

Document: Readopted Rules

Source: June 1, 2001, Indiana Register, Volume 24, Number 9

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TITLE 140 BUREAU OF MOTOR VEHICLES

LSA Document #01-77

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

140 IAC 2-4-3

140 IAC 2-4-4

140 IAC 2-4-9

SECTION 1. UNDER IC 4-22-2.5-3, 140 IAC 2-4-3 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

140 IAC 2-4-3 Submission of list of applicants; extension; expenses

Authority: IC 9-14-2-2

Affected: IC 9-18-25-5

Sec. 3. (a) Subsequent to petition approval by the bureau of motor vehicles, but no later than July 31 of the calendar year immediately preceding the calendar year the special recognition license plates are to be issued, the organization must submit to the bureau of motor vehicles a list of the names and addresses of all persons who have submitted applications to the organization for the group's proposed special group recognition plate.

(b) The list submitted to the bureau of motor vehicles must contain no less than five hundred (500) applicants.

(c) Submission of a list containing one (1) or more names of individuals who have not actually applied for the plate will be grounds for rejection of the proposed special group recognition plate.

(d) In the event the organization's petition is approved but the organization cannot provide the bureau of motor vehicles with the list of applicants in the numbers required by the due date, the organization may request in writing, no later than thirty (30) days subsequent to the due date, a one (1) time one (1) year extension to obtain a sufficient number of applicants desiring to purchase the proposed special group recognition plate.

(e) If the organization fails to request an extension, or is still unable to submit a list with a sufficient number of applicants at the conclusion of the one (1) year extension, the petition originally filed by the organization will no longer be valid.

(f) In the event the organization's petition is approved by the bureau, the organization will be required to reimburse the bureau for expenses incurred due to the production of extraordinary special group plate design and plate display costs.
(Bureau of Motor Vehicles; 140 IAC 2-4-3; filed Jun 16, 1995, 3:30 p.m.: 18 IR 2674)

SECTION 2. UNDER IC 4-22-2.5-3, 140 IAC 2-4-4 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

140 IAC 2-4-4 Posting surety bond

Authority: IC 9-14-2-2

Affected: IC 9-18-25

Sec. 4. (a) Simultaneously with the submission of the list of applicants required under section 3 of this rule, the organization must submit a bond issued by a surety company authorized to transact business in Indiana.

(b) The bond must be in a total amount of ~~five~~ **six** thousand dollars (~~\$5,000~~) (**\$6,000**) and may not be cancelled without ten (10) days' prior notice to the bureau of motor vehicles.

(c) In the event the new special group recognition license plate is issued and less than five hundred (500) such plates are sold in the first ~~plate cycle year~~ in which the plate is available, the bond must be conditioned for payments to the bureau of motor vehicles according to the following formula: $[(500 - \text{number of plates sold}) \times \$10]$. ~~The current plate cycle expires December 31, 1996. The next plate cycle begins January 1, 1997, and is three (3) years in duration. \$12].~~

(d) Once five hundred (500) of the new special group recognition plates ~~have been~~ **are** sold, **in the first year in which the plate is available**, the bond will be returned to the organization.

(e) If over five hundred (500) plates are sold in the first ~~plate cycle~~, **year in which the plate is available**, submission of a bond will not be required for subsequent ~~plate cycles~~: **years**. (*Bureau of Motor Vehicles; 140 IAC 2-4-4; filed Jun 16, 1995, 3:30 p.m.: 18 IR 2674*)

SECTION 3. UNDER IC 4-22-2.5-3, 140 IAC 2-4-9 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

140 IAC 2-4-9 Loss of status; renewal process

Authority: IC 9-14-2-2; IC 9-18-2-47

Affected: IC 9-18-25-15

Sec. 9. (a) If an organization fails to meet the requirements of **IC 9-18-25-15** or this rule, the bureau of motor vehicles may terminate that organization's qualification for the special group recognition license plate program, and no further special group recognition license plates shall be issued for that organization.

(b) The failure of an organization to meet the requirements of **IC 9-18-25-15** or this rule may be considered by the bureau of motor vehicles when ~~considering~~ **reviewing** any subsequent petition by that organization for participation in the special group recognition license plate program.

(c) An organization participating in the special group recognition plate program shall indicate its intent to remain in the program for a subsequent plate cycle, in writing, to the bureau of motor vehicles prior to April 1 of the calendar year immediately preceding the beginning of the next plate cycle. ~~The next plate cycle begins January 1, 1997, and is three (3) calendar years in duration. (Bureau of Motor Vehicles; 140 IAC 2-4-9; filed Jun 16, 1995, 3:30 p.m.: 18 IR 2675)~~

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on July 3, 2001 at 9:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Auditorium, Indianapolis, Indiana the Bureau of Motor Vehicles will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

*Tamara Brown, Legal Department
Indiana Bureau of Motor Vehicles
Indiana Government Center-North
100 North Senate Avenue, Room 440
Indianapolis, Indiana 46204*

Copies of these rules are now on file at the Indiana Government Center-North, 100 North Senate Avenue, Room 440 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Gary Gibson
Commissioner
Bureau of Motor Vehicles