Notice of Action; or
  - (C) proof of application for asylum in the United States (Form I-589) for those individuals whose authorized admittance and lawful status can be verified by the DHS; or
  - (D) other documents that a U.S. federal agency issued to show lawful status if the bureau can verify that the document's information is accurate and the person has lawful status in the U.S.
- (3) Being an Indiana resident and of the applicant's residence address, which may not be a post office box, by submitting the bureau's form entitled "Indiana Residency Affidavit" by the following:
- (A) An applicant who is an incapacitated person. A person who:
    - (i) is the applicant's legal guardian or caregiver;
    - (ii) is at least eighteen (18) years of age; and
    - (iii) resides with the applicant;
 must sign the form at a license branch. The legal guardian or caregiver must show proof of identity by providing one (1) document from the list in subdivision (1), proof of residence address by providing two (2) documents from the list in subdivision (4), providing information detailing their relationship to the applicant, providing the guardianship documents if applicable, and presenting a valid Indiana driver's license or identification card.
  - (B) Homeless applicants without a residence address. ~~A person who is a legal representative of a government entity or a not-for-profit organization, identified as such under 26 U.S.C. Sec. 501(c)(3)\*, must sign the form. Additionally,~~ The applicant must provide a letter from the government entity or not-for-profit organization on its letterhead containing the entity or organization's name, address, and telephone number, and the legal representative's name, signature, and signature date. The legal representative must state in the letter that the entity or organization provides services to the applicant and will accept delivery of mail for the applicant.
  - (C) Applicants who are unable to comply with the requirements in clause (A), (B), (D), or (E). ~~of this subdivision.~~ A person with whom the applicant resides must:
    - (i) sign the form at a license branch at the time of the application; and
    - (ii) present:
      - (AA) a valid Indiana driver's license or identification card;
      - (BB) proof of identity by providing one (1) document from the list in subdivision (1); and
      - (CC) proof of residence address by providing two (2) documents from the list in subdivision (4).
  - (D) An applicant who resides in a motor vehicle, including, but not limited, to a mobile home or motor home. Another person who is an Indiana resident with a residence address must:
    - (i) sign the form and attest that the applicant may use the person's residence address for record purposes; and
    - (ii) ~~must~~ show proof of residence address by providing two (2) documents from the list provided in subdivision (4).
 The applicant must provide proof of paying Indiana income taxes for the current year or immediately prior year, and have current motor vehicle title and registration records with the bureau.
  - (E) Applicants with rural route mail delivery addresses. Each of these applicants must also provide a properly certified government issued document containing the applicant's name and description of the residence's location.
- (4) Being an Indiana resident and of the applicant's residence address, which may not be a post office box, ~~by presenting a valid and active identification card issued to the applicant pursuant to the Indiana attorney general's address confidentiality program under IC 5-26.5, or by submitting two (2) documents showing proof of being an Indiana resident and two (2) documents showing the applicant's residence address. Additionally, each applicant enrolled in a truck driver training school located in Indiana must show proof of enrollment and present the applicant's out-of-state driver's license.~~ Qualifying documents include the following:
- (A) A U.S. Postal Service change of address confirmation (Form CNL107) containing the applicant's old and new addresses.

- (B) A survey of the applicant's Indiana property produced by a licensed surveyor containing the applicant's name and residence address.
- (C) An Indiana voter registration card.
- (D) A utility company, credit card, doctor, or hospital bill:
  - (i) issued within sixty (60) days of the application date; and
  - (ii) containing the applicant's name and residence address.
- (E) A residence mortgage or similar loan contract, or lease or rental contract, containing:
  - (i) the applicant's name **and** residence address; and
  - (ii) signatures from the parties needed to execute the agreement.
- (F) A bank statement or bank transaction receipt, dated within sixty (60) days of the application date, containing the:
  - (i) bank's name and mailing address; and
  - (ii) ~~the~~ applicant's name and residence address.
- (G) A current motor vehicle loan payment book for a motor vehicle registered in the applicant's name, and containing the applicant's name and residence address.
- (H) A current valid homeowner's, renter's, or car insurance policy dated within one (1) year of the application date, containing the applicant's name and residence address.
- (I) A W-2 Form, property tax or excise tax bill, or Social Security Administration (**SSA**) or other pension or retirement annual benefits summary statement, dated with the current or immediately prior year, containing the applicant's name and residence address.
- (J) A preprinted pay stub, dated within sixty (60) days of the application date, containing the:
  - (i) employer's name and address; and
  - (ii) ~~the~~ applicant's name and residence address.
- (K) An Indiana family and social services administration issued child support check stub, or Medicaid or Medicare benefit statement, dated within sixty (60) days of the application date, containing the applicant's name and address.
- (L) A valid Indiana handgun permit containing the applicant's:
  - (i) name;
  - (ii) signature;
  - (iii) residence address; and
  - (iv) date of birth.
- (M) First-class mail from any federal or state court or agency, dated within sixty (60) days of the application date, containing the applicant's name and residence address.
- (N) Participants in the Indiana attorney general's address confidentiality program may use a post office box address and must present a valid active identification card issued to the applicant under [IC 5-26.5](#).**

(5) Having a valid SSN or that the person does not qualify for an SSN by presenting one (1) SSN document or an SSA document, dated within sixty (60) days of the application date, establishing that the person does not qualify for an SSN. The applicant's SSN, or SSA documentation showing that the applicant does not qualify for an SSN, presented to the bureau must match the information that the SSA has in its records for the SSN or for the SSA documentation. The following documents, containing the applicant's name and SSN, qualify to show proof of having a valid SSN:

- (A) SSA issued Social Security card.
- (B) A W-2 form.
- (C) A Form 1099.
- (D) A preprinted pay stub containing the employer's name.

(c) Subject to the requirements in subsection (b), ~~of this section~~, to receive a ~~duplicate~~ **replacement** or renewed Indiana driver's license or identification card, an applicant must do the following:

- (1) Verify that the applicant's:
  - (A) full legal name;
  - (B) date of birth;
  - (C) SSN; and
  - (D) residence address;

are current, accurate, and match the information existing in the bureau's records.

- (2) Applicants without an SSN must present an SSA document, dated within sixty (60) days of the application date, establishing that the person does not qualify for an SSN.

(d) Subject to the requirements in subsection (b), ~~of this section~~, to receive an amended Indiana driver's license or identification card an applicant must do the following:

- (1) Provide the applicant's existing driver's license or identification card, or verify that the applicant's:
- (A) full legal name;
  - (B) date of birth;
  - (C) SSN; and
  - (D) residence address;

are current, accurate, and match the information existing in the bureau's records.

(2) Applicants without an SSN must present an SSA document, dated within sixty (60) days of the application date, establishing that the person does not qualify for an SSN.

(3) Present qualified documentation as proof for the requested change as follows:

(A) To show proof of the applicant's new full legal name, the applicant must submit one (1) of the following documents:

- (i) An unexpired U.S. passport or U.S. passport card.
- (ii) A certified birth certificate, and if applicable a certified amended birth certificate showing a change in name, date of birth, or gender, filed with a state office of vital statistics, or equivalent state entity, in the applicant's state of birth.
- (iii) A Consular Report of Birth Abroad issued by the U.S. State Department (Form FS-240, Form DS-1350, or Form FS-545).
- (iv) An unexpired U.S. Department of Homeland Security (DHS) or U.S. Immigration and Naturalization Service (INS) issued Permanent Resident Card (Form 4-554) **I-551**.
- (v) An unexpired DHS issued Employment Authorization Document (Form I-688B or Form 4-766) **I-766**.
- (vi) An unexpired foreign passport with an unexpired U.S. visa accompanied by the approved 4-94 **I-94** form documenting either the applicant's most recent admittance into the U.S. or current status, or an unexpired foreign passport without a U.S. visa for those individuals whose authorized admittance and status can be verified by the DHS.
- (vii) A DHS issued Certificate of Naturalization (Form N-550 or Form N-570).
- (viii) A DHS issued Certificate of Citizenship (Form N-560 or Form N-561).
- (ix) Other documents that a U.S. federal agency issued to show identity if the bureau can verify that the document's information is accurate.
- (x) A marriage ~~license~~ **certificate**.
- (xi) A divorce decree.
- (xii) Adoption papers.
- (xiii) A court ordered name change.

(B) To show proof of the applicant's amended date of birth, the applicant must submit one (1) of the following documents:

- (i) A certified amended birth certificate. ~~or~~
- (ii) A court ordered date of birth change.

(C) To show proof of the applicant's gender change, the applicant must submit one (1) of the following documents:

- (i) A certified amended birth certificate. ~~or~~
- (ii) A physician's signed and dated statement that "(insert applicant's name) successfully underwent all treatment necessary to permanently change (insert applicant's name) gender from (insert prior gender) to (insert new gender)."

(D) To show proof of the applicant's new residence address, the applicant must submit the Indiana residency affidavit pursuant to subsection (b)(3), ~~of this section~~, or two (2) of the documents from the list in subsection (b)(4). ~~of this section~~.

(E) To show proof of the applicant's new SSN, the applicant must present one (1) of the documents from the list in subsection (b)(5) ~~of this section~~ containing the applicant's new SSN.

(e) An applicant may petition the commissioner or the commissioner's designee to accept reasonable, authentic, and verifiable alternative documents upon the applicant proving that the applicant is reasonably unable to meet the requirements in this section. However, non-U.S. citizens, as verified through bureau records or the applicant's documents, may not use alternate documents to demonstrate lawful status.

~~\*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Bureau of Motor Vehicles, Indiana Government Center North, Fourth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204.~~

*(Bureau of Motor Vehicles; [140 IAC 7-1.1-3](#); filed Nov 12, 2009, 3:44 p.m.: [20091209-IR-140090169FRA](#), eff Jan 1, 2010; readopted filed Nov 24, 2015, 4:18 p.m.: [20151223-IR-140150108RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 29. [140 IAC 7-1.2-1](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 7-1.2-1](#) Issuance of interim license or identification card**

**Authority:** [IC 9-14-8-3](#); [IC 9-24](#)

**Affected:** [IC 9-24](#)

Sec. 1. The bureau may issue an interim Indiana driver's license, **permit, or identification card** for specified periods to those individuals who meet all of the requirements for obtaining an Indiana driver's license, **permit, or** identification card and are in one (1) of the following situations:

- (1) The person is applying at a time when the bureau's system or systems used for the ~~driver's license~~ issuing process is not properly operating.
- (2) The person is applying for an initial, ~~duplicate,~~ **replacement**, amended, or renewed driver's license, **permit, or** identification card, unless the person possesses the person's Indiana driver's license, **permit, or** identification card that does not expire for at least fourteen (14) **days** after the application date.
- (3) The person is applying for a renewed Indiana driver's license and the Problem Driver Pointer System indicates that the applicant's driving privileges are suspended in another state.
- (4) The person has an Indiana driver's license, is traveling outside the state, and is unable to return to the state in time to renew the person's driver's license.
- (5) The person has an Indiana driver's license, is traveling outside the state, and lost the person's Indiana driver's license while traveling outside the state.
- (6) The person is applying and the bureau determines that the person might be the victim of an image conflict or fraud, or a discrepancy exists in the person's information when the bureau seeks to verify its accuracy with records that the federal government maintains.
- (7) The person received an interim permit and the bureau requires additional time to investigate or review the person's information.

*(Bureau of Motor Vehicles; [140 IAC 7-1.2-1](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); filed Nov 12, 2009, 3:44 p.m.: [20091209-IR-140090169FRA](#), eff Jan 1, 2010; readopted filed Nov 24, 2015, 4:18 p.m.: [20151223-IR-140150108RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 30. [140 IAC 7-2-5](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 7-2-5](#) Motorcycle written test**

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

**Affected:** [IC 9-24-8](#)

Sec. 5. Any person who passed the written test to obtain a motorcycle learner's permit is not required to take the written test at the time of application for a motorcycle license endorsement. ~~or a motorcycle operator's license.~~ The ~~written test will consist of twenty-five (25) questions, twenty-one (21) of which~~ **bureau shall determine the number of questions that** must be answered correctly for a passing score **on an annual basis.**

*(Bureau of Motor Vehicles; [140 IAC 7-2-5](#); filed Apr 28, 1981, 9:35 a.m.: 4 IR 900; filed Nov 9, 1983, 3:40 p.m.: 7 IR 25; readopted filed Oct 17, 2001, 4:01 p.m.: 25 IR 920; readopted filed Nov 14, 2007, 1:31 p.m.: [20071212-IR-140070562RFA](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 31. [140 IAC 7-2-6](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 7-2-6](#) Motorcycle skills test**

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

**Affected:** [IC 9-24-8](#)

Sec. 6. (a) An applicant for motorcycle endorsement ~~or motorcycle operator's license~~ must take an operational skills test administered by a person whom the commissioner, or ~~his or her~~ **the commissioner's** designee, approves as a motorcycle operational skills test examiner. No person who has been an instructor or owner of a school offering motorcycle instruction for a fee may administer an operational skills test to an applicant who was a student of such school.

(b) The operational skills test must include maneuvers with a motorcycle involving proper starting, stopping, turning, braking, riding through obstacles, changing traffic lanes, and the testing of other areas of riding skills. The applicant must receive fewer than eleven (11) ~~bureau shall determine the number of~~ penalty points ~~necessary to pass~~ fail the skills test. If the applicant is assessed eleven (11) ~~that number of~~ penalty points any time prior to the completion of the test, the examination attempt will be terminated.

(c) A person who fails the operational skills test must wait until the next business day before being allowed to retake the operational skills test.

(d) All persons must wear a motorcycle helmet during the operational skills test.

(e) Every applicant must sign a waiver of liability prior to taking an operational skills test. The waiver must include the following information:

(1) The applicant understands they are taking a motorcycle operational skills test and believes they are qualified to take such test.

(2) The applicant will hold the commission, the state, the owners of the test site, and the motorcycle examiner harmless for any injury that the applicant or the applicant's motorcycle and equipment, or all, might sustain from any accident during the operational skills test.

*(Bureau of Motor Vehicles; [140 IAC 7-2-6](#); filed Apr 28, 1981, 9:35 a.m.: 4 IR 901; filed Nov 9, 1983, 3:40 p.m.: 7 IR 25; errata filed Aug 10, 1992, 3:00 p.m.: 15 IR 2595; readopted filed Oct 17, 2001, 4:01 p.m.: 25 IR 920; readopted filed Nov 14, 2007, 1:31 p.m.: [20071212-IR-140070562RFA](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 32. [140 IAC 7-2-10](#) IS AMENDED TO READ AS FOLLOWS:

### **[140 IAC 7-2-10](#) Approved motorcycle examiners; qualifications**

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

**Affected:** [IC 9-24-8](#)

Sec. 10. An applicant to be an approved motorcycle skills test examiner must meet the following qualifications:

(1) Be twenty-one (21) years of age or older.

(2) Possess a valid Indiana operator's, chauffeur's, or public passenger chauffeur's driver's license with a motorcycle endorsement. ~~or a motorcycle operator's driver's license.~~

(3) Have successfully completed a bureau approved motorcycle safety training course.

(4) An approved motorcycle skills test examiner must give a minimum of five (5) operational skills tests each year to maintain the approval.

*(Bureau of Motor Vehicles; [140 IAC 7-2-10](#); filed Apr 28, 1981, 9:35 a.m.: 4 IR 902; filed Nov 9, 1983, 3:40 p.m.: 7 IR 26; readopted filed Jul 30, 2001, 10:30 a.m.: 24 IR 4231; readopted filed Nov 14, 2007, 1:31 p.m.: [20071212-IR-140070562RFA](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 33. [140 IAC 7-5-3](#) IS AMENDED TO READ AS FOLLOWS:

### **[140 IAC 7-5-3](#) Truck driver training school operations**

**Authority:** [IC 9-14-8-3](#); [IC 9-24-6.1-1](#)

**Affected:** [IC 9-24-6.1](#)

Sec. 3. (a) In addition to the following requirements, truck driver training schools must follow the same procedures and requirements for operation as set forth in [140 IAC 4-1.2-1\(b\)](#) through [140 IAC 4-1.2-1\(e\)](#) and [140 IAC 4-1.2-1\(h\)](#) through [140 IAC 4-1.2-1\(i\)](#).

(b) ~~Online training is not accepted~~ **The bureau may accept online training** for truck driver training.

(c) The school is required to ascertain, before giving practical instruction, that the student possesses a valid CDL or CLP.

(d) No course shall be completed in fewer than:

- (1) one hundred twenty (120) hours of instruction for a Class A CMV; or
- (2) eighty (80) hours of instruction for a Class B CMV.

(e) The bureau may adopt procedures for the electronic transfer of student information, fees, and licensing as applicable.

(Bureau of Motor Vehicles; [140 IAC 7-5-3](#); filed Nov 25, 2014, 3:50 p.m.: [20141224-IR-140140292FRA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))

SECTION 34. [140 IAC 8-1-1](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 8-1-1](#) Purpose; policy statement; definitions**

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

**Affected:** [IC 4-15-2.2](#); [IC 9-14-10-3](#)

Sec. 1. (a) Under ~~[IC 9-16-4-1](#)~~, [IC 9-14-10-3](#), it is the purpose of this commission policy statement to establish that the commission **of the bureau of motor vehicles** has chosen to develop a personnel system ~~which is separate from the state personnel system under [IC 4-15-1.8](#)~~, for ~~commission employees~~ **for employees of the commission** who are assigned to be managers and employees of the commission operated license branches. **This personnel system is separate from the state personnel system under [IC 4-15-2.2](#)**. The commission's personnel system's employee handbook will define the basic rights, privileges, powers, rules, procedures, policies, duties, and benefits of those commission employees.

~~(b) The definitions in this section apply throughout this article.~~

~~(c) "Bureau" has the meaning set forth in [IC 9-13-2-16](#).~~

~~(d) "Commission" has the meaning set forth in [IC 9-13-2-32](#).~~

~~(e) "Commissioner" has the meaning set forth in [IC 9-13-2-33](#).~~

(Bureau of Motor Vehicles; [140 IAC 8-1-1](#); filed Mar 26, 1987, 11:15 a.m.: 10 IR 1558; readopted filed Aug 22, 2001, 10:50 a.m.: 25 IR 202; readopted filed Nov 14, 2007, 1:31 p.m.: [20071212-IR-140070562RFA](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))

SECTION 35. [140 IAC 8-2-5](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 8-2-5](#) Purpose; policy statement**

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

**Affected:** [IC 9-14-10-2](#); [IC 9-14.1-5-2](#)

Sec. 5. Under ~~[IC 9-16-2-5](#)~~, [IC 9-14-10-2](#) and [IC 9-14.1-5-2](#), it is the purpose of this ~~commission~~ policy statement to establish that the commission **of the bureau of motor vehicles** has ~~adopted~~ **chosen to develop** a procurement system that applies to the procurement of equipment, materials, goods, and services required for the operation of ~~commission-operated~~ license branches **under [IC 9-14.1](#)**.

(Bureau of Motor Vehicles; [140 IAC 8-2-5](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))

SECTION 36. [140 IAC 8-3-29](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 8-3-29](#) Dishonored or rejected payments procedures and service charges**

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

**Affected:** [IC 6-6-5-12](#); [IC 9-17](#); [IC 9-18.1](#); [IC 9-18.5](#); [IC 9-24](#); [IC 35-43-5-5](#)

Sec. 29. The bureau of **motor vehicles** shall use the following procedures when a financial institution reports that it dishonors or rejects a person's check, credit card payment, E-check (electronic check), or other form of payment:

- (1) The bureau shall create a separate collection file for each dishonored or rejected payment received from a financial institution.
- (2) The bureau shall assess and collect the fees authorized in [IC 35-43-5-5](#) and [IC 6-6-5-12](#).
- (3) The bureau shall compile and mail notices for each collection file that requests payment of the amount of the dishonored or rejected payment and any additional amounts assessed under subdivision (2). The notice shall also state that a driver's license or permit may be suspended and registration or title invalidated if full payment is not received within ten (10) business days from the collection notice's date.
- (4) The bureau shall provide a receipt for any payment or payments received.
- (5) The bureau may immediately suspend a driver's license or permit and invalidate a registration or title if the bureau does not receive full payment of the dishonored or rejected payment and the fees in subdivision (2) by the due date specified in subdivision (3).
- (6) The driver's license, permit, registration, or title shall be reinstated upon full payment of the dishonored or rejected payment, the fees in subdivision (2), and an additional fee of ten dollars (\$10) for each suspended driver's license or permit and invalidated registration or title. The bureau shall provide a reinstatement receipt after removing the suspension or invalidation.
- (7) The bureau may waive the fees assessed in subdivisions (2) and (6) if the payment was dishonored or rejected due to a financial institution or bureau error, and the bureau receives written documentation of the error and the amount of the dishonored or stopped payment. The bureau shall place any documentation received in the applicable collection file. The bureau may remove a suspension or invalidation imposed under this section if the bureau receives a court order, or the bureau determines the dishonored or rejected payment was due to a financial institution or bureau error.

*(Bureau of Motor Vehicles; [140 IAC 8-3-29](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 26, 2013, 11:22 a.m.: [20131225-IR-140130487RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))*

SECTION 37. [140 IAC 9-1-0.5](#) IS AMENDED TO READ AS FOLLOWS:

**[140 IAC 9-1-0.5](#) Applicability; definitions**

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

**Affected:** [IC 9-13-2](#); [IC 9-17](#); [IC 14-8-2-53](#)

Sec. 0.5. (a) The definitions in this section apply throughout this article.

~~(b) "Bill of sale" means a written instrument sufficient to support an intent to transfer ownership of a watercraft and must include the following:~~

- ~~(1) The purchase price of the boat and motor.~~
- ~~(2) The name of the purchaser.~~
- ~~(3) The date of purchase.~~
- ~~(4) A description of the watercraft describing the following:~~
  - ~~(A) Year.~~
  - ~~(B) Make.~~
  - ~~(C) Model or boat type.~~
  - ~~(D) Length.~~
  - ~~(E) Hull identification number, if any.~~
- ~~(5) The signature, printed name, and address of the seller.~~

~~(c) "Boat" has the meaning set forth in [IC 6-6-11-1](#).~~

(d) "Boat dealer" has the meaning set forth in [IC 9-13-2-42](#)(c).

(e) **(b)** "Bureau" has the meaning set forth in [IC 9-13-2-16](#). means the bureau of motor vehicles.

(f) "Certificate of origin" means the original ownership document for a vehicle issued by a manufacturer and provided to the initial purchaser of that vehicle, which begins the vehicle's chain of ownership.

(g) **(c)** "Conservation officer" has the meaning set forth in [IC 14-8-2-53](#).

(h) "HIN inspection" means the verification of the year, make, and HIN by a police officer or a conservation officer.

(i) "Hull identification number" or "HIN" means the standard coast guard approved twelve (12) digit number placed on a watercraft by the manufacturer or assigned by the bureau under [IC 9-31-2-8](#), or by another state.

(j) "Manufacturer" means a person who is engaged in the business of constructing watercraft for sale to a boat dealer or to the public.

(k) **(d)** "Motorboat" has the meaning set forth in [IC 9-13-2-103.5](#).

(l) "Person" has the meaning set forth in [IC 9-13-2-124](#).

(m) **(e)** "Police officer" has the meaning set forth in [IC 9-13-2-127](#).

(n) **(f)** "Watercraft" has the meaning set forth in [IC 9-13-2-198.5](#).

(Bureau of Motor Vehicles; [140 IAC 9-1-0.5](#); filed Oct 7, 2008, 10:23 a.m.: [20081105-IR-140080215FRA](#); readopted filed Nov 3, 2014, 1:43 p.m.: [20141203-IR-140140375RFA](#); filed Oct 5, 2017, 9:34 a.m.: [20171101-IR-140160492FRA](#))

SECTION 38. THE FOLLOWING ARE REPEALED: [140 IAC 2-1-9.5](#); [140 IAC 2-1-11](#); [140 IAC 2-1-12](#); [140 IAC 2-1-15](#); [140 IAC 2-1-16](#); [140 IAC 2-1-17](#); [140 IAC 2-2](#); [140 IAC 2-3-1](#); [140 IAC 2-3-2](#); [140 IAC 2-3-3](#); [140 IAC 2-3-5](#); [140 IAC 2-4-1](#); [140 IAC 2-4-2](#); [140 IAC 2-4-3.5](#); [140 IAC 2-4-4](#); [140 IAC 2-4-5](#); [140 IAC 2-4-6](#); [140 IAC 2-4-7](#); [140 IAC 2-4-9](#); [140 IAC 2-4-10](#); [140 IAC 2-5-1](#); [140 IAC 2-5-3](#); [140 IAC 2-5-5](#); [140 IAC 2-5-7](#); [140 IAC 3-4-3](#); [140 IAC 6-1-3](#); [140 IAC 6-1-5](#); [140 IAC 6-1-13](#); [140 IAC 6-1-17.5](#); [140 IAC 6-1-22](#); [140 IAC 7-2-11](#); [140 IAC 8-3-1.1](#); [140 IAC 8-5-1](#); [140 IAC 8-5-8](#); [140 IAC 9-2-3.5](#); [140 IAC 9-2-5.5](#); [140 IAC 9-2-7](#); [140 IAC 9-2-8.5](#); [140 IAC 9-2-14.5](#); [140 IAC 9-2-15.5](#); [140 IAC 9-2-21](#); [140 IAC 9-2-22](#); [140 IAC 9-2-24.5](#); [140 IAC 9-2-25.5](#); [140 IAC 9-2-28](#); [140 IAC 9-4-3.5](#); [140 IAC 9-4-4.5](#); [140 IAC 9-4-6](#).

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