

Document: Readopted Rules

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TITLE 140 BUREAU OF MOTOR VEHICLES

LSA Document #01-118

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. Readopts and amends 140 IAC 8-1-3 to require six month employee performance evaluations; 140 IAC 8-2-1 and 140 IAC 8-2-2 to include the procurement of services under the bureau of motor vehicles commission procurement system; 140 IAC 8-2-3 and 140 IAC 8-2-4 to increase the threshold amounts required for compliance under the procurement system for any applicable procurement, including the procurement for services; 140 IAC 8-3-1.1 to increase the service charge and clarify the definition of "low numbered motor vehicle registration plate" to include truck plates and specialty plates; and 140 IAC 8-3-3, 140 IAC 8-3-4, 140 IAC 8-3-5, and 140 IAC 8-3-8 to increase service charges. Amends 140 IAC 8-3-12, 140 IAC 8-3-13, 140 IAC 8-3-14, 140 IAC 8-3-15, 140 IAC 8-3-16, 140 IAC 8-3-17, 140 IAC 8-3-18, 140 IAC 8-3-19, and 140 IAC 8-3-20 to increase service charges. Adds 140 IAC 8-3-21, 140 IAC 8-3-22, 140 IAC 8-3-23, 140 IAC 8-3-24, 140 IAC 8-3-25, 140 IAC 8-3-26, and 140 IAC 8-3-27 to establish service charges for processing duplicate and replacement license plates, duplicate titles, watercraft titles, delinquent watercraft titles, hull identification number applications, delinquent registrations, and delinquent license renewals. Repeals 140 IAC 8-3-2. Effective January 1, 2002.

140 IAC 8-1-3	140 IAC 8-3-15
140 IAC 8-2-1	140 IAC 8-3-16
140 IAC 8-2-2	140 IAC 8-3-17
140 IAC 8-2-3	140 IAC 8-3-18
140 IAC 8-2-4	140 IAC 8-3-19
140 IAC 8-3-1.1	140 IAC 8-3-20
140 IAC 8-3-2	140 IAC 8-3-21
140 IAC 8-3-3	140 IAC 8-3-22
140 IAC 8-3-4	140 IAC 8-3-23
140 IAC 8-3-5	140 IAC 8-3-24
140 IAC 8-3-8	140 IAC 8-3-25
140 IAC 8-3-12	140 IAC 8-3-26
140 IAC 8-3-13	140 IAC 8-3-27
140 IAC 8-3-14	

SECTION 1. UNDER IC 4-22-2.5-3, 140 IAC 8-1-3 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

140 IAC 8-1-3 Policies

Authority: IC 9-14-2-2

Affected: IC 9-16-4

Sec. 3. (a) ~~Management Hiring Policy~~: The commissioner of the bureau of motor vehicles (~~hereinafter, "the~~ (commissioner), with the approval of the commission, shall hire all other commission management employees, who shall serve at the pleasure of the commissioner and the commission.

(b) General branch hiring policy **shall be as follows:**

(1) ~~Authorization~~: All branch hiring requests must be approved by the commissioner prior to initiation of the hiring procedure, and overall branch staffing authorizations must be approved by the commission.

(2) ~~Application~~: All applicants must complete employment applications on forms approved by the commission.

(3) ~~Evaluation~~: Applicants and their applications shall be evaluated by branch management to determine whether applicants satisfactorily meet the requirements of a particular job classification. This evaluation will be made on factors such as:

- (A) past work experience;
- (B) education;
- (C) previous work history;
- (D) job skills;
- (E) the applicant's personality and appearance; and
- (F) the applicant's career goals.

(4) ~~Selection For Hire~~: The appropriate manager will select the candidate he or she believes to be best suited for a vacant position. This selection shall be made in accordance with policies and procedures that have been approved by the commission and upon the best judgment of the manager as to the candidate's suitability for service to the public in license branch operations.

(c) ~~General Promotional Policy~~: Branch managers shall, in all appropriate circumstances, consider current branch employees for vacancies within branch employment. If a branch manager determines that a suitable candidate is not available within existing branch employees, a new employee may be selected from duly qualified applicants.

(d) ~~Classifications of Employment~~: The commission has approved **the following** four (4) major classifications of employment, the terms and conditions of which shall be described in the employee handbook:

- (1) Probationary employees.
- (2) Temporary employees.
- (3) Part-time employees. ~~and~~
- (4) Full-time employees.

(e) ~~Branch Operating Hours~~: The operating hours of each local branch shall be determined by the commissioner, with the approval of the commission, on the basis of the particular needs of the community served by the local branch.

(f) ~~Overtime~~: Nonexempt commission employees shall be paid for overtime hours worked as required by applicable statutes and regulations. Procedures for scheduling and compensating overtime will be defined by the commissioner, and the commissioner may approve branch requests for overtime use prior to its implementation.

(g) ~~Employee Benefits and Conduct~~: In the employee handbook, the commissioner shall set forth the commission's approved policies, procedures, and rules which cover such employment benefits as vacation, holidays, and sick leave and such other matters as absenteeism, employee misconduct, and disciplinary procedures.

(h) ~~Position Descriptions~~: The commissioner shall issue uniform position descriptions for the various positions at each branch, which descriptions shall be approved by the commission before they are instituted. It is understood that the descriptions do not preclude the use of cross-training and, further, that certain positions may be combined by branch managers, upon the recommendation of the commissioner and the approval of the commission, to facilitate the economic delivery of branch services to the public.

(i) ~~Orientation~~: Managers shall provide each employee with a copy of the employee handbook and position description and explain them to each employee at the time of hire.

(j) Performance review **requirements shall be as follows:**

(1) ~~Annual: Before or at the end of the probationary period; and at least once annually thereafter; A six (6) month employee performance review shall be conducted for~~ all commission employees ~~shall be reviewed for performance~~ by their respective supervisors. This employee performance review shall be conducted according to procedures approved by the commission. It shall be:

- (A) ~~made within thirty (30) days before or initiated six (6) months after the anniversary of the employee's date of hire with the commission;~~
- (B) conducted on forms approved by the commission;
- (C) signed by both the supervisor and the employee; and
- (D) retained with the employee's permanent personnel file, which shall be maintained by the commission.

(2) ~~For Other Purposes~~: An employee performance review may also be conducted ~~by a branch manager~~ at any time appropriate to the proper administration of the policies and procedures of the commission. ~~but such review shall also be made at least once annually according to the procedures outlined above:~~

(k) ~~Employee Complaint Procedure~~: The commissioner shall develop a procedure for the prompt and consistent resolution of

employee complaints. This procedure shall be subject to the approval of the commission and shall utilize verbal resolution at the branch with the opportunity to submit a written appeal to a designated deputy commissioner and ultimately the commissioner for final disposition.

(l) ~~Modification~~. The procedures contained in the employee handbook are subject to periodic modification and development by the commission. As additions, deletions, or changes are made, appropriate memoranda shall be issued and distributed. *(Bureau of Motor Vehicles; 140 IAC 8-1-3; filed Mar 26, 1987, 11:15 a.m.: 10 IR 1558)*

SECTION 2. UNDER IC 4-22-2.5-3, 140 IAC 8-2-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

140 IAC 8-2-1 Purpose

Authority: IC 9-14-2-2

Affected: IC 9-16-2-5

Sec. 1. (a) It is the purpose of this procurement system to define and outline the basic expectations of the bureau of motor vehicles commission (~~hereinafter~~ (commission) as they relate to the procurement of equipment, materials, ~~and~~ goods, ~~and~~ services required for the operation of license branches operating under the commission's authority.

(b) The procurement system shall establish the methodology to regulate the procurement of equipment, materials, ~~and~~ goods, ~~and~~ services, or leases of equipment, required for the operation of license branches operating under the commission's authority. *(Bureau of Motor Vehicles; 140 IAC 8-2-1; filed Apr 27, 1989, 5:30 p.m.: 12 IR 1734)*

SECTION 3. UNDER IC 4-22-2.5-3, 140 IAC 8-2-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

140 IAC 8-2-2 Policy

Authority: IC 9-14-2-2

Affected: IC 9-16-2

Sec. 2. (a) ~~As a result of the accelerated timetable mandated by IC 9-16 for the conversion of the remaining license branches,~~ This procurement system shall have as its goal the speedy and efficient administration of procurement decisions, while at the same time providing an atmosphere of fairness for participants.

(b) This procurement system shall not alter the existing statutory system for the lease or purchase of license branch facilities as outlined in IC 9-16-2.

(c) This procurement system shall not alter the existing method for procuring equipment and supplies under any previously established ~~S.D.O.~~ special dispersing officer (**S.D.O.**) accounts system.

(d) This procurement system shall not alter any previously established system for procuring equipment, materials, ~~and~~ goods, ~~and~~ services from any other board, commission, division, department, bureau, or other state or federal entity.

(e) In the case of fire, flood, windstorm, casualty, or other extraordinary emergency, including mechanical failure of any part of a building or structure, and where the health, safety, or welfare of the public or the necessary license branch or commission operations are endangered by such loss or damage, the commission may, upon a declaration of emergency recorded in its minutes, proceed to procure equipment, materials, ~~or~~ goods, ~~or~~ services, or leases of equipment without advertising for bids: provided, that in such an emergency and subject to the applicability provisions outlined herein, bids shall be invited from at least three (3) or more persons, firms, or corporations known to deal in the equipment, materials, ~~or~~ goods, ~~or~~ services to be procured or equipment to be leased, and the minutes of the commission shall show the names of those persons, firms, or corporations invited to bid. *(Bureau of Motor Vehicles; 140 IAC 8-2-2; filed Apr 27, 1989, 5:30 p.m.: 12 IR 1734; errata filed Aug 10, 1992, 3:00 p.m.: 15 IR 2595)*

SECTION 4. UNDER IC 4-22-2.5-3, 140 IAC 8-2-3 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

140 IAC 8-2-3 Procedural requirements for the procurement of equipment, materials, goods, and services; applicability

Authority: IC 9-14-2-2

Affected: IC 9-16-2

Sec. 3. (a) The commission, or its duly authorized procurement agent, hereinafter referred to collectively as purchaser, shall comply with the procedural requirements of this procurement system whenever the total amount of any procurement of equipment, materials, ~~or~~ goods, ~~or~~ services exceeds ~~ten seventy-five~~ thousand dollars (~~\$10,000~~); **(\$75,000)**, or the total annual rental payment under any equipment lease exceeds ~~five twenty-five~~ thousand dollars (~~\$5,000~~); **(\$25,000)**. This procurement system applies to leases of equipment whether or not title passes from the lessor to the lessee. ~~The term "purchaser"~~ As used in this procurement system, **"purchaser"** includes persons who make leases for equipment. This procurement system does not apply to current utility bills.

(b) In all cases of procurement of equipment, materials, ~~or~~ goods, ~~or~~ services where the total amount of any such procurement does not exceed the sum of ~~ten seventy-five~~ thousand dollars (~~\$10,000~~); **(\$75,000)** and in all cases of the lease of equipment where the annual rental payment does not exceed ~~five twenty-five~~ thousand dollars (~~\$5,000~~); **(\$25,000)**, the purchaser may procure or lease in the open market without the giving of notice, the receiving of bids, or any other formalities.

(c) All procurement of similar equipment, materials, ~~or~~ goods, ~~or~~ services by the purchaser from a person during a six (6) month period under subsection (b) may not exceed ~~ten seventy-five~~ thousand dollars (~~\$10,000~~); **(\$75,000)**, and the total annual rental payments to a person under all leases for equipment under subsection (b) may not exceed ~~five twenty-five~~ thousand dollars (~~\$5,000~~); **(\$25,000)**. (*Bureau of Motor Vehicles; 140 IAC 8-2-3; filed Apr 27, 1989, 5:30 p.m.: 12 IR 1734*)

SECTION 5. UNDER IC 4-22-2.5-3, 140 IAC 8-2-4 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

140 IAC 8-2-4 Procurement of equipment, materials, goods, and services or the lease of equipment; procedural requirements

Authority: IC 9-14-2-2

Affected: IC 9-16-2-5

Sec. 4. (a) The procedural requirements for the procurement of equipment, materials, ~~and~~ goods, ~~and~~ services or the lease of equipment shall include the giving of notice and competitive sealed bidding.

(b) The manner of giving notice shall be as follows:

(1) Whenever public notice is required, the notice shall be given in the manner prescribed by this section.

(2) The commission chairman will determine the minimum number of notices to be given by publication according to the following schedule:

(A) If the ultimate expenditure involved in a procurement of equipment, materials, ~~or~~ goods, ~~and~~ services is estimated by the commission chairman to exceed ~~ten seventy-five~~ thousand dollars (~~\$10,000~~); **(\$75,000)**, or the total annual rental payment under any equipment lease is estimated by the commission chairman to exceed ~~five twenty-five~~ thousand dollars (~~\$5,000~~); **(\$25,000)**, a notice will be published at least once.

(B) If the ultimate expenditure involved in a procurement of equipment, materials, ~~or~~ goods, ~~and~~ services is estimated by the commission chairman to be less than ~~ten seventy-five~~ thousand dollars (~~\$10,000~~); **(\$75,000)**, or the total annual rental payment under any equipment lease is estimated by the commission chairman to be less than ~~five twenty-five~~ thousand dollars (~~\$5,000~~); **(\$25,000)**, a publication of notice is not required.

(C) The commission chairman may provide for the publication of additional notices, even if no publication is required by this subsection.

(3) Whenever publication of notice is required by this section, the notice will be published in one (1) newspaper of general circulation in Marion County, Indiana.

(A) If the procurement of equipment, materials, ~~or~~ goods, ~~or~~ services, or the lease of equipment is for more than one (1) license branch facility geographically located outside Marion County, Indiana, the notice may also be published in one (1) or more newspapers of general circulation in a county in which equipment, materials, ~~or~~ goods, ~~or~~ services, or ~~leases the lease of~~ equipment ~~are is~~ to be used.

(B) If the procurement of equipment, materials, ~~or~~ goods, ~~or~~ services, or the lease of equipment is for a single license branch facility geographically located outside Marion County, Indiana, or the procurement of equipment, materials, ~~or~~ goods, ~~or~~ services, or the lease of equipment is for multiple license branch facilities located in a single county other than Marion County, Indiana, the notice shall also be published in one (1) newspaper of general circulation in the county in which the equipment, materials, ~~or~~ goods, ~~or~~ services, or the lease of equipment is to be used.

(C) The commission chairman may designate additional newspapers for the publication of notice according to the nature of the procurement.

(4) In addition to the publication requirements of this section, the commission chairman will also give notice in the following manner whenever the ultimate expenditure involved in a procurement of equipment, materials, ~~or~~ goods, ~~or~~ services is estimated

by the commission chairman to exceed ~~ten seventy-five~~ thousand dollars (~~\$10,000~~); **(\$75,000)**, or the total annual rental payments under any equipment lease is estimated by the commission chairman to exceed ~~five twenty-five~~ thousand dollars (~~\$5,000~~); **(\$25,000)**:

(A) The commission chairman will send notices, invitations to bid, requests for offers, or requests for proposals by mail to prospective bidders or offerors known to him.

(B) The commission chairman may post notices on a bulletin board in the commission's office.

(5) The commission chairman will schedule all notices given under this section so as to provide a reasonable amount of time for operation and submission of responses after notification. The period between:

(A) the last publication, mailing, or posting of notices; and

(B) the final date set for submitting bids, offers, or proposals, may not be less than seven (7) calendar days.

Notwithstanding clauses (A) through (B), the commission chairman, with the telephonic or written approval of the site-selection subcommittee, may, based upon the exigencies of the situation and the need to maintain uninterrupted high quality license branch service, decrease the time for preparation and submission of responses after notification to three (3) days.

(c) The competitive sealed bidding process shall be as follows:

(1) The following procedure will be followed by the commission in awarding contracts by competitive sealed bidding:

(A) An invitation for bids shall be issued and must include the following:

(i) A purchase description.

(ii) All contractual terms and conditions applicable to the procurement.

(iii) A statement of the evaluation criteria to be used, including criteria such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose.

(iv) The terms and place for the opening of bids.

(v) A statement concerning whether the bid must be accompanied by a certified check or other evidence of financial responsibility.

(vi) A statement concerning the conditions under which a bid proposal may be cancelled or rejected in whole or in part as specified in this procurement system.

(vii) A statement that any person entering into a contract for equipment, materials, ~~and~~ goods, ~~and~~ services, or ~~leases the lease~~ of equipment will be required to sign a noncollusion affidavit provided by the commission.

(B) Public notice shall be given in the manner required by subsection (b).

(C) Bids will be opened publicly in a public meeting of the commission as designated in the invitation for bids. At the time the bids are opened, the commission chairman or his designee will sign each bid.

(D) Bids will be:

(i) unconditionally accepted without alteration or correction, except as provided in subdivision (3); and

(ii) evaluated based on the requirements set forth in the invitation for bids.

(E) A contract will be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids as analyzed by the commission members.

(2) The following information will be subject to public inspection after the contract award:

(A) The invitation for bids.

(B) A list of all vendors who were sent the invitation for bids.

(C) The name and address of each bidder.

(D) The amount of each bid.

(E) A record showing the name of the successful bidder, the dollar amount of the bid, and the basis on which the award was made.

(F) The entire contents of the contract file, except for proprietary information, ~~which that~~ may have been included with a bid such as:

(i) trade secrets;

(ii) manufacturing process;

(iii) financial information not otherwise publicly available; or

(iv) other data ~~which that~~ does not bear on the competitive goals of public procurement, which was not required by the terms of the invitation for bids itself to be made available for public inspection.

A bidder will identify information ~~which he that the bidder~~ proposes to remain confidential and bind it separately from the remainder of the bid. Requests for public disclosure of information ~~which that~~ a bidder has identified as proprietary will be made to the commission chairman in writing. The commission chairman will examine the information to determine the validity of the bidder's request for confidentiality and will inform the bidder of the decision, which decision will become a part of the contract file.

(3) Withdrawal of a bid will be permitted before the exact date and hour for submission of bids, either by an agent of the bidder bearing proper authorization and identification who will receive and sign for the unopened bid packet, or by the timely receipt of a certified letter or telegram from the bidder. A bid already submitted may be modified by withdrawal of the bid as provided above and by a resubmission of the modified bid in compliance with the original bidding procedures. Neither the staff nor the facilities of the commission will be available to a bidder desiring to make modifications. The commission chairman has the authority to cancel awards or contracts based on bid mistakes when he determines that such action is in the best interest of the commission. Such action may be supported by a written determination made by the commission chairman. This subdivision will also apply to competitive sealed proposals.

(4) At the discretion of the commission chairman, bidders may be required to submit, with their bid, a bid guarantee in the form of a certified check, a cashier's check, or a bond acquired from a surety company authorized to do business in the state. ~~of Indiana.~~ If such is required, the amount of the bid guarantee will be specified in the invitation to bid. Bid guarantees will be returned to bidders, upon request, at the successful completion of the contract. At the discretion of the commission chairman, a successful bidder may be required to submit, after the award has been made, a performance guarantee in the form of a certified check, a cashier's check, or a bond acquired from a surety company authorized to do business in the state. ~~of Indiana.~~ If such is required, the amount of the performance guarantee and the time that it must be submitted will be specified in the invitation to bid. Performance guarantees will be returned, upon request, at the successful completion of the contract. A successful bidder shall be required to submit a noncollusion affidavit provided by the commission.

(d) The process for competitive sealed proposals shall be as follows:

(1) When the commission chairman makes a written determination that the use of competitive sealed bidding is either not practicable or not advantageous to the state or commission, the commission may award a contract using the following procedure instead of competitive sealed bidding as provided by subsection (c):

(A) Proposals will be solicited through a request for proposals, which must include the following:

(i) The factors or criteria that will be used in evaluating the proposals.

(ii) A statement concerning the relative importance of price and the other evaluation factors.

(iii) A statement concerning whether the proposal must be accompanied by a certified check or other evidence of financial responsibility.

(iv) A statement concerning whether discussions may be conducted with responsible offerors, who submit proposals determined to be reasonably susceptible of being selected for award, for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements.

(B) Public notice will be given in the same manner as required by subsection (b).

(C) Proposals will be opened so as to avoid disclosure of contents to competing offerors during the process of negotiation.

(D) A register of proposals will be prepared and must be opened for public inspection after contract award. The register of proposals must contain the following:

(i) The request for proposals.

(ii) A list of all vendors who were sent the request for proposals.

(iii) The name and address of each offeror.

(iv) The amount of each offer.

(v) A record showing the name of the successful offeror, the dollar amount of the offer, and the basis on which the award was made.

(vi) The entire contents of the contract file, except for proprietary information, ~~which that~~ may have been included with an offer such as:

(AA) trade secrets;

(BB) manufacturing processes;

(CC) financial information not otherwise publicly available; or

(DD) other data ~~which that~~ does not bear on the competitive goals of public procurement ~~which that~~ was not required by the terms of the request for proposals itself to be made available for public inspection.

An offeror will identify information ~~which he that the offeror~~ proposes to remain confidential and bind it separately from the remainder of his ~~or her~~ offer.

Requests for public disclosure of information ~~which that~~ an offeror has identified as proprietary will be made to the commission chairman in writing. The commission chairman will examine the information to determine the validity of the offeror's request for confidentiality and will inform the offeror of the decision, which decision will become a part of the contract file. After opening, but prior to the contract award, ~~the following information will be subject to public inspection:~~ the request for proposals, a list of all vendors who received the request for proposal, and the name and address of each offeror **will be subject to public inspection.**

(E) As provided in the request for proposals, discussions may be conducted with responsible and responsive offerors, who submit proposals determined to be reasonably susceptible of being selected for award, for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements. Offerors must be accorded fair and equal treatment with respect to any opportunity for discussion and revisions of proposals.

(F) No discussions will be held with an offeror whose proposal fails to meet a mandatory requirement of the request for proposals.

(G) Discussions will be held to:

(i) promote understanding of the commission's requirements and the offeror's proposals; and

(ii) facilitate arriving at a contract that will be most advantageous to the commission taking into consideration price and other evaluation factors set forth in the request for proposals.

In conducting discussions, there must be no disclosure of any information derived from proposals submitted by competing offerors. The only factors or criteria that may be used in the evaluation of proposals are those specified in the request for proposals. The requirements of the commission as outlined in the request for proposal will not be altered.

(H) After identification of the responsible and responsive offeror whose proposal appears to be the most advantageous to the commission, the commission will enter into contract preparation activities with the offeror. If at any time the contract preparation activities are judged to be ineffective, the commission may cease all activities with the offeror and begin contract preparation activities with the next highest ranking offeror. This process may continue until a completed contract is executed. The commission reserves the right to cease all contract preparation activities at any time and to reject all proposals if such action is determined by the commission chairman to be in the best interest of the commission.

(I) Award will be made to the responsible and responsive offeror whose proposal is determined in writing to be the most advantageous to the commission taking into consideration price and the other evaluation factors set forth in the request for proposals.

(2) At the discretion of the commission chairman, offerors may be required to submit, with their proposal, a proposal guarantee in the form of a certified check, a cashier's check, or a bond acquired from a surety company authorized to do business in the state. ~~of Indiana~~. If such is required, the amount of the proposal guarantee will be specified in the request for proposals. Proposal guarantees will be returned to offerors, upon request, after the execution of the contract. At the discretion of the commission chairman, a successful offeror may be required to submit, after the award has been made, a performance guarantee in the form of a certified check or a bond acquired from a surety company authorized to do business in the state. ~~of Indiana~~. If such is required, the amount of the performance guarantee and the time that it must be submitted will be specified in the request for proposal. Performance guarantees will be returned, upon request, at the successful completion of the contract.

(e) The process for cancellation or rejection of solicitations shall be as follows:

(1) Prior to opening, a solicitation (a solicitation of bids or a request for proposals) may be cancelled in whole or in part when the commission chairman determines in writing that such action is in the best interest of the commission for reasons, including, but not limited to, the following:

(A) The commission no longer requires the procurement of equipment, materials, ~~or~~ goods, ~~or~~ services, or ~~leases the lease of~~ equipment.

(B) The commission no longer can reasonably expect to fund the procurement.

(C) Proposed amendments to the solicitation would be of such magnitude that a new solicitation is desirable.

(2) When a solicitation is cancelled prior to opening, notice of cancellation will be sent to all businesses ~~which that~~ submitted a bid or proposal. The notice of cancellation will:

(A) identify the solicitation; and

(B) cite the reason for cancellation.

The reason for cancellation will be made part of the procurement file and will be available for public inspection.

(3) After opening but prior to award, all bids or proposals may be rejected in whole or in part when the commission determines, in writing, that such action is in the commission's best interest for reasons, including, but not limited to, the following:

(A) The procurement of equipment, materials, ~~or~~ goods, ~~or~~ services, or ~~leases the lease of~~ equipment is no longer required.

(B) Ambiguous or otherwise inadequate specifications were part of the solicitation.

(C) Prices exceed available funds, and it would not be appropriate to adjust quantities to come within available funds.

(D) All otherwise acceptable bids or proposals received are at clearly unreasonable prices.

(E) There is reason to believe that the bids or proposals:

(i) may not have been independently arrived at in open competition;

(ii) may have been collusive; or

(iii) may have been submitted in bad faith.

(4) When a solicitation is cancelled after opening but prior to award, a notice or rejection will be sent to all businesses ~~which that~~

submitted a bid or proposal. The notice of cancellation will:

- (A) identify the solicitation; and
- (B) cite the reason for cancellation.

The reason for rejection will be made part of the procurement file and will be available for public inspection.

(5) After opening but prior to award, individual bids or proposals may be formally rejected when the commission makes a written determination that:

- (A) the business that submitted the bid or proposal is not responsible;
- (B) the bid or proposal is not responsive in that it does not conform in all material respects to the requirements of the solicitation; and
- (C) the equipment, materials, ~~or~~ goods, ~~or~~ services, or ~~leases the lease~~ of equipment offered ~~are is~~ unacceptable by reason of their failure to meet the requirements of the specifications or permissible alternatives or other acceptability criteria set forth in the solicitation.

The determination will be made a part of the contract file.

(f) Types of contract; prohibited contract shall be as follows:

(1) Any type of contract not otherwise prohibited by law or policy may be used. A firm, fixed price contract, however, is preferred. Any other type of contract may be used only when the commission determines that such use is in the commission's best interest. Any solicitation will include notice of the contract terms and conditions.

(2) Among the factors ~~which that~~ may be considered in selecting contract type are the following:

- (A) The type or complexity of the procurement of equipment, materials, ~~or~~ goods, ~~or~~ services, or ~~leases the lease~~ of equipment.
- (B) The difficulty of estimating performance costs, such as the inability of the commission to develop definitive specifications, to identify the risks to the contractor inherent in the nature of the work to be performed, or otherwise establish clearly the requirements of the contract.
- (C) The administrative costs to both parties.
- (D) The degree to which the commission must provide technical coordination during the performance of the contract.
- (E) The effect of the choice type on the amount of compensation to be expected.
- (F) The stability of material or commodity market prices or wage levels.
- (G) The urgency of the requirement.
- (H) The length of contract performance.
- (I) Federal requirements.

(3) A contract may contain an option for renewal or extension of its terms not otherwise prohibited by law or policy without modification for a specified period of time; however:

- (A) exercise of the option is at the discretion of the commission with mutual agreement by the contractor;
- (B) notice of such provision must be included in any solicitation;
- (C) such renewal or extension must be approved by the commission; and
- (D) such a contract for equipment, materials, ~~or~~ goods, ~~or~~ services, or the lease of equipment may be entered into for any period of time not to exceed one (1) year for equipment, materials, ~~or~~ goods, or services, or three (3) years for ~~leases the lease~~ of equipment if:
 - (i) the term of the contract and the conditions for renewal or extension, if any, are included in the solicitation;
 - (ii) funds are available for the first full year of the contract at the time of contracting;
 - (iii) the solicitation and contract specify that payment and performance obligations for succeeding fiscal years are subject to appropriation and availability of funds for these years; and
 - (iv) the solicitation requires that each bidder or offeror estimate the value of any nonrecurring costs ~~which that~~ will have been incurred but amortized, should the contract be ~~cancelled~~: **canceled**.

(g) Modification and termination of contracts for the procurement of equipment, materials, ~~or~~ goods, ~~or~~ services, or ~~leases the lease~~ of equipment shall be as follows:

(1) A fixed price contract with price adjustment provides for variation in the contract price under special conditions defined in the contract. The formula or other basis by which adjustment in contract price can be made will be specified in the solicitation and resulting contract. Any modifications or adjustments shall comply with all applicable law and policy. Adjustment allowed may be upward ~~or~~ downward, or both.

(2) Some, but not all, of special conditions for which contract adjustment provisions may be permitted by the commission chairman to be included in a fixed price contract include changes due to rapid and substantial price fluctuations, which can be related to an accepted index (such as contracts for gasoline, heating oils, and dental gold alloy) or rates controlled by law.

(Bureau of Motor Vehicles; 140 IAC 8-2-4; filed Apr 27, 1989, 5:30 p.m.: 12 IR 1735; errata filed Aug 10, 1992, 3:00 p.m.: 15 IR

2595)

SECTION 6. UNDER IC 4-22-2.5-3, 140 IAC 8-3-1.1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

Rule 3. Service Charges

140 IAC 8-3-1.1 Pull service charge

Authority: IC 9-14-2-2; IC 9-29-3-19

Affected: IC 9-16-1-5; IC 9-29-3

Sec. 1.1. (a) The pull service charge is the charge that the bureau of motor vehicles commission shall require for a requested low numbered ~~passenger~~ motor vehicle registration plate or a special numbered ~~passenger~~ motor vehicle registration plate as defined in subsections (b) through (c).

(b) As used in this rule, “low numbered ~~passenger~~ motor vehicle registration plate” means any ~~passenger~~ motor vehicle registration plate numbered from one (1) to one hundred (100) **before or** after the county designation number ~~and or~~ letter series designation, **or both**.

(c) As used in this rule, “special numbered ~~passenger~~ motor vehicle registration plate” means any plate, other than a low numbered ~~passenger~~ motor vehicle registration plate, requested for issuance out of its established numerical sequence.

(d) The pull service charge for a low numbered ~~passenger~~ motor vehicle registration plate or a special numbered ~~passenger~~ motor vehicle registration plate is ~~twenty-five~~ **thirty** dollars (~~\$25~~), (**\$30**), regardless of the remaining life of the plate, to be collected at the time of issuance.

(e) All bureau of motor vehicle and bureau of motor vehicle commission employees are prohibited from requiring, receiving, suggesting, or condoning any political contribution or other unauthorized payment in exchange for a low or special numbered ~~passenger~~ motor vehicle registration plate. Any employee found to be in violation of this policy shall be subject to immediate dismissal from employment. Any other person who requires, receives, suggests, or condones a political contribution or other unauthorized payment for a low or special numbered ~~passenger~~ motor vehicle registration plate or assignment thereof, shall be barred from participation in this allocation program and may be subject to criminal sanctions.

(f) All amounts collected under this section shall be deposited in the state license branch fund. *(Bureau of Motor Vehicles; 140 IAC 8-3-1.1; filed Jan 16, 1990, 5:00 p.m.: 13 IR 1014, eff Jan 1, 1990 [IC 4-22-2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #89-124 was filed Jan 16, 1990.]; filed Nov 13, 1997, 12:00 p.m.: 21 IR 1260, eff Jan 1, 1998)*

SECTION 7. UNDER IC 4-22-2.5-3, 140 IAC 8-3-3 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

140 IAC 8-3-3 Forms service charge

Authority: IC 9-14-2-2; IC 9-29-3-19

Affected: IC 9-16-1-5; IC 9-29-3

Sec. 3. (a) The forms fee is the service charge that all license branches shall charge for providing specified forms.

(b) The forms service charge for providing the following specified forms shall be **five dollars (\$5) for each of the following specified forms:**

- | | |
|---|-----|
| (1) Power of attorney. | \$† |
| (2) Affidavit for transfer of certificate of title for a vehicle without estate administration. | \$† |
| (3) Affidavit—hold harmless. | \$† |
| (4) Affidavit of ownership. | \$† |
| (5) Affidavit—personal name change. | \$† |
| (6) Affidavit—one (1) and the same person. | \$† |

(c) All amounts collected under this section shall be deposited in the state license branch fund. *(Bureau of Motor Vehicles; 140*

IAC 8-3-3; filed Dec 5, 1988, 8:10 a.m.: 12 IR 908; filed Nov 13, 1997, 12:00 p.m.: 21 IR 1261, eff Jan 1, 1998)

SECTION 8. UNDER IC 4-22-2.5-3, 140 IAC 8-3-4 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

140 IAC 8-3-4 Speed title service charge

Authority: IC 9-14-2-2; IC 9-29-3-19

Affected: IC 9-16-1-5; IC 9-17-2; IC 9-29-3; IC 9-29-4-3

Sec. 4. (a) The speed title fee is the service charge that all license branches shall charge for processing motor vehicle titles in a processing period substantially shorter than the normal processing period. This **speed title** service charge shall be **collected** in addition to:

(1) the title fee **under IC 9-29-4;**

(2) **the title service charge** prescribed in IC 9-29-3;

(3) **any applicable title fee increase established by rule under 140 IAC 8-4; and**

(4) **any other applicable title service charge under this rule.**

(b) The speed title service charge shall be ~~twenty~~ **twenty-five** dollars (~~\$20~~): (**\$25**).

(c) All amounts collected under this section shall be deposited in the state license branch fund. (*Bureau of Motor Vehicles; 140 IAC 8-3-4; filed Dec 5, 1988, 8:10 a.m.: 12 IR 908; errata filed Aug 10, 1992, 3:00 p.m.: 15 IR 2595; filed Nov 13, 1997, 12:00 p.m.: 21 IR 1261, eff Jan 1, 1998*)

SECTION 9. UNDER IC 4-22-2.5-3, 140 IAC 8-3-5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

140 IAC 8-3-5 Duplicate or corrected registration service charges

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22

Affected: IC 9-16-1-5; IC 9-18-2; IC 9-29-3-18

Sec. 5. (a) The duplicate or corrected registration service charge is the service charge under subsection (b) that all license branches shall charge for the issuance of a duplicate or corrected vehicle registration. The duplicate or corrected registration service charge shall be collected in addition to the applicable statutory fee and any applicable fee increase established by rule under 140 IAC 8-4.

(b) ~~Notwithstanding IC 9-29-3-18,~~ The duplicate or corrected registration service charge, **which includes the service charge amount under IC 9-29-3-18,** shall be ~~two~~ **five** dollars (~~\$2~~): (**\$5**).

(c) All amounts collected under this section shall be deposited in the state license branch fund. (*Bureau of Motor Vehicles; 140 IAC 8-3-5; filed Dec 5, 1988, 8:10 a.m.: 12 IR 908; filed Nov 13, 1997, 12:00 p.m.: 21 IR 1261, eff Jan 1, 1998*)

SECTION 10. UNDER IC 4-22-2.5-3, 140 IAC 8-3-8 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

140 IAC 8-3-8 Vehicle registration service charge

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22

Affected: IC 9-16-1-5; IC 9-18-1; IC 9-29-3-4; IC 9-29-5

Sec. 8. (a) The vehicle registration service charge is the service charge, originally set forth in IC 9-29-3-4, that all license branches shall charge for the issuance of a vehicle registration or a temporary registration permit under IC 9-18-1.

(b) ~~Notwithstanding IC 9-29-3-4,~~ The vehicle registration service charge, **which includes the service charge amounts under IC 9-29-3-4,** shall be ~~two~~ **five** dollars and twenty-five cents (~~\$2.25~~) (**\$5.25**) at each branch for each registration. Of this service charge, one dollar and twenty-five cents (\$1.25) shall be withheld from the applicable statutory fee, and ~~one dollar (\$1)~~ **four dollars (\$4)** shall be collected in addition to the applicable statutory fee, any applicable fee increase established by rule under 140 IAC 8-4, and any other applicable service charge under this rule.

(c) All amounts collected under this section shall be deposited in the state license branch fund. (*Bureau of Motor Vehicles; 140 IAC 8-3-8; filed Dec 12, 1990, 2:00 p.m.: 14 IR 1002; errata filed Aug 10, 1992, 3:00 p.m.: 15 IR 2596; filed Nov 13, 1997, 12:00*)

p.m.: 21 IR 1262, eff Jan 1, 1998)

SECTION 11. UNDER IC 4-22-2.5-3, 140 IAC 8-3-12 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

140 IAC 8-3-12 Title service charge

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22

Affected: IC 9-16-1-5; IC 9-17-1; IC 9-29-3-5; IC 9-29-4; IC 9-29-14

Sec. 12. (a) The title service charge is the service charge under subsection (b) that all license branches shall collect for processing a vehicle certificate of title under IC 9-17-1.

(b) ~~Notwithstanding IC 9-29-3-5,~~ The title service charge, **which includes the service charge amount under IC 9-29-3-5,** shall be ~~two five~~ **five** dollars (~~\$2~~): (**\$5**). Of this service charge, one dollar (\$1) shall be withheld from the applicable statutory fee, and ~~one dollar (\$1)~~ **four dollars (\$4)** shall be collected in addition to the applicable statutory fee or fees under IC 9-29-4, any applicable fee increase established by rule under 140 IAC 8-4, and any other applicable service charge under this rule.

(c) All amounts collected under this section shall be deposited in the state license branch fund. (*Bureau of Motor Vehicles; 140 IAC 8-3-12; filed Nov 13, 1997, 12:00 p.m.: 21 IR 1263, eff Jan 1, 1998*)

SECTION 12. 140 IAC 8-3-13 IS AMENDED TO READ AS FOLLOWS:

140 IAC 8-3-13 Delinquent title service charge

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22

Affected: IC 9-16-1-5; IC 9-17; IC 9-29-3-6; IC 9-29-4-4; IC 9-29-14

Sec. 13. (a) The delinquent title service charge is the service charge under subsection (b) that all license branches shall charge for a delinquent application for a vehicle certificate of title.

(b) ~~Notwithstanding IC 9-29-3-6,~~ The delinquent title service charge, **which includes the service charge amount under IC 9-29-3-6,** shall be ~~seven twelve~~ **twelve** dollars (~~\$7~~): (**\$12**). Of this service charge, two dollars (\$2) shall be withheld from the applicable statutory fee under IC 9-29-4-4, and ~~five ten~~ **ten** dollars (~~\$5~~): (**\$10**) shall be collected in addition to the applicable statutory fee under IC 9-29-4-4, any other applicable statutory fee under IC 9-29-4, any applicable fee increase established by rule under 140 IAC 8-4, and any other applicable service charge under this rule.

(c) All amounts collected under this section shall be deposited in the state license branch fund. (*Bureau of Motor Vehicles; 140 IAC 8-3-13; filed Nov 13, 1997, 12:00 p.m.: 21 IR 1263, eff Jan 1, 1998; errata filed Mar 27, 1998, 9:40 a.m.: 21 IR 2989*)

SECTION 13. 140 IAC 8-3-14 IS AMENDED TO READ AS FOLLOWS:

140 IAC 8-3-14 Special motor vehicle identification number service charge

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22

Affected: IC 9-16-1-5; IC 9-18; IC 9-29-3; IC 9-29-5-22; IC 9-29-14

Sec. 14. (a) The special motor vehicle identification number service charge is the service charge under subsection (b) that all license branches shall charge for the issuance of a special motor vehicle identification number. This fee shall be in addition to the applicable statutory fee for the issuance of a special motor vehicle identification number under IC 9-29-5-22, any other applicable statutory fee, any applicable fee increase established by rule under 140 IAC 8-4, and any other applicable service charge under this rule.

(b) The special motor vehicle identification number service charge shall be ~~one dollar~~ **four dollars** and fifty cents (~~\$1.50~~): (**\$4.50**).

(c) All amounts collected under this section shall be deposited in the state license branch fund. (*Bureau of Motor Vehicles; 140 IAC 8-3-14; filed Nov 13, 1997, 12:00 p.m.: 21 IR 1263, eff Jan 1, 1998*)

SECTION 14. 140 IAC 8-3-15 IS AMENDED TO READ AS FOLLOWS:

140 IAC 8-3-15 Transfer of vehicle registration service charge

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22

Affected: IC 9-16-1-5; IC 9-18; IC 9-29-3; IC 9-29-5-23; IC 9-29-14

Sec. 15. (a) The transfer of vehicle registration service charge is the service charge under subsection (b) that all license branches shall charge for the issuance of a transferred vehicle registration.

(b) The transfer of vehicle registration service charge shall be ~~two five~~ **five** dollars (~~\$2~~): (**\$5**). Of this service charge, one dollar (\$1) shall be withheld from the statutory fee under IC 9-29-5-23, ~~and one dollar (\$1)~~ **four dollars (\$4)** shall be collected in addition to the applicable statutory fee, any other applicable statutory fee, any applicable fee increase established by rule under 140 IAC 8-4, and any other applicable service charge under this rule, provided that the service charge established under section 8 of this rule shall not apply to the issuance of a transferred vehicle registration.

(c) All amounts collected under this section shall be deposited in the state license branch fund. (*Bureau of Motor Vehicles; 140 IAC 8-3-15; filed Nov 13, 1997, 12:00 p.m.: 21 IR 1264, eff Jan 1, 1998*)

SECTION 15. 140 IAC 8-3-16 IS AMENDED TO READ AS FOLLOWS:

140 IAC 8-3-16 Miscellaneous special license plate service charge

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22

Affected: IC 9-16-1-5; IC 9-18; IC 9-29-5

Sec. 16. (a) The miscellaneous special license plate service charge is the applicable service charge under subsection (b) that all license branches shall charge for the issuance of:

- (1) a personalized license plate issued under IC 9-18-15;
- (2) an amateur radio operator's license plate issued under IC 9-18-23;
- (3) a special group recognition license plate issued under IC 9-18-25;
- (4) an environmental license plate issued under IC 9-18-29;
- (5) a children's trust license plate issued under IC 9-18-30; and
- (6) an education license plate issued under IC 9-18-31.

(b) The miscellaneous special license plate service charge shall be ~~one dollar (\$1)~~ **four dollars (\$4)**. The miscellaneous special license plate service charge shall be collected in addition to the applicable statutory fees under ~~IC 9-29-5, IC 9-29-5-32, IC 9-29-5-36, and IC 9-29-5-38~~, any applicable fee increase established by rule under 140 IAC 8-4, and any other applicable service charge under this rule.

(c) All service charges collected under this section shall be deposited in the state license branch fund. (*Bureau of Motor Vehicles; 140 IAC 8-3-16; filed Nov 13, 1997, 12:00 p.m.: 21 IR 1263, eff Jan 1, 1998*)

SECTION 16. 140 IAC 8-3-17 IS AMENDED TO READ AS FOLLOWS:

140 IAC 8-3-17 Civic event license plate fee and service charge

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22; IC 9-29-5-37

Affected: IC 9-16-1-5; IC 9-18-24; IC 9-29-3; IC 9-29-14

Sec. 17. (a) The civic event license plate fee is the fee to be established by rule under IC 9-29-5-37 for a civic event license plate issued under IC 9-18-24.

(b) The civic event license plate service charge is the service charge under subsection (d) that shall be charged for the issuance of a civic event license plate under IC 9-18-24.

(c) The civic event license plate fee shall be ~~five eight~~ **eight** dollars (~~\$5~~): (**\$8**).

(d) The civic event license plate service charge shall be ~~five eight~~ **eight** dollars (~~\$5~~) (**\$8**) and shall be collected in addition to the fee established in this section and any applicable fee increase established by rule under 140 IAC 8-4.

(e) All civic event license plate service charges shall be deposited in the state license branch fund.

(f) All civic event license plate fees shall be deposited with the treasurer of the state and credited to the motor vehicle highway account. (*Bureau of Motor Vehicles; 140 IAC 8-3-17; filed Nov 13, 1997, 12:00 p.m.: 21 IR 1264, eff Jan 1, 1998; errata filed Mar 27, 1998, 9:40 a.m.: 21 IR 2989*)

SECTION 17. 140 IAC 8-3-18 IS AMENDED TO READ AS FOLLOWS:

140 IAC 8-3-18 Additional service charge for permits and licenses

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22

Affected: IC 9-16-1-5; IC 9-24; IC 9-29-3-8

Sec. 18. (a) The additional service charge for permits and licenses is the applicable service charge under subsection (b) that all license branches shall charge for the issuance of the applicable permit or license to operate a motor vehicle, other than a commercial driver's license or permit, under IC 9-24-1. The additional service charge for permits and licenses shall be collected in addition to the applicable statutory fee for the applicable permit or license, the applicable fee increase established by rule under 140 IAC 8-4 for such permit or license, and any other applicable service charge currently withheld from the statutory fee under IC 9-29-3 provided that, notwithstanding IC 9-29-3-8, the applicable service charge currently withheld from the statutory fee for an operator's license or a motorcycle operator's license is established under section 9 of this rule.

(b) The additional service charges for permits and licenses are as follows:

(1) ~~One dollar (\$1)~~ **Four dollars (\$4)** for the following:

(A) A learner's permit issued under IC 9-24-7.

(B) A motorcycle learner's permit issued under IC 9-24-8.

(C) A duplicate or amended learner's permit or motorcycle learner's permit issued under IC 9-24-14.

(2) ~~Two Five dollars (\$2) (\$5)~~ for the following:

(A) An operator's license issued under IC 9-24-11.

(B) A motorcycle operator's license issued under IC 9-24-8.

(C) A chauffeur's license issued under IC 9-24-4.

(D) A public passenger chauffeur's license issued under IC 9-24-5.

(E) A motorcycle endorsement of an operator's license or a chauffeur's license issued under IC 9-24-8.

(F) A duplicate or amended operator's license, chauffeur's license, public passenger chauffeur's license, or motorcycle operator's license issued under IC 9-24-14.

(3) ~~One dollar (\$1)~~ **Four dollars and fifty cents (\$4.50)** for a motorcycle endorsement of a public passenger chauffeur's license.

(c) All amounts collected under this section shall be deposited in the state license branch fund. (*Bureau of Motor Vehicles; 140 IAC 8-3-18; filed Nov 13, 1997, 12:00 p.m.: 21 IR 1265, eff Jan 1, 1998*)

SECTION 18. 140 IAC 8-3-19 IS AMENDED TO READ AS FOLLOWS:

140 IAC 8-3-19 Commercial driver's license service charge

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22

Affected: IC 9-16-1-5; IC 9-24-6; IC 9-29-9; IC 9-29-14

Sec. 19. (a) The commercial driver's license service charge is the applicable service charge under subsection (b) that all license branches shall charge for the applicable permit or license to operate a commercial motor vehicle under IC 9-24-6.

(b) The applicable commercial driver's license service charge shall be as follows:

(1) For a commercial driver's license learner's permit, the commercial driver's license service charge shall be ~~two five dollars (\$2) (\$5)~~ and shall be collected in addition to the fee established by rule under 140 IAC 7-3-15(a)(3).

(2) For a duplicate or amended commercial driver's license learner's permit, the commercial driver's license service charge shall be ~~one dollar (\$1)~~ **four dollars (\$4)** and shall be collected in addition to the fee established by rule under 140 IAC 7-3-15(a)(4).

(3) For a commercial driver's license endorsement issued at the time of application for the license that is to be endorsed, or for a commercial driver's license endorsement at any time other than the time of application for the license that is to be endorsed, the service charge shall be ~~one dollar (\$1)~~ **four dollars (\$4)** and shall be collected in addition to the applicable fee under 140 IAC 7-3-

15 and the applicable service charge withheld from such fee under 140 IAC 7-3-15.

(c) All amounts collected under this section shall be deposited in the state license branch fund. *(Bureau of Motor Vehicles; 140 IAC 8-3-19; filed Nov 13, 1997, 12:00 p.m.: 21 IR 1265, eff Jan 1, 1998)*

SECTION 19. 140 IAC 8-3-20 IS AMENDED TO READ AS FOLLOWS:

140 IAC 8-3-20 Identification card service charge

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22

Affected: IC 9-16-1-5; IC 9-24-16; IC 9-29-3-14; IC 9-29-9-15; IC 9-29-14

Sec. 20. (a) The identification card service charge is the service charge under subsection (b) that all license branches shall charge for the issuance of an identification card under IC 9-24-16. The identification card service charge shall be collected in addition to the applicable statutory fee for the issuance of an identification card and the applicable service charge currently withheld from the statutory fee under IC 9-29-3-14.

(b) The identification card service charge shall be ~~one dollar (\$1)~~; **four dollars (\$4)**.

(c) All amounts collected under this section shall be deposited in the state license branch fund. *(Bureau of Motor Vehicles; 140 IAC 8-3-20; filed Nov 13, 1997, 12:00 p.m.: 21 IR 1265, eff Jan 1, 1998)*

SECTION 20. 140 IAC 8-3-21 IS ADDED TO READ AS FOLLOWS:

140 IAC 8-3-21 Duplicate or replacement license plate service charge increase

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22

Affected: IC 9-16-1-5; IC 9-18-2; IC 9-29-5-17

Sec. 21. (a) **The duplicate or replacement license plate service charge is the service charge under subsection (b) that all license branches shall charge for the issuance of a duplicate or replacement license plate. The duplicate or replacement license plate service charge shall be collected in addition to the applicable statutory fee, any applicable fee increase established by rule under 140 IAC 8-4, and any other applicable service charge under this rule.**

(b) **The duplicate or replacement license plate service charge shall be five dollars (\$5).**

(c) **All amounts collected under this section shall be deposited in the state license branch fund.** *(Bureau of Motor Vehicles; 140 IAC 8-3-21)*

SECTION 21. 140 IAC 8-3-22 IS ADDED TO READ AS FOLLOWS:

140 IAC 8-3-22 Duplicate title service charge increase

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22

Affected: IC 9-16-1-5; IC 9-17; IC 9-29-4-5; IC 9-29-3-5

Sec. 22. (a) **The duplicate title service charge is the service charge under subsection (b) that all license branches shall charge for the issuance of a duplicate title. The duplicate title service charge shall be collected in addition to the applicable statutory fee, any applicable fee increase established by rule under 140 IAC 8-4, and any other applicable service charge under this rule.**

(b) **The duplicate title service charge shall be four dollars (\$4).**

(c) **All amounts collected under this section shall be deposited in the state license branch fund.** *(Bureau of Motor Vehicles; 140 IAC 8-3-22)*

SECTION 22. 140 IAC 8-3-23 IS ADDED TO READ AS FOLLOWS:

140 IAC 8-3-23 Watercraft certificate of title service charge

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22 IC 9-31-1-5

Affected: IC 9-16-1-5; IC 9-29-15-1; IC 9-31

Sec. 23. (a) The watercraft certificate of title service charge is the service charge under subsection (b) that all license branches shall charge for the issuance of a watercraft certificate of title. The watercraft certificate of title service charge shall be collected in addition to the applicable statutory fee, any applicable fee increase established by rule under 140 IAC 8-4, and any other applicable service charge under this rule.

(b) The watercraft certificate of title service charge shall be three dollars (\$3).

(c) All amounts collected under this section shall be deposited in the state license branch fund. *(Bureau of Motor Vehicles; 140 IAC 8-3-23)*

SECTION 23. 140 IAC 8-3-24 IS ADDED TO READ AS FOLLOWS:

140 IAC 8-3-24 Late application for watercraft certificate of title service charge

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22; IC 9-31-1-5

Affected: IC 9-16-1-5; IC 9-29-15-3; IC 9-31

Sec. 24. (a) The late application for watercraft certificate of title service charge is the service charge under subsection (b) that all license branches shall charge for the processing of a late application for a watercraft certificate of title. The late application for watercraft certificate of title service charge shall be collected in addition to the applicable statutory fee, any applicable fee increase established by rule under 140 IAC 8-4, and any other applicable service charge under this rule.

(b) The late application for watercraft certificate of title service charge shall be seven dollars (\$7).

(c) All amounts collected under this section shall be deposited in the state license branch fund. *(Bureau of Motor Vehicles; 140 IAC 8-3-24)*

SECTION 24. 140 IAC 8-3-25 IS ADDED TO READ AS FOLLOWS:

140 IAC 8-3-25 Hull identification number service charge

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22; IC 9-31-1-5

Affected: IC 9-16-1-5; IC 9-29-15-2; IC 9-31

Sec. 25. (a) The hull identification number service charge is the service charge under subsection (b) that all license branches shall charge for the assignment of a hull identification number for a watercraft. The hull identification number service charge shall be collected in addition to the applicable statutory fee, any applicable fee increase established by rule under 140 IAC 8-4, and any other applicable service charge under this rule.

(b) The hull identification number service charge shall be four dollars (\$4).

(c) All amounts collected under this section shall be deposited in the state license branch fund. *(Bureau of Motor Vehicles; 140 IAC 8-3-25)*

SECTION 25. 140 IAC 8-3-26 IS ADDED TO READ AS FOLLOWS:

140 IAC 8-3-26 Delinquent registration service charge

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22

Affected: IC 9-16-1-5; IC 9-18-2; 9-29-3

Sec. 26. (a) The delinquent registration service charge is the service charge under subsection (d) that all license branches shall charge for processing a delinquent registration.

(b) The delinquent registration service charge shall be collected when a registrant fails to apply and/or provide full payment for the registration of a vehicle, as required by IC 9-18, on or prior to the vehicle registration expiration date.

(c) The delinquent registration service charge shall be collected in addition to the applicable statutory registration fees, any applicable registration fee increase established by rule under 140 IAC 8-4, any applicable tax, and any other applicable service charge under this rule.

(d) The delinquent registration service charge shall be five dollars (\$5).

(e) All amounts collected under this section shall be deposited in the state license branch fund. (Bureau of Motor Vehicles; 140 IAC 8-3-26)

SECTION 26. 140 IAC 8-3-27 IS ADDED TO READ AS FOLLOWS:

140 IAC 8-3-27 Delinquent license renewal service charge

Authority: IC 9-14-2-2; IC 9-29-3-19; IC 9-29-3-22

Affected: IC 9-16-1-5; IC 9-24-12; IC 9-29-3

Sec. 27. (a) The delinquent license renewal service charge is the service charge under subsection (d) that all license branches shall charge for processing an expired driver license.

(b) The delinquent license renewal service charge shall be collected when a driver fails to renew his/her driver license, in accordance with IC 9-24-12, on or prior to the driver license expiration date.

(c) The delinquent license renewal service charge shall be collected in addition to the applicable statutory fees, any applicable fee increase established by rule under 140 IAC 8-4, and any other applicable service charge under this rule.

(d) The delinquent license renewal service charge shall be five dollars (\$5).

(e) All amounts collected under this section shall be deposited in the state license branch fund. (Bureau of Motor Vehicles; 140 IAC 8-3-27)

SECTION 27. 140 IAC 8-3-2 IS REPEALED.

Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-3, notice is hereby given that on August 6, 2001 at 9:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room C, Indianapolis, Indiana the Bureau of Motor Vehicles will hold a public hearing to readopt, amend, repeal, and add 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

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 A. Gibson
Commissioner
Bureau of Motor Vehicles