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2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 1. General Purposes of Title7.1-1-1-1. General Purposes

Sec. 1. The following are the general purposes of this title: (1) To protect the economic welfare, health, peace, and morals of the people of this state. (2) To regulate and limit the manufacture, sale, possession, and use of alcohol and alcoholic beverages. (3) To regulate the sale, possession, and distribution of tobacco products. (4) To provide for the raising of revenue. [Pre-1973 Recodification Citations: 7-1-1-1; 7-1-1-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.250-2003, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 2. Construction and Scope of Title7.1-1-2-1. Construction

Sec. 1. Construction. This title is an exercise of the police powers of the state. The classifications and differentiations made in this title are real and are actually and substantially related to the accomplishment of the purposes of this title. The provisions of this title shall be liberally construed so as to effectuate the purposes of this title. [Pre-1973 Recodification Citation: 7-1-1-1.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 2. Construction and Scope of Title7.1-1-2-2. Scope

Sec. 2. Except as provided in IC 7.1-5-1-3, IC 7.1-5-1-6, IC 7.1-5-7, and IC 7.1-5-8, this title applies to the following: (1) The commercial manufacturing, bottling, selling, bartering, importing, transporting, delivering, furnishing, or possessing of alcohol, alcoholic beverages, industrial alcohol, malt, malt syrup, malt extract, liquid malt or wort. (2) The sale, possession, use, and distribution of tobacco products. [Pre-1973 Recodification Citation: 7-1-1-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.213-2001, SEC.1; P.L.250-2003, SEC.2; P.L.141-2012, SEC.1; P.L.159-2014, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 2. Construction and Scope of Title7.1-1-2-3. Exceptions

Sec. 3. (a) The provisions of this title shall not prohibit the following: (1) The manufacture, sale, possession, transportation, or use of vinegar. (2) The sale or transportation of sacramental wine to a minister, priest, or rabbi for a religious purpose. (3) The manufacture, purchase, possession, transportation, or distribution of sacramental wine for a religious purpose by a minister, priest, or rabbi. (4) The manufacture of wine or beer that is not offered for sale and is used only for the following purposes: (A) Personal or family use. (B) Use in the residence of the person who manufactures the wine or beer. (C) Use at organized affairs or exhibitions. (D) Technical or sensory evaluations. (E) Wine or beer educational seminars. (F) Wine or beer competitions, including contests, tastings, or judgings. (5) The manufacture, sale, possession, transportation, or use of industrial alcohol. (6) Alcoholic beverages held, served, or consumed on airline flights. (b) The transportation and the possession of alcoholic beverages described in subsection (a)(4) shall not be prohibited but shall be subject to the applicable provisions of this title. (c) The manufacture, sale, possession, transportation, or use of alcohol or alcoholic beverages, or a preparation containing alcohol for a medicinal, scientific, or mechanical purpose, shall not be prohibited but shall be controlled, regulated, and confined to permittees as provided in this title. [Pre-1973 Recodification Citation: 7-1-1-4.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.51, SEC.1; P.L.177-1999, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 2. Construction and Scope of Title7.1-1-2-4. Gender and Number

Sec. 4. Gender and Number. For purposes of this title, the masculine gender includes the feminine and where appropriate, the singular number includes the plural. [1973 Recodification Citation: New.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 2. Construction and Scope of Title7.1-1-2-5. Direct and Indirect Prohibition

Sec. 5. Direct and Indirect Prohibition. For the purposes of this title, whenever a person is prohibited from doing a certain act or holding a certain interest directly, he shall be prohibited also from doing that act or holding that interest indirectly. [1973 Recodification Citation: New.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-1. Generally

Sec. 1. Generally. The definitions contained in this chapter shall be applied throughout this title unless the context clearly requires otherwise. [1973 Recodification Citation: New.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-10. "Club"

Sec. 10. The term "club" means an association or corporation which meets the requirements provided in IC 7.1-3-20-1. [Pre-1973 Recodification Citation: 7-1-1-3(c).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.84.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-11. "Commercially"

Sec. 11. Commercially. The term "commercially" means the manufacturing, bottling, selling, bartering, transporting, delivering, furnishing, or possessing of alcohol or alcoholic beverages elsewhere than in one's own residence. [Pre-1973 Recodification Citation: 7-1-1-2.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-12.5. "Consumer Advertising Specialty"

Sec. 12.5. "Consumer advertising specialty" means an item having a fair market value of: (1) not more than three hundred dollars ($300); or (2) more than three hundred dollars ($300) with the prior written approval of the commission; that is designed to be carried away from the retailer or dealer establishment by the consumer. The term includes items such as trading stamps, nonalcoholic mixers, pouring racks, ash trays, bottle or can openers, cork screws, shopping bags, matches, printed recipes, pamphlets, cards, leaflets, blotters, post cards, pencils, shirts, caps, and visors. A consumer advertising specialty must bear conspicuous and substantial advertising matter about the product or the manufacturer or wholesaler that is permanently inscribed or securely affixed. As added by P.L.270-2017, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-12. "Commission"

Sec. 12. The term "commission" means the alcohol and tobacco commission created by this title. [Pre-1973 Recodification Citations: 7-1-1-3(d); 7-1-3-2; 7-2-1-5.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-13.5. "Conviction for Operating While Intoxicated"

Sec. 13.5. "Conviction for operating while intoxicated" means a conviction (as defined in IC 9-13-2-38) for a crime under IC 9-30-5-1 through IC 9-30-5-9, IC 35-46-9-6, or IC 14-15-8 (before its repeal). As added by P.L.204-2001, SEC.16. Amended by P.L.40-2012, SEC.1; P.L.196-2015, SEC.1; P.L.142-2020, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-13.7. "Craft Manufacturer"

Sec. 13.7. "Craft manufacturer" means a person that holds a craft manufacturer's permit. As added by P.L.167-2024, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-13.8. "Craft Manufacturer's Permit"

Sec. 13.8. "Craft manufacturer's permit" means: (1) a small brewery permit under IC 7.1-3-2-7(5); (2) a farm winery permit under IC 7.1-3-12; or (3) an artisan distiller's permit under IC 7.1-3-27. As added by P.L.167-2024, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-13. "Container"

Sec. 13. (a) "Container", except as provided in subsection (b), means a receptacle in which an alcoholic beverage is immediately contained and with which the alcoholic beverage contained in it is in immediate contact. (b) "Container", for purposes of IC 7.1-7, has the meaning set forth in IC 7.1-7-2-5. [Pre-1973 Recodification Citation: 7-1-1-33(g).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.176-2015, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-14.5. "Department"

Sec. 14.5. (a) "Department", except as provided in subsection (b), means the Indiana Department of State Revenue. (b) "Department", for purposes of IC 7.1-7, has the meaning set forth in IC 7.1-7-2-7. Formerly: Acts 1973, P.L.56, SEC.1. As amended by P.L.176-2015, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-14. "Denatured Alcohol"

Sec. 14. Denatured Alcohol. The term "denatured alcohol" means alcohol to which has been added a substance or ingredient for the purpose of producing a compound or mixture which is unlikely to be used as a beverage and which is unfit for human consumption. Denatured alcohol is to be considered a form of industrial alcohol. [Pre-1973 Recodification Citation: 7-1-1-3(g).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.2-1995, SEC.37.

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2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-15.5. "Electronic Cigarette"

Sec. 15.5. "Electronic cigarette", has the meaning set forth in IC 35-46-1-1.5. As added by P.L.20-2013, SEC.1. Amended by P.L.176-2015, SEC.4; P.L.206-2017, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-15. "Drug Store"

Sec. 15. Drug Store. The term "drug store" means a retail business establishment in which medicines and miscellaneous articles are sold. [Pre-1973 Recodification Citation: 7-1-1-20.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-16.4. "Entertainment"

Sec. 16.4. "Entertainment", for purposes of IC 7.1-5-5, means one (1) or more of the following: (1) Participation in a sporting event. (2) Attendance at a sporting event or an event featuring live performances. (3) Meals. (4) Beverages. (5) Ground transportation provided in connection with an activity described in subdivisions (1) through (4). As added by P.L.270-2017, SEC.3. Amended by P.L.216-2019, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-16.5. "Entertainment Complex"

Sec. 16.5. The term "entertainment complex" means a premises that complies with one (1) or more of the following requirements: (1) The premises: (A) is a site for the performance of musical, theatrical, or other entertainment; and (B) includes an area where at least six hundred (600) individuals may be seated at one (1) time in permanent seating. (2) The premises: (A) is located entirely within a five (5) mile radius of the center of a consolidated city; (B) is used by a nonprofit organization primarily as a museum of fine arts, as a fine arts theater, or for the professional performance of musical or theatrical entertainment; and (C) has audience: (i) seating in one (1) or more performance spaces for at least two hundred (200) individuals; or (ii) capacity of at least two hundred (200) individuals and has artist housing on the premises. As added by P.L.71-1996, SEC.1. Amended by P.L.216-2019, SEC.2; P.L.285-2019, SEC.3; P.L.194-2021, SEC.13; P.L.220-2023, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-16.6. "Farm Winery"

Sec. 16.6. The term "farm winery" means a commercial winemaking establishment that produces wine and meets the requirements of IC 7.1-3-12-4. As added by P.L.32-2021, SEC.14.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-16.7. "Flavored Malt Beverage"

Sec. 16.7. The term "flavored malt beverage" means an alcoholic beverage that has all of the following attributes: (1) The alcoholic beverage is made from a malt beverage base that is flavored with aromatic essences or other flavorings in quantities and proportions that result in a product that possesses a character and flavor distinctive from the malt beverage base and is distinguishable from other malt beverages. (2) The label, packaging, container, and any advertising or depiction of the alcoholic beverage disseminated, broadcast, or available in Indiana do not contain any of the following words, or a derivative, version, or non-English translation of the following words: (A) Beer. (B) Lager. (C) Pilsner. (D) Stout. (E) Porter. (F) Ale. (G) Cider. (H) Framboise. (I) Lambic. (J) Draft. (K) Liquor. (L) Bitter. (M) Brew. However, the label and packaging may contain in only one (1) location the words "flavored beer" placed adjacent to each other in type not to exceed two (2) millimeters in height. (3) The alcoholic beverage creates no foam that gives the appearance of beer when the alcoholic beverage is poured from its container. As added by P.L.72-1996, SEC.1. Amended by P.L.194-2021, SEC.14.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-16. "Enforcement Officer"

Sec. 16. The term "enforcement officer" means a person employed by the commission to perform duties pursuant to IC 7.1-2. [Pre-1973 Recodification Citation: 7-2-1-3(a).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.85.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-17. "Fraternal Club"

Sec. 17. The term "fraternal club" means an association or corporation which meets the requirements provided in IC 7.1-3. [Pre-1973 Recodification Citation: 7-1-1-3(c).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.86.

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2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-18.3. "Gift"

Sec. 18.3. "Gift", for purposes of IC 7.1-5-5, means anything of value, including a rebate, sum of money, accessory, furniture, fixture, loan of money, concession, privilege, use, title, interest, or lease, rehabilitation, decoration, improvement, or repair of premises. As added by P.L.270-2017, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-18.5. "Grocery Store"

Sec. 18.5. (a) "Grocery store" means a store or part of a store that is known generally as: (1) a supermarket, grocery store, or delicatessen and is primarily engaged in the retail sale of a general food line, which may include: (A) canned and frozen foods; (B) fresh fruits and vegetables; and (C) fresh and prepared meats, fish, and poultry; (2) subject to subsection (b), a convenience store or food mart and is primarily engaged in: (A) the retail sale of a line of goods that may include milk, bread, soda, and snacks; or (B) the retail sale of automotive fuels and the retail sale of a line of goods that may include milk, bread, soda, and snacks; (3) a warehouse club, superstore, supercenter, or general merchandise store and is primarily engaged in the retail sale of a general line of groceries or gourmet foods in combination with general lines of new merchandise, which may include apparel, furniture, and appliances; or (4) a specialty or gourmet food store primarily engaged in the retail sale of miscellaneous specialty foods not for immediate consumption and not made on the premises, not including: (A) meat, fish, and seafood; (B) fruits and vegetables; (C) confections, nuts, and popcorn; and (D) baked goods. (b) The term includes a convenience store or food mart as described in subsection (a)(2) only if the sale of alcoholic beverages on the premises of the convenience store or food mart represents a percentage of annual gross sales of twenty-five percent (25%) or less of all items sold on the premises, excluding gasoline and automotive oil products. (c) The term does not include an establishment known generally as a gas station that is primarily engaged in: (1) the retail sale of automotive fuels, which may include diesel fuel, gasohol, or gasoline; or (2) the retail sale of automotive fuels, which may include diesel fuel, gasohol, or gasoline and activities that may include providing repair service, selling automotive oils, replacement parts, and accessories, or providing food services. As added by P.L.94-2008, SEC.3. Amended by P.L.9-2024, SEC.270.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-18. "Gallon"

Sec. 18. Gallon. The term "gallon" means a liquid measure containing two hundred thirty-one (231) cubic inches. [Pre-1973 Recodification Citation: 7-1-1-41(e).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-19.5. "Internet Company"

Sec. 19.5. "Internet company" means a person that: (1) has the permits required under this title for the person to conduct business in Indiana; (2) does business in more than one (1) state or country; and (3) solicits orders for the sale of alcoholic beverages to a person in Indiana through the Internet. As added by P.L.204-2001, SEC.17.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-19.6. "Jumbo Boat"

Sec. 19.6. The term "jumbo boat" means a vessel having a length of at least one hundred thirty-five (135) feet and a width of at least thirty-five (35) feet. The term does not include a riverboat (as defined in IC 4-33-2-17). As added by P.L.285-2019, SEC.4. Amended by P.L.194-2021, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-19.7. "Law Enforcement Officer"

Sec. 19.7. "Law enforcement officer", for purposes of IC 7.1-5-1-6.5, has the meaning set forth in IC 35-31.5-2-185. As added by P.L.93-2012, SEC.1. Amended by P.L.114-2012, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-19. "Hotel"

Sec. 19. The term "hotel" means an establishment which meets the requirements provided in IC 7.1-3-20-18. [Pre-1973 Recodification Citation: 7-1-1-3(n).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.79-1986, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-2. "Accommodations"

Sec. 2. Accommodations. The term "accommodations" means the seating capacity for the serving of food in a room in which alcoholic beverages are sold. It does not mean any accommodation or seating capacity in the sleeping quarters in a hotel. [Pre-1973

Recodification Citation: 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-20.5. "Limited Liability Company"

Sec. 20.5. The term "limited liability company" has the meaning set forth in IC 23-18-1-11. As added by P.L.51-1994, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-20.7. "Limited Partnership"

Sec. 20.7. The term "limited partnership" has the meaning set forth in IC 23-16-1-9. As added by P.L.105-1995, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-20. "Licensed Premises"

Sec. 20. Licensed Premises. The term "licensed premises" means a building, or part of a building, in which alcoholic beverages are authorized by a permit to be kept, manufactured, or sold. The term does not mean the residential portion of a building in which alcoholic beverages are not kept, manufactured, sold, furnished, or given away under the permit, nor does it mean a separate room furnished a guest as sleeping quarters in a club or hotel. [Pre-1973 Recodification Citation: 7-2-1-7.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-21. "Liquor"

Sec. 21. Liquor. The term "liquor" means an alcoholic beverage containing alcohol obtained by distillation. The term also means a wine that contains twenty-one per cent (21%), or more, of alcohol reckoned by volume. However, the term does not include industrial alcohol. [Pre-1973 Recodification Citation: 7-1-1-3(o).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-22. "Local Board"

Sec. 22. The term "local board" means a local alcoholic beverage board of a county created pursuant to the provisions of IC 7.1-2-4. [Pre-1973 Recodification Citation: 7-1-1-5 (cl. 19).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.87.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-23. "Malt Articles"

Sec. 23. Malt Articles. The term "malt articles" means malt, malt syrup, malt extract, liquid malt, or wort, and their containers. [Pre-1973 Recodification Citation: 7-1-1-3(q).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-24. "Member of a Club"

Sec. 24. The term "member of a club" means a person who meets the requirements provided in IC 7.1-3-20-6. [Pre-1973 Recodification Citation: 7-1-1-3(h).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.88.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-25. "Minor"

Sec. 25. "Minor" means a person less than twenty-one (21) years of age. [1973 Recodification Citation: New.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.176-2015, SEC.5; P.L.49-2020, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-26.2. "Mixed Beverage"

Sec. 26.2. "Mixed beverage" means a prepared cordial, cocktail, or highball that is in a can or container that holds not more than twenty-four (24) ounces of the beverage and is a mixture of: (1) whiskey, neutral spirits, brandy, gin, or another distilled spirit; and (2) carbonated or plain water, pure juice from a flower or plant, or other flavoring materials; that is suitable for immediate consumption and contains not less than five-tenths percent (0.5%) of alcohol by volume and not more than fifteen percent (15%) of alcohol by volume. As added by P.L.41-2024, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-26.3. "Motor Vehicle"

Sec. 26.3. "Motor vehicle" means a vehicle that is self-propelled. As added by P.L.106-1995, SEC.1. Amended by P.L.221-2014, SEC.6.

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2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-26.5. "Nonalcoholic Malt Beverage"

Sec. 26.5. The term "nonalcoholic malt beverage" means a liquid that: (1) is fit for human consumption; (2) is reasonably likely or is intended to be used as a beverage; (3) is produced: (A) in a manner similar to beer; and (B) from ingredients similar to beer; and (4) contains less than one-half percent (0.5%) alcohol by volume. As added by P.L.52-1992, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-26. "Misbranded Alcoholic Beverage"

Sec. 26. Misbranded Alcoholic Beverage. The term "misbranded alcoholic beverage" means: (a) An alcoholic beverage that is not plainly labeled, marked, or otherwise designated in compliance with the rules and regulations of the commission; or, (b) An alcoholic beverage sold or offered for sale under an unregistered brand, copyright, or label, or under a false or pretended brand or label. [Pre-1973 Recodification Citations: 7-1-1-5(13); 7-1-1-33(b).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-27. "One-Way Permit"

Sec. 27. One-Way Permit. The term "one-way permit" means a beer retailer's permit issued to a permittee. [Pre-1973 Recodification Citation: 7-3-4-2.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-28.5. "Partnership"

Sec. 28.5. The term "partnership" has the meaning set forth in IC 23-4-1-6. As added by P.L.51-1994, SEC.2. Amended by P.L.105-1995, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-28. "Package Liquor Store"

Sec. 28. The term "package liquor store" means a place or establishment that meets the requirements provided in IC 7.1-3-10, and whose exclusive business is the retail sale of alcoholic beverages and commodities that are permissible under this title for use or consumption only off the licensed premises. [Pre-1973 Recodification Citation: 7-1-1-20.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.89.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-29. "Permit"

Sec. 29. (a) "Permit", except as provided in subsection (b), means a written authorization issued by the commission entitling its holder to manufacture, rectify, distribute, transport, sell, or otherwise deal in alcoholic beverages, all as provided in this title. (b) "Permit", for purposes of IC 7.1-7, has the meaning set forth in IC 7.1-7-2-18. [Pre-1973 Recodification Citation: 7-2-1-19(f).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.176-2015, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-3.5. "Advertising Specialty"

Sec. 3.5. "Advertising specialty" means an item having a fair market value of: (1) not more than one thousand dollars ($1,000); or (2) more than one thousand dollars ($1,000) with the prior written approval of the commission; that is designed to be used within a retailer or dealer establishment to attract consumer attention to the products of a manufacturer. The term includes items such as posters, placards, designs, inside signs (electric, mechanical, or otherwise), window decorations, trays, coasters, mats, menu cards, meal checks, paper napkins, foam scrapers, back bar mats, thermometers, clocks, calendars, and alcoholic beverage lists or menus. An advertising specialty must bear conspicuous and substantial advertising matter about the product or the manufacturer or wholesaler that is permanently inscribed or securely affixed. As added by P.L.270-2017, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-3. "Adulterated Alcoholic Beverage"

Sec. 3. Adulterated Alcoholic Beverage. The term "adulterated alcoholic beverage" means: (a) An alcoholic beverage that contains an ingredient prohibited by law or by a rule or regulation of the commission; (b) An alcoholic beverage possessed, kept or offered for sale, or sold, which does not correspond substantially to the analysis, brand, or formula which has been registered with the commission; or, (c) An alcoholic beverage whose analysis or formula is required to be registered with the commission and is not registered. [Pre-1973 Recodification Citations: 7-1-1-5(13); 7-1-1-33(b).] Formerly: Acts 1973, P.L.55, SEC.1.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-30. "Permittee"

Sec. 30. (a) "Permittee", except as provided in subsection (b), means a person who is the holder of a valid permit under this title, including an agent, servant, or employee of, or other person acting on behalf of, a permittee, whenever a permittee is prohibited from doing a certain act under this title. (b) "Permittee", for purposes of IC 7.1-7, has the meaning set forth in IC 7.1-7-2-19. [1973 Recodification Citation: New.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.176-2015, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-31. "Person"

Sec. 31. The term "person" includes: (1) a natural individual; (2) a firm; (3) a corporation; (4) a partnership; (5) a limited partnership; (6) a limited liability company; (7) an incorporated or unincorporated association; or (8) other legal entity; whether acting by themselves or by a servant, an agent, or an employee. [Pre-1973 Recodification Citations: 7-1-1-3(1); 7-1-3-2; 7-2-1-19(b).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.105-1995, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-32.3. "Powdered or Crystalline Alcohol"

Sec. 32.3. "Powdered or crystalline alcohol" means alcohol in a powdered or crystalline form, for either direct use or reconstitution. As added by P.L.70-2015, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-32.5. "Primary Source of Supply"

Sec. 32.5. The term "primary source of supply" means, in regard to the alcoholic beverage being sold to a wholesaler: (1) an artisan distiller or distiller of the alcoholic beverage; (2) a producer of the alcoholic beverage; (3) a vintner of the alcoholic beverage; (4) a rectifier of the alcoholic beverage; (5) an importer into the United States of the alcoholic beverage; (6) an owner of the alcoholic beverage at the time it becomes a marketable product; (7) a bottler of the alcoholic beverage; (8) a brewer of the alcoholic beverage; or (9) an agent specifically authorized to make sales to an Indiana wholesaler by a person listed in subdivisions (1) through (8). As added by P.L.57-1984, SEC.1. Amended by P.L.109-2013, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-32.7. "Professional and Educational Expenses"

Sec. 32.7. "Professional and educational expenses", for purposes of IC 7.1-5-5, means one (1) or more of the following: (1) A primary source of supply or wholesaler may participate in retailer or dealer association activities. A primary source of supply or wholesaler may do the following: (A) Display its products at a convention or trade show. (B) Rent display booth space if the rental fee is not excessive and is the same as paid by all exhibitors. (C) Provide its own hospitality that is independent from association sponsored activities. (D) Purchase tickets to functions and pay registration fees if the payments or fees are not excessive and are the same as paid by all exhibitors. (E) Make payments for advertisements in programs or brochures issued by retailer or dealer associations at a convention or trade show if the total payments made are not excessive and are the same as paid by all other advertisers. (2) A primary source of supply or wholesaler may give or sponsor educational seminars for employees of retailers or dealers either at the primary source of supply's or wholesaler's premises or at the retailer or dealer establishment. Examples of educational seminars include the following: (A) Seminars dealing with the use of a retailer's or dealer's equipment. (B) Training seminars for employees of retailers or dealers. (C) Tours of a primary source of supply's or wholesaler's plant or premises. (D) Training seminars for employees of retailers or dealers may include tasting or sampling of alcoholic beverages by the employees of retailers or dealers. The tasting or sampling of an alcoholic beverage product is limited to one (1) ounce per employee of each alcoholic beverage product offered. The alcoholic beverage to be tasted or sampled may be provided by the primary source of supply or wholesaler or may be purchased from the retailer or dealer for no more than the listed retail price. The tasting or sampling may be conducted only at a permit premises where the consumption of alcoholic beverages is permitted. Any tasting or sampling provided by a primary source of supply or wholesaler must be offered or conducted on a nondiscriminatory basis. (E) Reasonable hospitality, such as food and alcoholic beverages, may be offered as a part of an educational seminar. (3) Advertising specialties and consumer advertising specialties, even if not otherwise permitted by a rule of the commission, if a wholesaler or primary source of supply does not: (A) add the name or address of the retailer or dealer to the advertising specialty or consumer advertising specialty; or (B) pay or credit the retailer or dealer, directly or indirectly, for distribution services. (4) A primary source of supply, manufacturer, or wholesaler may supply equipment on a temporary and nondiscriminatory basis to the holder of a retailer permit or a temporary permit for the purpose of holding, storing, and dispensing product to consumers for a special event for the duration of the special event. Ownership of the equipment shall remain with the primary source of supply, manufacturer, or wholesaler. As added by P.L.270-2017, SEC.5. Amended by P.L.220-2023, SEC.2.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-32. "Pint"

Sec. 32. Pint. The term "pint" means a liquid measure equal to one-eighth (1/8) of a gallon. [Pre-1973 Recodification Citation: 7-1-1-41(e).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-33.5. "Qualified Container"

Sec. 33.5. "Qualified container" means a new, clean, sealable container that is for the sale of alcoholic beverages for consumption off the premises, that: (1) has a liquid capacity of not more than four (4) quarts; and (2) after the container is filled, is sealed with a device or material that is used to fully close off the container securely without any perforations or straw holes. As added by P.L.167-2024, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-33. "Public Nuisance"

Sec. 33. The term "public nuisance" means an act, practice, place, or thing prohibited by IC 7.1-2-6. [Pre-1973 Recodification Citation: 7-1-1-37.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.90.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-34. "Quart"

Sec. 34. Quart. The term "quart" means a liquid measure equal to one-fourth (1/4) of a gallon. [Pre-1973 Recodification Citation: 7-1-1-41(e).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-35. "Rectifier"

Sec. 35. Rectifier. The term "rectifier" means a person who colors, flavors, or otherwise processes already existing alcoholic beverages by distillation, blending, percolating, or other process. [Pre-1973 Recodification Citation: 7-1-1-3(m).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-36. "Rectify"

Sec. 36. Rectify. The term "rectify" means and includes the processes used by a rectifier in the rectification of alcoholic beverages. [Pre-1973 Recodification Citation: 7-1-1-3(m).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-37. "Residence"

Sec. 37. Residence. The term "residence" means: (a) The premises in which a person resides and includes the aggregation of the rooms inhabited by him, including the cellar and basement under them; and, (b) Also means a room equipped for sleeping or a suite located in a hotel when actually occupied by a traveler, or by a person as his bona fide residence. [Pre-1973 Recodification Citation: 7-1-1-3(i).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-38. "Residential District"

Sec. 38. Residential District. The term "residential district" means an area composed of all territory within a radius of five hundred (500) feet of the premises described in the application for a permit being considered and in which area seventy-five percent (75%) or more of the territory in use is used for residential purposes as opposed to commercial, business or manufacturing purposes. Territory in use in the area does not include territory which consists in or is devoted to a street, alley, vacant lot, park, parkway, church, school, religious institution, other not-for-profit institution, lake, river, or other body of water. [Pre-1973 Recodification Citation: 7-2-1-15.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-39. "Resort Hotel"

Sec. 39. The term "resort hotel" means an establishment which meets the requirements provided in IC 7.1-3-20-21. [Pre-1973 Recodification Citation: 7-1-1-3(n).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.91.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-4. "Alcohol"

Sec. 4. Alcohol. The term "alcohol" means the compound C2H5OH, known as ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced. [Pre-1973 Recodification Citation: 7-1-1-3(f).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-40. "Restaurant"

Sec. 40. The term "restaurant" means an establishment which meets the requirements provided in IC 7.1-3-20-9. [Pre-1973 Recodification Citation: 7-1-1-3(j).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.92.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-41. "Salesman"

Sec. 41. Salesman. The term "salesman" means: (a) A person who procures, or seeks to procure an order or contract for the sale, or for the delivery, or for the transportation of alcoholic beverages; and, (b) Also means a person who is engaged in promoting the sale of alcoholic beverages, or in promoting the business of a person engaged in the alcoholic beverage trade in any manner, whether the seller resides within this state and sells to buyers either within or without this state, or whether the seller resides without this state and sells for delivery to buyers within this state. [Pre-1973 Recodification Citation: 7-2-1-11.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-42. "Service Bar"

Sec. 42. Service Bar. The term "service bar" means a counter over which alcoholic beverages are served and which is used only by the employees of the establishment in which it is located in the course of their employment. [Pre-1973 Recodification Citation: 7-1-6-1.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-43. "Setup"

Sec. 43. Setup. The term "setup" means a glass, container, ice, water or mixer, served to a patron for the purpose of being used or consumed with an alcoholic beverage brought upon the licensed premises by the patron. [Pre-1973 Recodification Citation: 7-2-1-10.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-45.5. "Specialty or Gourmet Market"

Sec. 45.5. "Specialty or gourmet market" means a market that: (1) holds a beer retailer's permit under IC 7.1-3-4 and wine retailer's permit under IC 7.1-3-14; (2) is engaged in the retail sale of miscellaneous specialty foods for consumption on and off the premises, including: (A) deli meat; (B) fruits and vegetables; (C) gourmet cheese; (D) pasta and noodles; (E) herbs, spices, and olive oil; and (F) specialty wines; and (3) is not engaged in the retail sale of automotive fuel. As added by P.L.13-2024, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-45. "Special Disqualifications"

Sec. 45. The term "special disqualifications" means those impediments provided in IC 7.1-3-4-2, which prevent the issuance of certain permits to a person who possesses one (1) of them. [Pre-1973 Recodification Citation: 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.93.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-46. "Table Wine"

Sec. 46. Table Wine. The term "table wine" means wine that is produced without rectification or fortification and whose alcoholic content does not exceed fourteen percent (14%). [Pre-1973 Recodification Citation: 7-1-1-22.5.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-47.5. "Tobacco Product"

Sec. 47.5. (a) "Tobacco product", except as provided in subsection (b), has the meaning set forth in IC 7.1-6-1-3. (b) "Tobacco product", for purposes of IC 7.1-3-18.5, means a product that: (1) contains tobacco or nicotine, including e-liquid (as defined by IC 7.1-7-2-10) that contains nicotine; (2) is intended for human consumption; and (3) is not approved by the federal Food and Drug Administration for tobacco cessation. As added by P.L.250-2003, SEC.4. Amended by P.L.176-2015, SEC.8; P.L.60-2016, SEC.2; P.L.220-2023, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-47. "Three-Way Permit"

Sec. 47. Three-Way Permit. The term "three-way permit" means the combination of a beer retailer's permit, a liquor retailer's permit, and a wine retailer's permit issued to a permittee. [Pre-1973 Recodification Citation: 7-3-4-2.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-48. "Two-Way Permit"

Sec. 48. Two-Way Permit. The term "two-way permit" means the combination of a beer retailer's permit and a wine retailer's permit issued to a permittee. [Pre-1973 Recodification Citation: 7-3-4-2.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-49. "Wine"

Sec. 49. The term "wine" means an alcoholic beverage obtained by the fermentation of the natural sugar content of fruit, fruit juice, or other agricultural products containing sugar, including necessary additions to correct defects due to climatic, saccharine, and seasonal conditions, and also the alcoholic fortification of the beverage. The term includes hard cider, except for alcoholic beverage tax purposes. The term does not mean an alcoholic beverage that contains twenty-one percent (21%), or more, of absolute alcohol reckoned by volume. [Pre-1973 Recodification Citation: 7-1-1-3(p).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.3. As amended by P.L.119-1998, SEC.22.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-5.5. "Applicant"

Sec. 5.5. (a) "Applicant", for purposes of IC 7.1-3-18.5, means a person who applies for a tobacco sales certificate. (b) "Applicant", for purposes of IC 7.1-7, has the meaning set forth in IC 7.1-7-2-2. As added by P.L.94-2008, SEC.2. Amended by P.L.176-2015, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-5. "Alcoholic Beverage"

Sec. 5. The term "alcoholic beverage" means a liquid or solid that: (1) is, or contains, one-half percent (0.5%) or more alcohol by volume; (2) is fit for human consumption; and (3) is reasonably likely, or intended, to be used as a beverage. [Pre-1973 Recodification Citations: 7-1-1-3(a); 7-1-1-3(e).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.78-1986, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-50. "Wood Alcohol"

Sec. 50. Wood Alcohol. The term "wood alcohol" means the compound CH3OH, also known as methanol, from whatever source or by whatever process produced. The term also means wood alcohol that has been redistilled and which is likely or intended to be used as a beverage. [Pre-1973 Recodification Citation: 7-1-1-32(1).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-6. "Beer"

Sec. 6. The term "beer" means an alcoholic beverage obtained by the fermentation of: (1) an infusion or decoction of: (A) barley malt or other cereal; and (B) hops; in water; or (2) cereal byproducts. [Pre-1973 Recodification Citation: 7-1-1-3(b).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.194-2021, SEC.12.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-7. "Bona Fide Evidence of Majority or Identity"

Sec. 7. Bona Fide Evidence of Majority or Identity. The term "bona fide evidence of majority or identity" means a document, including, but not limited to, a license or permit to operate a motor vehicle, a Selective Service registration certificate, or an United States Armed Forces identification card, but excluding a voter's registration card, issued by the federal or state governments or one (1) of their political subdivisions. [Pre-1973 Recodification Citation: 7-5-2-3(b).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-8.5. "Certificate"

Sec. 8.5. "Certificate" means a tobacco sales certificate for purposes of IC 7.1-3-18.5. As added by P.L.250-2003, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-8. "Carrier"

Sec. 8. Carrier. The term "carrier" means: (a) A common carrier, whether licensed under the laws of this state or not; (b) A person as a proprietor who operates a transportation facility when regularly or casually operating intrastate state or from another state into this state; or, (c) A person who carries alcoholic beverages for hire or as a free accommodation for a consignor or consignee and who has no permit under this title authorizing him to sell, furnish, give away, manufacture, or rectify alcoholic beverages. [Pre-1973

Recodification Citation: 7-1-1-30.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-9.5. "Hard Cider"

Sec. 9.5. The term "hard cider" means an alcoholic beverage that: (1) is made from the normal alcoholic fermentation of the juice of sound, ripe apples; and (2) contains at least one-half of one percent (0.5%) of alcohol by volume and not more than seven percent (7%) of alcohol by volume. The term includes flavored, sparkling, or carbonated cider and cider made from condensed apple. As added by P.L.119-1998, SEC.21.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 1. General ProvisionsChapter 3. Definitions of General Applicability7.1-1-3-9. "Chairman"

Sec. 9. The term "chairman" means the presiding officer of the commission who is appointed by the governor pursuant to IC 7.1-2-1-5. [Pre-1973 Recodification Citation: 7-1-1-3(k).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.83.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 1. General Provisions7.1-2-1-0.3. Treatment of References to Prior Commission Names; Transfer of Property and Obligations; Treatment of Actions of Prior Commissions

Sec. 0.3. (a) After June 30, 2001, a reference in any law, rule, contract, or other document or record to the alcoholic beverage commission, the Indiana alcoholic beverage commission, or the alcoholic beverage commission of Indiana shall be treated as a reference to the alcohol and tobacco commission. (b) On July 1, 2001, the property and obligations of the alcoholic beverage commission, the Indiana alcoholic beverage commission, or the alcoholic beverage commission of Indiana are transferred to the alcohol and tobacco commission. (c) An action taken by the alcoholic beverage commission, the Indiana alcoholic beverage commission, or the alcoholic beverage commission of Indiana before July 1, 2001, shall be treated after June 30, 2001, as if it were originally taken by the alcohol and tobacco commission. As added by P.L.220-2011, SEC.170.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 1. General Provisions7.1-2-1-1. Commission Created

Sec. 1. There is hereby created as a part of state government, a commission to be known as the alcohol and tobacco commission. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.18.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 1. General Provisions7.1-2-1-10. Meetings and Adjournments

Sec. 10. Meetings and Adjournments. The commission shall hold regular meetings on the first and third Tuesday of each month. The commission may hold special meetings whenever the commission deems it necessary. The procedure for the calling of a special meeting shall be provided in the rules of the commission. The commission shall have the power to adjourn, from time to time, both regular and special meetings. In no event, however, shall the adjournment be later than the next regular meeting date. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 1. General Provisions7.1-2-1-11. Quorum and Voting

Sec. 11. (a) Three (3) members of the commission constitute a quorum for the transaction of business. (b) Each commissioner has one (1) vote. (c) Action of the commission may be taken only upon the affirmative votes of at least two (2) commissioners. If a vote of the commission is a tie, the position for which the chairman voted shall be treated as the position adopted by the commission. [Pre-1973 Recodification Citations: 7-2-1-2; 7-2-1-27.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 1. General Provisions7.1-2-1-12. Restriction on Solicitation or Acceptance of Political Contributions

Sec. 12. A commissioner may not solicit or accept a political contribution from any person or entity that has a permit or has applied for a permit issued by the commission. However, the right of a commissioner to vote as the commissioner chooses and to express the commissioner's opinions on political subjects and candidates may not be impaired. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.62-1998, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 1. General Provisions7.1-2-1-13. Limitation of Liability

Sec. 13. Limitation of Liability. A member of the commission shall not be personally liable for liability to a person because of the negligence, act, or omission of an enforcement officer. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55,

SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 1. General Provisions7.1-2-1-2. Composition

Sec. 2. The commission shall be composed of four (4) members who are not officials of the state in any other capacity and who are qualified for their positions in accordance with the provisions of IC 7.1-2-1-4. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.94.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 1. General Provisions7.1-2-1-3. Appointments and Terms

Sec. 3. Appointments and Terms. Members of the commission shall be appointed by the governor and a commissioner shall be eligible for reappointment. No more than two (2) commissioners shall belong to the same political party. A commissioner shall be appointed for a term of four (4) years, but shall serve that term at the pleasure of the governor. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 1. General Provisions7.1-2-1-4. Qualifications of Commissioners

Sec. 4. To be eligible for appointment as a commissioner, a person shall possess the following qualifications: (1) The person must be at least thirty-one (31) years of age. (2) The person may not have a conviction within ten (10) years before the date of appointment of: (A) a federal crime having a sentence of at least one (1) year; (B) an Indiana Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony (for a crime committed after June 30, 2014); or (C) a crime in a state other than Indiana having a penalty equal to the penalty for an Indiana Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony (for a crime committed after June 30, 2014). However, this subdivision does not apply to a conviction that has been expunged under IC 35-38-9. (3) The person must be an Indiana resident for at least ten (10) years immediately preceding the person's appointment. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.285-2019, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 1. General Provisions7.1-2-1-5. Chairman and Chairman Pro Tempore

Sec. 5. Chairman and Chairman Pro Tempore. The governor shall appoint one (1) of the members to serve as chairman of the commission. The governor also shall appoint one (1) of the members to serve as chairman pro tempore in the absence of the chairman. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 1. General Provisions7.1-2-1-6. Vacancies

Sec. 6. Vacancies. A member appointed to fill a vacancy in the membership of the commission shall serve only for the unexpired portion of the original, vacated term. In all other respects, an appointment to fill a vacancy shall be made in the same manner that an original appointment is made. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 1. General Provisions7.1-2-1-7. Compensation

Sec. 7. Compensation. As compensation for services, each commissioner shall receive an annual salary to be fixed in the same manner that the salaries of other state officials are fixed. In addition to the annual salary, a commissioner shall be reimbursed for traveling and other expenses necessarily incurred while away from his office carrying out his duties as a member of the commission. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 1. General Provisions7.1-2-1-8. Bond and Oath of Office

Sec. 8. Bond and Oath of Office. Each commissioner shall execute a surety bond in the amount of ten thousand dollars ($10,000), with surety approved by the governor, and an oath of office, both of which shall be filed in the office of the secretary of state. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 1. General Provisions7.1-2-1-9. Surety Bonds

Sec. 9. Surety Bonds. The required surety bond executed and filed on behalf of a commissioner, an enforcement officer, or the prosecutor shall be made payable to the State of Indiana and conditioned upon the faithful discharge of the bonded party's respective duties. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55, SEC.1.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 2. Officers and Employees7.1-2-2-1. Office of Prosecutor Created

Sec. 1. Office of Prosecutor Created. There is hereby created within the commission a division to be known as the "Office of the Prosecutor." [Pre-1973 Recodification Citation: 7-2-1-4.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 2. Officers and Employees7.1-2-2-10. Enforcement Officer; Bond and Oath of Office

Sec. 10. Enforcement Officers: Bond and Oath of Office. Each enforcement officer shall execute a surety bond in the amount of one thousand dollars ($1,000), with surety approved by the commission, and an oath of office, both of which shall be filed with the executive secretary of the commission. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 2. Officers and Employees7.1-2-2-11.5. Retired Law Enforcement Officer; Retention of Service Weapon; Badge and Identification Card

Sec. 11.5. An eligible enforcement officer who retires with at least twenty (20) years of service as an enforcement officer may retain the officer's service weapon. The officer is entitled to receive, in recognition of the officer's service to the commission and to the public, a badge that indicates that the officer is retired. The commission shall issue the officer who is retiring an identification card stating the officer's name and rank, signifying that the officer is retired, and noting the officer's authority to retain the service weapon. As added by P.L.1-1992, SEC.27.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 2. Officers and Employees7.1-2-2-11. Enforcement Officer; Worker's Compensation and Occupational Disease

Sec. 11. (a) The injury to, the injury to the health of, or the death of, an enforcement officer shall be compensable under the appropriate provisions of IC 22-3-2 through IC 22-3-7 if the injury, injury to the health, or death, arises out of, and in the course of, the performance of the officer's duties as an enforcement officer. (b) For the purposes of subsection (a), and of IC 22-3-2 through IC 22-3-7, an enforcement officer shall be conclusively presumed to have accepted the compensation provisions provided in them. [Pre-1973 Recodification Citation: 7-2-1-3.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.28-1988, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 2. Officers and Employees7.1-2-2-12. Employees; Discharge of Non-Probationary Enforcement Officer

Sec. 12. (a) The commission shall have the power to employ and remove at will all necessary clerks, stenographers, bookkeepers, auditors, accountants, assistants of any nature, and other employees, and to fix their duties, authorities, and, with proper approval, their compensation. (b) The superintendent of the enforcement officers may discharge a non-probationary enforcement officer for just cause. The commission shall adopt rules to establish a procedure for the adjudication of the propriety of the discharge of a non-probationary enforcement officer. [Pre-1973 Recodification Citation: 7-2-1-8.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.347-1995, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 2. Officers and Employees7.1-2-2-13. Enforcement Officers; Salaries

Sec. 13. (a) The alcohol and tobacco commission shall categorize salaries of enforcement officers within each rank based upon the rank held and the number of years of service in the commission through the twentieth year. The salary ranges that the board assigns to each rank shall be divided into a base salary and fifteen (15) increments above the base salary with: (1) the base salary in the rank paid to a person with less than one (1) year of service in the commission; and (2) the highest salary in the rank paid to a person with at least fifteen (15) years of service in the commission. (b) The salary matrix prescribed by this section shall be reviewed and approved by the budget agency biennially in even-numbered years before implementation. (c) The salary matrix prescribed by this section must have parity with the salary matrix prescribed by the natural resources commission under IC 14-9-8 for conservation officers of the department of natural resources. The budget agency shall approve a salary matrix that meets the parity requirement of this subsection. As added by P.L.1-1999, SEC.19. Amended by P.L.204-2001, SEC.21; P.L.234-2007, SEC.305; P.L.114-2022, SEC.12; P.L.201-2023, SEC.112.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 2. Officers and Employees7.1-2-2-2. Qualifications and Appointment

Sec. 2. The prosecutor shall be appointed by the governor for a term of four (4) years to be served at the pleasure of the governor. The prosecutor shall be a resident of the state and a practicing member of the Indiana bar. [Pre-1973 Recodification Citation: 7-2-1-4.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.224-2005, SEC.1.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 2. Officers and Employees7.1-2-2-3. Bond and Oath of Office

Sec. 3. Bond and Oath of Office. The prosecutor shall execute a surety bond in the amount of five thousand dollars ($5,000), with surety approved by the governor, and an oath of office, both of which shall be filed in the office of the secretary of state. [Pre-1973 Recodification Citation: 7-2-1-4.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 2. Officers and Employees7.1-2-2-4. Compensation

Sec. 4. Compensation. As compensation for services, the prosecutor shall receive an annual salary to be fixed in the same manner that the salaries of other state officials are fixed. In addition to the annual salary, the prosecutor shall be reimbursed for traveling and other expenses necessarily incurred while away from his office carrying out his duties as prosecutor. [Pre-1973 Recodification Citation: 7-2-1-4.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 2. Officers and Employees7.1-2-2-5. Prosecutor; Powers and Duties

Sec. 5. Prosecutor: Powers and Duties. The prosecutor shall have the following powers and duties: (a) To prosecute before the commission all violations of laws pertaining to alcohol, alcoholic beverages, and tobacco, including violations pertaining to tobacco vending machines; (b) To prosecute before the commission all violations of the rules and regulations of the commission; (c) To assist the prosecuting attorneys of the various judicial circuits in the investigation and prosecution of violations of laws pertaining to alcohol, alcoholic beverages, and tobacco, including violations pertaining to tobacco vending machines, and to represent the state in these matters; (d) To appear before grand juries to assist in their investigations into matters pertaining to alcohol, alcoholic beverages, and tobacco, including matters pertaining to tobacco vending machines; (e) To establish a seal of his office; (f) To administer oaths and to do all other acts authorized by law for notaries public; and, (g) To employ, with the consent of the commission and at salaries fixed by the commission in their budget, the clerical staff required by him to effectively discharge his duties. [Pre-1973 Recodification Citation: 7-2-1-4.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.250-2003, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 2. Officers and Employees7.1-2-2-6. Office Space and Expenses

Sec. 6. Office Space and Expenses. The commission shall provide the prosecutor with appropriate office space and all necessary office supplies and services. All claims for salaries and necessary expenses of the office of the prosecutor shall be allowed and approved by the commission and shall be paid from the enforcement and administration fund of the commission. [Pre-1973 Recodification Citation: 7-2-1-4.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 2. Officers and Employees7.1-2-2-7. Executive Secretary

Sec. 7. Executive Secretary. The commission, with the consent of the governor, shall employ an executive secretary to aid the commission in the efficient administration of its powers and duties. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 2. Officers and Employees7.1-2-2-8. Enforcement Officer; Appointments

Sec. 8. (a) The commission may employ qualified individuals to serve as enforcement officers of the commission. (b) The superintendent of the enforcement officers must have had at least ten (10) years experience as an active law enforcement officer, at least five (5) years of which must have been in a management capacity. (c) The commission shall issue to an enforcement officer a certificate of employment under the seal of the commission. The courts of this state shall take judicial notice of a certificate of employment. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.20; P.L.94-2008, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 2. Officers and Employees7.1-2-2-9.5. Investigation of Fraud Within Electronic Benefits Transfer Program

Sec. 9.5. The state excise police may investigate fraud within the electronic benefits transfer program, as set forth in IC 12-13-14-14. As added by P.L.197-2013, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 2. Officers and Employees7.1-2-2-9. Enforcement Officer; Powers and Duties

Sec. 9. (a) An enforcement officer is vested with full police powers and duties to enforce: (1) the provisions of this title; (2) any

other law of this state relating to alcohol or alcoholic beverages; and (3) tobacco laws, including tobacco vending machines. (b) An enforcement officer may issue a summons for infraction or misdemeanor violations if the defendant promises to appear by signing the summons. A defendant who fails to appear is subject to the penalties provided by IC 35-44.1-2-10. Upon failure to appear, the court shall issue a warrant for the arrest of the defendant. (c) In addition to the authority of an enforcement officer under subsection (a), an enforcement officer may act as an officer for the arrest of offenders against the laws of this state if the enforcement officer reasonably believes that a crime is or is about to be committed or attempted in the enforcement officer's presence. [Pre-1973 Recodification Citation: 7-2-1-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1979, P.L.83, SEC.1; P.L.84-1985, SEC.1; P.L.256-1996, SEC.1; P.L.177-1999, SEC.4; P.L.126-2012, SEC.28.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-1. Duties of Chairman

Sec. 1. Duties of Chairman. The chairman shall be the presiding officer at the meetings of the commission. The chairman, together with the executive secretary, shall prepare, certify and authenticate all proceedings, minutes, records, rules and regulations of the commission. The chairman also shall perform all other duties as imposed by this title. [Pre-1973 Recodification Citations: 7-1-1-5; 7-2-1-5.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-10. Investigations; Memorandum of Understanding

Sec. 10. (a) The commission shall have the power to investigate the violation of a provision of this title and of the rules and regulations of the commission and to report its findings to the prosecuting attorney or the grand jury of the county in which the violation occurred, or to the attorney general. (b) The commission shall enter a memorandum of understanding with the Indiana gaming commission authorizing the commission's unlawful gaming enforcement division to conduct revocation actions resulting from suspected violations of IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4 as authorized by the following statutes: (1) IC 7.1-3-18.5. (2) IC 7.1-3-23-2(b). (3) IC 7.1-3-23-5. (c) A memorandum of understanding entered into under this section must comply with the requirements of IC 4-33-19-8. (d) The memorandum of understanding required by this section must be entered into before January 1, 2008. [Pre-1973 Recodification Citation: 7-1-1-5(5).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.227-2007, SEC.60; P.L.94-2008, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-11. Emergencies

Sec. 11. Emergencies. The commission shall have the power to prohibit the sale, transportation or movement of alcoholic beverages when, in the judgment of the commission, it is necessary during a time of public emergency, civil disturbance, riot, or epidemic. The prohibition may be imposed without prior notice or advertisement and may be continued in force as long as the need continues. [Pre-1973 Recodification Citation: 7-1-1-5(6).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-12. Searches and Seizures

Sec. 12. Searches and Seizures. (a) The commission shall have the power to examine, inspect and search a licensed premises or a vehicle where alcohol, alcoholic beverages, or malt articles are kept, manufactured or sold. (b) The commission shall have the power to seize alcohol, alcoholic beverages, malt articles, or any other personal property when the seizure is lawful under the provisions of this title. [Pre-1973 Recodification Citation: 7-1-1-5(7).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-13. Prevention of Subterfuge

Sec. 13. Prevention of Subterfuge. The commission shall have the power to prevent a part of the premises connected with, or in any way used in connection with, a licensed premises from being used as a subterfuge or means of evading the provisions of this title or of the rules and regulations of the commission. [Pre-1973 Recodification Citation: 7-1-1-5(8).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-14. Standards of Sanitation

Sec. 14. The commission shall have the power to set standards of cleanliness and sanitation for a licensed premises and for the apparatus, equipment, utensils, accessories, articles, and fixtures used or employed in the licensed premises. The commission shall have the power to require the aid of the Indiana department of health, any local board of health, and any health officer in this state to fix and enforce these standards. [Pre-1973 Recodification Citation: 7-1-1-5(9).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.2-1992, SEC.74; P.L.56-2023, SEC.44.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-15. Destruction of Personal Property

Sec. 15. Destruction of Personal Property. The commission shall have the power to require the destruction or removal of bottles, whether empty or not, cases, containers, apparatus, or devices, used or likely to be used, in evading, violating, or preventing the enforcement of the provisions of this title or of the rules and regulations of the commission. [Pre-1973 Recodification Citation: 7-1-1-5(11).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-16.5. "Facility"

Sec. 16.5. (a) As used in this section, "facility" includes the following: (1) A facility to which IC 7.1-3-1-25(a) applies. (2) A tract that contains a premises that is described in IC 7.1-3-1-14(d)(2). (3) A horse track or satellite facility to which IC 7.1-3-17.7 applies. (4) A riverboat or racetrack to which IC 7.1-3-17.5 applies. (5) A tract that contains an entertainment complex. (b) As used in this section, "tract" has the meaning set forth in IC 6-1.1-1-22.5. (c) A facility may advertise alcoholic beverages: (1) in the facility's interior; or (2) on the facility's exterior. (d) The commission may not exercise the prohibition power contained in section 16(a) of this chapter on advertising by a brewer, distiller, rectifier, or vintner in or on a facility. (e) Notwithstanding IC 7.1-5-5-10 and IC 7.1-5-5-11, a facility may provide advertising to a permittee that is a brewer, an artisan distiller, a distiller, a rectifier, or a vintner in exchange for compensation from that permittee. As added by P.L.52-1992, SEC.2. Amended by P.L.106-1995, SEC.2; P.L.71-1996, SEC.2; P.L.72-2004, SEC.3; P.L.15-2011, SEC.10; P.L.109-2013, SEC.2; P.L.1-2018, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-16. Regulation of Advertising

Sec. 16. (a) The commission shall have the power to regulate and prohibit advertising, signs, displays, posters, and designs intended to advertise an alcoholic beverage or the place where alcoholic beverages are sold. (b) The commission shall not exercise the prohibition power contained in subsection (a), as to any advertisement appearing in a newspaper which: (1) is published at least once a week; (2) regularly publishes information of current news interest to the community; and (3) circulates generally to the public in any part of this state, regardless of where printed. However, a newspaper shall not include publications devoted to special interests such as labor, religious, fraternal, society, or trade publications or journals, or publications owned or issued by political organizations or parties. (c) The commission shall not exercise the prohibition power contained in subsection (a) as to any advertisement broadcast over duly licensed radio and television stations. (d) All advertisements relating to alcoholic beverages, whether published in a newspaper or broadcast over radio or television, shall conform to the rules and regulations of the commission. (e) The commission shall not exercise the prohibition power contained in subsection (a) as to advertising in the official program of the Indianapolis 500 Race or the Madison Regatta, Inc., Hydroplane Race. (f) Notwithstanding any other law, the commission may not prohibit the use of an illuminated sign advertising alcoholic beverages by brand name that is displayed within the interior or on the exterior of the premises covered by the permit, regardless of whether the sign is illuminated constantly or intermittently. However, it is unlawful for a primary source of supply or a wholesaler of alcoholic beverages to sell, give, supply, furnish, or grant to, or maintain for a retail or dealer permittee an illuminated advertising sign in a manner that violates the trade practice restrictions of the commission or this title. It is unlawful for a retail or dealer permittee to receive, accept, display, or permit to be displayed, an illuminated advertising sign sold, given, supplied, furnished, granted, or maintained in violation of this subsection. Unless otherwise stated, when a recipient receives an illuminated sign, the illuminated sign becomes the property and responsibility of the recipient. (g) The commission may not prohibit the advertisement of: (1) alcoholic beverages; or (2) a place where alcoholic beverages may be obtained; in a program, scorecard, handbill, throw-away newspaper, or menu; however, those advertisements must conform to the rules of the commission. [Pre-1973 Recodification Citation: 7-1-1-5(12).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.57, SEC.1; Acts 1975, P.L.70, SEC.1. As amended by P.L.98-1983, SEC.1; P.L.57-1984, SEC.2; P.L.165-2006, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-17. Registration Requirements

Sec. 17. Registration Requirements. The commission shall have the power to require the registration of all brands, formulas, analyses, labels, and trademarks used, or proposed to be used, in selling or advertising alcoholic beverages. The commission shall not have the power to require the disclosure of formulas that are verified trade secrets. [Pre-1973 Recodification Citation: 7-1-1-5(13).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-18. Regulation of Transportation and Containers

Sec. 18. Regulation of Transportation and Containers. The commission shall have the power to regulate the modes and methods of dealing in, and the transportation of, alcoholic beverages. The commission also shall have the power to regulate the types of containers in which alcoholic beverages may be lawfully transported and delivered. [Pre-1973 Recodification Citations: 7-1-1-5(14); 7-1-1-5(17).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-19. Regulation of Records

Sec. 19. Regulation of Records. The commission shall have the power to: (a) Prescribe the manner and methods by which all records relating to alcoholic beverages are kept and preserved; (b) Inspect all records relating to alcoholic beverages; and, (c) Require true copies of any record to be made and furnished to the commission. [Pre-1973 Recodification Citation: 7-1-1-5(14).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-2. Power to Organize

Sec. 2. Power to Organize. The commission shall have the power to organize its work and carry on the functions of the commission and to enforce and administer the provisions of this title and the rules and regulations of the commission. [Pre-1973 Recodification Citation: 7-1-1-5(1).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-21. Regulation of Local Boards

Sec. 21. Regulation of Local Boards. The commission shall have the power to prescribe the procedure to be observed by local alcoholic beverage boards and for investigations before these boards. [Pre-1973 Recodification Citation: 7-1-1-5(18).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-22. Regulation of Business Relationships

Sec. 22. The commission shall have the power to ascertain the business relationships, including nonalcoholic beverage business relationships, between permittees or certificate holders under this title. The commission shall have the power to regulate or prohibit a practice, relationship, or dealing by or between permittees or certificate holders, which in the judgment of the commission is inimical to or a violation of a provision of this title or of a rule or regulation of the commission. The commission may take action in these matters by rule or regulation or by individual order upon hearing after five (5) days notice to the effected permittee or certificate holder. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.194-2021, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-24. Disclosures Concerning Transportation

Sec. 24. Disclosures Re Transportation. The commission may require that, prior to the importation or transportation of an alcoholic beverage into this state by an authorized permittee, he shall submit written, verified, information concerning the proposed importation or transportation and execute and file any documents required. The commission shall have the power also to inspect the shipments in transit and the vehicle used in the importation or transportation. [Pre-1973 Recodification Citation: 7-1-1-42(c).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-25. Military Bases

Sec. 25. Military Bases. The commission may authorize the sale of an alcoholic beverage to an officer, or other person legally entitled to purchase it, and the delivery of it to that person on a military reservation or other reservation within this state which is under the authority of the United States government and if the sale and delivery is otherwise lawful. [Pre-1973 Recodification Citation: 7-1-1-42(t).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-26. Duty Concerning Franchise Agreements

Sec. 26. The commission shall investigate a violation of a provision of IC 7.1-3-3-17 and IC 7.1-5-5-9, and shall have the power to enforce conformance with a provision of an injunction issued under the authority of these sections. [Pre-1973 Recodification Citation: 7-2-1-23(c).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.96.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-29. Delegation of Powers and Duties

Sec. 29. Delegation of Powers and Duties. The commission, unless otherwise specifically provided, may delegate the powers and duties conferred on it in this title to responsible employees of the commission, but the commission shall maintain final responsibility. [1973 Recodification Citation: New.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-3. Forms

Sec. 3. The commission, in accordance with IC 5-15-5.1, shall have the power to prescribe the forms for all applications, permits, licenses, certificates, and other documents and records used in the administration of this title. [Pre-1973 Recodification Citation:

7-1-1-5(15).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1979, P.L.40, SEC.18; P.L.194-2021, SEC.16.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-30. Limitation of Liability

Sec. 30. Limitation of Liability. The members of the commission, their officers and employees shall be exempt from civil liability for an act or omission done under the authority, or the color of authority, conferred by this title or by a rule, regulation, or order of the commission. However, they shall be liable to the State of Indiana for their acts and omissions. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-31. Implied Powers

Sec. 31. Implied Powers. The commission and the chairman shall have, in addition to the express powers enumerated in this title, the authority to exercise all powers necessary and proper to carry out the policies of this title and to promote efficient administration by the commission. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-32. Group Purchasing Agreements; Rules

Sec. 32. (a) The commission, by rule, may provide procedures whereby two (2) or more retailers and dealers may enter into a formal group purchasing agreement for the purpose of purchasing alcoholic beverages from permittees authorized to sell alcoholic beverages to them. (b) If the commission exercises the power granted in subsection (a), the rule shall make provisions for at least the following: (1) the formal requirements of a group purchasing agreement; (2) the vesting of title to the alcoholic beverages purchased under a group purchasing agreement; (3) the transportation by retailers and dealers of the alcoholic beverages purchased under a group purchasing agreement; (4) the purchase and transportation of alcoholic beverages by retailers and dealers, whether they are parties to a group purchasing agreement or not, as a result of a service interruption or other emergency; and (5) the filing requirements of a group purchasing agreement or any amendments or additions thereto. As added by P.L.85-1985, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-33. Investigations and Penalties for Violations Relating to Tobacco or Electronic Cigarettes

Sec. 33. The commission is authorized to: (1) investigate a violation of; and (2) enforce a penalty for a violation of; IC 35-46-1-10, IC 35-46-1-10.2, IC 35-46-1-11, IC 35-46-1-11.2, IC 35-46-1-11.4, IC 35-46-1-11.5, IC 35-46-1-11.7, or IC 35-46-1-11.8. As added by P.L.177-1999, SEC.5. Amended by P.L.250-2003, SEC.5; P.L.214-2016, SEC.1; P.L.49-2020, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-4.5. Limitations Upon Commission Powers

Sec. 4.5. The commission and the chairman may exercise only those express powers enumerated in this title; however, this section does not limit the powers granted to the commission by section 31 of this chapter. As added by Acts 1982, P.L.69, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-4.6. Quarterly Reports of Permittee Violations

Sec. 4.6. (a) The commission shall prepare quarterly reports that provide the violations by permittees subject to an enforcement action under IC 7.1-5-7-17. The commission shall issue the quarterly reports on or before the fifteenth day of: (1) January, concerning violations committed during the preceding quarter consisting of the months of October through December; (2) April, concerning violations committed during the preceding quarter consisting of the months of January through March; (3) July, concerning violations committed during the preceding quarter consisting of the months of April through June; and (4) October, concerning violations committed during the preceding quarter consisting of the months of July through September. (b) The commission's quarterly report must provide noncompliance violations by: (1) business listing; (2) permit type; and (3) county. (c) The commission shall post the quarterly reports on the commission's Internet web site. The commission shall: (1) prepare a report annually that compiles the violations for the preceding calendar year; and (2) provide the report to the legislative council not later than February 1 of each year in an electronic format under IC 5-14-6. As added by P.L.285-2019, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-4. General Powers of Commission

Sec. 4. The commission shall have the power to: (1) hold hearings before the commission or its representative; (2) take testimony and receive evidence; (3) conduct inquiries with or without hearings; (4) receive reports of investigators or other governmental officers and employees; (5) administer oaths; (6) subpoena witnesses and to compel them to appear and testify; (7) issue and enforce subpoenas duces tecum; (8) take or institute proceedings to enforce subpoenas, the rules and regulations, orders, or requirements of the commission or its representative; (9) fix the compensation paid to witnesses appearing before the commission; (10) establish and use a seal of the commission; (11) certify copies of records of the commission or any other document or record on file with the

commission; (12) fix the form, mode, manner, time, and number of times for the posting or publication of any required notices if not otherwise provided in this title; (13) issue letters of extension as authorized by IC 7.1-3-1-3.1; and (14) hold permits on deposit as authorized by IC 7.1-3-1-3.5 and IC 7.1-3-1.1. [Pre-1973 Recodification Citation: 7-1-1-5(16).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1982, P.L.69, SEC.2; P.L.285-2019, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-5. Enforcement of Subpoena

Sec. 5. Enforcement of Subpoena. The commission shall have the authority to petition the circuit or superior court of the county in which the hearing or investigation is being held to compel obedience to the lawful requirements of its subpoena under this title. [Pre-1973 Recodification Citation: 7-1-1-5.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-6. Rulemaking

Sec. 6. The rules and regulations of the commission shall be made, promulgated, filed and published pursuant to the provisions of IC 4-22-2 as amended. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.95.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-7. Rules and Regulations

Sec. 7. The commission shall have the power to promulgate rules and regulations governing the following: (1) The conduct of the meetings and business of the commission. (2) The conduct of hearings before any of the commission's representatives. (3) The conduct of the business of a permittee or certificate holder authorized or governed by the provisions of this title. (4) The enforcement of the provisions of this title and of the rules and regulations of the commission. (5) The standards of purity and methods of manufacturing used in the production of alcohol and alcoholic beverages. (6) The prevention of misbranding or adulteration of alcohol or alcoholic beverages. (7) The prevention of fraud, evasion, trickery, or deceit in the manufacture, labeling, importation, advertisement, transportation, or sale of alcohol or alcoholic beverages, or the evasion of other laws of Indiana relating to alcohol or alcoholic beverages. [Pre-1973 Recodification Citations: 7-1-1-5(3); 7-1-1-5(4).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.194-2021, SEC.17.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-8. Conformance to United States Law

Sec. 8. Conformance to United States Law. The commission shall have the power to conform, to adapt, or to coordinate, to the extent the commission deems proper, the practices, methods, standards, and rules and regulations governing the traffic in alcohol and alcoholic beverages, with the practices, methods, standards and rules and regulations established by an officer or agency of the United States government. [Pre-1973 Recodification Citation: 7-1-1-5(10).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-9.1. Registry of Permits

Sec. 9.1. (a) The commission shall prepare and maintain, available for public inspection, a registry of all retailer and dealer permits (including supplemental permits) issued by it, categorized by type of permit and by the type of establishment to which it is issued. The registry of permits shall: (1) be subdivided on a county by county basis, and further subdivided by city, town, and unincorporated area; (2) contain the number of permits authorized by the quota, and the number of permits currently issued; (3) contain the name of the owner of the permit, the address of the licensed premises, the assumed business name under which the business is conducted, and, if a corporation, the names of the president and secretary; and (4) be made current annually, to indicate by specific notation any new permits that were issued or any existing permits that were transferred in any manner within the prior year. (b) The commission shall provide for the sale of the registry of permits to the public on a cost basis, both as a complete statewide registry and as a countywide registry. As added by Acts 1982, P.L.69, SEC.4. Amended by P.L.85-1985, SEC.1; P.L.106-1995, SEC.3; P.L.108-2021, SEC.12.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 3. Powers and Duties7.1-2-3-9. Permits

Sec. 9. The commission shall have the discretionary authority to issue, deny, suspend, revoke, or not renew all permits and certificates authorized by this title, unless the exercise of discretion or authority is limited by applicable provisions of this title. [Pre-1973 Recodification Citation: 7-1-1-5(2).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.194-2021, SEC.18.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-1. Local Boards Created

Sec. 1. Local Boards Created. There is hereby created in each county a local board to be known as the "Alcoholic Beverage Board of

_____ County." [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-10. Appointments; Time Limits

Sec. 10. The county executive and fiscal body and the city or town executive, as the case may be, shall make their appointments to the local board within fifteen (15) days after being notified by the commission by registered mail or electronic communication to do so. The commission may extend this time limit by an additional fifteen (15) days. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.8-1989, SEC.35; P.L.145-2024, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-11. Ad Interim Appointments

Sec. 11. Ad Interim Appointments. The commission shall have the power to make an ad interim appointment to a local board if the required appointment is not made within the applicable time limit. An ad interim appointee shall have full power to act as a member of the local board for a period of sixty (60) days and as much longer as is required to complete an investigation or questionnaire begun during his temporary appointment. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-12. Commission Appointments

Sec. 12. Commission Appointments. The commission shall have the power to make an appointment to a local board if the required appointment is not made within one hundred (100) days following the mailing of the first notice requesting that the appointment be made. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-13.5. Training of Members

Sec. 13.5. (a) This section does not apply to a designated member of the local board who is an employee or officer of the commission. (b) A local board member shall complete a training program conducted by the commission. A local board member may not be required to take a test or an examination or pay a fee in order to complete the training program. (c) The training program must include training on all the following subjects: (1) An overview of Indiana alcoholic beverage law and enforcement. (2) Duties and responsibilities of the board concerning new permit applications, permit transfers, and renewal of existing permits. (3) The open door law (IC 5-14-1.5) and the public records law (IC 5-14-3). (4) Notice and hearing requirements. (5) The process for appeal of an adverse decision of the board. (6) Any other subject determined by the commission. (d) A local board member must complete the training program not more than one hundred eighty (180) days after the member is appointed to the board. A local board member who does not complete the training program within the time allowed by this subsection shall be removed from the board under section 21 of this chapter. As added by P.L.94-2008, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-13. Terms of Office

Sec. 13. Terms of Office. The term of office of an appointed member, other than an ad interim appointee, shall be for one (1) year from the date of his appointment and until his successor is appointed and qualified. The designated representative of the commission shall not have any specific term on any particular local board. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-14. Local Board Organization

Sec. 14. Local Board Organization. A local board shall meet and organize immediately following the appointment of its members. The local board shall elect one (1) of its members to serve as president. The president shall preside at the meetings of the board and shall sign the minutes of meetings. The local board also shall elect one (1) of its members to serve as secretary. The secretary shall keep the minutes of meetings and other records, attest the signature of the president and perform other duties assigned to him by the board. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-15. Meetings

Sec. 15. Meetings. Meetings of the local board shall be held in the office of the clerk of the circuit court, or at another place provided by the board of county commissioners. It shall be the duty of a member to attend the meetings of his board and to discharge the duties of his office. Any member of a local board may administer oaths. A meeting of a local board called for the purpose of a public investigation of an application for a permit may be continued from day to day, or adjourned until a later meeting of the local board in the discretion of the designated representative of the commission. [Pre-1973 Recodification Citations: 7-1-1-5(19); 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-16. Quorum and Voting

Sec. 16. Quorum and Voting. Three (3) members of a local board shall constitute a quorum for the transaction of business. A local board may take action only upon the affirmative votes of at least three (3) of its members. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-17. Compensation

Sec. 17. Compensation. As compensation for services, an appointed member of a local board shall receive an annual salary in the amount of two hundred forty dollars ($240), from the state, paid in twelve (12) equal, monthly installments. [Pre-1973 Recodification Citations: 7-1-1-5(19); 7-2-4-1.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-18. Additional Compensation

Sec. 18. Additional Compensation. An appointed member of a local board shall receive, in addition to the annual salary, compensation from the state at the rate of three dollars ($3.00), for each application on which he is required to, and does, investigate and report. The additional compensation shall be paid within sixty (60) days after the required questionnaire has been completed in due form, signed by the member, and delivered to the commission in duplicate. [Pre-1973 Recodification Citation: 7-2-4-1.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-19. Mileage

Sec. 19. An appointed member of a local board shall receive mileage at the same rate per mile as is provided for state employees in the state travel policies and procedures established by the department of administration and approved by the state budget agency for each mile, in excess of two (2) miles per day, traveled by him in necessary attendance at the meetings of the local board. The claim for mileage shall be certified by the member and filed with the commission. The claim for mileage shall be paid by the state at the expiration of sixty (60) days after the questionnaire covering an application investigated at the meeting of the local board in respect to which the mileage is claimed has been filled out and signed by the member. [Pre-1973 Recodification Citation: 7-2-4-1.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.85-1985, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-2. Qualifications of Appointed Members

Sec. 2. An appointed member of a local board shall possess the following qualifications: (1) The person must be at least twenty-one (21) years of age. (2) The person must be a bona fide resident of the county in which the person is to serve for at least five (5) years immediately preceding the person's appointment. (3) The person may not have a conviction within ten (10) years before the date of appointment of: (A) a federal crime having a sentence of at least one (1) year; (B) an Indiana Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony (for a crime committed after June 30, 2014); or (C) a crime in a state other than Indiana having a penalty equal to the penalty for an Indiana Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony (for a crime committed after June 30, 2014). However, this subdivision does not apply to a conviction that has been expunged under IC 35-38-9. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.285-2019, SEC.8.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-20. Oath of Office

Sec. 20. Oath of Office. An appointed member of a local board shall execute an oath of office in duplicate. One (1) copy of the oath shall be filed in the office of the clerk of the circuit court of the judicial circuit in which the local board sits. The other copy shall be filed with the chairman. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-21. Removal From Office

Sec. 21. Removal from Office. An appointed member of a local board may be removed from office only for good cause. The commission shall give the member a written copy of the charges against him and shall fix the time, which shall not be less than five (5) days thereafter, when the member may appear before the commission and show cause why he should not be removed. The commission shall establish procedures for the removal of an appointed member of a local board. The findings and determinations of the commission in respect to a removal shall be final. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-22. Oral Comments at Meetings

Sec. 22. (a) A local board shall allow all individuals attending a public local board meeting or hearing to make oral comments at the meeting or hearing regarding the subject of the meeting or hearing. However, a local board may set a reasonable limit on the amount of time allowed to each individual to provide oral comment. (b) A local board may give greater weight to oral comments provided by a person who: (1) owns or operates a business that is located; or (2) owns real property or resides; not more than one thousand (1,000) feet from the location for which a permit is requested. As added by P.L.94-2008, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-3. Qualifications of Designated Members

Sec. 3. (a) The designated member of a local board shall meet the following requirements: (1) The person must be an Indiana resident. (2) The person must be familiar with Indiana alcoholic beverage law. (3) The person may not have a conviction within ten (10) years before the date of appointment of: (A) a federal crime having a sentence of at least one (1) year; (B) an Indiana Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony (for a crime committed after June 30, 2014); or (C) a crime in a state other than Indiana having a penalty equal to the penalty for an Indiana Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony (for a crime committed after June 30, 2014). However, this subdivision does not apply to a conviction that has been expunged under IC 35-38-9. (b) The designated member may be an officer or employee of the commission. [Pre-1973 Recodification Citation: 7-2-1-8.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.285-2019, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-5. Composition

Sec. 5. Composition. A local board shall be composed of four (4) members who are qualified for their positions according to this chapter, and who, other than the designated representative of the commission, do not hold other lucrative public office or employment. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-6. Appointments

Sec. 6. Appointments. A local board shall be composed of three (3) appointed members and one (1) designated member. One (1) of the appointed members shall be appointed by the board of county commissioners of the county in which the board is to perform its duties. One (1) of the appointed members shall be appointed by the county council of the county in which the board is to perform its duties. One (1) of the appointed members shall be appointed by the mayor of the city within the county having the largest population. The designated member of the board shall represent the commission and shall be designated by the commission. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-7. Composition; Two-Cities Exception

Sec. 7. Composition: Two-Cities Exception. In a county in which there are located two (2) or more cities, each having a population of more than ten thousand (10,000), as to all applications for permits which apply to premises within the corporate limits of one (1) of the cities, the local board shall consist of the designated member, the appointed members appointed by the board of county commissioners and the county council, and a member appointed by the mayor of the effected city. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-8. Composition; No City Exception

Sec. 8. If there is no city within a county, the executive of the town within the county having the largest population shall make the one (1) appointment to the local board normally made by the executive of the largest city. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.8-1989, SEC.33.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 4. Local Boards7.1-2-4-9. Order of Appointments

Sec. 9. The order of appointments to a local board shall be as follows: (1) The board of commissioners of a county shall make its appointment first. (2) The city or town executive, as the case may be, shall make the executive's appointment second. (3) The county fiscal body shall make its appointment third. (4) The commission shall designate its representative fourth. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.8-1989, SEC.34; P.L.4-1991, SEC.136.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-1. Issuance of Warrant

Sec. 1. A judge of any court may issue a warrant to search a house or other place for alcohol, an alcoholic liquid or substance, a still, a distilling apparatus, a tobacco product, or another article that is being possessed, kept, sold, bartered, given away, used, or transported in violation of this title. [Pre-1973 Recodification Citation: 7-1-1-34.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.1-1990, SEC.87; P.L.94-2008, SEC.8.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-11. Evidence of Misbranding

Sec. 11. An unbroken bottle or container which contains, or has contained, liquor or wine and which bears a brand, label, trade-mark, name or other device, marking, inscription, or a reference to quality, nature, character, origin, or manufacturer of the alcoholic beverage contents of that bottle or container, that has been altered, defaced, restored, or upon which the tax stamp of the federal government has been forged, counterfeited, restored, or reused, or which brand, label, trade-mark, name or other device, marking or inscription does not truly describe the contents or former contents shall be received in evidence in a court as prima facie proof that the person chargeable with the possession of it either is, or was, or both, maintaining a public nuisance and either is, or was, or both, keeping and possessing misbranded or adulterated alcoholic beverages. [Pre-1973 Recodification Citation: 7-1-1-39.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.4. As amended by P.L.194-2021, SEC.20.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-12. Oral Evidence

Sec. 12. The court shall receive oral testimony also upon a matter referred to in section 11 of this chapter for the purpose of showing a violation of this title whether the bottle or container is offered in evidence or not. [Pre-1973 Recodification Citation: 7-1-1-39(2).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.1-2009, SEC.62; P.L.194-2021, SEC.21.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-13. Destroyed Evidence

Sec. 13. If a fluid is poured out or otherwise destroyed or carried away by the tenant or other person when a premises is being searched, the fluid shall be held to be, prima facie, an alcoholic beverage held or possessed contrary to this title and intended for unlawful possession and sale. Proof of the possession of an empty bottle or container, keg, case and vessel that has contained a destroyed alcoholic beverage shall be admitted as evidence of the illegal possession of that alcoholic beverage. [Pre-1973 Recodification Citation: 7-1-1-39(5).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.194-2021, SEC.22.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-14. Sale of Property Seized From Owner

Sec. 14. Sale of Property Seized from Owner. The court, upon conviction of the owner, shall order that personal property of any type seized under this title and which has been found to have been used, kept or possessed in violation of this title shall be sold by the chairman if the property has commercial value and may be purchased and used legally. The court shall order the chairman, or the sheriff, to destroy the property if it has no commercial value or cannot be purchased and used legally. However, the court shall enter its order of sale or destruction only after an opportunity has been given to the owner for a hearing concerning the proposed order. [Pre-1973 Recodification Citation: 7-1-1-40.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-15. Sale of Property Seized From Non-Owner

Sec. 15. The court, upon the conviction of a person other than the owner, found in charge or possession of personal property seized under this title, or upon written petition of the chairman if no person is found in charge of or in possession of the seized property, and if the court, upon hearing, finds that any of the personal property was used, kept, or possessed in violation of this title, with the knowledge of the owner, shall order the property disposed of as provided in section 14 of this chapter. However, the court shall enter its order of sale or destruction only after an opportunity for a hearing has been given by not less than ten (10) days notice to the owner, if the owner is known, or if the owner is not known, then by notice of the seizure of the property, with a description of it, by publication one (1) time in a newspaper of general circulation published in the county seat of the county of the court having jurisdiction. If there is no newspaper published in the county seat, the notice shall be published in a newspaper of a general circulation in the county. Notice published in a newspaper shall be given not less than ten (10) days prior to the time fixed for the hearing. [Pre-1973 Recodification Citation: 7-1-1-40.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.97.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-16. Rights of Lien Holders

Sec. 16. A lien holder, by intervention at a hearing as provided in section 14 or 15 of this chapter or in another proceeding brought for that purpose, at any time before the sale of property ordered sold, may have the lien holder's lien determined and the lien holder's priority fixed. Liens determined under this section shall be transferred to and attached to the proceeds of the sale of the property. [Pre-1973 Recodification Citation: 7-1-1-40.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.98.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-17. Conduct of Sale

Sec. 17. Property ordered sold by a court under the provisions of section 14 or 15 of this chapter shall be sold by the chairman at public auction in any county in which he may deem it most advantageous to sell the property. The chairman shall give one (1) week's notice of the sale prior to the sale. The notice shall be published in the county seat of the county in which the sale is to be made. Property which has a commercial value and which may be lawfully purchased may be sold to any person. The proceeds of the sale, after deducting necessary costs and charges, including fees for publication, and payment of liens shall be paid to the chairman for deposit under IC 7.1-4-10-3. [Pre-1973 Recodification Citation: 7-1-1-40.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.105-1995, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-2. Service of Warrant

Sec. 2. Service of Warrant. The warrant shall be directed to the officer, agent, or employee of the commission who filed the affidavit for the warrant and otherwise it shall be directed to any officer who has the power to serve criminal process. The warrant shall be served by the person to whom it was issued in the daytime or nighttime and the return made within twenty (20) days from the date of issue. [Pre-1973 Recodification Citation: 7-1-1-34.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-3. Seizures

Sec. 3. Seizures. The officer who serves the warrant shall seize any article described in the warrant and any other article that he may find during the search that is used in the violation of a provision of this title and hold them pending the disposition as may be ordered by the court in which a prosecution may be instituted for the violation of a provision of this title. [Pre-1973 Recodification Citation: 7-1-1-34.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-4. Disposition of Articles Pending Judgment

Sec. 4. An alcoholic beverage or a tobacco product seized pursuant to this chapter and any other article which may be found on the searched premises and taken under the warrant shall not be taken from the custody of the person who served the warrant by a writ of replevin or other process while the proceedings provided in this chapter are pending. A final judgment of conviction in that proceeding shall be a bar in all cases to an action for recovery of the thing seized or the value of it or damages alleged to have arisen by reason of the seizing and detention of it. [Pre-1973 Recodification Citation: 7-1-1-35.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.94-2008, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-5. Property Rights Limited

Sec. 5. All rights of any kind in an alcoholic beverage or a tobacco product of any type, or in a container for an alcoholic beverage, or in an article, apparatus, package, fixture or utensil in which an alcoholic beverage or a tobacco product may be placed, or which is used in connection with it, or a vehicle or conveyance in which an alcoholic beverage or a tobacco product is being transported or which is used for the transportation of an alcoholic beverage or a tobacco product, shall at all times and under all circumstances by whomsoever held, owned, or possessed, be deemed qualified by the right of the state, the commission, and the chairman, to administer, execute and enforce the provisions of this title. [Pre-1973 Recodification Citation: 7-1-1-36.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.94-2008, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-6. Certain Property Rights Prohibited

Sec. 6. A person shall have no property right of any kind in alcohol, an alcoholic beverage, a malt article, or a tobacco product had, kept, transported, or possessed contrary to law, or in or to a receptacle or container of any kind in which these liquids and articles may be found, or in an unlawful or prohibited receptacle or container, or in a receptacle or container which does not conform to or which is being used contrary to or which is not kept in conformity to a rule or regulation of the commission, or which is being used to contain an alcoholic beverage or tobacco product upon which a tax is due and unpaid, or an adulterated or misbranded alcoholic beverage, or which is being used in an unlawful practice, or a practice contrary to a rule or regulation of the commission. [Pre-1973 Recodification Citation: 7-1-1-36.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.94-2008, SEC.11.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-7. Illegal Transportation; Property Rights Limited

Sec. 7. A person who is interested in illegal transportation, or who has knowledge of it, shall have no right, title, or interest in or to a conveyance of any kind used for the illegal transportation of alcohol, alcoholic beverages, malt articles, or a tobacco product. [Pre-1973 Recodification Citation: 7-1-1-36.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.94-2008, SEC.12.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-8. Forfeiture to State

Sec. 8. An officer who makes an arrest for a violation of the provisions of this title shall seize the evidence of the commission of that violation, including any vehicle, automobile, boat, air or water craft, or other conveyance in which alcohol, alcoholic beverages, malt articles, or tobacco products are kept, possessed, or transported contrary to law, or contrary to a rule or regulation of the commission. The articles and vehicles mentioned in this section and in sections 5 through 7 of this chapter are hereby declared forfeited to the state and shall be seized. [Pre-1973 Recodification Citation: 7-1-1-36.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.3-2008, SEC.68; P.L.94-2008, SEC.13.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 5. Remedies: Searches, Seizures, Property Rights, Evidence, and Judicial Sales7.1-2-5-9. Opinion Evidence

Sec. 9. Opinion Evidence. Testimony concerning the appearance, taste or odor of a beverage or liquid shall be received in evidence in a criminal prosecution under this title, or in a proceeding before the commission or a local board. A witness, either lay or expert, may testify as to his opinion that a beverage or liquid which he has tasted, seen, smelled, or otherwise examined is a particular type of alcoholic beverage. [Pre-1973 Recodification Citation: 7-1-1-39.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 6. Remedies: Public Nuisances7.1-2-6-1. Public Nuisance; Places

Sec. 1. (a) The following are declared to be a public nuisance: (1) A room, a house, a building, a boat, a structure, an automobile, other vehicle, or place of any kind where at least one (1) of the following occurs: (A) An alcoholic beverage of any type is sold, possessed, manufactured, bartered, or given away in violation of law or a rule of the commission. (B) A person is permitted to resort for the purpose of drinking an alcoholic beverage of any type in violation of law. (2) A place where alcoholic beverages are kept for sale, barter, or gift in violation of law or in violation of a rule of the commission, and all alcoholic beverages and all other property kept in and used in maintaining a place. (3) The business property of a person who knowingly or intentionally sells, possesses, manufactures, barters, or gives away alcoholic beverages in violation of law or a rule of the commission. (b) The plaintiff in an action to abate a public nuisance under subsection (a)(3) must prove that the owner of the business had actual knowledge of the actions alleged to constitute a nuisance. (c) In determining whether the owner of a business should be held liable for failing to abate a public nuisance under subsection (a)(3), the court shall consider the efforts the owner of the business took to abate the public nuisance, including whether the police department that serves the business owner's property had been notified by the business owner or the owner's employee of the actions alleged to constitute the public nuisance. [Pre-1973 Recodification Citation: 7-1-1-37.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.52-1994, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 6. Remedies: Public Nuisances7.1-2-6-10. Abatement Upon Conviction

Sec. 10. Abatement Upon Conviction. A person may file a complaint with the circuit or criminal court of the county in which the offense was committed in a case in which a person has been convicted of a violation of this title, to abate as a public nuisance the real estate or other property involved in the commission of the offense or to enjoin the unlawful conduct or practice on or in the premises. In an abatement action under this section, a certified copy of the record of conviction shall be admissible in evidence and prima facie evidence that the room, house, building, boat, structure, automobile, or other vehicle, or place of any kind set forth and described in the complaint is a public nuisance. [Pre-1973 Recodification Citation: 7-1-1-38.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 6. Remedies: Public Nuisances7.1-2-6-11. Injunction Pending Trial

Sec. 11. Injunction Pending Trial. An action seeking relief through an injunction or abatement may be begun, carried on and concluded prior to or during the pending of the criminal prosecution of a defendant arising from or in connection with, or on, or at the room, house, building, boat, structure, automobile, or other vehicle, or place of any kind set out and described in the complaint for the action seeking relief through an injunction or abatement. [Pre-1973 Recodification Citation: 7-1-1-38.] Formerly: Acts 1973, P.L.55, SEC.1.

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2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 6. Remedies: Public Nuisances7.1-2-6-12. Action by Commission

Sec. 12. Action by Commission. The commission may enforce a provision of this title or a rule or regulation of the commission against a permittee either by way of seeking a writ of mandate mandating the defendant to comply with a rule or regulation of the commission or by an action for an injunction enjoining a permittee from violating a rule or regulation of the commission whether the conduct of the defendant does or does not constitute a public nuisance within the meaning of this title. A temporary restraining order, preliminary injunction, and a permanent injunction may be granted in such an action without a bond being filed by the plaintiff. [Pre-1973 Recodification Citation: 7-1-1-38.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 6. Remedies: Public Nuisances7.1-2-6-13. Action by Commission; Representation

Sec. 13. An action authorized by section 12 of this chapter shall be brought in the name of the State of Indiana on the relation of the commission. The commission may be represented by an attorney selected by it, or by the attorney general, or by a deputy or assistant attorney general assigned by the attorney general for the purpose of instituting or conducting the action, or by both. [Pre-1973 Recodification Citation: 7-1-1-38.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.100.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 6. Remedies: Public Nuisances7.1-2-6-14. Remedies Cumulative

Sec. 14. The remedies authorized by IC 7.1-2-5, and by this chapter are cumulative and in no sense shall one (1) of the remedies exclude another. The remedies provided in this article shall not limit or remove the power of the commission to revoke a permit. [Pre-1973 Recodification Citation: 7-1-1-38.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.101.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 6. Remedies: Public Nuisances7.1-2-6-2. Public Nuisance; Acts

Sec. 2. Public Nuisance: Acts. An act or practice, or manner of conducting a business by a permittee contrary to a provision of this title or to a rule or regulation of the commission, or by a person not a permittee contrary to a provision of this title, shall also constitute a public nuisance if done, carried on, or permitted to take place in a building or upon a premises in or on which an alcoholic beverage is possessed, kept, stored, or consumed, or upon a vehicle, or conveyance in or on which an alcoholic beverage is being kept, stored, consumed, conveyed, transported, or imported into this state contrary to this title, or contrary to a rule or regulation of the commission. [Pre-1973 Recodification Citation: 7-1-1-37.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.137-2021, SEC.12.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 6. Remedies: Public Nuisances7.1-2-6-3. Public Nuisance; Untaxed Liquor

Sec. 3. Public Nuisance: Untaxed Liquor. A malt article, liquid, alcoholic beverage, or container of a substance or beverage in respect to which an excise tax or license fee is imposed under this title and upon which the tax or fee has not been paid, the receptacle in which it is contained and the premises where it is kept or hidden shall constitute a public nuisance. [Pre-1973 Recodification Citation: 7-1-1-37.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 6. Remedies: Public Nuisances7.1-2-6-4. Abatement of Public Nuisance

Sec. 4. Abatement of Public Nuisance. The commission, the chairman, the attorney general, a prosecuting attorney, a permittee authorized to sell alcoholic beverages within the county in which a common nuisance exists, kept, or maintained, or a number of permittees authorized to sell alcoholic beverages within the county or elsewhere within the state, or a taxpayer of the county, may maintain an action in the name of the state to abate and perpetually enjoin a public nuisance, or to abate, or enjoin, or both, a practice, or conduct of a person, whether a permittee or not, in violation of this title or a rule or regulation of the commission. [Pre-1973 Recodification Citation: 7-1-1-38.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 6. Remedies: Public Nuisances7.1-2-6-5. Available Remedies

Sec. 5. Available Remedies. The plaintiff in an action to abate a public nuisance shall not be required to give bond in the action. A temporary restraining order, a preliminary injunction, a permanent injunction, and other appropriate relief may be granted in this action as is allowed by the Indiana Rules of Civil Procedure. [Pre-1973 Recodification Citation: 7-1-1-38.] Formerly: Acts 1973, P.L.55, SEC.1.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 6. Remedies: Public Nuisances7.1-2-6-6. Evidence of Federal Tax Payment

Sec. 6. Evidence of Federal Tax Payment. The payment of a federal government special tax by a person, or the possession by him of a stamp or receipt issued to him by the federal government, either as a retail dealer, or as a wholesale dealer in alcoholic beverages, or the possession by him, or the posting by him upon the premises of a stamp, certificate, permit or license issued under the authority of the United States authorizing him to deal in alcoholic beverages shall be prima facie evidence that the named person is engaged in possessing, selling, transporting, giving away or furnishing alcoholic beverages on the covered premises. This section shall apply in a criminal prosecution under this title or in an action to abate or enjoin a public nuisance or unlawful practice or a practice prohibited by a rule or regulation of the commission. [Pre-1973 Recodification Citation: 7-1-1-39(3).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 6. Remedies: Public Nuisances7.1-2-6-7. Order of Court

Sec. 7. Order of Court. The court shall order upon final judgment against the defendant that the room, house, building, structure, boat or place of any kind shall be closed for a period of one (1) year. However, the court may order in the alternative that the premises be closed for only a part of the one (1) year period or until the owner, lessee, tenant, or occupant of the premises gives bond with sufficient surety to be approved by the court making the order, in a penal sum of not less than one thousand dollars ($1,000), payable to the State of Indiana. [Pre-1973 Recodification Citation: 7-1-1-38.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 6. Remedies: Public Nuisances7.1-2-6-8. Conditions of Bond

Sec. 8. The bond required by section 7 of this chapter shall be conditioned that an alcoholic beverage will not thereafter be manufactured, possessed, sold, bartered, given away, furnished, or otherwise disposed of in or on the public nuisance, or kept in or on it with the intent to sell, barter, give away, or otherwise dispose of it contrary to law or to a rule or regulation of the commission. The bond shall be conditioned also that the unlawful conduct or practice, or conduct of another person, whether a permittee or not, the violation of this title or of a rule or regulation of the commission, will not be permitted on or in the premises. The bond shall be conditioned further that the defendant will pay all fines, costs, and damages against the defendant for the violation of this title. [Pre-1973 Recodification Citation: 7-1-1-38.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.99.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 6. Remedies: Public Nuisances7.1-2-6-9. Recovery on Bond

Sec. 9. Recovery on Bond. The whole amount of the bond filed under this chapter may be recovered as a penalty if a condition of the bond is violated. The penalty recovered shall be for the use of the city or town, or if outside the limits of a city or town, then to the county, in which the premises are situated. [Pre-1973 Recodification Citation: 7-1-1-38.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 7. Prevention of Discrimination Against Indiana Products7.1-2-7-1. Power of Commission

Sec. 1. Power of Commission. The commission shall have the duty to make and enter orders with respect to alcoholic beverages manufactured, processed, or transported from, outside this state and imported into this state as will most effectively produce the discontinuance of discrimination by another state, territory, district, political subdivision, municipality, or person against alcoholic beverages produced in Indiana. [Pre-1973 Recodification Citation: 7-1-3-1.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 7. Prevention of Discrimination Against Indiana Products7.1-2-7-2. Investigations

Sec. 2. Investigations. The commission, from time to time, either on its own initiative or on complaint of a resident of this state, shall make, or cause to be made, investigations of the laws, rules, regulations, ordinances and practices of the several states, territories, districts, political subdivisions and municipalities of the United States outside the State of Indiana, relating to alcoholic beverages manufactured or processed in or exported from, this state. The purpose of these investigations shall be to determine whether these laws, rules, regulations, ordinances and practices unfairly or unreasonably discriminate against alcoholic beverages manufactured or processed in or exported from this state, or in favor of a person outside this state. [Pre-1973 Recodification Citation: 7-1-3-3.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 7. Prevention of Discrimination Against Indiana Products7.1-2-7-3. Entrance of Orders

Sec. 3. Entrance of Orders. If, upon investigation, the commission finds that discrimination does exist, it shall make and enter one (1) of the following orders: (a) prohibiting the importation, transportation, purchase, receipt, sale, delivery, distribution, or

possession into or within this state, of alcoholic beverages, or one (1) or more classes of them, manufactured or processed in or by, or exported from, the place or person outside this state, as in its opinion will produce most effectively the discontinuance of the discrimination; or, (b) providing for a levy, assessment, collection and imposition of additional taxes, licenses, fees and restrictions upon or in connection with the privilege of importing, transporting, purchasing, receiving, selling, delivering, distributing or possessing, into or within this state, of alcoholic beverages, or one (1) or more classes of them, which are manufactured or processed in or by, or imported, transported or received from, a place or person outside this state, as in its opinion will produce most effectively the discontinuance of the discrimination. [Pre-1973 Recodification Citation: 7-1-3-3.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 7. Prevention of Discrimination Against Indiana Products7.1-2-7-4. Scope of Orders

Sec. 4. The commission, in making an order under section 3 of this chapter, shall not be limited to the products of the particular state, territory, district, political subdivision, municipality or person in which or in whose favor the discrimination is found to exist. The commission may include in its order the alcoholic beverages, or a class of them, manufactured or processed in or by, or imported, transported, or received from any other place or person outside this state, as in its opinion will produce most effectively the discontinuance of the discrimination. [Pre-1973 Recodification Citation: 7-1-3-3.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.102.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 7. Prevention of Discrimination Against Indiana Products7.1-2-7-5. Hearing of Aggrieved Party

Sec. 5. Hearing of Aggrieved Party. A resident of this state who is aggrieved by an order of the commission entered under this chapter, may file, within thirty (30) days after the entrance of the order, his written complaint with the commission asking that the order be vacated or modified on the ground that it is unreasonable, insufficient, or unlawful. The petitioner shall set out in his complaint the facts and reasons on which his claim is based. The complaint shall be set for hearing before the commission not less than thirty (30), nor more than sixty (60), days after it is filed. [Pre-1973 Recodification Citation: 7-1-3-4.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 7. Prevention of Discrimination Against Indiana Products7.1-2-7-6. When Order Becomes Final

Sec. 6. An order of the commission entered under this chapter shall become final and shall not thereafter be open to attack for any purpose if a complaint is not filed pursuant to section 5 of this chapter within thirty (30) days after the entrance of the order. [Pre-1973 Recodification Citation: 7-1-3-4.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.103.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 7. Prevention of Discrimination Against Indiana Products7.1-2-7-7. Conduct of Hearing; Appearance by Corporation

Sec. 7. (a) The commission shall have the power to make and establish rules for the admission of evidence and the conduct of the hearing, as in its opinion will serve best the purpose of the hearing. The attorney general of the state shall appear at the hearing and represent the commission in the defense of its order. (b) A corporation that is a party in any proceeding before the commission may elect to appear either by counsel or by the personal appearance of any of its corporate officers. [Pre-1973 Recodification Citation: 7-1-3-4.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.78-1986, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 7. Prevention of Discrimination Against Indiana Products7.1-2-7-8. Findings

Sec. 8. Findings. The commission, at the conclusion of the hearing and within ten (10) days after it, shall make and enter its findings and decision vacating, modifying, or affirming its order. These findings and decision shall be final and conclusive as to all matters contained in them. The order of the commission shall be and remain in full force unless the commission, for good reason and by appropriate entry, rescinds it, or suspends its effective date. [Pre-1973 Recodification Citation: 7-1-3-4.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 7. Prevention of Discrimination Against Indiana Products7.1-2-7-9. Reciprocity Agreements

Sec. 9. Reciprocity Agreements. The commission may enter into a reciprocity agreement with another state, territory, district, political subdivision, or municipality outside this state, regarding the importation, exportation, transportation, sale, purchase, receipt, delivery, distribution or possession of alcoholic beverages. The reciprocity agreement may be made for the purpose of promoting the economic welfare of the citizens of, and of industry and labor in, this state, and for the purpose of preventing or discouraging discrimination against alcoholic beverages manufactured or processed in, or exported from, this state. The agreement may provide also for the remission of any additional taxes or fees levied pursuant to an order made and entered under the authority of this chapter. However, the commission shall not have the authority to enter into an agreement which will in any manner violate, change

or modify a law of this state. [Pre-1973 Recodification Citation: 7-1-3-6.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 8. Jurisdiction and Miscellaneous Judicial Proceedings7.1-2-8-1. Jurisdiction; General Rule

Sec. 1. Jurisdiction: General Rule. An action brought against the commission, or against the chairman as the chairman, shall be brought in the circuit or superior court of Marion County unless otherwise specifically provided in this title. [Pre-1973 Recodification Citation: 7-1-1-42(j).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 8. Jurisdiction and Miscellaneous Judicial Proceedings7.1-2-8-2. Jurisdiction Restricted

Sec. 2. Jurisdiction Restricted. Except as otherwise provided in this title, a person shall not bring an action against the State of Indiana, the commission, the chairman, or the chairman pro tempore, based upon a claim arising from the collection of money received by the state in connection with the administration or enforcement of a provision of this title. The consent of the State of Indiana is hereby expressly withdrawn and denied in such an action and no court shall have jurisdiction in such an action. [Pre-1973 Recodification Citation: 7-2-1-16.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 8. Jurisdiction and Miscellaneous Judicial Proceedings7.1-2-8-3. Declaratory Judgment

Sec. 3. Declaratory Judgment. The commission shall have the authority also to initiate, in the name of the State of Indiana on the relation of the commission, an action to obtain a declaratory judgment as to the meaning, application, or constitutionality of a provision of this title or of a rule or regulation of the commission or an order of the commission. The action shall be brought in any court having civil jurisdiction within Marion County against a permittee or other person. The proceedings shall conform to the Indiana Rules of Civil Procedure concerning declaratory judgments. [Pre-1973 Recodification Citation: 7-1-1-38.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 2. Alcohol and Tobacco Commission and AdministrationChapter 8. Jurisdiction and Miscellaneous Judicial Proceedings7.1-2-8-4. Judicial Notice

Sec. 4. Judicial Notice. A court shall take judicial notice of the signature of the chairman and of the seal of the commission. A court shall take judicial notice, also, of a document, paper, record, or instrument, or copy of these, duly authenticated, as prescribed in the rules and regulations of the commission. [Pre-1973 Recodification Citation: 7-1-1-39(4).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.1. Deposit of Retailer and Dealer Permits7.1-3-1.1-1. Applicability

Sec. 1. A permit deposited with the commission before, after, or on July 1, 2019, is subject to this chapter. As added by P.L.285-2019, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.1. Deposit of Retailer and Dealer Permits7.1-3-1.1-2. Deposit Terms

Sec. 2. (a) If a permit holder is unable to immediately operate the business for which the permit was issued, the permit holder shall deposit the permit with the commission, subject to the commission's approval. The commission may approve the deposit of the permit for the following terms: (1) An initial term of deposit that expires twenty-four (24) months after the date of the commission's approval. (2) An extension of the term of deposit that expires twelve (12) months after the date the initial term of deposit under subdivision (1) expires. (3) An extension of the term of deposit that expires twelve (12) months after the date the initial term of deposit under subdivision (2) expires. (4) An extension of the term of deposit that expires twelve (12) months after the date the initial term of deposit under subdivision (3) expires. (b) If the permit has not expired or reverted to the commission, a permit holder may withdraw a permit that is deposited with the commission and make the permit active at any time before the term of deposit expires, subject to any requirements of the commission. As added by P.L.285-2019, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.1. Deposit of Retailer and Dealer Permits7.1-3-1.1-3. Reversion of Permit to Commission

Sec. 3. (a) A permit reverts to the commission if: (1) a term of deposit under section 2(a) of this chapter expires without the commission approving an extension of the term; and (2) the permit is not active. (b) In addition to the notice provided under IC 7.1-3-1-3, at least ninety (90) days before the date that a term of deposit expires, the commission shall provide written notice to the permit holder of the date that: (1) the term of deposit expires; and (2) the permit will revert to the commission if: (A) the permit is not active; or (B) an extension of the term of deposit has not been approved by the commission. As added by P.L.285-2019, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.1. Deposit of Retailer and Dealer Permits7.1-3-1.1-4. Procedure for Deposit of Permit or Extension of Deposit Term

Sec. 4. This section sets out the procedure for a permit holder to request deposit of a permit or extension of a term of deposit. A permit holder must do the following: (1) Submit the permit holder's request for deposit or an extension of the term of deposit to the commission in writing. A permit holder must submit a request for extension at least sixty (60) days before the term of deposit expires. (2) To make an initial request for deposit of a permit, submit documentation of the following: (A) The specific reasons why the business for which the permit was issued is not immediately operational. (B) A timetable for making the business and the permit active. (C) A detailed statement of the permit holder's efforts to make the business operational and the permit active. (3) To request an extension of a term of deposit, appear at a public meeting of the commission and provide to the commission's satisfaction an explanation of the following: (A) The specific reasons why the business for which the permit was issued is not immediately operational. (B) A timetable for making the business operational and the permit active. (C) A detailed statement of the permit holder's efforts to make the business operational and the permit active. (4) Submit to the commission any other documentation of the permit holder's efforts under subdivision (3)(C), including: (A) contracts for construction or renovation of the permit premises; (B) zoning applications and approvals; and (C) building permits and any other necessary government approvals. (5) If the commission approves the permit holder's initial request for deposit or request for an extension of a term of deposit, pay any permit renewal fees that are due. As added by P.L.285-2019, SEC.15. Amended by P.L.194-2021, SEC.27; P.L.9-2022, SEC.11.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.1. Deposit of Retailer and Dealer Permits7.1-3-1.1-5. Notice of Commission Approval or Denial of Deposit or Extension of Deposit Term; Judicial Review

Sec. 5. The commission shall send a notice by mail or electronic mail to a person of: (1) the commission's approval or denial of a request for deposit or extension of a term of deposit; and (2) if the permit holder's request is approved: (A) the date that the term of deposit expires; and (B) any fees that are due and payable by the permit holder. A person adversely affected by the commission's determination under this chapter may seek judicial review of the determination under IC 4-21.5. As added by P.L.285-2019, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.1. Deposit of Retailer and Dealer Permits7.1-3-1.1-6. Permits Subject to Quota; Restrictions on Ownership Transfer

Sec. 6. (a) This section applies to a permit deposited with the commission that: (1) has never been put into operation by the permit holder; and (2) is subject to the quota provisions of IC 7.1-3-22. (b) The commission may not accept an application for transfer of ownership of the permit except upon a showing to the satisfaction of the commission of both of the following: (1) Exceptional and unusual circumstances that necessitate a transfer of ownership of the permit, including bankruptcy or death of the permit holder. (2) That the permit holder does not intend to speculatively sell the permit. Evidence of the permit holder's intent may be shown by submitting to the commission documentation showing that the proposed sale price for the permit does not exceed the amount that the permit holder paid the commission or the previous permit holder for the permit. As added by P.L.285-2019, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-1.2. "Applicant"

Sec. 1.2. As used in this chapter, "applicant" means a person who applies for a trainer certificate under this chapter to train: (1) alcohol servers; and (2) individuals who plan to become certified trainers; on the selling, serving, and consumption of alcoholic beverages. As added by P.L.165-2006, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-1.3. "Certified Trainer"

Sec. 1.3. As used in this chapter, "certified trainer" means a person who is issued a trainer certificate under section 4.6 of this chapter. As added by P.L.165-2006, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-1. "Alcohol Server"

Sec. 1. As used in this chapter, "alcohol server" means the following: (1) A person who works on the licensed premises of a retailer permittee as a: (A) manager; (B) bartender; or (C) waiter or a waitress. (2) A person who works on the licensed premises of a dealer permittee as a: (A) manager; or (B) sales clerk. (3) A person who is the proprietor of or is employed by an art instruction studio under IC 7.1-5-8-4.6 that serves wine brought into the studio by patrons. As added by P.L.161-2005, SEC.1. Amended by P.L.285-2019, SEC.16.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-10. Suspension or Revocation of Certificate; Refusal to Issue Certificate; Fines

Sec. 10. (a) The commission may refuse to issue a trainer certificate under this chapter to an applicant who has been convicted of a felony if less than two (2) years have elapsed from the date the applicant was discharged from probation, imprisonment, or parole, whichever discharge date is latest, to the date the applicant applies for the trainer certificate. (b) The commission may: (1) refuse to: (A) issue a certificate under this chapter; or (B) renew or restore a certificate issued under this chapter; or (2) suspend or revoke a

certificate issued under this chapter; if the commission determines that the applicant or certificate holder has not complied with this chapter. (c) The commission may fine a certificate holder for the violation of a: (1) provision of this chapter; or (2) rule adopted by the commission under this chapter. The commission may fine a certificate holder for each day the violation continues if the violation is of a continuing nature. As added by P.L.161-2005, SEC.1. Amended by P.L.269-2013, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-11. Injunction

Sec. 11. (a) If a person violates this chapter, the attorney general, the commission, or the prosecuting attorney of the county in which the person violates this chapter may maintain an action in the name of the state to enjoin the person from continuing in violation of this chapter. (b) A person who is enjoined and who violates the injunction shall be punished for contempt of court. As added by P.L.161-2005, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-12. Violation; Class B Infraction

Sec. 12. (a) In the case of a program approved under IC 7.1-3-1.6, this section applies only to an individual providing the assistance described in IC 7.1-3-1.6-6(6). (b) A person who trains alcohol servers without a trainer certificate under this chapter commits a Class B infraction. As added by P.L.161-2005, SEC.1. Amended by P.L.165-2006, SEC.15; P.L.94-2008, SEC.20; P.L.269-2013, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-13. Retailer or Dealer Permittee; Management Representative; Duties and Responsibilities

Sec. 13. (a) Except as provided in IC 7.1-3-1.7, a retailer permittee or dealer permittee who operates an establishment where alcoholic beverages are served or sold must: (1) ensure that each alcohol server completes a server program or a trainer program established or approved under section 5.5 or 6 of this chapter not later than one hundred twenty (120) days after the date the alcohol server begins employment at the establishment; (2) require each alcohol server to attend a refresher course that includes the dissemination of new information concerning the server program subject areas described in section 6 of this chapter or subject areas of a trainer program every three (3) years after the date the alcohol server completes a server program or a trainer program; and (3) maintain training verification records of each alcohol server. (b) A retailer permittee, a dealer permittee, or a management representative of a retailer or dealer permittee must complete a server program or a trainer program established or approved under section 5.5 or 6 of this chapter: (1) not later than one hundred twenty (120) days after the date: (A) the dealer permittee is issued a permit described in section 2 of this chapter; or (B) the retailer permittee is issued a permit described in section 4 of this chapter; and (2) every five (5) years after the date the retailer permittee, dealer permittee, or management representative of the retailer or dealer permittee completes a server program or a trainer program. (c) The commission shall notify a: (1) dealer permittee at the time the dealer permittee renews a permit described in section 2 of this chapter; and (2) retailer permittee at the time the retailer permittee renews a permit described in section 4 of this chapter; of the requirements under subsections (a) and (b). (d) The commission may suspend or revoke a retailer permittee's or dealer permittee's permit or fine a retailer permittee or dealer permittee for noncompliance with this section in accordance with IC 7.1-3-23. As added by P.L.161-2005, SEC.1. Amended by P.L.165-2006, SEC.16; P.L.94-2008, SEC.21; P.L.10-2010, SEC.5; P.L.13-2013, SEC.27; P.L.191-2018, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-14.5. Trainer Certificate

Sec. 14.5. A trainer program established or approved under section 5.5 of this chapter must provide a trainer certificate to an individual who successfully completes the program. As added by P.L.94-2008, SEC.23.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-14. Server Certificate

Sec. 14. A server program established or approved under section 6 of this chapter must provide a server certificate to an individual who successfully completes the server program. As added by P.L.165-2006, SEC.17. Amended by P.L.94-2008, SEC.22.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-15.5. Observation of Trainer Program

Sec. 15.5. The commission may attend and observe training under a trainer program established or approved under section 5.5 of this chapter at any time. As added by P.L.94-2008, SEC.25.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-15. Observation of Server Program

Sec. 15. The commission may attend and observe training by a certified trainer under a server program established or approved under section 6 of this chapter at any time. As added by P.L.165-2006, SEC.18. Amended by P.L.94-2008, SEC.24.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-16. Rules

Sec. 16. The commission shall adopt rules under IC 4-22-2 to carry out this chapter. As added by P.L.165-2006, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-2. "Dealer Permittee"

Sec. 2. As used in this chapter, "dealer permittee" means a person who holds a liquor dealer permit under IC 7.1-3-10 for a package liquor store. As added by P.L.161-2005, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-3. "Program"

Sec. 3. As used in this chapter, "program" refers to a program designed to educate an alcohol server on the: (1) selling; (2) serving; and (3) consumption; of alcoholic beverages. As added by P.L.161-2005, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-4.2. "Server Certificate"

Sec. 4.2. As used in this chapter, "server certificate" means a certificate issued by the commission under this chapter to an individual who completes a program established or approved under section 6 of this chapter. As added by P.L.165-2006, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-4.3. "Server Program"

Sec. 4.3. As used in this chapter, "server program" refers to a program designed to educate an alcohol server on the: (1) selling; (2) serving; and (3) consumption; of alcoholic beverages. As added by P.L.94-2008, SEC.14.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-4.4. "Trainer Certificate"

Sec. 4.4. As used in this chapter, "trainer certificate" means a certificate issued by the commission under this chapter to an applicant who meets the requirements under section 4.6 of this chapter. As added by P.L.165-2006, SEC.8.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-4.5. "Trainer Program"

Sec. 4.5. As used in this chapter, "trainer program" refers to a program designed to educate an individual on the training of alcohol servers on the: (1) selling; (2) serving; and (3) consumption; of alcoholic beverages. As added by P.L.94-2008, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-4.6. Trainer Certificate; Requirements

Sec. 4.6. Except as provided in section 10 of this chapter, the commission shall issue a trainer certificate to an applicant who: (1) files the application and pays the fees established by the commission under section 5 of this chapter; (2) completes a program established or approved under section 5.5 of this chapter; and (3) meets the requirements under this chapter and rules adopted by the commission. As added by P.L.165-2006, SEC.9. Amended by P.L.94-2008, SEC.16; P.L.269-2013, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-4.8. Certified Trainer; Authorized Activities

Sec. 4.8. A certified trainer may train alcohol servers on the selling, serving, and consumption of alcoholic beverages. As added by P.L.165-2006, SEC.10. Amended by P.L.94-2008, SEC.17.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-4. "Retailer Permittee"

Sec. 4. As used in this chapter, "retailer permittee" means a person who holds a: (1) beer retailer's permit under IC 7.1-3-4; (2) liquor retailer's permit under IC 7.1-3-9; or (3) wine retailer's permit under IC 7.1-3-14. As added by P.L.161-2005, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-5.5. Trainer Program; Approval

Sec. 5.5. (a) Subject to subsection (b), the commission may approve a trainer program by a third party that is designed to educate individuals on the training of alcohol servers on the selling, serving, and consumption of alcoholic beverages. (b) The commission may not approve a trainer program by a third party that holds or has an interest in any of the following permits: (1) A primary source

of supply permit. (2) A beer, wine, or liquor wholesaler's permit. (3) A beer, wine, or liquor retailer's permit. (4) A beer, wine, or liquor dealer's permit. (c) In approving a trainer program under this section, the commission may consider the following factors: (1) The needs of applicants. (2) The geographical distribution of the third parties' locations in Indiana. (3) The adequacy of the facilities where the trainer program will be conducted. As added by P.L.94-2008, SEC.18.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-5. Rules

Sec. 5. The commission shall adopt rules under IC 4-22-2 to establish: (1) an application form; (2) standards; and (3) fees; for certification under this chapter. As added by P.L.161-2005, SEC.1. Amended by P.L.165-2006, SEC.11.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-6. Server Program Requirements

Sec. 6. (a) The commission shall: (1) establish a server program; (2) approve a server program established by a third party that meets the requirements of this chapter; and (3) approve a server program established by a third party that meets the requirements of this chapter and IC 7.1-3-1.6; that is designed to educate alcohol servers on the selling, serving, and consumption of alcoholic beverages. (b) A server program established or approved under subsection (a) must include the following: (1) Training provided by: (A) an instructor who has knowledge in the subject areas described in this section and is a certified trainer under this chapter; or (B) an online or self-study course under IC 7.1-3-1.6. (2) Information on specific subject areas as required by the commission. (3) A minimum of at least two (2) hours of training to complete the program. (4) Information on: (A) state laws and rules regarding the sale and service of alcoholic beverages; (B) the classification of alcohol as a depressant and the effect of alcohol on the human body, particularly on the ability to drive a motor vehicle; (C) the effects of alcohol: (i) when taken with commonly used prescription and nonprescription drugs; and (ii) on human behavior; (D) methods of: (i) identifying and refusing to serve or sell alcoholic beverages to an underage or intoxicated person; and (ii) handling situations involving an underage or intoxicated person; (E) methods for properly and effectively: (i) checking the identification of an individual; (ii) identifying an illegal identification of an individual; and (iii) handling situations involving individuals who have provided illegal identification; (F) security and law enforcement issues regarding the sale and service of alcoholic beverages; and (G) recognizing certain behavior to assess the amount of alcohol an individual: (i) has consumed; and (ii) may safely consume. (5) One (1) or both of the following: (A) A written test. (B) An oral test. As added by P.L.161-2005, SEC.1. Amended by P.L.165-2006, SEC.12; P.L.94-2008, SEC.19; P.L.269-2013, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-8. Trainer Certificate Expiration and Renewal

Sec. 8. (a) A trainer certificate issued under this chapter expires three (3) years after the date the trainer certificate was issued. (b) The commission shall notify a: (1) dealer permittee at the time the dealer permittee renews a permit described in section 2 of this chapter; and (2) retailer permittee at the time the retailer permittee renews a permit described in section 4 of this chapter; of the renewal requirements for a trainer certificate under this chapter. As added by P.L.161-2005, SEC.1. Amended by P.L.165-2006, SEC.13.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.5. Certification of Alcohol Server Training Programs7.1-3-1.5-9. Trainer Certificate Renewal Requirements

Sec. 9. To renew a trainer certificate under this chapter, the certified trainer must: (1) file the renewal application established and provided by the commission; (2) pay a renewal fee of forty-five dollars ($45); and (3) complete a refresher course established or approved by the commission; not later than the expiration date of the trainer certificate. As added by P.L.161-2005, SEC.1. Amended by P.L.165-2006, SEC.14.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.6. Online and Self-Study Server Courses7.1-3-1.6-1. Applicability of Ic 7.1-3-1.5 Definitions

Sec. 1. The definitions in IC 7.1-3-1.5 apply to this chapter. As added by P.L.269-2013, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.6. Online and Self-Study Server Courses7.1-3-1.6-10. Server Program Provider Reports

Sec. 10. A provider of a server program under this chapter shall submit a report every month to the commission or upon the commission's request. The report must provide the following information regarding each participant in the program during the previous month: (1) The participant's full name. (2) The participant's date of birth. (3) The certificate number or system generated number providing a unique identification of the participant. (4) Whether the course taken by the participant was an online course or self-study course. (5) The following information regarding the test taken by the participant: (A) The date of the test. (B) The location of the test site if the test was administered as part of a self-study course. (C) The participant's score, reported as a percentage. (D) Whether the participant passed or failed the exam. As added by P.L.269-2013, SEC.5.

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2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.6. Online and Self-Study Server Courses7.1-3-1.6-11. Server Program Provider Self-Generated Audit

Sec. 11. (a) A provider of a server program under this chapter shall provide the commission with a self-generated program audit on January 2 of each year. (b) The self-generated program audit must include the following information for the previous calendar year: (1) An overview of the program provider, including how long the program provider has been in existence and offered alcohol server programs for certification in Indiana. (2) The following: (A) A copy of the job task analysis for the job of alcohol server. (B) The knowledge, skills, and abilities that are defined for the job of alcohol server. (3) Information regarding the job task analysis under subdivision (2), including the following: (A) An overview of the process used to conduct the job task analysis, including: (i) timelines; (ii) data collection formats; and (iii) procedures. (B) Credentials and demographic information of all individuals involved in the job task analysis. (4) An overview of the process of creating the course tests. (5) A description of the rotation of test questions. (6) An enumeration of each of the following with respect to the provider's program: (A) The number of each type of course taken by participants for certification in Indiana. (B) The number of tests taken for certification in Indiana. (C) The number of tests under clause (B) that had a passing grade or a failing grade. (7) The program pass rate for certification in Indiana. (8) The number of Indiana server certificates issued by the provider. As added by P.L.269-2013, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.6. Online and Self-Study Server Courses7.1-3-1.6-12. Server Program Provider Onsite Audits

Sec. 12. A provider of a server program under this chapter must be willing to accept onsite audits by the commission and perform onsite audits as the commission considers necessary. An onsite audit may review the following: (1) The self-generated program audit described in section 11 of this chapter. (2) The number of Indiana server certificates that have been issued by the program provider. (3) The measures taken by the program provider for the protection of test questions. (4) The procedures of the program provider for scoring tests. (5) The size of the item bank from which the test questions are taken. (6) The methodology used to translate the course and test into multiple languages and the qualifications of the individuals performing the translation. (7) The integrity of the course data generated and stored by the program provider. (8) The program provider's data handling, reporting, and archiving capacities, policies, and procedures. (9) The availability and credentials of individuals providing qualified assistance to participants who have questions regarding course content and instructional materials. (10) The program provider's policies and procedures for addressing participants' questions. (11) The program provider's procedures to ensure that participants are not discriminated against due to age, sex, race, religion, ethnic origin, disability, or marital status. As added by P.L.269-2013, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.6. Online and Self-Study Server Courses7.1-3-1.6-2. "Online Course"

Sec. 2. As used in this chapter, "online course" means a course of instruction: (1) designed to educate an alcohol server in the selling, serving, and consumption of alcoholic beverages; and (2) that is provided by computer or connection to the Internet. As added by P.L.269-2013, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.6. Online and Self-Study Server Courses7.1-3-1.6-3. "Participant"

Sec. 3. As used in this chapter, "participant" means a person who participates in an alcohol server program. As added by P.L.269-2013, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.6. Online and Self-Study Server Courses7.1-3-1.6-4. "Self-Study Course"

Sec. 4. As used in this chapter, "self-study course" means a course of instruction: (1) designed to educate an alcohol server in the selling, serving, and consumption of alcoholic beverages; and (2) that is provided through printed materials. The term does not include an online course. As added by P.L.269-2013, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.6. Online and Self-Study Server Courses7.1-3-1.6-5. Online and Self-Study Courses

Sec. 5. A server program under this chapter must include: (1) an online course; and (2) a self-study course; approved by the commission. As added by P.L.269-2013, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.6. Online and Self-Study Server Courses7.1-3-1.6-6. Server Program Requirements

Sec. 6. A server program under this chapter must meet the following requirements: (1) Be one (1) or both of the following: (A) A nationally recognized program that is approved by the commission. (B) A program developed by and offered through the commission. (2) Require verification of a participant's identity. In the case of an online course, verification may be through the use

of a username and password, or by any other equally effective means. (3) Provide a test consisting of at least forty (40) questions. (4) Require a grade of at least seventy-five percent (75%) on the test to pass the course and receive a server certificate. (5) Require completion of the course before a test may be taken. (6) Provide participants with access to an individual with a trainer certificate to answer questions about the course content. (7) Randomly generate combinations of test questions on a regularly scheduled basis. (8) Use scenario-based training to enhance decision making. (9) Comply with the requirements of IC 7.1-3-1.5-6(b). (10) Comply with any other requirements of the commission. As added by P.L.269-2013, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.6. Online and Self-Study Server Courses7.1-3-1.6-7. Online Course Requirements

Sec. 7. An online course must meet the following requirements: (1) Provide a process for participants to securely log in to the course. (2) Automatically log out participants after twenty (20) minutes of inactivity and allow participants to resume the course at the same point where they stopped. (3) Provide intuitive: (A) user navigation through the course; and (B) user interface with the course. (4) Use linear navigation that requires the completion of a module before the course proceeds to the next module. (5) Use an interactive course design. (6) Provide participants with adequate access to a help desk to resolve technical issues without delaying the flow of instruction. (7) Provide that the course web site may not allow advertisements to appear on the course web site while the participant is receiving instruction, and provide that advertisements that appear on the web site when the participant is not receiving instruction follow generally accepted marketing practices. As added by P.L.269-2013, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.6. Online and Self-Study Server Courses7.1-3-1.6-8. Eligibility Requirements for Self-Study Course

Sec. 8. (a) Unless an individual satisfies the eligibility requirements established by the commission under subsection (b) for participation in a self-study course, an individual may receive a server certificate only by successfully completing: (1) a program established or approved by the commission under IC 7.1-3-1.5-6(a)(1) or IC 7.1-3-1.5-6(a)(2); or (2) an online course under this chapter. (b) The commission shall adopt eligibility requirements and an approval process for an individual to participate in a self-study course. In determining eligibility, the commission may consider: (1) an individual's limited access to a computer; (2) any physical disabilities affecting an individual's ability to participate in an online course; and (3) any other relevant circumstances considered by the commission. (c) The commission shall establish standards for printed self-study course materials, including the following: (1) Use of good quality, full color photographs and limited illustrations to depict job tasks from the participant's point of view. (2) Use of visual clues to focus participants on critical concepts. (3) Use of activities that provide participants with an opportunity to practice concepts. (4) Course materials of durable material and binding. (d) The text of the self-study course materials and tests must be written in clear and understandable language. As added by P.L.269-2013, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.6. Online and Self-Study Server Courses7.1-3-1.6-9. Self-Study Course Test Requirements

Sec. 9. A self-study course may not provide a test that is self-administered by the participant. A self-study course test must meet the following requirements: (1) The participant must appear in person at a location to take the test. (2) The participant's identity must be sufficiently verified. (3) Any other requirements established by the commission. As added by P.L.269-2013, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.7. Exempt Servers7.1-3-1.7-1. "Accredited Hospitality Management Program"; "State Educational Institution"

Sec. 1. The following definitions apply throughout this chapter: (1) "Accredited hospitality management program" means a hospitality management program that is: (A) accredited by the Accreditation Commission for Programs in Hospitality Administration or a similar nationally recognized accrediting organization; and (B) offered by a state educational institution. (2) "State educational institution" has the meaning set forth in IC 21-7-13-32. As added by P.L.191-2018, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1.7. Exempt Servers7.1-3-1.7-2. Employee Permit Exemption

Sec. 2. (a) Notwithstanding any other law, a person at least eighteen (18) years of age may work as a waiter or waitress on the licensed premises of a retailer permittee without having attended a server program or obtained a server certificate or employee permit if all of the following requirements are met: (1) The licensed premises is a restaurant operated by an accredited hospitality management program primarily for educational purposes. (2) The person is a student enrolled in a: (A) state educational institution; and (B) course offered by the accredited hospitality management program. (3) The licensed premises, state educational institution, or accredited hospitality management program does not pay the person to work at the licensed premises. (4) The person works under the supervision of an instructor employed by the state educational institution. (b) This section does not permit a person to work as a bartender. As added by P.L.191-2018, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The following amendments to this chapter apply as follows: (1) The addition of section 28 of this chapter by P.L.204-2001 applies only to applications submitted after June 30, 2001. (2) The amendments made to sections 5.5 and 5.6 of this chapter by P.L.204-2001 apply only to applications submitted after June 30, 2001. Applicants who submit an application before July 1, 2001, must comply with sections 5.5 and 5.6 of this chapter, as appropriate, as the provision was effective at the time the application was submitted. As added by P.L.220-2011, SEC.171.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-1.5. Intent of General Assembly Concerning Sales of Carryout

Sec. 1.5. (a) It is the intent of the general assembly, consistent with the character of the business test described in section 19 of this chapter, that a grocery store, convenience store, or drug store should not be given the privilege of selling cold beer for carryout. (b) It is the intent of the general assembly, consistent with the character of the business test described in section 19 of this chapter, that a restaurant located within a grocery store, convenience store, or drug store should not be given the privilege of selling alcoholic beverages for carryout. (c) The commission shall apply the intent of the general assembly, when considering the character of an applicant's business, as described in section 19 of this chapter. As added by P.L.270-2017, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-1. Issuance of Permits Authorized

Sec. 1. Issuance of Permits Authorized. The commission may issue only the types of permits authorized by this article subject to the applicable provisions of this title. [Pre-1973 Recodification Citation: 7-1-1-6.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-10. Surety Bond; Approval

Sec. 10. Surety Bonds: Approval. The commission shall keep a surety bond filed under this title safely in its files. The commission shall not approve a surety bond unless the surety company is solvent and qualified to do business in this state. The commission, before approving a surety bond, shall require the commissioner of the department of insurance to furnish to the commission copies of reports of the surety company and other information concerning the reserves and reliability of the company. [Pre-1973 Recodification Citations: 7-1-1-41; 7-1-1-42(f).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-11. Cash in Lieu of Bond

Sec. 11. Cash in Lieu of Bond. Cash, or bonds of the United States, or both, may be tendered to the commission in lieu of a surety bond required by the provisions of this title if it is tendered on the same terms and conditions as a surety bond. [Pre-1973 Recodification Citation: 7-1-1-42(d).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-12. Cancellation of Surety Bond

Sec. 12. Cancellation of Surety Bond. A surety may not cancel or annul a surety bond filed in accordance with the provisions of this title after it has been approved by the commission. However, a surety, with the consent of the commission, may cancel a bond and be released from liability accruing after the effective date of the cancellation. The commission shall not approve a cancellation until the surety has paid and discharged in full its liability to the state on the bond to the date of the approval of the cancellation. [Pre-1973 Recodification Citation: 7-1-1-42(f).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-13.5. Payments

Sec. 13.5. (a) As used in this section, "credit card" means a: (1) credit card; (2) debit card; (3) charge card; or (4) stored value card. (b) The commission shall accept a payment to the commission for any purpose by any of the following financial instruments: (1) Cash. (2) Certified check. (3) Cashier's check. (4) Check drawn on the bank deposit of a business. (5) Valid postal money order of the United States. (6) Bank draft. (7) Money order. (8) Bank card or credit card. (9) Electronic funds transfer. (10) Any other financial instrument authorized by the commission. (c) If there is a charge to the commission for the use of a financial instrument, the commission may collect a sum equal to the amount of the charge from the person who uses the financial instrument. (d) A procedure authorized for a particular type of payment must be uniformly applied to all payments of the same type. (e) The commission may contract with a bank card or credit card vendor for acceptance of bank cards or credit cards. However, if there is a vendor transaction charge or discount fee, whether billed to the commission or charged directly to the commission's account, the commission may collect from the person using the card: (1) an official fee that may not exceed the transaction charge or discount fee charged to the commission by bank or credit card vendors; or (2) a reasonable convenience fee: (A) that may not exceed three dollars ($3); and (B) that must be uniform regardless of the bank card or credit card used. The fees described in subdivisions (1) and (2) may be collected regardless of retail merchant agreements between the bank and credit card vendors that may prohibit such fees. These fees are permitted additional charges under IC 24-4.5-3-202. (f) The commission may pay any applicable bank card or credit card service charge associated with the use of a bank card or credit card under this section. As added by P.L.153-2015, SEC.3.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-14. Times When Sales Lawful; Athletic or Sports Events in Specified Counties or Cities; Auto Racing

Sec. 14. (a) Except as otherwise specifically provided in this title, an appropriate permittee may sell alcoholic beverages each day Monday through Sunday from 7 a.m., prevailing local time, until 3 a.m., prevailing local time, the following day. (b) The holder of a retailer's permit may sell the appropriate alcoholic beverages as follows: (1) Monday through Sunday from 7 a.m., prevailing local time, until 3 a.m., prevailing local time, the following day, the holder of a retailer's permit may sell the appropriate alcoholic beverages for consumption on the licensed premises. (2) If the holder of a retailer's permit satisfies the requirements under this title for selling alcoholic beverages for consumption off the licensed premises, the permit holder may also sell carryout: (A) Monday through Saturday from 7 a.m., prevailing local time, until 3 a.m., prevailing local time, the following day; and (B) Sunday from noon, prevailing local time, until 8 p.m., prevailing local time. (c) The holder of a dealer's permit may sell the appropriate alcoholic beverages for carryout at the following times: (1) Monday through Saturday from 7 a.m., prevailing local time, until 3 a.m., prevailing local time, the following day. (2) Sunday from noon, prevailing local time, until 8 p.m., prevailing local time. (d) It is lawful for the holder of a permit under this article to sell alcoholic beverages at athletic or sports events held on Sunday upon premises that: (1) are described in section 25(a) of this chapter; (2) are a facility used in connection with the operation of a paved track more than two (2) miles in length that is used primarily in the sport of auto racing; or (3) are being used for a professional or an amateur tournament; beginning one (1) hour before the scheduled starting time of the event or, if the scheduled starting time of the event is 1 p.m. or later, beginning at noon. (e) It is lawful for the holder of a valid beer, wine, or liquor wholesaler's permit to sell to the holder of a valid retailer's or dealer's permit at any time. [Pre-1973 Recodification Citation: 7-2-1-7.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.60, SEC.2. As amended by P.L.99-1983, SEC.1; P.L.102-1989, SEC.1; P.L.64-1990, SEC.1; P.L.72-1991, SEC.1; P.L.1-1992, SEC.28; P.L.106-1995, SEC.6; P.L.205-1999, SEC.11; P.L.136-2000, SEC.1; P.L.72-2004, SEC.4; P.L.224-2005, SEC.3; P.L.165-2006, SEC.3; P.L.10-2010, SEC.4; P.L.1-2018, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-15. Service While Standing

Sec. 15. Service While Standing. It is lawful for a retail permittee to serve an alcoholic beverage to a customer whether the customer is seated or standing. It also is lawful for a customer of a retail permittee to be served an alcoholic beverage and to consume it whether he is seated or standing. [Pre-1973 Recodification Citation: 7-2-1-9(f).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-17. Transportation of Alcoholic Beverages; General

Sec. 17. Transportation of Alcoholic Beverages: General. The traffic and transportation of alcohol and alcoholic beverages for sale within this state shall be subject to the rules and regulations of the commission. Alcohol and alcoholic beverages shall be transported and delivered only in containers that are lawful under this title and permissible under the rules and regulations of the commission. [Pre-1973 Recodification Citation: 7-1-1-17.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-18. Publication of Notice

Sec. 18. (a) Except as provided in subsections (d) and (e), if publication of notice of application for a permit is required under this title, the publication shall be made in one (1) newspaper of general circulation published in the county where the permit is to be in effect. (b) Publication required under subsection (a) may be made in any newspaper of general circulation published one (1) or more times each week. (c) The rates which shall be paid for the advertising of a notice required under this title shall be those required to be paid in case of other notices published for or on behalf of the state. (d) The commission may publish notice of application for a three-way permit for a restaurant described in IC 7.1-3-20-12(4) by posting the notice on the commission's Internet web site. (e) If: (1) the commission is unable to procure advertising of a notice as required under subsection (a) at the rates set forth in IC 5-3-1; or (2) the newspaper published in the county as described in subsection (a) refuses to publish the notice; the commission may, instead of publication in a newspaper as required under subsection (a), require the designated member of the local board of the county to post printed notices in three (3) prominent locations in the county. [Pre-1973 Recodification Citations: 7-1-1-41; 7-3-1-1.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.224-2005, SEC.4; P.L.196-2015, SEC.5; P.L.285-2019, SEC.13.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-19. Character of the Business Test

Sec. 19. Character of the Business Test. Whenever the character of the business in which an applicant is engaged is material to his being issued a permit under this article, or is material to his being qualified to continue to hold the permit, it must be made to appear to the satisfaction of the commission that a substantial portion of the business carried on, or to be carried on, in the premises in respect to which a permit is applied for is in the nature of the applicant's main business function in the premises. [Pre-1973 Recodification Citation: 7-1-1-8(5).] Formerly: Acts 1973, P.L.55, SEC.1.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-2. No Property Right in Permit

Sec. 2. No Property Right in Permit. A permittee shall have no property right in a wholesaler's, retailer's, or dealer's permit of any type. [Pre-1973 Recodification Citations: 7-2-1-14(a); 7-1-1-5(2).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-20. Display of Permit

Sec. 20. A person to whom a permit has been issued to carry on any of the businesses or undertakings authorized by this title shall, before being fully qualified to do business, post and display, and keep posted and displayed, in the most conspicuous place in the person's licensed premises the person's permit to do business. [Pre-1973 Recodification Citation: 7-1-1-42(h).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.77-1988, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-21. Sponsoring Amateur Athletic Event

Sec. 21. The holder of a permit of any type issued under the provisions of this title or a manufacturer of an alcoholic beverage may sponsor, finance, or promote in any way an amateur athletic contest, amateur athletic team, or amateur athletic sporting event of any kind. [Pre-1973 Recodification Citation: 7-1-5-1.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.57-1984, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-22. Medical Exemption

Sec. 22. Medical Exemption. A regularly licensed physician, a dentist, or a person holding a license to practice medicine, or to engage in a profession in which the treatment of the human body, or of an animal body, is necessarily involved, a clinic, a noncommercial laboratory, a hospital or a sanitarium, may acquire, own and dispense for medicinal, mechanical or scientific purposes only, and not for beverage purposes, an alcoholic beverage or ethyl alcohol without a permit being issued under this title. [Pre-1973 Recodification Citation: 7-1-1-42(b).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-23.5. Wine Appreciation Course Instructor Exemption

Sec. 23.5. An instructor teaching a class on wine appreciation at an accredited college or university (as described under IC 24-4-11-2) may purchase, acquire, possess, and dispense wine for educational purposes within the class without a permit under this title. As added by P.L.54-2008, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-23. Pharmacy Exemption

Sec. 23. A registered pharmacist who owns or manages a regularly licensed drug store and who is not the holder of a drug store permit issued pursuant to the provisions of IC 7.1-3-10, but who is the holder of an unrevoked permit of the Indiana Board of Pharmacy, may acquire, own and use only in the compounding of physician's prescriptions two (2) gallons of ethyl alcohol per year without a permit being issued under this title. [Pre-1973 Recodification Citation: 7-1-1-42(b).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.104.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-24. Religious Exemption

Sec. 24. Religious Exemption. A pastor, rabbi, minister, or priest may purchase, acquire, possess and dispense wine for sacramental purposes or for performing a religious rite only without a permit being issued under this title. [Pre-1973 Recodification Citation: 7-1-1-42(b).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-25. Authorization to Permit the Sale of Alcoholic Beverages at Certain Public Facilities

Sec. 25. (a) A county, city, town, or township that by itself or in combination with any other body of a county, city, town, or township acquires by ownership or by lease any stadium, exhibition hall, auditorium, theater, convention center, civic center, or park or public recreation area with a permanent event or entertainment space may permit the retail sale of alcoholic beverages upon the premises if the governing board of the facility first applies for and secures the necessary permits as required by this title. (b) A county or township may be issued a permit for the retail sale of alcoholic beverages on the premises of any community center, including a clubhouse, pavilion, or social center that is located within a public park or operated by the township. (c) A county, city, town, or township that owns a golf course may permit the retail sale of alcoholic beverages upon the premises of the golf course if the governing board of the golf course first applies for and secures the necessary permits required by this title. (d) A county, city,

town, or township that owns a marina may be issued a permit for the retail sale of alcoholic beverages on the premises of the marina. The permit may include the carryout sale of alcoholic beverages in accordance with IC 7.1-3-4-6(c), IC 7.1-3-9-9(c), IC 7.1-3-14-4(c), and 905 IAC 1-29 but may not include at-home delivery of alcoholic beverages. However, the county, city, town, or township must apply for and secure the necessary permits that this title requires. (e) Notwithstanding subsection (a), the commission may issue a civic center permit to a person that: (1) by the person's self or in combination with another person is the proprietor, as owner or lessee, of an entertainment complex; or (2) has an agreement with a person described in subdivision (1) to act as a concessionaire for the entertainment complex for the full period for which the permit is to be issued. [Pre-Local Government Recodification Citation: 19-7-38-1.] As added by Acts 1980, P.L.8, SEC.64. Amended by Acts 1982, P.L.1, SEC.22; P.L.100-1983, SEC.1; P.L.57-1984, SEC.4; P.L.85-1985, SEC.4; P.L.112-1987, SEC.3; P.L.103-1989, SEC.1; P.L.12-1992, SEC.55; P.L.87-1993, SEC.1; P.L.71-1996, SEC.3; P.L.71-1997, SEC.1; P.L.205-1999, SEC.12; P.L.136-2000, SEC.2; P.L.170-2002, SEC.54; P.L.165-2006, SEC.4; P.L.119-2012, SEC.79; P.L.285-2019, SEC.14; P.L.145-2024, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-26. Sales Among Collectors

Sec. 26. No permit is required for the sale, purchase, or gift by a collector to another collector of a container that is: (1) a ceramic commemorative bottle; or (2) a uniquely designed decanter. An unbroken federal tax stamp must be on the container at the time of the sale, purchase, or gift. As added by P.L.57-1984, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-27. Affidavit of Compliance by Retailer Permittee; Financial Statements

Sec. 27. (a) Notwithstanding any other provision of this article, a retailer permittee who is required to comply with the gross food and beverage sales, or gross food sales, standards contained in this article as a condition of receiving, continuing to hold, or renewing, the permittee's permit, or otherwise doing business, may attest to the permittee's compliance with those standards by filing an affidavit of compliance with the commission. (b) The affidavit of compliance authorized by subsection (a) must be in writing and signed by the permittee, or by a responsible officer or partner, under the penalties of perjury, that the representations contained in it are true. (c) If the commission has reasonable grounds to doubt the truthfulness of an affidavit filed pursuant to subsection (a), it may require the permittee to support it by audited financial statements. If the audited financial statements do not support the affidavit and show the required compliance with the applicable standards of this article, the commission may revoke the permit. As added by P.L.112-1987, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-28. Posting Notice of Application

Sec. 28. (a) This section applies to the initial issuance, transfer of location, or transfer of ownership of the following: (1) Any form of retailer's permit issued under this title. (2) Any form of dealer's permit issued under this title. (b) To qualify for approval of an application, an applicant must show proof to the commission that the applicant has provided notice concerning the application in conformity with this section. (c) Except as provided in subsection (d), the applicant shall post a sign for the period, in the location, and in the form specified in the rules adopted by the commission to indicate to the public that the applicant is seeking the issuance of a retailer's or dealer's permit. The rules adopted by the commission must require that: (1) the wording on the sign be in a sufficiently large type size; and (2) the sign be posted in a sufficient manner in a window or another area; so that the sign is visible from the largest public thoroughfare or the nearest public thoroughfare in the vicinity of the applicant's location. The commission may require an applicant to use a sign prepared by the commission. The commission may charge a fee for a sign prepared by the commission that does not exceed the cost of the sign. (d) This subsection applies to a county having a consolidated city. If the application is for a permit other than a liquor dealer's permit, the applicant may: (1) post notice of the application as set forth in subsection (c); or (2) mail notice in accordance with: (A) section 5.5 of this chapter if the application is for a new permit or transfer of a permit; or (B) section 5.6 of this chapter if the application is for renewal of a permit. As added by P.L.204-2001, SEC.26.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-29. Senior Residence Facility Campus Exemption

Sec. 29. (a) For purposes of this section, "health facility" does not include an intermediate care facility for individuals with intellectual disabilities. (b) As used in this section, "senior residence facility" means a: (1) health facility licensed under IC 16-28; or (2) housing with services establishment (as defined in IC 12-10-15-3). (c) For purposes of this section, "senior residence facility campus" means a senior residence facility and the property on which a senior residence facility is located. (d) A senior residence facility may, without a permit issued under this title, possess and give or furnish an alcoholic beverage, by the bottle, by the container, or by the glass, on the premises of the senior residence facility campus for consumption on the premises to any of the following: (1) A resident who: (A) is not a minor; and (B) resides on the premises of the senior residence facility. (2) A guest or family member of a resident described in subdivision (1) who: (A) is not a minor; and (B) is visiting the resident at the senior residence facility. (e) Subject to subsection (f), this section may not be construed to authorize a senior residence facility to sell alcoholic beverages on the premises of the senior residence facility campus without a permit under this title. (f) For purposes of this

section, a senior residence facility that: (1) charges a: (A) room and board fee to residents of the senior residence facility; or (B) fee for organizing activities for: (i) residents of the senior residence facility; and (ii) guests or family members of the residents; (2) uses a portion of a fee described in subdivision (1) to: (A) purchase alcoholic beverages; and (B) furnish the alcoholic beverages to individuals described in subsection (d); and (3) does not purchase and furnish the alcoholic beverages for profit; is not considered to be selling alcoholic beverages. As added by P.L.196-2015, SEC.6. Amended by P.L.35-2016, SEC.3; P.L.194-2021, SEC.25.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-3.1. Letters of Extension

Sec. 3.1. (a) Notwithstanding section 3 of this chapter, any member of the commission may issue an original letter of extension extending the term of a permit for a maximum period of ninety (90) days for good cause shown upon the written request of the permittee and payment of the fee if required. (b) Upon the expiration of an original letter of extension, or any renewal thereof, if good cause still exists, subsequent renewals of the extension may be granted to that permittee only upon the affirmative vote of a majority of the members of the commission. As added by Acts 1982, P.L.69, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-3.5. Permits Deposited Before July 1, 2019

Sec. 3.5. (a) This section only applies to a retailer or dealer permit that is deposited with the commission before July 1, 2019. (b) A permittee to whom a retailer or dealer permit has been issued under this title may deposit that permit with the commission for a period of one (1) year if the permittee is unable to immediately operate the business to which the permit applies. Subject to subsections (d) through (f), the commission may extend the term of the deposit under IC 7.1-3-1.1. (c) This subsection applies to a permit that is deposited with the commission before July 1, 2016. The permit reverts to the commission if the permit is not active before July 1, 2020. (d) This subsection applies to a permit that is deposited with the commission after June 30, 2016, and before July 1, 2017. The permit reverts to the commission if the permit is not active before July 1, 2021. (e) This subsection applies to a permit that is deposited with the commission after June 30, 2017, and before July 1, 2018. The permit reverts to the commission if the permit is not active before July 1, 2022. (f) This subsection applies to a permit that is deposited with the commission after June 30, 2018, and before July 1, 2019. The permit reverts to the commission if the permit is not active before July 1, 2023. (g) This section expires July 1, 2024. As added by Acts 1982, P.L.69, SEC.6. Amended by P.L.250-2003, SEC.8; P.L.285-2019, SEC.11; P.L.194-2021, SEC.23.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-3. Term of Permits; Renewal; Effective Upon Final Approval; Letter of Authority to Operate

Sec. 3. (a) A permit of any type issued by the commission, except as provided in subsections (b) and (f) or unless otherwise provided in this title, shall be in force for one (1) calendar year only, including the day upon which it is granted. At the end of the one (1) year period the permit shall be fully expired and null and void. (b) Notwithstanding subsection (a), a permit that is subject to section 5.5 or 5.6 of this chapter is effective for two (2) calendar years, including the day upon which the permit is granted. However, a local board may recommend to the commission that the permit be issued or renewed for only a one (1) year period. The commission may issue or renew a permit for the period recommended by the local board. (c) A permittee who is granted a two (2) year permit under subsection (b) or subsection (f) is liable for any annual fees assessed by the commission. The annual fee is due on the annual anniversary date upon which the permit was granted. (d) If the commission grants a two (2) year permit, the commission may ask a local board to hold a hearing to reconsider the duration of a permittee's permit. A hearing held under this subsection is subject to section 5.5 or 5.6 of this chapter. A local board shall hold the hearing requested by the commission within thirty (30) days before the permittee's next annual anniversary date and forward a recommendation to the commission following the hearing. (e) If a permittee is granted a permit for more than one (1) year, the commission shall require the permittee to file annually with the commission the information required for an annual permit renewal. (f) Notwithstanding subsection (a), the following are effective for two (2) calendar years, including the day upon which the permit is granted: (1) A beer wholesaler's permit issued under IC 7.1-3-3-1. (2) A wine wholesaler's permit issued under IC 7.1-3-13-1. (3) A liquor wholesaler's permit issued under IC 7.1-3-8-1. (g) Except as provided in subsection (h), the commission shall timely process a permittee's application for renewal of a permit unless the permittee receives a notice of a violation from the office of the prosecutor created under IC 7.1-2-2-1. (h) The commission may timely process an application for renewal of a permit filed by a permittee that receives notice of a violation as described in subsection (g) if the chairman or the chairman's designee authorizes the application for renewal of the permit to be timely processed. (i) Except as provided in subsection (k), a permittee may file an application for renewal of a permit not later than: (1) one (1) year after the date the permit expires (in the case of a permit that expires before July 1, 2019); or (2) six (6) months after the date the permit expires (in the case of a permit that expires after June 30, 2019). (j) Except as provided in subsection (k), if a permittee does not file an application for renewal of a permit within the time provided in subsection (i), the permit reverts to the commission. At least thirty (30) days before the date that a permit reverts to the commission, the commission shall provide written notice to the permittee informing the permittee of the date that the permittee's permit will revert to the commission. (k) Subject to subsection (l), a permittee: (1) under subsection (i)(1) may file an application for renewal of a permit more than one (1) year after the date the permit expires if, not later than one (1) year after the date the permit expires, the permittee obtains approval from the chairman or the chairman's designee for an extension to file the application for renewal; or (2) under subsection (i)(2) may file an application for

renewal of a permit more than six (6) months after the date the permit expires if, not later than six (6) months after the date the permit expires, the permittee obtains approval from the chairman or the chairman's designee for an extension to file the application for renewal. (l) The chairman may allow the permittee to renew the permit: (1) more than one (1) year, in the case of a permittee under subsection (k)(1); or (2) more than six (6) months in the case of a permittee under subsection (k)(2); after the date the permit expires only if the permittee provides evidence that the permittee is engaged in an administrative or court proceeding that prevents the permittee from renewing the permit. (m) A permit is effective upon the final approval of the commission. Upon final approval of a permit, and upon the request of the permittee, the commission shall provide the permittee with a letter of authority to operate. The letter of authority to operate constitutes authorization for the permittee to perform the actions allowed under the permit until the date the permittee receives the permit issued by the commission. [Pre-1973 Recodification Citation: 7-2-1-14(c).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.52-1994, SEC.2; P.L.205-1999, SEC.8; P.L.250-2003, SEC.7; P.L.224-2005, SEC.2; P.L.196-2015, SEC.3; P.L.285-2019, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-30. Delivery to Consumer's Residence

Sec. 30. (a) This section applies to a permittee that sells and delivers alcoholic beverages to a consumer's residence, regardless of whether the delivery is made by the permittee, permittee's employees, or (if allowed under the permittee's permit) a third party delivery service. (b) A person delivering alcoholic beverages to a customer's residence must require the customer to provide proof of age in accordance with IC 7.1-5-10-23. As added by P.L.194-2021, SEC.26.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-4. Applications for Permits; General

Sec. 4. The commission shall issue a permit authorized by this title only upon proper application. The application shall be in the form and manner prescribed by the commission. The application shall contain the terms and information required by this title or by the rules and regulations of the commission. The appropriate surety bond, if one is required, also shall be submitted with the application. [1973 Recodification Citation: New.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.22; P.L.145-2024, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-5.3. Notice to Plan Commission of Application, Renewal, or Transfer of Permit Within Its Jurisdiction

Sec. 5.3. (a) This section applies to an application for a new permit, renewal of a permit, or transfer of a permit authorized by this article for a location in a: (1) second or third class city; or (2) county other than a county containing a consolidated city. (b) As used in this section, "plan commission" has the meaning set forth in IC 36-7-1-14. (c) A director of a plan commission may request the commission to notify the plan commission that the commission has received an application for a permit for a location within the territory where the plan commission has jurisdiction. (d) If the commission receives a request under subsection (c), the commission shall provide to the appropriate plan commission a copy of the notice that the commission submits for publication to meet the requirements of section 5 of this chapter. The commission shall send by mail or electronically the copy to the plan commission no later than the day that the commission submits the notice for publication. As added by P.L.70-1997, SEC.1. Amended by P.L.145-2024, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-5.5. Applications for Permits; Counties With Consolidated City; Notice; Affidavit

Sec. 5.5. (a) This section applies only in a county having a consolidated city. (b) As used in this section, "contiguous property owner" refers to a property owner who has real property that is geographically adjacent to or in contact with any point on the border of the property of a person who seeks a permit to sell alcoholic beverages for consumption on the licensed premises. (c) As used in this section, "neighboring property owner" means: (1) a contiguous property owner; or (2) a property owner who has real property that: (A) is geographically adjacent to or in contact with any point on the border of the property of a contiguous property owner; and (B) some portion of which is within five hundred (500) feet of the property of a person who seeks a permit to sell alcoholic beverages for consumption on the licensed premises. (d) As used in this section, "principal owner" means any person or entity holding at least a fifteen percent (15%) interest in the business for which a permit is sought to sell alcoholic beverages. (e) As used in this section, "property owner" means any person whose name and address appears in the county assessor's real property tax assessment records as a person responsible for the payment of property taxes on a parcel of real property. (f) Except as provided in section 28(d) of this chapter, subsection (g) applies to a location in the consolidated city only if: (1) the application is for a liquor dealer's permit for a location within the boundaries of the special fire service district, as determined in conformity with IC 7.1-3-22-8; or (2) the local alcoholic beverage board requires the applicant to comply with subsection (g). (g) In addition to the notice required by section 5 of this chapter, the applicant for a new permit, or a transfer of a permit to sell alcoholic beverages of any type or at any location must, at least fifteen (15) days before the date of the local alcoholic beverage board hearing, mail notice of the hearing at the applicant's expense to the following: (1) Each neighboring property owner. (2) The department of metropolitan development of the consolidated city. (3) The following entities that have registered with the department of metropolitan

development of the consolidated city: (A) The principal, headmaster, or other primary administrator of each public, private, or parochial elementary or secondary school located less than one thousand (1,000) feet from the property line of the applicant's property. (B) Each church that is located less than one thousand (1,000) feet from the property line of the applicant's property. (C) Each neighborhood association that represents the area in which the applicant's property is located. (h) The notice that the applicant mails must provide the following information: (1) The name and address of the applicant, or if the applicant is a corporation, a club, an association, or an organization, the name and address of the applicant's president, secretary, and principal owners who will be responsible to the public for the sale of alcoholic beverages. (2) A statement that the applicant has filed an application with the alcohol and tobacco commission for the sale of alcoholic beverages. (3) The specific address where alcoholic beverages are asked to be sold. (4) The type of alcoholic beverage permit applied for. (5) The date, time, and location of the public hearing before the local alcoholic beverage board regarding the application. (6) That if there is a desire to remonstrate against the application, the recipient of the notice may attend this public hearing. (i) The applicant shall furnish evidence of the applicant's compliance with this section by filing an affidavit with the local alcoholic beverage board at the public hearing on the application. The affidavit must list the names and addresses of the individuals or other entities to which notice was mailed by the applicant. (j) In addition to the information required by subsection (i), the applicant shall file with the local alcoholic beverage board at the public hearing the following information: (1) Verification from a department of the consolidated city designated by ordinance that the applicant is in compliance with zoning requirements for the premises to be licensed. (2) Verification from the department of state revenue that the applicant does not have any outstanding income tax, excise tax, or sales tax liabilities. (3) Verification from the county treasurer that the applicant does not have any outstanding property tax liability. (k) Subsection (j)(1) does not apply to a permit holder that received and held a permit before September 1, 1987. (l) Notwithstanding subsection (f)(1), an applicant seeking a transfer of a permit from a permit holder to a new permit holder when the new permit holder does not intend to change the nature of the business operated under the permit may apply to the local board for a waiver of the notice requirement in subsection (g). The local board may consider any information the local board considers relevant in making a determination to approve or deny the waiver request. The local board must approve or deny a waiver request at the first regularly scheduled meeting that occurs at least fifteen (15) days after the local board receives the waiver request from the applicant. As added by P.L.112-1987, SEC.2. Amended by P.L.52-1994, SEC.3; P.L.106-1995, SEC.4; P.L.70-1997, SEC.2; P.L.204-2001, SEC.23; P.L.10-2010, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-5.6. Permit Renewal Requirements

Sec. 5.6. (a) This section applies only in a county having a consolidated city. (b) This section applies only to an application for the renewal of a permit to sell alcoholic beverages. (c) The definitions set forth in section 5.5 of this chapter apply to this section. (d) The renewal of a permit is subject to IC 7.1-3-19-9.5. (e) Except as provided in section 28(d) of this chapter, subsections (f) and (g) apply to a location in the consolidated city only if the application is for a liquor dealer's permit. (f) Notwithstanding subsection (d), if: (1) an applicant has been cited for a violation of law or a rule of the commission; or (2) the local alcoholic beverage board has received at least five (5) written complaints against the applicant alleging a violation of law or a rule of the commission; then upon direction of the local board, the applicant shall, at least fifteen (15) days before the date of the local alcoholic beverage board hearing, mail notice of the hearing at the applicant's expense as provided in subsection (g). (g) The applicant shall mail the notice required under subsection (f) to the following: (1) Each neighboring property owner. (2) The department of metropolitan development of the consolidated city. (3) The following entities that have registered with the department of metropolitan development of the consolidated city: (A) The principal, headmaster, or other primary administrator of each public, private, or parochial elementary or secondary school located less than one thousand (1,000) feet from the property line of the applicant's property. (B) Each church that is located less than one thousand (1,000) feet from the property line of the applicant's property. (C) Each neighborhood association that represents the area in which the applicant's property is located. (h) The notice that the applicant mails must provide the following information: (1) The name and address of the applicant, or if the applicant is a corporation, a club, an association, or an organization, the name and address of the applicant's president, secretary, and principal owners who will be responsible to the public for the sale of alcoholic beverages. (2) A statement that the applicant has filed an application with the alcohol and tobacco commission for the sale of alcoholic beverages. (3) The specific address where alcoholic beverages are asked to be sold. (4) The type of alcoholic beverage permit applied for. (5) The date, time, and location of the public hearing before the local alcoholic beverage board regarding the application. (6) That if there is a desire to remonstrate against the application, the recipient of the notice may attend this public hearing. (i) The applicant shall furnish evidence of the applicant's compliance with this section by filing an affidavit with the local alcoholic beverage board at the public hearing on the application. The affidavit must list the names and addresses of the persons to whom notice was mailed by the applicant. (j) In addition to the information required by subsection (i), the applicant shall file with the local alcoholic beverage board at the public hearing the following information: (1) Verification from the department of metropolitan development of the consolidated city that the applicant is in compliance with zoning requirements for the premises to be licensed. (2) Verification from the department of state revenue that the applicant does not have any outstanding income tax, excise tax, or sales tax liabilities. (3) Verification from the county treasurer that the applicant does not have any outstanding property tax liability. (k) Subsection (j)(1) does not apply to a permit holder that received and held a permit before September 1, 1987. As added by P.L.52-1994, SEC.4. Amended by P.L.2-1995, SEC.38; P.L.106-1995, SEC.5; P.L.204-2001, SEC.24.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-5. Application for Permits; Disclosures; Permit Premises Pending

Sec. 5. (a) Except as provided in subsection (b), an application for a permit to sell alcoholic beverages of any kind, and the required publication of notice, shall disclose the name of the applicant and the specific address where the alcoholic beverages are to be sold, and any assumed business name under which the business will be conducted. The application and notice also shall disclose: (1) the names of the president and secretary of the corporation, club, association, or organization who will be responsible to the public for the sale of the alcoholic beverage if the applicant is a corporation, club, association, or other type of organization; or (2) the Internet web site where a member of the public may access the information in subdivision (1). (b) An application for a permit may be processed by the commission while the location of the permit premises is pending, upon a showing of need by the permit applicant. Any permit issued by the commission while the location of the permit premises is pending shall be placed immediately on deposit with the commission under IC 7.1-3-1-3.5 (before July 1, 2019) or (after June 30, 2019) IC 7.1-3-1.1 upon approval of the permit by the commission. If a permit issued by the commission is deposited with the commission under this subsection: (1) the applicant must go before the local board for approval of the applicant; and (2) before making the permit active, the permittee must go before the local board for approval of the location. [Pre-1973 Recodification Citation: 7-1-1-31.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1982, P.L.69, SEC.7; P.L.196-2015, SEC.4; P.L.285-2019, SEC.12; P.L.194-2021, SEC.24.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-6.4. Insurance Coverage Requirements

Sec. 6.4. (a) This section applies to the holder of one (1) or more of the following: (1) A retailer's permit. (2) A craft manufacturer's permit. (b) A permit holder must maintain during the permit term: (1) a liquor liability insurance policy that has total coverage of at least five hundred thousand dollars ($500,000); or (2) a liquor liability endorsement: (A) to a general liability insurance policy; and (B) that has total coverage of at least five hundred thousand dollars ($500,000). However, the insurance coverage requirements do not apply while a permit is on deposit under IC 7.1-3-1.1. (c) If an establishment operates under: (1) a retailer's permit; and (2) a craft manufacturer's permit; the insurance coverage requirements under subsection (b) apply to the establishment as a whole. The permit holder is not required to maintain the total insurance coverage requirements for each permit that is issued to the establishment. (d) A permit holder must provide the commission with proof of insurance coverage: (1) to apply for or renew a permit; (2) before the commission may make a permit active that is on deposit under IC 7.1-3-1.1; or (3) at any time, upon the request of the commission. (e) The commission may deny, suspend, revoke, or not renew a permit, if the permit holder fails to maintain the insurance coverage required under this section. (f) After June 30, 2024, the commission may not: (1) issue, renew, or transfer a permit; or (2) make a permit active that is on deposit under IC 7.1-3-1.1; unless the permit applicant or permit holder complies with this section. This subsection expires July 1, 2027. (g) A permit holder that holds an active permit issued before July 1, 2024, must comply with this section not later than January 1, 2025, or the commission may suspend or revoke the permit. This subsection expires July 1, 2027. As added by P.L.167-2024, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-6. Applications for Permits; Consent to Search

Sec. 6. Applications for Permits: Consent to Search. An application for a permit shall contain the express statement of the applicant that he consents for the duration of the permit term, if it is issued to him, to the entrance, inspection, and search by an enforcement officer, without a warrant or other process, of his licensed premises and vehicles to determine whether he is complying with the provisions of this title. The consent required by this section is renewed and continued by the retention of a permit or its use by a permittee. [Pre-1973 Recodification Citation: 7-1-1-42(e).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-7. Surety Bonds; Amounts

Sec. 7. (a) An applicant for a brewer's permit, a distiller's permit, or a liquor wholesaler's permit shall file with the commission a surety bond in the penal sum of ten thousand dollars ($10,000). (b) An applicant for a rectifier's permit shall file with the commission a surety bond in the penal sum of fifteen thousand dollars ($15,000). (c) An applicant for a vintner's permit shall file with the commission a surety bond in the penal sum of one thousand dollars ($1,000). [Pre-1973 Recodification Citations: 7-1-1-9; 7-1-1-16; 7-1-1-17; 7-1-1-18; 7-1-1-22; 7-1-1-23; 7-1-1-30.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.58-1984, SEC.1; P.L.205-1999, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-8. Terms and Conditions of Surety Bond

Sec. 8. Terms and Conditions of Surety Bond. The required surety bond of an applicant shall meet with the approval of the commission. The bond shall be made payable to the State of Indiana and be conditioned that so long as the applicant holds his permit unrevoked, he will not violate a provision of this title or a rule or regulation of the commission relating to his permit. The

bond also shall be conditioned that he will account for all taxes and fees levied by this title on the products manufactured, sold, or withdrawn for sale by the applicant under his permit. A permittee shall keep the bond in full force and effect continuously in order to keep his permit in force. [1973 Recodification Citation: New.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 1. General Provisions7.1-3-1-9. Recovery on Bond

Sec. 9. Recovery on Bond. The State of Indiana may recover the sum of one hundred dollars ($100), and no more, in any one (1) action on a permittee's surety bond for the violation of a rule or regulation of the commission. The State of Indiana may recover no more than two hundred dollars ($200) in any one (1) action on the surety bond for the violation of a provision of this title. Violations prior to the institution of the action on the bond shall be deemed one (1) continuing violation. However, the State of Indiana may recover the full amount of all taxes and fees due and owing by the permittee under this title in a single action on the bond. No person shall bring an action on the bond except the State of Indiana for the use and benefit of the state. [1973 Recodification Citation: New.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 10. Liquor Dealers' Permits7.1-3-10-1. Application

Sec. 1. Application. The commission may issue a liquor dealer's permit to a person who desires to sell liquor to customers for consumption off the licensed premises. [Pre-1973 Recodification Citation: 7-1-1-20.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 10. Liquor Dealers' Permits7.1-3-10-10. Failure to Cease; Offense

Sec. 10. Failure to Cease. The holder of a liquor dealer's permit for a package liquor store who recklessly fails to cease the sale of a certain commodity after this action has been ordered by the commission commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-4-4.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.701.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 10. Liquor Dealers' Permits7.1-3-10-11. Appeal From Order

Sec. 11. Appeal from Order. The holder of a liquor dealer's permit for a package liquor store shall have the same right of appeal from a cease and desist order to sell a certain commodity issued by the commission that is available for the appeal of any other order of the commission under this title. [Pre-1973 Recodification Citation: 7-1-4-5.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 10. Liquor Dealers' Permits7.1-3-10-13. Sampling Alcoholic Beverages on Package Liquor Store Premises

Sec. 13. (a) A liquor dealer permittee who is a proprietor of a package liquor store may allow customers to sample the following: (1) Beer. (2) Wines. (3) Liquors. (4) Liqueurs and cordials (as defined in 27 CFR 5.22(h)). (5) Flavored malt beverages. (6) Hard cider. (b) Sampling is permitted: (1) only on the package liquor store permit premises; and (2) only during the store's regular business hours. (c) No charge may be made for the samples provided to the customers. (d) Sample size of wines may not exceed one (1) ounce. (e) In addition to the other provisions of this section, a proprietor who allows customers to sample liquors, liqueurs, or cordials shall comply with all of the following: (1) A proprietor may allow a customer to sample not more than a combined total of two (2) liquor, liqueur, or cordial samples per day. (2) Sample size of liqueurs or cordials may not exceed one-half (1/2) ounce. (3) Sample size of liquors may not exceed four-tenths (0.4) ounce. (f) A sample size of beer, flavored malt beverage, or hard cider may not exceed six (6) ounces. As added by P.L.58-1984, SEC.4. Amended by P.L.52-1992, SEC.6; P.L.106-1995, SEC.9; P.L.12-1999, SEC.2; P.L.72-2004, SEC.9; P.L.94-2008, SEC.33.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 10. Liquor Dealers' Permits7.1-3-10-2. Drug Stores

Sec. 2. The commission may issue a liquor dealer's permit to the proprietor of a drug store who holds a license issued by the state board of pharmacy. An applicant for a liquor dealer's permit for a drug store shall not be disqualified under IC 7.1-3-4-2(a)(14). [Pre-1973 Recodification Citation: 7-1-1-20.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.110; P.L.285-2019, SEC.25.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 10. Liquor Dealers' Permits7.1-3-10-3. Drug Store Outside Corporate Limits

Sec. 3. The commission may issue a liquor dealer's permit to a drugstore situated outside the corporate limits of a city or town if the proprietor of the drugstore holds a license issued by the state board of pharmacy. The permit authorized by this section shall be issued in the same manner, and subject to the same restrictions, as that which is provided for in the issuance of a liquor dealer's permit to a drugstore situated inside the corporate limits of a city or town. [Pre-1973 Recodification Citation: 7-1-1-20.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.57-1984, SEC.8.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 10. Liquor Dealers' Permits7.1-3-10-4. Package Liquor Stores

Sec. 4. The commission may issue a liquor dealer's permit to the proprietor of a package liquor store. An applicant for a liquor dealer's permit for a package liquor store shall not be disqualified under IC 7.1-3-4-2(a)(14). [Pre-1973 Recodification Citation: 7-1-1-20.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.111; P.L.285-2019, SEC.26.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 10. Liquor Dealers' Permits7.1-3-10-5. Package Liquor Stores; Permissible Commodities

Sec. 5. A package liquor store's exclusive business shall be the selling of the following commodities only: (1) Liquor in its original package. (2) Beer in permissible containers, if the permittee has the proper permit. (3) Wine in its original package. (4) Bar supplies used in the preparation for consumption of alcoholic beverages and in their consumption. (5) Tobacco products. (6) Uncooled and uniced charged water, carbonated soda, ginger ale, mineral water, grenadine, and flavoring extracts. (7) Printed materials. (8) Lottery tickets as provided in IC 4-30-9. (9) Cooled or uncooled nonalcoholic malt beverages. (10) Flavored malt beverage in its original package. [Pre-1973 Recodification Citations: 7-1-1-20; 7-1-4-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.57-1984, SEC.9; P.L.341-1989(ss), SEC.11; P.L.52-1992, SEC.5; P.L.72-1996, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 10. Liquor Dealers' Permits7.1-3-10-6. Sale of Beer; Application and Scope

Sec. 6. The commission may, upon proper application and the payment of the required license fee, issue a beer dealer's permit to the holder of a liquor dealer's permit. However, applications for both of the permits may be made at the same time. The provisions of IC 7.1-3-5 shall apply to the issuance and enjoyment of a beer dealer's permit issued under the provisions of this section. [Pre-1973 Recodification Citations: 7-1-1-20; 7-1-4-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.112.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 10. Liquor Dealers' Permits7.1-3-10-7. Scope of Permit

Sec. 7. (a) The holder of a liquor dealer's permit shall be entitled to purchase liquor only from a permittee entitled to sell to a liquor dealer under this title. (b) A liquor dealer shall be entitled to possess liquor and sell it at retail in its original package to a customer only for consumption off the licensed premises. (c) A liquor dealer may deliver liquor only in permissible containers to a customer's residence or office in a quantity that does not exceed twelve (12) quarts at any one (1) time. This delivery may only be performed by the permit holder or an employee who holds an employee permit. However, a liquor dealer who is licensed under IC 7.1-3-10-4 may deliver liquor in permissible containers to a customer's residence, office, or designated location. The permit holder shall maintain a written record of each delivery for at least one (1) year that shows the customer's name, location of delivery, and quantity sold. (d) A liquor dealer may not sell or deliver alcoholic beverages or any other item through a window in the licensed premises to a patron who is outside the licensed premises. However, a liquor dealer that is a drug store may sell prescription drugs and health and beauty aids through a window in the licensed premises to a patron who is outside the licensed premises. [Pre-1973 Recodification Citations: 7-1-1-20.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.85-1985, SEC.6; P.L.65-1990, SEC.2; P.L.72-1996, SEC.8; P.L.204-2001, SEC.28; P.L.194-2021, SEC.40.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 10. Liquor Dealers' Permits7.1-3-10-8. Package Liquor Store; Premises

Sec. 8. Package Liquor Store: Premises. A package liquor store shall be conducted wholly apart from another business upon premises wholly separated from another room or store in which another business is conducted. [Pre-1973 Recodification Citation: 7-1-1-20.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.58, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 10. Liquor Dealers' Permits7.1-3-10-9. Cease and Desist Order

Sec. 9. Cease and Desist Order. The commission shall request the holder of a liquor dealer's permit for a package liquor store to cease and desist the sale of a commodity which, in the judgment of the commission, is not a commodity which may be sold by him under the provisions of this title. [Pre-1973 Recodification Citation: 7-1-4-3.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 11. Dining Car, Airplane, and Boat Liquor Permits7.1-3-11-1. Dining Car Liquor Permits

Sec. 1. Dining Car Liquor Permits. The commission may issue a dining car liquor permit to a corporation that is entitled to obtain a dining car beer permit under this title. The commission shall issue a dining car liquor permit in the same manner that a dining car beer permit is issued under this title. The commission shall not issue a dining car liquor permit to a corporation unless the corporation also is the holder of a dining car beer permit and a dining car wine permit. However, applications for each of the three

(3) types of permits may be made at the same time. [Pre-1973 Recodification Citation: 7-1-1-21.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 11. Dining Car, Airplane, and Boat Liquor Permits7.1-3-11-10. Scope of Permit

Sec. 10. (a) The holder of a boat liquor permit shall enjoy the same privileges and be subject to the same conditions, restrictions, and limitations in regard to liquor under the permit as is provided in the case of the holder of a boat beer permit in regard to beer under the permit. (b) Subject to the approval of the local board of each county where the jumbo boat docks, the holder of a boat liquor permit who operates a jumbo boat shall enjoy the same privileges and be subject to the same conditions, restrictions, and limitations in regard to liquor under the permit as is provided in the case of the holder of a boat beer permit described in IC 7.1-3-6-14(b) who operates a jumbo boat. As added by Acts 1976, P.L.24, SEC.3. Amended by P.L.285-2019, SEC.27.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 11. Dining Car, Airplane, and Boat Liquor Permits7.1-3-11-2. Scope of Permit

Sec. 2. Scope of Permit. The restrictions, limitations, and provisions governing the sale of beer under a dining car beer permit shall apply to the possession, transportation, sale, delivery and service of liquor under a dining car liquor permit. [Pre-1973 Recodification Citation: 7-1-1-21.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 11. Dining Car, Airplane, and Boat Liquor Permits7.1-3-11-3. Display of Permit

Sec. 3. Display of Permit. The original dining car liquor permit shall be kept displayed at the main Indiana office of the corporation. A certificate of an officer or agent of the permittee stating that a dining car liquor permit is in full force and effect for the car, or words to that effect, shall be kept displayed in each licensed dining and buffet car. [Pre-1973 Recodification Citation: 7-1-1-21.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 11. Dining Car, Airplane, and Boat Liquor Permits7.1-3-11-4. Renewals

Sec. 4. Renewals. The holder of a dining car liquor permit need not renew his permit annually. However, in order to keep the permit in force, the permittee must pay the annual license fee to the chairman on the anniversary date of the issuance of the original permit. [Pre-1973 Recodification Citation: 7-1-1-21.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 11. Dining Car, Airplane, and Boat Liquor Permits7.1-3-11-5. Excise Tax

Sec. 5. Excise Tax. The holder of a dining car liquor permit shall pay to the department the liquor excise tax on the liquor withdrawn for sale within the state. [Pre-1973 Recodification Citation: 7-1-1-21.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 11. Dining Car, Airplane, and Boat Liquor Permits7.1-3-11-6. Shipments by Carrier

Sec. 6. Shipments by Carrier. Nothing contained in a dining car liquor permit or the privileges accorded under it shall effect the provisions of this title in regard to the shipment of alcoholic beverages by a carrier for either a consignor, or a consignee, or both. [Pre-1973 Recodification Citation: 7-1-1-21.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 11. Dining Car, Airplane, and Boat Liquor Permits7.1-3-11-9. Boat Liquor Permits

Sec. 9. Boat Liquor Permits. The commission may issue a boat liquor permit to a person who is the proprietor of a boat and who is, and continues to be, the holder of a boat beer permit and boat wine permit. The commission may issue a boat liquor permit without publication of notice or having an investigation before a local board. As added by Acts 1976, P.L.24, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 12. Vintners' and Farm Winery Permits7.1-3-12-1. Application

Sec. 1. Application. The commission may issue a vintner's permit to a person who desires to commercially manufacture wine. [Pre-1973 Recodification Citation: 7-1-1-22.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 12. Vintners' and Farm Winery Permits7.1-3-12-2. Scope of Permit

Sec. 2. The holder of a vintner's permit is entitled to manufacture wine and to bottle it or place it in other containers, including boxes that contain a bag designed to store and dispense wine, and bulk containers. A vintner also is entitled to transport wine and either to

sell it, or deliver it, or both, in shipments to points outside this state, and to a wine wholesaler, and to another vintner. A vintner is not entitled to rectify or fortify wine unless the vintner is also the holder of either a distiller's permit, or a rectifier's permit, or both. A vintner is not entitled to sell to a consumer or to a permittee who sells wine at retail. A vintner is entitled to advertise the name and address of any retailer or dealer who sells wine produced by the vintner's winery. [Pre-1973 Recodification Citation: 7-1-1-22.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1975, P.L.71, SEC.1. As amended by P.L.285-2019, SEC.28.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 12. Vintners' and Farm Winery Permits7.1-3-12-3. Farm Winery Permit

Sec. 3. The commission may issue a farm winery permit to a person who: (1) is the proprietor of a farm winery; (2) desires to commercially manufacture wine; and (3) is either: (A) an individual; or (B) a partnership, limited liability company, or corporation domiciled in or admitted to do business in Indiana. A farm winery permit shall be valid from July 1, of the then current year to June 30, of the following year. [Pre-1973 Recodification Citation: 7-1-1-22.5.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.36-1999, SEC.1; P.L.201-1999, SEC.2; P.L.14-2000, SEC.24; P.L.165-2006, SEC.21; P.L.194-2021, SEC.41.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 12. Vintners' and Farm Winery Permits7.1-3-12-4. Farm Winery; General Requirements

Sec. 4. In order to be considered a "farm winery" within the meaning of this title and to be eligible to receive a farm winery permit, a wine-making establishment shall not annually sell more than one million (1,000,000) gallons of wine in Indiana, excluding wine shipped to an out-of-state address. [Pre-1973 Recodification Citation: 7-1-1-22.5.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1977, P.L.93, SEC.1; Acts 1978, P.L.53, SEC.1; P.L.201-1999, SEC.3; P.L.165-2006, SEC.22; P.L.54-2008, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 12. Vintners' and Farm Winery Permits7.1-3-12-5.5. Delivery of Alcoholic Beverages to Consumer in Parking Lot

Sec. 5.5. (a) This section applies to a farm winery that conveys alcoholic beverages to a customer in a parking lot or an area adjacent to the farm winery as provided under section 5 of this chapter. (b) Wine must be: (1) in the sealed original containers; and (2) placed by an employee of the permittee who is at least twenty-one (21) years of age: (A) in the trunk of the motor vehicle; or (B) behind the last upright seat of the motor vehicle, if the motor vehicle is not equipped with a trunk. (c) The employee of the permittee that conveys the alcoholic beverages to the customer must require the customer to provide proof of age in accordance with IC 7.1-5-10-23. (d) The parking lot or area where the alcoholic beverages are conveyed to the customer must be: (1) well lit; and (2) within clear view of the main entrance to the building of the farm winery premises. As added by P.L.194-2021, SEC.43.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 12. Vintners' and Farm Winery Permits7.1-3-12-5. Scope of Farm Winery Permit

Sec. 5. (a) The following apply to the holder of a farm winery permit: (1) A holder is entitled to manufacture wine and to place wine produced by the permit holder's farm winery in bottles or other permissible containers. (2) A holder is entitled to serve complimentary samples of the winery's wine on the licensed premises or an outside area that is contiguous to the licensed premises, as approved by the commission if each employee who serves wine on the licensed premises: (A) holds an employee's permit under IC 7.1-3-18-9; and (B) completes a server training program approved by the commission. (3) A holder is entitled to sell the winery's wine on the licensed premises to consumers either by: (A) the glass; (B) the bottle; (C) a box that contains a bag designed for storing and dispensing wine; (D) any combination of receptacles listed in clauses (A) through (C); or (E) any other container permissible under federal law. Notwithstanding IC 7.1-1-3-20, the licensed premises may include the farm winery parking lot or an area adjacent to the farm winery. The parking lot or an adjacent area may only be used for the purpose of conveying alcoholic beverages and other nonalcoholic items to a customer subject to section 5.5 of this chapter, and may not be used for point of sale purposes or any other purpose. (4) A holder is entitled to sell the winery's wine to consumers by the bottle at a farmers' market that is operated on a nonprofit basis. (5) A holder is entitled to sell wine by: (A) the bottle; (B) the can; (C) a box that contains a bag designed for storing and dispensing wine; (D) bulk container; (E) the case; or (F) any combination of receptacles listed in clauses (A) through (E); to a person who is the holder of a permit to sell wine at wholesale. (6) A holder is exempt from the provisions of IC 7.1-3-14. (7) A holder is entitled to advertise the name and address of any retailer or dealer who sells wine produced by the permit holder's winery. (8) A holder for wine described in IC 7.1-1-2-3(a)(4): (A) may allow transportation to and consumption of the wine on the licensed premises; and (B) may not sell, offer to sell, or allow the sale of the wine on the licensed premises. (9) A holder is entitled to purchase and sell bulk wine as set forth in this chapter. (10) A holder is entitled to sell wine as authorized by this section for carryout on Sunday. (11) A holder is entitled to sell and ship the farm winery's wine to a person located in another state in accordance with the laws of the other state. (12) A holder is entitled to sell the farm winery's wine to the holder of a supplemental caterer's permit issued under IC 7.1-3-9.5 for on-premises consumption only at an event that is held outdoors on property that is contiguous to the farm winery as approved by the commission. (13) A holder is entitled to be the proprietor of a restaurant that is not subject to the minimum gross food sales or the minimum projected food sales set forth in 905 IAC 1-41-2 and the gross retail income requirements to sell carryout under IC 7.1-3-20-9.5. A holder is entitled to conduct the following activities: (A) Hold a beer

retailer's permit, a wine retailer's permit, or a liquor retailer's permit for a restaurant. (B) Transfer wine directly from the farm winery to a restaurant that the farm winery has an interest in by means of: (i) bottles or cans; (ii) bulk containers; or (iii) a continuous flow system. (C) Install a window between the farm winery and an adjacent restaurant that allows the public and the holder of the permit to view both premises. (D) Install a doorway or other opening between the farm winery and an adjacent restaurant that provides the public and the holder of the permit with access to both the farm winery and restaurant. (14) A holder that does not distribute through an Indiana wine wholesaler is entitled under the farm winery permit to sell and deliver to a person holding a wine retailer or wine dealer permit under this title a total of not more than three thousand (3,000) gallons of the farm winery's wine in a calendar year, if the farm winery has not sold in Indiana more than fifteen thousand (15,000) gallons the previous calendar year. A holder that sells and delivers under this subdivision shall comply with all provisions applicable to a wholesaler in 905 IAC 1-5.1, 905 IAC 1-5.2, 905 IAC 1-21, 905 IAC 1-31, and 905 IAC 1-32.1. (15) A holder must annually submit to the commission copies of its Indiana and federal excise tax returns. (b) With the approval of the commission, a holder of a permit under this chapter may conduct business at not more than three (3) additional locations that are separate from the winery. At the additional locations, the holder of a permit may conduct any business that is authorized at the first location, except for manufacturing wine or placing wine in bottles or containers. (c) A farm winery may transfer wine from a storage facility or an additional location described in subsection (b). A farm winery may sell or transfer wine directly to a wine wholesaler from a storage facility separate from the farm winery or an additional location described in subsection (b). A farm winery may not sell or transfer wine from a storage facility to any other permittee or a consumer. The farm winery shall maintain an adequate written record of wine transferred: (1) between the farm winery and the storage facility; and (2) from the storage facility to the wholesaler. (d) With the approval of the commission, a holder of a permit under this chapter may: (1) individually; or (2) with other permit holders under this chapter, holders of artisan distiller's permits, holders of brewer's permits issued under IC 7.1-3-2-2(b), or any combination of holders described in this subdivision; participate in a trade show or an exposition at which products of each permit holder participant are displayed, promoted, and sold. All of the permit holders may occupy the same tent, structure, or building. The commission may not grant approval under this subsection to a holder of a permit under this chapter for more than forty-five (45) days in a calendar year. [Pre-1973 Recodification Citation: 7-1-1-22.5.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1975, P.L.71, SEC.2. As amended by P.L.85-1985, SEC.7; P.L.74-1996, SEC.1; P.L.201-1999, SEC.4; P.L.177-1999, SEC.7; P.L.235-2001, SEC.2; P.L.41-2002, SEC.2; P.L.224-2005, SEC.7; P.L.165-2006, SEC.23; P.L.186-2011, SEC.4; P.L.214-2016, SEC.8; P.L.85-2017, SEC.33; P.L.270-2017, SEC.9; P.L.279-2019, SEC.5; P.L.285-2019, SEC.29; P.L.194-2021, SEC.42.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 12. Vintners' and Farm Winery Permits7.1-3-12-7.5. Sale of Wine and Beer or Liquor From Bar

Sec. 7.5. (a) This section applies if: (1) a person having an interest in a farm winery permit also has an interest in a brewer's permit under IC 7.1-3-2-7(5) or an artisan distillery; and (2) the farm winery and the brewery or artisan distillery production facility occupy the same building. (b) Notwithstanding any other provision, a person to whom this section applies may sell by the glass for consumption on the premises all alcoholic beverages: (1) manufactured by the two (2) production facilities; and (2) from a bar. The commission may not require any physical separation at the bar between the service of alcoholic beverages manufactured by one (1) production facility and the service of alcoholic beverages manufactured by the other production facility. (c) This section does not exempt a person to whom this section applies from complying with permit restrictions affecting the sales and service of each of the alcoholic beverages manufactured by the production facilities. If the law applicable to one (1) of the permits under subsection (a)(2) that the person has an interest in is more prohibitive or restrictive regarding the presence of a minor in the bar area of the licensed premises than the law applicable to the other premises under subsection (a)(2) that the person has an interest in, the more prohibitive or restrictive law applies to the single bar area. As added by P.L.97-2015, SEC.2. Amended by P.L.285-2019, SEC.30.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 12. Vintners' and Farm Winery Permits7.1-3-12-7. Bulk Wine Purchases by Farm Winery

Sec. 7. (a) Except as provided in subsections (b) and (c), a farm winery may purchase annually a quantity of bulk wine that does not exceed the greater of the following: (1) Five thousand five hundred (5,500) gallons. (2) Fifty percent (50%) of the quantity of wine produced by fermentation by the winery during the previous year. (b) This subsection applies to a farm winery that suffers a loss of wine inventory due to natural or manmade disaster. If the farm winery documents the inventory loss and obtains permission from the commission, the winery may purchase a quantity of bulk wine not greater than the sum of the following: (1) The quantity of the winery's wine inventory loss. (2) The quantity of bulk wine that may be purchased by the farm winery annually under subsection (a). (c) The limits in subsections (a) and (b) apply only to wine sold directly to a consumer in Indiana. No limit is imposed on the amount of bulk wine that may be used in producing wine sold through a wholesaler or sold outside of Indiana. As added by P.L.41-2002, SEC.3. Amended by P.L.68-2021, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 13. Wine Wholesalers' and Bottlers' Permits7.1-3-13-1. Wine Wholesalers' Permit; Issuance

Sec. 1. (a) The commission may issue a wine wholesaler's permit to sell wine, or wine and brandy, at wholesale to a person who: (1) notwithstanding IC 7.1-5-9-4, holds a beer wholesaler's permit; (2) holds a liquor wholesaler's permit; or (3) does not hold an alcoholic beverage wholesaler's permit, but meets the qualifications to hold either a beer or a liquor wholesaler's permit. (b) The

holder of a wine wholesaler's permit under subsection (a)(1) or (a)(2): (1) is considered the same as a person who holds a wine wholesaler's permit under subsection (a)(3) for purposes of conducting activities and operations under the wine wholesaler's permit; and (2) may operate the beer or liquor wholesale business independently of the wine wholesale business. [Pre-1973 Recodification Citation: 7-1-1-23.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.101-1983, SEC.1; P.L.112-1987, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 13. Wine Wholesalers' and Bottlers' Permits7.1-3-13-2.5. Wine Wholesalers; Premises Description Required; Wine Storage; Wholesaler Business on Farm Winery or Brandy Distiller Premises; Goods and Services Provided by Farm Winery or Brandy Distiller

Sec. 2.5. All premises to be used by an applicant for a wine wholesaler's permit must be described in the application for the permit and in the permit, if the permit is issued. A wine wholesaler may not keep or store wine at any place other than the premises described in the wine wholesaler's application and permit. A person who holds a wine wholesaler's permit and who also holds a beer wholesaler's permit is not disqualified from using multiple premises for the storage of wine because the person holds a beer wholesaler's permit. The holder of a wine wholesaler's permit described in IC 7.1-4-4.1-13(c) may enter into an agreement to: (1) locate the wine wholesaler's business within the licensed premises of a farm winery or a farm winery brandy distiller; or (2) use goods and services provided by a farm winery or a farm winery brandy distiller; or both. As added by P.L.85-1985, SEC.8. Amended by P.L.165-2006, SEC.24; P.L.186-2011, SEC.5; P.L.70-2014, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 13. Wine Wholesalers' and Bottlers' Permits7.1-3-13-3.5. Requirements to Sell Wine Purchased From Estate Sale; Immunity From Product Liability

Sec. 3.5. (a) A wine wholesaler may sell wine purchased from an estate sale only if the following requirements are met: (1) The primary source of the wine sold at auction: (A) is authorized to sell wine in Indiana on the date the wine is resold by the wholesaler; (B) is given notice of the purchase by the wine wholesaler; and (C) authorizes the wine wholesaler to resell the wine purchased. (2) The seller of wine at auction is a bona fide estate of an Indiana decedent. (3) Each wine bottle is affixed with a sticker indicating that the wine was purchased from an estate. (b) The notice given to the primary source under subsection (a)(1) must include the following information: (1) The name of the seller. (2) The amount of the product purchased and the sale price at auction. (3) The vintage of the wine purchased. (c) A wholesaler is not liable for product liability for wine that the wholesaler sells from an estate auction purchase. As added by P.L.94-2008, SEC.34.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 13. Wine Wholesalers' and Bottlers' Permits7.1-3-13-3. Scope of Permit; Brandy

Sec. 3. (a) The holder of a wine wholesaler's permit may purchase, import, and transport wine, brandy, mixed beverages, or flavored malt beverage from the primary source of supply. A wine wholesaler may export and transport wine, brandy, or flavored malt beverage by the bottle, barrel, cask, or other container, to points outside Indiana. A wine wholesaler is entitled to sell, furnish, and deliver wine or flavored malt beverage from inventory that has been located on the wholesaler's premises before the time of invoicing and delivery to a wine wholesaler, a wine retailer, a supplemental caterer, a temporary wine permittee, and a wine dealer, but not at retail. A wine wholesaler may sell, furnish, and deliver brandy or mixed beverages from inventory that has been located on the wholesaler's premises before the time of invoicing and delivery, but not at retail, only to a person who holds a liquor retailer's permit, a supplemental caterer's permit, or a liquor dealer's permit. A holder of a wine wholesaler's permit may sell wine, mixed beverages, or flavored malt beverages to the wine wholesaler's bona fide regular employees. A wine wholesaler may sell, donate, and deliver wine, mixed beverages, or flavored malt beverage from inventory that has been located on the wholesaler's premises before the time of invoicing and delivery to a qualified organization that is conducting an allowable event to which IC 7.1-3-6.1 applies or a charity auction to which IC 7.1-3-6.2 applies. (b) As used in this section, "brandy" means: (1) any alcoholic distillate described in 27 CFR 5.22(d) as in effect on January 1, 1983; or (2) a beverage product that: (A) is prepared from a liquid described in subdivision (1); (B) is classified as a cordial or liqueur as defined in 27 CFR 5.22(h) as in effect on January 1, 1997; and (C) meets the following requirements: (i) At least sixty-six and two-thirds percent (66 2/3%) of the product's alcohol content is composed of a substance described in subdivision (1). (ii) The product's label makes no reference to any distilled spirit other than brandy. (iii) The product's alcohol content is not less than sixteen percent (16%) by volume or thirty-two (32) degrees proof. (iv) The product contains dairy cream. (v) The product's sugar, dextrose, or levulose content is at least twenty percent (20%) of the product's weight. (vi) The product contains caramel coloring. (c) Nothing in this section allows a wine wholesaler to sell, give, purchase, transport, or export beer (as defined in IC 7.1-1-3-6) unless the wine wholesaler also holds a beer wholesaler's permit under IC 7.1-3-3-1. (d) The holder of a wine wholesaler's permit may possess, transport, sell, and deliver mixed beverages only to a person who holds one (1) of the following: (1) A liquor retailer's permit under IC 7.1-3-9. (2) A supplemental caterer's permit under IC 7.1-3-9.5. (3) A liquor dealer's permit under IC 7.1-3-10. (4) A liquor wholesaler's permit under IC 7.1-3-8. (5) A wine wholesaler's permit issued under this chapter. [Pre-1973 Recodification Citation: 7-1-1-23.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.60, SEC.5; Acts 1974, P.L.25, SEC.4. As amended by P.L.101-1983, SEC.2; P.L.57-1984, SEC.10; P.L.72-1996, SEC.9; P.L.75-1997, SEC.1; P.L.224-2005, SEC.8; P.L.165-2006, SEC.25; P.L.153-2015, SEC.10; P.L.41-2024, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 13. Wine Wholesalers' and Bottlers' Permits7.1-3-13-4. Wine Bottlers' Permit; Application

Sec. 4. Wine Bottlers' Permit: Application. The commission may issue a wine bottler's permit to a person who desires to commercially bottle wine. [Pre-1973 Recodification Citation: 7-1-1-23.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 13. Wine Wholesalers' and Bottlers' Permits7.1-3-13-5. Persons Eligible for Permits

Sec. 5. Persons Eligible for Permits. The commission shall not issue a wine bottler's permit to a person who is the holder of wine wholesaler's permit, a beer wholesaler's permit, or a liquor wholesaler's permit. A person shall be eligible to hold additional wine bottler's permits upon payment of the proper additional annual license fees. [Pre-1973 Recodification Citation: 7-1-1-23.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 13. Wine Wholesalers' and Bottlers' Permits7.1-3-13-6. Scope of Permit

Sec. 6. Scope of Permit. The holder of a wine bottler's permit shall be entitled to import and transport wine from another state, or country, into this state. He shall be entitled to export and transport wine, by the bottle, barrel, cask, or other container, to points outside this state. A wine bottler shall have the exclusive right to bottle, to label, or both, with his own private label, or another label authorized by its owner, or to place wine in containers different from those in which the wine was imported into this state. Within this state, the holder of a wine bottler's permit shall be entitled to sell, furnish, and deliver wine only to a wine wholesaler, and shall be specifically prohibited from selling, furnishing, and delivering wine to a wine retailer or a wine dealer. Further, he shall not be entitled to sell wine at retail. [Pre-1973 Recodification Citation: 7-1-1-23.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 14. Wine Retailers' Permits7.1-3-14-1. Application

Sec. 1. Application. The commission may issue a wine retailer's permit to a person who desires to sell wine or flavored malt beverages for consumption on the licensed premises. [Pre-1973 Recodification Citation: 7-1-1-24.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.72-1996, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 14. Wine Retailers' Permits7.1-3-14-2. Prerequisites

Sec. 2. Prerequisites. The commission may issue or refuse a wine retailer's permit, in its discretion, with or without requiring an investigation before a local board. However, publication of notice need not be given if the commission does require an investigation before a local board. [Pre-1973 Recodification Citation: 7-1-1-24.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 14. Wine Retailers' Permits7.1-3-14-3. Persons Eligible for Permits

Sec. 3. Persons Eligible for Permits. The commission may issue a wine retailer's permit only to the following: (a) A person who is not the holder of, nor an applicant for, any other permit and who is not disqualified under the special disqualifications and who operates a restaurant patronized by customers who are likely to consume table wine with their meals; (b) A person who is the holder of a beer retailer's permit; or, (c) A person who is the holder of a liquor retailer's permit. [Pre-1973 Recodification Citation: 7-1-1-24.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 14. Wine Retailers' Permits7.1-3-14-4. Scope of Permit

Sec. 4. (a) The holder of a wine retailer's permit is entitled to purchase wine only from a permittee entitled to sell to the wine retailer under this title. A wine retailer is entitled to possess wine and sell wine at retail to a customer for consumption on the licensed premises. A wine retailer is also entitled to sell wine to a customer and deliver wine in permissible containers to the customer on the licensed premises or to the customer's house. This delivery may only be performed by the permit holder or an employee who holds an employee permit. The permit holder shall maintain a written record of each delivery for at least one (1) year that shows the customer's name, location of delivery, and quantity sold. Subject to subsection (g), a wine retailer also may prepare and package wine in qualified containers for sale and delivery to a customer on the licensed premises for consumption off the licensed premises. (b) A wine retailer is not entitled to sell wine at wholesale. A wine retailer is not entitled to sell and deliver wine on the street or at the curb outside the licensed premises, nor is the wine retailer entitled to sell wine at a place other than the licensed premises. However, a wine retailer may offer food service (excluding alcoholic beverages) to a patron who is outside the licensed premises by transacting business through a window in the licensed premises. (c) A wine retailer is entitled to sell and deliver wine for carry out, or for at-home delivery. A wine retailer that delivers wine to a customer's residence must require the customer to provide proof of age in accordance with IC 7.1-5-10-23. (d) Notwithstanding IC 7.1-1-3-20, the licensed premises of the wine retailer may include the wine retailer parking lot or an area adjacent to the wine retailer that may only be used for the purpose of conveying alcoholic beverages and other nonalcoholic items to a customer, and may not be used for point of sale purposes or any other purpose. Any alcoholic beverages conveyed to the customer must satisfy the following: (1) Alcoholic beverages that are in the sealed original

containers must be placed in a bag that is stamped, printed, or labeled on the outside: "CONTAINS ALCOHOLIC BEVERAGES". (2) Alcoholic beverages that are prepared by the wine retailer must be packaged by the wine retailer in qualified containers that are: (A) stamped, printed, or labeled on the outside: "CONTAINS ALCOHOLIC BEVERAGES"; or (B) placed in a bag stamped, printed, or labeled on the outside: "CONTAINS ALCOHOLIC BEVERAGES". (3) Placed by an employee of the permittee who is at least twenty-one (21) years of age: (A) in the trunk of the motor vehicle; or (B) behind the last upright seat of the motor vehicle, if the motor vehicle is not equipped with a trunk. A retailer permittee may only convey a customer's order of alcoholic beverages to the customer, if the customer has also purchased a meal from the retailer permittee that is conveyed to the customer at the same time as the alcoholic beverages. (e) The employee of the permittee that conveys the alcoholic beverages to the customer must require the customer to provide proof of age in accordance with IC 7.1-5-10-23. (f) The parking lot or area where the alcoholic beverages are conveyed to the customer must be: (1) well lit; and (2) within clear view of the main entrance to the building of the retailer premises. (g) If a wine retailer prepares and packages wine: (1) for sale and delivery to a customer on the licensed premises for consumption off the licensed premises; and (2) in a container that is not in a qualified container; the commission may revoke the wine retailer's privilege under this section of preparing and packaging wine for sale and delivery to a customer in a qualified container. As added by P.L.112-1987, SEC.8. Amended by P.L.194-2021, SEC.44; P.L.167-2024, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 14. Wine Retailers' Permits7.1-3-14-5. Limitation of Sales; Fees; Clubs; Discrimination

Sec. 5. (a) Notwithstanding any other law, a wine retailer may limit sales to the following: (1) Persons that the retailer selects to have access to the retailer's facilities and services in return for payment of an annual fee to the retailer. (2) Guests of a person described in subdivision (1). (b) A wine retailer may call the annual fee described in subsection (a) a membership fee. (c) A wine retailer may call the retailer's premises a club. However, the premises is not a club within the meaning of IC 7.1-3-20-1. (d) This section does not allow a wine retailer to discriminate among persons on the basis of race, sex, age, or religion when selecting persons to have access to the retailer's facilities and services. As added by P.L.73-1991, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 14. Wine Retailers' Permits7.1-3-14-6. Issuance to Proprietor of Race Track Having Beer Retailer Permit

Sec. 6. (a) The commission may issue a wine retailer permit, either inside or outside corporate limits, to a person who holds a beer retailer permit under IC 7.1-3-6-16 and who is the proprietor of a race track that: (1) meets the specifications of rules adopted by the commission; and (2) is sanctioned by a nationally chartered and recognized racing organization. (b) The scope of a permit issued under this section, including the times during which beer may be sold, shall be set by rules adopted by the commission. (c) A permit issued under this section is exempt from IC 7.1-3-21-1 and IC 7.1-3-22-3. The permit is not transferable for ownership or location. As added by P.L.106-1995, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 14. Wine Retailers' Permits7.1-3-14-7. Wine Sampling

Sec. 7. (a) A wine retailer may allow customers to sample wines. (b) Sampling is permitted: (1) only on the wine retailer's permit premises; and (2) only during the permittee's regular business hours. (c) A wine retailer may not charge for the samples provided to the customers. (d) Sample size may not exceed one (1) ounce. As added by P.L.12-1999, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 15. Wine Dealers' Permits7.1-3-15-1. Application

Sec. 1. Application. The commission may issue a wine dealer's permit to a person who desires to sell wine or flavored malt beverages for consumption off the licensed premises. [Pre-1973 Recodification Citation: 7-1-1-25.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.72-1996, SEC.11.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 15. Wine Dealers' Permits7.1-3-15-2. Persons Eligible for Permits

Sec. 2. Persons Eligible for Permits. The commission may issue a wine dealer's permit only to the following: (a) A person who is the holder of a beer dealer's permit; or, (b) A person who is the holder of a liquor dealer's permit. [Pre-1973 Recodification Citation: 7-1-1-25.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 15. Wine Dealers' Permits7.1-3-15-3. Scope of Permit

Sec. 3. (a) The holder of a wine dealer's permit shall be entitled to purchase wine only from a permittee who is authorized to sell to a wine dealer under this title. A wine dealer shall be entitled to sell wine for consumption off the licensed premises only and not by the drink. (b) A wine dealer shall be entitled to sell wine in permissible containers in a quantity of not more than three (3) standard cases, as determined under the rules of the commission, in a single transaction. However, a wine dealer who is licensed under IC 7.1-3-10-4 may possess wine and sell it at retail in its original package to a customer only for consumption off the licensed premises.

(c) Unless a wine dealer is a grocery store or drug store, a wine dealer may not sell or deliver alcoholic beverages or any other item through a window in the licensed premises to a patron who is outside the licensed premises. A wine dealer that is a grocery store or drug store may sell any item except alcoholic beverages through a window in the licensed premises to a person who is outside the licensed premises. (d) However, a wine dealer who is licensed under IC 7.1-3-10-4 may deliver wine only in permissible containers to a customer's residence, office, or designated location. This delivery may only be performed by the permit holder or an employee who holds an employee permit. The permit holder shall maintain a written record of each delivery for at least one (1) year that shows the customer's name, location of delivery, and quantity sold. [Pre-1973 Recodification Citation: 7-1-1-25.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.65-1990, SEC.3; P.L.106-1995, SEC.11; P.L.204-2001, SEC.29; P.L.41-2002, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 16. Dining Car, Boat, and Temporary Wine Permits7.1-3-16-1. Dining Car Wine Permits

Sec. 1. Dining Car Wine Permits. The commission may issue a dining car wine permit to a person who is the holder of, or who is capable of receiving, a dining car beer permit. [Pre-1973 Recodification Citation: 7-1-1-26.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 16. Dining Car, Boat, and Temporary Wine Permits7.1-3-16-2. Display of Permit

Sec. 2. Display of Permit. The original dining car wine permit shall be kept displayed at the main Indiana office of the permittee. A certificate of an officer or agent of the permittee stating that a dining car wine permit is in full force and effect for the car, or words to that effect, shall be kept displayed in each licensed dining and buffet car. [Pre-1973 Recodification Citation: 7-1-1-26.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 16. Dining Car, Boat, and Temporary Wine Permits7.1-3-16-3. Boat Wine Permits

Sec. 3. Boat Wine Permits. The commission may issue a boat wine permit to a person who is the proprietor of a boat and who also is, and continues to be, the holder of a boat beer permit. The commission may issue a boat wine permit without publication of notice or having an investigation before a local board. [Pre-1973 Recodification Citation: 7-1-1-27.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 16. Dining Car, Boat, and Temporary Wine Permits7.1-3-16-4. Scope of Permit

Sec. 4. (a) The holder of a boat wine permit shall enjoy the same privileges and be subject to the same conditions, restrictions, and limitations in regard to wine under the permit as is provided in the case of the holder of a boat beer permit in regard to beer under the permit. (b) Subject to the approval of the local board of each county where the jumbo boat docks, the holder of a boat wine permit who operates a jumbo boat shall enjoy the same privileges and be subject to the same conditions, restrictions, and limitations in regard to wine under the permit as is provided in the case of the holder of a boat beer permit described in IC 7.1-3-6-14(b) who operates a jumbo boat. [Pre-1973 Recodification Citation: 7-1-1-27.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.285-2019, SEC.31.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 16. Dining Car, Boat, and Temporary Wine Permits7.1-3-16-5.5. Temporary Wine Permits; Town Parks

Sec. 5.5. (a) This section applies to a temporary wine permit for the sale of wine in a town park in a town having a population of less than ten thousand (10,000). (b) The commission may not issue a temporary wine permit to a person unless: (1) the person meets all of the requirements for a temporary wine permit under this chapter; and (2) the town council: (A) holds a public hearing on the request for a permit; and (B) approves the issuance of the temporary wine permit. (c) If a person asks a town council to approve the issuance of a temporary wine permit, the town clerk-treasurer shall notify the commission of the town council's decision to approve or disapprove the permit not later than thirty (30) days after the person's request for approval. (d) If a person who applies for a temporary wine permit from the commission demonstrates to the satisfaction of the commission that no action was taken on the person's request by the town council under subsection (c), the commission shall consider the request to be approved by the town council. As added by P.L.73-1996, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 16. Dining Car, Boat, and Temporary Wine Permits7.1-3-16-5. Temporary Wine Permits

Sec. 5. (a) Subject to section 5.5 of this chapter, the commission may issue a temporary wine permit without publication of notice or investigation before a local board to a qualified person as provided in this chapter. In all other respects, a temporary wine permit shall be issued, revoked, and governed by the restrictions and limitations made in a provisional order or rule or regulation of the commission. (b) The commission shall issue a temporary wine permit to an applicant if: (1) the applicant submits an application for a temporary wine permit to the commission not later than five (5) business days before the event for which the permit is requested; and (2) the applicant meets all requirements for a temporary wine permit. (c) If authorized by the chairman or the chairman's designee, and at the commission's discretion, a temporary wine permit may be issued to an applicant that: (1) submits an application

for the temporary wine permit to the commission later than five (5) business days before the event for which the temporary wine permit is requested; and (2) meets all requirements for a temporary wine permit. Formerly: Acts 1973, P.L.59, SEC.1. As amended by P.L.73-1996, SEC.3; P.L.196-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 16. Dining Car, Boat, and Temporary Wine Permits7.1-3-16-6. Persons Eligible for Permits

Sec. 6. The commission may issue a temporary wine permit to a person who is qualified to hold a beer retailer's permit and who has such other qualifications as the commission may prescribe by a provisional order until it adopts a rule or regulation on the matter. However, the special disqualifications listed in IC 7.1-3-4-2(a)(4), IC 7.1-3-4-2(a)(9), and IC 7.1-3-4-2(a)(14) shall not apply to an applicant for a temporary wine permit. Formerly: Acts 1973, P.L.59, SEC.2. As amended by P.L.214-2016, SEC.9; P.L.285-2019, SEC.32; P.L.194-2021, SEC.45.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 16. Dining Car, Boat, and Temporary Wine Permits7.1-3-16-7. Reasons for Permits

Sec. 7. Reasons for Permits. The commission may issue a temporary wine permit only to (a) Enable a fair, festival, athletic event, barbecue, picnic, convention, exhibition, spectacle, or contest, to be publicly held and carried on; or (b) Accommodate the institutional activities of an association, society, charitable or benevolent organization, or a branch of one (1) of these, or both. Formerly: Acts 1973, P.L.59, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 16. Dining Car, Boat, and Temporary Wine Permits7.1-3-16-8. Term of Permit

Sec. 8. Term of Permit. The commission may issue a temporary wine permit for a term, to and including, fifteen (15) days from its issuance. However, if an emergency exists, in the judgment of the commission, a temporary wine permit may be renewed for a period not to exceed fifteen (15) additional days. Formerly: Acts 1973, P.L.59, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 16. Dining Car, Boat, and Temporary Wine Permits7.1-3-16-9. Scope of Permit

Sec. 9. The holder of a temporary wine permit shall be entitled to purchase and receive wine on any day of the year, only from a lawful supplier under this title at his place of business. A lawful supplier may sell and deliver wine to a temporary wine permit holder on any day of the year at his place of business. Except as provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, the holder of a temporary wine permit shall be entitled to sell wine only for consumption on the licensed premises, and shall be subject to the same restrictions as apply to the sale of beer by the holder of a temporary beer permit. Except as provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, a temporary wine permittee shall not be entitled to sell at wholesale nor for carry-out from the licensed premises. Formerly: Acts 1973, P.L.59, SEC.5. As amended by P.L.153-2015, SEC.11.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.5. Excursion and Adjacent Landsite Permit7.1-3-17.5-1. Issuance of Permit

Sec. 1. (a) The commission may issue a gaming site permit to a person who has been issued: (1) a riverboat owner's license under IC 4-33-6; (2) an operating agent contract under IC 4-33-6.5; or (3) a gambling game license under IC 4-35; to sell alcoholic beverages for on-premises consumption only. The permit may be a single permit even though more than one (1) area constitutes the licensed premises of the permit. (b) A permit issued under this chapter to a person who has been issued a riverboat owner's license or an operating agent contract (as defined in IC 4-33-2-14.6) may be used: (1) on the riverboat; and (2) in a restaurant owned by the person who has been issued a riverboat owner's license or an operating agent contract (as defined in IC 4-33-2-14.6) if the restaurant is located on property adjacent to the property used by the riverboat for docking purposes. (c) A permit issued under this chapter to a person who has been issued a gambling game license under IC 4-35 may be used at a slot machine facility licensed under IC 4-35. As added by P.L.15-1994, SEC.4. Amended by P.L.92-2003, SEC.61; P.L.233-2007, SEC.24; P.L.94-2008, SEC.35.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.5. Excursion and Adjacent Landsite Permit7.1-3-17.5-2. Quota Provisions Inapplicable

Sec. 2. The commission shall issue a gaming site permit without regard to the quota provisions of IC 7.1-3-22. As added by P.L.15-1994, SEC.4. Amended by P.L.233-2007, SEC.25.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.5. Excursion and Adjacent Landsite Permit7.1-3-17.5-3. Fee Limitations Inapplicable

Sec. 3. A gaming site permit is not subject to the fee limitations otherwise set forth in IC 7.1. As added by P.L.15-1994, SEC.4. Amended by P.L.233-2007, SEC.26.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.5. Excursion and Adjacent Landsite Permit7.1-3-17.5-4. Rules

Sec. 4. The commission may adopt rules under IC 4-22-2 concerning the following for a gaming site permit: (1) Issuance. (2) Scope. (3) Permit fee. (4) Expiration. (5) Revocation and suspension. As added by P.L.15-1994, SEC.4. Amended by P.L.233-2007, SEC.27; P.L.93-2024, SEC.61.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.5. Excursion and Adjacent Landsite Permit7.1-3-17.5-5. Gaming Site Permits

Sec. 5. The commission may adopt rules under IC 4-22-2 concerning the following for a gaming site permit: (1) Issuance. (2) Scope. (3) Permit fee. (4) Expiration. (5) Revocation and suspension. As added by P.L.28-1996, SEC.2. Amended by P.L.233-2007, SEC.28.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.5. Excursion and Adjacent Landsite Permit7.1-3-17.5-6. Gaming Site Permits; Providing Alcoholic Beverages to Guests Free of Charge

Sec. 6. Notwithstanding IC 7.1-5-5-7, the holder of a gaming site permit may, subject to the approval of the commission, provide alcoholic beverages to guests without charge at an event on the licensed premises. As added by P.L.250-2003, SEC.10. Amended by P.L.72-2004, SEC.10; P.L.233-2007, SEC.29; P.L.94-2008, SEC.36; P.L.15-2011, SEC.11.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.5. Excursion and Adjacent Landsite Permit7.1-3-17.5-7. "Gaming Facility"; "Server"; Employees of Lessees and Caterers

Sec. 7. (a) As used in this section, "gaming facility" refers to one (1) or more of the following: (1) A riverboat (as defined in IC 4-33-2-17). (2) A slot machine facility licensed under IC 4-35. (3) Any hotel, golf course, or other facility that is: (A) owned by a person holding a gaming site permit; and (B) related to the operation of the holder's riverboat or slot machine facility. (b) As used in this section, "server" means an individual who serves alcoholic beverages at a gaming facility. (c) Except as provided in subsection (d), a server is not required to be employed by a person holding a gaming site permit if the server satisfies the following requirements: (1) The server is employed by a person who: (A) leases space at a gaming facility for the purpose of providing food or beverages to the patrons of the gaming facility; or (B) is a caterer or other person contracted to provide food or beverages at an event held at the gaming facility. (2) The server holds a valid employee permit issued under IC 7.1-3-18-9. (d) A server who serves alcoholic beverages in a gaming area (as defined in the rules adopted by the Indiana gaming commission) must be employed by a person holding a gaming site permit. As added by P.L.15-2011, SEC.12.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.7. Horse Track and Satellite Facility Permits7.1-3-17.7-1. Issuance of Permit

Sec. 1. (a) Except as provided in subsection (c), the commission may issue a horse track permit to a person who has been issued a recognized meeting permit under IC 4-31-5 to sell alcoholic beverages for on-premises consumption only. The permit may be a single permit even though more than one (1) area constitutes the licensed premises of the permit. (b) The commission may issue a satellite facility permit to a person who has been issued a satellite facility license under IC 4-31-5.5 to sell alcoholic beverages for on-premises consumption only. (c) This chapter does not apply to a slot machine facility licensed under IC 4-35. As added by P.L.15-1994, SEC.5. Amended by P.L.233-2007, SEC.30.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.7. Horse Track and Satellite Facility Permits7.1-3-17.7-2. Quota Provisions Inapplicable

Sec. 2. The commission shall issue a horse track permit or a satellite facility permit without regard to the quota provisions of IC 7.1-3-22. As added by P.L.15-1994, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.7. Horse Track and Satellite Facility Permits7.1-3-17.7-3. Fee Limitations Inapplicable

Sec. 3. A horse track permit or a satellite facility permit is not subject to the fee limitations otherwise set forth in IC 7.1. As added by P.L.15-1994, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.7. Horse Track and Satellite Facility Permits7.1-3-17.7-4. Ic 7.1-3-21-1 Inapplicable

Sec. 4. A horse track permit or a satellite facility permit is not subject to the provisions of IC 7.1-3-21-1. As added by P.L.15-1994, SEC.5.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.7. Horse Track and Satellite Facility Permits7.1-3-17.7-5. Adoption of Rules

Sec. 5. The commission may adopt rules under IC 4-22-2 concerning the following for a horse track permit or a satellite facility permit: (1) Issuance. (2) Scope. (3) Permit fee. (4) Expiration. (5) Revocation and suspension. As added by P.L.15-1994, SEC.5. Amended by P.L.106-1995, SEC.12; P.L.291-2013, SEC.9; P.L.93-2024, SEC.62.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.8. State Park Liquor Permits7.1-3-17.8-1. Department of Natural Resources Permits

Sec. 1. The department of natural resources may apply for a three-way permit for one (1) or more state parks. A three-way permit for a state park may be a single permit, even though more than one (1) area within the state park constitutes the licensed premises of the permit. As added by P.L.214-2016, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.8. State Park Liquor Permits7.1-3-17.8-2. Permits Exempt From Certain Requirements

Sec. 2. A permit issued under this chapter is not subject to: (1) IC 7.1-3-21-1; and (2) 905 IAC 1-27-4. As added by P.L.214-2016, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.8. State Park Liquor Permits7.1-3-17.8-3. State Park Areas Not Prohibited From Price Discrimination

Sec. 3. Separate areas within a state park are not subject to IC 7.1-5-5-7. As added by P.L.214-2016, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.8. State Park Liquor Permits7.1-3-17.8-4. Exemption From Notice and Quota Requirements

Sec. 4. Upon application, the commission shall issue a permit to the department of natural resources for a state park without: (1) publication of notice or investigation before a local board; and (2) regard to the quota provisions of IC 7.1-3-22. As added by P.L.214-2016, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 17.8. State Park Liquor Permits7.1-3-17.8-5. Laws Regarding Alcoholic Beverages, E-Liquids, and Tobacco Apply to Entity Operating on State Park Property

Sec. 5. Except as provided in sections 2 and 3 of this chapter, an entity that operates on state park property under a permit issued by the commission to: (1) the department of natural resources under this chapter; or (2) the entity under this article; shall operate within the park property in accordance with the provisions of this title that regulate the sale and use of alcoholic beverages, e-liquid (as defined in IC 7.1-7-2-10), and tobacco products (as defined in (IC 7.1-6-1-3). As added by P.L.214-2016, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18.5. Tobacco Sales Certificate7.1-3-18.5-1. Tobacco Sales Certificate Required

Sec. 1. (a) A person may not sell or otherwise distribute in exchange for consideration a tobacco product or electronic cigarette at retail without a valid tobacco sales certificate issued by the commission. (b) A certificate may be issued only to a person who owns or operates at least one (1) of the following: (1) A premises consisting of a permanent building or structure where the tobacco product or electronic cigarette is sold or distributed. (2) A premises upon which a cigarette vending machine is located. As added by P.L.250-2003, SEC.11. Amended by P.L.231-2015, SEC.1; P.L.86-2018, SEC.113; P.L.32-2019, SEC.11.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18.5. Tobacco Sales Certificate7.1-3-18.5-10. Failure to Attend Hearing

Sec. 10. (a) If a certificate holder fails to attend or participate in a hearing without good cause, the hearing judge may recommend to the commission that the commission suspend or revoke the certificate holder's certificate or impose a fine on the certificate holder of up to one thousand dollars ($1,000). (b) A hearing judge may grant a continuance of a hearing upon written motion showing good cause for the continuance. As added by P.L.94-2008, SEC.43.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18.5. Tobacco Sales Certificate7.1-3-18.5-11. Tobacco or Electronic Cigarette Sales at Site of Nuisance or Criminal Activity; Sanctions

Sec. 11. If a certificate holder sells or distributes tobacco products or electronic cigarettes at a location: (1) determined to be a public nuisance; or (2) at which conduct or acts that are crimes or infractions under IC 35 occur; the commission may impose sanctions against the certificate holder under IC 7.1-2-3-33 and section 5 of this chapter. As added by P.L.214-2016, SEC.14.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18.5. Tobacco Sales Certificate7.1-3-18.5-2.4. Persons Prohibited From Issuance of Certificate

Sec. 2.4. (a) Subject to available resources, the commission shall not issue a tobacco sales certificate, except as otherwise authorized in this title and subject to the other restrictions contained in this title, to the following persons: (1) A person who does not have lawful status (as defined in IC 9-13-2-92.3). (2) A person who has been convicted within five (5) years before the date of application of: (A) a federal crime having a sentence of at least one (1) year; (B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony; or (C) a crime in a state other than Indiana having a penalty equal to the penalty for an Indiana Level 1, Level 2, Level 3, Level 4, or Level 5 felony. However, this subdivision does not apply to a conviction that has been expunged under IC 35-38-9. (3) A person who does not meet at least one (1) of the following descriptions: (A) The person owns the premises to which the certificate will be applicable. (B) The person has a valid lease on the premises: (i) at the time of the application for a certificate; and (ii) for the duration of the period in which the person sells or distributes in the manner described in section 1 of this chapter. (C) The person has a franchise agreement with a franchisor: (i) that owns the premises to which the certificate will be applicable; or (ii) that has a bona fide lease on the premises for the full period for which the certificate is to be issued. (4) A person whose place of business is conducted by a manager or agent, unless the manager or agent possesses the same qualifications required for the issuance of a tobacco sales certificate to the person. (5) A minor. (6) A person non compos mentis. (7) A person who has held a permit or certificate under this title and who has had that permit or certificate revoked within one (1) year prior to the date of application for a tobacco sales certificate. (8) A person who has made an application for a permit or certificate of any type under this title which has been denied less than one (1) year prior to the person's application for a tobacco sales certificate unless the first application was denied by reason of a procedural or technical defect. (b) Subsection (a)(5) does not prevent a minor from being a stockholder in a corporation. As added by P.L.107-2024, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18.5. Tobacco Sales Certificate7.1-3-18.5-2.6. Statement of Consent

Sec. 2.6. An application for a tobacco certificate must contain the express statement of the applicant that the applicant consents for the duration of the certificate term (if the commission issues the certificate to the applicant) to the entrance, inspection, and search by an enforcement officer, without a warrant or other process, of the applicant's retail premises to determine whether the applicant is complying with the provisions of this title. The consent required by this section is renewed and continued by the retention of a certificate or the certificate's use by the applicant or the applicant's agents. As added by P.L.94-2008, SEC.38.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18.5. Tobacco Sales Certificate7.1-3-18.5-2. Information Required; Fees; Certification for Each Location; Display of Certificate; Denial; Requirements

Sec. 2. (a) A person who desires a certificate must provide the following to the commission: (1) The applicant's name and mailing address and the address of the premises for which the certificate is being issued. (2) Except as provided in section 6(c) of this chapter, a fee of two hundred dollars ($200). (3) The name under which the applicant transacts or intends to transact business. (4) The address of the applicant's principal place of business or headquarters, if any. (5) The statement required under section 2.6 of this chapter. (6) If the applicant is applying for a new certificate under section 3.2 of this chapter, a copy of each of the following: (A) If the new ownership of the business is a business entity, the articles of incorporation, articles of organization, or any other formation documents of the business entity. (B) If the new ownership of the business is an individual, either: (i) the sales or purchase agreement; or (ii) an affidavit signed by the applicant concerning the sale or purchase, on a form prescribed by the commission, that includes the name and address of the seller and purchaser. (C) The certificate held by the previous ownership of the business. (b) A separate certificate is required for each location where the tobacco products or electronic cigarettes are sold or distributed. A retail establishment may not hold more than one (1) active tobacco sales certificate for a retail location at any time. (c) A certificate holder shall conspicuously display the holder's certificate on the holder's premises where the tobacco products or electronic cigarettes are sold or distributed. (d) Any intentional misstatement or suppression of a material fact in an application filed under this section constitutes grounds for denial of the certificate. (e) A certificate may be issued only to a person who meets the following requirements: (1) If the person is an individual, the person must be at least twenty-one (21) years of age. (2) The person must be authorized to do business in Indiana. (3) The person has not had an interest in a certificate revoked by the commission for that business location within the preceding one (1) year. (f) The fees collected under this section shall be deposited in the enforcement and administration fund under IC 7.1-4-10. As added by P.L.250-2003, SEC.11. Amended by P.L.224-2005, SEC.10; P.L.94-2008, SEC.37; P.L.231-2015, SEC.2; P.L.49-2020, SEC.3; P.L.107-2024, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18.5. Tobacco Sales Certificate7.1-3-18.5-3.2. Sale or Transfer of Majority Ownership

Sec. 3.2. If the majority of the ownership of a business that is a certificate holder is sold or transferred: (1) the new ownership of the business must apply for a new certificate under section 2 of this chapter; and (2) the certificate and the permit number held by the previous ownership of the business are void ninety (90) days after the date of the sale or transfer of the ownership of the business. As added by P.L.107-2024, SEC.3.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18.5. Tobacco Sales Certificate7.1-3-18.5-3. Contents of Certificate; Term of Certificate; Nontransferable

Sec. 3. (a) A certificate issued by the commission under this chapter must contain the following information: (1) The certificate number. (2) The certificate holder's name. (3) The permanent location of the business or vending machine for which the certificate is issued. (4) The expiration date of the certificate. (b) A certificate is: (1) valid for three (3) years after the date of issuance, unless the commission suspends the certificate; and (2) nontransferable. As added by P.L.250-2003, SEC.11. Amended by P.L.224-2005, SEC.11.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18.5. Tobacco Sales Certificate7.1-3-18.5-4. Adoption of Rules

Sec. 4. The commission may adopt rules under IC 4-22-2 to establish procedures for the issuance, renewal, and reinstatement of a certificate. As added by P.L.250-2003, SEC.11.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18.5. Tobacco Sales Certificate7.1-3-18.5-5. Certificate Suspension; Revocation; Notice and Hearing

Sec. 5. (a) Subject to subsection (b), the commission may suspend the certificate of a person who fails to pay a civil penalty imposed for violating IC 35-46-1-10, IC 35-46-1-10.2, IC 35-46-1-11, IC 35-46-1-11.2, IC 35-46-1-11.4, IC 35-46-1-11.5, IC 35-46-1-11.7, or IC 35-46-1-11.8. (b) Before enforcing the imposition of a civil penalty or suspending or revoking a certificate under this chapter, the commission shall provide written notice of the alleged violation to the certificate holder and conduct a hearing. The commission shall provide written notice of the civil penalty or suspension or revocation of a certificate to the certificate holder. (c) Subject to subsection (b), the commission shall revoke the certificate of a person upon a finding by a preponderance of the evidence that the person: (1) has violated IC 35-45-5-3, IC 35-45-5-3.5, IC 35-45-5-4, IC 35-46-1-11, IC 35-46-1-11.2, IC 35-46-1-11.4, or IC 35-46-1-11.8; (2) has committed habitual illegal sale of tobacco as established under IC 35-46-1-10.2(j); or (3) has committed habitual illegal entrance by a minor as established under IC 35-46-1-11.7(f). As added by P.L.250-2003, SEC.11. Amended by P.L.227-2007, SEC.61; P.L.94-2008, SEC.39; P.L.214-2016, SEC.11; P.L.49-2020, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18.5. Tobacco Sales Certificate7.1-3-18.5-6. Reinstatement or Renewal; Failure to Pay Civil Penalty; Class B Infraction; Fee

Sec. 6. (a) If a certificate has: (1) expired; or (2) been suspended; the commission may not reinstate or renew the certificate until all civil penalties imposed against the certificate holder for violating IC 35-46-1-10, IC 35-46-1-10.2, IC 35-46-1-11, IC 35-46-1-11.2, IC 35-46-1-11.4, IC 35-46-1-11.5, IC 35-46-1-11.7, or IC 35-46-1-11.8 have been paid. (b) The failure to pay a civil penalty described in subsection (a) is a Class B infraction. (c) If a certificate has been revoked, the commission may not reinstate or renew the certificate for at least one hundred eighty (180) days after the date of revocation. The commission may reinstate or renew the certificate only upon a reasonable showing by the applicant that the applicant shall: (1) exercise due diligence in the sale of tobacco products or electronic cigarettes on the applicant's premises where the tobacco products or electronic cigarettes are sold or distributed; and (2) properly supervise and train the applicant's employees or agents in the handling and sale of tobacco products or electronic cigarettes. If a certificate is reinstated or renewed, the applicant of the certificate shall pay an application fee of one thousand dollars ($1,000). (d) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the youth tobacco education and enforcement fund established under IC 7.1-6-2-6. As added by P.L.250-2003, SEC.11. Amended by P.L.94-2008, SEC.40; P.L.231-2015, SEC.3; P.L.214-2016, SEC.12; P.L.49-2020, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18.5. Tobacco Sales Certificate7.1-3-18.5-7. Tobacco Product or Electronic Cigarette Sales Without Certificate; Penalty

Sec. 7. (a) A person who is required to have a certificate under this chapter and who sells or distributes tobacco products or electronic cigarettes without a valid certificate commits a Class A infraction. Each violation of this section constitutes a separate offense. (b) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund established under IC 7.1-6-2-6. As added by P.L.250-2003, SEC.11. Amended by P.L.252-2003, SEC.4; P.L.231-2015, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18.5. Tobacco Sales Certificate7.1-3-18.5-8. Mitigate Civil Penalties

Sec. 8. The commission may mitigate civil penalties imposed against a certificate holder for violating IC 35-46-1-10, IC 35-46-1-10.2, IC 35-46-1-11, IC 35-46-1-11.2, IC 35-46-1-11.4, IC 35-46-1-11.5, IC 35-46-1-11.7, IC 35-46-1-11.8, or any of the provisions of this chapter if a certificate holder provides a training program for the certificate holder's employees that includes at least the following topics: (1) Laws governing the sale of tobacco products and electronic cigarettes. (2) Methods of recognizing and handling customers who are less than twenty-one (21) years of age. (3) Procedures for proper examination of identification cards to

verify that customers are under twenty-one (21) years of age. As added by P.L.94-2008, SEC.41. Amended by P.L.231-2015, SEC.5; P.L.214-2016, SEC.13; P.L.49-2020, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18.5. Tobacco Sales Certificate7.1-3-18.5-9.2. Employee Requirements; Civil Penalty

Sec. 9.2. (a) An employee of a certificate holder must hold a valid: (1) driver's license issued by the state of Indiana or another state; or (2) identification card issued by the state of Indiana, another state, or the United States; to sell tobacco products. (b) An employee must have the employee's driver's license or identification card or a copy of the employee's driver's license or identification card: (1) either: (A) in the employee's possession; or (B) on file with the employee's employer; and (2) upon request, readily available to show to an excise officer or law enforcement; when selling tobacco products. (c) If an employee holds a valid license or identification card as described in subsection (a) but is unable to show the license, identification card, or a copy to an excise officer under subsection (b) because: (1) the employee has left the license, identification card, or copy in another location; or (2) the license, identification card, or copy has otherwise been lost or mislaid; the employee may, within five (5) days of the employee's inability to show the license, identification card, or copy to the excise officer, produce to the excise officer or to the office of the commission satisfactory evidence of a license or identification card issued to the individual that was valid at the time the individual was unable to show the license, identification card, or copy. (d) If an employee who is unable to show a license, identification card, or copy to an excise officer fails to produce satisfactory evidence within five (5) days in the manner described in subsection (c), the commission may impose a civil penalty on the certificate holder under IC 7.1-3-23-3. As added by P.L.107-2024, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18.5. Tobacco Sales Certificate7.1-3-18.5-9. Exercise Due Diligence; Supervision and Training of Employees or Agents; Prima Facie Evidence of Lack of Due Diligence

Sec. 9. A certificate holder shall exercise due diligence in the supervision and training of the certificate holder's employees or agents in the handling and sale of tobacco products and electronic cigarettes on the holder's retail premises. Proof that employees or agents of the certificate holder, while in the scope of their employment, committed at least six (6) violations relating to IC 35-46-1-10.2(b) in any one (1) year period shall be prima facie evidence of a lack of due diligence by the certificate holder in the supervision and training of the certificate holder's employees or agents. As added by P.L.94-2008, SEC.42. Amended by P.L.231-2015, SEC.6; P.L.49-2020, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18. Carriers', Salesmen's, and Employees' Permits7.1-3-18-1. Carriers' Alcoholic Permits

Sec. 1. Carriers' Alcoholic Permits: Application and Issuance. The commission may issue a carrier's alcoholic permit to a person who is a carrier upon a showing of the reliability and responsibility of the carrier and the propriety of issuing the permit. The commission may issue a carrier's alcoholic permit without publication of notice and investigation by a local board. [Pre-1973 Recodification Citation: 7-1-1-30.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18. Carriers', Salesmen's, and Employees' Permits7.1-3-18-11. Temporary Bartender's Permit

Sec. 11. (a) The commission may issue a temporary bartender's permit to any person who is at least twenty-one (21) years of age for any of the following purposes: (1) To be a bartender at any activity or event for which a temporary permit is issued under IC 7.1-3-6 (beer) or IC 7.1-3-16 (wine). (2) To be a bartender at a nonprofit club for a maximum of four (4) days in a year during the same time that a fair or festival is held in the community where the club is located. However, the commission may only issue a maximum of twenty (20) temporary bartender's licenses for use in one (1) club during one (1) fair or festival. (b) A temporary bartender's permit is the only license that is required for persons to serve as bartenders for the purposes described in subsection (a). (c) A temporary bartender at a club may dispense any alcoholic beverage that the club's permit allows the club to serve. (d) The fee for a temporary bartender's permit is five dollars ($5). (e) The commission may by rule provide procedures for the issuance of a temporary bartender's permit. (f) The commission shall revoke a permit issued to a bartender under this section if the bartender is convicted of a Class B misdemeanor for violating IC 7.1-5-10-15(a). As added by P.L.77-1988, SEC.4. Amended by P.L.52-1992, SEC.7; P.L.125-2000, SEC.2; P.L.224-2005, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18. Carriers', Salesmen's, and Employees' Permits7.1-3-18-2. Carriers' Alcoholic Permits; Scope

Sec. 2. Carriers' Alcoholic Permits: Scope. A carrier's alcoholic permit shall be required only for, and be applicable to, the movement, conveyance, importation and transportation of alcohol and alcoholic beverages on a public highway in this state. A carrier's alcoholic permit shall not be required when the conveyance, movement, importation, or transportation is conducted by means of cars or trains operated by a railroad of any type over fixed rails. [Pre-1973 Recodification Citation: 7-1-1-30.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18. Carriers', Salesmen's, and Employees' Permits7.1-3-18-3. Permits Required

Sec. 3. Permits Required. A carrier shall be required to apply for and obtain a carrier's alcoholic permit before he may haul, convey, transport, or import alcoholic beverages on a public highway of this state or crossing a boundary of it. [Pre-1973 Recodification Citation: 7-1-1-30.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18. Carriers', Salesmen's, and Employees' Permits7.1-3-18-4. Permits Required; Exception

Sec. 4. Permits Required: Exception. A carrier who transports beer manufactured in Indiana for consumption outside this state shall not be required to obtain a carrier's alcoholic permit if the beer has been manufactured under a brewer's permit and if in the judgment of the commission, through safeguards provided by the co-operation of the brewer, the issuance of a permit to the carrier is not necessary to protect the interests of the State of Indiana. [Pre-1973 Recodification Citation: 7-1-1-30.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18. Carriers', Salesmen's, and Employees' Permits7.1-3-18-5. Description of Vehicles

Sec. 5. Description of Vehicles. A carrier's alcoholic permit shall not be operative as to a vehicle owned or operated by the carrier and shall not authorize the transportation or conveyance of alcoholic beverages in it unless a description of the vehicle is first filed with the commission. The description of the vehicle shall include the engine number, date of manufacture, approximate weight, motor vehicle number, all license plate numbers, capacity, and any other information that the commission may require. The filing of the required information shall include that vehicle in the coverage of the permit. The permittee may alter or add to the number of vehicles included under the permit from time to time. [Pre-1973 Recodification Citation: 7-1-1-30.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18. Carriers', Salesmen's, and Employees' Permits7.1-3-18-6. Surety Bond

Sec. 6. Surety Bond. The commission also may, at the time of the issuance of a carrier's alcoholic permit, or at any other time thereafter, require a surety bond in a penal sum not to exceed five hundred dollars ($500), executed by the permittee and payable to the State of Indiana. The bond shall be conditioned that he will not violate a provision of this title, or a rule or regulation of the commission pertaining to the business in which he is engaged under his permit. If a surety bond is required by the commission, the permit, although previously issued, shall not be in force and the permittee shall not operate under it until the surety bond has been duly executed, approved and filed with the commission. [Pre-1973 Recodification Citation: 7-1-1-30.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18. Carriers', Salesmen's, and Employees' Permits7.1-3-18-7. Salesmen's Permits; Application and Issuance

Sec. 7. Salesmens' Permits: Application and Issuance. The commission may issue a salesman's permit to a person who desires to act as a salesman. The applicant shall state in the application the county or counties within Indiana within which the applicant desires to act as a salesman. The application and the permit issued by the commission shall set forth the name and address of the person whom the salesman represents. The application and permit also shall state if the salesman is acting for himself as principal. The application also shall include reasonable rules as the commission may prescribe from time to time. [Pre-1973 Recodification Citation: 7-2-1-11.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18. Carriers', Salesmen's, and Employees' Permits7.1-3-18-8. Salesmen's Permits; Scope

Sec. 8. (a) The holder of a salesman's permit is not entitled to represent a person whose name does not appear on the permit as the permittee's employer, if employed by another, nor may the permittee act for any other person not named in the permit. (b) Subject to subsection (c), a permittee is not entitled to act as a salesman for more than one (1) person under one (1) permit. However, the commission may issue additional permits to the salesman for additional principals. (c) A permittee may act as a salesman for more than one (1) person under one (1) permit if: (1) the permittee is an Internet company; and (2) the Internet company provides the commission with the names of each permittee for whom the Internet company is a salesman in conformity with the rules adopted by the commission. [Pre-1973 Recodification Citation: 7-2-1-11.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.30.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18. Carriers', Salesmen's, and Employees' Permits7.1-3-18-9.5. Exception to Revocation of Employee's Permit for Conviction of Operating While Intoxicated

Sec. 9.5. (a) This section applies only to an employee who: (1) holds an employee's permit issued under section 9 of this chapter; (2) is convicted of operating while intoxicated; (3) does not have a prior conviction for operating while intoxicated; and (4) was at least twenty-one (21) years of age at the time the employee committed the offense of operating while intoxicated for which the employee was convicted. (b) The commission shall send to the most recent mailing address that the commission has on file, or by electronic

communication, a notice to an employee that the employee's permit will be revoked six (6) months after the date of sentencing for the conviction of operating while intoxicated unless the employee submits to the commission, on a form prescribed by the commission, information verifying that the employee has completed an appropriate substance abuse treatment or education program that was provided by a provider certified by the division of mental health and addiction. (c) If an employee fails to submit the information as required under subsection (b) within six (6) months from the date of the sentencing, the commission shall revoke the employee's permit. As added by P.L.196-2015, SEC.11. Amended by P.L.145-2024, SEC.8.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 18. Carriers', Salesmen's, and Employees' Permits7.1-3-18-9. Employee's Permit

Sec. 9. (a) The commission may issue an employee's permit to a person who desires to act as: (1) a clerk in a package liquor store; (2) an employee who serves wine at a farm winery; (3) a bartender, waiter, waitress, or manager in a retail establishment, excepting dining car and boat employees; or (4) an employee of a dealer licensed under IC 7.1-3-5-3 or IC 7.1-3-10-7 to deliver beer or liquor. (b) A permit authorized by this section is conditioned upon the compliance by the holder with reasonable rules relating to the permit which the commission may prescribe from time to time. (c) A permit issued under this section entitles its holder to work for any lawful employer. However, a person may work without an employee's permit for thirty (30) days from the date shown on a receipt for a cashier's check or money order payable to the commission for that person's employee's permit application. (d) A person who, for a package liquor store or retail establishment, is: (1) the sole proprietor; (2) a partner, a general partner, or a limited partner in a partnership or limited partnership that owns the business establishment; (3) a member of a limited liability company that owns the business establishment; or (4) a stockholder in a corporation that owns the business establishment; is not required to obtain an employee's permit in order to perform any of the acts listed in subsection (a). (e) An applicant may declare on the application form that the applicant will use the employee's permit only to perform volunteer service that benefits a nonprofit organization. It is unlawful for an applicant who makes a declaration under this subsection to use an employee's permit for any purpose other than to perform volunteer service that benefits a nonprofit organization. (f) The commission may not issue an employee's permit to an applicant while the applicant is serving a sentence for a conviction for operating while intoxicated, including any term of probation or parole. (g) The commission may not issue an employee's permit to an applicant who has two (2) unrelated convictions for operating while intoxicated if: (1) the first conviction occurred less than ten (10) years before the date of the applicant's application for the permit; and (2) the applicant completed the sentence for the second conviction, including any term of probation or parole, less than two (2) years before the date of the applicant's application for the permit. (h) If an applicant for an employee's permit has at least three (3) unrelated convictions for operating while intoxicated in the ten (10) years immediately preceding the date of the applicant's application for the permit, the commission may not grant the issuance of the permit. If, in the ten (10) years immediately preceding the date of the applicant's application the applicant has: (1) one (1) conviction for operating while intoxicated, and the applicant is not subject to subsection (f); or (2) two (2) unrelated convictions for operating while intoxicated, and the applicant is not subject to subsection (f) or (g); the commission may grant or deny the issuance of a permit. (i) Except as provided under section 9.5 of this chapter, the commission shall revoke a permit issued to an employee under this section if: (1) the employee is convicted of a Class B misdemeanor for violating IC 7.1-5-10-15(a); or (2) the employee is convicted of operating while intoxicated after the issuance of the permit. The commission may revoke a permit issued to an employee under this section for any violation of this title or the rules adopted by the commission. [Pre-1973 Recodification Citation: 7-2-1-12.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1979, P.L.83, SEC.4; P.L.77-1988, SEC.3; P.L.102-1989, SEC.2; P.L.64-1990, SEC.2; P.L.51-1994, SEC.7; P.L.205-1999, SEC.15; P.L.125-2000, SEC.1; P.L.204-2001, SEC.31; P.L.165-2006, SEC.26; P.L.196-2015, SEC.10; P.L.220-2023, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-1. Permits Issued in Discretion of Commission

Sec. 1. Permits Issued in Discretion of Commission. The commission in its absolute discretion shall issue, suspend, or revoke, except as otherwise provided in this title, a retailer's or dealer's permit of any type. [Pre-1973 Recodification Citation: 7-2-1-14(b).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-10. Commission's Action

Sec. 10. Commission's Action. The commission may investigate in any manner it deems best to enable it to act upon the application in a particular case. The commission may grant or refuse the application accordingly as it deems the public interest will be served best. The action of the commission on the application for a retailer's or dealer's permit of any type shall be final. [Pre-1973 Recodification Citation: 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-11.5. Appeal Hearing; Notice to Local Board; Publication of Notice

Sec. 11.5. (a) As used in this section, "applicant" or "application" means an applicant or an application for: (1) a new permit; or (2) the transfer or renewal of an existing permit. (b) This section applies if a permit applicant or a person who remonstrates at a local

board hearing against the approval of the application files with the commission: (1) an objection to the commission's action on the application; and (2) a request for an appeal hearing before the commission. (c) The commission shall do the following: (1) Provide notice to the local board, by first class mail, of the date of an appeal hearing set by the commission. Notice under this subdivision must be provided not later than ten (10) days before the date of the hearing. (2) Publish notice in the city, town, or county where the proposed permit premises is located of the date of an appeal hearing set by the commission. Notice under this subdivision must be published not later than ten (10) days before the date of the hearing. As added by P.L.94-2008, SEC.45.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-11. Review of Recommendations; Findings of Fact

Sec. 11. (a) The commission shall follow the recommendation of a majority of the members of a local board to grant or deny an application for a retailer's or dealer's permit of any type, unless, after the commission's review of that recommendation, the commission determines that to follow the recommendation would be: (1) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law; (2) contrary to a constitutional right, power, privilege, or immunity; (3) in excess of, or contrary to, statutory jurisdiction, authority, limitations or rights; (4) without observance of procedure required by law; or (5) unsupported by substantial evidence. Such review shall be de novo. (b) If the commission determines not to follow the recommendation of a local board, after the commission's review of that recommendation according to the standards set forth in subsection (a), the commission shall make written findings of fact on each material issue on which the commission's determination is based. [Pre-1973 Recodification Citation: 7-1-1-5(2).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.64-1990, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-12. Return of Fee

Sec. 12. Return of Fee. The chairman shall deduct the sum of twenty-five dollars ($25) from the license fee paid by the applicant for each application considered, but if the applications are combined in one (1) application, the chairman shall deduct the sum of thirty-five dollars ($35) from the license fee, and return the balance of the fee to the applicant if the commission refuses to grant the application. The amount deducted from the fee shall be the property of the state and shall be disposed of as provided in article 4 of this title. [Pre-1973 Recodification Citation: 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-13. New Permits in Residential Districts; Duty of Commission

Sec. 13. New Permits in Residential Districts: Duty of Commission. The commission shall have the duty in considering an application for a new retailer's permit of any type, or a new liquor dealer's permit, to determine whether the business to be conducted by the applicant pursuant to the proposed permit will be located within a residential district, and if so, whether the conduct of the business pursuant to the proposed permit will unreasonably impair and interfere with the peace, comfort, or enjoyment of life and property of the occupants of the residential district, or any of them. The commission shall deny the application if it finds in the affirmative on both questions. [Pre-1973 Recodification Citation: 7-2-1-15.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-14. New Permits in Residential Districts; Notice

Sec. 14. The commission shall have the duty in making the determinations provided in section 13 of this chapter to publish notice that an application for a permit is pending and that a public hearing will be held on the application at a time and place to be stated in the notice. The notice shall state that at the hearing, residents of the residential district may appear and be heard in favor of, or in opposition to, the granting of the permit and may, if they desire to, present a verified written remonstrance against the granting of the permit. [Pre-1973 Recodification Citation: 7-2-1-15.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.114.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-15. New Permits in Residential Districts; Hearing

Sec. 15. The commission shall consider the matters which may be brought out at the hearing and the sentiments of the residents in making the determinations required by section 13 of this chapter. Further, if at the hearing, there is presented to the commission a verified written remonstrance bearing the signatures of at least fifty-one percent (51%) of the registered voters of the residential district, the commission shall be bound to find in the affirmative and to deny the application. [Pre-1973 Recodification Citation: 7-2-1-15.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.115.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-16. New Permits in Residential Districts; Exceptions

Sec. 16. New Permits in Residential Districts: Exceptions. The provisions of IC 7.1-3-19-13, 7.1-3-19-14, and 7.1-3-19-15, do not apply to the renewal of existing retailer's permits, nor to the renewal of existing liquor dealer's permits, nor to a nationally chartered veteran's organization which has occupied the same premises for ten (10) years prior to making application for a club permit.

[Pre-1973 Recodification Citation: 7-2-1-15.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1979, P.L.83, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-17. Formal Written Commitments With Municipal Legislative Body; Adopt Ordinance; Recommendations to Local Board; Deny or Revoke Permit

Sec. 17. (a) This section applies to a permit issued under IC 7.1-3-20-16(d), IC 7.1-3-20-16(g), IC 7.1-3-20-16(k) through IC 7.1-3-20-16(q), or IC 7.1-3-20-16.8 if a municipal legislative body has adopted an ordinance requiring a formal written commitment as a condition of eligibility for a permit, as described in subsection (b). (b) As a condition of eligibility for a permit, the applicant must enter into a formal written commitment with the municipal legislative body regarding the character or type of business that will be conducted on the permit premises. The municipal legislative body must adopt an ordinance approving the formal written commitment. A formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises. When an application for renewal of a permit is filed, the applicant shall forward a copy of the application to the municipal legislative body. The municipal legislative body shall receive notice of any filings, hearings, or other proceedings on the application for renewal from the applicant. (c) A formal written commitment may be modified by the municipal legislative body with the agreement of the permit holder. (d) Except as provided in subsection (f), the amount of time that a formal written commitment is valid may not be limited or restricted. (e) A formal written commitment is terminated at the time a permit is revoked or not renewed. (f) If the character or type of business violates the formal written commitments, the municipality may adopt a recommendation to the local board and the commission to: (1) deny the permit holder's application to renew the permit; or (2) revoke the permit holder's permit. (g) The commission shall consider evidence at the hearing on the issue of whether the business violated the formal written commitments. If the commission determines there is sufficient evidence that the commitments have been violated by the permittee, the commission may: (1) deny the application to renew the permit; or (2) revoke the permit; as applicable. As added by P.L.121-2015, SEC.1. Amended by P.L.60-2016, SEC.3; P.L.214-2016, SEC.15; P.L.220-2023, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-2. Jurisdiction Restricted

Sec. 2. Jurisdiction Restricted. Except as otherwise provided in this title, no court shall have jurisdiction of an action to compel the issuance of a retailer's or dealer's permit of any type, or to revoke, annul, suspend, or enjoin an action, ruling, finding, or order of the commission suspending or revoking one (1) of these permits, and the consent of the State of Indiana is hereby expressly withdrawn and denied in such an action. [Pre-1973 Recodification Citation: 7-2-1-14(b).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-3. Prerequisites

Sec. 3. Prerequisites. The commission, unless otherwise provided in this title, shall not grant an application and issue a retailer's or dealer's permit of any type until the publication of notice, the investigation before the local board, and the other proceedings required by this chapter have been completed. [Pre-1973 Recodification Citation: 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-4. Time and Place for Investigation

Sec. 4. The commission shall fix the time and place for investigating, before the appropriate local board, the fitness of the applicant, and the propriety of granting his application for the particular retailer's or dealer's permit involved. The investigation shall be held within the county in which the premises, described in the application, are situated and it shall be open to the public. [Pre-1973 Recodification Citation: 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.106-1995, SEC.13; P.L.108-2021, SEC.13.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-5. Publication of Notice and Investigation

Sec. 5. The commission shall cause one (1) notice of the pending investigation to be published in accordance with the provisions of IC 7.1-3-1-18. The publication of the notice shall be at least five (5) days before the investigation. [Pre-1973 Recodification Citation: 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.224-2005, SEC.12; P.L.94-2008, SEC.44; P.L.196-2015, SEC.12.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-6. Combined Publication of Notices

Sec. 6. Combined Publication of Notices. The commission may combine in one (1) publication, notices of any number of applications by the same or different applicants if the combined publication contains the required information with respect to each application respectively and if the publication complies with all other requirements of this title. [Pre-1973 Recodification Citation: 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-7. Contents of Notice

Sec. 7. Contents of Notice. The notice shall advise the public of the name of the applicant, the type of permit applied for, the location of the premises as set forth in the application, and the time and place when and where the application will come up for investigation before the local board. The notice also shall advise that the local board will, at the time and place designated, investigate the application and receive information concerning the fitness of the applicant, and the propriety of issuing the permit applied for, at the named premises, to the applicant. [Pre-1973 Recodification Citation: 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-8. Testimony

Sec. 8. Testimony. In the discretion of the designated member of the local board, sworn oral testimony may be heard, and affidavits or duly certified documents may be received. The local board also may utilize any and all sources of unsworn information. [Pre-1973 Recodification Citation: 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-9.5. Renewals

Sec. 9.5. (a) The commission shall provide procedures and forms to allow an applicant for the renewal of a retailer's or dealer's permit to file a simplified application. (b) An applicant for renewal does not have to be present during the local board proceedings on the renewal unless notified by the commission or the local board. However, a local board may not take any action to deny the renewal of a retailer's or dealer's permit unless the applicant has been notified and given an opportunity to be present at an investigation before the local board. (c) For the purpose of implementing this section, the commissioner may prorate permits of persons holding more than one (1) retailer's or dealer's permit so that those permits terminate at one (1) time and the renewed permits of that person shall have the same termination date. (d) In a county containing a consolidated city, the renewal of a retailer's or dealer's permit is subject to this section and IC 7.1-3-1-5.6. As added by Acts 1977, P.L.94, SEC.1. Amended by P.L.16-1983, SEC.4; P.L.52-1994, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 19. Procedures for Issuance and Renewal of Retailers' and Dealers' Permits7.1-3-19-9. Questionnaires

Sec. 9. Questionnaires. Each member of the local board, at the conclusion of the investigation, shall answer in writing the questions contained in the questionnaire submitted by the commission in relation to the investigation. Each member of the local board shall sign the questionnaire in duplicate. Both copies of the questionnaire shall be given to the designated member who shall deliver them to the commission for its use in acting upon the application. The commission also may order that further investigations on an application be made before the local board. [Pre-1973 Recodification Citation: 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 2. Brewers' Permits7.1-3-2-1.4. "Bottle"

Sec. 1.4. For purposes of this chapter, "bottle" means a standard wine container that meets the requirements of 27 CFR 4.71. As added by P.L.279-2019, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 2. Brewers' Permits7.1-3-2-1.5. "Bulk"

Sec. 1.5. For purposes of this chapter, "bulk" means a container of more than sixty (60) liters. As added by P.L.279-2019, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 2. Brewers' Permits7.1-3-2-1. Application

Sec. 1. Application. The commission may issue a brewer's permit to a person who desires to commercially manufacture beer. [Pre-1973 Recodification Citation: 7-1-1-9.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 2. Brewers' Permits7.1-3-2-10. Delivery to Consumer in Parking Lot

Sec. 10. (a) This section applies to a permittee that conveys alcoholic beverages to a customer in a parking lot or an area adjacent to the brewery as provided under section 7(5)(H) of this chapter. (b) Alcoholic beverages must be: (1) in sealed containers; and (2) placed by an employee of the permittee who is at least twenty-one (21) years of age: (A) in the trunk of the motor vehicle; or (B) behind the last upright seat of the motor vehicle, if the motor vehicle is not equipped with a trunk. (c) The employee of the permittee that conveys the alcoholic beverages to the customer must require the customer to provide proof of age in accordance with IC 7.1-5-10-23. (d) The parking lot or area where the alcoholic beverages are conveyed to the customer must be: (1) well lit; and (2) within clear view of the main entrance of the brewery building premises. As added by P.L.194-2021, SEC.30.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 2. Brewers' Permits7.1-3-2-11. Beer Transferred to Food Manufacturer

Sec. 11. (a) A finished product of a food manufacturer that contains beer transferred to the food manufacturer under section 7(5)(Q) of this chapter may not contain more than one-half of one percent (0.5%) of alcohol by volume when the product leaves the food manufacturer's facility. (b) Beer that is sold or transferred by a brewer to a food manufacturer under section 7(5)(Q) of this chapter shall be included within the brewer's ninety thousand (90,000) barrel of beer limit for the calendar year that is set forth in section 7(5) of this chapter. As added by P.L.220-2023, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 2. Brewers' Permits7.1-3-2-2. Persons Eligible for Permits

Sec. 2. (a) The commission may issue a brewer's permit for a brewery that manufactures more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana. The commission may issue a brewer's permit under this subsection for a brewery that manufactures not more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana if the brewer holds more than one (1) brewer's permit and manufactures, at all of the brewer's breweries located in Indiana, an aggregate of more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana. The commission may issue a permit under this subsection only to: (1) an individual; (2) a partnership; (3) a limited liability company; or (4) a corporation organized and existing under the laws of Indiana and having authority under its charter to manufacture or sell beer. The permit does not limit the number of barrels of beer in a calendar year that the brewer may manufacture for sale or distribution outside Indiana. (b) The commission may issue a brewer's permit to a brewer for a brewery that manufactures not more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana. The commission may issue more than one (1) permit under this subsection to a brewer if the brewer manufactures, at all of the brewer's breweries located in Indiana, an aggregate of not more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana. The commission may issue a permit under this subsection only to: (1) an individual; (2) a partnership organized and existing under the laws of Indiana; (3) a limited liability company organized and existing under the laws of Indiana; or (4) a corporation organized and existing under the laws of Indiana. The permit does not limit the number of barrels of beer in a calendar year that the brewer may manufacture for sale or distribution outside Indiana. [Pre-1973 Recodification Citation: 7-1-1-9.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.51-1994, SEC.3; P.L.72-2004, SEC.5; P.L.186-2011, SEC.2; P.L.71-2012, SEC.1; P.L.79-2015, SEC.1; P.L.194-2021, SEC.28.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 2. Brewers' Permits7.1-3-2-3. Preference for Existing Permittees

Sec. 3. Preference for Existing Permittees. A holder of a brewer's permit shall be entitled to preference in the issuance of a brewer's permit over a new applicant for that permit and the existing permittee shall not be refused the permit except for good cause after hearing. [Pre-1973 Recodification Citation: 7-1-1-9.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 2. Brewers' Permits7.1-3-2-4. Out-of-State Brewer; Qualifications

Sec. 4. A brewer or other person located outside Indiana who is desirous of selling beer or flavored malt beverage to an Indiana permittee for importation into and resale in Indiana, in order to qualify under this title, shall file with the commission a surety bond in a penal sum equal to its average monthly excise tax liability for the previous year, payable to the state of Indiana and conditioned on the principal's faithful performance and discharge in its agreement with the commission as provided in section 5 of this chapter. The bond and agreement, unless suspended or revoked, shall be renewable annually. [Pre-1973 Recodification Citation: 7-2-2-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.58-1984, SEC.2; P.L.72-1996, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 2. Brewers' Permits7.1-3-2-5. Out-of-State Brewer; Agreement

Sec. 5. There shall accompany the bond required by section 4 of this chapter an agreement by the applicant to: (1) pay to the state the taxes and fees levied by the state for which the applicant is liable on beer shipped or transported into Indiana; (2) furnish reports required by the commission of the sales of beer and flavored malt beverage by the principal to an Indiana permittee; and (3) consent to an examination of the principal's records pertaining to sales to an Indiana permittee. [Pre-1973 Recodification Citation: 7-2-2-4.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.58-1984, SEC.3; P.L.72-1996, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 2. Brewers' Permits7.1-3-2-6. Cessation of Manufacturing; Revocation of Permit

Sec. 6. Cessation of Manufacturing: Revocation of Permit. The commission may revoke the permit of a brewer if the brewer does not, in good faith, begin to manufacture beer within six (6) months after the issuance of the permit, or if he suspends manufacturing

of beer for six (6) consecutive months, without the consent and approval of the commission. The revocation shall be affected in accordance with the rules and regulations of the commission. [Pre-1973 Recodification Citation: 7-1-1-9.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 2. Brewers' Permits7.1-3-2-7.5. Sale of Beer and Wine or Liquor From Bar

Sec. 7.5. (a) This section applies if: (1) a person having an interest in a brewer's permit under section 7(5) of this chapter also has an interest in a farm winery or an artisan distillery; and (2) the brewery production facility and the farm winery or artisan distillery production facility occupy the same building. (b) Notwithstanding any other provision, a person to which this section applies may sell by the glass for consumption on the premises all alcoholic beverages: (1) manufactured by the two (2) production facilities; and (2) from a single bar. The commission may not require any physical separation at the bar between the service of alcoholic beverages manufactured by one (1) production facility and the service of alcoholic beverages manufactured by the other production facility. (c) This section does not exempt a permit holder from complying with permit restrictions that affect the sales and service of any of the alcoholic beverages manufactured by the production facilities. If the law applicable to one (1) of the permits under subsection (a)(2) that the person has an interest in is more prohibitive or restrictive regarding the presence of a minor in the bar area of the licensed premises than the law applicable to the other premises under subsection (a)(2) that the person has an interest in, the more prohibitive or restrictive law applies to the single bar area. As added by P.L.97-2015, SEC.1. Amended by P.L.285-2019, SEC.18.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 2. Brewers' Permits7.1-3-2-7. Scope of Permit

Sec. 7. The holder of a brewer's permit or an out-of-state brewer holding either a primary source of supply permit or an out-of-state brewer's permit may do the following: (1) Manufacture beer. (2) Place beer in containers or bottles. (3) Transport beer. (4) Sell and deliver beer to a person holding a beer wholesaler's permit issued under IC 7.1-3-3. (5) If the brewer manufactures, at all of the brewer's breweries, an aggregate of not more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana, the permit holder may do the following: (A) Sell and deliver a total of not more than thirty thousand (30,000) barrels of beer in a calendar year to a person holding a retailer or a dealer permit under this title. The total number of barrels of beer that the permit holder may sell and deliver under this clause in a calendar year may not exceed thirty thousand (30,000) barrels of beer. (B) Be the proprietor of a restaurant that is not subject to the minimum gross food sales or the minimum projected food sales set forth in 905 IAC 1-41-2. (C) Hold a beer retailer's permit, a wine retailer's permit, or a liquor retailer's permit for a restaurant established under clause (B). (D) Transfer beer directly from the brewery to the restaurant by means of: (i) bulk containers; or (ii) a continuous flow system. (E) Install a window between the brewery and an adjacent restaurant that allows the public and the permittee to view both premises. (F) Install a doorway or other opening between the brewery and an adjacent restaurant that provides the public and the permittee with access to both premises. (G) Sell the brewery's beer by the glass for consumption on the premises. Brewers permitted to sell beer by the glass under this clause must make food available for consumption on the premises. A brewer may comply with the requirements of this clause by doing any of the following: (i) Allowing a vehicle of transportation that is a food establishment (as defined in IC 16-18-2-137) to serve food near the brewer's licensed premises. (ii) Placing menus in the brewer's premises of restaurants that will deliver food to the brewery. (iii) Providing food prepared at the brewery. (H) Sell and deliver beer to a consumer at the licensed premises of the brewer or at the residence of the consumer. Notwithstanding IC 7.1-1-3-20, the licensed premises may include the brewery parking lot or an area adjacent to the brewery that may only be used for the purpose of conveying alcoholic beverages and other nonalcoholic items to a customer subject to section 10 of this chapter, and may not be used for point of sale purposes or any other purpose. The delivery to a consumer may be made only in a quantity at any one (1) time of not more than one-half (1/2) barrel, but the beer may be contained in bottles or other permissible containers. (I) Sell the brewery's beer as authorized by this section for carryout on Sunday in a quantity at any one (1) time of not more than five hundred seventy-six (576) ounces. A brewer's beer may be sold under this clause at any address for which the brewer holds a brewer's permit issued under this chapter if the address is located within the same city boundaries in which the beer was manufactured. (J) With the approval of the commission, participate: (i) individually; or (ii) with other permit holders under this chapter, holders of artisan distiller's permits, holders of farm winery permits, or any combination of holders described in this item; in a trade show or an exposition at which products of each permit holder participant are displayed, promoted, and sold. All of the permit holders may occupy the same tent, structure, or building. The commission may not grant to a holder of a permit under this chapter approval under this clause to participate in a trade show or exposition for more than forty-five (45) days in a calendar year. (K) Store or condition beer in a secure building that is: (i) separate from the brewery; and (ii) owned or leased by the permit holder. (L) Transfer beer from a building described in clause (K) back to the brewery. (M) Sell or transfer beer directly to a beer wholesaler from a building described in clause (K), but may not sell or transfer beer from the building to any other permittee or a consumer. The brewer shall maintain an adequate written record of the beer transferred: (i) between the brewery and the separate building; and (ii) from the separate building to the wholesaler. (N) Sell the brewery's beer to the holder of a supplemental caterer's permit issued under IC 7.1-3-9.5 for on-premises consumption only at an event that is held outdoors on property that is contiguous to the brewery as approved by the commission. (O) Receive liquor from the holder of a distiller's permit issued under IC 7.1-3-7 or the holder of an artisan distiller's permit under IC 7.1-3-27 that is located in the same county as the brewery for the purpose of carbonating and canning the liquor. Upon the completion of canning of the liquor, the product must be returned to the original production facility within forty-eight (48) hours. The activity under this clause is not an interest under IC 7.1-5-9. (P) Receive beer from another permit

holder under this subdivision for the purpose of bottling and packaging the beer. Upon completion of bottling and packaging the beer, the product must be returned to the original permit holder who manufactured the beer. The number of barrels of beer that a permit holder receives, bottles, and packages under this clause may not exceed the number of barrels of beer that the permit holder produced from raw materials at the licensed premises of the permit holder in the same calendar year. The activity under this clause is not an interest under IC 7.1-5-9. (Q) Sell or transfer beer directly to a food manufacturer located in Indiana that is registered with the federal Food and Drug Administration for the purpose of adding or integrating the beer into a product or recipe. (R) Manufacture beer for another permit holder under this subdivision. Upon completion of manufacturing the beer, the product must be transported to the permit holder for which the beer was manufactured. To qualify under this clause: (i) the permit holder for which the beer is manufactured must have manufactured not less than forty (40) barrels of beer produced from raw materials at the licensed premises of the permit holder in the previous calendar year; and (ii) the number of barrels of beer that a permit holder manufactures under this clause may not exceed the number of barrels of beer that the permit holder produced from raw materials at the licensed premises of the permit holder in the same calendar year. All records required by the federal Alcohol and Tobacco Tax and Trade Bureau regarding the number of barrels of beer produced from raw materials at the licensed premises of a permit holder must be made available to the commission upon request. The activity under this clause is not an interest under IC 7.1-5-9. (6) If the brewer's brewery manufactures more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana, the permit holder may own a portion of the corporate stock of another brewery that: (A) is located in the same county as the brewer's brewery; (B) manufactures less than ninety thousand (90,000) barrels of beer in a calendar year; and (C) is the proprietor of a restaurant that operates under subdivision (5). (7) Provide complimentary samples of beer that are: (A) produced by the brewer; and (B) offered to consumers for consumption on the brewer's premises. (8) Own a portion of the corporate stock of a sports corporation that: (A) manages a minor league baseball stadium located in the same county as the brewer's brewery; and (B) holds a beer retailer's permit, a wine retailer's permit, or a liquor retailer's permit for a restaurant located in that stadium. (9) For beer described in IC 7.1-1-2-3(a)(4): (A) may allow transportation to and consumption of the beer on the licensed premises; and (B) may not sell, offer to sell, or allow sale of the beer on the licensed premises. [Pre-1973 Recodification Citation: 7-1-1-9.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.52-1992, SEC.3; P.L.88-1993, SEC.1; P.L.15-1994, SEC.3; P.L.107-1995, SEC.1; P.L.177-1999, SEC.6; P.L.72-2004, SEC.6; P.L.94-2008, SEC.26; P.L.10-2010, SEC.6; P.L.186-2011, SEC.3; P.L.71-2012, SEC.2; P.L.79-2015, SEC.2; P.L.144-2015, SEC.1; P.L.214-2016, SEC.2; P.L.270-2017, SEC.7; P.L.279-2019, SEC.3; P.L.285-2019, SEC.17; P.L.194-2021, SEC.29; P.L.220-2023, SEC.4; P.L.26-2024, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 2. Brewers' Permits7.1-3-2-8. Transportation of Beer

Sec. 8. Transportation of Beer. The transportation of beer to a county within this state shall be only in barrel or keg containers, or in bottles, or in other containers permissible under the rules and regulations of the commission. A brewer may ship beer to points outside this state in any convenient container. [Pre-1973 Recodification Citation: 7-1-1-9.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 2. Brewers' Permits7.1-3-2-9. Out-of-State Brewer; Use of Beer Wholesalers

Sec. 9. An out-of-state brewer holding either a primary source of supply permit or an out-of-state brewer's permit may: (1) appoint a beer wholesaler to perform the services described in IC 7.1-3-3-5(f)(1) through IC 7.1-3-3-5(f)(2); and (2) provide a fee to a beer wholesaler who performs the services described in IC 7.1-3-3-5(f)(1) through IC 7.1-3-3-5(f)(2). As added by P.L.72-1997, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The following amendments to this chapter apply as follows: (1) The amendments made to sections 18, 20, and 21 of this chapter by P.L.204-2001 supersede 905 IAC 1-41-2(c), as in effect on January 1, 2001. (2) The amendments made to section 11.5 of this chapter by P.L.204-2001 apply only to applications submitted after June 30, 2001. Applicants who submit an application before July 1, 2001, must comply with section 11.5, as appropriate, as the provision was effective at the time the application was submitted. (3) The addition of section 16.1 of this chapter by P.L.72-2004 applies to an application for a permit received after June 30, 2004. As added by P.L.220-2011, SEC.173.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-1. Clubs; General Requirements

Sec. 1. Clubs: General Requirements. In order to be considered a "club" within the meaning of this title and to be eligible to receive an appropriate club permit under this title, an association or corporation shall meet the following requirements: (a) It shall have been organized in good faith under authority of law; (b) It shall have been in active, continuous existence for at least three (3) years prior to the date the application for the permit is filed; (c) It shall have maintained, in good faith, a membership roll for the three (3) year period; (d) It shall have a paid-up membership of more than fifty (50) members at the time the application is filed; (e) It shall be the owner, lessee, or occupant of an establishment operated solely for objects of a national, social, patriotic, political, or athletic nature, or the like; (f) It shall not be operated for pecuniary gain; (g) The property and the advantages of the organization shall belong to its

members; and, (h) It shall maintain an establishment provided with special space and accomodations where, in consideration of payment, food, with or without lodging, is habitually served. [Pre-1973 Recodification Citation: 7-1-1-3(c).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-10. Restaurants Within Corporate Limits

Sec. 10. Restaurants Within Corporate Limits. The commission may issue the appropriate permit upon the application of a restaurant if the premises to be licensed are situated within the corporate limits of a city or town. [Pre-1973 Recodification Citation: 7-1-1-3(j).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-11.5. Restaurants; Small City Provision

Sec. 11.5. (a) The commission may issue a three-way permit for the sale of alcoholic beverages, for on-the-licensed-premises consumption only, to the proprietor of a restaurant which is located in a city or town that has a population of less than twenty-five thousand (25,000), if the applicant meets the following requirements: (1) The establishment is the holder of a one-way or a two-way permit. (2) The establishment is qualified to hold a three-way permit but for the provisions of IC 7.1-3-22-3. (b) A permit that is issued under this section may be transferred. (c) The annual license fee for a three-way retailer's permit issued under this section is the same as the fee for a three-way retailer's permit issued under other provisions of this chapter. A person who holds a three-way retailer's permit under this section is not required to pay an annual license fee for any one-way or two-way retailer's permit that the person must hold to maintain eligibility for a three-way retailer's permit under this section. As added by Acts 1976, P.L.24, SEC.1. Amended by Acts 1981, P.L.44, SEC.3; P.L.91-1993, SEC.1; P.L.204-2001, SEC.34; P.L.229-2011, SEC.99.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-11. Restaurants; Unincorporated Town Exception

Sec. 11. The commission may issue a beer retailer's permit to a restaurant if it is located within an unincorporated town, or in close proximity to one, and if the establishment meets the requirements provided in section 9 of this chapter. [Pre-1973 Recodification Citation: 7-1-1-3(j).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.118.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-12. Restaurants Outside Corporate Limits

Sec. 12. The commission may issue a three-way permit for the sale of alcoholic beverages to the proprietor of a restaurant which is located outside the corporate limits of an incorporated city or town if the restaurant meets the additional requirements: (1) It shall be a table service restaurant in which a patron is seated at a table and is served by a waiter or waitress and the food served is predominantly consumed on the premises. (2) It shall be sufficiently served by adequate law enforcement at its premises. (3) If it does business during seven (7) or more months of each year, it shall have had an annual gross food sales of at least one hundred thousand dollars ($100,000) for the three (3) years immediately preceding its application for a permit unless the permittee is the proprietor of a recreational facility such as a golf course, bowling center, or similar facility that has the recreational activity and not the sale of food and beverages as the principal purpose or function of the person's business. (4) If it does business during six (6) or fewer months of each year, it shall have had average monthly gross food sales of at least eight thousand five hundred dollars ($8,500) for each month it did business for the three (3) years immediately preceding its application for a permit. [Pre-1973 Recodification Citation: 7-1-1-8(4)(e).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1975, P.L.72, SEC.2. As amended by P.L.85-1985, SEC.11; P.L.106-1995, SEC.14; P.L.224-2005, SEC.14.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-13.5. Public Restaurant at Golf Course or Tennis Club; Gross Food Sales Requirement

Sec. 13.5. Notwithstanding sections 12 and 13 of this chapter, there is no annual or monthly gross food sales requirement to obtain a three-way permit for the sale of alcoholic beverages in a restaurant that is: (1) open to the general public; and (2) located on: (A) the grounds of a regulation size golf course that has at least nine (9) holes; or (B) the premises of a tennis club that has at least eight (8) regulation size tennis courts. As added by P.L.64-1990, SEC.4. Amended by P.L.51-1994, SEC.8; P.L.76-1997, SEC.1; P.L.224-2005, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-13.6. Golf Course Clubhouse; Sale From Golf Cart

Sec. 13.6. (a) As used in this section, "clubhouse" means a facility: (1) that is located on a golf course; and (2) where alcoholic beverages are sold under a retailer's permit or a club permit issued by the commission. (b) The holder of a retailer's permit or a club permit for the sale of alcoholic beverages at a clubhouse may, under the same permit, sell alcoholic beverages at a permanent, semipermanent, or portable structure or cart that meets the following requirements: (1) Is on the same golf course premises as the clubhouse. (2) Is within reasonable proximity of the clubhouse. (3) Provides minimum food service. (4) Has a floor plan or design

that meets the following requirements: (A) Is on file with the commission. (B) Has been approved by the commission. (c) All employees of a permittee described in subsection (b), who are involved in the furnishing, supplying, conveying, selling or serving of alcoholic beverages, shall have an employee's permit or bartender's permit, as applicable. As added by P.L.87-1993, SEC.2. Amended by P.L.285-2019, SEC.34.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-13. New Restaurants Outside Corporate Limits

Sec. 13. (a) The commission may issue a three-way permit to the proprietor of a new restaurant which is located outside the corporate limits of an incorporated city or town for the sale of alcoholic beverages if: (1) the applicant proves to the local board and the commission that a projection of his experience had for the first ninety (90) days of gross food sales at the location will exceed not less than two hundred thousand dollars ($200,000) in gross food sales by the end of two (2) years from the date of his application; and (2) the restaurant meets the additional requirements provided in section 12 of this chapter, other than the gross food sales requirement. (b) Notwithstanding subsection (a), the gross food sales requirement under this section for an applicant who plans to do business during six (6) or fewer months of each year is an average of at least eight thousand five hundred dollars ($8,500) per month for each full month that the applicant plans to do business. (c) Notwithstanding subsections (a) and (b), the commission may issue a permit for a new restaurant to sell alcoholic beverages at the time of its opening if the applicant for this permit first executes a verified certification to the commission stating that the anticipated gross food sales are expected to exceed two hundred thousand dollars ($200,000) during the first two (2) years of operation. Not more than one hundred twenty (120) days after the opening of the new restaurant, the applicant shall furnish to the commission a financial statement showing the dollar amount of food sales made during the first ninety (90) days of operation. The commission may require this financial statement to be audited by a certified public accountant. If the food sales shown on the financial statement do not meet the standards set forth in subsection (a), the commission may revoke the permit. [Pre-1973 Recodification Citation: 7-1-1-8(4)(e).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1975, P.L.72, SEC.3. As amended by P.L.85-1985, SEC.12.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-14. Restaurants Outside Corporate Limits; Nonrenewals

Sec. 14. (a) The commission shall not renew the permit of a permittee licensed under section 12 or 13 of this chapter upon the expiration of the permit in the calendar year next succeeding a calendar year in which the permittee's gross food sales are less than one hundred thousand dollars ($100,000), unless the permittee can establish to the satisfaction of the local board and the commission that his projected gross food sales for the ensuing calendar year will exceed one hundred thousand dollars ($100,000). (b) Notwithstanding subsection (a), the gross food sales requirement under this section for a permittee who does business during six (6) or fewer months of each year is an average of at least eight thousand five hundred dollars ($8,500) per month for each full month that the permittee does business. [Pre-1973 Recodification Citation: 7-1-1-8(4)(e).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.85-1985, SEC.13.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-16.1. Municipal Riverfront Development Project; Alcoholic Beverage Permit Requirements

Sec. 16.1. (a) This section applies to a municipal riverfront development project established by a city or town that is authorized under section 16(d) of this chapter. (b) In order to qualify for a permit, an applicant must demonstrate that the municipal riverfront development project area where the permit is to be located meets the following criteria: (1) The project boundaries: (A) must border on at least one (1) side of a river; or (B) must border a lake that is: (i) at least seven hundred and fifty (750) acres; and (ii) completely within the boundaries of a municipality. (2) The proposed permit premises may not be located more than: (A) one thousand five hundred (1,500) feet; or (B) three (3) municipal blocks; from the river or the lake, whichever is greater. However, if the area adjacent to the river or the lake is incapable of being developed because the area is in a floodplain, or for any other reason that prevents the area from being developed, the distances described in clauses (A) and (B) are measured from the municipal blocks located nearest to the river or the lake that are capable of being developed. (3) The permit premises are located within: (A) an economic development area, a redevelopment project area, an urban renewal area, or a redevelopment area established under IC 36-7-14, IC 36-7-14.5, or IC 36-7-15.1; (B) an economic development project district under IC 36-7-15.2 or IC 36-7-26; or (C) a community revitalization enhancement district designated under IC 36-7-13-12.1. (4) The project must be funded in part with state and municipal funds. (5) The boundaries of the municipal riverfront development project must be designated by ordinance or resolution by the legislative body (as defined in IC 36-1-2-9) of the city or town in which the project is located. (c) Proof of compliance with subsection (b) must consist of the following documentation, which is required at the time the permit application is filed with the commission: (1) A detailed map showing: (A) definite boundaries of the entire municipal riverfront development project; and (B) the location of the proposed permit within the project. (2) A copy of the local ordinance or resolution of the city or town legislative body authorizing the municipal riverfront development project. (3) Detailed information concerning the expenditures of state and municipal funds on the municipal riverfront development project. (d) Notwithstanding subsection (b), the commission may issue a permit for premises, the location of which does not meet the criteria of subsection (b)(2), if all the following requirements are met: (1) All other requirements of this section and section 16(d) of this chapter are satisfied. (2) The proposed premises is located not more than: (A) three thousand (3,000) feet; or (B) six (6) municipal blocks; from the river or the

lake, whichever is greater. However, if the area adjacent to the river or the lake is incapable of being developed because the area is in a floodplain, or for any other reason that prevents the area from being developed, the distances described in clauses (A) and (B) are measured from the municipal blocks located nearest to the river or the lake that are capable of being developed. (3) The permit applicant satisfies the criteria established by the commission by rule adopted under IC 4-22-2. The criteria established by the commission may require that the proposed premises be located in an area or district set forth in subsection (b)(3). (4) The permit premises may not be located less than two hundred (200) feet from facilities owned by a state educational institution. (e) A permit may not be issued if the proposed permit premises is the location of an existing three-way permit subject to IC 7.1-3-22-3. As added by P.L.72-2004, SEC.11. Amended by P.L.155-2005, SEC.2 and P.L.214-2005, SEC.49; P.L.185-2005, SEC.2; P.L.1-2006, SEC.149; P.L.2-2007, SEC.131; P.L.278-2019, SEC.166; P.L.22-2021, SEC.1; P.L.150-2021, SEC.2; P.L.73-2024, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-16.2. Municipal Lakefront Development Project; Qualifications for Permit; Documentation; Restriction on Issuance of Permit

Sec. 16.2. (a) This section applies to a municipal lakefront development project authorized under section 16(j) of this chapter. (b) In order to qualify for a permit, an applicant must demonstrate that the municipal lakefront development project area where the permit is to be located meets the following criteria: (1) The municipal lakefront development project area must be located in a city (as defined in IC 36-1-2-3). (2) All of the following must be located within the corporate boundaries of the city described in subdivision (1): (A) A city park. (B) A baseball stadium. (3) The project boundaries must border on Lake Michigan. (4) The proposed permit premises may not be located more than: (A) one thousand five hundred (1,500) feet; or (B) three (3) city blocks; from Lake Michigan, whichever is greater. However, if the area adjacent to Lake Michigan is incapable of being developed because the area is in a floodplain, or for any other reason that prevents the area from being developed, the distances described in clauses (A) and (B) are measured from the city blocks located nearest to Lake Michigan that are capable of being developed. (5) The permit premises are located within: (A) an economic development area, a redevelopment project area, an urban renewal area, or a redevelopment area established under IC 36-7-14, IC 36-7-14.5, or IC 36-7-15.1; (B) an economic development project district under IC 36-7-15.2 or IC 36-7-26; or (C) a community revitalization enhancement district designated under IC 36-7-13-12.1. (6) The boundaries of the municipal lakefront development project must be designated by ordinance or resolution by the legislative body (as defined in IC 36-1-2-9) of the city in which the project is located. (c) Proof of compliance with subsection (b) must consist of the following documentation, which is required at the time the permit application is filed with the commission: (1) A detailed map showing: (A) definite boundaries of the entire municipal lakefront development project; and (B) the location of the proposed permit within the project. (2) A copy of the local ordinance or resolution of the local governing body authorizing the municipal lakefront development project. (d) A permit may not be issued if the proposed permit premises is the location of an existing three-way permit subject to IC 7.1-3-22-3. As added by P.L.176-2013, SEC.2. Amended by P.L.172-2021, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-16.3. Sale of Manufactured Beer for Carryout

Sec. 16.3. If the holder of a permit holds a: (1) permit issued under section 16(c) through 16(q) of this chapter or section 16.8 of this chapter to sell beer for on-premises consumption; and (2) permit for a brewery described in IC 7.1-3-2-7(5) that is located on or adjacent to the premises for which the permit holder holds a permit described in subdivision (1); the permit holder may sell for carryout, at the premises for which the permit holder holds a permit described in subdivision (1), beer manufactured at the brewery. As added by P.L.131-2016, SEC.2. Amended by P.L.214-2016, SEC.18; P.L.220-2023, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-16.4. Restaurant Permittee With Interest in Production Facility; Restaurant Carryout Sales of Facility's Products

Sec. 16.4. (a) If a holder of a permit issued under section 16(e)(2) of this chapter has an interest in a production facility permit for: (1) a brewery described in IC 7.1-3-2-7(5); (2) a farm winery described in IC 7.1-3-12-3; (3) an artisan distillery described in IC 7.1-3-27-2; or (4) a combination of the entities described in subdivisions (1) through (3); that is located on or adjacent to the premises for which the permit was issued under section 16(e)(2) of this chapter, notwithstanding 905 IAC 1-29-2 and 905 IAC 1-41-2(c), the holder of the permit may sell carryout beer, wine, or spirits manufactured at the entity described in subdivisions (1) through (3) in the general merchandising area on the restaurant premises and in a self-serving display. Minors may be allowed in the general merchandising area of the restaurant. (b) If a holder of a permit issued under section 16(e)(2) of this chapter has an interest in a production facility permit for: (1) a brewery described in IC 7.1-3-2-7(5); (2) a farm winery described in IC 7.1-3-12-3; (3) an artisan distillery described in IC 7.1-3-27-2; or (4) a combination of the entities described in subdivisions (1) through (3); that is located on or adjacent to the premises for which the permit was issued under section 16(e)(2) of this chapter, the holder of the permit may allow a minor to participate in a nondrinking tour of the production facilities on the premises if the minor is accompanied by an adult as provided in IC 7.1-5-7-11(a)(27), IC 7.1-5-7-11(a)(28), and IC 7.1-5-7-11(a)(29), and the tour does not include allowing tour participants to consume, taste, or sample alcoholic beverages. As added by P.L.150-2021, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-16.5. Restaurants in Historic Places or Districts; Retailer's Permits

Sec. 16.5. (a) A permit that is authorized by this section: (1) is subject to the quota provisions of IC 7.1-3-22; and (2) is not subject to the proximity provisions of IC 7.1-3-21-11. (b) The commission may issue a retailer's permit to the proprietor of a restaurant that is located in a facility that is on the National Register of Historic Places or that is located within the boundaries of an historic district that is established by ordinance pursuant to IC 36-7-11-7. As added by P.L.91-1993, SEC.2. Amended by P.L.32-2021, SEC.16.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-16.8. Permits in Areas of Economic Development or Redevelopment in Certain Municipalities

Sec. 16.8. (a) A permit that is authorized by this section may be issued without regard to the quota provisions of IC 7.1-3-22. (b) Except as provided in section 16.3 of this chapter, the commission may issue not more than four (4) new three-way permits to sell alcoholic beverages for on-premises consumption to applicants in each of the following municipalities: (1) Whitestown. (2) Lebanon. (3) Zionsville. (4) Westfield. (5) Carmel. (6) Fishers. (7) Noblesville. (c) The following apply to permits issued under subsection (b): (1) An applicant for a permit under subsection (b) must be a proprietor, as owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in a municipality's: (A) downtown redevelopment district; or (B) downtown economic revitalization area. (2) The cost of an initial permit is forty thousand dollars ($40,000). (3) The total number of active permits issued under subsection (b) may not exceed twenty-four (24) permits at any time. If any of the permits issued under subsection (b) are revoked or not renewed, the commission may issue only enough new permits to bring the total number of permits to twenty-four (24) active permits, with not more than four (4) in each municipality listed in subsection (b)(1) through (b)(6). (4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises. (5) Notwithstanding IC 7.1-3-1-3.5 and IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation. (6) Except as provided in subdivision (8), the ownership of a permit may not be transferred. (7) A permit may not be transferred from the premises for which the permit was issued. (8) If the area in which the permit premises is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises. (d) Except as provided in section 16.3 of this chapter, in addition to the permits issued to the town of Whitestown under subsection (c), the commission may issue to the town of Whitestown not more than: (1) three (3) new three-way permits; and (2) three (3) new two-way permits; under this subsection. (e) The following apply to permits issued under subsection (d): (1) An applicant for a permit under subsection (d)(1) or (d)(2) must be a proprietor, an owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in a municipality's: (A) downtown redevelopment district; or (B) downtown economic revitalization area. (2) The cost of an initial permit is forty thousand dollars ($40,000). (3) The total number of active permits issued under subsection (d) may not exceed the six (6) permits allocated by permit type, as set forth in that subsection. (4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises. (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation. (6) Except as provided in subdivision (8), the ownership of a permit may not be transferred. (7) A permit may not be transferred from the premises for which the permit was issued. (8) If the area in which the permit issued to a premises under subsection (d)(1) or (d)(2) is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises. (f) Except as provided in section 16.3 of this chapter, in addition to the permits issued to the city of Noblesville under subsection (c), the commission may issue to the city of Noblesville not more than ten (10) new three-way permits under this subsection. The new three-way permits may be issued as follows: (1) Three (3) new three-way permits in 2024. (2) Three (3) new three-way permits in 2025. (3) Four (4) new three-way permits in 2026. If the commission does not issue the amount of three-way permits allowed in subdivisions (1) through (3) in that year, any unissued permits will roll over and may be issued in a subsequent year. (g) The following apply to permits issued under subsection (f): (1) An applicant for a permit under subsection (f) must be a proprietor, an owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in a municipality's: (A) downtown redevelopment district; or (B) downtown economic revitalization area. (2) The cost of an initial permit is forty thousand dollars ($40,000). (3) The total number of active permits issued under subsection (f) may not exceed the ten (10) new three-way permits, as set forth in that subsection. (4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises. (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation. (6) Except as provided in subdivision (8), the ownership of a permit may not be transferred. (7) A permit may not be transferred from the premises for which the permit was issued. (8) If the area in which the permit issued to a premises under subsection (f) is located is no longer designated an economic development area, an area needing

redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises. (h) Except as provided in section 16.3 of this chapter, the commission may issue to the city of Delphi not more than two (2) new three-way permits under this subsection. (i) The following apply to permits issued under subsection (h): (1) An applicant for a permit under subsection (h) must be a proprietor, an owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in a municipality's: (A) downtown redevelopment district; or (B) downtown economic revitalization area. (2) The cost of an initial permit is forty thousand dollars ($40,000). (3) The total number of active permits issued under subsection (h) may not exceed the two (2) new three-way permits, as set forth in that subsection. (4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises. (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation. (6) Except as provided in subdivision (8), the ownership of a permit may not be transferred. (7) A permit may not be transferred from the premises for which the permit was issued. (8) If the area in which the permit issued to a premises under subsection (h) is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises. As added by P.L.214-2016, SEC.19. Amended by P.L.285-2019, SEC.36; P.L.220-2023, SEC.10; P.L.145-2024, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-16. Restaurants; Airports; Certain Economic Development Areas; Redevelopment Projects or Districts; Historic River Vessels; Cultural Centers; Historic Districts; Motorsport Development Districts; Premises in Qualified Motorsports Facilities; Certain Municipalities

Sec. 16. (a) A permit that is authorized by this section may be issued without regard to the quota provisions of IC 7.1-3-22. (b) The commission may issue a three-way permit to sell alcoholic beverages for on-premises consumption only to an applicant who is the proprietor, as owner or lessee, or both, of a restaurant facility in the passenger terminal complex of a publicly owned airport. A permit issued under this subsection shall not be transferred to a location off the airport premises. (c) Except as provided in sections 16.3 and 16.4 of this chapter, the commission may issue a three-way, two-way, or one-way permit to sell alcoholic beverages for on-premises consumption only to an applicant who is the proprietor, as owner or lessee, or both, of a restaurant within a redevelopment project consisting of a building or group of buildings that: (1) was formerly used as part of a union railway station; (2) has been listed in or is within a district that has been listed in the federal National Register of Historic Places maintained pursuant to the National Historic Preservation Act of 1966, as amended; and (3) has been redeveloped or renovated, with the redevelopment or renovation being funded in part with grants from the federal, state, or local government. A permit issued under this subsection shall not be transferred to a location outside of the redevelopment project. (d) Subject to section 16.1 of this chapter and except as provided in section 16.3 of this chapter, the commission may issue a three-way, two-way, or one-way permit to sell alcoholic beverages for on-premises consumption only to an applicant who is the proprietor, as owner or lessee, or both, of a restaurant: (1) on land; or (2) in a historic river vessel; within a municipal riverfront development project established by a city or town and funded in part with state and municipal funds. The ownership of a permit issued under this subsection and the location for which the permit was issued may not be transferred. The legislative body of the city or town in which the municipal riverfront development project is located shall recommend to the commission sites that are eligible to be permit premises. The commission shall consider, but is not required to follow, the municipal legislative body's recommendation in issuing a permit under this subsection. A permit holder and any lessee or proprietor of the permit premises are subject to the formal written commitment required under IC 7.1-3-19-17. Notwithstanding IC 7.1-3-1-3.5 and IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission. The permit holder is not entitled to any refund or other compensation. (e) Except as provided in sections 16.3 and 16.4 of this chapter, the commission may issue a three-way, two-way, or one-way permit to sell alcoholic beverages for on-premises consumption only to an applicant who is the proprietor, as owner or lessee, or both, of a restaurant within a renovation project consisting of: (1) a building that: (A) was formerly used as part of a passenger and freight railway station; and (B) was built before 1900; or (2) a complex of buildings that: (A) is part of an economic development area established under IC 36-7-14; and (B) includes, as part of the renovation project, the use and repurposing of two (2) or more buildings and structures that are: (i) at least seventy-five (75) years old; and (ii) located at a site at which manufacturing previously occurred over a period of at least seventy-five (75) years. The permit authorized by this subsection may be issued without regard to the proximity provisions of IC 7.1-3-21-11. (f) Except as provided in section 16.3 of this chapter, the commission may issue a three-way permit for the sale of alcoholic beverages for on-premises consumption at a cultural center for the visual and performing arts to the following: (1) A town having a population of more than twenty-three thousand (23,000) and less than twenty-three thousand nine hundred (23,900) located in a county having a population of more than four hundred thousand (400,000) and less than seven hundred thousand (700,000). (2) A city that has an indoor theater as described in section 26 of this chapter. (g) Except as provided in section 16.3 of this chapter, the commission may issue not more than fifteen (15) new three-way, two-way, or one-way permits to sell alcoholic beverages for on-premises consumption to applicants, each of whom must be the proprietor, as owner or lessee, or both, of a restaurant located within a district, or not more than one thousand five hundred (1,500) feet from a

district, that meets the following requirements: (1) The district has been listed in the National Register of Historic Places maintained under the National Historic Preservation Act of 1966, as amended. (2) A county courthouse is located within the district. (3) A historic opera house listed on the National Register of Historic Places is located within the district. (4) A historic jail and sheriff's house listed on the National Register of Historic Places is located within the district. The legislative body of the municipality in which the district is located shall recommend to the commission sites that are eligible to be permit premises. The commission shall consider, but is not required to follow, the municipal legislative body's recommendation in issuing a permit under this subsection. An applicant is not eligible for a permit if, less than two (2) years before the date of the application, the applicant sold a retailer's permit that was subject to IC 7.1-3-22 and that was for premises located within the district described in this section or within one thousand five hundred (1,500) feet of the district. The ownership of a permit issued under this subsection and the location for which the permit was issued shall not be transferred. A permit holder and any lessee or proprietor of the permit premises is subject to the formal written commitment required under IC 7.1-3-19-17. Notwithstanding IC 7.1-3-1-3.5 and IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission. The permit holder is not entitled to any refund or other compensation. The total number of active permits issued under this subsection may not exceed fifteen (15) at any time. The cost of an initial permit issued under this subsection is twenty-five thousand dollars ($25,000). (h) Except as provided in section 16.3 of this chapter, the commission may issue a three-way permit for the sale of alcoholic beverages for on-premises consumption to an applicant who will locate as the proprietor, as owner or lessee, or both, of a restaurant within an economic development area under IC 36-7-14 in: (1) a town having a population of more than twenty thousand (20,000); or (2) a city having a population of more than forty-nine thousand four hundred (49,400) and less than fifty thousand (50,000); located in a county having a population of more than one hundred twenty thousand (120,000) and less than one hundred thirty thousand (130,000). The commission may issue not more than five (5) licenses under this section to premises within a municipality described in subdivision (1) and not more than five (5) licenses to premises within a municipality described in subdivision (2). The commission shall conduct an auction of the permits under IC 7.1-3-22-9, except that the auction may be conducted at any time as determined by the commission. Notwithstanding any other law, the minimum bid for an initial license under this subsection is thirty-five thousand dollars ($35,000), and the renewal fee for a license under this subsection is one thousand three hundred fifty dollars ($1,350). Before the district expires, a permit issued under this subsection may not be transferred. After the district expires, a permit issued under this subsection may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises. (i) After June 30, 2006, and except as provided in section 16.3 of this chapter, the commission may issue not more than five (5) new three-way, two-way, or one-way permits to sell alcoholic beverages for on-premises consumption to applicants, each of whom must be the proprietor, as owner or lessee, or both, of a restaurant located within a district, or not more than five hundred (500) feet from a district, that meets all of the following requirements: (1) The district is within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14. (2) A unit of the National Park Service is partially located within the district. (3) An international deep water seaport is located within the district. An applicant is not eligible for a permit under this subsection if, less than two (2) years before the date of the application, the applicant sold a retailers' permit that was subject to IC 7.1-3-22 and that was for premises located within the district described in this subsection or within five hundred (500) feet of the district. A permit issued under this subsection may not be transferred. If the commission issues five (5) new permits under this subsection, and a permit issued under this subsection is later revoked or is not renewed, the commission may issue another new permit, as long as the total number of active permits issued under this subsection does not exceed five (5) at any time. The commission shall conduct an auction of the permits under IC 7.1-3-22-9, except that the auction may be conducted at any time as determined by the commission. (j) Subject to section 16.2 of this chapter and except as provided in section 16.3 of this chapter, the commission may issue not more than six (6) new three-way, two-way, or one-way permits to sell alcoholic beverages for on-premises consumption only to an applicant who is the proprietor, as owner or lessee, or both, of a restaurant on land within a municipal lakefront development project. A permit issued under this subsection may not be transferred. If the commission issues six (6) new permits under this subsection, and a permit issued under this subsection is later revoked or is not renewed, the commission may issue another new permit, as long as the total number of active permits issued under this subsection does not exceed six (6) at any time. The commission shall conduct an auction of the permits under IC 7.1-3-22-9, except that the auction may be conducted at any time as determined by the commission. Notwithstanding any other law, the minimum bid for an initial permit under this subsection is ten thousand dollars ($10,000). (k) Except as provided in section 16.3 of this chapter, the commission may issue not more than nine (9) new three-way permits to sell alcoholic beverages for on-premises consumption to applicants, each of whom must be a proprietor, as owner or lessee, or both, of a restaurant located: (1) within a motorsports investment district (as defined in IC 5-1-17.5-11); or (2) not more than one thousand five hundred (1,500) feet from a motorsports investment district. The ownership of a permit issued under this subsection and the location for which the permit was issued shall not be transferred. If the commission issues nine (9) new permits under this subsection, and a permit issued under this subsection is later revoked or is not renewed, the commission may issue another new permit, as long as the total number of active permits issued under this subsection does not exceed nine (9) at any time. A permit holder and any lessee or proprietor of the permit premises are subject to the formal written commitment required under IC 7.1-3-19-17. Notwithstanding IC 7.1-3-1-3.5 and IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission. The permit holder is not entitled to any refund or other compensation. (l) Except as provided in section 16.3 of this chapter, the commission may issue not more than two (2) new three-way permits to sell alcoholic beverages for on-premises consumption for premises located within a qualified motorsports facility (as defined in IC 5-1-17.5-14). The ownership of a permit

issued under this subsection and the location for which the permit was issued shall not be transferred. If the commission issues two (2) new permits under this subsection, and a permit issued under this subsection is later revoked or is not renewed, the commission may issue another new permit, as long as the total number of active permits issued under this subsection does not exceed two (2) at any time. A permit holder and any lessee or proprietor of the permit premises are subject to the formal written commitment required under IC 7.1-3-19-17. Notwithstanding IC 7.1-3-1-3.5 and IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission. The permit holder is not entitled to any refund or other compensation. (m) Except as provided in section 16.3 of this chapter, the commission may issue not more than three (3) new three-way permits to sell alcoholic beverages for on-premises consumption in the city of Auburn. The ownership of a permit issued under this subsection and the location for which the permit was issued shall not be transferred. If the commission issues three (3) new permits under this subsection, and a permit issued under this subsection is later revoked or is not renewed, the commission may issue another new permit, as long as the total number of active permits issued under this subsection does not exceed three (3) at any time. A permit holder and any lessee or proprietor of the permit premises are subject to the formal written commitment required under IC 7.1-3-19-17. Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission. The permit holder is not entitled to any refund or other compensation. (n) Except as provided in section 16.3 of this chapter, the commission may issue not more than three (3) new three-way permits to sell alcoholic beverages for on-premises consumption in the city of Kendallville. The ownership of a permit issued under this subsection and the location for which the permit was issued shall not be transferred. If the commission issues three (3) new permits under this subsection, and a permit issued under this subsection is later revoked or is not renewed, the commission may issue another new permit, as long as the total number of active permits issued under this subsection does not exceed three (3) at any time. A permit holder and any lessee or proprietor of the permit premises are subject to the formal written commitment required under IC 7.1-3-19-17. Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission. The permit holder is not entitled to any refund or other compensation. (o) Except as provided in section 16.3 of this chapter, the commission may issue not more than two (2) new three-way permits to sell alcoholic beverages for on-premises consumption in the city of Warsaw. The ownership of a permit issued under this subsection and the location for which the permit was issued shall not be transferred. If the commission issues two (2) new permits under this subsection, and a permit issued under this subsection is later revoked or is not renewed, the commission may issue another new permit, as long as the total number of active permits issued under this subsection does not exceed two (2) at any time. A permit holder and any lessee or proprietor of the permit premises are subject to the formal written commitment required under IC 7.1-3-19-17. Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission. The permit holder is not entitled to any refund or other compensation. (p) Except as provided in section 16.3 of this chapter, the commission may issue not more than one (1) new three-way permit to sell alcoholic beverages for on-premises consumption in the town of Winona Lake. The ownership of a permit issued under this subsection and the location for which the permit was issued shall not be transferred. If the commission issues one (1) new permit under this subsection, and a permit issued under this subsection is later revoked or is not renewed, the commission may issue another new permit, as long as the total number of active permits issued under this subsection does not exceed one (1) at any time. A permit holder and any lessee or proprietor of the permit premises are subject to the formal written commitment required under IC 7.1-3-19-17. Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission. The permit holder is not entitled to any refund or other compensation. (q) Except as provided in section 16.3 of this chapter, the commission may issue not more than one (1) new three-way permit to sell alcoholic beverages for on-premises consumption in the town of Syracuse. The ownership of a permit issued under this subsection and the location for which the permit was issued shall not be transferred. If the commission issues one (1) new permit under this subsection, and a permit issued under this subsection is later revoked or is not renewed, the commission may issue another new permit, as long as the total number of active permits issued under this subsection does not exceed one (1) at any time. A permit holder and any lessee or proprietor of the permit premises are subject to the formal written commitment required under IC 7.1-3-19-17. Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission. The permit holder is not entitled to any refund or other compensation. [Pre-1973 Recodification Citation: 7-1-1-8(4)(d).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.85-1985, SEC.14; P.L.78-1986, SEC.6; P.L.103-1989, SEC.2; P.L.72-1991, SEC.2; P.L.12-1992, SEC.56; P.L.277-1993(ss), SEC.131; P.L.15-1994, SEC.6; P.L.170-2002, SEC.55; P.L.155-2005, SEC.1; P.L.214-2005, SEC.48; P.L.224-2005, SEC.16; P.L.1-2006, SEC.148; P.L.165-2006, SEC.27; P.L.10-2010, SEC.7; P.L.71-2012, SEC.3; P.L.119-2012, SEC.80; P.L.176-2013, SEC.1; P.L.121-2015, SEC.2; P.L.131-2016, SEC.1; P.L.214-2016, SEC.17; P.L.285-2019, SEC.35; P.L.150-2021, SEC.1; P.L.172-2021, SEC.1; P.L.220-2021, SEC.3; P.L.104-2022, SEC.57; P.L.220-2023, SEC.8; P.L.73-2024, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-17.5. Dispensing and Storing Alcoholic Beverage in Event Space of Hotel or Restaurant

Sec. 17.5. (a) As used in this section, "banquet or gathering space" means a room or space in which social events are hosted that is located on the licensed premises of a hotel or restaurant, including a contiguous area of the licensed premises. (b) As used in this section, "social event" means a party, banquet, wedding or other reception, or any other social event. (c) Subject to subsections (d) and (f), the holder of a retailer's permit issued for the premises of a hotel or restaurant that has a banquet or gathering space without a permanent bar over which alcoholic beverages may be sold or dispensed may temporarily amend the floor plans of the licensed

premises to use the banquet or gathering space to sell, dispense, or securely store alcoholic beverages in the banquet or gathering space. (d) The holder of a retailer's permit shall notify and submit the amended floor plans described in subsection (c) to the commission not later than twenty-four (24) hours before the date the holder intends to sell, dispense, or securely store alcoholic beverages. (e) A holder of a retailer's permit who intends to: (1) sell or dispense alcoholic beverages; or (2) securely store alcoholic beverages; as described in this section remains subject to laws and rules requiring that the area in which minors are allowed be separate from the room or area in which the bar is located. (f) If the holder of a retailer's permit stores alcoholic beverages in a contiguous area of the licensed premises, the alcoholic beverages may be stored in any manner to keep or attain the holder's preferred temperature for the alcoholic beverages, including refrigerating the alcoholic beverages. (g) The commission must approve amended floor plans that are consistent with the requirements of this section. As added by P.L.133-2016, SEC.2; P.L.214-2016, SEC.20. Amended by P.L.270-2017, SEC.13.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-17. Service Bars

Sec. 17. Service Bars. (a) An establishment which is licensed under the provisions of this article and which has a gross annual business of at least one hundred thousand dollars ($100,000), of which at least fifty percent (50%), is in the retail sale of food, may have, subject to the approval of the commission, a service bar which is not in full, free and unobstructed view from a street or public highway. (b) An establishment shall qualify as to the gross annual business provision if the projection of the first ninety (90) days of business for the establishment for one (1) year equals, or is greater than, one hundred thousand dollars ($100,000), in the proportions set forth in subsection (a), as shown by the books and records of the establishment. [Pre-1973 Recodification Citations: 7-1-6-1; 7-1-6-2.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-18.6. Submission of Hotel Floor Plan

Sec. 18.6. (a) If the commission issues a hotel permit for a hotel that meets the requirements of section 18(a)(2)(B) of this chapter, the holder of the hotel permit shall submit a floor plan or design to the commission of the premises where alcoholic beverages will be served and consumed, including any sleeping rooms of the hotel. (b) If the commission approves a floor plan or design described in subsection (a), the holder of the hotel permit may serve alcoholic beverages, as provided under the permit, to any building included in the floor plan or design. As added by P.L.214-2016, SEC.22.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-18.7. College or University Hotels; Nonpermanent Outside Bars; Service Windows

Sec. 18.7. (a) This section applies to the premises of a hotel that is owned by an accredited college or university (as described in IC 24-4-11-2). (b) Subject to subsection (c), the holder of a retailer's permit that is issued for the premises of a hotel may sell or dispense, for on-premises consumption only, alcoholic beverages, for which the permittee holds the appropriate permit, from a: (1) nonpermanent bar located on an outside patio or terrace; or (2) service window located on the licensed premises that opens to an outside patio or terrace; that is contiguous to the main building of the licensed premises of the hotel. (c) The holder of a retailer's permit that is issued for the premises of a hotel may sell or dispense alcoholic beverages as provided under subsection (b) only if all the following conditions are met: (1) The patio or terrace area described in subsection (b) is: (A) part of the licensed premises; and (B) clearly delineated and completely enclosed on all sides by a fence, rail, wall, or hedge that is at least four (4) feet in height. (2) Access to the nonpermanent bar or service window is limited by a barrier that reasonably deters free access by minors to the bar or window. (3) A conspicuous sign is posted by the barrier described in subdivision (2) that states that minors are not allowed to cross the barrier to enter the area near the nonpermanent bar or service window. As added by P.L.133-2016, SEC.3. Amended by P.L.214-2016, SEC.23; P.L.85-2017, SEC.34.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-18. Hotels; General Requirements

Sec. 18. (a) In order to be considered a "hotel" within the meaning of this title and to be eligible to receive an appropriate hotel permit under this title, an establishment shall meet the following requirements: (1) It shall be provided with special space and accommodations where, in consideration of payment, food and lodging are habitually furnished to travelers. (2) It shall have at least twenty-five (25), adequately furnished and completely separate sleeping rooms with adequate facilities: (A) under one (1) continuous roof; or (B) under separate roofs if: (i) each sleeping room is on the same parcel of land or contiguous parcels of land as the main building in which a room described in subdivision (4) is operated; and (ii) the main building and sleeping rooms are operated by one (1) person, or under one (1) management. (3) It shall be so disposed that persons usually apply for and receive overnight accommodations in it in the course of usual and regular travel or as a residence. (4) It shall operate either a: (A) regular dining room constantly frequented by customers each day; or (B) room in which continental breakfasts and hors d'oeuvres are served in areas designated as dining rooms. (b) This subsection applies to a hotel that qualifies under subsection (a)(4)(B). All laws and commission rules regarding legal serving for alcoholic beverages fully apply to the hotel. Rooms that qualify under subsection (a)(4)(B) qualify as rooms under IC 7.1-5-7-11(a)(16). The commission may adopt rules under IC 4-22-2 concerning floor plans of

the hotel. [Pre-1973 Recodification Citation: 7-1-1-3(n).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.35; P.L.214-2016, SEC.21.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-19. Hotels Within Corporate Limits

Sec. 19. Hotels Within Corporate Limits. The commission may issue the appropriate permit upon the application of a hotel if the premises to be licensed are situated within the corporate limits of a city or town. [Pre-1973 Recodification Citation: 7-1-1-3(n).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-2. Clubs Within Corporate Limits

Sec. 2. The commission may issue the appropriate permit upon the application of a club if the premises to be licensed are situated within the corporate limits of a city or town. [Pre-1973 Recodification Citation: 7-1-1-3(c).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1975, P.L.72, SEC.1. As amended by Acts 1977, P.L.95, SEC.1; P.L.52-1992, SEC.8.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-20. Hotels Outside Corporate Limits

Sec. 20. (a) The commission may issue a three-way permit to a hotel situated outside the corporate limits of an incorporated city or town if the establishment meets the following requirements: (1) It shall be provided with special space and accommodations where, in consideration of payment, food and lodging are habitually furnished to travelers. (2) It shall have at least twenty-five (25) adequately furnished and completely separate sleeping rooms with adequate facilities under one (1) roof. (3) It shall be so disposed that persons usually apply for and receive overnight accommodations in it in the course of usual and regular travel or as a residence. (4) It shall operate either a: (A) regular dining room constantly frequented by customers each day; or (B) room in which continental breakfasts and hors d'oeuvres are served in areas designated as dining rooms. (5) It shall be sufficiently served by adequate law enforcement at its premises. (b) This subsection applies to a hotel that qualifies under subsection (a)(4)(B). All laws and commission rules regarding legal serving for alcoholic beverages fully apply to the hotel. Rooms that qualify under subsection (a)(4)(B) qualify as rooms under IC 7.1-5-7-11(a)(16). The commission may adopt rules under IC 4-22-2 concerning floor plans of the hotel. [Pre-1973 Recodification Citation: 7-1-1-8(4)(b).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.36.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-21. Resort Hotels

Sec. 21. (a) In order to be considered a "resort hotel" within the meaning of this title and to be eligible to receive an appropriate resort hotel permit under this title, an establishment shall meet the following requirements: (1) It shall be constantly patronized during a season of at least three (3) months. (2) It shall have improvements of a least five thousand dollars ($5,000), in value, on the premises. (3) It shall have at least twenty-five (25), adequately furnished and completely separate sleeping rooms, exclusive of any basement rooms, with adequate facilities. (4) It shall be so disposed that persons usually apply for and receive overnight accommodations in it. (5) It shall have either a: (A) regular dining room frequented by customers each day during which the resort hotel is open to the public; or (B) room in which continental breakfasts and hors d'oeuvres are served in areas designated as dining rooms. (6) It shall be located on one (1) premises. (7) It shall be operated by one (1) person, or under one (1) management. (8) It shall be a permanent structure of at least two (2) stories, exclusive of the basement. (9) It shall be reasonably fire-proof. (10) It shall be sufficiently responsible to discharge all of its obligations under the law to its guests and it shall have kept a register of its guests. (11) It shall have been in active operation for a period of three (3) years immediately prior to the filing of the application for a permit. (b) This subsection applies to a hotel that qualifies under subsection (a)(5)(B). All laws and commission rules regarding legal serving for alcoholic beverages fully apply to the hotel. Rooms that qualify under subsection (a)(5)(B) qualify as rooms under IC 7.1-5-7-11(a)(16). The commission may adopt rules under IC 4-22-2 concerning floor plans of the hotel. [Pre-1973 Recodification Citation: 7-1-1-3(n).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.37.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-23. Hotels; In-Room Vending Units

Sec. 23. (a) As used in this section, "in-room vending unit" means a closed container that is: (1) located in a guest room of a hotel; and (2) used for the storage and dispensing of food or beverage (alcoholic or nonalcoholic). (b) The holder of a retailer's permit that is issued to a hotel may dispense alcoholic beverages in individual portions to registered hotel guests through in-room vending units. (c) Access to the interior of an in-room vending unit must be: (1) restricted by a locking device, the opening of which requires use of a key, magnetic card, or similar device; or (2) controlled at all times by the holder of a retailer's permit that is issued to a hotel. (d) Alcoholic beverages may be dispensed through in-room vending units only: (1) on days and at times when the sale of alcoholic beverages is permitted under this title; and (2) to persons who are permitted to purchase alcoholic beverages under this title. (e) A permittee to whom this section applies may provide a key, magnetic card, or similar device required to gain access to the interior of an in-room vending unit only to a person who is: (1) a registered hotel guest; and (2) twenty-one (21) years of age or older. (f) In

order to prevent the illegal furnishing of an alcoholic beverage to a minor, a permittee to whom this section applies shall determine that the registered hotel guest is not a minor (as defined in IC 7.1-1-3-25) prior to providing a key, magnetic card, or similar device required to gain access to the interior of an in-room vending unit to that registered hotel guest. (g) Each employee of a permittee to whom this section applies who handles alcoholic beverages for dispensing through an in-room vending unit must be twenty-one (21) years of age or older and hold an employee's permit issued by the commission under IC 7.1-3-18-9. As added by P.L.102-1989, SEC.3. Amended by P.L.1-1990, SEC.88.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-24.4. Malls

Sec. 24.4. (a) This section applies only to malls. (b) As used in this section, "mall" means a retail shopping center that has the following characteristics: (1) The center consists of an area that: (A) has been redeveloped or renovated in part with grants from the federal, state, or local government; and (B) is entirely located within a one-half (1/2) mile radius of the center of a consolidated city. (2) The center consists of a building or group of buildings that: (A) contains more than twenty-five (25) retailers; and (B) is constructed in a manner so that the buildings or retail locations can be accessed without going outside the center. (c) The commission may issue a three-way permit to sell alcoholic beverages for on-premises consumption only to an applicant who is the proprietor, as owner or lessee, or both, of retail space within a mall. The permit may be a single permit even though more than one (1) area constitutes the licensed premises under the permit. (d) A permit authorized by this section may be issued without regard to the proximity provisions of IC 7.1-3-21-11 or the quota provisions of IC 7.1-3-22. (e) Permits issued under this section may not be transferred to a location outside the mall. As added by P.L.15-1994, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-24. Licensed Permit Premises Used Exclusively as Catering Hall

Sec. 24. (a) This section does not affect the requirements necessary to obtain a permit to sell alcoholic beverages on the premises of a licensed premises. (b) The commission may designate a licensed permit premises used exclusively for catered events as a catering hall. (c) Catering halls designated under this section are not required to be open to the general public. However, if a designated catering hall desires to host an event that is open to the general public, the catering hall shall comply with the notice requirement under IC 7.1-3-9.5-2. A catering hall with a special three-way catering hall permit under subsection (d) may not be open to the general public. (d) The commission may issue a special three-way catering hall permit to an applicant to sell alcoholic beverages for on premises consumption on a premises that: (1) is used only for private catered events as a catering hall; and (2) has accommodations for at least two hundred fifty (250) individuals. An applicant who is issued a permit under this subsection is not required to obtain a restaurant permit. (e) A permit authorized by subsection (d) may be issued without regard to the quota provisions of IC 7.1-3-22. (f) The commission shall adopt rules under IC 4-22-2 to implement this section. As added by P.L.51-1994, SEC.9. Amended by P.L.136-2000, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-25. City Markets

Sec. 25. (a) This section applies only to a city market. (b) As used in this section, "city market" means a marketplace where spaces are leased for a valuable consideration for the purpose of selling and displaying for sale to the general public items or products approved by the City Market Corporation and that has the following characteristics: (1) The market consists of an area that: (A) has been redeveloped or renovated in part with grants from the federal, state, or local government; and (B) is entirely located within a one-half (1/2) mile radius of the center of a consolidated city. (2) The market consists of a building or group of buildings that: (A) contains more than ten (10) retailers; and (B) is constructed in a manner so that the buildings or retail locations can be accessed without going outside the market. (c) The commission may issue a three-way permit to sell alcoholic beverages for consumption on the licensed premises to an applicant who is the proprietor, as owner or lessee, or both, of retail space within a city market. The holder of a permit issued under this section may sell beer and wine for carryout. The permit may be a single permit even though more than one (1) area constitutes the licensed premises under the permit. (d) A permit authorized by this section may be issued without regard to the proximity provisions of IC 7.1-3-21-11 or the quota provisions of IC 7.1-3-22. (e) Permits issued under this section may not be transferred to a location outside the city market. As added by P.L.15-1994, SEC.8. Amended by P.L.64-2011, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-26. Permit for Historic Theater

Sec. 26. (a) The commission may issue a one-way, two-way, or three-way permit to sell alcoholic beverages for on-premises consumption only to an applicant who is the owner of an indoor theater that: (1) is located in a city having a population of more than one hundred fifty thousand (150,000) and less than five hundred thousand (500,000); and (2) has been listed in the National Register of Historic Places maintained under the National Historic Preservation Act of 1966, as amended. A permit issued under this subsection may not be transferred. (b) A permit issued under this section is subject to the quota requirements of IC 7.1-3-22-3. As added by P.L.10-2010, SEC.8. Amended by P.L.119-2012, SEC.81; P.L.11-2023, SEC.31.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-27. Restaurants and Hotels; Service Bars

Sec. 27. (a) This section applies to the premises of a restaurant or hotel. (b) Subject to subsection (c), the holder of a retailer's permit that is issued for the premises of a restaurant or hotel may sell or dispense, for on-premises consumption only, alcoholic beverages, for which the permittee holds the appropriate permit, from a bar located on the licensed premises that opens to an outside patio or terrace that is contiguous to the main building of the licensed premises of the restaurant or hotel. (c) The holder of a retailer's permit that is issued for the premises of a restaurant or hotel may sell or dispense alcoholic beverages as provided under subsection (b) only if all the following conditions are met: (1) The patio or terrace area described in subsection (b) is: (A) part of the licensed premises; and (B) clearly delineated and completely enclosed on all sides by a barrier that is at least eighteen (18) inches in height. (2) Minors are allowed on the licensed premises at an outside patio or terrace that contains a bar under subsection (b) only in accordance with IC 7.1-5-7-11. As added by P.L.133-2016, SEC.4. Amended by P.L.85-2017, SEC.35; P.L.167-2023, SEC.1; P.L.145-2024, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-29. Food Hall Master Permit

Sec. 29. (a) As used in this section, "food hall" means the premises: (1) located within a retail shopping and food service district; and (2) to which a master permit is issued under this section. (b) As used in this section, "master permit" means a food hall master permit issued under this section. (c) Except as provided in subsection (d), the commission may issue a master permit, which is a three-way retailer's permit for on premises consumption, to a food hall located in a retail shopping and food service district that meets the following requirements: (1) The district consists of an area that: (A) has been redeveloped, renovated, or environmentally remediated in part with grants from the federal, state, or local government under IC 36-7-11; and (B) is entirely located within an incorporated city or town. (2) The district consists of land and a building or group of buildings that are part of a common development. (3) The district is located within a locally designated historic district under IC 36-7-11 established by a city or town ordinance. (4) The district contains at least one (1) building that: (A) is on the list of the National Register for Historic Places or qualifies as a historic building worthy of preservation under IC 36-7-11; and (B) has been approved for present commercial use by the local historic preservation commission of the city or town. (d) Subsection (c)(3) and (c)(4) does not apply to a food hall that meets one (1) of the following descriptions: (1) The food hall: (A) is located within a certified technology park established under IC 36-7-32; and (B) operates within a previously vacant building that was, or within a complex of buildings that were: (i) placed in service at least twenty-five (25) years prior to the redevelopment of the building or buildings; and (ii) owned by a unit of local government or a public charitable trust prior to redevelopment. (2) The food hall: (A) contains not less than ten (10) distinct nonaffiliated food and beverage vendors; and (B) is located within a mixed use development or redevelopment project with a total investment of at least one hundred million dollars ($100,000,000). (e) The commission may issue a master permit to the owner or developer of a food hall. The food hall constitutes a single permit premises that: (1) contains not less than seven (7) distinct, nonaffiliated retail food and beverage vendors, each of which may apply for a food hall vendor permit under section 30 of this chapter; and (2) has a seating capacity of the type traditionally designed for food and drink for at least one hundred (100) people. (f) An applicant for a master permit shall post notice and appear in front of the local board in which the permit premises is situated. The local board shall determine the eligibility of the applicant under this section and hear evidence in support of or against the master permit location. A master permit may not be transferred to a location outside the food hall permit premises. A permit that is inactive for more than six (6) months shall revert back to the commission or may be deposited with the commission under IC 7.1-3-1.1 with the commission's permission. (g) A master permit authorized by this section may be issued without regard to the proximity provisions of IC 7.1-3-21-11 or the quota provisions of IC 7.1-3-22. (h) The commission may not require physical separation between a bar area and a dining area in a food hall. As added by P.L.285-2019, SEC.40. Amended by P.L.150-2021, SEC.4; P.L.194-2021, SEC.46; P.L.121-2022, SEC.1; P.L.145-2024, SEC.13.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-3. Clubs Outside Corporate Limits

Sec. 3. Clubs Outside Corporate Limits. The commission may issue the appropriate permit upon the application of a club whose premises to be licensed are situated outside the corporate limits of an incorporated city or town if the club meets the following additional requirements: (a) The club has been duly organized for social, athletic, or outdoor exercise purposes; (b) The club requires and receives an annual membership fee of at least six dollars ($6.00); (c) The club has an investment of not less than five thousand dollars ($5,000), in addition to investment in buildings, in grounds or fields especially prepared for athletic or physical exercise; (d) The grounds or fields have been especially prepared for use for a period of at least six (6) months prior to the filing of the application for the permit; and, (e) The grounds or fields have been patronized and used regularly during seasonable weather for physical exercise. [Pre-1973 Recodification Citation: 7-1-1-3(c).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-30. Food Hall Vendor's Permit

Sec. 30. (a) The definitions in section 29 of this chapter apply to this section. (b) As used in this section, "vendor's permit" means a food hall vendor's permit issued to an individual vendor operating within the premises of a food hall for which a master permit is issued under section 29 of this chapter. (c) The commission may issue a one-, two-, or three-way retailer's permit for on-premises consumption only to an applicant for a vendor's permit that has been approved by the commission to operate within a food hall. However, a vendor to which section 31 of this chapter applies may also sell the alcoholic beverages set forth in section 31(c) of this chapter for off the premises consumption. Each vendor that sells alcoholic beverages within the food hall must obtain a vendor's permit. (d) Each vendor permittee must satisfy the following requirements: (1) Each vendor permittee shall: (A) maintain the vendor permittee's own retail merchant's certificate; and (B) be responsible for the payment of the vendor permittee's own state gross retail taxes under IC 6-2.5 and withholding taxes required to be remitted under IC 6-3-4. (2) Each vendor permittee shall conform to all health and safety requirements of local and state agencies. (3) Each vendor permittee shall comply with all requirements under IC 7.1-5-9-15. (4) Each vendor permittee shall comply with IC 7.1-5-10-20 with regard to the vendor permittee's own food and beverage vending space. However, IC 7.1-5-10-20 does not prohibit a vendor permittee from establishing sale prices for drinks that are different from the sale prices for comparable drinks that are set by other vendor permittees. (5) Each vendor permittee is not required to comply with section 9(b) of this chapter. (6) Each vendor permittee is responsible to the commission for any and all violations of alcohol laws and rules associated with the vendor's permit. (7) Each applicant for a vendor's permit must comply with 905 IAC 1-36-1 and 905 IAC 1-36-2 and appear before the local alcohol board in the county in which the food hall vendor's permit will be situated. The local board shall only hear evidence on and determine the vendor's permit applicant's eligibility to hold a vendor's permit. (8) Any vendor permittee that desires to relocate its food and beverage space within the food hall premises may relocate upon the commission's approval of a floor plan change. (e) A vendor's permit authorized by this section may be issued without regard to the proximity provisions of IC 7.1-3-21-11 or the quota provisions of IC 7.1-3-22. (f) A vendor's permit may not be transferred to a location outside the permit premises of the food hall. A vendor's permit that is inactive for more than six (6) months shall revert back to the commission or may be deposited with the commission subject to the approval of the commission. As added by P.L.285-2019, SEC.41. Amended by P.L.194-2021, SEC.47.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-31. Carryout Sales by Certain Vendor Permittees

Sec. 31. (a) This section applies to the holder of a vendor's permit that owns in whole or in part: (1) a retailer's permit described in section 30(c) of this chapter; and (2) one (1) of the following: (A) A brewer's permit described in IC 7.1-3-2-7(5). (B) A farm winery permit described in IC 7.1-3-12-3. (C) An artisan distiller's permit described in IC 7.1-3-27. (b) The definitions in sections 29 and 30 of this chapter apply to this section. (c) A holder of a vendor's permit may sell for carryout at the premises for which the retailer's permit was issued: (1) beer manufactured under the brewer's permit, if the vendor's permit holder has a one-, two-, or three-way retailer's permit; (2) wine manufactured under the farm winery permit, if the vendor's permit holder has a two- or three-way retailer's permit; or (3) liquor manufactured under the artisan distiller's permit, if the vendor's permit holder has a three-way retailer's permit. As added by P.L.194-2021, SEC.48.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-4. Clubs Outside Corporate Limits; Exception

Sec. 4. Clubs Outside Corporate Limits: Exception. A club which has been in continuous existence for at least three (3) years and which has been formed for social, athletic, or outdoor exercise purposes, and which has been well known during that period of time and which either through the financial records which it has preserved or through the financial or other institutions with which it has dealt, can show that it has been in continuous active operation for the three (3) year period, and which has acquired by lease or ownership or other kind of substantial control an establishment outside the corporate limits of a city or town and which is of such respectability and probable permanence as to warrant the issuance of an appropriate permit, may be eligible, although it does not have the necessary qualifications, other than those contained in this section, to be granted a retailer's permit at the establishment. [Pre-1973 Recodification Citation: 7-1-1-3(c).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-5. Clubs; Two Locations

Sec. 5. Clubs: Two Locations. If a club is eligible to be issued a permit for premises situated within a city or town, or outside of the corporate limits of a city or town, one (1) permit may be issued to the club for an establishment located outside of the corporate limits of a city or town, and another appropriate permit may be issued to the same club for an establishment located within the corporate limits of a city or town. The commission shall charge a separate annual license fee for each location. [Pre-1973 Recodification Citation: 7-1-1-3(c).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-6. Member of a Club; Qualifications

Sec. 6. In order to be considered a "member of a club" within the meaning of this title, a person must meet the following qualifications: (1) The person must have become a member either as a charter member or by admission in accordance with the

articles of incorporation, constitution, and bylaws of the club. (2) The person must maintain membership by the payment of dues in the required manner. (3) The person's name and address must be entered on the membership list which is supplied to the commission: (A) the first time that the new or renewal application for the appropriate club permit is filed after the person becomes a member of the club; and (B) with subsequent renewal applications that are filed after the person becomes a member of the club for as long as the person remains a member. [Pre-1973 Recodification Citation: 7-1-1-3(h).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.75-1996, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-7. Fraternal Clubs; Labor Organizations

Sec. 7. (a) As used in this title and to be eligible to receive the appropriate permit, "fraternal club" means an association or corporation whose membership is comprised of or forms: (1) a lodge or local chapter or corresponding unit of a fraternal order or of another association of a like nature; or (2) a body whose membership is comprised of persons who have served in the armed forces of the United States; and which has been in continual existence on a national scale for more than five (5) years prior to the date the application is filed. (b) Fraternal clubs and labor organizations need not meet the requirements of section 1 of this chapter, but are considered clubs for all other purposes of this title. [Pre-1973 Recodification Citation: 7-1-1-3(c).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.85-1985, SEC.10; P.L.13-2013, SEC.28.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-8.5. Discriminatory Practices

Sec. 8.5. (a) As used in this section, "discriminatory practice" means a refusal to provide equal access to and use of services or facilities on the basis of a person's race or color. However, the term does not include a practice of a club or fraternal club that requires a specific religious affiliation or belief as a condition of membership in the club or fraternal club. (b) To be eligible to hold a club permit under this chapter, a club, fraternal club, or labor organization may not engage in a discriminatory practice. (c) A person may file a complaint with the civil rights commission alleging a discriminatory practice by a club, fraternal club, or labor organization. (d) The civil rights commission shall investigate the allegations in the complaint and, if reasonable cause is found, shall hold a hearing under IC 22-9-1-6 on the complaint. If the civil rights commission finds that a club, fraternal club, or labor organization has engaged in a discriminatory practice, the civil rights commission shall certify the finding to the alcohol and tobacco commission. (e) If a club, fraternal club, or labor organization is found to have engaged in a discriminatory practice, the commission shall do one (1) or more of the following: (1) Issue a warning to the club, fraternal club, or labor organization. (2) Impose a civil penalty on the club, fraternal club, or labor organization not to exceed one thousand dollars ($1,000). (3) Suspend the club, fraternal club, or labor organization's permit for not more than ninety (90) days. (4) Not issue a new club permit under this chapter if the club, fraternal club, or labor organization does not hold a club permit under this chapter. (5) Revoke an existing club permit. As added by P.L.66-1990, SEC.1. Amended by P.L.204-2001, SEC.33.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-8.6. Club Guest Day

Sec. 8.6. The holder of a club permit may do the following: (1) Designate one (1) or more days each calendar month as guest days, not to exceed a total of seven (7) guest days in any calendar month. (2) Keep a record of all designated guest days. (3) Invite guests who are not members of the club to attend the club on a guest day. (4) Sell or give alcoholic beverages to guests for consumption on the permit premises on a guest day. (5) Keep a guest book listing members and their nonmember guests, except on a designated guest day. As added by P.L.52-1992, SEC.10. Amended by P.L.90-1993, SEC.1; P.L.205-1999, SEC.16; P.L.216-2011, SEC.1; P.L.196-2015, SEC.14; P.L.132-2016, SEC.1; P.L.214-2016, SEC.16; P.L.270-2017, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-8. Club; Enabling Ordinance Required

Sec. 8. The commission shall require the enactment of an enabling ordinance as provided in IC 7.1-3-9, before issuing a new liquor retailer's permit to a club in a city or town that has a population of less than five thousand (5,000). This section shall not apply to the renewal of an existing permit nor shall it apply to a fraternal club or a social club. [Pre-1973 Recodification Citation: 7-2-1-21.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.32; P.L.86-2018, SEC.116.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-9.5. Restaurant Carryout Sales; Eligibility

Sec. 9.5. (a) This section applies only to a retailer's permit for a restaurant. (b) This section does not apply to a retailer's permit that is issued or transferred to the following: (1) A city market under IC 7.1-3-20-25. (2) A marina under IC 7.1-3-1-25. (3) A state park under IC 7.1-3-17.8. (4) A golf course. (5) A hotel or resort hotel. (6) A social or fraternal club. (7) A restaurant, the proprietor of which is the holder of: (A) a brewer's permit under IC 7.1-3-2-7(5); (B) a farm winery permit under IC 7.1-3-12-5; or (C) an artisan distiller's permit under IC 7.1-3-27-8. (8) A specialty or gourmet market (as defined in IC 7.1-1-3-45.5). This exception applies only to a retailer's permit with carryout privileges that was initially issued in September 2019. (c) Except as provided in subsections (d)

and (e), after May 14, 2017, a retailer permittee may not sell alcoholic beverages for carryout unless at least sixty percent (60%) of the retailer permittee's gross retail income from the sale of alcoholic beverages is derived from the sale of alcoholic beverages for consumption on the licensed premises. (d) This subsection applies only to a retailer's permit with carryout privileges that was issued to the current permit holder before November 1, 2016. Notwithstanding IC 7.1-3-1-1.5, a retailer permittee may continue to sell carryout after May 14, 2017, and is not required to comply with the gross retail income requirements. (e) This subsection applies to a retailer's permit with carryout privileges that was initially: (1) issued; or (2) transferred to the premises location; after October 31, 2016, and before May 15, 2017. Notwithstanding IC 7.1-3-1-1.5, a retailer permittee may continue to sell carryout after May 14, 2017, and is not required to comply with the gross retail income requirements until the retailer's permit is renewed. A retailer permittee may be issued a letter of extension, and subsequent renewals of the extension under IC 7.1-3-1-3.1 but the permit term may not be extended past April 1, 2018. A retailer permittee may continue to sell carryout while the extension is in effect. If the permit is transferred as to ownership or to a location that is not exempt under subsection (b), the gross retail income requirements of this section apply upon transfer of the permit. (f) Except for a retailer permittee described in subsection (d), a retailer permittee that has carryout privileges must apply for renewal of the carryout privileges when applying for renewal of the retailer's permit. The retailer permittee must provide the commission with a financial statement with information that shows the dollar amounts and percentages of the retailer permittee's gross retail income that is derived from sales of alcoholic beverages: (1) for consumption on the licensed premises; and (2) for carryout; during the one hundred eighty (180) days preceding the date of the application for renewal. (g) For subsequent applications for renewal, the commission may allow a retailer permittee to submit to the commission an affidavit of compliance that is signed by the permittee, or by a responsible officer or partner, under the penalties of perjury, that states that the requirements of subsection (c) continue to be met. If the commission has reasonable grounds to doubt the truthfulness of an affidavit of compliance, the commission may require the retailer permittee to provide audited financial statements. (h) If an applicant for renewal of carryout privileges does not meet the requirements of subsection (c) and the commission denies the application, the applicant may apply for a reinstatement of carryout privileges with the permittee's next application for renewal of the retailer's permit that is made in accordance with subsection (i). (i) An applicant: (1) for a retailer's permit and carryout privileges that has not opened for business; or (2) for carryout privileges that: (A) is the holder of a retailer's permit for an operating business; and (B) has had the previous application for carryout privileges or renewal of carryout privileges denied by the commission; must provide the commission with a verified certification stating that the projected gross retail income from alcoholic beverage sales during the business's first two (2) years of operations with carryout privileges will meet the requirements of subsection (c). Not more than one hundred eighty (180) days after the date the applicant begins or resumes alcoholic beverage sales with carryout privileges, the applicant shall provide a financial statement with sufficient information to show that during the first one hundred twenty (120) days of business operations with carryout privileges, sixty percent (60%) of the gross retail income from all alcoholic beverage sales was derived from sales of alcoholic beverages for consumption on the premises. (j) The commission may: (1) require that a financial statement submitted by an applicant under this chapter be audited by a certified public accountant; and (2) with the cooperation of the department of state revenue, verify the information provided by the applicant. (k) The information provided to the commission under this chapter regarding gross retail income is confidential information and may not be disclosed to the public under IC 5-14-3. However, the commission may disclose the information: (1) to the department of state revenue to verify the accuracy of the amount of gross retail income from sales of alcoholic beverages; and (2) in any administrative or judicial proceeding to revoke or suspend the holder's permit as a result of a discrepancy in the amount of gross retail income from sales of alcoholic beverages discovered by the department of state revenue. (l) Notwithstanding IC 6-8.1-7-1 or any other law, in fulfilling its obligations under this section, the department of state revenue may provide confidential information to the commission. The commission shall maintain the confidentiality of information provided by the department of state revenue under this chapter. However, the commission may disclose the information in any administrative or judicial proceeding to revoke or suspend the holder's permit as a result of any information provided by the department of state revenue. (m) If the commission does not grant or renew a retailer permittee's carryout privileges, the denial shall not affect the other rights, privileges, and restrictions of the retailer's permit, including the retailer permittee's ability to sell alcoholic beverages for on-premises consumption. As added by P.L.270-2017, SEC.11. Amended by P.L.86-2018, SEC.117; P.L.279-2019, SEC.6; P.L.285-2019, SEC.33; P.L.13-2024, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-9.6. Resealing Wine Bottle Purchased With Meal

Sec. 9.6. (a) This section applies only to a restaurant that has a wine retailer's permit, regardless of whether the permittee sells alcoholic beverages for carryout. (b) A restaurant that has a wine retailer's permit may allow a patron to remove one (1) unsealed bottle of wine for consumption off the licensed premises if the following requirements are satisfied: (1) The patron consumed part of the bottle of wine on the restaurant premises with a purchased meal. (2) The permittee: (A) reseals the bottle; and (B) places the resealed bottle of wine in a bag or other container that is secured in such a manner that it is visibly apparent if the bag or other container is subsequently opened or tampered with. (3) The permittee provides to the patron a dated receipt for the resealed bottle of wine and meal. (c) A person transporting a resealed wine bottle is transporting an open container that is subject to IC 9-30-15-3. As added by P.L.270-2017, SEC.12.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 20. Clubs, Restaurants, and Hotels7.1-3-20-9. Restaurants; General Requirements

Sec. 9. Restaurants: General Requirements. In order to be considered a "restaurant" within the meaning of this title and to be eligible to receive an appropriate restaurant permit under this title, an establishment shall meet the following requirements: (a) It shall be provided with special space and accommodations where, in consideration of payment, food, without lodging, is habitually furnished to travelers; and, (b) It shall have accommodations at which at least twenty-five (25) persons may be served at one (1) time. [Pre-1973 Recodification Citation: 7-1-1-3(j).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 21. Restrictions on Issuance of Permits7.1-3-21-1. Premises Outside Corporate Limits

Sec. 1. Premises Outside Corporate Limits. The commission shall not issue a permit in respect to premises situated outside the corporate limits of an incorporated city or town except as otherwise specifically provided in this article. [Pre-1973 Recodification Citation: 7-1-1-8(4).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 21. Restrictions on Issuance of Permits7.1-3-21-10. Location of Premises; Disclosure

Sec. 10. (a) An application for: (1) a permit for premises; or (2) approval of a designated refreshment area under IC 7.1-3-31; that is situated within a distance of two hundred (200) feet from an elementary or secondary school or church must disclose this fact. (b) The local board shall state, if required by the commission, in the questionnaire its opinion as to the propriety of granting the particular application. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.52-1994, SEC.6; P.L.167-2023, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 21. Restrictions on Issuance of Permits7.1-3-21-11. Premises Near Wall of School or Church

Sec. 11. (a) As used in this section, "craft manufacturer" means: (1) a small brewery under IC 7.1-3-2-7(5); (2) a farm winery under IC 7.1-3-12, including any additional locations of the farm winery operated under IC 7.1-3-12-5(b); or (3) an artisan distillery under IC 7.1-3-27. (b) As used in this section, "designated refreshment area" means a refreshment area designated under IC 7.1-3-31. (c) As used in this section, "wall" means a wall of a building. The term does not include a boundary wall. (d) Except as provided in subsections (e), (i), and (j), the commission may not issue a permit for a premises or approve a designated refreshment area if both of the following apply: (1) A wall of a school or church is situated within two hundred (200) feet of: (A) a wall of the premises; or (B) a boundary of the designated refreshment area. (2) A permit has not been issued for the premises under the provisions of Acts 1933, Chapter 80. (e) This section does not apply to the premises of a: (1) grocery store, drug store, restaurant, hotel, catering hall, designated refreshment area, craft manufacturer, or location for which the use of a supplemental catering permit has been approved if: (A) a wall of a church or school is situated within two hundred (200) feet of: (i) a wall of the premises; or (ii) a boundary of the designated refreshment area; (B) the commission receives a written statement from the authorized representative of the church or school stating expressly that the church or school does not object to the issuance of the permit for the premises or approval of the designated refreshment area; and (C) the commission determines that the church or school does not object to the issuance of the permit for the premises or approval of the designated refreshment area; or (2) church or school that applies for a temporary beer or wine permit. (f) The commission shall base its determination under subsection (e)(1)(C) solely on the written statement of the authorized representative of the church or school. (g) If the commission does not receive the written statement of the authorized representative of the church or school, the premises of the grocery store, drug store, restaurant, hotel, catering hall, designated refreshment area, craft manufacturer, or location for which the use of a supplemental catering permit has been approved may not obtain the waiver allowed under this section. (h) If the commission determines that the church or school does not object, this section and section 10 of this chapter do not apply to the permit premises of the grocery store, drug store, restaurant, hotel, craft manufacturer, catering hall, or designated refreshment area on a subsequent renewal or transfer of ownership. (i) If the commission: (1) receives a written statement from the authorized representative of a church or school as described in subsection (e)(1)(B); and (2) determines the church or school does not object as described in subsection (e)(1)(C); the commission may not consider subsequent objections from the church or school to the issuance of the same permit type at the same premises location. (j) The commission may issue a permit for a premises or approve a designated refreshment area if the wall of the premises or the boundary of the designated refreshment area and the wall of a church are separated by at least eighty-five (85) feet, including a two (2) lane road of at least thirty (30) feet in width. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.77-1997, SEC.1; P.L.204-2001, SEC.39; P.L.196-2015, SEC.15; P.L.285-2019, SEC.42; P.L.194-2021, SEC.56; P.L.167-2023, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 21. Restrictions on Issuance of Permits7.1-3-21-12. Wagering Occupational Tax Stamp

Sec. 12. Wagering Occupational Tax Stamp. The commission shall not issue a permit to sell alcoholic beverages at retail to a person who holds, owns, or possesses a wagering occupational tax stamp issued by the United States internal revenue authorities. [Pre-1973 Recodification Citation: 7-3-2-2.] Formerly: Acts 1973, P.L.55, SEC.1.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 21. Restrictions on Issuance of Permits7.1-3-21-13. 4-H Club Exhibits

Sec. 13. 4-H Club Exhibits. The commission shall not issue a temporary beer permit to a person for the express purpose of selling beer at a place where an organized 4-H club association has an exhibit. [Pre-1973 Recodification Citation: 7-3-5-1.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 21. Restrictions on Issuance of Permits7.1-3-21-14. Indiana State Fair Commission Permit to Sell Alcoholic Beverages on State Fair Grounds; Permitted Activities; Requirements

Sec. 14. (a) The commission shall issue a permit for the sale of alcoholic beverages on the Indiana state fair grounds to the Indiana state fair commission. (b) The following applies under this section: (1) A permit holder is entitled to sell alcoholic beverages on the state fair grounds to consumers by the glass. (2) The state fair commission is entitled to allow a brewery under IC 7.1-3-2-7(5), a farm winery under IC 7.1-3-12, or an artisan distillery under IC 7.1-3-27, to sell alcoholic beverages to consumers for consumption off the state fair grounds: (A) at a trade show or an exposition at which products of a permittee participant are displayed, promoted, and sold; (B) at a time other than during the state fair; and (C) including at a location on the property of the state fair grounds for which a supplemental caterer's permit has been approved. (3) A permit holder is entitled to permit multiple vendors of the state fair commission with separate permits at different locations on the state fair grounds to sell alcoholic beverages by the glass under the permit. (4) A permit holder is entitled to receive the permit directly from the commission without local board approval. (5) A permit holder is not subject to quota restrictions under IC 7.1-3-22-3. (6) A permit holder is entitled to allow a minor to be present in the places where alcoholic beverages are sold. (c) The holder of a permit under this section must comply with the following requirements: (1) File a floor plan of the premises where alcoholic beverages will be served and consumed. (2) Provide that service of alcoholic beverages may be performed only by servers certified under IC 7.1-3-1.5. (3) Allow sales during the times prescribed under IC 7.1-3-1-14. (4) Prohibit sales prohibited under IC 7.1-5-10-1. (5) Operate under rules adopted by the commission to protect the public interest under IC 7.1-1-1. [Pre-1973 Recodification Citation: 7-3-6-1.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.165-2006, SEC.33; P.L.28-2014, SEC.1; P.L.285-2019, SEC.43.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 21. Restrictions on Issuance of Permits7.1-3-21-15. Delinquency in Payment of Taxes

Sec. 15. (a) This section does not apply to an employee's permit under IC 7.1-3-18-9. (b) The commission shall not renew or transfer a wholesaler, retailer, dealer, or other permit of any type if the applicant: (1) is seeking a renewal and the applicant has not paid all the property taxes under IC 6-1.1 and the innkeeper's tax under IC 6-9 that are due currently; (2) is seeking a transfer and the applicant has not paid all the property taxes under IC 6-1.1 and innkeeper's tax under IC 6-9 for the assessment periods during which the transferor held the permit; (3) is seeking a renewal or transfer and is at least thirty (30) days delinquent in remitting state gross retail taxes under IC 6-2.5 or withholding taxes required to be remitted under IC 6-3-4; (4) is on the most recent tax warrant list supplied to the commission by the department of state revenue; or (5) does not provide the commission with property tax clearance Form 1. (c) The commission shall renew or transfer a permit that the commission denied under subsection (b) when the appropriate one (1) of the following occurs: (1) The person, if seeking a renewal, provides to the commission a statement from the county treasurer of the county in which the property of the applicant was assessed indicating that all the property taxes under IC 6-1.1 and, in a county where the county treasurer collects the innkeeper's tax, the innkeeper's tax under IC 6-9 that were delinquent have been paid. (2) The person, if seeking a transfer of ownership, provides to the commission a statement from the county treasurer of the county in which the property of the transferor was assessed indicating that all the property taxes under IC 6-1.1 and, in a county where the county treasurer collects the innkeeper's tax, the innkeeper's tax under IC 6-9 have been paid for the assessment periods during which the transferor held the permit. (3) The person provides to the commission a statement from the commissioner of the department of state revenue indicating that the person's tax warrant has been satisfied, including any delinquency in innkeeper's tax if the state collects the innkeeper's tax for the county in which the person seeks the permit. (4) The commission receives a notice from the commissioner of the department of state revenue under IC 6-8.1-8-2(k). (5) The commission receives a notice from the commissioner of the department of state revenue stating that the state gross retail and withholding taxes described in subsection (b)(3) have been remitted to the department. (d) The commission shall not issue a new wholesaler, retailer, dealer, or other permit of any type if the applicant: (1) has not paid all the applicant's property taxes under IC 6-1.1 and innkeeper's tax under IC 6-9 that are due; (2) is at least thirty (30) days delinquent in remitting state gross retail taxes under IC 6-2.5 or withholding taxes required to be remitted under IC 6-3-4; (3) is on the most recent tax warrant list supplied to the commission by the department of state revenue; or (4) does not provide the commission with property tax clearance Form 1. (e) The commission shall issue a new permit that the commission denied under subsection (d) when one (1) of the following occurs: (1) The applicant provides to the commission a statement from the commissioner of the department of state revenue indicating that the applicant's tax warrant has been satisfied, including any delinquency in innkeeper's tax if the state collects the innkeeper's tax for the county in which the applicant seeks the permit. (2) The commission receives a notice of release from the commissioner of the department of state revenue under IC 6-8.1-8-2(k). (3) The commission receives a notice from the commissioner of the department of state revenue stating that the state

gross retail and withholding taxes described in subsection (d)(2) have been remitted to the department. (f) An applicant for issuance of a new permit, renewal, or transfer may not be considered delinquent in the payment of a listed tax (as defined by IC 6-8.1-1-1) if the applicant has filed a proper protest under IC 6-8.1-5-1 contesting the remittance of those taxes. The applicant shall be considered delinquent in the payment of those taxes if the applicant does not remit the taxes owed to the state department of revenue after the later of the following: (1) The expiration of the period in which the applicant may appeal the listed tax to the tax court, in the case of an applicant who does not file a timely appeal of the listed tax. (2) When a decision of the tax court concerning the applicant's appeal of the listed tax becomes final, in the case of an applicant who files a timely appeal of the listed tax. (g) The commission may require that an applicant for the issuance of a new permit, renewal, or transfer of a wholesaler's, retailer's, or dealer's, or other permit of any type furnish proof of the payment of a listed tax (as defined by IC 6-8.1-1-1), tax warrant, or taxes imposed by IC 6-1.1 or receipt of property tax clearance Form 1. (h) The commission may issue to any applicant for renewal of a permit that is delinquent in the payment of a listed tax (as defined in IC 6-8.1-1-1) not more than one (1) ninety (90) day extension of the term of the permit. As added by P.L.57-1984, SEC.11. Amended by P.L.23-1986, SEC.15; P.L.6-1987, SEC.15; P.L.332-1989(ss), SEC.40; P.L.64-1990, SEC.5; P.L.106-1995, SEC.15; P.L.224-2005, SEC.17; P.L.172-2011, SEC.112; P.L.293-2013(ts), SEC.37; P.L.196-2015, SEC.16; P.L.270-2017, SEC.14; P.L.86-2018, SEC.120; P.L.79-2022, SEC.2; P.L.145-2024, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 21. Restrictions on Issuance of Permits7.1-3-21-4. Partnership; Qualifications of Members

Sec. 4. The commission shall not issue an alcoholic beverage retailer's or dealer's permit of any type to a partnership unless each member of the partnership possesses the same qualifications as those required of an individual applicant for that particular type of permit. [Pre-1973 Recodification Citation: 7-2-1-13.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.51-1994, SEC.10; P.L.105-1995, SEC.5; P.L.165-2006, SEC.29; P.L.107-2015, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 21. Restrictions on Issuance of Permits7.1-3-21-5.2. Limited Partnerships; Qualifications of Persons Having Partnership Interest

Sec. 5.2. Each general partner and limited partner of a limited partnership must possess all other qualifications required of an individual applicant for that particular type of permit. As added by P.L.51-1994, SEC.11. Amended by P.L.72-1996, SEC.13; P.L.72-2004, SEC.14; P.L.165-2006, SEC.31; P.L.107-2015, SEC.4; P.L.133-2016, SEC.6; P.L.214-2016, SEC.25; P.L.194-2021, SEC.51.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 21. Restrictions on Issuance of Permits7.1-3-21-5.4. Limited Liability Companies; Manager and Member Qualifications

Sec. 5.4. Each manager and member of a limited liability company must possess all other qualifications required of an individual applicant for that particular type of permit. As added by P.L.51-1994, SEC.12. Amended by P.L.72-1996, SEC.14; P.L.72-2004, SEC.15; P.L.165-2006, SEC.32; P.L.107-2015, SEC.5; P.L.133-2016, SEC.7; P.L.214-2016, SEC.26; P.L.44-2017, SEC.2; P.L.194-2021, SEC.52.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 21. Restrictions on Issuance of Permits7.1-3-21-5. Corporations; Officer and Stockholder Qualifications

Sec. 5. Each officer and stockholder of a corporation shall possess all other qualifications required of an individual applicant for that particular type of permit. [Pre-1973 Recodification Citation: 7-2-1-13.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.72-1996, SEC.12; P.L.72-2004, SEC.13; P.L.165-2006, SEC.30; P.L.107-2015, SEC.3; P.L.133-2016, SEC.5; P.L.214-2016, SEC.24; P.L.194-2021, SEC.50.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 21. Restrictions on Issuance of Permits7.1-3-21-6. Exceptions for Retail and Dealer Partnerships, Corporations, Limited Partnerships, and Limited Liability Companies

Sec. 6. (a) The provisions of sections 4, 5, 5.2, and 5.4 of this chapter concerning retail and dealer partnerships, corporations, limited partnerships, and limited liability companies shall not apply to the issuance of: (1) a dining car permit; (2) a boat permit; (3) a drug store permit; (4) a grocery store permit; (5) a hotel permit; (6) an airplane permit; (7) a gaming site permit; (8) a horse track permit; (9) a satellite facility permit; or (10) a retail permit to an establishment: (A) that is sufficiently served by adequate law enforcement at its permit location; and (B) whose annual gross food sales at the permit location: (i) exceed one hundred thousand dollars ($100,000); or (ii) in the case of a new application and as proved by the applicant to the local board and the commission, will exceed two hundred thousand dollars ($200,000) by the end of the two (2) year period from the date of the issuance of the permit. (b) The commission shall not issue a permit listed in subsection (a) to a foreign: (1) corporation; (2) limited partnership; or (3) limited liability company; that is not duly qualified to do business in Indiana. [Pre-1973 Recodification Citation: 7-2-1-13.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1979, P.L.83, SEC.6; P.L.15-1994, SEC.9; P.L.2-1995, SEC.39; P.L.71-1996, SEC.4; P.L.233-2007, SEC.31.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 21. Restrictions on Issuance of Permits7.1-3-21-8. Disclosure of Interested Parties

Sec. 8. The commission shall not issue an alcoholic beverage permit of any type to a person unless that person has on file with the commission a verified list containing the name and address of each person or entity holding at least a two percent (2%) interest in the permit and the business conducted, or to be conducted, under it. If a publicly traded corporation has an interest, the list shall provide the name and address of only: (1) the chief executive officer; (2) the chief financial officer; (3) the chief operating officer; and (4) the members of the board of directors; of the corporation. At all times, a change in the list shall be filed by the applicant or permittee with the commission within ten (10) days of the date when the change became effective. The lists, together with any changes, shall be kept on file in the office of the commission and they shall be open to public inspection. [Pre-1973 Recodification Citation: 7-2-1-13.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.38; P.L.194-2021, SEC.55.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 21. Restrictions on Issuance of Permits7.1-3-21-9. Public Officers

Sec. 9. The commission shall not issue an alcoholic beverage wholesaler's permit of any type to a person who holds an elective or appointive public office which has the responsibility of enforcing the state laws regulating the sale of alcoholic beverage. The commission may issue an alcoholic beverage wholesaler's permit of any type to a person who holds any other appointive or elective public office. [Pre-1973 Recodification Citation: 7-2-1-13.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.104-1989, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 22. Quotas on Issuance of Permits7.1-3-22-1. Brewers' Permits Limited

Sec. 1. (a) This section applies to a brewery that manufactures more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana. (b) The commission may issue and have outstanding only one (1) brewer's permit for each unit of population of this state of one hundred and seventy-five thousand (175,000) or major fraction thereof. The commission, however, shall not issue more than four (4) brewer's permits in the same congressional district. [Pre-1973 Recodification Citation: 7-1-1-9.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.88-1993, SEC.3; P.L.186-2011, SEC.6; P.L.71-2012, SEC.4; P.L.79-2015, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 22. Quotas on Issuance of Permits7.1-3-22-10. City or Town Purchasing Permit Issued in Excess of Quota; Return and Retirement of Permit

Sec. 10. (a) This section applies to a permit subject to a quota under this article that: (1) exceeds the permissible number of permits under the quota; and (2) is eligible for renewal by law despite the permit exceeding the quota. (b) A city or town may purchase a permit described in subsection (a) from the permit holder. The purchase price must be agreed to by: (1) the permit holder; and (2) the executive (as defined in IC 36-1-2-5) of the respective city or town, with the approval of the legislative body (as defined in IC 36-1-2-9) of the respective city or town. (c) The executive of a city or town that purchases a permit under subsection (b) shall return the permit to the commission. (d) The commission shall retire a permit received under subsection (c) and may not issue to another person a permit received under subsection (c). As added by P.L.66-1998, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 22. Quotas on Issuance of Permits7.1-3-22-2. Beer Wholesalers' Permits Limited

Sec. 2. Beer Wholesalers' Permits Limited. The commission may issue only one (1) beer wholesaler's permit in each county in this state. The commission may issue additional beer wholesaler's permits on the basis of one (1) additional permit for each thirty-five thousand (35,000) unit of population, or fraction thereof, in a county whose population exceeds thirty-five thousand (35,000). This section shall not affect the right of renewal, or successive renewals, of a permit in a county in which the quota is now exceeded. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 22. Quotas on Issuance of Permits7.1-3-22-3. Retailers' Permits Limited

Sec. 3. (a) The commission may grant only one (1) three-way permit, one (1) two-way permit, and one (1) one-way permit in an incorporated city or town or in an unincorporated town for each one thousand five hundred (1,500) persons, or fraction thereof, residing within the incorporated city or town or the unincorporated town. The commission shall include liquor retailer permits issued to clubs, but not those issued to fraternal clubs, in its quota computation when it is considering an application for a new liquor retailer's permit. (b) This subsection applies when a city or town annexes into the city or town unincorporated territory where a retailer's permit has been granted before the annexation. The commission may only reclassify a retailer's permit for a premises in the former unincorporated territory as a permit for a premises in an incorporated city or town if the permittee has actually conducted a business of selling alcoholic beverages to customers for consumption on the licensed premises for two (2) consecutive years. The

period of two (2) consecutive years may begin to run either before or after the annexation occurs. However, the following apply when a person applies for a retailer's permit after notice of an annexation hearing is made under IC 36-4-3-2.1 and before the annexation occurs: (1) The commission may grant the permit. (2) The commission may not reclassify the permit as a permit for a premises in an incorporated city or town. (3) The permit may be transferred to another person. (4) The permit may not be transferred to another location. [Pre-1973 Recodification Citations: 7-3-4-3; 7-2-1-21.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.245-2001, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 22. Quotas on Issuance of Permits7.1-3-22-4.5. Eligible Grocery Store

Sec. 4.5. (a) As used in this section, "eligible grocery store" means a grocery store (as defined in IC 7.1-1-3-18.5(a)(1)) that meets the following criteria: (1) Is operated in a consolidated city. (2) Was established in whole or in part through a food empowerment pilot project authorized under P.L.165-2021, SECTION 6 and awarded to a nonprofit corporation for the benefit of establishing the grocery store. (3) Operates with less than eighteen thousand (18,000) square feet of building space. (4) Provides access to fresh and healthy foods to individuals in a low income area where access to resources for fresh and healthy food, particularly fresh fruits and vegetables and fresh meat, poultry, and fish, is limited. (b) The commission shall issue a beer dealer's permit and a wine dealer's permit to an eligible grocery store without regard to the quota provisions of this chapter. (c) A permit issued under this section is subject to the following: (1) A permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises. (2) Notwithstanding IC 7.1-3-1.1, if the premises ceases to qualify as an eligible grocery store for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation. As added by P.L.220-2023, SEC.11.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 22. Quotas on Issuance of Permits7.1-3-22-4. Dealers' Permits Limited

Sec. 4. (a) The commission may grant: (1) in an incorporated city or town that has a population of less than fifteen thousand one (15,001): (A) one (1) beer dealer's permit for each two thousand (2,000) persons, or a fraction thereof; or (B) two (2) beer dealer's permits; whichever is greater, within the incorporated city or town; (2) in an incorporated city or town that has a population of more than fifteen thousand (15,000) and less than eighty thousand (80,000): (A) one (1) beer dealer's permit for each three thousand five hundred (3,500) persons, or a fraction thereof; or (B) eight (8) beer dealer's permits; whichever is greater, within the incorporated city or town; and (3) in an incorporated city or town that has a population of at least eighty thousand (80,000): (A) one (1) beer dealer's permit for each six thousand (6,000) persons, or a fraction thereof; or (B) twenty-three (23) beer dealer's permits; whichever is greater, within the incorporated city or town. (b) The commission may grant: (1) in an incorporated city or town that has a population of less than fifteen thousand one (15,001): (A) one (1) liquor dealer's permit for each two thousand (2,000) persons, or a fraction thereof; or (B) two (2) liquor dealer's permits; whichever is greater, within the incorporated city or town; (2) in an incorporated city or town that has a population of more than fifteen thousand (15,000) and less than eighty thousand (80,000): (A) one (1) liquor dealer's permit for each three thousand five hundred (3,500) persons, or a fraction thereof; or (B) eight (8) liquor dealer's permits; whichever is greater, within the incorporated city or town; and (3) in an incorporated city or town that has a population of at least eighty thousand (80,000): (A) one (1) liquor dealer's permit for each six thousand (6,000) persons, or a fraction thereof; or (B) twenty-three (23) liquor dealer's permits; whichever is greater, within the incorporated city or town. (c) The commission may grant in an area in the county outside an incorporated city or town: (1) one (1) beer dealer's permit for each two thousand five hundred (2,500) persons, or a fraction thereof, or two (2) beer dealer's permits, whichever is greater; and (2) one (1) liquor dealer's permit for each two thousand five hundred (2,500) persons, or a fraction thereof, or two (2) liquor dealer's permits, whichever is greater; within the area in a county outside an incorporated city or town. (d) Notwithstanding subsections (a), (b), and (c), the commission may renew or transfer a beer dealer's or liquor dealer's permit for a beer dealer or liquor dealer that: (1) held a permit before July 1, 2008; and (2) does not qualify for a permit under the quota restrictions set forth in subsection (a), (b), or (c). (e) Notwithstanding subsection (a) or (c), the commission may grant not more than two (2) new beer dealer's permits or five percent (5%) of the total beer dealer permits established under the quota restrictions set forth in subsection (a) or (c), whichever is greater, for each of the following: (1) An incorporated city or town that does not qualify for any new beer dealer's permits under the quota restrictions set forth in subsection (a). (2) An area in a county outside an incorporated city or town that does not qualify for any new beer dealer's permits under the quota restrictions set forth in subsection (c). (f) Notwithstanding subsection (b) or (c), the commission may grant not more than two (2) new liquor dealer's permits or five percent (5%) of the total liquor dealer permits established under the quota restrictions set forth in subsection (b) or (c), whichever is greater, for each of the following: (1) An incorporated city or town that does not qualify for any new liquor dealer's permits under the quota restrictions set forth in subsection (b). (2) An area in a county outside an incorporated city or town that does not qualify for any new liquor dealer's permits under the quota restrictions set forth in subsection (c). [Pre-1973 Recodification Citation: 7-3-4-1.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.94-2008, SEC.46; P.L.11-2023, SEC.32; P.L.9-2024, SEC.271.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 22. Quotas on Issuance of Permits7.1-3-22-5. Package Liquor Store Dealer's Permit; Renewal

Sec. 5. (a) The commission may issue only one (1) package liquor store dealer's permit in an incorporated city or town for each eight

thousand (8,000) persons, or fraction thereof, within the incorporated city or town. (b) Notwithstanding subsection (a), the commission may renew a package liquor store dealer's permit for an applicant who: (1) held a permit before July 1, 1997; and (2) does not qualify for a permit under the quota requirements of subsection (a). [Pre-1973 Recodification Citations: 7-1-4-6; 7-1-4-7.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.74-1997, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 22. Quotas on Issuance of Permits7.1-3-22-6. Hotels Excluded From Quota

Sec. 6. A three-way permit, regardless of when issued, that is issued to a permittee whose licensed premises consist of a hotel and which premises are located within an incorporated city or town, shall not be included in the quota of three-way permits that may be issued lawfully to premises located within one (1) incorporated city, town, or unincorporated town. [Pre-1973 Recodification Citation: 7-3-4-4.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.136-2018, SEC.41.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 22. Quotas on Issuance of Permits7.1-3-22-7. Existing Permits Unaffected

Sec. 7. The provisions of sections 3, 4, and 5 of this chapter shall apply only to applications for new permits and they shall not affect existing permits and transfers of them, whether from person to person or location to location, nor shall they effect any of the limitations, rights and privileges reserved to package liquor store dealers, or special types or kinds of retailer's permits, nor the restrictions on the issuance of permits to premises situated outside an incorporated city or town. [Pre-1973 Recodification Citations: 7-3-4-3; 7-1-4-7.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.121.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 22. Quotas on Issuance of Permits7.1-3-22-8. Quota Determination; Restrictions; Permissible Geographic Location

Sec. 8. In making quota determinations under this article, the population of a consolidated city is the population of its fire special service district, except to the extent that the case of Indiana Alcoholic Beverage Commission v. Baker (1972), 153 Ind.App. 118, 286 N.E.2d 174, has determined otherwise. However, the number of liquor dealer's permits issued to proprietors of package liquor stores located in the fire special service district may not exceed the number issued as of January 1, 1977. For purposes of this article relating to the permissible geographic location of package liquor store dealer permit holders, the area of a consolidated city is the area of the entire county. [Pre-Local Government Recodification Citation: 18-4-14-1 part.] As added by Acts 1980, P.L.8, SEC.66.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 22. Quotas on Issuance of Permits7.1-3-22-9. Bidding for Permits; Fees; Rules; Notice

Sec. 9. (a) This section applies to any permit that is subject to the quota provisions of this chapter unless the permit is obtained by sale, assignment, or transfer under IC 7.1-3-24 and a permit described in IC 7.1-3-20-16(j). (b) Whenever a permit to which this chapter applies becomes available, the commission shall offer an opportunity to bid for that permit to all persons who are qualified to receive that permit and who have indicated a desire to obtain that permit. The commission shall receive bids at an auction that it conducts. The highest bidder at the commission's auction who is qualified to receive the permit in all respects, including a determination by the local board that the person: (1) does not have a conviction described in IC 7.1-3-4-2(a)(3) that has not been expunged under IC 35-38-9; and (2) is of good repute in the community in which that person resides; is entitled to receive the permit. This bidder shall pay the amount of the bid at the time the permit is issued as a special fee for initial issuance of the permit. (c) The special fee for initial issuance of a permit that is prescribed by this section is in addition to any other fees imposed by this title. (d) All fee revenues collected under this section are subject to IC 7.1-4-7-4. (e) Thirty (30) days before a local board holds a hearing concerning an applicant for a permit described in IC 7.1-3-20-16(j), the commission shall provide notice of the hearing to the: (1) city or town council; and (2) mayor's office; of the city or town in which the municipal lakefront development project is located. (f) The commission shall post signs indicating when and where a hearing described in subsection (e) will take place. (g) The commission shall adopt rules under IC 4-22-2 to implement this section. As added by P.L.32-1988, SEC.2. Amended by P.L.285-2019, SEC.44; P.L.172-2021, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-1. No Right to Compel Issuance

Sec. 1. No Right to Compel Issuance. An applicant for a permit of any type authorized by this title shall have no right to compel the issuance of a permit to him unless otherwise provided in this title. [Pre-1973 Recodification Citations: 7-1-1-13; 7-1-1-42(5).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-11. Nonrenewal; Judicial Review Available

Sec. 11. Whenever an application for the renewal of a permit to sell alcoholic beverages at retail, except a temporary beer or wine permit, is denied by the commission, the applicant may seek judicial review of that action by following IC 4-21.5-5, except that the action for judicial review shall be filed in the circuit or superior court having jurisdiction in the county in which the licensed

premises are located. However, this section shall not apply to a denial of a transfer of a permit to either another holder or location, or both. [Pre-1973 Recodification Citation: 7-2-3-3.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.59, SEC.6. As amended by P.L.7-1987, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-12. Cessation of Qualifications

Sec. 12. Cessation of Qualifications. The commission may revoke the permit of a permittee if he at any time ceases to possess any of the qualifications, including the alteration or cessation of the particular business or type of business then engaged in, which qualifies him to hold that permit, required for the issuance of that particular type of permit under this title. [Pre-1973 Recodification Citation: 7-1-1-8(5).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-13. Location of Premises

Sec. 13. Location of Premises. The commission may void a permit issued upon an application not fully disclosing the true facts in respect to the location of the premises for which the permit applied for is to be applicable. [Pre-1973 Recodification Citation: 7-1-1-5(19).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-14. Revocation for Refusal to Allow Examination

Sec. 14. Revocation for Refusal to Allow Examination. The commission shall revoke the permit of a person, or refuse to issue a permit to a person, who refuses to permit the lawful examination of his books, papers, and records, or the investigation and examination of his premises by the commission. [Pre-1973 Recodification Citation: 7-1-1-41(e).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-16. Revocation Upon Conviction

Sec. 16. The commission may revoke: (1) a wholesaler's, retailer's, or dealer's permit of any type; (2) the permit of a farm winery that sells and delivers under IC 7.1-3-12-5(a)(14); or (3) the permit of an artisan distillery that sells and delivers under IC 7.1-3-27-8(a)(11); after final judgment of conviction for an offense defined in this title. The commission may revoke the permit of a holder listed in subdivision (1) through (3) upon a second violation of a provision of this title whether a judgment of conviction ensues or not. [Pre-1973 Recodification Citation: 7-1-1-5(2).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.250-2003, SEC.12; P.L.194-2021, SEC.57.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-17. Revocation for Possession of Wagering Stamps

Sec. 17. Revocation for Possession of Wagering Stamp. The commission shall revoke the permit of a retail permittee who purchases, holds, or has in his possession a wagering occupational tax stamp issued by the United States internal revenue authorities. [Pre-1973 Recodification Citation: 7-3-2-3.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-19. Revocation for Allowing Minor on Premises

Sec. 19. The commission shall revoke the permit of a person who violates a provision of IC 7.1-5-7-14, and that person shall be ineligible to obtain another permit thereafter. [Pre-1973 Recodification Citation: 7-2-1-9(e).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.122.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-2. Fine, Suspension, and Revocation of Alcohol Permit or Tobacco Certificate

Sec. 2. (a) The commission may: (1) fine or suspend or revoke the permit or certificate of; or (2) fine and suspend or revoke the permit or certificate of; a permittee for the violation of a provision of this title or of a rule or regulation of the commission. The commission may fine a permittee for each day the violation continues if the violation is of a continuing nature. (b) The commission shall revoke the permit of a permittee for the violation of IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4. A finding that a permittee has violated IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4 must be supported by a preponderance of the evidence. [Pre-1973 Recodification Citations: 7-1-7-1; 7-1-7-4.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.227-2007, SEC.62; P.L.3-2008, SEC.69; P.L.285-2019, SEC.45.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-20.5. Adult Entertainment Performers; Retailer's Permit Holders

Sec. 20.5. (a) As used in this section, "adult entertainment" means adult oriented entertainment in which performers disrobe or

perform in an unclothed state for entertainment. (b) This section applies to the holder of a retailer's permit that provides adult entertainment on the licensed premises. (c) The holder of a retailer's permit that provides adult entertainment on the licensed premises shall do the following: (1) Require a performer who provides adult entertainment on the licensed premises to provide proof of age by at least one (1) form of government issued identification, including a: (A) state issued driver's license; (B) state issued identification card; or (C) passport; showing the performer to be at least eighteen (18) years of age. (2) Require a performer who provides adult entertainment on the licensed premises to provide proof of legal residency in the United States by means of: (A) a birth certificate; (B) a Social Security card; (C) a passport; (D) valid documentary evidence of lawful status under IC 9-24-9-2.5; or (E) other valid documentary evidence issued by the United States demonstrating that the performer is entitled to reside in the United States. (3) Take a photograph of each adult entertainer who auditions to provide adult entertainment at the licensed premises at the time of the audition and retain the photograph for at least three (3) years after: (A) the date of the audition; or (B) the last day on which the performer provides adult entertainment at the licensed premises; whichever is later. A photograph taken under this subdivision may show only the adult entertainer's facial features. (4) Require all performers and other employees of the retail permit holder to sign a document approved by the commission to acknowledge their awareness of the problem of human trafficking. (5) Display human trafficking awareness posters in at least two (2) of the following locations on the licensed premises: (A) The office of the manager of the licensed premises. (B) The locker room used by performers or other employees. (C) The break room used by performers or other employees. Posters displayed under this subdivision must describe human trafficking, state indicators of human trafficking (such as restricted freedom of movement and signs of physical abuse), set forth hotline telephone numbers for law enforcement, and be approved by the commission. (6) Cooperate with any law enforcement investigation concerning allegations of a violation of this section. (d) The commission may revoke, suspend, or refuse to renew the permit issued for the licensed premises if the holder fails to comply with subsection (c). (e) In determining whether to revoke, suspend, or refuse to renew the permit issued for a licensed premises under subsection (d), the commission may consider: (1) the extent to which the permit holder has cooperated with any law enforcement investigation as required by subsection (c)(6); and (2) whether the permit holder has provided training to performers who provide adult entertainment at the permit holder's licensed premises and other employees of the licensed premises through a program that: (A) is designed to increase the awareness of human trafficking and assist victims of human trafficking; and (B) has been approved by: (i) a department of the United States government; or (ii) a nationwide association made up of operators who run adult entertainment establishments. As added by P.L.237-2015, SEC.2. Amended by P.L.13-2016, SEC.2; P.L.85-2017, SEC.36; P.L.211-2023, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-20. Revocation for False Information of Interested Parties

Sec. 20. The commission shall deny the application, or revoke the permit, of a person who: (1) includes on the list of interested parties required to be filed by IC 7.1-3-21-8, a: (A) fictitious name; or (B) a person disqualified under this title from having an interest in an alcoholic beverage permit; or (2) omits from the list the name of a person whose name should be on it. The commission shall take the same action if the applicant or permittee fails to keep the list current as required by that section. [Pre-1973 Recodification Citation: 7-2-1-13.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.40.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-21. Revocation Upon Petition

Sec. 21. Revocation upon Petition. The commission shall revoke the permit of a retail permittee upon the petition of sixty-six per cent (66%) of the registered voters of a township or precinct stating that the permittee within that township or precinct has been convicted, either before a court or the commission, of a violation of a provision of this title. However, this section shall not apply to the permit of a bona fide fraternal club. [Pre-1973 Recodification Citation: 7-2-1-9(i).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-22. Contents of Petition

Sec. 22. The petition authorized by section 21 of this chapter shall be addressed to the commission and shall specify the name and business address of the permittee against whom the petition is directed. The petition shall bear on each page the name and address of the circulator of the petition, who shall be a registered voter in the particular township or precinct, together with the notarized attestation of the circulator that the signatures obtained on the petition were obtained only after a full and clear explanation of the purpose of the petition. The petition also shall bear the certification of the clerk of the circuit court of the county in which the township or precinct is located attesting that the signatures on the petition are those of duly registered voters of the particular township or precinct together with a statement by the clerk as to the total vote cast in that township or precinct for the office of secretary of state in the last preceding general election for that office. [Pre-1973 Recodification Citation: 7-2-1-9(i).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.123.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-23. Revocation for Prohibited Interest; Beer

Sec. 23. (a) This section applies to a brewer that manufactures, in aggregate, more than ninety thousand (90,000) barrels of beer in a

calendar year for sale or distribution within Indiana. (b) The commission shall revoke the permit of a brewer or beer wholesaler who holds an interest in another permit in violation of IC 7.1-5-9-3. [Pre-1973 Recodification Citation: 7-1-1-42(o).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.88-1993, SEC.4; P.L.186-2011, SEC.7; P.L.71-2012, SEC.5; P.L.79-2015, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-24. Revocation of Liquor Wholesaler Permit for Having Prohibited Interest

Sec. 24. The commission shall revoke the permit of a liquor wholesaler who holds an interest in another permit in violation of IC 7.1-5-9-6. [Pre-1973 Recodification Citation: 7-1-1-42(p).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.124; P.L.279-2019, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-25. Revocation for Violation of Agreement

Sec. 25. The commission, after notice and hearing, may suspend for no more than thirty (30) days, or revoke, an agreement and bond filed pursuant to IC 7.1-3-2-4, and IC 7.1-3-2-5, if the principal violates the principal's agreement with the commission. The commission also may take action on the bond if it revokes the agreement. A principal whose agreement and bond is suspended or revoked by the commission may seek judicial review of that action as provided in this chapter. [Pre-1973 Recodification Citation: 7-2-2-5.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.125.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-26.1. Violations Related to Minors and Alcohol Server Training; Revocation or Suspension of Permit; Fines; Written Findings and Conclusions

Sec. 26.1. (a) A retailer permittee or dealer permittee who violates IC 7.1-3-1.5-13, IC 7.1-5-7-4, or IC 7.1-5-7-8 through IC 7.1-5-7-13 may be fined, have the permittee's permit suspended, or be fined and have the permittee's permit suspended, as determined by the commission; however, if the penalty imposed by the commission exceeds a fine and three (3) day suspension, the commission must issue written findings of fact and conclusions which show the necessity of the penalty. If the retailer or dealer permittee commits a subsequent violation of the provisions listed in this subsection within twelve (12) months of the first violation, the commission may fine the permittee, fine the permittee and suspend the permittee's permit, or revoke the permittee's permit; however, if the penalty exceeds a fine and suspension of more than fifteen (15) days, the commission must issue written findings of fact and conclusions which show the necessity of the penalty. (b) The holder of an employee permit who violates IC 7.1-5-7-4 or IC 7.1-5-7-8 through IC 7.1-5-7-13 may be fined, have the permittee's permit suspended, be both fined and have the permittee's permit suspended, or have the permittee's permit revoked, as determined by the commission. As added by P.L.100-1983, SEC.4. Amended by P.L.161-2005, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-27. Revocation for Violation of Order

Sec. 27. The commission may revoke the permit of a permittee for the violation of an order entered by it pursuant to IC 7.1-2-7. A revocation under this section may be made after not less than ten (10) days notice to the permittee. The notice shall inform the permittee of the time and place of the hearing to be held in regard to the proposed revocation. The further procedure in regard to a revocation under this section shall be prescribed in the rules and regulations of the commission. [Pre-1973 Recodification Citation: 7-1-3-5.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.126.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-28. Revocation for Violation of Injunction

Sec. 28. The commission may suspend or revoke the permit of a permittee if the court finds that the permittee has violated any of the provisions of an injunction issued by it under the provisions of IC 7.1-3-3-17. [Pre-1973 Recodification Citation: 7-2-1-23(c).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.127.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-29. Revocation for Taxes and Bonds

Sec. 29. Revocation Re Taxes and Bonds. The commission may revoke the permit of a manufacturer or wholesaler of alcoholic beverages for the failure to pay the taxes when required to do so by this title, or for the failure to keep in force the bond required of the applicant for his particular permit. The action of the commission in these matters shall be final. [Pre-1973 Recodification Citation: 7-1-1-43.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-3. Maximum Penalties

Sec. 3. The commission, pursuant to section 2 of this chapter, may impose upon a permittee the following civil penalties: (1) An amount of not more than four thousand dollars ($4,000) for each violation if the permittee is a brewer, an artisan distiller, or a

distiller. (2) An amount of not more than two thousand dollars ($2,000) for each violation if the permittee is a wholesaler of any type. (3) An amount of not more than one thousand dollars ($1,000) for each violation if the permittee is the holder of a permit of a type not listed in subdivision (1) or (2). [Pre-1973 Recodification Citation: 7-1-7-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.32-1988, SEC.3; P.L.109-2013, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-30. Denial of Wholesalers' Permit

Sec. 30. Denial of Wholesalers' Permit. The commission shall not deny, fail to renew, or revoke a wholesaler's permit of any type on arbitrary, capricious, or political grounds. [Pre-1973 Recodification Citation: 7-2-1-16.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-31. Appeal by Applicant for Wholesalers' Permit

Sec. 31. An applicant aggrieved by the action of the commission in denying, failing to renew, or revoking, a wholesaler's permit of any type, contrary to the provisions of IC 7.1-3-23-30, shall have the right to secure a review of that determination by petition to the superior court of Marion County under the same conditions and in the same manner and mode of procedure as provided in this chapter for other appeals. The court shall, from the evidence presented, determine if the applicant has been denied a permit or renewal, or has had his permit revoked, on arbitrary, capricious, or political grounds and if the court determines that the permit or renewal was improperly denied or revoked, the court shall issue a writ of mandate ordering the commission to issue, renew, or reinstate the permit. However, either party shall have the right of appeal from the judgment of the superior court of Marion County as an appeal is taken in a civil action. [Pre-1973 Recodification Citation: 7-2-1-16.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.141-2007, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-32. Notice to Permittee in Certain Cases

Sec. 32. Notice to Permittee in Certain Cases. The commission shall give notice of its proposed action to the applicant or permittee if the commission determines not to issue or renew a manufacturer's or wholesaler's permit, or if the commission determines to take action to revoke or suspend a manufacturer's or wholesaler's permit after it has been issued. [Pre-1973 Recodification Citation: 7-1-1-43.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-33. Right to a Public Hearing

Sec. 33. A person who receives a notice given pursuant to section 32 of this chapter shall have the right to a public hearing at the time and place fixed in the notice and the person shall be permitted to be heard and offer evidence. The evidence may be written, in the form of affidavits, or parol. Unless the commission provides a reporter to take and transcribe the parol evidence, the notice shall inform the person that no reporter will be provided but that the person has the right to have a reporter present at the person's own expense. The evidence, transcribed and verified by the reporter, or the written evidence offered and accepted by the commission, or both, shall be filed and become a part of the record of the proceedings. [Pre-1973 Recodification Citation: 7-1-1-43.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.128.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-34. Final Action of Commission

Sec. 34. Final Action of Commission. The commission shall take final action within ten (10) days after the hearing and enter an appropriate order in the matter and shall notify the applicant, or permittee, of its action by registered mail or electronic communication. [Pre-1973 Recodification Citation: 7-1-1-43.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.145-2024, SEC.16.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-35. Court Review Available

Sec. 35. Court Review Available. The applicant, or permittee, within ten (10) days of the receipt of the commission's notice of final action, may appeal to the circuit or superior court of Marion County, from the final order of the commission denying, suspending, or revoking his manufacturer's or wholesaler's permit of any type. However, an applicant for the original issue or renewal of a wholesaler's permit shall have the right to appeal to the superior court of Marion County but not to the circuit court of Marion County. [Pre-1973 Recodification Citation: 7-1-1-43.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-36. Initiation of Appeal

Sec. 36. Initiation of Appeal. The appeal shall be taken by the applicant, or permittee, by filing written notice of his intention to appeal from the final order of the commission to the appropriate court, and by filing a bond with the commission in the penal sum of

one thousand dollars ($1,000), conditioned that he will prosecute his appeal to effect, and will pay the costs of the proceedings upon appeal, and that he will pay all necessary expenses incurred by the commission as a result of the appeal if the order of the commission is affirmed. [Pre-1973 Recodification Citation: 7-1-1-43.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-37. Appeal Bond

Sec. 37. Appeal Bond. The appeal bond filed with the commission by an applicant, or permittee, shall be a corporate bond secured by a surety company duly authorized to do business in Indiana, or by freehold sureties, shown by verification or otherwise, to be worth in unencumbered real estate located within the county of the applicant, or permittee, appealing, over and above all indebtedness, twice the amount of the bond. [Pre-1973 Recodification Citation: 7-1-1-43.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-38. Transmission of Record

Sec. 38. Transmission of Record. The commission, within ten (10) days after the filing of the notice of appeal and the appeal bond with the commission, shall transmit the papers, files, written evidence and the transcript of the hearing, to the clerk of the court to which the appeal is taken. The entire contents of the record transmitted by the commission shall be duly verified by certificate of the commission. [Pre-1973 Recodification Citation: 7-1-1-43.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-39. Stay of Suspension or Revocation; General Rule

Sec. 39. Stay of Suspension or Revocation: General Rule. The final order of revocation or suspension entered by the commission shall be stayed for ten (10) days from the date of the final order whenever a manufacturer's or wholesaler's permit of any type is revoked or suspended for more than fifteen (15) days by order of the commission. [Pre-1973 Recodification Citation: 7-1-1-43.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-4. Additional Fine

Sec. 4. The commission, if a fine imposed pursuant to IC 7.1-3-23-2 is not paid according to the order of commission, may suspend or add to the period of suspension of a permit in the following increments: (1) A period of one (1) day for each one hundred dollars ($100) remaining unpaid if the permittee is a brewer, an artisan distiller, or a distiller. (2) A period of one (1) day for each fifty dollars ($50) remaining unpaid if the permittee is a wholesaler of any type. (3) A period of one (1) day for each twenty-five dollars ($25) remaining unpaid if the permittee is the holder of a permit of a type not listed in subdivision (1) or (2). [Pre-1973 Recodification Citation: 7-1-7-3.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.109-2013, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-40. Stay Pending Appeal

Sec. 40. Stay Pending Appeal. The final order of suspension or revocation shall be stayed, when the proper procedures for taking an appeal have been complied with, until the appeal has been disposed of finally, or until the appeal has been dismissed for lack of prosecution. [Pre-1973 Recodification Citation: 7-1-1-43.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-41. Trial

Sec. 41. Trial. The action shall be entered upon the civil docket of the court to which the appeal is taken naming the appellant applicant, or permittee, as plaintiff, and the commission as defendant. No formal pleadings shall be required and the case shall be set for hearing by the court, without a jury, as soon as possible. The cause may be determined upon hearing upon the evidence offered before the commission and as certified by the commission, or additional evidence may be offered by either party. The court shall enter an order, after the hearing, sustaining or setting aside the final order of the commission. If the court sets aside an order of the commission denying a permit, the court, in its order, shall direct the issuance of the permit. [Pre-1973 Recodification Citation: 7-1-1-43.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-42. Continued Operations During Stay

Sec. 42. A permittee during the period that the order of suspension or revocation is stayed under section 39 or 40 of this chapter shall be fully authorized and entitled to continue to do business under the permittee's permit as though the permittee's permit had not been suspended or revoked and without being liable in any manner, criminally or civilly, on the ground of operating the permittee's business without a proper permit. [Pre-1973 Recodification Citation: 7-1-1-43.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.129.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-43. Suspension of Permit for Failure to Pay Seller of Permit

Sec. 43. (a) The commission may suspend the permit of a permit holder if: (1) the permit holder has not paid the person who sold the permit to the permit holder in accordance with the terms of the sale; (2) the seller of the permit receives a judgment against the permit holder in an action to obtain payment for the permit in accordance with the terms of the sale; and (3) the seller of the permit sends a certified copy of the judgment to the commission. (b) Before suspending a certificate under this section, the commission shall provide written notice to the permit holder and conduct a hearing. The commission shall provide written notice of the suspension to the permit holder. (c) If a person who sells a permit: (1) sends a judgment to the commission under subsection (a); and (2) subsequently receives full payment of the judgment; the seller shall notify the commission in a manner prescribed by the commission that the seller has received full payment of the judgment not later than ten (10) days after receiving the payment. As added by P.L.224-2005, SEC.18.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-44. Notice of Probationary Status for Failure to Pay Child Support; Suspension; Reinstatement

Sec. 44. (a) As used in this section, "bureau" refers to the child support bureau of the department of child services established by IC 31-25-3-1. (b) As used in this section, "delinquent" has the meaning set forth in IC 4-35-2-3.5. (c) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-32(k) or IC 31-25-4-34(f), the commission shall place on probationary status any permit issued under IC 7.1-3-18-9(a)(3) and held by the person who is the subject of the order. The commission shall send the person a notice that does the following: (1) States that the person's permit has been placed on probationary status. (2) States that the person's permit will be suspended if the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice. (3) Describes the amount of child support that the person is in arrears. (4) Explains the procedures to: (A) pay the person's child support arrearage in full; and (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5. (d) If the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (c), the commission shall suspend the permit issued to the person under IC 7.1-3-18-9(a)(3). (e) The commission may not reinstate a permit placed on probationary status or suspended under this section until the commission receives a notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has addressed the delinquency. As added by P.L.80-2010, SEC.10. Amended by P.L.150-2018, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-45. Employee's Permit; Duties of Commission Upon Receipt of Support Order; Notice; Reinstatement

Sec. 45. (a) Upon receiving a court order issued under IC 31-16-12-13 (or IC 31-14-12-10 before its repeal), the commission shall: (1) suspend the employee's permit of; or (2) deny an employee's permit or the renewal of an employee's permit to; the person who is the subject of the order. (b) Upon receiving a court order issued under IC 31-16-12-13 (or IC 31-14-12-10 before its repeal), the commission shall promptly mail or send electronic notice to the last known mailing or electronic mailing address of the person who is the subject of the order that states the following: (1) That the: (A) person's employee's permit has been suspended, beginning five (5) business days after the date the notice is sent; and (B) suspension will end ten (10) business days after the commission receives an order from the court that ordered the suspension authorizing reinstatement of the person's employee's permit. (2) That the person has the right to petition for reinstatement of the employee's permit to the court that ordered the suspension. (c) The commission may not reinstate an employee's permit suspended under this section until the commission receives an order from the court that ordered the suspension authorizing reinstatement of the person's employee's permit. As added by P.L.80-2010, SEC.11. Amended by P.L.207-2013, SEC.6; P.L.145-2024, SEC.17.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-5. Revocation of Permits

Sec. 5. The commission shall revoke a permit of any type only on account of the violation of, or refusal to comply with, a provision of this title or of a rule or regulation of the commission, or on account of a violation of IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4. A finding that a permittee has violated IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4 must be supported by a preponderance of the evidence. [Pre-1973 Recodification Citation: 7-1-1-5(2).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.227-2007, SEC.63.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-6. Revocation of Permits; Procedure

Sec. 6. Revocation of Permits: Procedure. The commission shall give at least ten (10) days notice to the holder of the permit proposed to be revoked. The notice shall inform the holder of the time and place of the hearing to be held in regard to the proposed revocation. Unless otherwise provided in this title, all further procedures with reference to the revocation of a permit shall be

prescribed by rule and regulation of the commission. [Pre-1973 Recodification Citation: 7-1-1-5(2).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-7. Suspension; General Rule

Sec. 7. (a) Except as provided in subsection (b), the commission, after notice and hearing, and for cause other than that expressly provided in this title, may suspend a permit to manufacture, transport or sell alcoholic beverages for not longer than thirty (30) days for the violation of a provision of this title, or for the failure or the refusal to comply with a rule or regulation of the commission. (b) This subsection applies to an individual charged with a Class B misdemeanor for violating IC 7.1-5-10-15(a). Upon receiving notice of charges filed under IC 7.1-5-10-15(a), the commission: (1) shall hold a hearing under section 6 of this chapter; and (2) may suspend the permit of the individual charged with the violation until disposition of the charges. [Pre-1973 Recodification Citation: 7-1-1-43.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.125-2000, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-8. Procedure Applicable

Sec. 8. A proceeding before the commission which could result in the revocation or suspension in excess of three (3) days of the permit of a permittee authorized to sell alcoholic beverages at retail shall be conducted in the manner prescribed in section 6 of this chapter. [Pre-1973 Recodification Citation: 7-2-3-1.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.100-1983, SEC.2; P.L.7-1987, SEC.8.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 23. Denial, Suspension, and Revocation of Permits7.1-3-23-9. Judicial Review

Sec. 9. Whenever the permit of a permittee authorized to sell alcoholic beverages at retail is revoked or suspended in excess of three (3) days by action of the commission, the aggrieved permittee may seek judicial review of the action by following IC 4-21.5-5, except that the action for judicial review shall be filed in the circuit or superior court having jurisdiction in the county in which the licensed premises are located. [Pre-1973 Recodification Citation: 7-2-3-2(a).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.100-1983, SEC.3; P.L.7-1987, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 24. Transfer of Permits; Deceased or Bankrupt Permittees7.1-3-24-1. General Rule

Sec. 1. General Rule. The holder of a permit of any type may not sell, assign or transfer that permit to another person except as expressly authorized by this title. The holder of a permit of any type may not transfer that permit from one (1) location to another unless authorized in special instances to be fixed by rule or regulation of the commission. [Pre-1973 Recodification Citations: 7-1-1-8(1); 7-1-1-42(n).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 24. Transfer of Permits; Deceased or Bankrupt Permittees7.1-3-24-10. Reissuance of Permits

Sec. 10. Reissuance of Permits. A permit held by a deceased or bankrupt permittee may be reissued as other permits are authorized in this title to be reissued if the permit is not transferred by sale or otherwise with the consent of the chairman before its expiration. The reissuance shall be made only upon the approval of the court having jurisdiction of the trust of the applicant if the reissuance is to be made to an administrator, executor, or his agent, or a receiver or trustee in bankruptcy. A sale or assignment of the permit shall first be approved by the court, and only to a person qualified to hold it under this title. Before the transfer shall legally entitle the purchaser or assignee to operate under it, the applicant must show the chairman that he is duly competent and qualified, the same as though he were the original applicant for it. If the applicant is duly competent and qualified the chairman may approve the sale or transfer and the commission may issue a permit to the purchaser or assignee. The commission shall not reissue a permit to any premises other than those to which the permit was applicable when held by the decedent or bankrupt. [Pre-1973 Recodification Citation: 7-1-1-8(1).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 24. Transfer of Permits; Deceased or Bankrupt Permittees7.1-3-24-11. Surrender of Permits

Sec. 11. The administrator or executor of the estate of a deceased permittee may surrender the permit to the commission and it shall be canceled. No part of the fee for the permit shall be refunded. [Pre-1973 Recodification Citation: 7-1-1-8(1).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.42.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 24. Transfer of Permits; Deceased or Bankrupt Permittees7.1-3-24-12. Permittee of Mentally Incompetent

Sec. 12. The provisions of this chapter relating to the sale or transfer of a permit belonging to a deceased permittee apply in the case of the appointment of a guardian for a mentally incompetent person. A permit belonging to a mentally incompetent person may be

disposed of and transferred in the same manner and to the same extent as that provided in the case of a deceased permittee. [Pre-1973 Recodification Citation: 7-1-1-8(1).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.33-1989, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 24. Transfer of Permits; Deceased or Bankrupt Permittees7.1-3-24-2. Ordinary Transfers Authorized

Sec. 2. Ordinary Transfers Authorized. The transfer of a permit from one (1) holder to another holder, or from one (1) location to another location, may be made if the permit has at least three (3) months of unexpired term remaining. [Pre-1973 Recodification Citation: 7-1-1-8(1).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 24. Transfer of Permits; Deceased or Bankrupt Permittees7.1-3-24-3.5. Purchase of Permit From Permit Holder; Procedure

Sec. 3.5. (a) A person purchasing an existing permit from another permit holder must submit an executed purchase agreement to the commission as part of the applicant's request to transfer the ownership of the permit. The purchase agreement must include the following: (1) The agreement must be signed by the applicant and the current permit holder. (2) The agreement must provide detailed information regarding the purchase price and sale terms of the permit and other business assets, including the following: (A) An itemization of all personal and real property being sold, detailing the sale terms and price for each item. (B) If the personal property and real property are being purchased by different persons, the purchase agreement must identify the persons purchasing each item of personal property and real property. (C) Any other information required by the commission. (b) A purchase agreement provided to the commission is confidential under IC 5-14-3 and may not be disclosed to the public except for the following information: (1) The type of permit sold. (2) The permit sale price. (3) The jurisdiction (city, town, or county) in which the permit is located. (c) The commission shall maintain a publicly accessible data base of the information listed in subsection (b). (d) The commission shall review and consider an application for transfer of the permit and a purchase agreement before approving or denying the transfer application. As added by P.L.285-2019, SEC.46.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 24. Transfer of Permits; Deceased or Bankrupt Permittees7.1-3-24-3. Ordinary Transfers; Restrictions

Sec. 3. A transfer authorized by section 2 of this chapter is subject to the following restrictions: (1) It shall be made upon the terms and under the rules and regulations that the commission may prescribe. (2) The application for the transfer shall conform in respect to notice and publication and investigation before the local board as in the case of an original application for a permit. (3) It shall be subject to the advance payment of the advance cost fee under IC 7.1-4-4.1-6. [Pre-1973 Recodification Citation: 7-1-1-8(1).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.41.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 24. Transfer of Permits; Deceased or Bankrupt Permittees7.1-3-24-4. Posting of Bond

Sec. 4. Posting of Bond. The chairman shall require bond to be furnished in the case of the sale, assignment, or transfer of a permit if bond is required to be furnished in the case of an original application for that particular type of permit. [Pre-1973 Recodification Citation: 7-1-1-8(1).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 24. Transfer of Permits; Deceased or Bankrupt Permittees7.1-3-24-5. Deceased Permittee

Sec. 5. Deceased Permittee. A duly appointed and qualified administrator or executor of the estate of a deceased permittee, may, with the approval of the court, continue the business conducted by the deceased permittee under the permit held by him if the administrator or executor, either himself or by an agent, also to be approved by the court, applies for and obtains the written consent of the chairman. [Pre-1973 Recodification Citation: 7-1-1-8(1).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 24. Transfer of Permits; Deceased or Bankrupt Permittees7.1-3-24-6. Qualifications of Successors

Sec. 6. Qualifications of Successors. The administrator or executor, or agent, must have the same qualifications to hold the permit of the deceased permittee that this title otherwise requires of an applicant for that particular type of permit. That the administrator, executor, or agent has these qualifications shall be established by a finding of the court having jurisdiction and a copy of these findings shall accompany the application for the written consent of the chairman. [Pre-1973 Recodification Citation: 7-1-1-8(1).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 24. Transfer of Permits; Deceased or Bankrupt Permittees7.1-3-24-7. Surviving Spouse or Heir

Sec. 7. The surviving spouse or heir of a deceased permittee may be permitted to continue the business conducted by the deceased permittee, without probate proceedings, if both of the following occur: (1) The court having probate jurisdiction finds that the surviving spouse or heir of the deceased permittee possesses the qualifications required of an applicant for that particular type of

permit. (2) The surviving spouse or heir who desires to carry on the business of the deceased permittee applies for and receives the written consent of the chairman. A copy of the court's findings on the qualifications of the applicant must accompany the application for written consent. [Pre-1973 Recodification Citation: 7-1-1-8(1).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.90-2002, SEC.308; P.L.194-2021, SEC.58.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 24. Transfer of Permits; Deceased or Bankrupt Permittees7.1-3-24-8. Bankrupt Permittee

Sec. 8. Bankrupt Permittee. A receiver or trustee in bankruptcy of the business or property of a permittee, acting under the jurisdiction of a court of record of this state, or a United States court, may continue the business conducted by the permittee, with the approval of the court having jurisdiction, by applying for and receiving the written consent of the chairman and if he is otherwise duly qualified to hold the permit as if he were himself applying for it. The qualifications of the applicant may be established by a finding of the court having jurisdiction. A copy of the court's findings on the qualifications shall accompany the application for written consent. [Pre-1973 Recodification Citation: 7-1-1-8(1).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 24. Transfer of Permits; Deceased or Bankrupt Permittees7.1-3-24-9. No Local Board Proceedings in Certain Cases

Sec. 9. A proceeding before the local board, an advertisement, or a hearing shall not be necessary in a transfer authorized by section 5, 7, or 8 of this chapter. [Pre-1973 Recodification Citation: 7-1-1-8(1).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.130.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25.5. Distribution Agreements Between a Beer Wholesaler and a Primary Source of Supply7.1-3-25.5-1. Requirements for Amendment or Termination of Distribution Agreements

Sec. 1. A primary source of supply's amendment of, cancellation of, termination of, or refusal to renew a distribution agreement with a beer wholesaler is not effective unless the requirements of this chapter are satisfied. As added by P.L.139-2021, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25.5. Distribution Agreements Between a Beer Wholesaler and a Primary Source of Supply7.1-3-25.5-2. Amendment or Termination of Distribution Agreement With Wholesaler; Written Notice; Opportunity for Wholesaler to Cure

Sec. 2. (a) As used in this section, "good cause" means any of the following: (1) A beer wholesaler's failure to pay a primary source of supply for products in accordance with the approved terms of the distribution agreement. (2) A failure by a beer wholesaler to substantially comply, without reasonable excuse or justification, with any reasonable and material provision of the distribution agreement. (3) A failure by an owner of the beer wholesaler to sell the person's ownership interest not later than one hundred twenty (120) days after the later of the following dates: (A) The date judgment is entered against the owner of the beer wholesaler for a felony conviction that, in the reasonable judgment of the primary source of supply, may adversely affect the goodwill or interests of the beer wholesaler or primary source of supply. (B) The date the primary source of supply learns of the felony conviction described in clause (A). (b) A primary source of supply that intends to amend, cancel, terminate, or refuse to renew a distribution agreement may do so only if the primary source of supply: (1) acts: (A) with good cause; (B) in good faith; and (C) with due regard of the equities of the beer wholesaler; (2) gives the beer wholesaler written notice: (A) in accordance with section 5 of this chapter; and (B) at least one hundred twenty (120) days before the date the primary source of supply intends to amend, cancel, terminate, or refuse to renew the distribution agreement; and (3) gives the beer wholesaler the opportunity to substantially cure any deficiency in the beer wholesaler's performance that constitutes good cause not later than one hundred twenty (120) days after the date that notice is given under subdivision (2). As added by P.L.139-2021, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25.5. Distribution Agreements Between a Beer Wholesaler and a Primary Source of Supply7.1-3-25.5-3. When Prior Written Notice Not Required Before Amendment or Termination of Distribution Agreement With Wholesaler

Sec. 3. (a) For purposes of this section, "good cause" means any of the following: (1) A revocation or suspension of a beer wholesaler's: (A) federal basic permit; or (B) permit issued under this title; for more than fourteen (14) days. (2) The assignment or attempted assignment by a beer wholesaler for the benefit of creditors. (3) Any: (A) attempted transfer of: (i) business assets; (ii) voting stock; or (iii) voting stock of any parent corporation; of the wholesaler; or (B) change in the beneficial ownership or control of any wholesaler entity; without obtaining the prior approval of the primary source of supply. (4) The institution of bankruptcy proceedings by or against a beer wholesaler. (5) The dissolution or liquidation of a beer wholesaler. (6) The insolvency of a beer wholesaler. (7) Fraudulent conduct by a beer wholesaler in any dealings with a primary source of supply or the primary source of supply's products, including an intentional sale of beer that an owner or senior manager of the wholesaler knows or should know is outside the primary source of supply's established standards. (b) A primary source of supply may cancel, terminate, or refuse to renew a distribution agreement with a beer wholesaler without providing prior notice of the cancellation, termination, or refusal, if the primary source of supply: (1) acts: (A) with good cause; (B) in good faith; and (C) with due regard of the equities of the beer

wholesaler; and (2) provides the beer wholesaler with written notice in accordance with section 5 of this chapter, not later than five (5) days after the date of the cancellation of, termination of, or refusal to renew the distribution agreement. As added by P.L.139-2021, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25.5. Distribution Agreements Between a Beer Wholesaler and a Primary Source of Supply7.1-3-25.5-4. Amendment or Termination of Same Distribution With All Wholesalers

Sec. 4. (a) This section applies to a primary source of supply that intends to amend, cancel, terminate, or refuse to renew distribution agreements with all beer wholesalers who: (1) have entered into the same distribution agreement with the primary source of supply; and (2) are located in the United States. (b) A primary source of supply has the right to amend, cancel, terminate, or refuse to renew the distribution agreements, if the primary source of supply provides written notice to each beer wholesaler: (1) in accordance with section 5 of this chapter; and (2) at least ninety (90) days before the intended effective date of the amendment of, cancellation of, termination of, or refusal to renew each beer wholesaler's distribution agreement. As added by P.L.139-2021, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25.5. Distribution Agreements Between a Beer Wholesaler and a Primary Source of Supply7.1-3-25.5-5. Written Notice Requirements

Sec. 5. A written notice under this chapter must comply with the following: (1) The notice must be sent by certified mail. (2) The notice must state the following: (A) The effective date of the amendment of, cancellation of, termination of, or refusal to renew the distribution agreement. (B) The: (i) nature of; and (ii) reason for; the amendment of, cancellation of, termination of, or refusal to renew the distribution agreement. In the case of a notice provided by a primary source of supply under section 2 or 3 of this chapter, the notice must state the reason that constitutes good cause for purposes of those sections. As added by P.L.139-2021, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25.5. Distribution Agreements Between a Beer Wholesaler and a Primary Source of Supply7.1-3-25.5-6. Waiver of Chapter Prohibited

Sec. 6. (a) A primary source of supply or a beer wholesaler may not waive any provision of this chapter in a distribution agreement or other agreement. (b) If a beer wholesaler enters into a distribution agreement, supplemental agreement, amendment, or any other agreement with a primary source of supply that waives a law, the beer wholesaler does not waive the rights provided to a beer wholesaler under this chapter. As added by P.L.139-2021, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-1. "Existing Wholesaler"

Sec. 1. As used in this chapter, "existing wholesaler" means a beer wholesaler who distributes a product at the time a successor primary source of supply acquires rights to a product under section 5 of this chapter. As added by P.L.224-2005, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-10. Location of Arbitration Proceedings; General Provisions

Sec. 10. (a) The arbitration shall be conducted in the city within Indiana that: (1) is closest to the existing wholesaler; and (2) has a population of more than fifty thousand (50,000). (b) The arbitration shall be conducted before one (1) impartial arbitrator to be selected by the American Arbitration Association. The arbitration shall be conducted in accordance with the rules and procedures of the American Arbitration Association. As added by P.L.224-2005, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-11. Monetary Award Only

Sec. 11. The arbitrator's award must be monetary only and may not enjoin or compel conduct. The arbitration is instead of all other remedies and procedures. As added by P.L.224-2005, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-12. Arbitration Costs; Decision of Arbitrator Binding

Sec. 12. (a) The cost of the arbitrator and any other direct costs of the arbitration shall be equally divided by the parties engaged in the arbitration. All other costs shall be paid by the party incurring them. (b) The arbitrator shall render a decision not later than thirty (30) days after the conclusion of the arbitration unless this time period is extended by mutual agreement of the parties or by the arbitrator. The decision of the arbitration is final and binding on the parties. Under no circumstances may the parties appeal the decision of the arbitrator. (c) A party who fails to participate in the arbitration hearings waives all rights the party would have had in the arbitration and is considered to have consented to the determination of the arbitrator. As added by P.L.224-2005, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-13. Failure to Receive Compensation

Sec. 13. If the existing wholesaler does not receive payment of the compensation under section 7 or 11 of this chapter not later than

thirty (30) days after the date of the settlement or arbitration award: (1) the existing wholesaler shall remain the distributor of the product in the existing wholesaler's territory to at least the same extent that the existing wholesaler distributed the product immediately before the successor acquired rights to the product; and (2) the existing wholesaler is not entitled to the settlement or arbitration award. As added by P.L.224-2005, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-14. Good Faith Settlements Not Prohibited

Sec. 14. Nothing in this chapter shall be construed to limit or prohibit good faith settlements voluntarily entered into by the parties. As added by P.L.224-2005, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-15. Not Applicable to Wholesaler's Breach of Distribution Agreement

Sec. 15. Nothing in this chapter shall be construed to give the existing wholesaler or a successor wholesaler any right to compensation if the existing wholesaler or successor wholesaler is terminated by the primary source of supply or predecessor source supplier: (1) for failure to comply with any provision in the agreement to distribute the product; (2) for good cause as provided in IC 7.1-3-25.5; or (3) in accordance with IC 7.1-5-5-9. As added by P.L.224-2005, SEC.19. Amended by P.L.139-2021, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-2. "Product"

Sec. 2. As used in this chapter, "product" means an existing brand of: (1) beer (as defined in IC 7.1-1-3-6); or (2) flavored malt beverage (as defined in IC 7.1-1-3-16.7). As added by P.L.224-2005, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-3. "Successor"

Sec. 3. As used in this chapter, "successor" means a primary source of supply that acquires rights to a product under section 5 of this chapter. As added by P.L.224-2005, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-4.5. Transfer of Products Meeting Sales Percentage Threshold Prohibited

Sec. 4.5. (a) Except as provided in subsection (b), a successor, upon acquiring products, shall: (1) reappoint the existing wholesaler for: (A) all acquired products; and (B) the territories covered by the existing wholesaler for the products; or (2) comply with this chapter to transfer the products to another wholesaler. (b) If the products acquired by a successor represent at least fifteen percent (15%) of an existing wholesaler's dollar sales in the twelve (12) months preceding the closing of the transaction in which the successor acquires the products, the successor: (1) shall reappoint the existing wholesaler for: (A) all acquired products; and (B) the territories covered by the existing wholesaler for the products; and (2) may not transfer the product to another wholesaler. As added by P.L.11-2009, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-4. "Successor's Designee"

Sec. 4. As used in this chapter, "successor's designee" means one (1) or more beer wholesalers designated by a successor to replace the existing wholesaler, for all or part of the existing wholesaler's territory, in the distribution of the existing product. As added by P.L.224-2005, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-5. Successor Requirements

Sec. 5. A successor: (1) who acquires the rights to manufacture or distribute an existing product; and (2) who: (A) does not reappoint the existing wholesaler to distribute the product; (B) reduces the existing wholesaler's territory for the product; or (C) offers to compensate the existing wholesaler in an amount less than the fair market value determined under section 7 of this chapter; must comply with this chapter. A successor's designee must also comply with this chapter. As added by P.L.224-2005, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-6. Notice to Wholesaler of Change in Territory

Sec. 6. The successor shall notify the existing wholesaler of the successor's intent not to appoint the existing wholesaler for all or a part of the existing wholesaler's territory for the product not later than sixty (60) days after the closing of the transaction in which the successor acquires the product. The successor shall mail the notice by certified mail, return receipt requested, to the existing wholesaler. The successor shall include in the notice the names, addresses, and telephone numbers of the successor's designees. As added by P.L.224-2005, SEC.19. Amended by P.L.11-2009, SEC.2.

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2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-7. Determination of Fair Market Value of Wholesaler's Distribution Rights

Sec. 7. A successor's designee shall negotiate with the existing wholesaler to determine the fair market value of the existing wholesaler's right: (1) to distribute the product in the existing wholesaler's territory immediately before the successor acquired rights to the product under section 5 of this chapter; and (2) as determined in an arms length transaction entered into without duress or threat of termination of the initial wholesaler's right described in subdivision (1). As added by P.L.224-2005, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-8. Territory Continues Until Compensation Received

Sec. 8. The existing wholesaler shall continue to distribute the product until payment of the compensation agreed to under section 7 of this chapter or awarded under section 11 of this chapter is received. As added by P.L.224-2005, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 25. Product Transfer Between Wholesalers7.1-3-25-9. Arbitration

Sec. 9. (a) The successor's designee and the existing wholesaler shall negotiate in good faith. If the parties fail to reach an agreement not later than thirty (30) days after the existing wholesaler receives the notice under section 6 of this chapter, the successor's designee or the existing wholesaler may send a written notice to the: (1) other party; and (2) American Arbitration Association or its successor in interest; declaring the party's intention to proceed with final and binding arbitration administered by the American Arbitration Association under the American Arbitration Association's Commercial Arbitration Rules. (b) Notice of intent to arbitrate shall be sent, as provided in subsection (a), not later than thirty-five (35) days after the existing wholesaler receives notice under section 6 of this chapter. The arbitration proceedings shall conclude not later than forty-five (45) days after the date the notice of intent to arbitrate is mailed to a party. As added by P.L.224-2005, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 26. Direct Wine Seller's Permit7.1-3-26-1. Applicability

Sec. 1. This chapter does not apply to the serving or selling of: (1) wine in accordance with IC 7.1-3-12; or (2) brandy in accordance with IC 7.1-3-7.5. As added by P.L.165-2006, SEC.34.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 26. Direct Wine Seller's Permit7.1-3-26-10. Direct Sales of Brandy Prohibited

Sec. 10. (a) Except as provided in subsection (b), the holder of a farm winery brandy distiller's permit that ships brandy produced under this title to a consumer commits a Class A infraction. (b) The offense described in subsection (a) is: (1) a Class A misdemeanor if the seller: (A) knowingly or intentionally violates this section; and (B) has one (1) prior unrelated conviction or judgment for an infraction under this chapter for an act or omission that occurred not more than ten (10) years before the act or omission that is the basis for the most recent conviction or judgment for an infraction; and (2) a Level 6 felony if the seller: (A) knowingly or intentionally violates this section; and (B) has at least two (2) prior unrelated convictions or judgments for infractions under this chapter for acts or omissions that occurred not more than ten (10) years before the act or omission that is the basis for the most recent conviction or judgment for an infraction. As added by P.L.165-2006, SEC.34. Amended by P.L.159-2014, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 26. Direct Wine Seller's Permit7.1-3-26-12. Annual Limit on Seller's Direct Wine Sales in Indiana

Sec. 12. During a permit year, a direct wine seller may not direct ship in or into Indiana more than forty-five thousand (45,000) liters of wine. As added by P.L.165-2006, SEC.34. Amended by P.L.107-2015, SEC.11.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 26. Direct Wine Seller's Permit7.1-3-26-13. Delivery to Consumer or Individual at Least 21 Years of Age

Sec. 13. A wine shipment purchased under this chapter must be delivered to: (1) the consumer, who shall take personal delivery of the shipment at the: (A) consumer's residence; (B) consumer's business address; (C) carrier's business address; or (D) address displayed on the shipping container; or (2) an individual who is at least twenty-one (21) years of age, who shall take personal delivery of the shipment at the: (A) consumer's residence; (B) consumer's business address; (C) carrier's business address; or (D) address designated by the consumer and displayed on the shipping container. As added by P.L.165-2006, SEC.34.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 26. Direct Wine Seller's Permit7.1-3-26-14. Annual Limit on Wine Received by a Consumer

Sec. 14. A consumer may not receive more than two hundred sixteen (216) liters of wine in total from one (1) or more direct wine sellers in a calendar year. As added by P.L.165-2006, SEC.34.

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2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 26. Direct Wine Seller's Permit7.1-3-26-2. "Applicant"

Sec. 2. As used in this chapter, "applicant" means a person that applies to the commission for a direct wine seller's permit. As added by P.L.165-2006, SEC.34.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 26. Direct Wine Seller's Permit7.1-3-26-3. "Consumer"

Sec. 3. As used in this chapter, "consumer" means an individual with an Indiana address who purchases wine from a seller. As added by P.L.165-2006, SEC.34.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 26. Direct Wine Seller's Permit7.1-3-26-4. "Seller"

Sec. 4. As used in this chapter, "seller" means the holder of a direct wine seller's permit issued under this chapter. As added by P.L.165-2006, SEC.34.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 26. Direct Wine Seller's Permit7.1-3-26-5. Direct Wine Seller Requirements

Sec. 5. (a) A person located within Indiana or outside Indiana that wants to sell and ship wine directly to a consumer must be the holder of a direct wine seller's permit and comply with this chapter. A person that sells and ships wine directly to a consumer without holding a valid direct wine seller's permit commits a Class A infraction. (b) The offense described in subsection (a) is: (1) a Class A misdemeanor if the seller: (A) knowingly or intentionally violates this section; and (B) has one (1) prior unrelated conviction or judgment for an infraction under this chapter for an act or omission that occurred not more than ten (10) years before the act or omission that is the basis for the most recent conviction or judgment for an infraction; and (2) a Level 6 felony if the seller: (A) knowingly or intentionally violates this section; and (B) has at least two (2) prior unrelated convictions or judgments for infractions under this chapter for acts or omissions that occurred not more than ten (10) years before the act or omission that is the basis for the most recent conviction or judgment for an infraction. As added by P.L.165-2006, SEC.34. Amended by P.L.159-2014, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 26. Direct Wine Seller's Permit7.1-3-26-6. Consumer Qualifications; Seller Violation

Sec. 6. (a) A seller may sell and ship wine directly only to a consumer who meets all of the following requirements: (1) The consumer is at least twenty-one (21) years of age. (2) The consumer has an Indiana address. (3) The consumer intends to use wine purchased under this chapter for personal use only and not for resale or other commercial purposes. (b) A seller who violates this section commits a Class A infraction. However, the offense is: (1) a Class A misdemeanor if the seller: (A) knowingly or intentionally violates this section; and (B) has one (1) prior unrelated conviction or judgment for an infraction under this chapter for an act or omission that occurred not more than ten (10) years before the act or omission that is the basis for the most recent conviction or judgment for an infraction; and (2) a Level 6 felony if the seller: (A) knowingly or intentionally violates this section; and (B) has at least two (2) prior unrelated convictions or judgments for infractions under this chapter for acts or omissions that occurred not more than ten (10) years before the act or omission that is the basis for the most recent conviction or judgment for an infraction. As added by P.L.165-2006, SEC.34. Amended by P.L.159-2014, SEC.5; P.L.107-2015, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 26. Direct Wine Seller's Permit7.1-3-26-7. Qualifications of Applicant for Direct Wine Seller Permit

Sec. 7. (a) The commission may issue a direct wine seller's permit to an applicant who meets all of the following requirements: (1) The applicant is domiciled and has its principal place of business in the United States. (2) The applicant is engaged in the manufacture of wine. (3) The applicant holds and acts within the scope of authority of an alcoholic beverage license or permit to manufacture wine that is required: (A) in Indiana or the state where the applicant is domiciled; and (B) by the Tax and Trade Bureau of the United States Department of the Treasury. (4) The applicant qualifies with the secretary of state to do business in Indiana and consents to the personal jurisdiction of the commission and the courts of Indiana. (5) The applicant: (A) has not distributed wine through a wine wholesaler in Indiana within the one hundred twenty (120) days immediately preceding the applicant's application for a direct wine seller's permit and does not distribute wine through a wine wholesaler in Indiana during the term of the direct wine seller's permit; or (B) has operated as a farm winery under IC 7.1-3-12. (6) The applicant completes documentation regarding the applicant's application required by the commission. (b) The commission may issue a direct wine seller's permit to an applicant who: (1) meets the requirements under subsection (a); and (2) holds a permit issued under this title that allows the sale of an alcoholic beverage at retail. As added by P.L.165-2006, SEC.34. Amended by P.L.54-2008, SEC.3; P.L.186-2011, SEC.8; P.L.107-2015, SEC.7.

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2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 26. Direct Wine Seller's Permit7.1-3-26-8. Permit Expiration, Renewal, and Fees

Sec. 8. (a) The term of a direct wine seller's permit begins: (1) on the date approved by the commission for an initial application; and (2) on July 1 to renew a permit; and expires on June 30 of the following year. A direct wine seller's permit may be renewed in accordance with rules adopted by the commission. (b) The annual direct wine seller's permit fee is as follows: (1) One hundred dollars ($100) for a direct wine seller's permit applicant who: (A) has never previously held a direct wine seller's permit and anticipates direct shipping in Indiana not more than nine thousand (9,000) liters of wine in a permit year; or (B) previously held a direct wine seller's permit and certifies to the commission that the permit applicant direct shipped in Indiana not more than nine thousand (9,000) liters of wine in the previous permit year. (2) Two hundred dollars ($200) for a direct wine seller's permit applicant who: (A) has never previously held a direct wine seller's permit and anticipates direct shipping in Indiana not more than eighteen thousand (18,000) liters of wine in a permit year; or (B) previously held a direct wine seller's permit and certifies to the commission that the permit applicant direct shipped in Indiana not more than eighteen thousand (18,000) liters of wine in the previous permit year. (3) Three hundred dollars ($300) for a direct wine seller's permit applicant who: (A) has never previously held a direct wine seller's permit and anticipates direct shipping in Indiana not more than twenty-seven thousand (27,000) liters of wine in a permit year; or (B) previously held a direct wine seller's permit and certifies to the commission that the permit applicant direct shipped in Indiana not more than twenty-seven thousand (27,000) liters of wine in the previous permit year. (4) Four hundred dollars ($400) for a direct wine seller's permit applicant who: (A) has never previously held a direct wine seller's permit and anticipates direct shipping in Indiana not more than thirty-six thousand (36,000) liters of wine in a permit year; or (B) previously held a direct wine seller's permit and certifies to the commission that the permit applicant direct shipped in Indiana not more than thirty-six thousand (36,000) liters of wine in the previous permit year. (5) Five hundred dollars ($500) for a direct wine seller's permit applicant who: (A) has never previously held a direct wine seller's permit and anticipates direct shipping in Indiana not more than forty-five thousand (45,000) liters of wine in a permit year; or (B) previously held a direct wine seller's permit and certifies to the commission that the permit applicant direct shipped in Indiana not more than forty-five thousand (45,000) liters of wine in the previous permit year. As added by P.L.165-2006, SEC.34. Amended by P.L.107-2015, SEC.8.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 26. Direct Wine Seller's Permit7.1-3-26-9. Direct Wine Seller; Conditions and Requirements

Sec. 9. A direct wine seller's permit entitles a seller to sell and ship wine to a consumer by receiving and filling orders that the consumer transmits by electronic or other means if all of the following conditions are satisfied before the sale or by the times set forth as follows: (1) The consumer provides the direct wine seller with the following: (A) The consumer's name. (B) A valid delivery address and telephone number. (C) Proof of age by a state government issued or federal government issued identification card showing the consumer to be at least twenty-one (21) years of age. The proof under this clause may be evidenced: (i) in person; (ii) by a photocopy or facsimile copy that is mailed or electronically transmitted; (iii) by a computer scanned, electronically transmitted copy; or (iv) through an age verification service used by the direct wine seller. (2) The direct wine seller meets the following requirements: (A) Maintains for two (2) years all records of wine sales made under this chapter. If the records are requested by the commission, a direct wine seller shall: (i) make the records available to the commission during the direct wine seller's regular business hours; or (ii) at the direction of the commission, deliver copies to the commission. (B) Stamps, prints, or labels on the outside of the shipping container the following: "CONTAINS WINE. SIGNATURE OF PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY.". (C) Causes the wine to be delivered by the holder of a valid carrier's alcoholic beverage permit under IC 7.1-3-18. (D) Directs the carrier to verify that the individual personally receiving the wine shipment is at least twenty-one (21) years of age. (E) Does not ship to any consumer more than two hundred sixteen (216) liters of wine in any calendar year. (F) Remits to the department of state revenue monthly all Indiana excise, sales, and use taxes on the shipments made into Indiana by the direct wine seller during the previous month. (G) Ships to a consumer in Indiana only wine manufactured, produced, or bottled by the applicant. As added by P.L.165-2006, SEC.34. Amended by P.L.186-2011, SEC.9; P.L.107-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-1. "Artisan Distiller"

Sec. 1. As used in this chapter, "artisan distiller" means a person who holds an artisan distiller's permit under this title. As added by P.L.109-2013, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-10. Shipping to Consumers Prohibited

Sec. 10. (a) An artisan distiller may not ship liquor or cause liquor to be shipped to a consumer. (b) An artisan distiller who knowingly or intentionally violates this section commits a Class B misdemeanor. As added by P.L.109-2013, SEC.6. Amended by P.L.159-2014, SEC.12.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-11. Sale of Blended Liquor

Sec. 11. (a) An artisan distiller may blend liquor that the artisan distiller obtains from another manufacturer with liquor that the artisan distiller manufactures. The artisan distiller may sell the blended liquor as liquor that the artisan distiller manufactures only if the final product contains at least sixty percent (60%) of liquor that was fermented and distilled from raw materials by the artisan distiller at the licensed premises of the artisan distiller. (b) An artisan distiller who knowingly or intentionally sells blended liquor that contains less than sixty percent (60%) of liquor that was fermented and distilled from raw materials by the artisan distiller at the licensed premises of the artisan distiller commits a Class B misdemeanor. As added by P.L.109-2013, SEC.6. Amended by P.L.159-2014, SEC.13.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-12. Holder of Artisan Distiller Permit and Farm Winery Permit

Sec. 12. (a) This section applies only to a person who: (1) holds an artisan distiller's permit; and (2) holds an interest in a farm winery permit under IC 7.1-3-12. (b) An artisan distiller may: (1) serve samples of liquor that the artisan distiller manufactures; and (2) sell bottles and cases of liquor that the artisan distiller manufactures; on the licensed premises where the wine is manufactured only if the wine is manufactured on the same premises where the artisan distiller manufactures liquor. (c) A person to whom this section applies who knowingly or intentionally violates this section commits a Class B misdemeanor. As added by P.L.109-2013, SEC.6. Amended by P.L.159-2014, SEC.14.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-13. Holder of Artisan Distiller Permit and Brewer's Permit

Sec. 13. (a) This section applies only to a person who: (1) holds an artisan distiller's permit; and (2) holds an interest in a brewer's permit issued under IC 7.1-3-2-2(b). (b) An artisan distiller may: (1) serve samples of liquor that the artisan distiller manufactures; and (2) sell bottles and cases of liquor that the artisan distiller manufactures; on the licensed premises where the beer is manufactured only if the beer is manufactured on the same premises where the artisan distiller manufactures liquor. (c) A person to whom this section applies who knowingly or intentionally violates this section commits a Class B misdemeanor. As added by P.L.109-2013, SEC.6. Amended by P.L.159-2014, SEC.15; P.L.79-2015, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-14. Holder of Artisan Distiller Permit and Distiller Permit

Sec. 14. (a) This section applies only to the holder of an artisan distiller's permit that also holds an interest in a distiller's permit under IC 7.1-3-7. (b) An artisan distiller may not: (1) serve complimentary samples of liquor; and (2) sell liquor; manufactured under the distiller's permit issued under IC 7.1-3-7 on the premises of the artisan distillery or at any other location that the holder of the artisan distiller's permit is authorized to sell and serve samples of liquor manufactured under the artisan distiller's permit. (c) A person to whom this section applies who knowingly or intentionally violates this section commits a Class B misdemeanor. As added by P.L.109-2013, SEC.6. Amended by P.L.159-2014, SEC.16.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-15. Permit Term; Annual Fee

Sec. 15. (a) An artisan distiller's permit shall be issued for a period of two (2) years. (b) The commission shall charge a permit fee of two hundred fifty dollars ($250) annually to the holder of an artisan distiller's permit. The holder of an artisan distiller's permit shall pay the permit fee to the chairman on the anniversary of the date of the issuance of the original permit. (c) A person who knowingly or intentionally engages in an activity requiring an artisan distiller's permit without possessing a valid artisan distiller's permit commits a Class B misdemeanor. As added by P.L.109-2013, SEC.6. Amended by P.L.159-2014, SEC.17.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-16. Manufacturing and Bottling on Same Equipment; Separate Storage

Sec. 16. (a) This section applies only to the holder of an artisan distiller's permit that also holds an interest in a distiller's permit under IC 7.1-3-7. (b) Subject to the requirements in subsections (c) and (d), a holder of an artisan distiller's permit that also holds an interest in a distiller's permit may manufacture and bottle liquor on the same equipment on the premises of the artisan distillery. (c) A holder must store liquor manufactured or bottled under subsection (b) under an artisan distiller's permit in an area separate and distinct at all times from the liquor manufactured under a distiller's permit. (d) The manufacture, bottling, and storage of liquor under this section must conform with federal laws, rules, and regulations. As added by P.L.68-2021, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-2. Issuance of Permit

Sec. 2. The commission may issue an artisan distiller's permit as provided in this chapter to a person who desires to commercially manufacture liquor. As added by P.L.109-2013, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-3. Gallonage Limit

Sec. 3. (a) An artisan distiller may produce not more than twenty thousand (20,000) gallons of liquor in any calendar year. Liquor produced by an artisan distiller that is sold through a wholesaler licensed under IC 7.1-3-8 may not be counted toward the gallonage limit. (b) An artisan distiller who knowingly or intentionally violates this section commits a Class B misdemeanor. As added by P.L.109-2013, SEC.6. Amended by P.L.159-2014, SEC.9; P.L.220-2023, SEC.12.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-4. Federal Permit Required

Sec. 4. The commission may issue an artisan distiller's permit to a person if the person is qualified to obtain the necessary permit or license from the United States to own or operate an establishment to manufacture liquor. As added by P.L.109-2013, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-5. Eligibility Requirements

Sec. 5. (a) Except as provided in section 7 of this chapter, an applicant for an artisan distiller's permit must meet all the following requirements to be eligible for an artisan distiller's permit: (1) The permit applicant must hold one (1) of the following permits for the six (6) months immediately preceding the date of the application: (A) A farm winery permit under IC 7.1-3-12. (B) A brewer's permit issued under IC 7.1-3-2-2(b). (C) A distiller's permit under IC 7.1-3-7. (2) The permit applicant may not have more than one (1) violation of this title during the eighteen (18) months immediately preceding the date of the application. (3) The permit applicant may not have any violation of this title during the twelve (12) month period immediately preceding the date of the permit application. (b) As used in this subsection, "qualifying permit" means a farm winery, brewer's, or distiller's permit under subsection (a)(1)(A), (a)(1)(B), or (a)(1)(C) that is required in order to hold an artisan distiller's permit. The same persons must directly or indirectly own and control more than fifty percent (50%) of the entity that holds the qualifying permit and the artisan distiller's permit. As added by P.L.109-2013, SEC.6. Amended by P.L.79-2015, SEC.5; P.L.144-2015, SEC.4; P.L.270-2017, SEC.15; P.L.121-2022, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-6. Holding Other Permits

Sec. 6. (a) A holder of an artisan distiller's permit may also hold: (1) one (1) or more farm winery permits; or (2) one (1) or more brewer's permits issued under IC 7.1-3-2-2(b). (b) A holder of an artisan distiller's permit may hold a beer retailer's permit, a wine retailer's permit, or a liquor retailer's permit for a restaurant. (c) A holder of an artisan distiller's permit may also hold a distiller's permit under IC 7.1-3-7. As added by P.L.109-2013, SEC.6. Amended by P.L.70-2014, SEC.2; P.L.79-2015, SEC.6; P.L.285-2019, SEC.47; P.L.68-2021, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-7. Exception to Permit Eligibility Requirements

Sec. 7. (a) This section applies only to a person that, on January 1, 2014: (1) holds the necessary permit or license from the United States to own or operate an establishment to manufacture liquor; and (2) does not hold any of the permits listed in section 5(a)(1) of this chapter. (b) A person must meet all the following requirements to be eligible for an artisan distiller's permit under this section: (1) Any person (except for a person under subdivision (2)) who sells or furnishes liquor by the bottle or glass on the premises of the artisan distillery: (A) must have held for at least three (3) years an employee permit under IC 7.1-3-18-9 that authorizes the person to perform bartending duties; (B) must have completed any alcohol server program or alcohol server training program refresher courses required under IC 7.1-3-1.5; and (C) may not have any violations under this title. (2) The applicant for the artisan distiller's permit and any management representative of the applicant must complete an alcohol server program or a trainer program established or approved under IC 7.1-3-1.5-5.5 or IC 7.1-3-1.5-6 not more than one (1) year before the date of the application for the artisan distiller's permit. (c) Except as provided in subsection (f)(2), the person may not be required to fulfill the requirements of section 5 of this chapter. (d) If the person is issued an artisan distiller's permit under this section, the person must meet the following requirements for the period set forth in subsection (e): (1) Any person selling or furnishing liquor on the premises of the artisan distillery (except for a person under subsection (b)(2)) must meet the requirements of subsection (b)(1). (2) The holder of the artisan distiller's permit and any management representative of the holder of the artisan distiller's permit must successfully complete refresher courses under IC 7.1-3-1.5 not later than three (3) years after the date the holder or representative completes the initial server program or trainer program. (e) A person who is issued an artisan distiller's permit under this section must meet the requirements in subsection (d) until the later of: (1) three (3) years after the date on which the initial artisan distiller's permit is issued; or (2) the date that the holder of the artisan distiller's permit has one (1) twelve (12) month period without a violation of this title. (f) Upon fulfilling the requirements of subsections (d) and (e), a person who is issued an artisan distiller's permit under this

section must meet the following requirements for as long as the person holds the permit: (1) Any person who sells or furnishes liquor on the premises of the artisan distillery (except for a person under subsection (b)(2)) must have an employee permit under IC 7.1-3-18-9 and be otherwise authorized by the commission to perform bartending duties. However, the person is not required to: (A) hold an employee bartending permit for three (3) years before selling or furnishing liquor; and (B) not have any violations under this title. (2) The holder of the artisan distiller's permit and any management representative of the holder of the artisan distiller's permit are subject to the same alcohol server training requirements and refresher course requirements as the holder of an artisan distiller's permit that meets the requirements of section 5 of this chapter. As added by P.L.109-2013, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-8.1. Delivery of Alcoholic Beverages to Consumer in Parking Lot

Sec. 8.1. (a) This section applies to an artisan distillery that conveys alcoholic beverages to a customer in a parking lot or an area adjacent to the artisan distillery as provided under section 8(a)(6) of this chapter. (b) Liquor must be: (1) in the sealed original containers; and (2) placed by an employee of the permittee who is at least twenty-one (21) years of age: (A) in the trunk of the motor vehicle; or (B) behind the last upright seat of the motor vehicle, if the motor vehicle is not equipped with a trunk. (c) The employee of the permittee that conveys the alcoholic beverages to the customer must require the customer to provide proof of age in accordance with IC 7.1-5-10-23. (d) The parking lot or area where the alcoholic beverages are conveyed to the customer must be: (1) well lit; and (2) within clear view of the main entrance to the building of the artisan distillery premises. As added by P.L.194-2021, SEC.60.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-8.5. Sale of Liquor and Beer or Wine From Bar

Sec. 8.5. (a) This section applies if: (1) a person that has an artisan distiller's permit also has an interest in: (A) a farm winery permit; or (B) a brewer's permit under IC 7.1-3-2-7(5); and (2) the artisan distillery and the brewery or farm winery production facility occupy the same building. (b) Notwithstanding any other provision, a person to whom this section applies may sell for consumption on the premises all alcoholic beverages: (1) manufactured at the two (2) production facilities; and (2) from a single bar. The commission may not require any physical separation at the bar between the service of alcoholic beverages manufactured by one (1) production facility and the service of alcoholic beverages manufactured by the other production facility. (c) This section does not exempt a person to which this section applies from complying with permit restrictions affecting the sales and service of each alcoholic beverage produced by the two (2) production facilities. If the law applicable to one (1) of the permits under subsection (a)(2) that the person has an interest in is more prohibitive or restrictive regarding the presence of a minor in the bar area of the licensed premises than the law applicable to the other premises under subsection (a)(2) that the person has an interest in, the more prohibitive or restrictive law applies to the single bar area. As added by P.L.285-2019, SEC.49.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-8. Scope of Permit

Sec. 8. (a) The holder of an artisan distiller's permit may do only the following: (1) Manufacture liquor, including blending liquor purchased from another manufacturer with liquor the artisan distiller manufactures under section 11 of this chapter. (2) Bottle liquor manufactured by the artisan distiller. (3) Insert liquor manufactured by the artisan distiller into a container. (4) Store liquor manufactured by the artisan distiller, including at a facility located within ten (10) miles of the artisan distiller's distillery. (5) Transport, sell, and deliver liquor manufactured by the artisan distiller to: (A) places outside Indiana; or (B) the holder of a liquor wholesaler's permit under IC 7.1-3-8. (6) Sell liquor manufactured by the artisan distiller to consumers by the drink, bottle, container, or case from the licensed premises of the distillery where the liquor was manufactured. Notwithstanding IC 7.1-1-3-20, the licensed premises may include the distillery parking lot or an area adjacent to the artisan distillery. The parking lot or adjacent area may only be used for the purpose of conveying alcoholic beverages and other nonalcoholic items to a customer subject to section 8.1 of this chapter and may not be used for point of sale purposes or any other purpose. (7) Serve complimentary samples of the liquor manufactured by the artisan distiller to consumers on the premises of the distillery where the liquor was manufactured. (8) Sell liquor as authorized by this section for carryout on Sunday in a quantity at any one (1) time of not more than four and five-tenths (4.5) liters. (9) With the approval of the commission, participate: (A) individually; or (B) with other permit holders under this chapter, holders of farm winery permits, holders of brewer's permits issued under IC 7.1-3-2-2(b), or any combination of holders described in this clause; in a trade show or an exposition at which products of each permit holder participant are displayed, promoted, and sold. All of the permit holders may occupy the same tent, structure, or building. The commission may not grant to a holder of a permit under this chapter approval under this subdivision to participate in a trade show or exposition for more than forty-five (45) days in a calendar year. (10) Be the proprietor of a restaurant that is not subject to the minimum gross food sales or the minimum projected food sales set forth in 905 IAC 1-41-2 and the gross retail income requirements to sell carryout under IC 7.1-3-20-9.5. A holder is entitled to conduct the following activities: (A) Hold a beer retailer's permit, a wine retailer's permit, or a liquor retailer's permit for a restaurant. (B) Transfer liquor directly from the artisan distillery to a restaurant that the artisan distiller has an interest in by means of: (i) bottles; (ii) bulk containers; or (iii) a continuous flow system. (C) Install a window between the artisan distillery and an adjacent restaurant that allows the public and the holder of the permit to view both premises. (D) Install a doorway or other opening between the artisan distillery and an adjacent restaurant that provides the public and the holder of the

permit with access to both the artisan distillery and restaurant. (11) A holder that does not distribute through an Indiana liquor wholesaler is entitled under the artisan distiller's permit to sell and deliver to a person holding a liquor retailer or liquor dealer permit under this title a total of not more than one thousand (1,000) gallons of the artisan distillery's liquor in a calendar year, if the artisan distiller has not sold in Indiana more than nine thousand (9,000) gallons the previous calendar year. A holder that sells and delivers under this subdivision shall comply with all provisions applicable to a wholesaler in 905 IAC 1-5.1, 905 IAC 1-5.2, 905 IAC 1-21, 905 IAC 1-31, and 905 IAC 1-32.1. (12) A holder must annually submit to the commission copies of its Indiana and federal excise tax returns. (b) The holder of an artisan distiller's permit who provides samples or sells liquor by the glass must furnish the minimum food requirements prescribed by the commission. (c) A storage facility used by an artisan distiller under subsection (a)(4) must conform with federal laws, rules, and regulations. An artisan distiller may transfer liquor from a separate storage facility back to the artisan distillery. An artisan distiller may sell or transfer liquor directly to a liquor wholesaler from a storage facility that is separate from the artisan distillery. An artisan distiller may not sell or transfer liquor from a storage facility to any other permittee or a consumer. The artisan distiller shall maintain an adequate written record of the liquor transferred: (1) between the artisan distillery and the storage facility; and (2) from the storage facility to the liquor wholesaler. (d) The holder of an artisan distiller's permit may transport liquor to and from a brewery located within the same county for the purposes of carbonating and canning by the brewery. The activity under this subsection is not an interest under IC 7.1-5-9. (e) An artisan distiller who knowingly or intentionally violates this section commits a Class B misdemeanor. As added by P.L.109-2013, SEC.6. Amended by P.L.159-2014, SEC.10; P.L.214-2016, SEC.28; P.L.270-2017, SEC.16; P.L.279-2019, SEC.8; P.L.285-2019, SEC.48; P.L.194-2021, SEC.59.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 27. Artisan Distiller's Permit7.1-3-27-9. Prohibited Sales

Sec. 9. (a) An artisan distiller may not sell liquor to a retailer or dealer. (b) An artisan distiller who knowingly or intentionally violates this section commits a Class B misdemeanor. As added by P.L.109-2013, SEC.6. Amended by P.L.159-2014, SEC.11.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 28. Rye Whiskey7.1-3-28-1. "Indiana Rye Whiskey"

Sec. 1. As used in this chapter, "Indiana rye whiskey" means a liquor that was: (1) manufactured in Indiana; (2) produced with a mash bill that is at least fifty-one percent (51%) rye; (3) distilled to not more than one hundred sixty (160) proof or eighty percent (80%) alcohol by volume; (4) aged in new, charred white oak barrels; (5) placed in a barrel at not more than one hundred twenty-five (125) proof or sixty-two and one-half percent (62 1/2%) alcohol by volume; (6) rested in a rack house for at least two (2) years in Indiana; and (7) bottled at not less than eighty (80) proof or forty percent (40%) alcohol by volume. As added by P.L.194-2021, SEC.61.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 28. Rye Whiskey7.1-3-28-2. Marketing, Labeling as Indiana Rye Whiskey

Sec. 2. A person may not advertise, label, sell, or refer for marketing or sales purposes to liquor as: (1) Indiana rye; (2) Indiana rye whiskey; (3) Indiana rye whisky; (4) Indiana sweet mash rye whiskey; (5) Indiana sweet mash rye whisky; (6) Indiana sour mash rye whiskey; or (7) Indiana sour mash rye whisky; unless the liquor meets the requirements of Indiana rye whiskey as set forth in section 1 of this chapter. As added by P.L.194-2021, SEC.61.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 29. College Stadiums7.1-3-29-1. "Stadium"

Sec. 1. As used in this chapter, "stadium" means an intercollegiate stadium that has a permanent seating capacity of at least seventy thousand (70,000) people. As added by P.L.285-2019, SEC.50.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 29. College Stadiums7.1-3-29-2. Storage of Alcoholic Beverages for Use by Supplemental Caterer

Sec. 2. (a) A stadium may: (1) submit a floor plan of proposed storage locations to the commission for approval; and (2) indicate the primary concessionaire operating at the stadium; if a stadium intends to allow alcoholic beverages to be stored at the stadium for use by a supplemental caterer operating at the stadium. (b) The stadium may change the primary concessionaire operating at the stadium with notification to the commission. As added by P.L.285-2019, SEC.50.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 29. College Stadiums7.1-3-29-3. Purchase, Delivery, and Storage of Alcoholic Beverages

Sec. 3. A holder of a supplemental caterer's permit that operates at a stadium may purchase alcoholic beverages from a wholesaler or a brewery described in IC 7.1-3-2-7(5), and the wholesaler or brewery described in IC 7.1-3-2-7(5) may deliver the alcoholic beverages to the stadium to be stored in an area that has been approved by the commission. The alcoholic beverages may be stored temporarily or permanently to be served later by a holder of a supplemental caterer's permit. As added by P.L.285-2019, SEC.50.

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2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 29. College Stadiums7.1-3-29-4. No Restriction on Use of Supplemental Caterer's Permit at Stadium

Sec. 4. This chapter does not restrict or limit the use of a supplemental caterer's permit at a stadium. As added by P.L.285-2019, SEC.50.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-1. Application

Sec. 1. Application. The commission may issue a beer wholesaler's permit to a person who desires to sell beer at wholesale and who meets the qualifications required by this title. The commission may require additional proof, by affidavit or otherwise, that an applicant possesses any or all of the required qualifications. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-10. Conduct of Hearing

Sec. 10. Conduct of Hearing. The hearing on the denial of the renewal shall be conducted by a member of the commission or by a special examiner designated by it for this purpose. A deputy attorney general of the state shall represent the State of Indiana at the hearing and he shall present the written and oral evidence in support of the reasons given in the notice of the denial of the renewal of the beer wholesaler's permit. The applicant, in person or by counsel, shall present his evidence in support of his right to the renewal and in rebuttal of the evidence presented by the state. The burden shall be upon the state to establish the existence and sufficiency of the reasons for the denial of the renewal of the permit. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-11. Findings and Conclusions; Action of Commission

Sec. 11. Findings and Conclusions: Action of Commission. The person who conducted the hearing shall make a report of the recommended findings of fact and conclusions to the commission following the hearing. The commission, upon receipt of the report, by a majority vote of its membership, shall make findings of fact and state its conclusions affirming or reversing the proposed denial of renewal. The commission shall enter its order accordingly and that order shall be final and conclusive except as otherwise provided in this title. The commission shall serve the applicant, personally, by registered mail, or electronically with a copy of the findings of fact, conclusions, and order. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.145-2024, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-12. Petition for Review

Sec. 12. Petition for Review. The applicant, if the order of the commission affirms the denial of the renewal of his permit, may file, within ten (10) days following its receipt by him, an action to review the findings, conclusions and order in the Superior Court of Marion County, or in the circuit or superior court of the county in which the applicant has his licensed premises, to set aside and enjoin the enforcement of the order of denial on the grounds that it is unlawful, unreasonable, or insufficient, or that it was obtained by wrongful, fraudulent or other unlawful methods. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-13. Contents of Petition

Sec. 13. Contents of Petition. The petition for review shall be verified by the applicant, or by someone in his behalf having knowledge of the matters stated in the petition, and may include a prayer that a temporary restraining order be issued against the commission, temporarily restraining it from enforcing its order denying the renewal. The temporary restraining order, if issued, shall be issued in accordance with the procedures provided in the Indiana Rules of Civil Procedure. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-14. Ad Interim Operations

Sec. 14. Ad Interim Operations. The denial of the renewal of the permit shall not become effective until ten (10) days following the receipt by the applicant of a copy of the findings of fact, conclusions, and order of the commission affirming the denial if notice of denial of renewal has been given and a public hearing has been demanded as provided in this chapter. The enforcement of the commission's order of denial of renewal shall be suspended pending the expiration or dissolution of the temporary restraining order if one has been sought and issued as provided in this chapter. During the period that the order of denial is ineffective or suspended,

the applicant shall be fully authorized and entitled to operate as a beer wholesaler to the same extent and effect as though a renewal permit had been issued concurrently with the expiration of his previous permit, and without being liable, criminally or civilly, on the ground of operating his beer wholesaler's business without a permit. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-15. Trial

Sec. 15. Trial. The court shall give preference to the action for review in order that, consistent with justice, the matters in issue may be determined speedily. A change of venue from the county shall not be granted in an action for review, but either party may apply for and secure a change of judge under the Indiana Rules of Civil Procedure. The trial of the action shall be by the court without the intervention of a jury. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-16. Costs

Sec. 16. Costs. The commission, in the event the denial of renewal becomes final as a result of a failure to bring an action for review, or as a result of the final judgment of the court in which the action was brought, shall deduct from the annual license fee accompanying the application the amount of court costs taxed against the applicant and shall pay it to the clerk of the court. The commission shall apply the balance of the annual license fee to the payment of a license fee for the period of the beer wholesaler's continued operation computed at the rate of two dollars and seventy-five cents ($2.75) per day for the number of calendar days, including Sundays and holidays, elapsed during the period of continued operation. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-17. Cancellation of Franchise Agreement

Sec. 17. The circuit or superior court of the county in which the licensed premises of a beer wholesaler are located shall have jurisdiction to enjoin the cancellation or termination of a franchise or agreement between a beer wholesaler and a brewer in violation of IC 7.1-5-5-9. The action may be brought by a beer wholesaler or brewer who is or might be adversely affected by the cancellation or termination. The court, in granting an injunction under this section, shall provide that the brewer shall not supply the customers or territory of the beer wholesaler through servicing the customers or territory through another beer wholesaler or by any other means while the injunction is in effect. An injunction issued under this section shall require the posting of proper bond against damages for an injunction improvidently granted and a showing that the danger of irrevocable loss or damage is immediate. The beer wholesaler shall continue to service the accounts of the brewer in good faith during the term of the injunction. [Pre-1973 Recodification Citation: 7-2-1-23(b).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.105.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-18. Certain Transactions Void

Sec. 18. The transfer, sale, acquisition, assignment, control of, or beneficial interest, direct or indirect, in or to a beer wholesaler's permit, or in its business, or in its corporate stock, by a brewer contrary to the provisions of IC 7.1-5-9-2, or the transfer, assignment upon the capital stock book, or other corporate record, of a corporation holding a beer wholesaler's permit, of the capital stock, or a part of it, is wholly void and not capable of validation. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.106.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-19. Permits Prohibited to Persons Holding Wine Wholesaler's Permit and Liquor Wholesaler's Permit

Sec. 19. The commission may not issue a beer wholesaler's permit to a person who holds a wine wholesaler's permit and a liquor wholesaler's permit. As added by P.L.72-1996, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-2. Necessary Investment

Sec. 2. Necessary Investment. An applicant for a beer wholesaler's permit shall have available for investment, capital, in cash or property, necessary and useful in his business, exclusively as a beer wholesaler, of at least fifteen thousand dollars ($15,000), exclusive of motor vehicles. If his application is granted, the investment shall actually be made and proof of it submitted to the commission before the applicant shall engage in business as a beer wholesaler. The provisions of this section shall not apply to a permittee who held a valid beer wholesaler's permit as of April 2, 1965. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-3. Building Requirements

Sec. 3. Building Requirements. The building to be occupied by a beer wholesaler shall be owned or leased by him, or storage space in it shall be leased to him. If the building or storage space is held by lease, the lease shall be for the full term of the permit, and no

other person, or stockholder of a corporation, interested in the manufacture of, or in the sale at retail of, alcoholic beverages shall own the building or have any interest in it. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-4. Warehouse Premises; Permit Transfer to Relative

Sec. 4. (a) The premises to be used as a warehouse by an applicant shall be described in the application for the permit. The commission shall not issue a beer wholesaler's permit to an applicant for any other warehouse or premises than that described in the application. The commission shall issue only one (1) beer wholesaler's permit to an applicant, but a permittee may be permitted to transfer the permittee's warehouse to another location within the county that is not required to be within the corporate limits of an incorporated city or town, upon application to, and approval of, the commission. (b) As used in this subsection, "immediate relative" means the father, the mother, a brother, a sister, a son, or a daughter of a wholesaler permittee. Notwithstanding subsection (a), if a wholesaler permittee is: (1) dead; (2) legally adjudged to be mentally incapacitated; or (3) at least seventy-five (75) years of age and has held an interest in the wholesaler's permit for at least ten (10) years; the commission may allow the transfer of the wholesaler permit only to an immediate relative of the wholesaler permittee who concurrently holds a majority share in a valid wholesaler permit. In the case of a permit transfer from a wholesaler permittee under subdivision (3), the immediate relative to whom the permit is transferred must concurrently hold a majority share in a valid wholesaler permit and must have held an interest in the wholesaler permit for at least ten (10) years. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.205-1999, SEC.13; P.L.94-2008, SEC.27; P.L.79-2022, SEC.1; P.L.11-2023, SEC.29.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-5. Scope of Permit

Sec. 5. (a) The holder of a beer wholesaler's permit may purchase and import from the primary source of supply, possess, and sell at wholesale, beer and flavored malt beverages manufactured within or without this state. (b) A beer wholesaler permittee may possess, transport, sell, and deliver beer to: (1) another beer wholesaler authorized by the brewer to sell the brand purchased; (2) an employee; (3) a holder of a beer retailer's permit, beer dealer's permit, temporary beer permit, dining car permit, boat permit, airplane permit, or supplemental caterer's permit; and (4) a qualified organization for: (A) an allowable event to which IC 7.1-3-6.1 applies; or (B) a charity auction to which IC 7.1-3-6.2 applies; located within this state. The sale, donation to a qualified organization, transportation, and delivery of beer shall be made only from inventory that has been located on the wholesaler's premises before the time of invoicing and delivery. (c) The beer wholesaler's bona fide regular employees may purchase beer from the wholesaler in: (1) bottles, cans, or any other type of permissible containers in an amount not to exceed forty-eight (48) pints; or (2) one (1) keg; at any one (1) time. (d) The importation, transportation, possession, sale, and delivery of beer shall be subject to the rules of the commission and subject to the same restrictions provided in this title for a person holding a brewer's permit. (e) The holder of a beer wholesaler's permit may purchase, import, possess, transport, sell, and deliver any commodity listed in IC 7.1-3-10-5, unless prohibited by this title. However, a beer wholesaler may deliver flavored malt beverages only to the holder of one (1) of the following permits: (1) A beer wholesaler or wine wholesaler permit, if the wholesaler is authorized by the primary source of supply to sell the brand of flavored malt beverage purchased. (2) A wine retailer's permit, wine dealer's permit, temporary wine permit, dining car wine permit, boat permit, airplane permit, or supplemental caterer's permit. (f) A beer wholesaler may: (1) store beer for an out-of-state brewer described in IC 7.1-3-2-9 and deliver the stored beer to another beer wholesaler that the out-of-state brewer authorizes to sell the beer; (2) perform all necessary accounting and auditing functions associated with the services described in subdivision (1); and (3) receive a fee from an out-of-state brewer for the services described in subdivisions (1) through (2). [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.60, SEC.3; Acts 1974, P.L.25, SEC.2. As amended by Acts 1978, P.L.52, SEC.1; P.L.57-1984, SEC.6; P.L.78-1986, SEC.3; P.L.72-1996, SEC.4; P.L.72-1997, SEC.2; P.L.224-2005, SEC.5; P.L.94-2008, SEC.28; P.L.153-2015, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-6. Renewals

Sec. 6. Renewals. A permittee who holds a beer wholesaler's permit and who desires that it be renewed shall file an application for renewal with the commission not less than thirty (30) days prior to the expiration of the existing permit. The application shall be made in the same manner that an application for an original permit is made. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-7. Action of Commission on Renewals

Sec. 7. Action of Commission on Renewals. The commission shall notify the applicant in writing of its determination to grant or deny the renewal of a beer wholesaler's permit not more than ten (10) days after the filing of the application. The notice may be given by personal service upon the applicant, by registered mail, addressed to applicant at the address shown in the application for renewal, or by electronic communication. The registration and deposit of the notice, properly addressed, in the post office within the ten (10) day period shall be sufficient when the notice is given by registered mail. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.145-2024, SEC.5.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-8. Notice of Renewal

Sec. 8. Notice of Renewal. The determination shall be final and conclusive if the notice advises the applicant that his beer wholesaler's permit will be renewed at the expiration of the existing permit term. Prior to the expiration of the existing permit term, the commission shall issue a renewal beer wholesaler's permit to the applicant for the ensuing year. The failure on the part of the commission to issue the renewal permit prior to the expiration of the existing permit shall not deprive the applicant of the right to continue in operation pending its issuance. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 3. Beer Wholesalers' Permits7.1-3-3-9. Demand for Public Hearing

Sec. 9. Demand for Public Hearing. The commission shall state in the notice to the applicant the reasons for the denial of the renewal of his beer wholesaler's permit if they decide not to renew the permit. The commission shall grant a public hearing to the applicant on the matter if, within five (5) days after receipt by the applicant of the notice of denial, he files with the commission a written demand for a public hearing. The hearing shall be held either in the offices of the commission or in the county seat of the county in which the applicant's place of business is located after ten (10) days' notice to the applicant of the time and place of the hearing. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 30. Temporary Craft Manufacturer Hospitality Permit7.1-3-30-1. Definitions

Sec. 1. The following terms apply throughout this chapter: (1) "Craft manufacturer" means a person who holds: (A) a small brewery permit under IC 7.1-3-2-7(5); (B) a farm winery permit under IC 7.1-3-12; or (C) an artisan distiller's permit under IC 7.1-3-27. (2) "Holder" means a person who holds a temporary craft manufacturer hospitality permit. (3) "Hospitality permit" means a temporary craft manufacturer hospitality permit issued under this chapter. (4) "Host permittee" means a: (A) person who holds: (i) a civic center permit under IC 7.1-3-1-25; (ii) a permit under IC 7.1-3-20-18 through IC 7.1-3-20-21 (hotel); (iii) a permit under IC 7.1-3-21-14 (state fair grounds); (iv) a permit under IC 7.1-3-20-16.8 (economic development area); or (v) a permit under IC 7.1-3-17.8 (state park); or (B) craft manufacturer. (5) "Temporary event" means an event listed in section 4 of this chapter for which the commission issues a hospitality permit. As added by P.L.121-2022, SEC.3. Amended by P.L.145-2024, SEC.18.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 30. Temporary Craft Manufacturer Hospitality Permit7.1-3-30-2. Application

Sec. 2. (a) The commission may issue a temporary craft manufacturer hospitality permit without publication of notice or investigation before a local board to a qualified person as provided in this chapter. In all other respects, a hospitality permit shall be issued, revoked, and governed by the restrictions and limitations made in a provisional order or rule or regulation of the commission. (b) The commission shall issue a hospitality permit to an applicant if the applicant: (1) submits an application for a hospitality permit to the commission not later than five (5) business days before the event for which the permit is requested; (2) meets all requirements for a hospitality permit; and (3) pays the license fee for a hospitality permit, as described in IC 7.1-4-4.1-5.1. (c) If authorized by the chairman or the chairman's designee, and at the commission's discretion, a hospitality permit may be issued to an applicant that: (1) submits an application for the hospitality permit to the commission later than five (5) business days before the event for which the hospitality permit is requested; and (2) meets all requirements for a hospitality permit. (d) An application submitted under this section must contain a floor plan which demonstrates that the host permittee is not operating a bar in the same area as the temporary event. The premises of the temporary event must be well defined. (e) An application submitted under this section must: (1) identify each craft manufacturer that will participate in the temporary event; (2) designate an individual who is responsible for the event; and (3) be signed by the individual described in subdivision (2). As added by P.L.121-2022, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 30. Temporary Craft Manufacturer Hospitality Permit7.1-3-30-3. Applicant Qualifications

Sec. 3. The commission may issue a hospitality permit to a person who is qualified to hold a beer retailer's permit and who has such other qualifications as the commission may prescribe by a provisional order until it adopts a rule or regulation on the matter. However, the special disqualifications listed in IC 7.1-3-4-2(a)(4), IC 7.1-3-4-2(a)(9), and IC 7.1-3-4-2(a)(14) do not apply to an applicant for a hospitality permit. As added by P.L.121-2022, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 30. Temporary Craft Manufacturer Hospitality Permit7.1-3-30-4. Participation in Trade Show, Exposition, or Event

Sec. 4. The commission may issue a hospitality permit only to allow a craft manufacturer to participate in: (1) a convention; (2) a trade show; (3) an exposition; or (4) an event similar to one (1) or more of the events described in subdivisions (1) through (3); on the licensed premises of a host permittee. As added by P.L.121-2022, SEC.3.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 30. Temporary Craft Manufacturer Hospitality Permit7.1-3-30-5. Permit Term

Sec. 5. The commission may issue a hospitality permit for a term not to exceed fifteen (15) consecutive days from its issuance. However, if an emergency exists, in the judgment of the commission, a hospitality permit may be renewed for a period not to exceed fifteen (15) additional consecutive days. As added by P.L.121-2022, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 30. Temporary Craft Manufacturer Hospitality Permit7.1-3-30-6. Authority of Permittee

Sec. 6. A hospitality permit issued under this chapter is subject to the following: (1) Except as provided in subdivision (4), alcoholic beverages may be sold by a craft manufacturer only for consumption on the licensed premises of the host permittee. (2) The sale of alcoholic beverages under a hospitality permit is subject to the same restrictions that apply to the sale of beer by the holder of a beer retailer's permit. (3) A holder is not entitled to sell at wholesale or for carry out from the licensed premises of the host permittee. (4) Notwithstanding subdivisions (2) and (3), a craft manufacturer may sell alcoholic beverages for carry out in an original container in the manner permitted for a trade show or exposition held under: (A) IC 7.1-3-2-7(5)(J) (brewery); (B) IC 7.1-3-12-5(d) (farm winery); or (C) IC 7.1-3-27-8(a)(9) (artisan distillery). (5) A craft manufacturer's participation in a temporary event counts against the maximum number of days that the craft manufacturer is permitted to participate in a trade show or exposition under IC 7.1-3-2-7(5)(J), IC 7.1-3-12-5(d), or IC 7.1-3-27-8(a)(9). (6) Alcoholic beverages served and sold by a craft manufacturer under a hospitality permit must be provided by the craft manufacturer. (7) A person who serves alcoholic beverages for a craft manufacturer must hold a valid employee's permit under IC 7.1-3-18-9 or IC 7.1-3-18-11. (8) A minor may be present at a temporary event: (A) only to the extent that a minor is permitted to be present on the licensed premises of the host permittee; and (B) if the minor is in the company of a parent, legal guardian, or custodian, or family member who is at least twenty-one (21) years of age. (9) The temporary event must meet applicable board of health requirements, including all requirements concerning restroom facilities. (10) A holder may allow the sale of alcoholic beverages only during the times prescribed under IC 7.1-3-1-14. (11) The hospitality permit must be posted in the most conspicuous place at the location of the temporary event. (12) An excise officer, or commissioner for good cause, has the authority to revoke a hospitality permit at any time before or during the event. As added by P.L.121-2022, SEC.3. Amended by P.L.11-2023, SEC.33.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-1. "Craft Manufacturer"

Sec. 1. As used in this chapter, "craft manufacturer" means a person who holds: (1) a small brewery permit under IC 7.1-3-2-7(5); (2) a farm winery permit under IC 7.1-3-12; or (3) an artisan distiller's permit under IC 7.1-3-27. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-10. Vendor Designation

Sec. 10. (a) Except as provided in subsection (b), a person who is not a designated permittee for the area must obtain a permit described in section 5 of this chapter and a temporary vendor designation to participate in an event or festival held within a refreshment area. The commission may only charge a fee for the temporary beer or wine permit. The commission may issue the permit and designation without publication of notice or investigation before a local board. (b) A craft manufacturer may participate in an event or festival held within a refreshment area as provided in the craft manufacturer's scope of permit. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-11. Refreshment Area Dissolution

Sec. 11. A municipal legislative body may adopt an ordinance dissolving a refreshment area at any time. The municipal legislative body shall notify the chair of the commission that the refreshment area is dissolved. Upon receipt of the notice, the commission shall revoke all refreshment area designations issued within the dissolved refreshment area. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-12. Drink Limitations

Sec. 12. A designated permittee or vendor within the refreshment area may allow a person to exit the designated permittee's or vendor's licensed premises with not more than two (2) open containers of an alcoholic beverage at a time. The contents of an open container may not exceed the following: (1) Beer or flavored malt beverage of not more than sixteen (16) ounces. (2) Wine, cider, or hard seltzer of not more than twelve (12) ounces. (3) A mixed drink of not more than ten (10) ounces containing not more than two (2) ounces of liquor. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-13. Right of Business Owner to Refuse Entry

Sec. 13. A person may consume an alcoholic beverage purchased from a designated permittee or vendor anywhere within the refreshment area boundaries, subject to the right of any retailer permittee or business within the refreshment area to refuse to allow individuals to enter the licensed premises or business with an alcoholic beverage. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-14. Consumption of Drink Purchased Outside the Refreshment Area Prohibited

Sec. 14. A person may not consume an alcoholic beverage within a refreshment area that was purchased outside of the refreshment area. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-15. Outdoor Dining

Sec. 15. If a designated permittee in a refreshment area includes outdoor dining: (1) the designated permittee may serve alcoholic beverages in open containers during the hours of operation and in the areas authorized by the retailer permit; (2) glass containers may be allowed in the outdoor dining areas but may not be removed from those areas into the refreshment area; and (3) no fencing or other enclosure of the outdoor dining area is required. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-16. Signs Required

Sec. 16. A sign must be posted at each exit of a designated permittee and on the licensed premises of a vendor that informs the public of the following: (1) Any open alcoholic beverage containers purchased within the refreshment area must remain within the refreshment area. (2) Possessing an open container of alcoholic beverages in a motor vehicle may constitute a Class C infraction under IC 9-30-15. (3) The dates the refreshment area will be open if the refreshment area has date restrictions. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-17. Commission Prescribes Form

Sec. 17. In accordance with IC 7.1-2-3-3, the commission shall prescribe the form for a retailer permittee to apply for approval from the commission as a designated permittee. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-2. "Designated Permittee"

Sec. 2. As used in this chapter, "designated permittee" means a permittee that: (1) holds a retailer or craft manufacturer permit located within a refreshment area; (2) has submitted a completed application to the municipality to participate in the refreshment area as a designated permittee; and (3) is designated by the commission under section 9 of this chapter. As added by P.L.167-2023, SEC.4. Amended by P.L.145-2024, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-3. "Municipality"

Sec. 3. As used in this chapter, "municipality" means a city or town. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-4. "Refreshment Area"

Sec. 4. As used in this chapter, "refreshment area" means an outdoor area that a municipality designates as a refreshment area as provided in this chapter. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-5. "Vendor"

Sec. 5. As used in this chapter, "vendor" means a person issued a temporary vendor designation under section 10 of this chapter and either: (1) a temporary beer or wine permit; or (2) a supplemental catering permit. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-6. Refreshment Area Designation; Effect

Sec. 6. If a municipality designates a refreshment area under this chapter, a person may: (1) exit the licensed premises of a designated permittee or vendor with not more than two (2) open containers of an alcoholic beverage at a time; and (2) consume the alcoholic beverage within the refreshment area. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-7. Restrictions; Requirements

Sec. 7. (a) A designated refreshment area is subject to IC 7.1-3-21-11. (b) A municipality may not establish more than seven (7) refreshment areas. (c) A municipality shall designate at least one (1) designated permittee for each refreshment area. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-8. Ordinance; Minimum Requirements

Sec. 8. (a) To designate one (1) or more refreshment areas, the municipal legislative body must adopt an ordinance that includes at least the following: (1) A map of the refreshment area in sufficient detail to identify the refreshment area's boundaries. (2) The boundaries of the refreshment area, by street addresses. (3) The locations of the proposed designated permittees and vendors within the refreshment area. (4) A statement that the refreshment area is consistent with the municipality's zoning ordinance. (5) The number, spacing, and type of signage designating the refreshment area. (6) The dates and the hours of operation for the refreshment area, which may not violate IC 7.1-3-1-14. (b) The ordinance may include any other provisions regarding the operation of the refreshment area, including: (1) the posting of signs by retailer permittees and other businesses within the refreshment area that indicate whether the retailer permittee or business is participating in the refreshment area and whether an individual may enter with an open container; (2) requiring designated permittees and vendors to use only nonbreakable plastic bottles, plastic cups, or paper cups for alcoholic beverages consumed in the refreshment area; (3) requiring bottles or cups to be affixed with a logo that identifies the container for use only in the refreshment area; (4) providing a public safety plan for the refreshment area; or (5) providing a sanitation plan for the refreshment area. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 31. Designated Refreshment Area7.1-3-31-9. Application to Commission

Sec. 9. (a) The municipality shall submit the following to the commission: (1) The application for approval of the refreshment area. (2) The completed applications received by the municipality from retailer permittees to participate in the refreshment area as designated permittees. (3) The ordinance adopted by the municipality under section 8 of this chapter. The commission shall review the ordinance for compliance with this chapter. (b) If the ordinance is approved, the commission shall issue a refreshment area designation to each retailer permittee whose application was submitted by the municipality and approved by the commission. The commission may approve a refreshment area and issue refreshment area designations to retailer permittees without publication of notice or investigation before a local board. The commission may not charge a fee for designating a retailer permittee. (c) Designated permittees and vendors shall comply with the applicable public health and safety requirements established by ordinance for the refreshment area. As added by P.L.167-2023, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 4. Beer Retailers' Permits7.1-3-4-1. Application

Sec. 1. Application. The commission may issue a beer retailer's permit to a person who desires to sell beer to customers for consumption on the licensed premises and who meets the qualifications provided by this title. [Pre-1973 Recodification Citation: 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 4. Beer Retailers' Permits7.1-3-4-2. Special Disqualifications

Sec. 2. (a) The commission shall not issue a beer retailer's permit, except as otherwise authorized in this title and subject to the other restrictions contained in this title, to the following persons: (1) An alien. (2) A person who is not of good repute in the community in which the person resides. (3) A person who has been convicted within ten (10) years before the date of application of: (A) a federal crime having a sentence of at least one (1) year; (B) an Indiana Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony (for a crime committed after June 30, 2014); or (C) a crime in a state other than Indiana having a penalty equal to the penalty for an Indiana Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony (for a crime committed after June 30, 2014). However, this subdivision does not apply to a conviction that has been expunged under IC 35-38-9. (4) A person who does not own the premises to which the permit will be applicable, or who does not have a bona fide lease on the premises for the full period for which the permit is to be issued. (5) A law enforcement officer or an officer who is not an elected officer of a municipal corporation, or governmental subdivision, or of Indiana, charged with any duty or function in the enforcement of this title. (6) An officer or employee of a person engaged in the alcoholic beverage traffic, which person is a nonresident of Indiana, or is engaged in carrying on any phase of the manufacture of, traffic in, or transportation of alcoholic beverages without a permit under this title when a permit is required by this title. (7) If the permit applicant does not hold a brewer's permit, a person who leases from a person, or an officer or agent of that person, who holds a brewer's permit or a beer wholesaler's permit. (8) If the permit applicant does not hold a brewer's permit, a person who is indebted to a person who holds a brewer's permit or a beer wholesaler's permit, or an officer or agent of that person, for a debt secured by a lien, mortgage, or otherwise, upon the premises for which the beer retailer's permit is to be applicable, or upon any of the property or fixtures on the premises, or used, or to be used in connection with the premises. (9) A person whose place of business is conducted by a manager or agent, unless the manager or agent possesses the same qualifications required for the issuance of a beer retailer's permit to the person. (10) A minor. (11) A person non compos mentis. (12) A person

who has held a permit under this title and who has had that permit revoked within one (1) year prior to the date of application for a beer retailer's permit. (13) A person who has made an application for a permit of any type which has been denied less than one (1) year prior to the person's application for a beer retailer's permit unless the first application was denied by reason of a procedural or technical defect. (14) A person who is not the proprietor of a restaurant located and being operated on the premises described in the application for the beer retailer's permit, or of a hotel, or of a club, owning, or leasing the premises as a part of it. The disqualification contained in this subdivision shall not apply to the qualifications for or affect the privileges to be accorded under a beer dealer's permit or a dining car beer permit. (b) Subsection (a)(10) does not prevent a minor from being a stockholder in a corporation. [Pre-1973 Recodification Citation: 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.85-1985, SEC.5; P.L.88-1993, SEC.2; P.L.73-1997, SEC.1; P.L.205-1999, SEC.14; P.L.158-2013, SEC.123; P.L.285-2019, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 4. Beer Retailers' Permits7.1-3-4-3. Premises Outside Corporate Limits

Sec. 3. Premises Outside Corporate Limits. (a) The commission may issue a beer retailer's permit for premises situated outside the corporate limits of an incorporated city or town if the premises are within, or in immediate proximity to, an unincorporated town: (1) which has been a settlement or a group of residences for more than ten (10) years; (2) to which the inhabitants of the surrounding countryside resort for purchases or public meetings or as a community or neighborhood center; and (3) which has borne a name and has been known by that name for more than ten (10) years. (b) The county surveyor of the county in which the premises is located shall certify the information set forth in subsection (a) to the commission. [Pre-1973 Recodification Citation: 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.276-2001, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 4. Beer Retailers' Permits7.1-3-4-6. Scope of Permit

Sec. 6. (a) The holder of a beer retailer's permit shall be entitled to purchase beer for sale under the permit only from a permittee entitled to sell to the beer retailer under this title. A beer retailer shall be entitled to possess beer and sell beer at retail to a customer for consumption on the licensed premises. A beer retailer also shall be entitled to sell beer to a customer and deliver beer in permissible containers to the customer on the licensed premises, or to the customer's house. This delivery may only be performed by the permit holder or an employee who holds an employee permit. The permit holder shall maintain a written record of each delivery for at least one (1) year that shows the customer's name, location of delivery, and quantity sold. Subject to subsection (g), a beer retailer also may prepare and package beer in qualified containers for sale and delivery to a customer on the licensed premises for consumption off the licensed premises. (b) A beer retailer shall not be entitled to sell beer at wholesale. A beer retailer shall not be entitled to sell and deliver beer on the street or at the curb outside the licensed premises, nor shall a beer retailer be entitled to sell beer at a place other than the licensed premises. However, a beer retailer may offer food service (excluding alcoholic beverages) to a patron who is outside the licensed premises by transacting business through a window in the licensed premises. (c) A beer retailer shall be entitled to sell and deliver warm or cold beer for carry out, or for at-home delivery, in barrels or other commercial containers in a quantity that does not exceed fifteen and one-half (15 1/2) gallons at any one (1) time. A beer retailer that delivers beer to a customer's residence must require the customer to provide proof of age in accordance with IC 7.1-5-10-23. (d) Notwithstanding IC 7.1-1-3-20, the licensed premises of the beer retailer may include the beer retailer parking lot or an area adjacent to the beer retailer that may only be used for the purpose of conveying alcoholic beverages and other nonalcoholic items to a customer, and may not be used for point of sale purposes or any other purpose. Any alcoholic beverages conveyed to the customer must satisfy the following: (1) Alcoholic beverages that are in the sealed original containers must be placed in a bag that is stamped, printed, or labeled on the outside: "CONTAINS ALCOHOLIC BEVERAGES". (2) Alcoholic beverages that are prepared by the beer retailer must be packaged by the beer retailer in qualified containers that are: (A) stamped, printed, or labeled on the outside: "CONTAINS ALCOHOLIC BEVERAGES"; or (B) placed in a bag stamped, printed, or labeled on the outside: "CONTAINS ALCOHOLIC BEVERAGES". (3) Placed by an employee of the permittee who is at least twenty-one (21) years of age: (A) in the trunk of the motor vehicle; or (B) behind the last upright seat of the motor vehicle, if the motor vehicle is not equipped with a trunk. A retailer permittee may only convey a customer's order of alcoholic beverages to the customer, if the customer has also purchased a meal from the retailer permittee that is conveyed to the customer at the same time as the alcoholic beverages. (e) The employee of the permittee that conveys the alcoholic beverages to the customer must require the customer to provide proof of age in accordance with IC 7.1-5-10-23. (f) The parking lot or area where the alcoholic beverages are conveyed to the customer must be: (1) well lit; and (2) within clear view of the main entrance to the building of the retailer premises. (g) If a beer retailer prepares and packages beer: (1) for sale and delivery to a customer on the licensed premises for consumption off the licensed premises; and (2) in a container that is not in a qualified container; the commission may revoke the beer retailer's privilege under this section of preparing and packaging beer for sale and delivery to a customer in a qualified container. [Pre-1973 Recodification Citation: 7-1-1-11.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1979, P.L.83, SEC.2; P.L.112-1987, SEC.5; P.L.194-2021, SEC.31; P.L.167-2024, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 4. Beer Retailers' Permits7.1-3-4-7. Limitation of Sales; Fees; Clubs; Discrimination

Sec. 7. (a) Notwithstanding any other law, a beer retailer may limit sales to the following: (1) Persons that the retailer selects to have

access to the retailer's facilities and services in return for payment of an annual fee to the retailer. (2) Guests of a person described in subdivision (1). (b) A beer retailer may call the annual fee described in subsection (a) a membership fee. (c) A beer retailer may call the retailer's premises a club. However, the premises is not a club within the meaning of IC 7.1-3-20-1. (d) This section does not allow a beer retailer to discriminate among persons on the basis of race, sex, age, or religion when selecting persons to have access to the retailer's facilities and services. As added by P.L.73-1991, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 5. Beer Dealers' Permits7.1-3-5-0.3. Legalization of Certain Beer Dealer Permits Issued or Transferred After June 30, 1997, Until March 14, 2002

Sec. 0.3. A new or renewal beer dealer permit issued or transferred to a package liquor store after June 30, 1997, and until March 14, 2002, is legalized. As added by P.L.220-2011, SEC.172.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 5. Beer Dealers' Permits7.1-3-5-1. Application

Sec. 1. Application. The commission may issue a beer dealer's permit to a person who desires to sell beer to customers for consumption only off the licensed premises and who meets the qualifications provided by this title. [Pre-1973 Recodification Citation: 7-1-1-12.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 5. Beer Dealers' Permits7.1-3-5-2. Applicants Eligible for Permits; Renewal of Permits

Sec. 2. (a) As used in this section, "proprietor of a package liquor store" means the person that: (1) holds the financial investment in; and (2) exercises the financial and operational oversight of; a package liquor store. (b) The commission may issue a beer dealer's permit only to an applicant who is the proprietor of a drug store, grocery store, or package liquor store. (c) The commission may issue a beer dealer's permit to an applicant that is a foreign corporation if: (1) the applicant is duly admitted to do business in Indiana; (2) the sale of beer is within the applicant's corporate powers; and (3) the applicant is otherwise qualified under this title. (d) The commission shall not issue a beer dealer's permit to a person who is disqualified under the special disqualifications. However, the special disqualification listed in IC 7.1-3-4-2(a)(14) shall not apply to an applicant for a beer dealer's permit. (e) Notwithstanding subsection (b), the commission may renew a beer dealer's permit for an applicant who: (1) held a permit before July 1, 1997; and (2) is the proprietor of a confectionery or a store that: (A) is not a drug store, grocery store, or package liquor store; (B) is in good repute; and (C) in the judgment of the commission, deals in merchandise that is not incompatible with the sale of beer. [Pre-1973 Recodification Citation: 7-1-1-12.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.74-1997, SEC.1; P.L.41-2002, SEC.1; P.L.133-2016, SEC.1; P.L.214-2016, SEC.3; P.L.285-2019, SEC.20; P.L.194-2021, SEC.32.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 5. Beer Dealers' Permits7.1-3-5-3. Scope of Permit

Sec. 3. (a) The holder of a beer dealer's permit shall be entitled to purchase beer for sale under the permit only from a permittee entitled to sell to a beer dealer under this title. (b) A beer dealer shall be entitled to possess beer and sell it at retail to a customer in permissible containers only. (c) A beer dealer may not sell beer by the drink nor for consumption on the licensed premises nor shall a beer dealer allow it to be consumed on the licensed premises. (d) Except as provided in subsection (e), a beer dealer shall be entitled to sell beer to a customer and deliver it in permissible containers to the customer on the licensed premises, or to the customer's residence or office. A beer dealer shall not be entitled to sell and deliver beer on the street or at the curb outside the licensed premises, nor shall a beer dealer be entitled to sell beer at a place other than the licensed premises. A beer dealer shall not be entitled to sell beer and deliver beer for carry-out, or for delivery to a customer's residence or office, in a quantity that exceeds eight hundred sixty-four (864) ounces in a single transaction. This delivery may only be performed by the permit holder or an employee who holds an employee permit. However, notwithstanding IC 7.1-5-10-11, a beer dealer who is licensed pursuant to IC 7.1-3-10-4 shall be entitled to sell and deliver warm or cold beer for carry-out, or for delivery to a customer's residence, office, or a designated location in barrels or other commercial containers that do not exceed two thousand sixteen (2,016) ounces per container. The permit holder shall maintain a written record of each delivery for at least one (1) year that shows the customer's name, location of delivery, and quantity sold. (e) Unless a beer dealer is a grocery store or drug store, a beer dealer may not sell or deliver alcoholic beverages or any other item through a window in the licensed premises to a patron who is outside the licensed premises. A beer dealer that is a grocery store or drug store may sell any item except alcoholic beverages through a window in the licensed premises to a patron who is outside the licensed premises. [Pre-1973 Recodification Citation: 7-1-1-12.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1979, P.L.83, SEC.3; P.L.65-1990, SEC.1; P.L.106-1995, SEC.7; P.L.204-2001, SEC.27; P.L.194-2021, SEC.33.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 5. Beer Dealers' Permits7.1-3-5-4. Renewal or Transfer of Certain Permits Held Before July 1, 2008

Sec. 4. (a) Notwithstanding IC 7.1-1-3-18.5, the commission may renew or transfer ownership of a beer dealer's permit for a beer dealer who: (1) held a permit before July 1, 2008; and (2) has a premises that does not qualify for a permit as a grocery store under IC 7.1-1-3-18.5. (b) The commission may transfer ownership of a beer dealer's permit under this section only to an applicant who is

the proprietor of: (1) a drug store; (2) a grocery store; or (3) a package liquor store. As added by P.L.94-2008, SEC.29.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 5. Beer Dealers' Permits7.1-3-5-5. Reporting Annual Gross Sales of Food; Confidential; Department of State Revenue; Verification

Sec. 5. (a) As used in this section, "annual gross sales of food" refers to annual gross sales of food for human consumption that are exempt from the state gross retail tax. (b) The holder of a permit issued to a grocery store that is generally known as a convenience store or food mart as described in IC 7.1-1-3-18.5(a)(2) shall report annually to the commission the amount of the permit holder's establishment's annual gross sales of food. (c) An applicant who: (1) is applying for a beer dealer's permit; and (2) is the proprietor of a grocery store that is generally known as a convenience store or food mart as described in IC 7.1-1-3-18.5(a)(2); shall report to the commission the amount of the applicant's establishment's annual gross sales of food. (d) The information provided to the commission under subsections (b) and (c) regarding the amount of annual gross sales of food is confidential information and may not be disclosed to the public under IC 5-14-3. However, the commission may disclose the information: (1) to the department of state revenue to verify the accuracy of the amount of annual gross sales of food reported to the commission under subsections (b) and (c); and (2) in any administrative or judicial proceeding to revoke or suspend the holder's permit as a result of a discrepancy in the amount of annual gross sales discovered by the department of state revenue. (e) The department of state revenue shall verify the accuracy of the reports provided to the commission under this section. The department of state revenue shall report to the commission any discrepancy that the department discovers between: (1) the amount of annual gross sales of food that the permit holder has reported to the department; and (2) the amount of annual gross sales of food that the permit holder has reported to the commission. (f) Notwithstanding IC 6-8.1-7-1 or any other law, in fulfilling its obligations under this section, the department of state revenue may provide to the commission confidential information. The commission shall maintain the confidentiality of information provided by the department of state revenue under this section. However, the commission may disclose the information in any administrative or judicial proceeding to revoke or suspend the holder's permit as a result of a discrepancy discovered by the department of state revenue under subsection (e). As added by P.L.94-2008, SEC.30.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.1. Charity Gaming Prizes7.1-3-6.1-1. "Allowable Event"

Sec. 1. As used in this chapter, "allowable event" has the meaning set forth in IC 4-32.3-2-2. As added by P.L.153-2015, SEC.6. Amended by P.L.58-2019, SEC.23.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.1. Charity Gaming Prizes7.1-3-6.1-2. "Qualified Organization"

Sec. 2. As used in this chapter, "qualified organization" has the meaning set forth in IC 4-32.3-2-31. As added by P.L.153-2015, SEC.6. Amended by P.L.58-2019, SEC.24.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.1. Charity Gaming Prizes7.1-3-6.1-3. Alcoholic Beverage Prizes at Allowable Events Without an Alcoholic Beverage Permit Permitted

Sec. 3. A qualified organization that holds a license under IC 4-32.3-4 may give an alcoholic beverage as a prize at an allowable event without obtaining an alcoholic beverage permit under this title. As added by P.L.153-2015, SEC.6. Amended by P.L.58-2019, SEC.25.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.1. Charity Gaming Prizes7.1-3-6.1-4. Criteria for Alcoholic Beverage Prizes

Sec. 4. A qualified organization may give away as a prize for an allowable event an alcoholic beverage that is: (1) purchased by or donated to the qualified organization by a permittee or person described in section 5 of this chapter; (2) in sealed bottles or cases; and (3) provided for consumption off the premises only. As added by P.L.153-2015, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.1. Charity Gaming Prizes7.1-3-6.1-5. Donations of Alcoholic Beverages to Be Prizes

Sec. 5. A qualified organization may: (1) purchase or receive donations of alcoholic beverages in sealed bottles or cases from: (A) a wholesaler permittee; (B) a retailer permittee; (C) a dealer permittee; (D) a farm winery permittee; (E) a brewer permittee for a brewery that manufactures an aggregate of not more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana; or (F) an artisan distiller permittee; and (2) receive donations of alcoholic beverages in sealed bottles or cases from persons who are not permittees. As added by P.L.153-2015, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.1. Charity Gaming Prizes7.1-3-6.1-6. Alcoholic Beverage Prize Winner Presence Required; Requirements for Designated Person to Give Alcoholic Beverage Prize Away

Sec. 6. (a) An individual must be present at the allowable event in order to win an alcoholic beverage prize. The prize winner must be given the alcoholic beverage prize in person by an individual designated by the qualified organization. (b) The individual

designated by the qualified organization to give away an alcoholic beverage prize must be at least twenty-one (21) years of age. The individual may not be required to obtain an employee's permit under IC 7.1-3-18-9 or a temporary bartender's permit under IC 7.1-3-18-11 to award a prize at an allowable event. (c) When giving away an alcoholic beverage prize, the individual designated by the qualified organization shall comply with IC 7.1-5-10-15, IC 7.1-5-10-23, and any other provision of this title that applies to the furnishing of alcoholic beverages for consumption off the premises. As added by P.L.153-2015, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.1. Charity Gaming Prizes7.1-3-6.1-7. Allowable Events Conducted on Premises Not Licensed to Sell Alcoholic Beverages Permitted

Sec. 7. An allowable event to which this chapter applies may be conducted on premises that are not licensed under this title for the sale of alcoholic beverages. As added by P.L.153-2015, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.2. Charity Auctions7.1-3-6.2-1. "Qualified Organization"

Sec. 1. As used in this chapter, "qualified organization" has the meaning set forth in IC 4-32.3-2-31. As added by P.L.153-2015, SEC.7. Amended by P.L.58-2019, SEC.26.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.2. Charity Auctions7.1-3-6.2-2. Alcoholic Beverage Auctions by Qualified Organizations Not Licensed to Sell Alcoholic Beverages Permitted

Sec. 2. A qualified organization may sell an alcoholic beverage at auction as provided under this chapter without obtaining an alcoholic beverage permit under this title. As added by P.L.153-2015, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.2. Charity Auctions7.1-3-6.2-3. Criteria for Alcoholic Beverages to Be Auctioned

Sec. 3. A qualified organization may sell at auction an alcoholic beverage that is: (1) purchased from or received as a donation from a permittee or person described in section 5 of this chapter; (2) in sealed bottles or cases; and (3) for consumption off the premises only. As added by P.L.153-2015, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.2. Charity Auctions7.1-3-6.2-4. Auction Proceeds

Sec. 4. All sale proceeds of each auctioned alcoholic beverage must be used to support the institutional activities of the qualified organization. As added by P.L.153-2015, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.2. Charity Auctions7.1-3-6.2-5. Criteria for Alcoholic Beverages to Be Auctioned

Sec. 5. A qualified organization may auction alcoholic beverages that are purchased by or donated to the qualified organization in sealed bottles or cases from: (1) a wholesaler permittee; (2) a retailer permittee; (3) a dealer permittee; (4) a farm winery permittee; (5) a brewer permittee for a brewery that manufactures an aggregate of not more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana; (6) an artisan distiller permittee; or (7) a person who is not a permittee. As added by P.L.153-2015, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.2. Charity Auctions7.1-3-6.2-6. Presence Required to Participate in Auction; Requirements for Designated Person to Give Alcoholic Beverage Prize Away

Sec. 6. (a) An individual must be present in order to bid on and purchase an alcoholic beverage at auction. The successful bidder must be given the alcoholic beverage in person by an individual designated by the qualified organization. (b) The individual designated by the qualified organization to give away an alcoholic beverage purchased at the auction must be at least twenty-one (21) years of age. The individual may not be required to obtain an employee's permit under IC 7.1-3-18-9 or a temporary bartender's permit under IC 7.1-3-18-11 to give away an alcoholic beverage purchased at the auction. (c) When giving away an alcoholic beverage purchased at the auction, the individual designated by the qualified organization shall comply with IC 7.1-5-10-15, IC 7.1-5-10-23, and any other provision of this title that applies to the furnishing of alcoholic beverages for consumption off the premises. As added by P.L.153-2015, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.2. Charity Auctions7.1-3-6.2-7. Charity Auction Conducted on Premises Not Licensed to Sell Alcoholic Beverages Permitted

Sec. 7. A charity auction to which this chapter applies may be conducted on premises that are not licensed under this title for the sale of alcoholic beverages. As added by P.L.153-2015, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.5. Tracking of Beer Kegs7.1-3-6.5-1. "Keg" Defined

Sec. 1. As used in this chapter, "keg" means a brewery sealed individual container of beer: (1) destined for retail sale; and (2) having a liquid capacity of at least seven and three-fourths (7 3/4) gallons. As added by P.L.63-2002, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.5. Tracking of Beer Kegs7.1-3-6.5-2. "Person" Defined

Sec. 2. As used in this chapter, "person" means a person who is not a permittee. As added by P.L.63-2002, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.5. Tracking of Beer Kegs7.1-3-6.5-3. Marking of Keg by Permittee; Identification Marker Requirements

Sec. 3. A permittee who sells a keg of beer for consumption at a place other than a licensed premises must place an identification marker on the keg at the time of sale. The commission shall prescribe the form of the identification marker. The identification marker must: (1) enable the identification and tracking of the seller of beer; (2) be removable or reusable when the keg is returned to the wholesaler for refilling; and (3) contain other information that the commission requires. As added by P.L.63-2002, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.5. Tracking of Beer Kegs7.1-3-6.5-4. Obligation of Keg Purchaser to Sign Receipt; Receipt Requirements

Sec. 4. A person who purchases a keg of beer for consumption at a place other than a licensed premises must sign a receipt for the keg. The commission shall prescribe a form for the receipt that: (1) enables the identification and tracking of the purchaser of beer; and (2) contains other information that the commission requires. As added by P.L.63-2002, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.5. Tracking of Beer Kegs7.1-3-6.5-5. Failure of Permittee to Mark Keg or Obtain Receipt; Suspension of Permit; Civil Penalties

Sec. 5. The commission may impose a civil penalty under IC 7.1-3-23-3 or suspend the permit of a permittee who sells a keg of beer for consumption at a place other than a licensed premises and who at the time of sale fails to: (1) place an identification marker on the keg; or (2) obtain a signed receipt from the purchaser. As added by P.L.63-2002, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6.5. Tracking of Beer Kegs7.1-3-6.5-6. Possession of Keg Without Identification Marker or With Altered Marker; Providing False Information on Receipt

Sec. 6. A person who: (1) possesses a keg of beer without an identification marker required under this chapter; (2) possesses a keg of beer with an altered identification marker; or (3) provides false information on a receipt required under this chapter; commits a Class B infraction. As added by P.L.63-2002, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-1. Temporary Beer Permits

Sec. 1. (a) Subject to sections 3.5 and 3.6 of this chapter, the commission may issue a temporary beer permit without publication of notice or investigation before a local board to a qualified person as provided in this chapter. In all other respects, a temporary beer permit shall be issued, revoked, and governed by the restrictions and limitations made in a provisional order or rule or regulation of the commission. (b) The commission shall issue a temporary beer permit to an applicant if: (1) the applicant submits an application for a temporary beer permit to the commission not later than five (5) business days before the event for which the permit is requested; and (2) the applicant meets all requirements for a temporary beer permit. (c) If authorized by the chairman or the chairman's designee, and at the commission's discretion, a temporary beer permit may be issued to an applicant that: (1) submits an application for the temporary beer permit to the commission later than five (5) business days before the event for which the temporary beer permit is requested; and (2) meets all requirements for a temporary beer permit. [Pre-1973 Recodification Citation: 7-1-1-13.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.73-1996, SEC.1; P.L.196-2015, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-10. Excise Tax

Sec. 10. The holder of a dining car beer permit shall pay to the department the beer excise tax on the beer or flavored malt beverage withdrawn for sale within Indiana. [Pre-1973 Recodification Citation: 7-1-1-14.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.6. As amended by P.L.72-1996, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-11. Shipments by Carrier

Sec. 11. Shipments by Carrier. Nothing contained in a dining car beer permit or the privileges accorded under it shall effect the provisions of this title in regard to the shipment of alcoholic beverages by a carrier for either a consignor, or a consignee, or both. [Pre-1973 Recodification Citation: 7-1-1-14.] Formerly: Acts 1973, P.L.55, SEC.1.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-12. Boat Beer Permits; Application

Sec. 12. Boat Beer Permits: Application. The commission may issue a boat beer permit to the proprietor of a boat engaged in regular passenger service and which makes regular runs in seasonable weather between established termini. [Pre-1973 Recodification Citation: 7-1-1-15.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-13. Prerequisites

Sec. 13. The commission shall follow all the procedures for publication of notice and investigation before a local board as provided in IC 7.1-3-19, before it issues a boat beer permit. However, the publication and investigation shall be made in any county in this state where the particular boat usually docks. [Pre-1973 Recodification Citation: 7-1-1-15.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.107.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-14. Scope of Permit

Sec. 14. (a) Except as provided in subsection (b), the holder of a boat beer permit may purchase beer, possess it, and sell it at retail for consumption only in the dining room of the boat described in the application. The permit holder may sell beer only in the course of a run and only one (1) hour before the boat embarks on the run. (b) This subsection applies only to the holder of a boat beer permit who operates a jumbo boat. Subject to the approval of the local board of each county where the jumbo boat docks, the holder of a boat beer permit may purchase beer, possess it, sell it at retail for consumption on the jumbo boat described in the application, and sell it for carryout. The permit holder may sell beer during the time periods specified under IC 7.1-3-1-14. [Pre-1973 Recodification Citation: 7-1-1-15.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.77-1988, SEC.2; P.L.285-2019, SEC.22; P.L.194-2021, SEC.35.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-15. Temporary Boat Beer Permits

Sec. 15. Temporary Boat Beer Permits. The commission may issue a temporary boat beer permit to the proprietor of a boat under the same terms and conditions as are provided for the issuance of a temporary beer permit. A temporary boat beer permit shall be applicable to the dining room of the boat only and may be issued only for an excursion voyage. [Pre-1973 Recodification Citation: 7-1-1-15.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-16. Race Track Beer Retailer Permit

Sec. 16. (a) The commission may issue a beer retailer permit, either inside or outside corporate limits, to the proprietor of a race track that: (1) meets the specifications of rules adopted by the commission; and (2) is sanctioned by a nationally chartered and recognized racing organization. (b) The scope of a permit issued under this section, including the times during which beer may be sold, shall be set by rules adopted by the commission. (c) A permit issued under this section is exempt from IC 7.1-3-21-1 and IC 7.1-3-22-3. The permit is not transferable for ownership or location. As added by P.L.106-1995, SEC.8.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-2. Persons Eligible for Permits

Sec. 2. The commission may issue a temporary beer permit to a person who is qualified to hold a beer retailer's permit and who has such other qualifications as the commission may prescribe by a provisional order until it adopts a rule or regulation on the matter. However, the special disqualifications listed in IC 7.1-3-4-2(a)(4), IC 7.1-3-4-2(a)(9), and IC 7.1-3-4-2(a)(14) shall not apply to an applicant for a temporary beer permit. [Pre-1973 Recodification Citation: 7-1-1-13.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.214-2016, SEC.4; P.L.285-2019, SEC.21; P.L.194-2021, SEC.34.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-3.5. Temporary Beer Permit; Cities of 150,000 to 500,000; Conditions; Approval of Mayor

Sec. 3.5. (a) This section applies to a temporary beer permit for the sale of beer within a city having a population of more than one hundred fifty thousand (150,000) and less than five hundred thousand (500,000). (b) The commission may not issue a temporary beer permit to a person unless: (1) the person meets all requirements for a temporary beer permit under this chapter; and (2) the mayor of the city in which the beer will be sold approves the issuance of the temporary beer permit. (c) If a person asks the mayor to approve the issuance of a temporary beer permit, the mayor shall notify the commission of the mayor's decision to approve or disapprove the permit not later than fourteen (14) days after the person's request for approval. (d) If the mayor does not approve or disapprove the request within the time required by subsection (c), the commission shall consider the request to be approved by the

mayor. As added by P.L.52-1992, SEC.4. Amended by P.L.11-2023, SEC.30.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-3.6. Temporary Beer Permits; Town Parks

Sec. 3.6. (a) This section applies to a temporary beer permit for the sale of beer in a town park in a town having a population of less than ten thousand (10,000). (b) The commission may not issue a temporary beer permit to a person unless: (1) the person meets all of the requirements for a temporary beer permit under: (A) sections 1 through 3 of this chapter; or (B) section 3.8 of this chapter; and (2) the town council: (A) holds a public hearing on the request for a permit; and (B) approves the issuance of the temporary beer permit. (c) If a person asks a town council to approve the issuance of a temporary beer permit, the town clerk-treasurer shall notify the commission of the town council's decision to approve or disapprove the permit not later than thirty (30) days after the person's request for approval. (d) If a person who applies for a temporary beer permit from the commission demonstrates to the satisfaction of the commission that no action was taken on the person's request by the town council under subsection (c), the commission shall consider the request to be approved by the town council. As added by P.L.73-1996, SEC.2. Amended by P.L.214-2016, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-3.8. Temporary Beer Permit Issued to Brewer for Festival or Event

Sec. 3.8. (a) Notwithstanding any other provision in this chapter, the commission may issue a temporary beer permit if all the following apply: (1) The temporary beer permit is issued for a festival or event that meets all the following: (A) The festival or event promotes, at least in part, beer manufactured at a brewery described in IC 7.1-3-2-7(5). (B) The anticipated attendance of the festival or event is at least seven thousand five hundred (7,500) people. (C) Adequate security measures will be provided at the festival or event. (D) Individuals less than twenty-one (21) years of age will not be allowed to attend the festival or event. (2) The applicant for the temporary beer permit: (A) has held a brewer's permit for a brewery described in IC 7.1-3-2-7(5) for at least three (3) years; and (B) pays an application fee to the commission of two thousand five hundred dollars ($2,500). (b) The commission may issue a temporary beer permit only for an area at a festival or event that is enclosed by fencing, barricades, or structures. The area may be an outside area that is contiguous to a brewery described in IC 7.1-3-2-7(5) or restaurant or at another location that is not on or near the premises of a brewery or restaurant. (c) The commission may issue a temporary beer permit under this section for a term, up to and including, three (3) days from its issuance. (d) The commission may not issue a temporary beer permit under this section to any one (1) person more than two (2) times in a calendar year. (e) Notwithstanding any other provision of this title, the holder of the temporary beer permit may allow an individual who attends the festival or event to carry beer, in a quantity that does not exceed a total of two hundred eighty-eight (288) ounces, into the permitted area. Beer carried in to a festival or event under this subsection may be consumed or traded only in the permitted area. (f) An individual who attends the festival or event may carry out beer in sealed, unopened containers from the temporary beer permit area. As added by P.L.214-2016, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-3. Reasons for Permit

Sec. 3. The commission may issue a temporary beer permit only to: (1) enable a fair, athletic event, barbecue, picnic, wedding reception, convention, exhibition, spectacle or contest to be publicly held and carried on; or (2) accommodate the institutional activities of an association, society, charitable or benevolent organization, or a branch of one (1) of these, or both. [Pre-1973 Recodification Citation: 7-1-1-13.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.250-2003, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-4. Term of Permit

Sec. 4. Term of Permit. The commission may issue a temporary beer permit for a term, to and including, fifteen (15) days from its issuance. However, if an emergency exists, in the judgment of the commission, a temporary beer permit may be renewed for a period not to exceed fifteen (15) additional days. [Pre-1973 Recodification Citation: 7-1-1-13.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-5. Scope of Permit

Sec. 5. The holder of a temporary beer permit shall be entitled to purchase and receive beer on any day of the year, only from a person who holds a brewer's permit, a beer wholesaler's permit, or a beer dealer's permit at their respective places of business. A lawful supplier may sell and deliver beer to a temporary beer permit holder on any day of the year at his place of business. Except as provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, the holder of a temporary beer permit shall be entitled to sell beer only for consumption on the licensed premises, and shall be subject to the same restrictions as apply to the sale of beer by the holder of a beer retailer's permit. Except as provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, a temporary beer permittee shall not be entitled to sell at wholesale or for carry-out from the licensed premises. [Pre-1973 Recodification Citations: 7-1-1-9; 7-1-1-13.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.153-2015, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-6. Dining Car Beer Permits

Sec. 6. Dining Car Beer Permits. The commission may issue a dining car beer permit to a corporation that owns or operates a railroad as a public carrier. The commission also may issue a dining car permit to a person who owns, operates, or leases cars which are operated as part of a railroad train. A dining car beer permit may be issued without publication of notice or investigation before a local board but the issuance shall conform to any rules or regulations made by the commission. Dining car beer permits shall be issued at the rate of one (1) permit for a unit to consist of not more than five (5) dining and buffet cars. [Pre-1973 Recodification Citation: 7-1-1-14.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-7. Scope of Permit

Sec. 7. Scope of Permit. The holder of a dining car beer permit shall be entitled to bring into Indiana, for the purpose of service within its dining and buffet cars, sufficient beer for the accommodation of passengers riding on the train, when served by the drink only and to be consumed upon the premises, for the entire trip being made by the cars. [Pre-1973 Recodification Citation: 7-1-1-14.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-8. Display of Permit

Sec. 8. Display of Permit. The original dining car beer permit shall be kept displayed at the main Indiana office of the person to whom it was issued. A certificate of an officer or agent of the permittee stating that a dining car beer permit is in full force and effect for the car, or words to that effect, shall be kept displayed in each licensed dining and buffet car. [Pre-1973 Recodification Citation: 7-1-1-14.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 6. Temporary, Dining Car, and Boat Beer Permits7.1-3-6-9. Renewals

Sec. 9. Renewals. The holder of a dining car beer permit need not renew his permit annually. However, in order to keep the permit in force, the permittee must pay the annual license fee to the chairman on the anniversary date of the issuance of the original permit. [Pre-1973 Recodification Citation: 7-1-1-14.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 7.5. Farm Winery Brandy Distiller's Permits7.1-3-7.5-1. "Brandy" Defined

Sec. 1. As used in this chapter, "brandy" has the meaning set forth in IC 7.1-3-13-3. As added by P.L.235-2001, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 7.5. Farm Winery Brandy Distiller's Permits7.1-3-7.5-2. Issuance of Permit to Farm Winery Permit Holder

Sec. 2. The commission may issue a farm winery brandy distiller's permit to a person who holds a farm winery permit under IC 7.1-3-12 and who desires to commercially manufacture brandy. As added by P.L.235-2001, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 7.5. Farm Winery Brandy Distiller's Permits7.1-3-7.5-3. Permitted Activities

Sec. 3. (a) The holder of a farm winery brandy distiller's permit may do the following: (1) Manufacture brandy. (2) Rectify brandy. (3) Bottle brandy. (4) Use brandy that it has manufactured for the purpose of producing fortified wine. (5) Sell, transport, and deliver brandy that it has manufactured to other wineries. (6) Sell at retail on the permitted premises to consumers by the glass or by the bottle, or both, brandy that it has manufactured. (b) Upon the approval of the commission, a holder of a farm winery brandy distiller's permit under this chapter may conduct business at not more than three (3) additional locations that are separate from the farm winery brandy distillery. At the additional locations, the holder of the permit may conduct any business that is authorized at the first location, except for the manufacturing or bottling of brandy. As added by P.L.235-2001, SEC.1. Amended by P.L.165-2006, SEC.20.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 7.5. Farm Winery Brandy Distiller's Permits7.1-3-7.5-4. Quantity Produced

Sec. 4. Except as provided in section 5 of this chapter, the holder of a farm winery brandy distiller's permit may produce not more than ten thousand (10,000) gallons of brandy in a calendar year. As added by P.L.235-2001, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 7.5. Farm Winery Brandy Distiller's Permits7.1-3-7.5-5. Brandy Sold Through Wholesaler Not Counted Toward Gallonage Limit

Sec. 5. Brandy produced by the holder of a farm winery brandy distiller's permit that is sold through a wholesaler licensed under IC 7.1-3-8 is not counted toward the gallonage limit established in section 4 of this chapter. As added by P.L.235-2001, SEC.1.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 7.5. Farm Winery Brandy Distiller's Permits7.1-3-7.5-6. License Fee

Sec. 6. The holder of a farm winery brandy distiller's permit must pay the appropriate annual license fee to the commission on the anniversary of the date of the issuance of the original permit to keep a brandy distiller's permit in force. As added by P.L.235-2001, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 7. Distillers' and Rectifiers' Permits7.1-3-7-1. Application

Sec. 1. Application. The commission may issue a distiller's permit to a person who desires to commercially manufacture liquor. The commission also may issue a rectifier's permit to a person who desires to rectify liquor. [Pre-1973 Recodification Citations: 7-1-1-16; 7-1-1-17.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 7. Distillers' and Rectifiers' Permits7.1-3-7-2. Persons Eligible for Permits

Sec. 2. Persons Eligible for Permits. The commission may issue a distiller's or a rectifier's permit to a domestic corporation, or a foreign corporation admitted to do business in this state, if the corporation is qualified to obtain the necessary permit or license from the United States to own or operate an establishment to manufacture or rectify liquor. [Pre-1973 Recodification Citations: 7-1-1-16; 7-1-1-17.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 7. Distillers' and Rectifiers' Permits7.1-3-7-3. Scope of Permit

Sec. 3. (a) The holder of a distiller's permit shall be entitled to: (1) manufacture liquor; (2) rectify liquor; (3) bottle liquor; and (4) insert liquor into containers. (b) A distiller shall enjoy all the privileges accorded the holder of a rectifier's permit, but the distiller shall not have to obtain a separate rectifier's permit nor pay an additional fee. (c) A distiller shall be entitled to transport liquor and to sell and deliver it in shipments to points outside this state, or to the holder of a liquor wholesaler's permit, or to the holder of a rectifier's permit. (d) A distiller may not sell liquor produced under a distiller's permit as issued under section 1 of this chapter to a consumer, nor to a person for the purpose of having it retailed by the person, whether that person holds a liquor retailer's permit under this title or not. (e) A distiller may transport liquor to and from a brewery located within the same county for the purposes of carbonating and canning by the brewery. (f) The activity under this section is not an interest under IC 7.1-5-9. [Pre-1973 Recodification Citations: 7-1-1-16; 7-1-1-17.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.279-2019, SEC.4; P.L.285-2019, SEC.23; P.L.194-2021, SEC.36.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 7. Distillers' and Rectifiers' Permits7.1-3-7-4. Importation of Alcohol by Distiller

Sec. 4. Importation of Alcohol by Distiller. The holder of a distiller's permit also shall be entitled to import alcohol for use in the manufacture, preparation, or rectification of liquor or other substances that may be lawfully manufactured under his permit. [Pre-1973 Recodification Citation: 7-1-1-16.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 7. Distillers' and Rectifiers' Permits7.1-3-7-5. Importation of Liquor by Distiller

Sec. 5. Importation of Liquor by Distiller. The holder of a distiller's permit also shall be entitled to import and sell within this state liquor fully manufactured outside this state and ready for marketing when imported. A distiller may sell imported liquor only to a person who holds a liquor wholesaler's permit, or to the holder of a rectifier's permit, or to another distiller. A distiller may not sell imported liquor at retail nor to a retailer. A distiller also may sell and ship to a place outside this state, the liquor manufactured by another distiller under this title. [Pre-1973 Recodification Citation: 7-1-1-16.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 7. Distillers' and Rectifiers' Permits7.1-3-7-7. Scope of Permit

Sec. 7. Scope of Permit. The holder of a rectifier's permit shall be entitled to rectify liquor and to bottle it. A rectifier shall be entitled to transport liquor and to sell and deliver it in shipments to points outside this state, or to the holder of a liquor wholesaler's permit. A rectifier may not sell liquor to a consumer, nor to a person for the purpose of having it retailed by him, whether that person holds a liquor retailer's permit under this title or not. [Pre-1973 Recodification Citation: 7-1-1-17.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 7. Distillers' and Rectifiers' Permits7.1-3-7-8. Importation of Alcohol by Rectifier

Sec. 8. Importation of Alcohol by Rectifier. The holder of a rectifier's permit also shall be entitled to import alcohol for use in the preparation and rectification of liquor but not for sale as a finished product for beverage purposes. A rectifier shall not be entitled to import liquor for sale within this state intending to sell it without rectification by him, nor to sell it, directly or indirectly, as an agent or otherwise. [Pre-1973 Recodification Citation: 7-1-1-17.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 7. Distillers' and Rectifiers' Permits7.1-3-7-9. Renewals

Sec. 9. Renewals. The holder of a distiller's or rectifier's permit shall pay the appropriate annual license fee to the chairman on the anniversary of the date of the issuance of the original permit in order to keep his distiller's or rectifier's permit in force. [Pre-1973 Recodification Citations: 7-1-1-16; 7-1-1-17.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 8. Liquor Wholesalers' Permits7.1-3-8-1. Application

Sec. 1. Application. The commission may issue a liquor wholesaler's permit to a person who desires to sell liquor at wholesale. [Pre-1973 Recodification Citation: 7-1-1-18.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 8. Liquor Wholesalers' Permits7.1-3-8-2. Premises Described in Application

Sec. 2. Premises Described in Application. The premises to be used by an applicant for a liquor wholesaler's permit shall be described in the application for the permit and in the permit if it is issued. A liquor wholesaler shall not be entitled to keep or store liquor at a place other than the premises described in the application and the permit. [Pre-1973 Recodification Citation: 7-1-1-18.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 8. Liquor Wholesalers' Permits7.1-3-8-3. Scope of Permit

Sec. 3. (a) The holder of a liquor wholesaler's permit shall be entitled to sell liquor at wholesale. (b) A liquor wholesaler shall be entitled to purchase liquor within this state from a person who holds an artisan distiller's permit, a distiller's permit, a rectifier's permit, or a liquor wholesaler's permit. A liquor wholesaler also may purchase liquor outside this state from the primary source of supply and, from that source, may transport and import liquor into this state. (c) A liquor wholesaler may sell, transport, and deliver liquor only to a person who, under this title, holds a: (1) liquor retailer's permit; (2) supplemental caterer's permit; (3) liquor dealer's permit; or (4) liquor wholesaler's permit. A liquor wholesaler may sell, donate, transport, and deliver liquor to a qualified organization for an allowable event to which IC 7.1-3-6.1 applies or charity auction to which IC 7.1-3-6.2 applies. The sale, transportation, donation to a qualified organization, and delivery of liquor shall be made only from inventory that has been located on the wholesaler's premises before the time of invoicing and delivery, and only in permissible containers and is subject to the rules of the commission fixing the quantity which may be sold or delivered at any one (1) time. (d) A liquor wholesaler's bona fide regular employees may purchase liquor from the wholesaler in an amount not to exceed eighteen (18) liters. [Pre-1973 Recodification Citation: 7-1-1-18.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.60, SEC.4; Acts 1974, P.L.25, SEC.3. As amended by P.L.57-1984, SEC.7; P.L.224-2005, SEC.6; P.L.94-2008, SEC.31; P.L.109-2013, SEC.3; P.L.153-2015, SEC.8.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9.5. Supplemental Caterers' Permits7.1-3-9.5-1. Application

Sec. 1. Application. The commission may issue a supplemental caterer's permit only to a person who is, and continues to be, the holder of a three-way permit and who desires to sell, on a temporary basis only, alcoholic beverages for on-premises consumption at locations other than the person's licensed premises. Formerly: Acts 1974, P.L.25, SEC.1. As amended by P.L.85-2017, SEC.31.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9.5. Supplemental Caterers' Permits7.1-3-9.5-2. Notices

Sec. 2. (a) The holder of a supplemental caterer's permit shall notify the commission in writing not later than forty-eight (48) hours in advance of each function that the permittee intends to cater with alcoholic beverages. The commission may waive the forty-eight (48) hour notice period required under this subsection, if authorized by the chairman or the chairman's designee, but may not waive the requirement for filing notice. (b) The notice shall include the following: (1) The date, time, and location of the function to be catered. (2) If the function is open to the public, located in a county having a population of less than one hundred fifty thousand (150,000), and located in a different county from the county where the permittee holds the three-way permit required under section 1 of this chapter, the signature of the following official on a document stating the official's approval of the catering of alcoholic beverages at the proposed date, time, and location: (A) The president of the town council, if the location is in a town. (B) The mayor, if the location is in a city. (C) The president of the board of county commissioners, if the location is in unincorporated territory. (c) If a permittee complies with all notice requirements of subsection (b), the commission in its absolute discretion has the authority, any other provision of this title to the contrary notwithstanding, to approve the proposed date and location of the function

to be catered. (d) The commission need not notify the permittee if the commission approved the proposed date and location, and the permittee may proceed as stated in the permittee's notice to the commission. The commission shall notify the permittee by certified United States mail or electronic mail, in advance of the function, if the commission does not approve the proposed date or location. (e) A permittee whose proposed date or location has been disapproved by the commission still may cater the function on that date and at that location, but the permittee may not cater alcoholic beverages at that function on that date and at that location. Formerly: Acts 1974, P.L.25, SEC.1. As amended by P.L.51-1994, SEC.4; P.L.196-2015, SEC.8; P.L.145-2024, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9.5. Supplemental Caterers' Permits7.1-3-9.5-3. Scope of Permit

Sec. 3. (a) The holder of a supplemental caterer's permit is entitled to purchase alcoholic beverages only from: (1) a brewery as described in IC 7.1-3-2-7(5)(N); (2) a farm winery as described in IC 7.1-3-12-5(a)(12); and (3) any other permittee entitled to sell to the holder under this title. Except as provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, the holder of a supplemental caterer's permit is entitled to sell alcoholic beverages only for on-premises consumption at those locations approved by the commission and at times lawful under the holder's retailers' permits. Except as provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, the holder of a supplemental caterer's permit is not entitled to sell alcoholic beverages at wholesale, nor for carry-out or at-home delivery. (b) If permitted by the state fair commission under IC 7.1-3-21-14, a brewery under IC 7.1-3-2-7(5), a farm winery under IC 7.1-3-12, or an artisan distillery under IC 7.1-3-27 may sell their own products to consumers for consumption off the state fair grounds under IC 7.1-3-21-14(b)(3), including at a location on the property of the state fair grounds for which a supplemental caterer's permit has been approved. Formerly: Acts 1974, P.L.25, SEC.1. As amended by P.L.153-2015, SEC.9; P.L.85-2017, SEC.32; P.L.285-2019, SEC.24; P.L.194-2021, SEC.39; P.L.105-2022, SEC.13.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9.5. Supplemental Caterers' Permits7.1-3-9.5-4. Nature of Permit

Sec. 4. Nature of Permit. A supplemental caterer's permit, for the purposes of this title, shall be considered a separate and distinct type of retailer's permit. It shall not affect the rights, privileges, and restrictions applicable to any other type of retailer's permit. The rights, privileges, and restrictions provided in this title for a supplemental caterer's permit apply only to this type of permit. Formerly: Acts 1974, P.L.25, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9. Liquor Retailers' Permits7.1-3-9-1. Application

Sec. 1. Application. The commission may issue a liquor retailer's permit to a person who desires to sell liquor to customers for consumption on the licensed premises. [Pre-1973 Recodification Citation: 7-1-1-19.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9. Liquor Retailers' Permits7.1-3-9-10. High and Fine Reputation

Sec. 10. High and Fine Reputation. The commission may issue a liquor retailer's permit only to a high grade club, restaurant, or hotel, which has a high and fine reputation for decency and law obedience. In no case shall a liquor retailer's permit be issued or stand unrevoked if the owner, manager, or management of the establishment is not a person of strict integrity and high repute, or if the premises have been padlocked. [Pre-1973 Recodification Citation: 7-1-1-19.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9. Liquor Retailers' Permits7.1-3-9-11. Sampling Alcoholic Beverages on Liquor Retailer's Premises

Sec. 11. (a) A liquor retailer may allow customers to sample the following: (1) Beer. (2) Wines. (3) Liquors. (4) Liqueurs and cordials (as defined in 27 CFR 5.22(h)). (5) Flavored malt beverages. (6) Hard cider. (b) Sampling is permitted only: (1) on the liquor retailer's permit premises; and (2) during the permittee's regular business hours. (c) A liquor retailer may not charge for the samples provided to customers. (d) Sample size of wines may not exceed one (1) ounce. (e) In addition to the other provisions of this section, a liquor retailer who allows customers to sample liquors, liqueurs, or cordials shall comply with all of the following: (1) A liquor retailer may allow a customer to sample only a combined total of two (2) liquor, liqueur, or cordial samples per day. (2) Sample size of liqueurs or cordials may not exceed one-half (1/2) ounce. (3) Sample size of liquors may not exceed four-tenths (0.4) ounce. (f) A sample size of beer, flavored malt beverage, or hard cider may not exceed six (6) ounces. As added by P.L.12-1999, SEC.1. Amended by P.L.72-2004, SEC.7; P.L.94-2008, SEC.32.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9. Liquor Retailers' Permits7.1-3-9-12. Alcoholic Beverage Self-Service in Suites and Grab and Go Stores

Sec. 12. (a) This section applies to: (1) the holder of a three-way permit that is issued to a civic center, a sports arena, a stadium, an exhibition hall, an auditorium, a theater, a tract that contains a premises that is described in IC 7.1-3-1-14(d)(2), or a convention center; or (2) the holder of a catering permit while catering alcoholic beverages at a civic center, a sports arena, a stadium, an exhibition hall, an auditorium, a theater, a tract that contains a premises that is described in IC 7.1-3-1-14(d)(2), or a convention

center. (b) As used in this section, "grab and go store" means an area in a building or facility referred to in subsection (a) that satisfies all of the following: (1) The area customarily offers food, alcoholic beverages, nonalcoholic beverages, and other items for sale. (2) The area is: (A) within a tract that contains a premises that is described in IC 7.1-3-1-14(d)(2); (B) in close proximity or adjacent to the concourse of or within the building or facility; or (C) within a restricted access club area of or within the building or facility. (3) The area is: (A) delineated by nonpermanent stanchions or some other barrier providing for clear entrance and exit points; and (B) indicated on the floor plan approved by the commission. (4) The area is accessible only by persons who possess a ticket to an event held in the building or facility. The term does not include a suite, restaurant, lounge, or concession area, even if access to the suite, restaurant, lounge, or concession area is limited to certain ticket holders. However, a grab and go store may operate within a restricted access club area that is in close proximity, adjacent to, or within a restaurant or lounge. (c) As used in this section, "suite" means an area in a building or facility referred to in subsection (a) that: (1) is not accessible to the general public; (2) has accommodations for not more than seventy-five (75) persons per suite; and (3) is accessible only to persons who possess a ticket: (A) to an event in a building or facility referred to in subsection (a); and (B) that entitles the person to occupy the area while viewing the event described in clause (A). The term does not include a restaurant, lounge, or concession area, even if access to the restaurant, lounge, or concession area is limited to certain ticket holders. (d) A permittee may allow the self-service of individual servings of alcoholic beverages in a suite or grab and go store. (e) A person who: (1) possesses a ticket described in subsection (b)(4) or (c)(3); and (2) is at least twenty-one (21) years of age; may obtain an alcoholic beverage in a suite or grab and go store by self-service. (f) A permittee may do any of the following: (1) Demand that a person occupying a suite provide: (A) a written statement under IC 7.1-5-7-4; or (B) identification indicating that the person is at least twenty-one (21) years of age. (2) Supervise the self-service of alcoholic beverages in the suite. (3) Have an employee in the suite who has a valid server certificate under IC 7.1-3-1.5 and holds an employee permit under IC 7.1-3-18-9 to serve the alcoholic beverages. (g) In a grab and go store, a permittee shall do the following: (1) Require a purchaser to provide proof of age in accordance with IC 7.1-5-10-23. (2) Ensure all employees are at least twenty-one (21) years of age. (3) Have employees supervise the self-service of alcoholic beverages. (4) Have an employee present during the store's business hours who has a valid server certificate under IC 7.1-3-1.5 and holds an employee permit under IC 7.1-3-18-9 to sell alcoholic beverages to ensure compliance with this title, including compliance with IC 7.1-5-7-8 and IC 7.1-5-10-15. (5) Sell a purchaser not more than two (2) servings of alcoholic beverages at one (1) time. As added by P.L.72-2004, SEC.8. Amended by P.L.1-2018, SEC.3; P.L.194-2021, SEC.38.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9. Liquor Retailers' Permits7.1-3-9-2. Local Jurisdiction Limited

Sec. 2. A liquor retailer's permit may be issued under the provisions of this title for premises situated in a city having a population of at least five thousand (5,000). A city or town legislative body, or an officer of one (1) of them, shall have no power or jurisdiction to regulate the sale of, traffic in, or transportation of alcoholic beverages, or to levy a tax, fee, license fee, or to issue or require a license to be issued by it or its officer or agent in respect to alcoholic beverages. [Pre-1973 Recodification Citation: 7-1-1-19.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.8-1989, SEC.36.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9. Liquor Retailers' Permits7.1-3-9-3. Small City Exception

Sec. 3. The legislative body of a city or town that has a population of less than five thousand (5,000) shall have the power and jurisdiction to enact an enabling ordinance consenting that liquor retailer's permits may be issued to applicants in respect to premises located within the city or town. [Pre-1973 Recodification Citation: 7-1-1-19.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.8-1989, SEC.37.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9. Liquor Retailers' Permits7.1-3-9-4. Enabling Ordinance

Sec. 4. The enabling ordinance authorized by section 3 of this chapter shall be a general ordinance containing no conditions, exceptions or limitations. The enabling ordinance, after it has been duly enacted, may not be altered, amended, or repealed for a period of two (2) years and sixty (60) days after the date of its enactment. During the period of the two (2) years and sixty (60) days from the enactment of the enabling ordinance consenting to the issuance of liquor retailer's permits, no other ordinance on the subject may be enacted. [Pre-1973 Recodification Citation: 7-1-1-19.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.108.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9. Liquor Retailers' Permits7.1-3-9-5. Repeal of Ordinance; Continuance of Operations

Sec. 5. The holder of a liquor retailer's permit issued prior to the repeal, amendment, or expiration of an enabling ordinance authorized by section 3 of this chapter may continue to operate under the holder's permit, during the time that the holder's permit is in force, for a period of ninety (90) days after the enactment of a conflicting ordinance or the repeal of the original ordinance unless the sale of alcoholic beverages again becomes lawful by the enactment of another enabling ordinance, in which case the holder may continue to operate under the holder's permit during the unexpired term of it. [Pre-1973 Recodification Citation: 7-1-1-19.]

Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.109.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9. Liquor Retailers' Permits7.1-3-9-6. Certain Local Ordinances, Resolutions, Policies, and Rules Prohibited

Sec. 6. (a) A city, town, township, or county shall not enact an ordinance, resolution, policy, or rule which in any way, directly or indirectly, regulates, restricts, enlarges, or limits the operation or business of the holder of a liquor retailer's permit as provided in this title. (b) A city, town, township, or county shall not enact an ordinance, resolution, policy, or rule covering any other business or place of business for the conduct of it in such a way as to prevent or inhibit the holder of a liquor retailer's permit from being qualified to obtain or continue to hold the permit, or operate to interfere with or prevent the exercise of the permittee's privileges under the permit. [Pre-1973 Recodification Citation: 7-1-1-19.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.144-2015, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9. Liquor Retailers' Permits7.1-3-9-8. Three-Way Permits

Sec. 8. Three-Way Permits. The commission may issue a liquor retailer's permit only to a person who also is, and continues to be, the holder of both a beer retailer's permit and a wine retailer's permit. However, applications for each of the three (3) types of permits may be made at the same time or in one (1) application combining requests for each of the three (3) types of permits. The publication of the notice of the applications may be combined, in any case, if the applications are pending simultaneously. The notices also may be combined in one (1) publication with notices of the application of other applicants for a permit. [Pre-1973 Recodification Citation: 7-1-1-19.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9. Liquor Retailers' Permits7.1-3-9-9.5. Limitation of Sales; Fees; Clubs; Discrimination

Sec. 9.5. (a) Notwithstanding any other law, a liquor retailer may limit sales to the following: (1) Persons that the retailer selects to have access to the retailer's facilities and services in return for payment of an annual fee to the retailer. (2) Guests of a person described in subdivision (1). (b) A liquor retailer may call the annual fee described in subsection (a) a membership fee. (c) A liquor retailer may call the retailer's premises a club. However, the premises is not a club within the meaning of IC 7.1-3-20-1. (d) This section does not allow a liquor retailer to discriminate among persons on the basis of race, sex, age, or religion when selecting persons to have access to the retailer's facilities and services. As added by P.L.73-1991, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 3. PermitsChapter 9. Liquor Retailers' Permits7.1-3-9-9. Scope of Permit

Sec. 9. (a) The holder of a liquor retailer's permit shall be entitled to purchase liquor only from a permittee entitled to sell to the liquor retailer under this title. A liquor retailer shall be entitled to possess liquor and sell liquor at retail to a customer for consumption on the licensed premises. A liquor retailer also shall be entitled to sell liquor to a customer and deliver liquor in permissible containers to the customer on the licensed premises, or to the customer's house. This delivery may only be performed by the permit holder or an employee who holds an employee permit. The permit holder shall maintain a written record of each delivery for at least one (1) year that shows the customer's name, location of delivery, and quantity sold. Subject to subsection (g), a liquor retailer also may prepare and package liquor in qualified containers for sale and delivery to a customer on the licensed premises for consumption off the licensed premises. (b) A liquor retailer shall not be entitled to sell liquor at wholesale. A liquor retailer shall not be entitled to sell and deliver liquor on the street or at the curb outside the licensed premises, nor shall a liquor retailer be entitled to sell liquor at a place other than the licensed premises. However, a liquor retailer may offer food service (excluding alcoholic beverages) to a patron who is outside the licensed premises by transacting business through a window in the licensed premises. (c) A liquor retailer shall not be entitled to sell and deliver liquor for carry out or for at-home delivery, in a quantity that exceeds four (4) quarts at any one (1) time. A liquor retailer that delivers liquor to a customer's residence must require the customer to provide proof of age in accordance with IC 7.1-5-10-23. (d) Notwithstanding IC 7.1-1-3-20, the licensed premises of the liquor retailer may include the liquor retailer parking lot or an area adjacent to the liquor retailer that may only be used for the purpose of conveying alcoholic beverages and other nonalcoholic items to a customer, and may not be used for point of sale purposes or any other purpose. Any alcoholic beverages conveyed to the customer must satisfy the following: (1) Alcoholic beverages that are in the sealed original containers must be placed in a bag that is stamped, printed, or labeled on the outside: "CONTAINS ALCOHOLIC BEVERAGES". (2) Alcoholic beverages that are prepared by the liquor retailer must be packaged by the liquor retailer in qualified containers that are: (A) stamped, printed, or labeled on the outside: "CONTAINS ALCOHOLIC BEVERAGES"; or (B) placed in a bag stamped, printed, or labeled on the outside: "CONTAINS ALCOHOLIC BEVERAGES". (3) Placed by an employee of the permittee who is at least twenty-one (21) years of age: (A) in the trunk of the motor vehicle; or (B) behind the last upright seat of the motor vehicle, if the motor vehicle is not equipped with a trunk. A retailer permittee may only convey a customer's order of alcoholic beverages to the customer, if the customer has also purchased a meal from the retailer permittee that is conveyed to the customer at the same time as the alcoholic beverages. (e) The employee of the permittee that conveys the alcoholic beverages to the customer must require the customer to provide proof of age in accordance with IC 7.1-5-10-23. (f) The parking lot or area where the

alcoholic beverages are conveyed to the customer must be: (1) well lit; and (2) within clear view of the main entrance to the building of the retailer premises. (g) If a liquor retailer prepares and packages liquor: (1) for sale and delivery to a customer on the licensed premises for consumption off the licensed premises; and (2) in a container that is not in a qualified container; the commission may revoke the liquor retailer's privilege under this section of preparing and packaging liquor for sale and delivery to a customer in a qualified container. [Pre-1973 Recodification Citation: 7-1-1-19.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.112-1987, SEC.6; P.L.194-2021, SEC.37; P.L.167-2024, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 10. Enforcement and Administration Fund Collections and Distributions7.1-4-10-1. Deposit of Excise Taxes in Fund

Sec. 1. The department shall deposit one and three-fourths cents (1 3/4¢) of the beer excise tax rate collected on each gallon of beer or flavored malt beverage, eleven cents (11¢) of the liquor excise tax rate collected on each gallon of liquor, and four cents (4¢) of the wine excise tax rate collected on each gallon of wine, daily with the treasurer of the state, and not later than the fifth day of the following month shall cover them into the Enforcement and Administration Fund. [Pre-1973 Recodification Citation: 7-4-1-1.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.28. As amended by P.L.72-1996, SEC.20; P.L.213-2015, SEC.96.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 10. Enforcement and Administration Fund Collections and Distributions7.1-4-10-2. Use of Funds

Sec. 2. Use of Funds. The monies in the enforcement and administration fund shall be used and disbursed solely for the enforcement and administration of this title, and for no other purpose. Any unexpended balance remaining in the fund at the end of a fiscal year shall not lapse but shall remain exclusively appropriated and available only for the purpose of the enforcement and administration of this title. [Pre-1973 Recodification Citation: 7-4-1-1.] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 10. Enforcement and Administration Fund Collections and Distributions7.1-4-10-3. Deposit of Fines in Fund

Sec. 3. The chairman shall deposit the monies realized from fines imposed pursuant to the provisions of IC 7.1-3-23-2 in its enforcement and administration fund to be used for the purposes provided in this chapter. [Pre-1973 Recodification Citation: 7-1-7-5.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.137.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 11. Miscellaneous Collections and Distributions7.1-4-11-1. Enforcement Officer's Retirement Fund

Sec. 1. The sums realized from the collection of the biennial license fees imposed by IC 7.1-4-4.1-3 shall be paid first, and are hereby appropriated, to the state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan established by IC 5-10-5.5-2 (referred to as "retirement plan" in this section). The board of trustees of the Indiana public retirement system shall determine the amount to be appropriated. The amount to be appropriated shall be sufficient, when added to the funds already held by the retirement plan, for the payment of benefits to enforcement officers to pay the aggregate liability of the retirement plan for the payment of benefits and administration costs to the end of the fiscal year. The appropriation of funds shall be credited to the retirement plan in equal installments at the end of each month during each fiscal year. [Pre-1973 Recodification Citation: 7-2-1-12.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.47; P.L.35-2012, SEC.93.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 11. Miscellaneous Collections and Distributions7.1-4-11-2.5. Deposit of Certain Fees in Enforcement and Administration Fund

Sec. 2.5. The chairman shall deposit the money received from the collection of the fees for a three-way permit under IC 7.1-3-20-16(f) daily with the treasurer of state, and not later than the fifth day of the following month shall transfer the money into the enforcement and administration fund. As added by P.L.224-2005, SEC.29.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 11. Miscellaneous Collections and Distributions7.1-4-11-2. Reversion of Funds

Sec. 2. The sums realized from the collection of the biennial license fees imposed by IC 7.1-4-4.1-3 and not appropriated by section 1 of this chapter are hereby appropriated to the enforcement and administration fund of the commission. [Pre-1973 Recodification Citation: 7-2-1-12.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.48.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 11. Miscellaneous Collections and Distributions7.1-4-11-4. Deposits With State Treasurer

Sec. 4. (a) The department shall daily deposit with the treasurer of state: (1) two cents ($0.02) of the beer excise tax collected on each gallon of beer or flavored malt beverage, as provided by IC 7.1-4-2-1; (2) six cents ($0.06) of the liquor excise tax collected on each gallon of liquor, as provided by IC 7.1-4-3-1; and (3) two cents ($0.02) of the wine excise tax collected on each gallon of wine, as provided by IC 7.1-4-4-1. (b) By the fifth day of each month, the treasurer of state shall transfer into the addiction services fund

(IC 12-23-2) the total amount collected under subsection (a) for the preceding month. As added by Acts 1981, P.L.103, SEC.4. Amended by P.L.2-1992, SEC.75; P.L.72-1996, SEC.21.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 12. Collections and Distributions for the Pension Relief Fund7.1-4-12-1. Monthly Deposits

Sec. 1. (a) The department shall deposit thirty-four cents ($.34) of the liquor excise tax rate collected on each gallon of liquor, daily with the treasurer of state, and not later than the fifth day of the following month shall cover them into the pension relief fund established under IC 5-10.3-11. (b) Moneys deposited in the pension relief fund under this chapter may be used for all the purposes permitted by IC 5-10.3-11. As added by Acts 1977(ss), P.L.9, SEC.6. Amended by Acts 1981, P.L.11, SEC.40.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 13. Wine Grape Market Development7.1-4-13-1. "Council" Defined

Sec. 1. As used in this chapter, "council" refers to the wine grape market development council created by this chapter. As added by P.L.102-1989, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 13. Wine Grape Market Development7.1-4-13-10. Duties of Council

Sec. 10. The council shall do the following: (1) Elect a chairman and any other officers. (2) Recommend expenditures from the wine grape market development fund for the administration of the wine grape market development program and for the administration of this chapter. (3) Perform any other necessary duties. As added by P.L.102-1989, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 13. Wine Grape Market Development7.1-4-13-11. Advice, Recommendations, and Assistance of Council

Sec. 11. The director shall consider the advice, recommendations, and assistance of the council for the expenditure of funds for the wine grape market development program and for the administration of this chapter. As added by P.L.102-1989, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 13. Wine Grape Market Development7.1-4-13-2. "Director" Defined

Sec. 2. As used in this chapter, "director" refers to the dean of agriculture of Purdue University or the dean's designee. As added by P.L.102-1989, SEC.6. Amended by P.L.40-1993, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 13. Wine Grape Market Development7.1-4-13-3. Establishment and Administration

Sec. 3. The director shall establish and administer a wine grape market development program. As added by P.L.102-1989, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 13. Wine Grape Market Development7.1-4-13-4. Activities

Sec. 4. the wine grape market development program may include any of the following activities: (1) Market development and research programs. (2) Market promotion, education, and public relations programs. (3) Market information services. As added by P.L.102-1989, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 13. Wine Grape Market Development7.1-4-13-5. Contracts Authorized

Sec. 5. The director may contract with a qualified organization, agency, or individual to perform any of the activities listed in section 4 of this chapter. As added by P.L.102-1989, SEC.6. Amended by P.L.1-1990, SEC.89.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 13. Wine Grape Market Development7.1-4-13-6. Price Regulation Prohibited

Sec. 6. The director may not regulate the price of wine grapes or any wine grape product under this chapter. As added by P.L.102-1989, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 13. Wine Grape Market Development7.1-4-13-7. Wine Grape Market Development Fund

Sec. 7. (a) the wine grape market development fund is created. (b) The wine grape market development fund may not be used for political or legislative activity of any kind. (c) The fund shall be administered by the council and used for the purpose of this chapter. The expenses of administering the fund shall be paid from money in the fund. (d) Money in the fund at the end of a fiscal year does not revert to the state general fund. As added by P.L.102-1989, SEC.6.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 13. Wine Grape Market Development7.1-4-13-8. Wine Grape Market Development Council; Creation; Membership

Sec. 8. (a) The wine grape market development council is created. (b) The council shall have an odd number of members, but not less than seven (7) nor more than fifteen (15) members. The following are the members of the council: (1) The director or the director's designee. (2) The chairman of the horticulture department at Purdue University or chairman's designee. (3) The chairman of the food science department at Purdue University or the chairman's designee. (4) Other members that the director shall appoint. (c) A majority of the members of the council must be wine grape growers or processors of wine grape products. As added by P.L.102-1989, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 13. Wine Grape Market Development7.1-4-13-9. Bylaws of Council

Sec. 9. The council shall adopt bylaws governing the terms of office, filling unexpired terms, expenses, quorum, duties, and other administrative matters. The bylaws may be amended by a two-thirds (2/3) vote of the members present, if a quorum is present. As added by P.L.102-1989, SEC.6. Amended by P.L.1-1990, SEC.90.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 2. Beer Excise Tax7.1-4-2-1. Rate of Tax

Sec. 1. An excise tax, referred to as the beer excise tax, at the rate of eleven and one-half cents ($.115) a gallon is imposed upon the sale of beer or flavored malt beverage within Indiana. [Pre-1973 Recodification Citations: 7-1-1-41(a); 7-2-1-17(a); 7-4-1-1.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.8. As amended by Acts 1981, P.L.103, SEC.1; P.L.72-1996, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 2. Beer Excise Tax7.1-4-2-2. Persons Liable for Tax

Sec. 2. (a) Except as provided in subsections (b) and (c), a brewer is liable for the beer excise tax on the sale or gift, or withdrawal for sale or gift, of beer or flavored malt beverage by the brewer to a person within Indiana. (b) In the case of a beer wholesaler receiving beer or flavored malt beverage from a brewer located outside of Indiana, the beer wholesaler, not the brewer, is liable for the beer excise tax imposed upon the transaction. (c) In the case of a wine wholesaler receiving, selling, or giving flavored malt beverage within Indiana, the wine wholesaler, not the brewer, is liable for the beer excise tax imposed upon the transaction. [Pre-1973 Recodification Citations: 7-1-1-41(a); 7-4-1-1.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.58-1984, SEC.5; P.L.72-1996, SEC.16.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 2. Beer Excise Tax7.1-4-2-7. Copy of Invoice

Sec. 7. Copy of Invoice. A brewer or beer wholesaler in this state, when he delivers beer to a person, shall make a true duplicate invoice showing the date of delivery, the amount and value of the shipment and the name of the purchaser. The brewer or wholesaler shall give one (1) copy of the invoice to the purchaser, and he also shall retain one (1) copy for the use and inspection of the commission and the department, for a period of two (2) years. A beer wholesaler shall keep, and retain for a period of two (2) years, a copy of all invoices for beer purchased or received by him. [Pre-1973 Recodification Citation: 7-1-1-41.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 2. Beer Excise Tax7.1-4-2-8. Tax Refund

Sec. 8. A beer wholesaler within Indiana who receives beer or flavored malt beverage upon which the beer excise tax has been paid shall be entitled to a refund of the amount of the tax on all tax-paid beer or flavored malt beverage shipped from Indiana by the wholesaler for sale outside Indiana or sold within Indiana under circumstances exempting the beer or flavored malt beverage from the excise tax. The department shall promulgate rules and regulations governing the form of application for and the evidence required to establish the right to a refund. [Pre-1973 Recodification Citation: 7-1-1-41.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.10. As amended by P.L.72-1996, SEC.17.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 3. Liquor Excise Tax7.1-4-3-1. Rate of Tax

Sec. 1. Rate of Tax. An excise tax at the rate of two dollars and sixty-eight cents ($2.68) a gallon is imposed upon the sale, gift, or the withdrawal for sale or gift, of liquor and wine that contains twenty-one percent (21%), or more, of absolute alcohol reckoned by volume. [Pre-1973 Recodification Citations: 7-1-1-41(b); 7-2-1-17(b); 7-4-1-1.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.11. As amended by Acts 1977(ss), P.L.9, SEC.5; Acts 1981, P.L.103, SEC.2.

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2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 3. Liquor Excise Tax7.1-4-3-2-b. Persons Liable for Tax

Note: This version of section effective 1-1-2025. See also preceding version of this section, effective until 1-1-2025. Sec. 2. (a) Except as provided in subsections (b) and (c), the liquor excise tax shall be levied against a permittee who holds an artisan distiller's permit, a distiller's permit, a rectifier's permit, a liquor wholesaler's permit, a dining car liquor permit, a vintner's permit, a wine wholesaler's permit, a dining car wine permit, or a boat wine permit, whether the sale or gift, or withdrawal for sale or gift, is to a person authorized to purchase or receive it or not. However, the same article shall be taxed only once for liquor excise tax purposes. (b) In the case of a permittee referenced in subsection (a) receiving liquor from an unpermitted seller outside Indiana, the permittee is liable for the liquor excise tax imposed upon the transaction. (c) In the case of a permittee referenced in subsection (a) receiving, selling, or giving liquor within Indiana from or to another permittee, the permittee who first receives the liquor in Indiana is liable for the liquor excise tax imposed upon the transaction. (d) For purposes of subsection (b), nothing in that subsection shall be construed to: (1) authorize an otherwise unlawful sale of liquor in Indiana; or (2) relieve an out-of-state seller from having to obtain a permit described in subsection (a) that the out-of-state seller is required to obtain under this article prior to the sale of liquor in Indiana. [Pre-1973 Recodification Citation: 7-1-1-41(b).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.12. As amended by P.L.109-2013, SEC.7; P.L.118-2024, SEC.25; P.L.136-2024, SEC.33.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 3. Liquor Excise Tax7.1-4-3-2. Persons Liable for Tax

Note: This version of section effective until 1-1-2025. See also following version of this section, effective 1-1-2025. Sec. 2. The liquor excise tax shall be levied against a permittee who holds an artisan distiller's permit, a distiller's permit, a rectifier's permit, a liquor wholesaler's permit, a dining car liquor permit, a vintner's permit, a wine wholesaler's permit, a dining car wine permit, or a boat wine permit, whether the sale or gift, or withdrawal for sale or gift, is to a person authorized to purchase or receive it or not. However, the same article shall be taxed only once for liquor excise tax purposes. [Pre-1973 Recodification Citation: 7-1-1-41(b).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.12. As amended by P.L.109-2013, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 3. Liquor Excise Tax7.1-4-3-5. Transactions Exempt From Tax

Sec. 5. Transactions Exempt from Tax. The liquor excise tax shall not apply to the sale for delivery outside this state, or the withdrawal for sale for delivery outside this state, of liquor and wine that contains more than twenty-one percent (21%) of absolute alcohol reckoned by volume. The liquor excise tax shall not apply to the sale or withdrawal for sale of wine to a pastor, rabbi, or priest for sacramental or religious purposes only. [Pre-1973 Recodification Citation: 7-1-1-41(b).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 3. Liquor Excise Tax7.1-4-3-7. Necessity of Invoice; Contents

Sec. 7. (a) All sales of alcoholic beverages made by a primary source of supply to a liquor wholesaler shall at the time of the sale be accompanied by an invoice that must show the following: (1) The name and address of the seller and the purchaser. (2) The date of disposition. (3) The name or names of each brand sold. (4) The number of packages, if any. (5) The number of cases by size of bottle or container. (6) The quantity of each kind of alcoholic beverage sold. (b) The primary source of supply shall send a copy of the invoice to the department of revenue and the commission at the time of the sale. As added by P.L.57-1984, SEC.12. Amended by P.L.194-2021, SEC.62.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-0.3. Application of Certain Fees

Sec. 0.3. A fee imposed under this chapter, as added by P.L.204-2001, applies only to permit applications filed after June 30, 2001. The initial advance cost fee under section 6 of this chapter, as added by P.L.204-2001, is the advance cost fee in effect on June 30, 2001. As added by P.L.220-2011, SEC.175.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-1. Registration of Primary Source of Supply

Sec. 1. The alcohol and tobacco commission shall issue an annual registration of a primary source of supply (as defined in IC 7.1-1-3-32.5) without charge. As added by P.L.204-2001, SEC.43.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-10. Fraternal Club Permit Fees

Sec. 10. The maximum fee that may be imposed for the issuance of annual permits for a fraternal club is two hundred fifty dollars

($250). As added by P.L.204-2001, SEC.43.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-11. Airplane, Boat, or Dining Car Permit Fees

Sec. 11. The maximum fee that may be imposed for the issuance of annual permits for an airplane, a boat, or a dining car is five hundred dollars ($500). As added by P.L.204-2001, SEC.43.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-12. Dealer's Permit Fees

Sec. 12. (a) This section applies to the following biennial permits: (1) Beer dealer's permit. (2) Liquor dealer's permit. (3) Wine dealer's permit. (b) The commission shall charge a single fee for the issuance of any combination of dealers' permits issued for the same location. The fee is equal to the sum of the amount determined under subsection (c). (c) An annual permit fee in the following amount is imposed on a dealer: (1) Five hundred dollars ($500), if the dealer sells only beer, only liquor, or only wine. (2) Seven hundred fifty dollars ($750), if the dealer sells: (A) both beer and wine but no liquor; (B) both wine and liquor but no beer; or (C) both beer and liquor but no wine. (3) One thousand dollars ($1,000), if the dealer sells beer, wine, and liquor. As added by P.L.204-2001, SEC.43. Amended by P.L.224-2005, SEC.22; P.L.285-2019, SEC.53.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-13. Wholesaler's Permit Fees

Sec. 13. (a) This section applies to the following permits: (1) Beer wholesaler's permit. (2) Liquor wholesaler's permit. (3) Wine wholesaler's permit. (b) Except as provided in subsection (c), a permit fee of two thousand dollars ($2,000) is annually imposed for the issuance of each of the permits described in subsection (a). (c) A permit fee of one hundred dollars ($100) is annually imposed for the issuance of a wine wholesaler's permit to a permit applicant who: (1) has never previously held a wine wholesaler's permit and anticipates selling less than twelve thousand (12,000) gallons of wine and brandy in a year; or (2) previously held a wine wholesaler's permit and certifies to the commission that the permit applicant sold less than twelve thousand (12,000) gallons of wine and brandy in the previous year. As added by P.L.204-2001, SEC.43. Amended by P.L.165-2006, SEC.35; P.L.285-2019, SEC.54.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-14. Manufacturer's Permit Fees

Sec. 14. (a) This section applies to the following permits: (1) Brewer's permit for the manufacture of more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana. (2) Distiller's permit. (3) Malt manufacturer's permit. (4) Rectifier's permit. (5) Vintner's permit. (6) Wine bottler's permit. (b) A permit fee of two thousand dollars ($2,000) is annually imposed for the issuance of each permit described in subsection (a). As added by P.L.204-2001, SEC.43. Amended by P.L.186-2011, SEC.10; P.L.71-2012, SEC.6; P.L.79-2015, SEC.8.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-15. Farm Winery Permit Fee

Sec. 15. The annual fee for a farm winery permit is five hundred dollars ($500). As added by P.L.204-2001, SEC.43.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-16. Small Brewer's Permit Fee

Sec. 16. The annual fee for a brewer's permit described in IC 7.1-3-2-2(b) is five hundred dollars ($500). As added by P.L.204-2001, SEC.43. Amended by P.L.186-2011, SEC.11; P.L.71-2012, SEC.7; P.L.79-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-17. Farm Winery Brandy Distiller's Permit Fee

Sec. 17. The annual license fee for a farm winery brandy distiller's permit is two hundred fifty dollars ($250). As added by P.L.204-2001, SEC.43.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-18. Duplicate or Reissued Permit Fee

Sec. 18. The fee for a duplicate or reissued permit of any type is ten dollars ($10). The fees collected under this section shall be deposited in the enforcement and administration fund under IC 7.1-4-10. As added by P.L.250-2003, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-2. Supplemental Caterer's Permit Fee

Sec. 2. The fee for a supplemental caterer's permit is one hundred fifty dollars ($150) per year. As added by P.L.204-2001, SEC.43. Amended by P.L.250-2003, SEC.13.

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2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-20. Food Hall Master Permit Fees

Sec. 20. (a) The initial fee for a food hall master permit is fifty thousand dollars ($50,000). (b) The annual renewal fee for a food hall master permit is five thousand dollars ($5,000). (c) The commission shall deposit all fees collected under this section into the enforcement and administration fund established under IC 7.1-4-10. As added by P.L.285-2019, SEC.55.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-21. Food Hall Vendor's Permit Fees

Sec. 21. (a) The initial application fee for a food hall vendor's permit is as follows: (1) For a vending space that is less than one thousand (1,000) square feet, the cost of an initial permit is two thousand five hundred dollars ($2,500). (2) For a vending space that is at least one thousand (1,000) square feet but not more than two thousand (2,000) square feet, the cost of an initial permit fee is five thousand dollars ($5,000). (b) The annual renewal fee for a food hall vendor's permit under subsection (a) is one thousand dollars ($1,000). The commission shall deposit all fees collected for a food hall vendor's permit under subsection (a) and this subsection into the enforcement and administration fund established under IC 7.1-4-10. (c) If a vending space is more than two thousand (2,000) square feet, a vendor must purchase a one-way, two-way, or three-way permit, subject to: (1) availability under IC 7.1-3-22; and (2) the annual renewal fees under section 9 of this chapter. As added by P.L.285-2019, SEC.56.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-3. Employee's Permit Fee

Sec. 3. The following license fee is imposed for an employee's permit: (1) Fifteen dollars ($15) if the permit is used only to perform volunteer service that benefits a nonprofit organization. (2) Forty-five dollars ($45) if subdivision (1) does not apply. The term of a employee's license is three (3) years. As added by P.L.204-2001, SEC.43. Amended by P.L.250-2003, SEC.14; P.L.224-2005, SEC.20; P.L.94-2008, SEC.47.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-4. Salesman's License Fee

Sec. 4. A biennial license fee of twenty dollars ($20) is imposed for a salesman's license. The term of a biennial salesman's license is two (2) years. As added by P.L.204-2001, SEC.43.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-5.1. Temporary Craft Manufacturer Hospitality Permit Fee

Sec. 5.1. The license fee for a temporary craft manufacturer hospitality permit issued under IC 7.1-3-30 is an amount determined in STEP THREE of the following formula: STEP ONE: Determine the number of days each craft manufacturer will participate in the temporary event. STEP TWO: Determine the sum of all the numbers determined under STEP ONE. STEP THREE: Multiply the number determined in STEP TWO by fifty dollars ($50). As added by P.L.121-2022, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-5. Temporary Permit Fees

Sec. 5. (a) This section applies to the following permits: (1) Temporary beer permit. (2) Temporary wine permit. (b) Except as provided in subsection (d), a license fee for a temporary permit is the greater of the following: (1) Two dollars ($2) per day of operation. (2) The amount per day set by the commission under subsection (c). (c) Subject to any rates or schedules adopted by the commission, the commission may set a higher daily rate for a temporary beer permit under subsection (b)(2) if, in the judgment of the commission, the number of persons likely to be accommodated, or any other facts bearing on the value of the permit warrant the increase. However, except as provided under subsection (d), the fee may not exceed one thousand dollars ($1,000) per day. (d) A license fee for a temporary permit issued under IC 7.1-3-6-3.8 is two thousand five hundred dollars ($2,500). As added by P.L.204-2001, SEC.43. Amended by P.L.214-2016, SEC.29.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-6. Advance Cost Fee for Transfers of Permits

Sec. 6. The advance cost fee for the transfer of an alcoholic beverage permit from: (1) one (1) holder to another holder; or (2) one (1) location to another location; is two hundred fifty dollars ($250). As added by P.L.204-2001, SEC.43.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-7. Letter of Extension Fees

Sec. 7. The fee for: (1) a letter of extension; and (2) each renewal of a letter of extension; is two hundred dollars ($200) if the need for the letter of extension, or renewal, is occasioned by the act or omission of the permittee. The commission shall waive the fee for

a letter of extension, and a renewal, if the need for the letter of extension, or renewal, is occasioned by the act or omission of the commission, a local board, or a third party unrelated to the permittee involved and not employed by the permittee or under the control of the permittee. From each fee collected under this section, fifty dollars ($50) shall be deposited in the state general fund, and the remainder shall be deposited in the enforcement and administration fund under IC 7.1-4-10. As added by P.L.204-2001, SEC.43. Amended by P.L.285-2019, SEC.51.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-8. Carrier's Alcoholic Permit Fee

Sec. 8. The annual license fee for a carrier's alcoholic permit is five dollars ($5). As added by P.L.204-2001, SEC.43.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.1. Permit Fees7.1-4-4.1-9. Biennial Permits; Annual Permit Fees

Sec. 9. (a) This section applies to the following biennial permits: (1) Beer retailer's permit. (2) Liquor retailer's permit. (3) Wine retailer's permit. (4) One-way permit. (5) Two-way permit. (6) Three-way permit. (7) Airplane beer permit. (8) Airplane liquor permit. (9) Airplane wine permit. (10) Boat beer permit. (11) Boat liquor permit. (12) Boat wine permit. (13) Dining car beer permit. (14) Dining car liquor permit. (15) Dining car wine permit. (b) The commission shall charge a single fee for the issuance of any combination of retailer's permits issued for the same location or conveyance. (c) Except as provided in subsection (d), an annual permit fee in the following amount is imposed on a retailer: (1) Five hundred dollars ($500), if the retailer serves only beer or only wine. (2) Seven hundred fifty dollars ($750), if the retailer serves both beer and wine but no liquor. (3) One thousand dollars ($1,000), if the retailer serves beer, wine, and liquor. (d) An annual permit fee for a three-way permit issued to a state park under IC 7.1-3-17.8-1 is two hundred fifty dollars ($250). As added by P.L.204-2001, SEC.43. Amended by P.L.224-2005, SEC.21; P.L.214-2016, SEC.30; P.L.285-2019, SEC.52.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.5. Hard Cider Excise Tax7.1-4-4.5-1. Rate of Tax

Sec. 1. An excise tax at the rate of eleven and one-half cents ($0.115) a gallon is imposed upon the manufacture and sale or gift, or withdrawal for sale or gift, of hard cider within Indiana. As added by P.L.119-1998, SEC.24.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.5. Hard Cider Excise Tax7.1-4-4.5-2. Applicability of Tax

Sec. 2. The hard cider excise tax applies only to hard cider. An alcoholic beverage that is subject to the hard cider excise tax is not subject to the liquor excise tax or the wine excise tax. As added by P.L.119-1998, SEC.24.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.5. Hard Cider Excise Tax7.1-4-4.5-3-b. Persons Liable for Tax

Note: This version of section effective 1-1-2025. See also preceding version of this section, effective until 1-1-2025. Sec. 3. (a) Except as provided in subsections (b) and (c), the hard cider excise tax shall be paid by the holder of a vintner's permit, a farm winery permit, a wine wholesaler's permit, a direct wine seller's permit, a beer wholesaler's permit, a dining car wine permit, or a boat wine permit on the hard cider to which the tax is applicable and that is manufactured or imported by the person into this state. However, an item may only be taxed once for hard cider excise tax purposes. (b) In the case of a permittee referenced in subsection (a) receiving hard cider from an unpermitted seller outside Indiana, the permittee is liable for the hard cider excise tax imposed upon the transaction. (c) In the case of a permittee referenced in subsection (a) receiving, selling, or giving hard cider within Indiana from or to another permittee, the permittee who first receives the hard cider in Indiana is liable for the hard cider excise tax imposed upon the transaction. (d) For purposes of subsection (b), nothing in that subsection shall be construed to: (1) authorize an otherwise unlawful sale of hard cider in Indiana; or (2) relieve an out-of-state seller from having to obtain a permit described in subsection (a) that the out-of-state seller is required to obtain under this article prior to the sale of hard cider in Indiana. As added by P.L.119-1998, SEC.24. Amended by P.L.201-1999, SEC.11; P.L.204-2001, SEC.44; P.L.107-2015, SEC.13; P.L.118-2024, SEC.27; P.L.136-2024, SEC.35.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.5. Hard Cider Excise Tax7.1-4-4.5-3. Persons Liable for Tax

Note: This version of section effective until 1-1-2025. See also following version of this section, effective 1-1-2025. Sec. 3. The hard cider excise tax shall be paid by the holder of a vintner's permit, a farm winery permit, a wine wholesaler's permit, a direct wine seller's permit, a beer wholesaler's permit, a dining car wine permit, or a boat wine permit on the hard cider to which the tax is applicable and that is manufactured or imported by the person into this state. However, an item may only be taxed once for hard cider excise tax purposes. As added by P.L.119-1998, SEC.24. Amended by P.L.201-1999, SEC.11; P.L.204-2001, SEC.44; P.L.107-2015, SEC.13.

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2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.5. Hard Cider Excise Tax7.1-4-4.5-4. Gauging Alcoholic Beverages

Sec. 4. The commission and the department may adopt rules and maintain gauges in a winery, farm winery, or a wholesaler's premises for the proper gauging of the alcoholic beverages to which the hard cider excise tax is applicable and the assessment of that tax. As added by P.L.119-1998, SEC.24. Amended by P.L.201-1999, SEC.12.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4.5. Hard Cider Excise Tax7.1-4-4.5-5. Necessity of Invoice; Contents

Sec. 5. (a) All sales of hard cider made by a primary source of supply to a wine wholesaler must at the time of the sale be accompanied by an invoice that shows the following: (1) The name and address of seller and purchaser. (2) The date of disposition. (3) The name or names of each brand sold. (4) The number of packages, if any. (5) The number of cases by size of bottle. (6) The quantity of each kind of alcoholic beverage sold. (b) The primary source of supply shall send a copy of the invoice to the department of revenue and the commission at the time of the sale. As added by P.L.119-1998, SEC.24.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4. Wine Excise Tax7.1-4-4-1. Rate of Tax

Sec. 1. An excise tax at the rate of forty-seven cents ($0.47) a gallon is imposed upon the manufacture and sale or gift, or withdrawal for sale or gift, of wine, except hard cider, within this state. [Pre-1973 Recodification Citations: 7-1-1-41(c); 7-2-1-17(c); 7-4-1-1.] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.13; Acts 1975, P.L.73, SEC.1. As amended by Acts 1981, P.L.103, SEC.3; P.L.104-1987, SEC.2; P.L.119-1998, SEC.23.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4. Wine Excise Tax7.1-4-4-2. Beverages to Which Tax Is Applicable

Sec. 2. Beverages to Which Tax is Applicable. The wine excise tax shall apply to wine that contains less than twenty-one percent (21%), of absolute alcohol reckoned by volume. The wine excise tax also shall apply to an alcoholic beverage that contains fifteen percent (15%), or less, of absolute alcohol reckoned by volume, mixed with either carbonated water or other potable ingredients, or both, by either the manufacturer or the bottler, or both of them, and sold in a container filled by the manufacturer or bottler, and which is suitable for immediate consumption directly from the original container. An alcoholic beverage that is subject to the wine excise tax shall not be also subject to the liquor excise tax. [Pre-1973 Recodification Citations: 7-1-1-41(b); 7-1-1-41(c).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.14.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4. Wine Excise Tax7.1-4-4-3-b. Persons Liable for Tax

Note: This version of section effective 1-1-2025. See also preceding version of this section, effective until 1-1-2025. Sec. 3. (a) Except as provided in subsections (b) and (c), the wine excise tax shall be paid by the holder of a vintner's permit, a farm winery permit, a wine wholesaler's permit, a direct wine seller's permit, a dining car wine permit, or a boat wine permit on the alcoholic beverage to which the tax is applicable and which has been manufactured or imported by the permit holder into this state. However, the same article shall be taxed only once for wine excise tax purposes. (b) In the case of a permittee referenced in subsection (a) receiving wine from an unpermitted seller outside Indiana, the permittee is liable for the wine excise tax imposed upon the transaction. (c) In the case of a permittee referenced in subsection (a) receiving, selling, or giving wine within Indiana from or to another permittee, the permittee who first receives the wine in Indiana is liable for the wine excise tax imposed upon the transaction. (d) For purposes of subsection (b), nothing in that subsection shall be construed to: (1) authorize an otherwise unlawful sale of wine in Indiana; or (2) relieve an out-of-state seller from having to obtain a permit described in subsection (a) that the out-of-state seller is required to obtain under this article prior to the sale of wine in Indiana. [Pre-1973 Recodification Citation: 7-1-1-41(c).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.51, SEC.4; P.L.201-1999, SEC.9; P.L.107-2015, SEC.12; P.L.118-2024, SEC.26; P.L.136-2024, SEC.34.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4. Wine Excise Tax7.1-4-4-3. Persons Liable for Tax

Note: This version of section effective until 1-1-2025. See also following version of this section, effective 1-1-2025. Sec. 3. The wine excise tax shall be paid by the holder of a vintner's permit, a farm winery permit, a wine wholesaler's permit, a direct wine seller's permit, a dining car wine permit, or a boat wine permit on the alcoholic beverage to which the tax is applicable and which has been manufactured or imported by the permit holder into this state. However, the same article shall be taxed only once for wine excise tax purposes. [Pre-1973 Recodification Citation: 7-1-1-41(c).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.51, SEC.4; P.L.201-1999, SEC.9; P.L.107-2015, SEC.12.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4. Wine Excise Tax7.1-4-4-5. Power of Commission and Department

Sec. 5. Power of Commission and Department. The commission and the department shall have the power to prescribe regulations and maintain gauges in a winery, farm winery, or a wholesaler's premises for the proper gauging of the alcoholic beverages to which the wine excise tax is applicable and the assessment of that tax. [Pre-1973 Recodification Citation: 7-1-1-41(c).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.15. As amended by P.L.201-1999, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4. Wine Excise Tax7.1-4-4-6. Transactions Exempt From Tax

Sec. 6. Transactions Exempt from Tax. The wine excise tax shall not apply to the sale or withdrawal for sale of wine to a pastor, rabbi, or priest for sacramental or religious purposes only. [Pre-1973 Recodification Citation: 7-1-1-41(c).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 4. Wine Excise Tax7.1-4-4-7. Necessity of Invoice; Contents

Sec. 7. (a) All sales of alcoholic beverages made by a primary source of supply to a wine wholesaler shall at the time of the sale be accompanied by an invoice that must show the following: (1) The name and address of the seller and the purchaser. (2) The date of disposition. (3) The name or names of each brand sold. (4) The number of packages, if any. (5) The number of cases by size of bottle. (6) The quantity of each kind of alcoholic beverage sold. (b) The primary source of supply shall send a copy of the invoice to the department of revenue and the commission at the time of the sale. As added by P.L.57-1984, SEC.13.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 6. Administration and Enforcement of Alcoholic Beverage Laws7.1-4-6-1. Powers of Commission and Department

Sec. 1. The chairman and the department shall have the power to examine the books, papers, records, and premises of a manufacturer, wholesaler, retailer, dealer, or direct wine seller's permit holder under this title for the purpose of determining whether the excise taxes imposed by this title have been paid fully and whether the provisions of the title are being complied with. [Pre-1973 Recodification Citation: 7-1-1-41(e).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.17. As amended by P.L.165-2006, SEC.36.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 6. Administration and Enforcement of Alcoholic Beverage Laws7.1-4-6-2.1. Rules and Regulations to Enforce Noncompliance Penalties

Sec. 2.1. (a) The department shall adopt rules under IC 4-22-2 to govern the assessment and collection of penalties provided in section 2 of this chapter. (b) The commission may adopt rules under IC 4-22-2 to coordinate compliance with the laws, rules, and administrative policies governing the assessment and collection of sales taxes. As added by Acts 1977, P.L.96, SEC.2. Amended by P.L.204-2001, SEC.45.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 6. Administration and Enforcement of Alcoholic Beverage Laws7.1-4-6-2. Penalties for Noncompliance

Sec. 2. (a) The presence on the premises of, or the possession by, a person of alcoholic beverages or other articles subject to excise taxes or other fees, and upon which the taxes and fees have not been paid shall impose upon the possessor, or the owner, or person in control, of the premises, the duty to pay all the taxes and fees due and unpaid, even though the presence or the possession is unlawful under this title. In addition, penalties for unpaid fees shall be assessed as follows: (1) In the case of fraud the department shall assess and collect a penalty in an amount equal to the unpaid fees. (2) In the case of mistake, inadvertence, or negligence, not amounting to fraud, the department shall assess and collect a penalty in an amount equal to ten percent (10%) of the unpaid fees. (b) With regard to unpaid taxes described under subsection (a), penalties shall be assessed under IC 6-8.1. [Pre-1973 Recodification Citation: 7-1-1-41(e).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.18. As amended by Acts 1977, P.L.96, SEC.1; P.L.6-1987, SEC.16; P.L.103-1987, SEC.2; P.L.104-1987, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 6. Administration and Enforcement of Alcoholic Beverage Laws7.1-4-6-3.5. Collection of Excise Taxes; Electronic Filing of Returns and Remitting of Taxes

Sec. 3.5. (a) A person who is liable for the payment of an excise tax levied by this title shall file a monthly return with the department on or before the twentieth day of the month following the month in which the liability for the tax accrues by reason of the manufacture, sale, gift, or the withdrawal for sale or gift, of alcoholic beverages within this state. (b) The department may require the reporting of any information reasonably necessary to determine the amount of excise tax due. (c) The return required by this section must be filed in an electronic format as prescribed by the department. Payment of the excise tax due shall accompany the return, and shall be remitted electronically. Any other returns or forms required to be filed under this title must also be filed in an

electronic format and on a date prescribed by the department. Formerly: Acts 1973, P.L.56, SEC.20. As amended by P.L.166-2014, SEC.36; P.L.137-2022, SEC.100.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 6. Administration and Enforcement of Alcoholic Beverage Laws7.1-4-6-3.6. Rules and Regulations

Sec. 3.6. Rules and Regulations. The department, in consultation with the commission, shall have the power to promulgate rules and regulations governing the use of a unified system of reporting alcoholic beverage excise tax liability and the form of the returns. Formerly: Acts 1973, P.L.56, SEC.21.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 6. Administration and Enforcement of Alcoholic Beverage Laws7.1-4-6-3. Collection of Excise Taxes

Sec. 3. Collection of Excise Taxes. The department shall collect the excise taxes imposed by this title. [Pre-1973 Recodification Citation: 7-1-1-41(f).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 6. Administration and Enforcement of Alcoholic Beverage Laws7.1-4-6-4. Discount for Timely Payment

Sec. 4. Discount for Timely Payment. The department shall allow a taxpayer a discount of one and one-half percent (1 1/2%) of the amount of excise taxes otherwise due for the accurate reporting and timely remitting of the excise taxes imposed by this title. [Pre-1973 Recodification Citation: 7-2-1-17(c).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.22.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 6. Administration and Enforcement of Alcoholic Beverage Laws7.1-4-6-5. When Sale Is Made

Sec. 5. When Sale is Made. For alcoholic beverage excise tax purposes, a sale shall not be deemed to have been made until the goods leave the custody of the seller. [Pre-1973 Recodification Citation: 7-2-1-17(c).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 6. Administration and Enforcement of Alcoholic Beverage Laws7.1-4-6-6. Floor Stock Tax Not Imposed

Sec. 6. Floor Stock Tax Not Imposed. The provisions of this article shall not be construed as imposing a floor stock tax on the goods held by a permittee of any type under this title. [Pre-1973 Recodification Citation: 7-2-1-17(c).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 6. Administration and Enforcement of Alcoholic Beverage Laws7.1-4-6-7. Appropriation for Administration

Sec. 7. Appropriation for Administration. There shall be an annual appropriation, from the sum of money allocated to the general fund by this title, of a sum of money necessary for the purpose of carrying out the provisions of this title. The claims for operating expenses incurred under the provisions of this title shall be filed with and paid by the state comptroller. Equipment shall be purchased only upon a requisition approved by the department of administration. [Pre-1973 Recodification Citation: 7-1-1-41(f).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.9-2024, SEC.272.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 6. Administration and Enforcement of Alcoholic Beverage Laws7.1-4-6-8. Duty of Attorney General and Local Prosecutor

Sec. 8. Duty of Attorney General and Local Prosecutor. If a person who holds a permit under this title fails to account for, or pay over to the chairman or the department, or both, an annual license fee, or excise tax, or other levy imposed by this title, or defaults in a condition of his bond, or if a person, licensed under this title or not, fails or refuses to pay to the chairman or the department an obligation, liability, forfeiture, or penalty imposed upon him by this title, the chairman or the department shall report that fact to the attorney general of Indiana who shall immediately institute the necessary action for the recovery of the sum due the state by reason of this title. The state shall be entitled to all liens and remedies allowed by law for the collection of the sum due the state. It is the duty of the prosecuting attorney of the proper county to assist the attorney general in these matters whenever the attorney general requests his assistance. [Pre-1973 Recodification Citation: 7-1-1-42(1).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.23.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 7. General Fund Collections and Distributions7.1-4-7-1. Collection of Annual License Fees

Sec. 1. The chairman shall collect the required annual license fee paid in connection with the issuance of a brewer's permit, a beer wholesaler's permit, a temporary beer permit, a dining car permit of any type, a boat permit of any type, an artisan distiller's permit, a distiller's permit, a rectifier's permit, a liquor wholesaler's permit, a vintner's permit, a farm winery permit, a farm winery brandy distiller's permit, a wine wholesaler's permit, a wine bottler's permit, a temporary wine permit, a direct wine seller's permit, a salesman's permit, and a carrier's alcoholic permit. [Pre-1973 Recodification Citation: 7-1-1-41(f).] Formerly: Acts 1973, P.L.55,

SEC.1; Acts 1973, P.L.59, SEC.8. As amended by Acts 1978, P.L.51, SEC.6; P.L.201-1999, SEC.13; P.L.235-2001, SEC.4; P.L.165-2006, SEC.37; P.L.109-2013, SEC.8.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 7. General Fund Collections and Distributions7.1-4-7-2. Collection of Deductions and Transfer Fees

Sec. 2. The chairman shall collect the authorized deduction retained by the state when an application for a permit, of a type listed in section 1 of this chapter, is denied. The chairman also shall collect the prescribed cost fee paid in connection with the transfer of a permit of a type listed in section 1 of this chapter. [Pre-1973 Recodification Citation: 7-1-1-41(f).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.131.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 7. General Fund Collections and Distributions7.1-4-7-3. Miscellaneous Collections

Sec. 3. Miscellaneous Collections. The chairman shall collect all other assessments not specifically included in this chapter and not otherwise disposed of by a provision of this title. The chairman or the department shall collect the penalty for the nonpayment of taxes imposed by this title, and a forfeiture not in the nature of a fine or penalty belonging to the common school fund, and the proceeds of a sale or judgment made under or in the enforcement of this title. [Pre-1973 Recodification Citation: 7-1-1-41(f).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.24.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 7. General Fund Collections and Distributions7.1-4-7-4. Fees Deposited in Enforcement and Administration Fund and State General Fund

Sec. 4. (a) Except as provided in subsection (b), the chairman and the department shall deposit the money collected under sections 1, 2, and 3 of this chapter daily with the treasurer of state, and not later than the fifth day of the following month shall cover: (1) thirty-four percent (34%) of the money collected under section 1 of this chapter into the enforcement and administration fund established under IC 7.1-4-10-1; and (2) sixty-six percent (66%) of the money collected under section 1 of this chapter and money collected under sections 2 and 3 of this chapter into the state general fund for state general fund purposes. (b) The chairman and the department shall deposit all money collected under IC 7.1-2-5-3, IC 7.1-2-5-8, IC 7.1-3-17.5, IC 7.1-3-17.7, IC 7.1-3-22-9, and IC 7.1-4-4.1-5 daily with the treasurer of state, and not later than the fifth day of the following month shall cover the money into the enforcement and administration fund established under IC 7.1-4-10-1. [Pre-1973 Recodification Citation: 7-1-1-41(f).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.25. As amended by P.L.32-1988, SEC.4; P.L.106-1995, SEC.16; P.L.204-2001, SEC.46; P.L.224-2005, SEC.23.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 7. General Fund Collections and Distributions7.1-4-7-5. Deposit of Excise Taxes in General Fund

Sec. 5. The department shall deposit: (1) four cents ($0.04) of the beer excise tax rate collected on each gallon of beer or flavored malt beverage; (2) one dollar ($1) of the liquor excise tax rate collected on each gallon of liquor; (3) twenty-five cents ($0.25) of the wine excise tax rate collected on each gallon of wine; (4) the entire amount of malt excise tax collected; and (5) the entire amount of hard cider excise tax collected; daily with the treasurer of state and not later than the fifth day of the following month shall cover them into the general fund of the state for distribution as provided in this chapter. [Pre-1973 Recodification Citation: 7-1-1-41(a), (b), (c), (d), (f).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.26. As amended by P.L.102-1989, SEC.4; P.L.72-1996, SEC.18; P.L.119-1998, SEC.25; P.L.165-2021, SEC.125.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 7. General Fund Collections and Distributions7.1-4-7-6. Distribution of Excise Revenue to General Fund

Sec. 6. The treasurer of state shall set aside for general fund purposes, fifty percent (50%) of the gross amount of the revenue deposited in the general fund in accordance with the provisions of section 5 of this chapter. [Pre-1973 Recodification Citations: 7-1-1-41(f); 7-4-2-1.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.132.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 7. General Fund Collections and Distributions7.1-4-7-7. Distribution of Excise Revenue to Cities and Towns

Sec. 7. The treasurer of state shall set aside for allocation to the cities and towns of this state, fifty percent (50%) of the gross amount of the revenue deposited in the general fund in accordance with the provisions of section 5 of this chapter. [Pre-1973 Recodification Citation: 7-4-2-1.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.133.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 7. General Fund Collections and Distributions7.1-4-7-8. Basis of Allocation to Cities and Towns

Sec. 8. The sum set aside in accordance with the provisions of section 7 of this chapter shall be allocated to a city or town upon the basis that the population of that city or town bears to the total population of all cities and towns of this state. [Pre-1973 Recodification Citation: 7-4-2-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.134.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 7. General Fund Collections and Distributions7.1-4-7-9. Time of Distribution

Sec. 9. The state comptroller shall, on or before the tenth day of April of each year and quarterly on or before the tenth day of the month thereafter, distribute the funds set aside in accordance with the provisions of section 7 of this chapter or the portion of them as reported to the state comptroller, to the general fund of the treasury of the city or town on the basis provided for in this chapter. [Pre-1973 Recodification Citation: 7-4-2-3.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.135; P.L.137-2022, SEC.101; P.L.9-2024, SEC.273.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 8. State Construction Fund7.1-4-8-1. Deposit of Excise Taxes in Fund

Sec. 1. The department shall: (1) deposit daily with the treasurer of state: (A) three and three-fourths cents (3 3/4¢) of the beer excise tax rate collected on each gallon of beer or flavored malt beverage; (B) one dollar and seventeen cents ($1.17) of the liquor excise tax rate collected on each gallon of liquor; and (C) sixteen cents (16¢) of the wine excise tax rate collected on each gallon of wine; and (2) not later than the fifth day of the following month, transfer the deposits under subdivision (1) into the state construction fund. [Pre-1973 Recodification Citation: 7-2-1-17(c).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.27. As amended by P.L.72-1996, SEC.19; P.L.213-2015, SEC.95; P.L.108-2019, SEC.144.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 8. State Construction Fund7.1-4-8-2. Use of Funds

Sec. 2. The monies deposited in the state construction fund shall be used by the state for the construction, reconstruction, rehabilitation, repair, purchase, rental, and sale of state properties and institutions (excluding state educational institutions, as defined in IC 21-7-13-32). [Pre-1973 Recodification Citation: 7-2-1-17(c).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.234-2007, SEC.274; P.L.108-2019, SEC.145.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 9. Excise Fund Collections and Distributions7.1-4-9-1. Collection of Annual License Fees

Sec. 1. The chairman shall collect the required annual license fee paid in connection with the issuance of a beer retailer's permit, a beer dealer's permit, a liquor retailer's permit, a supplemental caterer's permit, a liquor dealer's permit, a wine retailer's permit, and a wine dealer's permit. [Pre-1973 Recodification Citation: 7-1-1-41(f).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.60, SEC.7; Acts 1974, P.L.25, SEC.6. As amended by P.L.224-2005, SEC.24.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 9. Excise Fund Collections and Distributions7.1-4-9-10. Appropriation From General Fund

Sec. 10. Appropriation from General Fund. There is appropriated from the monies allocated to the general fund under this title, a necessary sum of money to make up any deficiency between the sums from the excise fund actually paid over to the treasuries of the several governmental subdivisions during their respective current fiscal years, and the estimate of funds to be distributed to them during the current fiscal year as computed by the state board of accounts and as considered by the governmental unit in preparation of its budget for the current fiscal year. The state board of accounts shall determine whether a deficiency exists at the close of the current fiscal year of each governmental unit. The amount of a deficiency so determined shall be paid to the governmental unit on warrant issued by the state comptroller not later than one (1) month after the close of the respective current fiscal year. [Pre-1973 Recodification Citation: 7-1-1-41(f).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1977(ss), P.L.7, SEC.2; P.L.9-2024, SEC.276.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 9. Excise Fund Collections and Distributions7.1-4-9-2. Collection of Deductions and Transfer Fees

Sec. 2. The chairman shall collect the authorized deduction retained by the state when an application for a permit of a type listed in section 1 of this chapter is denied. The chairman also shall collect the prescribed cost fee paid in connection with the transfer of a permit of a type listed in section 1 of this chapter. [Pre-1973 Recodification Citation: 7-1-1-41(f).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.86-2018, SEC.136.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 9. Excise Fund Collections and Distributions7.1-4-9-3. Fees Deposited in Excise Fund and Enforcement and Administration Fund

Sec. 3. (a) Except as provided in subsection (b), the chairman shall deposit the monies collected under the authority of this chapter daily with the treasurer of the state, and not later than the fifth day of the following month shall cover them into the "excise fund" to be distributed as provided in this chapter. (b) The chairman shall deposit the money received from the collection of the fees for a three-way permit under IC 7.1-3-20-16(f) daily with the treasurer of state, and not later than the fifth day of the following month

shall transfer the money into the enforcement and administration fund of the commission under IC 7.1-4-11. [Pre-1973 Recodification Citation: 7-1-1-41(f).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.224-2005, SEC.25.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 9. Excise Fund Collections and Distributions7.1-4-9-4. Distribution to State General Fund

Sec. 4. Twenty-two percent (22%) of the money in the excise fund shall be deposited in the state general fund on the first day of June and the first day of December of each year. [Pre-1973 Recodification Citation: 7-1-1-41(f).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1977(ss), P.L.7, SEC.1; P.L.224-2005, SEC.26; P.L.165-2021, SEC.126.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 9. Excise Fund Collections and Distributions7.1-4-9-7.5. Deposit in Enforcement and Administration Fund

Sec. 7.5. Forty-five percent (45%) of the money in the excise fund shall be deposited in the enforcement and administration fund under IC 7.1-4-10 on the first day of June and the first day of December of each year. As added by P.L.224-2005, SEC.28. Amended by P.L.165-2021, SEC.127.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 9. Excise Fund Collections and Distributions7.1-4-9-7. Distribution to Cities and Towns; Notice of Annexation

Sec. 7. (a) Thirty-three percent (33%) of the money in the excise fund shall, upon warrant of the state comptroller, be paid into the general fund of the treasury of the city or town in which the retailer's or dealer's licensed premises are located. The money shall be paid to the treasurer of the county in which the retailer's or dealer's premises are located if they are located outside the corporate limits of a city or town. (b) Not later than ten (10) days after: (1) an annexation ordinance is filed under IC 36-4-3-22; or (2) the second of the two (2) approvals of an annexation is filed under IC 36-3-2-7; the annexing municipality shall provide notice to the chairman of the commission of any retailer's or dealer's premises located within the annexed territory. The notice shall be in writing, sent by certified mail, and must include the effective date of the annexation and the business name and street address of the retailer's or dealer's premises. (c) The distribution from the excise fund shall continue to be paid to the jurisdiction on record with the commission, until the chairman of the commission receives the notice under this section that the retailer's or dealer's premises have been annexed into the city or town. An annexing city or town: (1) shall be paid distributions that accrue after the date the chairman receives notice; and (2) is not entitled to retroactive payment of any distributions accruing before the date the chairman receives notice. [Pre-1973 Recodification Citation: 7-1-1-41(f).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.224-2005, SEC.27; P.L.194-2021, SEC.63; P.L.9-2024, SEC.274.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 9. Excise Fund Collections and Distributions7.1-4-9-8. Basis of Distribution and Use

Sec. 8. Basis of Distribution and Use. The monies in the excise fund that is distributed to a county, city or town shall be distributed in direct proportion to the amount of retailer's or dealer's annual license fees paid in respect to licensed premises situated in a city or town, or situated within a county but outside the corporate limits of a city or town. The money distributed shall be credited to the general fund of the county, city or town and the funds shall be budgeted according to law. [Pre-1973 Recodification Citation: 7-1-1-41(f).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 4. Revenue and TaxesChapter 9. Excise Fund Collections and Distributions7.1-4-9-9. Time of Distribution

Sec. 9. Time of Distribution. The distribution of the excise fund to be paid into the general fund of a county, city or town shall be distributed by the state treasurer semi-annually on the first day of June and the first day of December of each year. The state comptroller is authorized to draw the state comptroller's warrants to the treasurers of the several governmental subdivisions when the distribution is presented to the state comptroller. [Pre-1973 Recodification Citation: 7-1-1-41(f).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.9-2024, SEC.275.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 1. General Provisions; Public Intoxication7.1-5-1-1. Prohibition Against Commercial Purposes

Sec. 1. (a) It is unlawful for a person to manufacture for sale, bottle, insert into a container, sell, barter, import, transport, deliver, furnish, or possess, alcohol or alcoholic beverages, malt, malt syrup, malt extract, liquid malt or wort, for commercial purposes except as authorized in this title. (b) A person who knowingly or intentionally violates this section commits a Class C infraction. However, the violation is a Class B misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. [Pre-1973 Recodification Citation: 7-1-1-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.18; P.L.32-2019, SEC.12; P.L.194-2021, SEC.64.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 1. General Provisions; Public Intoxication7.1-5-1-12. Violation of Commission's Order

Sec. 12. Violation of Commission's Order. A person who recklessly imports, transports, receives, purchases, sells, distributes, delivers, or possesses an alcoholic beverage in violation of an order of the commission entered pursuant to IC 7.1-2-7, commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-3-5.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.706.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 1. General Provisions; Public Intoxication7.1-5-1-3. Public Intoxication Prohibited; Failure to Enforce by a Law Enforcement Officer

Sec. 3. (a) Subject to section 6.5 of this chapter, it is a Class B misdemeanor for a person to be in a public place or a place of public resort in a state of intoxication caused by the person's use of alcohol or a controlled substance (as defined in IC 35-48-1-9), if the person: (1) endangers the person's life; (2) endangers the life of another person; (3) breaches the peace or is in imminent danger of breaching the peace; or (4) harasses, annoys, or alarms another person. (b) A person may not initiate or maintain an action against a law enforcement officer based on the officer's failure to enforce this section. [Pre-1973 Recodification Citation: 7-1-1-32(11).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.702; P.L.213-2001, SEC.2; P.L.93-2012, SEC.2; P.L.117-2012, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 1. General Provisions; Public Intoxication7.1-5-1-6.5. Request of Medical Assistance, Victim of Sex Offense, Crime Witness; Prohibited From Being Taken Into Custody; Immunity From Criminal Prosecution; Actions Against Law Enforcement Officers

Sec. 6.5. (a) A law enforcement officer may not take a person into custody based solely on the commission of an offense involving alcohol described in subsection (b) if the law enforcement officer, after making a reasonable determination and considering the facts and surrounding circumstances, reasonably believes that all of the following apply: (1) The law enforcement officer has contact with the person because the person: (A) either: (i) requested emergency medical assistance; or (ii) acted in concert with another person who requested emergency medical assistance; for an individual who reasonably appeared to be in need of medical assistance; (B) is the victim of a reported sex offense (as defined in IC 11-8-8-5.2); or (C) witnessed and reported what the person reasonably believed to be a crime. (2) The person described in subdivision (1)(A), (1)(B), or (1)(C): (A) provided: (i) the person's full name; and (ii) any other relevant information requested by the law enforcement officer; and (B) in the case of a person described in subdivision (1)(A): (i) remained at the scene with the individual who reasonably appeared to be in need of medical assistance until emergency medical assistance arrived; and (ii) cooperated with emergency medical assistance personnel and law enforcement officers at the scene. (b) A person who meets the criteria of subsection (a)(1) and (a)(2) is immune from criminal prosecution for an offense under: (1) section 3 of this chapter if the offense involved a state of intoxication caused by the person's use of alcohol; (2) section 6 of this chapter if the offense involved the person being, or becoming, intoxicated as a result of the person's use of alcohol; and (3) IC 7.1-5-7-7. (c) A person may not initiate or maintain an action against a law enforcement officer based on the officer's compliance or failure to comply with this section. As added by P.L.93-2012, SEC.4. Amended by P.L.156-2014, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 1. General Provisions; Public Intoxication7.1-5-1-6.6. Dismissal of Public Intoxication or Illegal Possession Charges

Sec. 6.6. (a) This section applies only to a person: (1) arrested for a violation of: (A) section 3 of this chapter if the offense involved a state of intoxication caused by the person's use of alcohol; (B) section 6 of this chapter if the offense involved the person being, or becoming, intoxicated as a result of the person's use of alcohol; or (C) IC 7.1-5-7-7; and (2) whose arrest was facilitated because another person reported that the person appeared to be in need of medical assistance due to the use of alcohol. (b) If a person described in subsection (a): (1) does not have a prior conviction for an offense described in subsection (a); (2) pleads guilty to an offense described in subsection (a); and (3) agrees to be placed in the custody of the court; the court, without entering a judgment of conviction, shall defer further proceedings and place the person in the custody of the court under conditions determined by the court. (c) If the person placed in the custody of the court violates the conditions of custody, the court may enter a judgment of conviction. However, if the person fulfills the conditions of the custody, the court shall dismiss the charges against the person. (d) There may be only one (1) dismissal under this section with respect to a person. As added by P.L.156-2014, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 1. General Provisions; Public Intoxication7.1-5-1-6. Intoxication Upon Common Carrier Prohibited; Failure to Enforce by a Law Enforcement Officer

Sec. 6. (a) Subject to section 6.5 of this chapter, it is a Class C infraction for a person to be, or to become, intoxicated as a result of the person's use of alcohol or a controlled substance (as defined in IC 35-48-1-9) in or upon a vehicle commonly used for the public transportation of passengers, or in or upon a common carrier, or in or about a depot, station, airport, ticket office, waiting room or platform, if the person: (1) endangers the person's life; (2) endangers the life of another person; (3) breaches the peace or is in imminent danger of breaching the peace; or (4) harasses, annoys, or alarms another person. However, the violation is a Class B misdemeanor if the violation is committed knowingly or intentionally and the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. (b) A person may not initiate or maintain an action against a law enforcement officer based on the officer's failure to enforce this section. [Pre-1973 Recodification Citation: 7-1-1-32(16).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.703; P.L.213-2001, SEC.3; P.L.93-2012, SEC.3; P.L.117-2012,

SEC.2; P.L.32-2019, SEC.13.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 1. General Provisions; Public Intoxication7.1-5-1-7. Notice of Conviction Sent to Commission

Sec. 7. Notice of Conviction Sent to Commission. A court, upon convicting a permittee for a violation of a provision of this title, shall cause a certified copy of the judgment of conviction to be made and forwarded to the commission. [Pre-1973 Recodification Citation: 7-1-1-32(19).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The addition of section 15.5 of this chapter by P.L.80-1986 does not apply to actions accruing before April 1, 1986. As added by P.L.220-2011, SEC.180.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-1. Times When Sales Unlawful

Sec. 1. (a) Except as provided in subsection (c), it is unlawful to sell alcoholic beverages at a time other than that made lawful by the provisions of IC 7.1-3-1-14. (b) During the time when the sale of alcoholic beverages is unlawful, no alcoholic beverages shall be sold, dispensed, given away, or otherwise disposed of on the licensed premises and the licensed premises shall remain closed to the extent that the nature of the business carried on at the premises, as at a hotel or restaurant, permits. (c) It is lawful for the holder of a valid beer, wine, or liquor wholesaler's permit to sell to the holder of a valid retailer's or dealer's permit at any time. (d) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-2-1-7.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.51, SEC.7; P.L.3-1997, SEC.423; P.L.205-1999, SEC.18; P.L.94-2008, SEC.58; P.L.1-2009, SEC.63; P.L.10-2010, SEC.11; P.L.159-2014, SEC.68; P.L.196-2015, SEC.20.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-10. Huckstering Prohibited

Sec. 10. Huckstering Prohibited. It is a Class C misdemeanor for a permittee to recklessly deliver an alcoholic beverage to a consumer without an order for it, or to recklessly huckster or peddle an alcoholic beverage to a person who is not a permittee. [Pre-1973 Recodification Citation: 7-1-1-42(r), (t).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.719.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-11. Sale of Cold Beer Prohibited

Sec. 11. (a) It is unlawful for the holder of a beer dealer's permit to offer or display for sale, or sell, barter, exchange or give away a bottle, can, container, or package of beer that was iced or cooled by the permittee before or at the time of the sale, exchange, or gift. (b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-12.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.76.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-12. Credit Sales Prohibited; Exceptions

Sec. 12. (a) Except as provided in subsections (b) through (d) and subsection (g), it is unlawful for a permittee to sell, offer to sell, purchase or receive, an alcoholic beverage for anything other than cash. A permittee who extends credit in violation of this section shall have no right of action on the claim. (b) A permittee may credit to a purchaser the actual price charged for a package or an original container returned by the original purchaser as a credit on a sale and refund to a purchaser the amount paid by the purchaser for a container, or as a deposit on a container, if it is returned to the permittee. (c) A manufacturer may extend usual and customary credit for alcoholic beverages sold to a customer who maintains a place of business outside this state when the alcoholic beverages are actually shipped to a point outside this state. (d) An artisan distiller, a distiller, a farm winery, or a liquor or wine wholesaler may extend credit on liquor, flavored malt beverages, and wine sold to a permittee for a period of fifteen (15) days from the date of invoice, date of invoice included. However, if the fifteen (15) day period passes without payment in full, the: (1) wholesaler; (2) farm winery that sells and delivers under IC 7.1-3-12-5(a)(14); or (3) artisan distillery that sells and delivers under IC 7.1-3-27-8(a)(11); shall sell to that permittee on a cash on delivery basis only. (e) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. (f) Nothing in this section may be construed to prohibit a hotel, restaurant, caterer, or a club that is not open to the general public from extending credit to a consumer purchasing alcohol for personal use at any time. (g) Nothing in this section may be construed to prohibit a retailer or dealer from accepting a: (1) credit card; (2) debit card; (3) charge card; or (4) stored value card; from a consumer purchasing alcohol for personal use. [Pre-1973 Recodification Citation: 7-1-2-1.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.72-1996, SEC.23; P.L.109-2013, SEC.14; P.L.159-2014, SEC.77; P.L.234-2017, SEC.5; P.L.285-2019, SEC.64; P.L.156-2020, SEC.33; P.L.194-2021, SEC.65.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-13. Cashing of Certain Checks Prohibited

Sec. 13. (a) A permittee who holds a permit to sell at retail shall not cash a check issued by the division of family and children or by a charitable organization if any part of the proceeds of the check are to be used to purchase an alcoholic beverage. (b) A permittee who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-2-1.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.16-1986, SEC.5; P.L.4-1993, SEC.12; P.L.5-1993, SEC.24; P.L.146-2008, SEC.360; P.L.44-2009, SEC.3; P.L.159-2014, SEC.78.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-15.5. Person Furnishing Alcoholic Beverage; Civil Liability for Damages; "Furnish" Defined

Sec. 15.5. (a) As used in this section, "furnish" includes barter, deliver, sell, exchange, provide, or give away. (b) A person who furnishes an alcoholic beverage to a person is not liable in a civil action for damages caused by the impairment or intoxication of the person who was furnished the alcoholic beverage unless: (1) the person furnishing the alcoholic beverage had actual knowledge that the person to whom the alcoholic beverage was furnished was visibly intoxicated at the time the alcoholic beverage was furnished; and (2) the intoxication of the person to whom the alcoholic beverage was furnished was a proximate cause of the death, injury, or damage alleged in the complaint. (c) If a person who is at least twenty-one (21) years of age suffers injury or death proximately caused by the person's voluntary intoxication, the: (1) person; (2) person's dependents; (3) person's personal representative; or (4) person's heirs; may not assert a claim for damages for personal injury or death against a person who furnished an alcoholic beverage that contributed to the person's intoxication, unless subsections (b)(1) and (b)(2) apply. As added by P.L.80-1986, SEC.1. Amended by P.L.76-1996, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-15. Sale to Intoxicated Person Prohibited

Sec. 15. (a) A person who, knowing that another person is intoxicated, sells, barters, delivers, or gives away an alcoholic beverage to the intoxicated person commits a Class B misdemeanor. (b) In any civil proceeding in which damages are sought from a permittee or a permittee's agent for the refusal to serve a person an alcoholic beverage, it is a complete defense if the permittee or agent reasonably believed that the person was intoxicated or was otherwise not entitled to be served an alcoholic beverage. (c) After charges have been filed against a person for a violation of subsection (a), the prosecuting attorney shall notify the commission of the charges filed. [Pre-1973 Recodification Citation: 7-1-1-32(15).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.721; P.L.86-1985, SEC.1; P.L.125-2000, SEC.4; P.L.159-2014, SEC.80.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-2. Unauthorized Sales Prohibited

Sec. 2. (a) It is unlawful for a permittee to recklessly sell, keep for sale, barter, furnish, or give away an alcoholic beverage which the permittee is not entitled to sell, keep for sale, barter, furnish, or give away under the permit. (b) A person who violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-32(4).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.715; P.L.159-2014, SEC.69.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-20.5. Partial Day Drink Discount Permitted

Sec. 20.5. (a) As used in this section, "permit holder" means the holder of one (1) or more of the following: (1) A retailer's permit. (2) A craft manufacturer's permit. (b) It is lawful for a permit holder to sell alcoholic beverages during a portion of the day at a price that is reduced from the usual, customary, or established price that the permit holder charges during the remainder of the day, subject to the following: (1) A price reduction: (A) may not exceed: (i) four (4) hours in one (1) day; and (ii) fifteen (15) hours in one (1) week; and (B) may be during consecutive or nonconsecutive hours that are divided by the permit holder in any manner. (2) A price reduction may not be made from 9 p.m. prevailing local time until 3 a.m. prevailing local time, the following day. (c) It is lawful for a permit holder to sell alcoholic beverages during an entire day at a price that is reduced from the usual, customary, or established price that the permit holder charges for the alcoholic beverages. (d) It is lawful for a permit holder to sell alcoholic beverages during a portion of the day at a price that is increased from the usual, customary, or established price that the permit holder charges during the remainder of that day, if the price increase is charged when the permit holder provides paid live entertainment not incidental to the services customarily provided. Sales of alcoholic beverages at the usual, customary, or established price during the remainder of the day is not a partial day price reduction that is subject to subsection (b). (e) Notwithstanding IC 7.1-5-5-7, it is lawful for a hotel, in an area of the hotel in which alcoholic beverages are not sold, to make available to: (1) the hotel's registered guests; and (2) the guests of registered guests; from 7 a.m. prevailing local time until 3 a.m. prevailing local time, alcoholic beverages at no additional charge beyond what is to be paid by the registered guests as the room rate. (f) The commission may revoke the privilege of a permit holder to sell alcoholic beverages in the manner described in subsection

(b), (c), or (d), if the permit holder violates any of the conditions under subsection (b). As added by P.L.167-2024, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-20. Unlawful Acts by Retailers

Sec. 20. (a) It is unlawful for a holder of a retailer's permit to do any of the following: (1) Furnish two (2) or more servings of an alcoholic beverage upon the placing of an order for one (1) serving to one (1) person for that person's personal consumption. (2) Charge a single price for the required purchase of two (2) or more servings of an alcoholic beverage. (3) Except as expressly authorized under IC 7.1-3-6.1 or IC 7.1-3-6.2, conduct, sponsor, or participate in or allow a person on the licensed premises to conduct, sponsor, or participate in any game or contest on the licensed premises that: (A) is determined by the quantity of alcoholic beverages consumed by an individual or individuals; or (B) awards alcoholic beverages or reduced price alcoholic beverages as prizes for the game or contest. (4) Sell or serve an unlimited or indefinite amount of alcoholic beverages for a fixed price. (b) Subsection (a) applies to private clubs but does not apply to private functions that are not open to the public. (c) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. As added by P.L.86-1985, SEC.2. Amended by P.L.79-1986, SEC.5; P.L.159-2014, SEC.84; P.L.234-2017, SEC.6; P.L.167-2024, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-22. Unlawful Sale of Flavored Malt Beverage

Sec. 22. (a) It is unlawful for a retailer or dealer to sell a flavored malt beverage except under the same conditions that a retailer or dealer is permitted to sell beer or other alcoholic beverages obtained by the fermentation of an infusion or decoction of barley malt or other cereal and hops in water. (b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. As added by P.L.72-1996, SEC.24. Amended by P.L.159-2014, SEC.85.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-23. Purchases for Consumption Off the Licensed Premises; Proof of Age

Sec. 23. It is a Class C infraction for a permittee or an employee or agent of a permittee to recklessly, knowingly, or intentionally sell, barter, exchange, provide, or furnish another person who is or reasonably appears to be less than forty (40) years of age an alcoholic beverage for consumption off the licensed premises without first requiring the person to produce: (1) a driver's license; (2) an identification card issued under IC 9-24-16-1 or a similar card issued under the laws of another state or the federal government; or (3) a government issued document; bearing the person's photograph and birth date showing that the person is at least twenty-one (21) years of age. As added by P.L.10-2010, SEC.12. Amended by P.L.216-2011, SEC.3; P.L.32-2019, SEC.16.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-24. Restrictions for Certain Restaurants and Drug Stores or Grocery Stores Located in the Same Building

Sec. 24. (a) This section does not apply to the licensed premises of a drug store, grocery store, or restaurant to which the following apply: (1) A person has, as of July 1, 2015, an application on file with the commission for a: (A) dealer's permit for the drug store or grocery store; and (B) retailer's permit for the restaurant. (2) The licensed premises of the: (A) drug store or grocery store; and (B) restaurant; as described in the permit applications, are located in the same building. (b) If: (1) a person has an interest in: (A) a dealer's permit for a drug store or grocery store; and (B) a retailer's permit for a restaurant; and (2) the licensed premises of the drug store or grocery store and the restaurant are located in the same building; the licensed premises of the drug store or grocery store and the licensed premises of the restaurant must be completely separated by a wall and have separate entrances. As added by P.L.196-2015, SEC.21.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-25. Alcoholic Beverages Sold for Carryout Prohibited for Certain Restaurants

Sec. 25. If: (1) a person has an interest in: (A) a dealer's permit for a drug store or grocery store; and (B) a retailer's permit for a restaurant; and (2) the licensed premises of the drug store or grocery store and the restaurant are located in the same building; beer, wine, and liquor may not be sold for carryout from the licensed premises of the restaurant. As added by P.L.196-2015, SEC.22.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-26. Sale of Tobacco Product Without Valid Tobacco Sales Certificate

Sec. 26. A person who recklessly, knowingly, or intentionally sells a tobacco product without a valid tobacco sales certificate commits a Class C infraction. As added by P.L.107-2024, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-3. Unauthorized Dealings Prohibited

Sec. 3. (a) It is unlawful for a person who is not a permittee to recklessly give away or furnish, to a person other than a guest or a member of the permittee's family, or to recklessly sell, barter, or exchange, an alcoholic beverage unless the permittee is expressly authorized to do so by this title. (b) A person who violates this section commits a Class B misdemeanor. [Pre-1973 Recodification

Citation: 7-1-1-32(5).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.716; P.L.159-2014, SEC.70.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-4. Sale of Untaxed Alcoholic Beverages Prohibited

Sec. 4. (a) It is unlawful for a person to recklessly sell, give, withdraw for sale or gift, offer for sale, display, barter, exchange, purchase, receive, possess, transport, or store an alcoholic beverage upon which the appropriate excise tax and applicable license fee have not been paid. (b) A person who violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-41(a), (b), (d), (e).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.35. As amended by Acts 1978, P.L.2, SEC.717; P.L.159-2014, SEC.71.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-5. Sale Without Permit Prohibited

Sec. 5. (a) It is unlawful for a person, except as otherwise permitted by this title, to knowingly or intentionally purchase, receive, manufacture, import, or transport, or cause to be imported or transported from another state, territory, or country, into this state, or transport, ship, barter, give away, exchange, furnish, or otherwise handle, or dispose of an alcoholic beverage, or to possess an alcoholic beverage for purpose of sale. (b) It is unlawful for a person to receive or acquire an alcoholic beverage from a person that the person knows does not hold, unrevoked, the appropriate permit under this title to sell, deliver, furnish, or give the alcoholic beverage to the person. (c) A person who violates subsection (a) or (b) commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(a).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.72.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-6. Sale of Adulterated or Misbranded Beverage Prohibited

Sec. 6. (a) It is unlawful for a person to sell, offer or expose for sale, or have in the person's possession with intent to sell, an alcoholic beverage that is adulterated or misbranded. (b) It is unlawful for a person to alter or change a brand, label, mark, design, device, or inscription that has reference to the kind, brand, age, quality, quantity, or other description of the alcoholic beverage contents of a bottle or container. (c) The possession of an adulterated or misbranded alcoholic beverage by a permittee, or other person engaged in the manufacture or traffic in alcoholic beverages, is prima facie evidence of knowledge of the misbranding or adulteration and of an intent to violate a provision of this section. (d) The possession by a permittee, or other person engaged in the alcoholic beverage traffic, of a bottle or container used, or intended to be used, for containing an alcoholic beverage on which a label, brand, mark, design, or device has been altered or changed is prima facie evidence of an intent to violate a provision of this section. (e) A person who violates subsection (a) or knowingly or intentionally violates subsection (b) commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(b).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.73.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-7. Purchase From Non-Permittee Prohibited

Sec. 7. Purchase from Non-Permittee Prohibited. It is a Class C infraction for a person knowingly to purchase, or to agree to purchase, an alcoholic beverage from a person who does not at the time of the purchase hold a permit authorizing the seller to sell, or agree to sell, the alcoholic beverage to the purchaser. [Pre-1973 Recodification Citations: 7-1-1-33(c); 7-1-1-33(w).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.718.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-8. Solicitation of Certain Orders Prohibited

Sec. 8. (a) It is unlawful for a person to solicit or receive, or to allow the person's employee to solicit or receive, an order for an alcoholic beverage from another person in violation of a provision of this title. (b) It is unlawful for a person to give information of how an alcoholic beverage may be obtained in violation of a provision of this title. (c) A person who knowingly or intentionally violates subsection (a) or (b) commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(i).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.74.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 10. Unlawful Sales7.1-5-10-9. Alcoholic Content Regulation

Sec. 9. (a) It is unlawful, except as otherwise authorized in this title, for a person to sell, give away, barter, furnish, or exchange, or to possess or keep for a prohibited purpose, alcohol as a beverage, or a beverage or liquid likely to be used or intended to be used as a beverage, which has a content of alcohol that is higher than is permitted by the rules of the commission. (b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(n).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.75.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-1.5. Shipments of Alcoholic Beverages to Residents Without Valid Wholesaler Permits; Violations

Sec. 1.5. (a) Except as provided in IC 7.1-3-26, it is unlawful for a person in the business of selling alcoholic beverages in Indiana or outside Indiana to ship or cause to be shipped an alcoholic beverage directly to a person in Indiana who does not hold a valid wholesaler permit under this title. This includes the ordering and selling of alcoholic beverages over a computer network (as defined by IC 35-43-2-3(a)). (b) An in-state or an out-of-state vintner, distiller, brewer, rectifier, or importer that: (1) holds a basic permit from the federal Alcohol and Tobacco Tax and Trade Bureau, or its successor agency; and (2) knowingly violates subsection (a); commits a Class A misdemeanor. (c) A person who is not an in-state or an out-of-state vintner, distiller, brewer, rectifier, or importer that holds a basic permit from the federal Alcohol and Tobacco Tax and Trade Bureau, or its successor agency, who knowingly violates subsection (a) commits a Level 6 felony. (d) Upon a determination by the commission that a person has violated subsection (a), a wholesaler may not accept a shipment of alcoholic beverages from the person for a period of up to one (1) year as determined by the commission. (e) If the chairman of the alcohol and tobacco commission or the attorney general determines that a vintner, distiller, brewer, rectifier, or importer that holds a basic permit from the federal Alcohol and Tobacco Tax and Trade Bureau, or its successor agency, has made an illegal shipment of an alcoholic beverage to consumers in Indiana, the chairman shall: (1) notify the federal Alcohol and Tobacco Tax and Trade Bureau, or its successor agency, of the official determination that state law has been violated; and (2) request the federal bureau to take appropriate action. (f) The commission shall adopt rules under IC 4-22-2 to implement this section. As added by P.L.121-1998, SEC.2. Amended by P.L.165-2006, SEC.38; P.L.159-2014, SEC.87; P.L.145-2024, SEC.20.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-1. Importation Limited

Sec. 1. A person who knowingly or intentionally imports liquor into this state without specific authorization under this title commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-18.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.86.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-10. Transportation of Liquor Limited

Sec. 10. (a) This section applies only if the commission has adopted a rule requiring a mark or label of identification to be displayed on the outside of a package containing liquor. (b) It is unlawful for a person to transport liquor or cause it to be transported upon a public highway into this state from another state, territory, or country, or to transport or cause it to be transported along or over a public highway in this state, unless there is displayed on the outside of the package, in plain view, a mark or label of identification required by a rule adopted by the commission. (c) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(o).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.36. As amended by P.L.159-2014, SEC.96.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-11. Bill of Lading or Other Evidence of Ownership Required

Sec. 11. (a) It is unlawful for a person to transport into this state upon a public highway of this state, an alcoholic beverage from another state, territory, or country, unless the person accompanying, or in charge of the shipment, has present and available for exhibition: (1) a bill of lading; or (2) other evidence of ownership or shipment authorized by a rule adopted by the commission. (b) It is unlawful for a person to refuse to exhibit, or permit to be read or examined, the bill of lading or other evidence of ownership or shipment upon a lawful demand of the chairman, or of a police officer of the state, or of a governmental subdivision of it. (c) A person who knowingly or intentionally violates subsection (a) or (b) commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(p).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.97.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-12. Use of Highway for Evasion Prohibited

Sec. 12. (a) It is unlawful for a person to use or employ a public highway in this state with the intent of evading a provision of this title. (b) A person who violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(q).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.98.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-13. Recordkeeping Required

Sec. 13. (a) A railroad company, an express company, and a common carrier shall keep in the office at which delivery of an alcoholic beverage to a consignee is made, a separate record in which shall be entered the information required by this title for the shipment of an alcoholic beverage. (b) This record shall be open to the inspection of the chairman. (c) An agent, officer, or

employee of a railroad company, express company, or common carrier who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(t).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.99.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-14. False Statement Prohibited

Sec. 14. (a) It is unlawful for a person to make a false statement to a railroad, express, or transportation company for the purpose of obtaining an alcoholic beverage. (b) It is unlawful for a person to make a false statement to a person engaged in the business of transporting goods, wares, and merchandise for the purpose of obtaining the shipment, transportation, or delivery of an alcoholic beverage. (c) A person who knowingly or intentionally violates subsection (a) or (b) commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(u).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.100.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-15. Transportation of Unowned Goods Limited

Sec. 15. (a) This section does not apply to the shipment of an alcoholic beverage from another state in continuous transit through this state into another state unless the shipment is intended to evade a provision of this title. (b) This section does not prohibit a person, other than a permittee, from bringing into this state a quantity of: (1) wine not exceeding eighteen (18) liters; or (2) liquor not exceeding one (1) quart; if the person is a traveler in the ordinary course of travel and if it is not intended for sale to another person. (c) It is unlawful for a person to import or transport an alcoholic beverage that is not at that time the absolute property of an authorized permittee under this title. (d) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-42(a).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.165-2006, SEC.39; P.L.159-2014, SEC.101.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-16. Transportation to Retailer or Dealer on Sunday Prohibited

Sec. 16. It is a Class C misdemeanor for a person to knowingly or intentionally deliver or transport an alcoholic beverage to the holder of a retailer's or dealer's permit of any type, except a temporary beer or wine permit, on Sunday. [Pre-1973 Recodification Citation: 7-1-1-42(q), (t).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.59, SEC.9. As amended by Acts 1978, P.L.2, SEC.726; P.L.159-2014, SEC.102.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-2. Transportation Limited

Sec. 2. (a) It is unlawful for a carrier who is required to obtain a carrier's alcoholic permit by IC 7.1-3-18 to transport alcoholic beverages over or along a public highway within this state unless the carrier has applied for a carrier's alcoholic permit and been issued: (1) a carrier's alcoholic permit; or (2) specific authorization from the commission to transport alcoholic beverages on a public highway under rules adopted by the commission. (b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-30.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.88.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-3. Transportation in Non-Registered Vehicles Prohibited

Sec. 3. (a) It is unlawful for the holder of a carrier's alcoholic permit to import or transport alcoholic beverages in a vehicle that has not been registered with the commission as required by this title. (b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-30.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.89.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-4. Deliveries Limited

Sec. 4. (a) It is unlawful for an officer, agent, or employee of a railroad company, express company, or other common carrier to recklessly deliver: (1) an alcoholic beverage to a person other than the person to whom it is consigned; (2) it without a written order by the consignee; or (3) it to a person when the alcoholic beverage has been consigned to a fictitious person or a person under a fictitious name. (b) A person who violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-32(9).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.724; P.L.159-2014, SEC.90.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-5. Transportation of Untaxed Beverage Prohibited; Exemptions

Sec. 5. (a) This section does not apply to a permittee, or a licensed carrier for a permittee, who is lawfully entitled to hold or possess an alcoholic beverage without the payment of the excise tax on the alcoholic beverage before the time the alcoholic beverage is

withdrawn for sale. (b) A person who transports an alcoholic beverage on a public highway, knowing that any of the taxes due the state on it have not been paid, commits a Level 6 felony. [Pre-1973 Recodification Citation: 7-1-1-32(18).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.725; P.L.1-1999, SEC.20; P.L.158-2013, SEC.129; P.L.159-2014, SEC.91.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-6. Devious Transportation Prohibited

Sec. 6. (a) It is unlawful for a person to use or employ, or agree to use or employ, a method of transportation, or device, or fictitious name, or fictitious routing, or to enter into a scheme or method of transportation, or to resort to a trick or device, with the intent to evade, avoid, or defeat the collection of a tax imposed by this title, or to evade or prevent the enforcement of a provision of this title. (b) A person who violates this section commits a Class A misdemeanor. However, the offense is a Level 6 felony if the amount of tax is at least seven hundred fifty dollars ($750). [Pre-1973 Recodification Citation: 7-1-1-33(f).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.92.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-7. False Shipments Prohibited

Sec. 7. (a) It is unlawful for a consignee to accept or receive a package that contains an alcoholic beverage upon which appears a statement, label, address, superscription, shipping direction, legend, or design which the person knows is false or misleading. (b) It is unlawful for a carrier, or other person, to consign, ship, transport, or deliver a package that contains an alcoholic beverage if the person knows that a statement, label, address, superscription, shipping direction, legend, or design on it is false or misleading. (c) A person who violates subsection (a) or (b) commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(j).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.93.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-8. Delivery to Non-Consignee Prohibited

Sec. 8. (a) It is unlawful for a person to present or tender for transportation to a carrier or a person acting or assuming to act for a carrier an alcoholic beverage: (1) for delivery to a person other than the consignee designated by the person offering the alcoholic beverage for shipment; or (2) for the purpose of effecting a delivery of the alcoholic beverage to a person not permitted to receive it as consignee: (A) under the provisions of this title; (B) under the provisions of a rule of the commission; or (C) because the person is not the bona fide consignee of the shipment. (b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(k).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.94.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 11. Unlawful Transportation7.1-5-11-9. Violation of Transportation Contract Prohibited

Sec. 9. (a) It is unlawful for a carrier or a person acting or assuming to act for a carrier, to deliver an alcoholic beverage in this state to a person, or at a place, other than the person, or place, or both, designated in the bill of lading or transportation contract. (b) It is unlawful for a person to accept for transportation a shipment containing an alcoholic beverage, knowing that the shipment is intended for a person not permitted to receive it under the provisions of this title, or under a rule of the commission. (c) A person who knowingly or intentionally violates subsection (a), or who violates subsection (b), commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(l).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.95.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 12. Prohibition on Smoking7.1-5-12-0.5. "Ashtray"

Sec. 0.5. As used in this chapter, "ashtray" means any receptacle that is used for disposing of smoking materials, including ash and filters. As added by P.L.141-2012, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 12. Prohibition on Smoking7.1-5-12-1. "Place of Employment"

Sec. 1. As used in this chapter, "place of employment" means an enclosed area of a structure that is a place of employment. The term does not include a private vehicle. As added by P.L.141-2012, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 12. Prohibition on Smoking7.1-5-12-10. Failure to Comply With Requirements; Penalty

Sec. 10. (a) An owner, manager, operator, or official in charge of a public place or place of employment who fails to comply with a requirement imposed by this chapter commits a Class B infraction, except as provided in subsection (b). (b) A failure to comply described in subsection (a) is a Class A infraction if the owner, manager, operator, or official has been adjudged to have committed at least three (3) prior unrelated infractions under this chapter. As added by P.L.141-2012, SEC.2.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 12. Prohibition on Smoking7.1-5-12-11. Discharge, Refusal to Hire, or Retaliation Against Employee Prohibited

Sec. 11. An owner, a manager, or an employer shall not discharge, refuse to hire, or in any manner retaliate against an individual for: (1) reporting a violation of this chapter; or (2) exercising any right or satisfying any obligation under this chapter. As added by P.L.141-2012, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 12. Prohibition on Smoking7.1-5-12-12. Smoking in School Bus; Prohibited

Sec. 12. (a) As used in this section, "school bus" means a motor vehicle that is: (1) designed and constructed for the accommodation of at least ten (10) passengers; (2) owned or operated by a public or governmental agency, or privately owned and operated for compensation; and (3) used for the transportation of school children to and from the following: (A) School. (B) School athletic games or contests. (C) Other school functions. (b) As used in this section, "school week" means a week that: (1) begins on Monday and ends on Friday; and (2) includes at least three (3) days during which, on each day, more than four (4) hours of classroom instruction are provided. (c) A person who smokes in a school bus during a school week or while the school bus is being used for the transportation of school children to and from: (1) a school; (2) a school athletic game or contest; or (3) another school function; commits a Class B infraction, except as provided in subsection (d). (d) A person who smokes in a school bus as described in subsection (c) commits a Class A infraction if the person, within the twelve (12) months immediately preceding the person's act of smoking in a school bus, committed at least three (3) prior unrelated acts of smoking in a school bus for which the person was adjudged to have committed infractions under this section. As added by P.L.141-2012, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 12. Prohibition on Smoking7.1-5-12-13. Local Ordinances

Sec. 13. (a) This chapter does not prohibit a county, city, town, or other governmental unit from adopting an ordinance more restrictive than this chapter. (b) This chapter does not supersede a smoking ordinance that is adopted by a county, city, town, or other governmental unit before the effective date of this chapter and that is more restrictive than this chapter. As added by P.L.141-2012, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 12. Prohibition on Smoking7.1-5-12-14. Annual Report

Sec. 14. Beginning in 2013, the commission shall present an annual report to the interim study committee on public health, behavioral health, and human services established by IC 2-5-1.3-4 concerning the implementation and enforcement activities taken under this chapter. The report must include the number of smoking related inspections conducted and violations for the previous calendar year. The commission shall submit the report in electronic format under IC 5-14-6 to the legislative services agency not later than September 1 of each year. As added by P.L.141-2012, SEC.2. Amended by P.L.53-2014, SEC.73.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 12. Prohibition on Smoking7.1-5-12-2. "Public Place"

Sec. 2. As used in this chapter, "public place" means an enclosed area of a structure in which the public is invited or permitted. As added by P.L.141-2012, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 12. Prohibition on Smoking7.1-5-12-3. "Smoking"

Sec. 3. As used in this chapter, "smoking" means the: (1) carrying or holding of a lighted cigarette, cigar, or pipe or any other lighted tobacco smoking equipment; or (2) inhalation or exhalation of smoke from lighted tobacco smoking equipment. As added by P.L.141-2012, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 12. Prohibition on Smoking7.1-5-12-4. Places Smoking Is Prohibited; Duties of Employers and Person in Charge of a Place of Employment or Public Place

Sec. 4. (a) Except as provided in section 5 of this chapter, smoking is prohibited in the following: (1) A public place. (2) A place of employment. (3) A vehicle owned, leased, or operated by the state if the vehicle is being used for a governmental function. (4) The area within eight (8) feet of a public entrance to: (A) a public place; or (B) a place of employment. (b) An employer shall inform each of the employer's employees and prospective employees of the smoking prohibition applying to the place of employment. (c) An owner, operator, manager, or official in charge of a public place or place of employment shall remove ashtrays or other smoking paraphernalia from areas of the public place or place of employment where smoking is prohibited under this chapter. However, this subsection does not prohibit the display of ashtrays or other smoking paraphernalia that are intended only for retail sale. (d) This

subsection does not apply to an owner, an operator, a manager, or an official in charge of a public place or place of employment in which smoking is allowed under section 5 of this chapter. An owner, operator, manager, or official in charge of a public place or place of employment shall post conspicuous signs at each public entrance that read "State Law Prohibits Smoking Within 8 Feet of this Entrance" or other similar language. As added by P.L.141-2012, SEC.2. Amended by P.L.70-2014, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 12. Prohibition on Smoking7.1-5-12-5. Exceptions to Smoking Ban; Signage; Areas Where Smoking Is Prohibited in Exempted Premises; Verified Statement

Sec. 5. (a) Except as provided in subsection (c) and subject to section 13 of this chapter, smoking may be allowed in the following: (1) A horse racing facility operated under a permit under IC 4-31-5 and any other permanent structure on land owned or leased by the owner of the facility that is adjacent to the facility. (2) A riverboat (as defined in IC 4-33-2-17) and any other permanent structure that is: (A) owned or leased by the owner of the riverboat; and (B) located on land that is adjacent to: (i) the dock to which the riverboat is moored; or (ii) the land on which the riverboat is situated in the case of a riverboat described in IC 4-33-2-17(2). (3) A facility that operates under a gambling game license under IC 4-35-5 and any other permanent structure on land owned or leased by the owner of the facility that is adjacent to the facility. (4) A satellite facility licensed under IC 4-31-5.5. (5) An establishment owned or leased by a business that meets the following requirements: (A) The business was in business and permitted smoking on December 31, 2012. (B) The business prohibits entry by an individual who is less than twenty-one (21) years of age. (C) The owner or operator of the business holds a beer, liquor, or wine retailer's permit. (D) The business limits smoking in the establishment to smoking with a waterpipe or hookah device. (E) During the preceding calendar year, at least ten percent (10%) of the business's annual gross income was from the sale of loose tobacco for use in a waterpipe or hookah device. (F) The person in charge of the business posts in the establishment conspicuous signs that display the message that cigarette smoking is prohibited. (6) An establishment owned or leased by a business that meets the following requirements: (A) The business prohibits entry by an individual who is less than twenty-one (21) years of age. (B) The owner or operator of the business holds a beer, liquor, or wine retailer's permit. (C) The business limits smoking in the establishment to cigar smoking. (D) During the preceding calendar year, at least ten percent (10%) of the business's annual gross income was from the sale of cigars and the rental of onsite humidors. (E) The person in charge of the business posts in the establishment conspicuous signs that display the message that cigarette smoking is prohibited. (7) A premises owned or leased by and regularly used for the activities of a business that meets all of the following: (A) The business is exempt from federal income taxation under 26 U.S.C. 501(c). (B) The business: (i) meets the requirements to be considered a club under IC 7.1-3-20-1; or (ii) is a fraternal club (as defined in IC 7.1-3-20-7). (C) The business provides food or alcoholic beverages only to its bona fide members and their guests. (D) The business: (i) provides a separate, enclosed, designated smoking room or area that is adequately ventilated to prevent migration of smoke to nonsmoking areas of the premises; (ii) allows smoking only in the room or area described in item (i); (iii) does not allow an individual who is less than twenty-one (21) years of age to enter into the room or area described in item (i); and (iv) allows a guest in the smoking room or area described in item (i) only when accompanied by a bona fide member of the business. (8) A retail tobacco store used primarily for the sale of tobacco products and tobacco accessories that meets the following requirements: (A) The owner or operator of the store holds a valid tobacco sales certificate issued under IC 7.1-3-18.5. (B) The store prohibits entry by an individual who is less than twenty-one (21) years of age. (C) The sale of products other than tobacco products and tobacco accessories is merely incidental. (D) The sale of tobacco products accounts for at least eighty-five percent (85%) of the store's annual gross sales. (E) Food or beverages are not sold in a manner that requires consumption on the premises, and there is not an area set aside for customers to consume food or beverages on the premises. (9) A bar or tavern: (A) for which a permittee holds: (i) a beer retailer's permit under IC 7.1-3-4; (ii) a liquor retailer's permit under IC 7.1-3-9; or (iii) a wine retailer's permit under IC 7.1-3-14; (B) that does not employ an individual who is less than eighteen (18) years of age; (C) that does not allow an individual who: (i) is less than twenty-one (21) years of age; and (ii) is not an employee of the bar or tavern; to enter any area of the bar or tavern; and (D) that is not located in a business that would otherwise be subject to this chapter. (10) A cigar manufacturing facility that does not offer retail sales. (11) A premises of a cigar specialty store to which all of the following apply: (A) The owner or operator of the store holds a valid tobacco sales certificate issued under IC 7.1-3-18.5. (B) The sale of tobacco products and tobacco accessories account for at least fifty percent (50%) of the store's annual gross sales. (C) The store has a separate, enclosed, designated smoking room that is adequately ventilated to prevent migration of smoke to nonsmoking areas. (D) Smoking is allowed only in the room described in clause (C). (E) Individuals who are less than twenty-one (21) years of age are prohibited from entering into the room described in clause (C). (F) Cigarette smoking is not allowed on the premises of the store. (G) The owner or operator of the store posts a conspicuous sign on the premises of the store that displays the message that cigarette smoking is prohibited. (H) The store does not prepare any food or beverage that would require a certified food protection manager under IC 16-42-5.2. (12) The premises of a business that is located in the business owner's private residence (as defined in IC 3-5-2-42.5) if the only employees of the business who work in the residence are the owner and other individuals who reside in the residence. (13) That part of a hotel designated as an outside patio or terrace that contains a bar under IC 7.1-3-20-27, to which all of the following apply: (A) The designated smoking area on the outside patio or terrace is delineated from the rest of the outside patio or terrace by a barrier that is at least eighteen (18) inches in height. (B) The designated smoking area is located at least twenty (20) feet from any entrance to the hotel. (C) Individuals less than twenty-one (21) years of age are not allowed in the designated smoking area. (b) The owner, operator, manager, or official in charge of an establishment or premises in which smoking is allowed under this section shall post conspicuous signs in the establishment that read

"WARNING: Smoking Is Allowed In This Establishment" or other similar language. (c) This section does not allow smoking in the following enclosed areas of an establishment or premises described in subsection (a)(1) through (a)(11): (1) Any hallway, elevator, or other common area where an individual who is less than twenty-one (21) years of age is permitted. (2) Any room that is intended for use by an individual who is less than twenty-one (21) years of age. (d) The owner, operator, or manager of an establishment or premises that is listed under subsection (a) and that allows smoking shall provide a verified statement to the commission that states that the establishment or premises qualifies for the exemption. The commission may require the owner, operator, or manager of an establishment or premises to provide documentation or additional information concerning the exemption of the establishment or premises. As added by P.L.141-2012, SEC.2. Amended by P.L.70-2014, SEC.5; P.L.231-2015, SEC.7; P.L.45-2020, SEC.1; P.L.49-2020, SEC.8; P.L.145-2024, SEC.21.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 12. Prohibition on Smoking7.1-5-12-6. Enforcement

Sec. 6. (a) The commission shall enforce this chapter. (b) This chapter may also be enforced by: (1) the Indiana department of health established by IC 16-19-1-1; (2) a local health department, as defined in IC 16-18-2-211; (3) a health and hospital corporation established by IC 16-22-8-6; (4) the department of homeland security established by IC 10-19-2-1; and (5) a law enforcement officer; in cooperation with the commission. (c) The commission, the Indiana department of health, a local health department, a health and hospital corporation, the department of homeland security, or a law enforcement officer may inspect premises that are subject to this chapter to ensure that the person responsible for the premises is in compliance with this chapter. As added by P.L.141-2012, SEC.2. Amended by P.L.187-2021, SEC.8; P.L.56-2023, SEC.46.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 12. Prohibition on Smoking7.1-5-12-7. Duties of Person in Charge of a Public Place

Sec. 7. (a) This section does not apply to an establishment or premises in which smoking is allowed under section 5 of this chapter. (b) The owner, operator, manager, or official in charge of a public place shall do the following: (1) Post conspicuous signs that read "Smoking Is Prohibited By State Law" or other similar language. (2) Ask an individual who is smoking in violation of this chapter to refrain from smoking. (3) Cause to be removed from the public place an individual who is smoking in violation of this chapter and fails to refrain from smoking after being asked to refrain from smoking. (c) In addition to the requirements under subsection (b), the owner or operator of a restaurant shall post a conspicuous sign at each entrance to the restaurant informing the public that smoking is prohibited in the restaurant. As added by P.L.141-2012, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 12. Prohibition on Smoking7.1-5-12-8. Smoking in a Prohibited Area; Penalty

Sec. 8. (a) A person who smokes in an area where smoking is prohibited by this chapter commits prohibited smoking, a Class B infraction, except as provided in subsection (b). (b) A person who smokes in an area where smoking is prohibited by this chapter commits prohibited smoking, a Class A infraction if the person has been adjudged to have committed at least three (3) prior unrelated infractions under: (1) this section; or (2) IC 16-41-37-4 (before its repeal). As added by P.L.141-2012, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 12. Prohibition on Smoking7.1-5-12-9. Civil Actions

Sec. 9. (a) A local health department may enforce this chapter by filing a civil action under IC 16-20-1-26. (b) A health and hospital corporation may enforce this chapter by filing a civil action under IC 16-22-8-31. (c) The department of homeland security may enforce this chapter by filing a civil action under IC 22-12-7-13. As added by P.L.141-2012, SEC.2. Amended by P.L.187-2021, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 2. Advertising7.1-5-2-3. Signs Regulated

Sec. 3. (a) It is unlawful for the holder of a retailer's or dealer's permit of any type to display, keep, have, or maintain, a sign, advertisement, poster or design, obstruction to view, device or equipment contrary to the provisions of this title, or to a rule or regulation of the commission, in, about, or in connection with the business authorized by the holder's permit. (b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(r).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.23.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 2. Advertising7.1-5-2-4. Gift of Outside Sign Prohibited

Sec. 4. (a) It is unlawful for a manufacturer of alcoholic beverages or other permittee authorized to sell and deliver alcoholic beverages to give, supply, furnish, or grant to the holder of a retailer's or dealer's permit a sign, poster, or advertisement for use, or intended to be used, outside of or on the exterior of the licensed premises or on a building situated on the licensed premises or in connection with them, or on premises adjacent to the licensed premises. (b) It is unlawful for a retail or dealer permittee to receive or

accept, or to display or permit to be displayed, a sign, poster, or advertisement given in violation of subsection (a). (c) A person who violates subsection (a) or (b) commits a Class C infraction. A person commits a separate violation for each day during which a violation of subsection (a) or (b) continues. [Pre-1973 Recodification Citation: 7-1-1-33(w).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.24.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 2. Advertising7.1-5-2-7. Limitation on Brand Name Advertising Near Certain Premises; Temporary Banners Permitted for Sporting Events, Festivals, and Holidays

Sec. 7. (a) The term "premises" as used in this subsection does not include a facility (as defined in IC 7.1-2-3-16.5). A primary source of supply, wholesaler, or salesman of alcoholic beverages, or the agent or representative of a primary source of supply, wholesaler, or salesman of alcoholic beverages may not directly or indirectly place, display, or maintain or cause to be placed, displayed, or maintained a sign advertising alcoholic beverages by brand name within two hundred (200) feet of a premises having a retailer or dealer permit to sell alcoholic beverages. The distance must be determined by measuring between the nearest point on the licensed premises to the nearest point of the sign. (b) A sign advertising alcoholic beverages by brand name may not indicate by arrows, hands, or other similar devices a particular retailer or dealer premises. (c) Notwithstanding subsection (a), a primary source of supply, wholesaler, or salesman of alcoholic beverages, or the agent or representative of a primary source of supply, wholesaler, or salesman of alcoholic beverages may place, display, maintain or cause to be placed, displayed, or maintained temporary banners or pennants advertising alcoholic beverages by brand name on or within two hundred (200) feet of a retailer or dealer premises if the banners or pennants commemorate a sporting event, festival, or holiday held in Indiana. The banners or pennants may be displayed under this subsection beginning twenty-one (21) days before the sporting event, festival, or holiday and ending five (5) days after the close of the sporting event, festival, or holiday. (d) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. As added by P.L.106-1995, SEC.17. Amended by P.L.15-2011, SEC.13; P.L.159-2014, SEC.26.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 3. Containers7.1-5-3-1. Beer Must Be Bottled at Brewery

Sec. 1. (a) This section does not apply to the following: (1) An establishment where alcoholic beverages are sold that is owned, in whole or part, by an entity that holds a brewer's permit issued under IC 7.1-3-2-2(b). (2) An establishment where alcoholic beverages are sold that is owned, in whole or part, by a statewide trade organization consisting of members, each of whom holds a brewer's permit issued under IC 7.1-3-2-2(b). (3) Beer that is bottled and packaged under IC 7.1-3-2-7(5)(P). (b) Except as provided in section 6 of this chapter, it is unlawful to sell beer in this state at retail in a bottle, can, or other container, unless the bottle, can, or other container was packaged and sealed by the brewer at the brewer's bottling house contiguous or adjacent to the brewery in which the beer was produced. (c) A person who knowingly or intentionally violates subsection (b) commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.64-2011, SEC.2; P.L.6-2012, SEC.61; P.L.159-2014, SEC.27; P.L.79-2015, SEC.10; P.L.220-2023, SEC.13.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 3. Containers7.1-5-3-2. Sale From Original Container Only

Sec. 2. (a) Except as provided in section 6 of this chapter, it is unlawful for a person to sell, dispense, give away, furnish, or supply or serve to a person, an alcoholic beverage, from a container other than the original container in which the liquor was contained at the time it was purchased by the seller, dispenser, giver, or person serving it. (b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(g).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.29. As amended by P.L.159-2014, SEC.28.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 3. Containers7.1-5-3-4. Refilling Prohibited; Exceptions

Sec. 4. (a) This section does not apply to the following: (1) The necessary refilling of a container by a person holding a permit that authorizes the person to manufacture, rectify, or bottle liquor. (2) An establishment where alcoholic beverages are sold that is owned, in whole or part, by an entity that holds a brewer's permit for a brewery described in IC 7.1-3-2-7(5). (3) An establishment where alcoholic beverages are sold that is owned, in whole or part, by a statewide trade organization consisting of members, each of whom holds a brewer's permit for a brewery described in IC 7.1-3-2-7(5). (4) The refilling of a bottle or container or possession of a refilled bottle or container if the refilling or possession is not for resale or another commercial purpose. (5) The refilling of a bottle or container with hard cider in an establishment where alcoholic beverages are sold that is owned, in whole or in part, by an entity that manufactures hard cider under the appropriate permit issued under this title. (6) The refilling of a bottle or container with a product from a farm winery in an establishment in which alcoholic beverages are sold that is owned, in whole or in part, by the holder of a farm winery permit. (b) Except as provided in section 6 of this chapter, it is unlawful for a person to: (1) refill a bottle or container, in whole or in part, with an alcoholic beverage; or (2) knowingly possess a bottle or container that has been refilled, in whole or in part, with an alcoholic beverage; after the container of liquor has been emptied in whole or in part. (c) A person who knowingly or intentionally violates subsection (a) or (b) commits a Class B misdemeanor. [Pre-1973 Recodification Citation:

7-1-1-33(g).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.50; P.L.64-2011, SEC.3; P.L.6-2012, SEC.62; P.L.159-2014, SEC.29; P.L.79-2015, SEC.11; P.L.133-2016, SEC.9; P.L.214-2016, SEC.31.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 3. Containers7.1-5-3-6. Mixing of Drinks Permitted

Sec. 6. The provisions of this chapter shall not prohibit the following: (1) Serving a mixed drink from the vessel in which the mixed drink was prepared. (2) Preparing and placing an alcoholic beverage in a qualified container for carry-out or delivery to a customer on the licensed premises. However, the liquor used in the preparation of a mixed drink shall be drawn directly from the original container in which the liquor was contained and poured directly into the vessel in which the mixed drink is to be prepared. [Pre-1973 Recodification Citation: 7-1-1-33(g).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.167-2024, SEC.8.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 4. Unpaid Taxes; Counterfeit Permits7.1-5-4-1. Possession of Untaxed Beverages Prohibited

Sec. 1. It is a Class C misdemeanor for a person to sell, barter, give away, or possess an alcoholic beverage, knowing that all taxes due the state on it are not paid. [Pre-1973 Recodification Citation: 7-1-1-32(6).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.30. As amended by Acts 1978, P.L.2, SEC.708; P.L.159-2014, SEC.30.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 4. Unpaid Taxes; Counterfeit Permits7.1-5-4-3. Unlawful Furnishing of Evidence of Payment of Tax Prohibited

Sec. 3. (a) It is unlawful for a person, other than an officer of the state lawfully entitled to do so, to furnish evidence of the payment of the excise tax, or to execute or issue a permit of any type, to another person. (b) A person who knowingly or intentionally violates this section commits a Level 6 felony. [Pre-1973 Recodification Citation: 7-1-1-33(d).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.32. As amended by P.L.159-2014, SEC.31.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 4. Unpaid Taxes; Counterfeit Permits7.1-5-4-5. Possession of Counterfeit Permit Prohibited

Sec. 5. (a) It is unlawful for a person to possess an article, instrument, imitation, or counterfeit of a permit, other than one lawfully issued to the person and which the person is lawfully entitled to possess. (b) It is unlawful for a person to display an imitation or counterfeit of a permit for the purpose of defrauding the state of the payment of a tax or license fee imposed by this title. (c) A person who knowingly or intentionally violates subsection (a) or (b) commits a Class A misdemeanor. However, the offense is a Level 6 felony if the cost of the permit is at least seven hundred fifty dollars ($750). [Pre-1973 Recodification Citation: 7-1-1-33(d).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.33. As amended by P.L.159-2014, SEC.32.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 4. Unpaid Taxes; Counterfeit Permits7.1-5-4-6. Fraudulent Statements Prohibited

Sec. 6. (a) It is unlawful for a person to make a statement, written or oral, as to payment to, or the receipt by, the state, for the purpose of defrauding the state of a tax or license fee imposed by this title. (b) A person who knowingly or intentionally violates this section commits a Class A misdemeanor. However, the offense is a Level 6 felony if the tax or license fee is at least seven hundred fifty dollars ($750). [Pre-1973 Recodification Citation: 7-1-1-33(d).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.33.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 4. Unpaid Taxes; Counterfeit Permits7.1-5-4-7. Evidence

Sec. 7. Evidence. The possession of a permit, or of an imitation or counterfeit of a permit, contrary to the provisions of this chapter, is prima facie evidence of an intent to defraud the state by the possessor of the prohibited article. [Pre-1973 Recodification Citation: 7-1-1-33(d).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.34.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 5. Miscellaneous Crimes7.1-5-5-10. Acceptance of Gift by Retailer or Dealer Prohibited; Payment of Certain Expenses Allowed

Sec. 10. (a) Except as provided in subsection (b), it is unlawful for a person who holds a retailer's or dealer's permit of any type to receive or accept a gift from a manufacturer of alcoholic beverages or from a permittee authorized to sell and deliver alcoholic beverages. (b) A person who holds a retailer's or dealer's permit may receive or accept entertainment and professional and educational expenses from a manufacturer of alcoholic beverages or from a permittee authorized to sell and deliver alcoholic beverages, unless the entertainment or professional and educational expenses are provided in exchange for an agreement by the holder of the retailer's or dealer's permit to directly or indirectly purchase alcoholic beverages from a: (1) manufacturer; or (2) permittee authorized to sell and deliver alcoholic beverages; to the exclusion, in whole or in part, of alcoholic beverages sold or delivered by another manufacturer or a permittee authorized to sell and deliver alcoholic beverages. (c) A person who knowingly or intentionally violates this section commits a Class A misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(r).] Formerly: Acts

1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.39; P.L.64-2015, SEC.1; P.L.196-2015, SEC.17; P.L.270-2017, SEC.17; P.L.86-2018, SEC.138.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 5. Miscellaneous Crimes7.1-5-5-11. Gift to Another Permittee Prohibited; Promotional Prizes; Bona Fide Incentives; Payment of Certain Expenses

Sec. 11. (a) Except as provided in subsections (c), (d), and (e), it is unlawful for a manufacturer of alcoholic beverages or a permittee authorized to sell and deliver alcoholic beverages to: (1) give to another permittee who purchases alcoholic beverages from the manufacturer or permittee a gift; or (2) except as provided in IC 7.1-3-2-9 and IC 7.1-3-3-5(f), have a business dealing with the other permittee. (b) This section does not apply to the sale and delivery and collection of the sale price of an alcoholic beverage in the ordinary course of business. (c) If the promotional program is approved under the rules adopted by the commission and is conducted in all wholesaler establishments through which the manufacturer distributes alcoholic beverages in Indiana, a manufacturer of alcoholic beverages may award bona fide promotional prizes and awards to any of the following: (1) A person with a wholesaler's permit issued under IC 7.1-3. (2) An employee of a person with a wholesaler's permit issued under IC 7.1-3. (d) A manufacturer may offer on a nondiscriminatory basis bona fide incentives to wholesalers when the incentives are determined based on sales to retailers or dealers occurring during specified times for specified products. The incentive may be conditioned on the wholesaler selling a: (1) specified product at a specified price or less than a specified price; or (2) minimum quantity of a specified product to a single customer in a single transaction. The incentive may not be conditioned on a wholesaler having total sales of a minimum quantity of a specified product during the applicable period. (e) A manufacturer or a permittee authorized to sell and deliver alcoholic beverages may provide entertainment and professional and educational expenses to another permittee, unless the entertainment or professional and educational expenses are provided in exchange for an agreement to directly or indirectly purchase alcoholic beverages from a: (1) manufacturer; or (2) permittee authorized to sell and deliver alcoholic beverages; to the exclusion, in whole or in part, of alcoholic beverages sold or delivered by another manufacturer or a permittee authorized to sell and deliver alcoholic beverages. (f) A person who knowingly or intentionally violates this section commits a Class A misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(r).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.32-1988, SEC.5; P.L.72-1997, SEC.3; P.L.224-2005, SEC.32; P.L.159-2014, SEC.40; P.L.270-2017, SEC.18.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 5. Miscellaneous Crimes7.1-5-5-12. Amateur Athletics; Soliciting Assistance Prohibited

Sec. 12. (a) It is unlawful for a permittee who sponsors an amateur athletic contest, team, or sporting contest to solicit or accept assistance, either financial or otherwise, from another permittee for the purpose of promoting the amateur athletic contest, team, or sporting event. (b) It is unlawful for a permittee who is solicited in violation of subsection (a) to give that assistance. (c) A person who knowingly or intentionally violates this section commits a Class A misdemeanor. However, the offense is a Level 6 felony if the assistance is at least seven hundred fifty dollars ($750). [Pre-1973 Recodification Citation: 7-1-5-1.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.41.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 5. Miscellaneous Crimes7.1-5-5-13. Free or Discounted Rides Provided to Consumers

Sec. 13. (a) Notwithstanding any other provision of this title, manufacturers, wholesalers, and retailer permittees may provide directly to consumers free or discounted rides through: (1) taxicabs; (2) transportation network companies (as defined in IC 8-2.1-17-18); or (3) other ride services; for the purpose of furthering public safety. (b) Free or discounted rides may be provided to consumers by vouchers, codes, or any other method to deliver the free or discounted ride. A free or discounted ride, or the provision of a voucher, code, or other method of delivery, may not be conditioned upon the purchase of an alcoholic beverage. As added by P.L.285-2019, SEC.58.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 5. Miscellaneous Crimes7.1-5-5-2. Commission; Receiving Gifts Prohibited

Sec. 2. (a) It is unlawful for a commissioner, an officer or employee of the commission, or a member of a local board, to receive a gratuity, commission, or profit of any kind from a person applying for or receiving a permit under this title. (b) A person who knowingly or intentionally violates subsection (a) commits a Level 6 felony. (c) In addition to any other penalty provided for a violation of subsection (a), a person who violates subsection (a) shall be dismissed as provided in this title. [Pre-1973 Recodification Citation: 7-1-1-5.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.35.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 5. Miscellaneous Crimes7.1-5-5-3. Illegal Influence Prohibited

Sec. 3. (a) It is unlawful for the holder of a manufacturer's permit of any type, a wholesaler's permit of any type, or an officer, employee, agent or other representative of a surety company which has executed a bond for a permittee under this title to seek to influence or recommend or solicit the appointment of a member of a local board, or of an officer, appointee, or employee under this

title, or meet with, consult, or advise a member of a local board concerning the issuance of a permit of any type. (b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-4-1-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.36.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 5. Miscellaneous Crimes7.1-5-5-7. Discrimination in Sales Prohibited; Exception; Special Discounts for Certain Products

Sec. 7. (a) It is unlawful for a permittee in a sale or contract to sell alcoholic beverages to discriminate between purchasers by granting a price, discount, allowance, or service charge which is not available to all purchasers at the same time. However, this section does not authorize or require a permittee to sell to a person to whom the permittee is not authorized to sell under this title. (b) A premises that operates at least two (2) restaurants that are separate and distinct from each other on the same premises may provide for a different schedule of prices in each restaurant if each restaurant conforms to all other laws and rules of the commission regarding pricing and price discrimination in its separate and distinct areas. (c) This section does not apply to the holder of a gaming site permit that complies with IC 7.1-3-17.5-6. (d) Notwithstanding subsection (a), a beer wholesaler may offer a special discount price to a beer dealer or beer retailer for beer or flavored malt beverage, if the beer or flavored malt beverage: (1) is a brand or package the beer wholesaler has discontinued; or (2) will expire in not more than: (A) twenty (20) days for packaged beer or packaged flavored malt beverage; and (B) ten (10) days for draft beer or draft flavored malt beverage. (e) The special discount under subsection (d) only applies to beer or flavored malt beverage that will expire and be subject to removal from retailer or dealer shelves in accordance with the primary source of supply's coding data clearly identified on the container. (f) Any beer or flavored malt beverage sold at a special discount price under subsection (d) shall be accompanied by an invoice clearly designating, in addition to all other information required by law, all the following information: (1) The date of delivery. (2) The expiration date of each brand, package type, and quantity delivered. (3) The per unit price for each package. (g) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-5.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.51; P.L.250-2003, SEC.16; P.L.224-2005, SEC.30; P.L.233-2007, SEC.32; P.L.159-2014, SEC.37.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 5. Miscellaneous Crimes7.1-5-5-9. Coercion Prohibited; Unequitable Termination of Contract Prohibited

Sec. 9. (a) This section does not apply to product management (as described in 905 IAC 1-5.2-15) by a permittee. (b) It is unlawful for a permittee to coerce, or attempt to coerce, or persuade another permittee to enter into an agreement, or to take an action, which would violate a provision of this title or of the rules and regulations of the commission. (c) This subsection does not apply to the cancellation or termination of an agreement under IC 7.1-3-25.5-4. It is unlawful for a beer wholesaler or a primary source of supply to cancel or terminate an agreement or contract between a beer wholesaler and a primary source of supply for the sale of beer, unfairly and without due regard for the equities of the other party. (d) A person who knowingly or intentionally violates subsection (b) or (c) commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-2-1-23(a).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.224-2005, SEC.31; P.L.94-2008, SEC.48; P.L.159-2014, SEC.38; P.L.139-2021, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 6. Permits7.1-5-6-1. Making Alcoholic Beverages Without Permit Prohibited

Sec. 1. (a) It is a Class C misdemeanor for a person to knowingly own, have in the person's possession or under the person's control, or use a still or distilling apparatus for the manufacture of liquor, except as otherwise provided in this title. (b) It is a Class C misdemeanor for a person to knowingly own, have in the person's possession or under the person's control, or use brewing or wine-making apparatus, for the manufacture for commercial purposes of beer or wine, except as otherwise provided in this title. [Pre-1973 Recodification Citation: 7-1-1-32(14).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.709; P.L.159-2014, SEC.42.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 6. Permits7.1-5-6-2. Acting as Salesman Without Permit Prohibited

Sec. 2. (a) It is unlawful for a person to act as a salesman, regardless of whether the sale is to be made by a seller within this state, to a buyer within or without this state, or by a seller outside this state for delivery to a buyer within this state, or whether the sale otherwise may be legal or illegal, unless that person has applied for and been issued a salesman's permit. (b) It is unlawful for a buyer in this state to give an order, bargain, contract, or agreement to a salesman who does not have a salesman's permit. This section does not apply to a permittee of any type, a permittee's agent, or employees working or acting on the licensed premises of the permittee. (c) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-2-1-11.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.43.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 6. Permits7.1-5-6-3. Acting Without Permit; Defenses

Sec. 3. (a) It is unlawful for a person to act as a clerk in a package liquor store, or as a bartender, waiter, waitress, or manager for a

retailer permittee unless that person has applied for and been issued the appropriate permit. This section does not apply to dining car or boat employees, to a person described in IC 7.1-3-1.7, or to a person described in IC 7.1-3-18-9(d). A person who knowingly or intentionally violates this subsection commits a Class C infraction. However, the violation is a Class B misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. (b) It is a defense to a charge under this section if, not later than thirty (30) days after being cited by the commission, the person who was cited produces evidence that the appropriate permit was issued by the commission on the date of the citation. (c) It is a defense to a charge under this section for a new applicant for a permit if, not later than thirty (30) days after being cited by the commission, the new applicant who was cited produces a receipt for a cashier's check or money order showing that an application for the appropriate permit was applied for on the date of the citation. [Pre-1973 Recodification Citation: 7-2-1-12.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.51, SEC.5; P.L.77-1988, SEC.5; P.L.102-1989, SEC.7; P.L.159-2014, SEC.44; P.L.191-2018, SEC.3; P.L.32-2019, SEC.14.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 6. Permits7.1-5-6-4. Falsification of Record Prohibited

Sec. 4. (a) It is unlawful for a person to falsify, or cause to be falsified, an entry, statement, account, recital, or computation, or an application for a permit, or an instrument, or paper required to be filed in connection with the application, or in connection with the revocation, or proposed revocation, or a permit. (b) It is unlawful for a person to enter, or cause to be entered, a false entry, statement, account, recital, computation, or representation of a fact in a book, document, account, order, paper, or statement required to be kept or filed, or made or furnished to the commission under the provisions of this title or a rule or regulation of the commission. (c) A person who knowingly or intentionally violates this section commits a Level 6 felony. [Pre-1973 Recodification Citation: 7-1-1-33(e).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.45.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-1. False Statements of Age

Sec. 1. It is a Class C misdemeanor for a minor to knowingly or intentionally make a false statement of the minor's age or to present or offer false or fraudulent evidence of majority or identity to a permittee for the purpose of ordering, purchasing, attempting to purchase, or otherwise procuring or attempting to procure an alcoholic beverage. [Pre-1973 Recodification Citations: 7-5-2-1; 7-5-2-2(c).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1982, P.L.69, SEC.11; P.L.102-1983, SEC.1; P.L.77-1988, SEC.6; P.L.67-1990, SEC.1; P.L.1-1993, SEC.45; P.L.94-2008, SEC.49; P.L.125-2012, SEC.1; P.L.113-2014, SEC.14; P.L.217-2014, SEC.2; P.L.159-2014, SEC.47.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-10. Minors in Taverns Prohibited

Sec. 10. (a) It is a Class C infraction for a minor to knowingly or intentionally be in a tavern, bar, or other public place where alcoholic beverages are sold, bartered, exchanged, given away, provided, or furnished. (b) It is a Class C misdemeanor for a permittee to recklessly permit a minor to be in the prohibited place beyond a reasonable time in which an ordinary prudent person can check identification to confirm the age of a patron. [Pre-1973 Recodification Citation: 7-2-1-9(b).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1982, P.L.69, SEC.18; P.L.102-1983, SEC.7; P.L.79-1986, SEC.4; P.L.77-1988, SEC.7; P.L.1-1993, SEC.46; P.L.125-2012, SEC.3; P.L.217-2014, SEC.4; P.L.159-2014, SEC.51.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-11. Exception for Certain Places

Sec. 11. (a) The provisions of sections 9 and 10 of this chapter shall not apply if the public place involved is one (1) of the following: (1) Civic center. (2) Convention center. (3) Sports arena. (4) Bowling center. (5) Bona fide club. (6) Drug store. (7) Grocery store. (8) Boat. (9) Dining car. (10) Pullman car. (11) Club car. (12) Passenger airplane. (13) Horse racetrack facility holding a recognized meeting permit under IC 4-31-5. (14) Satellite facility (as defined in IC 4-31-2.1-36). (15) Catering hall under IC 7.1-3-20-24 that is not open to the public. (16) That part of a restaurant which is separate from a room in which is located a bar over which alcoholic beverages are sold or dispensed by the drink. (17) Entertainment complex. (18) Indoor golf facility. (19) A recreational facility such as a golf course, bowling center, or similar facility that has the recreational activity and not the sale of food and beverages as the principal purpose or function of the person's business. (20) A licensed premises owned or operated by a postsecondary educational institution described in IC 21-17-6-1. (21) An automobile racetrack. (22) An indoor theater under IC 7.1-3-20-26. (23) A senior residence facility campus (as defined in IC 7.1-3-1-29(c)) at which alcoholic beverages are given or furnished as provided under IC 7.1-3-1-29. (24) A hotel other than a part of a hotel that is a room in a restaurant in which a bar is located over which alcoholic beverages are sold or dispensed by the drink. (25) The location of an allowable event to which IC 7.1-3-6.1 applies. (26) The location of a charity auction to which IC 7.1-3-6.2 applies. (27) A tour of a brewery as provided in IC 7.1-3-20-16.4, if the minor is in the company of a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age. (28) A farm winery and any additional locations of the farm winery under IC 7.1-3-12, if the minor is in the company of a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age and the minor is

accompanied by the adult in any area that the adult may be present whether or not the area: (A) is separated in any manner from where the wine is manufactured, sold, or consumed within the farm winery premises; or (B) operates under a retailer's permit. (29) An artisan distillery under IC 7.1-3-27, if: (A) the person who holds the artisan distiller's permit also holds a farm winery permit under IC 7.1-3-12, or IC 7.1-3-20-16.4(a) applies to the person; and (B) the minor is in the company of a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age. (30) An art instruction studio under IC 7.1-5-8-4.6. (31) The licensed premises of a food hall under IC 7.1-3-20-29 and the food and beverage vending space of a food hall vendor permittee under IC 7.1-3-20-30. However, sections 9 and 10 of this chapter apply to a bar within the food and beverage vending space of a food hall vendor permittee under IC 7.1-3-20-30 that serves alcoholic beverages intended to be consumed while sitting or standing at the bar. (32) A refreshment area designated under IC 7.1-3-31. (b) For the purpose of this subsection, "food" means meals prepared on the licensed premises. It is lawful for a minor to be on licensed premises in a room, outdoor patio, or terrace in which is located a bar over which alcoholic beverages are sold or dispensed by the drink if all the following conditions are met: (1) The minor is in the company of a parent, guardian, or family member who is twenty-one (21) years of age or older. (2) The purpose for being on the licensed premises is the consumption of food and not the consumption of alcoholic beverages. (3) The minor, accompanied by the parent, guardian, or family member who is twenty-one (21) years of age or older, must be seated at a table or booth in the bar area and shall not be seated at the bar over which alcoholic beverages are sold or dispensed by the drink. [Pre-1973 Recodification Citation: 7-2-1-9(b).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1975, P.L.74, SEC.2. As amended by P.L.100-1983, SEC.7; P.L.15-1994, SEC.10; P.L.105-1995, SEC.6; P.L.71-1996, SEC.5; P.L.72-1996, SEC.22; P.L.117-2000, SEC.1; P.L.72-2004, SEC.16; P.L.224-2005, SEC.33; P.L.2-2007, SEC.133; P.L.10-2010, SEC.10; P.L.196-2015, SEC.18; P.L.153-2015, SEC.12; P.L.196-2015, SEC.19; P.L.270-2017, SEC.19; P.L.279-2019, SEC.9; P.L.285-2019, SEC.59; P.L.150-2021, SEC.5; P.L.105-2022, SEC.9; P.L.167-2023, SEC.5; P.L.170-2023, SEC.20; P.L.220-2023, SEC.14.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-12. Employment of Minors Prohibited

Sec. 12. Except as provided in section 13 of this chapter, it is a Class B misdemeanor for a person to knowingly or intentionally employ a minor in or about a place where alcoholic beverages are sold, furnished, or given away for consumption either on or off the licensed premises, in a capacity which requires or allows the minor to sell, furnish, or otherwise deal in alcoholic beverages. [Pre-1973 Recodification Citation: 7-2-1-9(c).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1982, P.L.69, SEC.19; P.L.204-2001, SEC.52; P.L.159-2014, SEC.52.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-13. Employment of Minors; Exceptions

Sec. 13. (a) Section 12 of this chapter does not prohibit the following: (1) The employment of a person at least eighteen (18) years of age but less than twenty-one (21) years of age on or about licensed premises where alcoholic beverages are sold, furnished, or given away for consumption either on or off the licensed premises, for a purpose other than: (A) selling; (B) furnishing, other than serving; (C) consuming; or (D) otherwise dealing in; alcoholic beverages. (2) A person at least eighteen (18) years of age but less than twenty-one (21) years of age from ringing up a sale of alcoholic beverages in the course of the person's employment. (3) A person who is at least eighteen (18) years of age but less than twenty-one (21) years of age and who has successfully completed an alcohol server training program certified under IC 7.1-3-1.5 from serving alcoholic beverages in a dining area or family room of a restaurant or hotel: (A) in the course of a person's employment as a waiter, waitress, or server; and (B) under the supervision of a person who: (i) is at least twenty-one (21) years of age; (ii) is present at the restaurant or hotel; and (iii) has successfully completed an alcohol server training program certified under IC 7.1-3-1.5 by the commission. This subdivision does not allow a person at least eighteen (18) years of age but less than twenty-one (21) years of age to be a bartender. (4) The employment of a person at least eighteen (18) years of age but less than twenty-one (21) years of age on or about licensed premises where alcoholic beverages are sold, furnished, or given away for consumption either on or off the licensed premises if all the following apply: (A) The person is employed as an assistant on a delivery truck. (B) The person's duties with respect to alcoholic beverages are limited to handling alcoholic beverages in connection with the loading, unloading, stowing, or storing of alcoholic beverages that are being delivered or picked up. (C) The person does not sell, furnish, or deal in alcoholic beverages in any manner except as expressly permitted under clause (B). (D) The person acts under the supervision of a driver holding a salesman's permit. (E) The person does not collect money for the delivery or pick up. (b) This chapter does not prohibit a person less than twenty-one (21) years of age from being on the premises of a brewery under IC 7.1-3-2-7(5), a farm winery, including any additional locations of the farm winery under IC 7.1-3-12-5, or an artisan distillery under IC 7.1-3-27-5, if the person is: (1) the child, stepchild, grandchild, nephew, or niece of an owner of the: (A) brewery; (B) farm winery; or (C) artisan distiller; and (2) employed on the premises for a purpose other than: (A) selling; (B) furnishing, other than serving; (C) consuming; or (D) otherwise dealing in; alcoholic beverages. A minor described in this subsection is not required to be accompanied by a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age while on the premises of the brewery or farm winery. [Pre-1973 Recodification Citation: 7-2-1-9(c).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.204-2001, SEC.53; P.L.161-2005, SEC.3; P.L.3-2008, SEC.70; P.L.94-2008, SEC.51; P.L.270-2017, SEC.20; P.L.75-2024, SEC.1.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-14. Notice From Parents

Sec. 14. It is a Class B misdemeanor for a permittee to knowingly or intentionally permit a minor to be in or around the licensed premises after receiving written notice from the parent, guardian, or other person having custody of the minor that the minor is in fact a minor and directing that the minor be excluded from the licensed premises. [Pre-1973 Recodification Citation: 7-2-1-9(e).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1982, P.L.69, SEC.20; P.L.159-2014, SEC.53.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-15. Aiding Unlawful Possession

Sec. 15. A person twenty-one (21) years of age or older who knowingly or intentionally encourages, aids, or induces a minor to unlawfully possess an alcoholic beverage commits a Class C infraction. As added by P.L.102-1983, SEC.8.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-16. Inspections

Sec. 16. The commission shall conduct random unannounced inspections at locations where alcoholic beverages are sold or distributed to ensure compliance with this title. Only the commission may conduct the random unannounced inspections. The commission may use retired or off duty law enforcement officers to conduct inspections under this section. As added by P.L.94-2008, SEC.52. Amended by P.L.216-2011, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-17. Enforcement Actions

Sec. 17. (a) Notwithstanding any other law, an enforcement officer vested with full police powers and duties may engage a person who is: (1) at least eighteen (18) years of age; and (2) less than twenty-one (21) years of age; to receive or purchase alcoholic beverages as part of an enforcement action under this article. (b) The initial or contemporaneous receipt or purchase of an alcoholic beverage under this section by a person described in subsection (a) must: (1) occur under the direction of an enforcement officer vested with full police powers and duties; and (2) be a part of the enforcement action. As added by P.L.94-2008, SEC.53.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-2. Furnishing False Evidence of Identification

Sec. 2. It is a Class C misdemeanor for a person to sell, give, or furnish to a minor false or fraudulent evidence of majority or identity with the intent to violate or assist in the violation of a provision of this title. [Pre-1973 Recodification Citation: 7-5-2-2(a).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1982, P.L.69, SEC.12; P.L.102-1983, SEC.2; P.L.159-2014, SEC.48.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-3. Possession of False Identity

Sec. 3. It is a Class C infraction for a minor to have in his possession false or fraudulent evidence of majority or identity with the intent to violate a provision of this title. [Pre-1973 Recodification Citation: 7-5-2-2(b).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1982, P.L.69, SEC.13; P.L.102-1983, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-4.5. Permittee Retention of ID Cards

Sec. 4.5. (a) As used in this section, "ID card" means any of the following: (1) A driver's license. (2) A photographic identification card issued under IC 9-24-16-1 or a similar card issued under the laws of another state or the federal government. (3) A government issued document bearing an individual's photograph. (b) As used in this section, "permittee" means a person who holds a valid permit under this title, including an employee of a permittee. (c) A permittee may retain an ID card that was provided to the permittee by a person as proof of age for making a purchase of an alcoholic beverage, if the permittee has: (1) received alcohol server training under IC 7.1-3-1.5; and (2) a reasonable belief that the ID card: (A) has been altered or falsified; or (B) was not issued to the person who provided the ID card to the permittee. (d) If the permittee retains an ID card, the permittee shall do the following: (1) Issue a receipt to the person who provided the ID card. The receipt must state the date and the hour that the permittee retained the ID card. (2) Not later than twenty-four (24) hours after the ID card is retained, provide: (A) the ID card; and (B) a written statement of the facts and circumstances surrounding the permittee's retention of the ID card; to a state or local law enforcement agency that has jurisdiction where the permit premises is located. (e) If the law enforcement agency does not: (1) initiate an investigation; or (2) find that probable cause exists; as to any violation of section 1, 3, or 4 of this chapter, the law enforcement agency shall release the ID card to the person who was issued the ID card. (f) A permittee is not subject to criminal liability or civil liability for retention of an ID card in accordance with this section. (g) A permittee is not immune from civil or criminal liability for using force against a person in order to obtain an ID card. As added by P.L.214-2016, SEC.32.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-4. Statement of Age

Sec. 4. A permittee shall have the right to demand of a customer a signed written statement, on a form prescribed by the commission, that the customer is not a minor. It is a Class C infraction for a minor to misrepresent his age on the statement. [Pre-1973 Recodification Citation: 7-2-1-9(d).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1982, P.L.69, SEC.14; P.L.102-1983, SEC.4.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-5.1. Defenses of Permittee to Charge of Unlawfully Furnishing Alcoholic Beverage to Minor

Sec. 5.1. (a) A permittee in a criminal prosecution or in a proceeding before the commission or a local board based upon a charge of unlawfully furnishing an alcoholic beverage to a minor may offer either or both of the following proofs as a defense or defenses to the prosecution or proceeding: (1) That: (A) the purchaser: (i) falsely represented the purchaser's age in a written statement, such as that prescribed by subsection (b), supported by two (2) forms of identification showing the purchaser to be at least twenty-one (21) years of age; (ii) produced a driver's license bearing the purchaser's photograph; (iii) produced a photographic identification card, issued under IC 9-24-16-1 or a similar card, issued under the laws of another state or the federal government, showing that the purchaser was of legal age to make the purchase; or (iv) produced a government issued document bearing the purchaser's photograph and showing the purchaser to be at least twenty-one (21) years of age; (B) the appearance of the purchaser was such that an ordinary prudent person would believe the purchaser to be of legal age to make the purchase; and (C) the sale was made in good faith based upon the reasonable belief that the purchaser was actually of legal age to make the purchase. (2) That the permittee or the permittee's agent had taken all reasonable precautions in instructing the permittee's employees, in hiring the permittee's employees, and in supervising them as to sale of alcoholic beverages to minors. (b) The following written statement is sufficient for the purposes of subsection (a)(1)(A)(i): REPRESENTATION AND STATEMENT OF AGE FOR PURCHASE OF ALCOHOLIC BEVERAGES I understand that misrepresentation of age to induce the sale, service, or delivery of alcoholic beverages to me is cause for my arrest and prosecution, which can result in punishment as follows: (1) Possible payment of a fine of up to $500. (2) Possible imprisonment for up to 60 days. (3) Possible loss or deferment of driver's license privileges for up to one year. (4) Possible requirement to participate in an alcohol education or treatment program. Knowing the possible penalties for misstatement, I hereby represent and state, for the purpose of inducing _____ (Name of licensee) to sell, serve, or deliver alcoholic beverages to me, that I was born: _____, _____, _____ and am ____ years of age. (Month) (Day) (Year) Date _____ Signed _____ Address _____ _____ Other Identification Signature of person Presented: who witnessed completion Nonphoto driver's of this statement license: (number & state) by patron: _____ _____ Social Security Number _____ Other _____ _____ _____ As added by P.L.100-1983, SEC.5. Amended by P.L.79-1986, SEC.2; P.L.2-1991, SEC.56; P.L.10-2010, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-7. Illegal Possession

Sec. 7. (a) Subject to IC 7.1-5-1-6.5, it is a Class C misdemeanor for a minor to knowingly: (1) possess an alcoholic beverage; (2) consume an alcoholic beverage; or (3) transport an alcoholic beverage on a public highway when not accompanied by at least one (1) of the minor's parents or guardians. (b) If a minor is found to have violated subsection (a)(2) or (a)(3) while operating a vehicle, the court may order the minor's driving privileges suspended for up to one (1) year. However, if the minor is less than eighteen (18) years of age, the court shall order the minor's driving privileges suspended for at least sixty (60) days. (c) The court shall deliver any order suspending a minor's driving privileges under this section to the bureau of motor vehicles, which shall suspend the minor's driving privileges under IC 9-24-18-12.2 for the period ordered by the court. [Pre-1973 Recodification Citations: 7-5-1-1; 7-5-1-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.710; Acts 1982, P.L.69, SEC.15; P.L.53-1994, SEC.1; P.L.93-2012, SEC.5; P.L.125-2012, SEC.2; P.L.217-2014, SEC.3; P.L.159-2014, SEC.49.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-8. Sale to Minors Prohibited; Furnishing Property for the Purpose of Enabling Minors to Consume Alcohol Prohibited

Sec. 8. (a) It is a Class B misdemeanor for a person to recklessly, knowingly, or intentionally sell, barter, exchange, provide, or furnish an alcoholic beverage to a minor. (b) However, the offense described in subsection (a) is: (1) a Class A misdemeanor if the person has a prior unrelated conviction under this section; and (2) a Level 6 felony if the consumption, ingestion, or use of the alcoholic beverage is the proximate cause of the serious bodily injury or death of any person. (c) A person who knowingly or intentionally: (1) rents property; or (2) provides or arranges for the use of property; for the purpose of allowing or enabling a minor to consume an alcoholic beverage on the property commits a Class C infraction. However, the violation is a Class B misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. (d) This section shall not be construed to impose civil liability upon any postsecondary educational institution, including public and private universities and colleges, business schools, vocational schools, and schools for continuing education, or its agents for injury to any

person or property sustained in consequence of a violation of this section unless the institution or its agent: (1) sells, barters, exchanges, provides, or furnishes an alcoholic beverage to a minor; or (2) either: (A) rents property; or (B) provides or arranges for the use of property; for the purpose of allowing or enabling a minor to consume an alcoholic beverage on the property. [Pre-1973 Recodification Citation: 7-2-1-9(a).] Formerly: Acts 1973, P.L.55, SEC.1; Acts 1975, P.L.74, SEC.1. As amended by Acts 1982, P.L.69, SEC.16; P.L.102-1983, SEC.5; P.L.100-1983, SEC.6; P.L.79-1986, SEC.3; P.L.2-2007, SEC.132; P.L.94-2008, SEC.50; P.L.158-2013, SEC.127; P.L.159-2014, SEC.50; P.L.32-2019, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 7. Minors7.1-5-7-9. Parent Taking Child Into Tavern Prohibited

Sec. 9. (a) It is a Class C infraction for a parent, guardian, trustee, or other person having custody of a child under eighteen (18) years of age to take that child into a tavern, bar, or other public place where alcoholic beverages are sold, bartered, exchanged, given away, provided, or furnished. (b) It is a Class C infraction for a permittee to permit the parent, guardian, trustee, or other person having custody of the child under eighteen (18) years of age to be in or around the prohibited place with the child. [Pre-1973 Recodification Citation: 7-2-1-9(b).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1982, P.L.69, SEC.17; P.L.102-1983, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 8. Miscellaneous Prohibited Activities7.1-5-8-0.3. Intent and Purpose of Certain Amendments Made to Chapter

Sec. 0.3. The intent and purpose of the amendments made to sections 4, 5, and 6 of this chapter by P.L.94-2008 are the promotion of performing arts in Indiana. As added by P.L.220-2011, SEC.179.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 8. Miscellaneous Prohibited Activities7.1-5-8-1. Hindering Enforcement of Title Prohibited

Sec. 1. It is a Class C misdemeanor for a person to recklessly hinder, obstruct, interfere with, or prevent the observance or enforcement of any of the following: (1) A provision of this title. (2) A rule or regulation of the commission adopted in the administration of this title. [Pre-1973 Recodification Citation: 7-1-1-32(2).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.711; P.L.204-2001, SEC.54.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 8. Miscellaneous Prohibited Activities7.1-5-8-11. Possessing, Purchasing, Selling, Offering to Sell, or Using Powdered or Crystalline Alcohol Prohibited; Exceptions

Sec. 11. (a) This section does not apply to the possession, purchase, or use of powdered or crystalline alcohol for bona fide research purposes by any of the following: (1) A hospital licensed under IC 16-21. (2) The Indiana department of health. (3) A state educational institution (as defined in IC 21-7-13-32). (4) A private college or university. (5) A pharmaceutical or biotechnology company. (b) A person who possesses, purchases, sells, offers to sell, or uses powdered or crystalline alcohol commits a Class B infraction. As added by P.L.70-2015, SEC.2. Amended by P.L.56-2023, SEC.45.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 8. Miscellaneous Prohibited Activities7.1-5-8-13. Refreshment Area; Permittee Exceeding Drink Limit

Sec. 13. (a) As used in this section, "designated permittee" has the meaning set forth in IC 7.1-3-31-2. (b) As used in this section, "vendor" has the meaning set forth in IC 7.1-3-31-5. (c) A designated permittee or vendor who intentionally sells, furnishes, or gives a person for consumption in a refreshment area designated under IC 7.1-3-31: (1) an open container of an alcoholic beverage that exceeds the content limitations in IC 7.1-3-31-12; or (2) three (3) or more open containers of alcoholic beverages at a time; commits a Class C infraction. As added by P.L.167-2023, SEC.8.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 8. Miscellaneous Prohibited Activities7.1-5-8-3. Wood Alcohol as Beverage Prohibited

Sec. 3. Wood Alcohol As Beverage Prohibited. It is a Class A misdemeanor for a person knowingly to give, furnish, barter, keep for sale, or deliver a preparation, liquid, fluid, or drink, or other substance likely or intended to be used as a beverage, that contains wood alcohol. [Pre-1973 Recodification Citation: 7-1-1-32(1).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.712.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 8. Miscellaneous Prohibited Activities7.1-5-8-4.6. Patrons Taking Wine Into Art Instruction Studio; Food Requirements; Employee Permit and Server Training Required

Sec. 4.6. (a) As used in this section, "art instruction studio" means any commercial establishment that provides to its customers: (1) all required supplies; and (2) step-by-step instruction in creating a painting or other work of art; during a studio instructional session that is not conducted on a licensed premises. (b) As used in this section, "proprietor" means the proprietor of an art instruction studio

who is at least twenty-one (21) years of age. (c) A proprietor may allow a patron who is at least twenty-one (21) years of age to bring one (1) seven hundred fifty (750) milliliter bottle of wine into the art instruction studio, if the requirements of this section are satisfied. (d) Wine that is brought into an art instruction studio must be: (1) in a sealed bottle; and (2) only for consumption by: (A) the patron; and (B) persons in the company of the patron who are at least twenty-one (21) years of age; while receiving art instruction. (e) The proprietor or an employee who is at least twenty-one (21) years of age may open and serve wine that is brought into the licensed premises by a patron. The proprietor may provide wine glasses and other barware for the use of patrons in opening and consuming wine brought into the art instruction studio. However, the proprietor or employee may not provide ice, mixers, or garnishes. (f) The proprietor and an employee who opens or serves wine: (1) must have successfully completed a server program or trainer program under IC 7.1-3-1.5; (2) must verify the age of a person consuming wine by examining: (A) a driver's license bearing the person's photograph; (B) a photographic identification card issued under IC 9-24-16-1, or a similar card, issued under the laws of another state or the federal government, showing the person's age; or (C) a government issued document bearing the person's photograph and showing the person to be at least twenty-one (21) years of age; and (3) is responsible for any violation of IC 7.1-5-10-15. (g) A proprietor who permits patrons to bring wine into the art instruction studio must make food available for consumption at the art instruction studio by: (1) allowing a vehicle of transportation that is a food establishment (as defined in IC 16-18-2-137) to serve food near the art studio; (2) placing menus in the art studio's premises of restaurants that will deliver food to the art studio; or (3) providing food prepared at the art studio. As added by P.L.285-2019, SEC.61.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 8. Miscellaneous Prohibited Activities7.1-5-8-4. Taking Alcoholic Beverages on Licensed Premises and Serving Setups; Prohibition; Exceptions

Sec. 4. (a) It is a Class B misdemeanor for a person who owns or operates a private or public restaurant or place of public or private entertainment to knowingly or intentionally permit another person to come into the establishment with an alcoholic beverage for sale or gift, or for consumption in the establishment by that person or another, or to serve a setup to a person who comes into the establishment. However, the provisions of this section do not apply to the following: (1) A private room hired by a guest of a bona fide club or hotel that holds a retail permit. (2) A facility that is used in connection with the operation of a paved track that is used primarily in the sport of auto racing. (3) An outdoor place of public entertainment that: (A) has an area of at least four (4) acres and not more than six (6) acres; (B) is located within one (1) mile of the White River; (C) is owned and operated by a nonprofit corporation exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code; and (D) is used primarily in connection with live music concerts. (4) A craft manufacturer (as defined in IC 7.1-3-30-1) at an event held on the licensed premises of a host permittee (as defined in IC 7.1-3-30-1) under a temporary craft manufacturer hospitality permit issued under IC 7.1-3-30. (b) An establishment operated in violation of this section is declared to be a public nuisance and subject to abatement as other public nuisances are abated under the provisions of this title. (c) This section does not apply to a person who owns or operates a private or public restaurant or place of public or private entertainment where a qualified organization is conducting: (1) an allowable event to which IC 7.1-3-6.1 applies, and the alcoholic beverage brought into the establishment is: (A) in sealed bottles or cases; and (B) donated to or purchased by the qualified organization to be offered as a prize in the allowable event; or (2) a charity auction to which IC 7.1-3-6.2 applies, and the alcoholic beverage brought into the establishment is: (A) in sealed bottles or cases; and (B) donated to or purchased by the qualified organization to be offered for sale in the charity auction. (d) This section does not apply to an art instruction studio under section 4.6 of this chapter. [Pre-1973 Recodification Citation: 7-2-1-10.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.136-2000, SEC.4; P.L.204-2001, SEC.55; P.L.94-2008, SEC.54; P.L.159-2014, SEC.54; P.L.153-2015, SEC.13; P.L.285-2019, SEC.60; P.L.121-2022, SEC.5.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 8. Miscellaneous Prohibited Activities7.1-5-8-5. Taking Alcoholic Beverage on Licensed Premises; Exceptions

Sec. 5. (a) This section does not apply to a person who, on or about a licensed premises, carries, conveys, or consumes beer or wine: (1) described in IC 7.1-1-2-3(a)(4); and (2) not sold or offered for sale. (b) This section does not apply to a person at a facility that is used in connection with the operation of a track that is used primarily in the sport of auto racing. (c) This section does not apply to a person at an outdoor place of public entertainment that: (1) has an area of at least four (4) acres and not more than six (6) acres; (2) is located within one (1) mile of the White River; (3) is owned and operated by a nonprofit corporation exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code; and (4) is used primarily in connection with live music concerts. (d) This section does not apply to a person who brings wine into an art instruction studio or consumes wine that is brought into the art instruction studio in accordance with section 4.6 of this chapter. (e) This section does not apply to a craft manufacturer (as defined in IC 7.1-3-30-1) at an event held on the licensed premises of a host permittee (as defined in IC 7.1-3-30-1) under a temporary craft manufacturer hospitality permit issued under IC 7.1-3-30. (f) This section does not apply to a person who brings an alcoholic beverage: (1) purchased from: (A) a vendor (as defined in IC 7.1-3-31-5); or (B) a designated permittee (as defined in IC 7.1-3-31-2); and (2) into a licensed premises: (A) of a permittee who may or may not be a designated permittee (as defined in IC 7.1-3-31-2); and (B) that is located within a refreshment area designated under IC 7.1-3-31. (g) It is a Class C misdemeanor for a person, for the person's own use, to knowingly carry on, convey to, or consume on or about the licensed premises of a permittee an alcoholic beverage that was not then and there purchased from that permittee. [Pre-1973 Recodification Citation: 7-1-1-32(8).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.713; P.L.177-1999, SEC.8; P.L.136-2000, SEC.5; P.L.204-2001, SEC.56; P.L.94-2008, SEC.55; P.L.285-2019, SEC.62; P.L.121-2022, SEC.6; P.L.167-2023, SEC.6.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 8. Miscellaneous Prohibited Activities7.1-5-8-6. Taking Liquor Into Restaurants Prohibited; Exception

Sec. 6. (a) It is a Class C misdemeanor for a person to knowingly carry liquor into a restaurant or place of public entertainment for the purpose of consuming it, displaying it, or selling, furnishing, or giving it away to another person on the premises, or for the purpose of having it served to himself or another person, then and there. It is a Class C misdemeanor to knowingly consume liquor brought into a public establishment in violation of this section. (b) This section does not apply to a person at an outdoor place of public entertainment that: (1) has an area of at least four (4) acres and not more than six (6) acres; (2) is located within one (1) mile of the White River; (3) is owned and operated by a nonprofit corporation exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code; and (4) is used primarily in connection with live music concerts. (c) This section does not apply to a person who carries liquor into a restaurant or place of public entertainment where a qualified organization is conducting: (1) an allowable event to which IC 7.1-3-6.1 applies, and the liquor brought into the establishment is: (A) in sealed bottles or cases; and (B) donated to or purchased by the qualified organization to be offered as a prize in the allowable event; or (2) a charity auction to which IC 7.1-3-6.2 applies, and the liquor brought into the establishment is: (A) in sealed bottles or cases; and (B) donated to or purchased by the qualified organization to be offered for sale in the charity auction. (d) This section does not apply to a craft manufacturer (as defined in IC 7.1-3-30-1) at an event held on the licensed premises of a host permittee (as defined in IC 7.1-3-30-1) under a temporary craft manufacturer hospitality permit issued under IC 7.1-3-30. (e) This section does not apply to a person who brings an alcoholic beverage: (1) purchased from: (A) a vendor (as defined in IC 7.1-3-31-5); or (B) a designated permittee (as defined in IC 7.1-3-31-2); and (2) into a licensed premises: (A) of a permittee who may or may not be a designated permittee (as defined in IC 7.1-3-31-2); and (B) that is located within a refreshment area designated under IC 7.1-3-31. [Pre-1973 Recodification Citation: 7-1-1-32(17).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by Acts 1978, P.L.2, SEC.714; P.L.94-2008, SEC.56; P.L.153-2015, SEC.14; P.L.121-2022, SEC.7; P.L.167-2023, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 8. Miscellaneous Prohibited Activities7.1-5-8-9. Purchase of Beer From Un-Bonded Brewery Prohibited

Sec. 9. It is a Class C misdemeanor for a permittee to knowingly or intentionally purchase, receive, or import beer from a brewer or other person located outside this state unless the bond and agreement required by this title have been accepted by the commission and are currently effective. [Pre-1973 Recodification Citation: 7-2-2-2.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.55.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 9. Miscellaneous Prohibited Interests7.1-5-9-1. Commission; Prohibited Interest

Sec. 1. (a) It is unlawful for a commissioner, an officer or employee of the commission, or a member of a local board, to have an interest, either proprietary or by means of a loan, mortgage, or lien, or in any other manner, or to own stock in a corporation which has an interest, in the premises where alcoholic beverages are manufactured or sold, or in a business wholly or partially devoted to the manufacture, sale, transportation, or storage of alcoholic beverages. The prohibition contained in this section shall not apply to an expert or professional employee employed by the commission only for a special undertaking. A person who violates a provision of this section also shall be dismissed as provided in this title. (b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-5.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.56.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 9. Miscellaneous Prohibited Interests7.1-5-9-10. Retailer's Permittee Having Interest in Manufacturer's or Wholesaler's Permit

Sec. 10. (a) Except as provided in subsection (b), it is unlawful for a holder of a retailer's permit of any type to acquire, hold, own, or possess an interest of any type in a manufacturer's or wholesaler's permit of any type. (b) It is lawful for a holder of a retailer's permit of any type to acquire, hold, own, or possess an interest of any type in any of the following: (1) A brewer's permit issued under IC 7.1-3-2-2(b). (2) An artisan distiller's permit issued under IC 7.1-3-27-2. (3) A farm winery permit issued under IC 7.1-3-12-3. (4) A distiller's permit under IC 7.1-3-7-1, if the holder of the distiller's permit also holds an interest in an artisan distiller's permit as described in IC 7.1-3-27-2. (c) It is lawful for the holder of a food hall vendor's permit under IC 7.1-3-20-30 to acquire, hold, own, or possess an interest of any type in a brewer's permit issued under IC 7.1-3-2-2, a farm winery permit issued under IC 7.1-3-12-3, or an artisan distiller's permit issued under IC 7.1-3-27-2. However, it is unlawful and a violation of subsection (a) for the holder of a food hall master permit under IC 7.1-3-20-29 to have ownership or control in the farm winery permit, artisan distiller's permit, or brewer's permit or in the farm winery's, artisan distiller's, or the brewer's food hall vendor's permit. (d) A person who knowingly or intentionally violates subsection (a) commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-42(g).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.72-2004, SEC.17; P.L.186-2011, SEC.13; P.L.71-2012, SEC.9; P.L.159-2014, SEC.64; P.L.70-2014, SEC.3; P.L.5-2015, SEC.20; P.L.79-2015, SEC.14; P.L.285-2019, SEC.63; P.L.279-2019, SEC.13; P.L.156-2020, SEC.32.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 9. Miscellaneous Prohibited Interests7.1-5-9-12. Use of Another's Warehouse Prohibited

Sec. 12. Use of Another's Warehouse Prohibited. It is unlawful for a holder of a brewer's permit, beer or liquor wholesaler's permit, or a beer or liquor retailer's permit, to own, operate, maintain on his own account, patronize, use, or employ a warehouse, storage, or depot, owned or operated by another person for the storage or keeping of an alcoholic beverage except at the plant or premises which is covered by his permit. [Pre-1973 Recodification Citation: 7-1-1-42(i).] Formerly: Acts 1973, P.L.55, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 9. Miscellaneous Prohibited Interests7.1-5-9-13. Certain Interests Prohibited

Sec. 13. (a) A: (1) proprietor of a drug store; (2) corporation holding: (A) an artisan distiller's permit; (B) a distiller's permit; (C) a brewer's permit; (D) a wholesaler's permit; or (E) a permit to retail or deal in alcoholic beverages; or (3) wholesale drug company or a person who is the proprietor of a wholesale drug company; may not own or control or participate in the permit of a package liquor store, or in its business, or in its establishment. (b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-20.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.109-2013, SEC.13; P.L.159-2014, SEC.65; P.L.5-2015, SEC.21.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 9. Miscellaneous Prohibited Interests7.1-5-9-14. Sale to Nonpermittee Prohibited

Sec. 14. (a) It is unlawful for the holder of a brewer's, distiller's, rectifier's, or a wholesaler's permit of any type to sell an alcoholic beverage to a person who does not hold an appropriate permit under this title, unless the sale is the sale of an alcoholic beverage to a consumer or employee as expressly authorized in this title. (b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-33(v).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.94-2008, SEC.57; P.L.159-2014, SEC.66.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 9. Miscellaneous Prohibited Interests7.1-5-9-15. Manager's Questionnaire; Violations; Filing

Sec. 15. (a) The commission shall establish a manager's questionnaire for managers of licensed premises for the sale of alcoholic beverages. (b) It is unlawful for a person to: (1) manage; or (2) buy when the transfer of the permit is contingent upon terms of a contract or an agreement; a licensed premises for the sale of alcoholic beverages, unless the person has filed a valid manager's questionnaire with the commission. (c) The filing of a manager's questionnaire under this section: (1) is in addition to other requirements for managers under this title; and (2) does not exempt the filer from IC 7.1-5-6-3. (d) A person who knowingly or intentionally violates subsection (b) commits a Class B misdemeanor. As added by P.L.52-1992, SEC.11. Amended by P.L.159-2014, SEC.67.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 9. Miscellaneous Prohibited Interests7.1-5-9-2. Brewer's or Vintner's Interest in Wholesaler's Permit Prohibited; Financial Assistance

Sec. 2. (a) Except as provided in subsection (c), it is unlawful for the holder of a brewer's permit or for a brewer located outside Indiana that meets the requirements of IC 7.1-3-2-4 and IC 7.1-3-2-5 to hold, acquire, possess, own, or control, or to have an interest, claim, or title, in or to an establishment, company, or corporation holding or applying for a beer wholesaler's permit under this title, or in its business. (b) Except as provided in subsection (c), it is unlawful for the holder of a vintner's permit or for a vintner located outside Indiana to hold, acquire, possess, own, or control, or to have an interest, claim, or title in or to, an establishment, company, or corporation holding or applying for a wine wholesaler's permit under this title, or in its business. (c) A brewer covered by subsection (a) may provide financial assistance to the holder of a beer wholesaler's permit. A vintner covered by subsection (b) may provide financial assistance to the holder of the wine wholesaler's permit. The following conditions apply to the provision of financial assistance under this subsection: (1) The brewer may not require that the holder of the beer wholesaler's permit, and the vintner may not require that the holder of a wine wholesaler's permit, accept the financial assistance. (2) The financial assistance may be unsecured or secured. (3) If the financial assistance is secured, it may be secured only by a security interest in the following property of the holder of the wholesaler's permit: (A) Inventory of the products of the brewer or vintner. (B) Premises or equipment, if the premises or equipment is used in the business of the holder of the wholesaler's permit. (4) If the financial assistance is secured, the value of the property in which the security interest lies may not substantially exceed the debt secured. (5) Except as provided in IC 7.1-3-2-9, the brewer or the vintner may not use financial assistance to acquire complete or partial control of the business of the holder of the wholesaler's permit. (6) Except as provided in IC 7.1-3-2-9, the brewer or vintner must make available to all wholesalers (of any of its products) any assistance that it offers to any one (1) wholesaler of any of its products. This assistance must be provided on substantially identical terms. The brewer or vintner may not discriminate among wholesalers of any of its products in the enforcement of any terms related to assistance under this section. (7) The brewer or vintner must report to the commission any assistance that it offers to a wholesaler under this section. It must make this report promptly after the assistance is offered. (d) A

person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.112-1987, SEC.9; P.L.72-1997, SEC.4; P.L.159-2014, SEC.57.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 9. Miscellaneous Prohibited Interests7.1-5-9-3. Beer Permittee's Interest Limited

Sec. 3. (a) This section applies to a brewer that manufactures, in aggregate, more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana. (b) It is unlawful for the holder of a brewer's or beer wholesaler's permit to have an interest in a liquor permit of any type under this title. (c) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-42(o).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.88-1993, SEC.6; P.L.186-2011, SEC.12; P.L.71-2012, SEC.8; P.L.159-2014, SEC.58; P.L.79-2015, SEC.12.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 9. Miscellaneous Prohibited Interests7.1-5-9-4. Interest in Another Permit Prohibited

Sec. 4. (a) Except as provided in IC 7.1-3-3-4, an applicant for a beer wholesaler's permit shall have no interest in the following: (1) A permit to manufacture or to sell at retail alcoholic beverages of any kind. (2) Any other permit to wholesale alcoholic beverages. (3) Through stock ownership or otherwise, a partnership, limited liability company, or corporation that holds: (A) a permit to manufacture or to sell at retail alcoholic beverages of any kind; or (B) any other permit to wholesale alcoholic beverages of any kind. (b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-10.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.51-1994, SEC.14; P.L.204-2001, SEC.59; P.L.159-2014, SEC.59.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 9. Miscellaneous Prohibited Interests7.1-5-9-6. Liquor Wholesaler's Interests Limited

Sec. 6. (a) It is unlawful for the holder of a liquor wholesaler's permit to have an interest in a beer permit of any type under this title. (b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-42(p).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.109-2013, SEC.10; P.L.159-2014, SEC.60; P.L.79-2015, SEC.13; P.L.279-2019, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 9. Miscellaneous Prohibited Interests7.1-5-9-8. Certain Interests Prohibited

Sec. 8. (a) The holder of an artisan distiller's permit, a distiller's permit, or a rectifier's permit may not own, acquire, or possess a permit to sell liquor at wholesale. A distiller or rectifier may not have an interest in the business of a permittee who is authorized to sell beer, liquor, or wine at: (1) wholesale; or (2) except as provided in IC 7.1-3-27-6, retail. (b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1973 Recodification Citations: 7-1-1-16; 7-1-1-17.] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.109-2013, SEC.12; P.L.159-2014, SEC.62; P.L.279-2019, SEC.12.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 5. Crimes and InfractionsChapter 9. Miscellaneous Prohibited Interests7.1-5-9-9. Wholesaler's Interests Limited

Sec. 9. (a) It is unlawful for a person who has an interest in a beer wholesaler's permit to acquire, hold, own, or possess an interest of any type in a beer dealer's or retailer's permit. (b) It is unlawful for a person who has an interest in a liquor wholesaler's permit to acquire, hold, own, or possess an interest of any type in a liquor dealer's or retailer's permit. (c) A person who knowingly or intentionally violates subsection (a) or (b) commits a Class B misdemeanor. [Pre-1973 Recodification Citation: 7-1-1-42(g).] Formerly: Acts 1973, P.L.55, SEC.1. As amended by P.L.159-2014, SEC.63.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 6. Youth Tobacco Sales and EnforcementChapter 1. Definitions7.1-6-1-1. Applicability of Definitions

Sec. 1. The definitions in this chapter apply throughout this article. As added by P.L.256-1996, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 6. Youth Tobacco Sales and EnforcementChapter 1. Definitions7.1-6-1-2. "Person"

Sec. 2. "Person" has the meaning set forth in IC 35-31.5-2-234. As added by P.L.256-1996, SEC.2. Amended by P.L.114-2012, SEC.16.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 6. Youth Tobacco Sales and EnforcementChapter 1. Definitions7.1-6-1-3. "Tobacco Product"

Sec. 3. "Tobacco product" means a product that: (1) contains tobacco or nicotine; (2) is intended for human consumption; and (3) is not approved by the federal Food and Drug Administration for tobacco cessation. As added by P.L.256-1996, SEC.2. Amended by P.L.220-2023, SEC.15.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 6. Youth Tobacco Sales and EnforcementChapter 2. Youth Tobacco Law Enforcement Authority7.1-6-2-0.3. Intent of General Assembly Regarding Implementation and Enforcement of Article

Sec. 0.3. It is the intent of the general assembly that this article be: (1) implemented in an equitable and a uniform manner throughout Indiana; and (2) enforced to ensure the eligibility for and receipt of any federal funds or grants that the state receives or may receive relating to P.L.256-1996. As added by P.L.220-2011, SEC.181.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 6. Youth Tobacco Sales and EnforcementChapter 2. Youth Tobacco Law Enforcement Authority7.1-6-2-0.4. Payment of Penalties Under Section 8 of Chapter; No Imposition of Late Payment Penalties; Conditions

Sec. 0.4. Notwithstanding the addition of section 8 of this chapter by P.L.204-2001, a person may pay a civil penalty: (1) to which section 8 of this chapter, as added by P.L.204-2001, applies; and (2) that was imposed by a court before July 1, 2001; before August 1, 2001, without the imposition of a late payment penalty or interest under section 8 of this chapter, as added by P.L.204-2001. After July 30, 2001, late payment penalties and interest shall be added to the civil penalty as if section 8 of this chapter, as added by P.L.204-2001, were in effect on the date that the civil penalty was imposed. As added by P.L.220-2011, SEC.182.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 6. Youth Tobacco Sales and EnforcementChapter 2. Youth Tobacco Law Enforcement Authority7.1-6-2-1. Enforcement

Sec. 1. The commission, an Indiana law enforcement agency, the office of the sheriff of a county, or an organized police department of a municipal corporation may enforce this article to the extent necessary to ensure the state's compliance with: (1) Section 1926 of the Public Health Service Act (42 U.S.C. 300x-26); and (2) implementing regulations promulgated by the United States Department of Health and Human Services. As added by P.L.256-1996, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 6. Youth Tobacco Sales and EnforcementChapter 2. Youth Tobacco Law Enforcement Authority7.1-6-2-2. Unannounced Inspections

Sec. 2. The division of mental health and addiction established under IC 12-21 shall coordinate the conduct of random unannounced inspections at locations where tobacco products, e-liquids, or electronic cigarettes are sold or distributed to ensure compliance with this article. Only the commission, an Indiana law enforcement agency, the office of the sheriff of a county, or an organized police department of a municipal corporation may conduct the random unannounced inspections. These entities may use retired or off-duty law enforcement officers to conduct inspections under this section. As added by P.L.256-1996, SEC.2. Amended by P.L.215-2001, SEC.13; P.L.49-2020, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 6. Youth Tobacco Sales and EnforcementChapter 2. Youth Tobacco Law Enforcement Authority7.1-6-2-3. Sale of Cigarettes Without Health Warning Prohibited

Sec. 3. (a) It is unlawful for a person to sell cigarettes other than in an unopened package originating with the manufacturer that bears the health warning required by federal law. (b) A person who violates this section commits a Class C infraction. As added by P.L.256-1996, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 6. Youth Tobacco Sales and EnforcementChapter 2. Youth Tobacco Law Enforcement Authority7.1-6-2-4. Participation by Minor in Enforcement Action

Sec. 4. (a) An enforcement officer vested with full police powers and duties may engage a person less than twenty-one (21) years of age as part of an enforcement action under this article if the initial or contemporaneous receipt or purchase of a tobacco product, e-liquid, or electronic cigarette by a person less than twenty-one (21) years of age occurs under the direction of an enforcement officer vested with full police powers and duties and is part of the enforcement action. (b) An enforcement officer vested with full police powers and duties shall not: (1) recruit or attempt to recruit a person less than twenty-one (21) years of age to participate in an enforcement action under subsection (a) at the scene of a violation of section 2 of this chapter; or (2) allow a person less than twenty-one (21) years of age to purchase or receive a tobacco product, e-liquid, or electronic cigarette as part of an enforcement action under subsection (a) without the written permission of the person's parents or legal guardians. As added by P.L.256-1996, SEC.2. Amended by P.L.20-2013, SEC.2; P.L.49-2020, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 6. Youth Tobacco Sales and EnforcementChapter 2. Youth Tobacco Law Enforcement Authority7.1-6-2-5. Annual Report

Sec. 5. The division of mental health and addiction established under IC 12-21 shall annually prepare for submission to the Secretary of the United States Department of Health and Human Services the report required by Section 1926 of the Public Health Service Act (42 U.S.C. 300x-26) and implementing regulations promulgated under that act. As added by P.L.256-1996, SEC.2. Amended by P.L.215-2001, SEC.14.

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2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 6. Youth Tobacco Sales and EnforcementChapter 2. Youth Tobacco Law Enforcement Authority7.1-6-2-6. Youth Tobacco Education and Enforcement Fund

Sec. 6. (a) The Richard D. Doyle youth tobacco education and enforcement fund is established. The fund shall be administered by the commission. (b) Expenses of administering the fund shall be paid from money in the fund. (c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. (d) Money in the fund at the end of a state fiscal year does not revert to the state general fund. (e) Money in the fund shall be used for the following purposes: (1) For youth smoking prevention education. The commission may contract with the Indiana department of health or the office of the secretary of family and social services for youth smoking prevention education programs. (2) For education and training of retailers who sell tobacco products. The commission may contract with education and training programs of the office of the secretary of family and social services, the division of mental health and addiction, enforcement officers, or a program approved by the commission. (3) For the commission, for enforcement of youth tobacco laws. As added by P.L.177-1999, SEC.9. Amended by P.L.204-2001, SEC.57; P.L.215-2001, SEC.15; P.L.1-2002, SEC.36; P.L.252-2003, SEC.5; P.L.56-2023, SEC.47.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 6. Youth Tobacco Sales and EnforcementChapter 2. Youth Tobacco Law Enforcement Authority7.1-6-2-8. Payment of Civil Penalties; Late Penalties; Interest

Sec. 8. (a) This section applies whenever a civil penalty payable to the Richard D. Doyle youth tobacco education and enforcement fund is imposed. (b) The person liable for the civil penalty shall pay the full amount of the civil penalty to the commission within thirty (30) days after final judgment. (c) A person who fails to pay a civil penalty within the time specified in subsection (b) is liable for a late penalty equal to the greater of the following: (1) Twenty-five percent (25%) of the amount of the civil penalty imposed under IC 35-46-1. (2) The lesser of the following: (A) Twenty-five dollars ($25) multiplied by the number of days that have elapsed after the date that the civil penalty was imposed by a court. (B) Five thousand dollars ($5,000). (d) A person who fails to pay a civil penalty within the time specified in subsection (b) is liable for interest on the unpaid amount of the: (1) civil penalty imposed by a court; and (2) late penalty imposed under this section. The interest rate is the adjusted rate of interest as determined under IC 6-8.1-10-1 payable from the date that payment of the amount was due. (e) A person who fails to pay a civil penalty within the time specified in subsection (b) is liable for the reasonable documented out-of-pocket expenses incurred in pursuing collection efforts. (f) The commission shall collect the following: (1) Civil penalties imposed by a court. (2) Late penalties imposed under this section. (3) Interest imposed under this section. (4) Reasonable documented out-of-pocket expenses incurred in pursuing collection efforts. (g) Late penalties and interest imposed under this section shall be deposited in the Richard D. Doyle youth tobacco education and enforcement fund established by section 6 of this chapter. As added by P.L.204-2001, SEC.58. Amended by P.L.252-2003, SEC.6.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 1. Applicability and Purpose7.1-7-1-1. Application

Sec. 1. (a) Except as provided in subsection (b), this article applies to the following: (1) The commercial manufacturing, bottling, selling, bartering, or importing of e-liquid in Indiana. (2) The sale, possession, and use of e-liquid products in Indiana. (b) This article does not apply to a manufacturer of a closed system vapor product, except as specifically provided in this article. As added by P.L.176-2015, SEC.9. Amended by P.L.206-2017, SEC.2.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 1. Applicability and Purpose7.1-7-1-2. Purpose

Sec. 2. The purpose of this article is to protect public health and safety by: (1) ensuring the safety and security of e-liquid manufactured for sale in Indiana; (2) ensuring that e-liquid manufactured or sold in Indiana conforms to appropriate standards of identity, strength, quality, and purity; and (3) ensuring that e-liquid is not contaminated or adulterated by the inclusion of ingredients or other substances that might pose unreasonable threats to public health and safety. As added by P.L.176-2015, SEC.9. Amended by P.L.206-2017, SEC.3.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 1. Applicability and Purpose7.1-7-1-3. Effect on Powers and Duties of Commission

Sec. 3. This article does not limit the powers or duties of the commission under IC 7.1-2. As added by P.L.176-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 1. Applicability and Purpose7.1-7-1-4. Applicability to Controlled Substance Provisions

Sec. 4. This article may not be construed to restrict or limit any law under IC 35-48. As added by P.L.176-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-1. Application of Definitions

Sec. 1. The definitions contained in this chapter apply throughout this article unless the context clearly requires otherwise. As added by P.L.176-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-10. "E-Liquid"

Sec. 10. "E-liquid" means a substance that: (1) may or may not contain nicotine; and (2) is intended to be vaporized and inhaled using a vapor product. As added by P.L.176-2015, SEC.9. Amended by P.L.206-2017, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-11. "Employee"

Sec. 11. "Employee" means a person who works directly in the service of another person under an express or implied contract of hire, and the employer has the direct right to control the details of work performance. The term does not include a person who works for any independent subcontractor, temporary service provider, or an entity or person not under the direct full control of the employer. As added by P.L.176-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-12. "Flavoring"

Sec. 12. "Flavoring" means a food grade additive or synthetic flavoring substance that is used to add flavor and that is not prohibited by the federal Food and Drug Administration as an additive in vapor products. As added by P.L.176-2015, SEC.9. Amended by P.L.206-2017, SEC.10.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-15.5. "Manufacturer of a Closed System Vapor Product"

Sec. 15.5. "Manufacturer of a closed system vapor product" means a manufacturer of vapor products whose closed system vapor products are for sale in Indiana, but that does not produce open system vapor products that are for sale in Indiana. As added by P.L.206-2017, SEC.14.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-15. "Manufacturer"

Sec. 15. "Manufacturer" means a person located inside or outside Indiana that is engaged in manufacturing e-liquid. As added by P.L.176-2015, SEC.9. Amended by P.L.206-2017, SEC.13.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-16. "Manufacturing"

Sec. 16. "Manufacturing" means the process by which an e-liquid is mixed, bottled, and packaged. As added by P.L.176-2015, SEC.9. Amended by P.L.206-2017, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-17.5. "Modified Risk Tobacco Product"

Sec. 17.5. "Modified risk tobacco product" means any tobacco product that is sold or distributed to reduce harm or the risk of tobacco related disease associated with commercially marketed tobacco products. As added by P.L.206-2017, SEC.16.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-18. "Permit"

Sec. 18. "Permit" means a written authorization issued by the commission entitling the holder to manufacture, sell, or otherwise deal in e-liquid, as provided in this article. As added by P.L.176-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-19. "Permittee"

Sec. 19. "Permittee" means a person who holds a valid permit under this article, including an agent of, employee of, or other person acting on behalf of, a permittee. As added by P.L.176-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-2. "Applicant"

Sec. 2. "Applicant" means a person who applies for a permit under this article. As added by P.L.176-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-21. "Retailer"

Sec. 21. "Retailer" means a person, other than a manufacturer, who in the ordinary course of the person's regular trade or business: (1) acquires any form of e-liquid for the purpose of resale; and (2) transfers the e-liquid to another person for money or other consideration. As added by P.L.176-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-22.5. "Shipping Documents"

Sec. 22.5. "Shipping documents" means a bill of lading, airbill, or any document used to evidence that a delivery occurred by a delivery service. As added by P.L.206-2017, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-23. "Vapor Product"

Sec. 23. "Vapor product" means a powered vaporizer that converts e-liquid to a vapor intended for inhalation. As added by P.L.176-2015, SEC.9. Amended by P.L.206-2017, SEC.20.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-5. "Container"

Sec. 5. "Container" means any receptacle that contains e-liquid. As added by P.L.176-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-6.3. "Delivery Sale"

Sec. 6.3. "Delivery sale" means a sale of an e-liquid to a purchaser in Indiana in which the purchaser submits the order for the sale: (1) by telephone; (2) over the Internet; or (3) through the mail or another delivery system; and the e-liquid is shipped through a delivery service. "Delivery sale" does not include a sale of an e-liquid not for personal consumption to a person who is a retailer. As added by P.L.206-2017, SEC.6. Amended by P.L.49-2020, SEC.11.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-6.7. "Delivery Service"

Sec. 6.7. "Delivery service" means a person, including the United States Postal Service, that is engaged in the delivery of letters, packages, or containers. As added by P.L.206-2017, SEC.7.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-7. "Department"

Sec. 7. "Department" means the Indiana department of health. As added by P.L.176-2015, SEC.9. Amended by P.L.56-2023, SEC.48.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 2. Definitions7.1-7-2-8. "Distributor"

Sec. 8. "Distributor" means a person who is licensed under IC 6-7-2-8 that: (1) distributes, sells, barters, or exchanges e-liquid in Indiana to retail dealers for the purpose of resale; or (2) purchases e-liquid directly from a manufacturer for the purpose of resale. As added by P.L.176-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 3. Duties and Responsibilities of the Alcohol and Tobacco Commission7.1-7-3-1. Enforcement and Administration by Commission

Sec. 1. The commission is responsible for the enforcement and administration of this article. As added by P.L.176-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 3. Duties and Responsibilities of the Alcohol and Tobacco Commission7.1-7-3-2. Commission Duties

Sec. 2. The commission has the following duties and responsibilities: (1) To require the submission of information necessary to implement this article. (2) To issue permits. (3) To charge fees as set forth in this article. The fees charged under this subdivision may not exceed the actual costs incurred by the commission. (4) To approve or deny a permit application made under IC 7.1-7-4 within sixty (60) days of receiving the application. As added by P.L.176-2015, SEC.9. Amended by P.L.206-2017, SEC.21.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 4. Permit Requirements7.1-7-4-1. Permit; Application; E-Liquids Manufactured Before July 1, 2017

Sec. 1. (a) A manufacturer of e-liquid may not mix, bottle, package, or sell e-liquid to retailers, consumers, or distributors in Indiana without a permit issued by the commission under this article. (b) An e-liquid manufactured by an e-liquids manufacturer approved by the commission under this article before July 1, 2017, may be distributed and sold for retail until the expiration date of the e-liquid. (c) A manufacturing permit issued by the commission is valid for five (5) years. A manufacturing permit issued by the

commission under this article before July 1, 2017, does not expire before July 1, 2020. (d) An initial application for a manufacturing permit must include the following: (1) The name, telephone number, and address of the applicant. (2) The name, telephone number, and address of the manufacturing facility. (3) The name, telephone number, title, and address of the person responsible for the manufacturing facility. (4) Verification that the facility will comply with applicable tobacco products good manufacturing practices promulgated under 21 U.S.C. 387f(e) of the federal Food, Drug, and Cosmetic Act. (5) Verification that the manufacturer will comply with the applicable ingredient listing required by 21 U.S.C. 387d(a)(1) of the federal Food, Drug, and Cosmetic Act. (6) Written consent allowing the state police department to conduct a state or national criminal history background check on any person listed on the application. (7) A nonrefundable initial application fee of one thousand dollars ($1,000). (e) The fees collected under subsection (d)(7) shall be deposited in the enforcement and administration fund established under IC 7.1-4-10. As added by P.L.176-2015, SEC.9. Amended by P.L.231-2015, SEC.9; P.L.214-2016, SEC.33; P.L.206-2017, SEC.23; P.L.49-2020, SEC.13.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 4. Permit Requirements7.1-7-4-2. Renewal; Application

Sec. 2. (a) A manufacturing permit that is renewed by the commission is valid for five (5) years. (b) A renewal application for a manufacturing permit must include the following: (1) The name, telephone number, and address of the applicant. (2) The name, telephone number, and address of the manufacturing facility. (3) The name, telephone number, title, and address of the person responsible for the manufacturing facility. (4) Verification that the facility complies with all tobacco products good manufacturing practices: (A) set forth in; and (B) promulgated in federal rules under; 21 U.S.C. 387f through 21 U.S.C. 387u of the federal Food, Drug, and Cosmetic Act. (5) Written consent allowing the state police department to conduct a state or national criminal history background check on any person listed on the application. (6) A nonrefundable renewal application fee of five hundred dollars ($500). (c) The fees collected under subsection (b)(6) shall be deposited in the enforcement and administration fund established under IC 7.1-4-10. As added by P.L.176-2015, SEC.9. Amended by P.L.206-2017, SEC.24.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 4. Permit Requirements7.1-7-4-4. Permit Transfer

Sec. 4. (a) A permit may not be transferred: (1) from the permit holder to another person; or (2) from the location where the permit was approved or renewed to another location; unless approved by the commission. (b) The commission shall allow a permit to be transferred under subsection (a) if the permit has not been suspended or revoked and the new permit holder or location meets the requirements under this article. As added by P.L.176-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 4. Permit Requirements7.1-7-4-5. Notice to Commission of Changes; Penalty

Sec. 5. If the information required for the initial or renewal permit changes, the permit holder shall notify the commission within ten (10) business days of the change. If any change in the information required for an application results in a violation of this article, the commission may impose a penalty as provided in this article. As added by P.L.176-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 4. Permit Requirements7.1-7-4-6. "Tamper Evident Package"; Manufacturing Facility Requirements

Sec. 6. (a) As used in this section: (1) "adulterated" means a product that: (A) consists in whole or in part of any filthy, putrid, or decomposed substance; or (B) is contaminated by any added poisonous or added deleterious substance that may render the product injurious to health; and (2) "tamper evident package" means a package having at least one (1) indicator or barrier to entry that, if breached or missing, can reasonably be expected to provide visible evidence to consumers that tampering has occurred. (b) A manufacturing facility shall comply with the following requirements: (1) An e-liquid container must use a child proof cap that has the child resistant effectiveness set forth in the federal poison prevention packaging standards, 16 CFR 1700.15(b)(1). (2) An e-liquid container must use a tamper evident package. The tamper evident package feature must be designed to and remain intact when handled in a reasonable manner during the manufacture, distribution, and retail display of the e-liquid container. (3) The label on an e-liquid container must meet the nicotine addictiveness warning statement requirements set forth in 21 CFR 1143.3. (4) The manufacturer or retailer may not add an adulterated product to any e-liquid produced for sale in Indiana. (5) The manufacturer must submit to random site visits by the commission. (6) The manufacturer may: (A) own and control both the e-liquid manufacturing process and the bottling process; or (B) subcontract with another manufacturer for the performance of the e-liquid manufacturing service, the bottling services, or both services. However, both the manufacturer performing a service under clause (B) and the manufacturer for which the service is performed must meet the requirements of this article. (7) A manufacturer may use a flavoring, as defined by IC 7.1-7-2-12, as an ingredient in an e-liquid. (8) The manufacturer or any person listed on the permit application may not have been convicted within ten (10) years before the date of application of: (A) a federal crime having a sentence of at least one (1) year; (B) an Indiana Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony (for a crime committed after June 30, 2014); (C) a crime in a state other than Indiana having a penalty equal to the penalty for an Indiana Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony (for a crime committed after June 30, 2014); (D) an Indiana Class D felony involving a

controlled substance under IC 35-48-4 (for a crime committed before July 1, 2014) or a Level 6 felony involving a controlled substance under IC 35-48-4 (for a crime committed after June 30, 2014); or (E) a crime in a state other than Indiana similar to a Class D felony involving a controlled substance under IC 35-48-4 (for a crime committed before July 1, 2014) or a Level 6 felony involving a controlled substance under IC 35-48-4 (for a crime committed after June 30, 2014). As added by P.L.176-2015, SEC.9. Amended by P.L.231-2015, SEC.10; P.L.206-2017, SEC.26; P.L.17-2019, SEC.1.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 4. Permit Requirements7.1-7-4-7. Copy of Application to State Police Department; Criminal History Background Checks; Issuance of Permits; Reasons for Denial

Sec. 7. (a) On receipt of a completed permit application, the commission shall forward a copy of the application to the state police department. (b) The state police department shall perform a state or national criminal history background check of the applicant and return the application to the commission along with the state police department's findings from the state or national background check. The commission is responsible for the cost of a state or national criminal history background check conducted under this article. (c) The commission shall review the permit application after it is returned from the state police department under subsection (b). The commission shall grant or deny a completed application for a permit within sixty (60) days of receipt of the application. If the commission determines that: (1) all the requirements under this article have been met; and (2) the applicant has not been convicted within ten (10) years before the date of application of: (A) a federal crime having a sentence of at least one (1) year; (B) an Indiana Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony (for a crime committed after June 30, 2014); or (C) a crime in a state other than Indiana having a penalty equal to the penalty for an Indiana Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony (for a crime committed after June 30, 2014); (D) an Indiana Class D felony involving a controlled substance under IC 35-48-4 (for a crime committed before July 1, 2014) or a Level 6 felony involving a controlled substance under IC 35-48-4 (for a crime committed after June 30, 2014); or (E) a crime in a state other than Indiana similar to a Class D felony involving a controlled substance under IC 35-48-4 (for a crime committed before July 1, 2014) or a Level 6 felony involving a controlled substance under IC 35-48-4 (for a crime committed after June 30, 2014). the commission shall approve the application for issuance of the permit. (d) If the completed application for a permit is denied, the commission must state the reasons for the denial. If a completed application is denied under this section, the applicant may reapply within thirty (30) days after the date of the denial. There is no application fee for a reapplication under this subsection. As added by P.L.176-2015, SEC.9. Amended by P.L.206-2017, SEC.27.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 5.5. Delivery Sales7.1-7-5.5-1. Retailers Prohibited From Making a Delivery Sale of E-Liquid to a Minor

Sec. 1. A retailer may not make a delivery sale of e-liquid to an individual who does not meet the minimum age requirement as set forth in IC 7.1-7-6-5. As added by P.L.206-2017, SEC.30. Amended by P.L.49-2020, SEC.14.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 5.5. Delivery Sales7.1-7-5.5-2. E-Liquid Shipped in a Delivery Sale

Sec. 2. A retailer may not ship an e-liquid without first making a good faith effort to verify the age of the purchaser of the e-liquid as set forth in IC 7.1-7-6-6. As added by P.L.206-2017, SEC.30. Amended by P.L.49-2020, SEC.15.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 5.5. Delivery Sales7.1-7-5.5-3. Payment for an E-Liquid Before a Delivery Sale

Sec. 3. (a) Before an e-liquid is shipped in a delivery sale, a retailer must be fully paid for the purchase and shall accept payment from the purchaser: (1) by a check drawn on an account in the purchaser's name; (2) by a credit card issued in the purchaser's name; or (3) by a debit card issued in the purchaser's name. (b) A retailer may ship an e-liquid only to a purchaser. As added by P.L.206-2017, SEC.30. Amended by P.L.49-2020, SEC.16.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 5.5. Delivery Sales7.1-7-5.5-4. Request of Purchaser Electronic Mail Address

Sec. 4. A retailer taking a delivery sale order may request the electronic mail address of the purchaser. As added by P.L.206-2017, SEC.30.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 5.5. Delivery Sales7.1-7-5.5-5. Delivery Sale Statement

Sec. 5. A retailer who ships an e-liquid from a delivery sale order shall include as part of the shipping documents a document with the following statement: "E-LIQUIDS: Indiana law prohibits the sale of this product to a person who is less than 21 years of age.". As added by P.L.206-2017, SEC.30. Amended by P.L.49-2020, SEC.17.

Title: title-7-1

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 5. Manufacturing and Safety Requirements7.1-7-5-1.1. Requirements for Retailers, Distributors, and Manufacturers

Sec. 1.1. (a) A retailer must have a valid sales certificate issued by the commission in accordance with IC 7.1-3-18.5-1 that contains a separate box to check for identifying a retailer that sells e-liquids. (b) A retailer may purchase e-liquid only from an Indiana e-liquid manufacturing permit holder or an Indiana distributor permit holder. (c) A retailer shall retain all invoices for e-liquid that the retailer purchases for two (2) years. (d) A retailer shall not allow the self-service sale for individuals purchasing an e-liquid. (e) A retailer may not sell an e-liquid that contains more than seventy-five (75) milligrams per milliliter of nicotine. (f) A manufacturer must have an e-liquid manufacturing permit issued under IC 7.1-7-4. (g) A distributor that does not have a valid e-liquid manufacturing permit issued under IC 7.1-7-4 must have a valid distributor's license issued under IC 6-7-2-8. (h) A distributor shall purchase and distribute e-liquid from an: (1) Indiana e-liquid manufacturer that has a valid e-liquid manufacturing permit under IC 7.1-7-4; or (2) Indiana e-liquid distributor that has a valid: (A) e-liquid manufacturing permit issued under IC 7.1-7-4; or (B) distributor's license under IC 6-7-2-8. (i) A distributor shall retain all invoices to a retailer or from a manufacturer for at least two (2) years. (j) A manufacturer, distributor, or retailer may not market e-liquid as a modified risk tobacco product, as defined by IC 7.1-7-2-17.5, that has not been designated as a modified risk tobacco product by the federal Food and Drug Administration. (k) Except as provided in subsection (m), a manufacturer, including a manufacturer of a closed system vapor product, shall annually submit a report to the commission setting forth: (1) each new product that the manufacturer is producing and is sold in Indiana with a list of the contents and ingredients by volume; and (2) whether the manufacturer has stopped producing products previously produced and sold in Indiana. A report under this subsection is confidential, and the commission may not disclose it to another person. (l) A manufacturer shall annually submit a report to the commission setting forth: (1) the milligrams per milliliter of nicotine in each product the manufacturer produces; and (2) the milliliters of each product sold that current year. A report under this subsection is confidential, and the ATC may not disclose it to another person. (m) A manufacturer is not required to submit a report described in subsection (k) if the manufacturer submits to the commission a certification, by October 1 of each year, that each of the manufacturer's vapor products sold in Indiana has been filed with the federal Food and Drug Administration. As added by P.L.206-2017, SEC.29. Amended by P.L.220-2023, SEC.16.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 5. Manufacturing and Safety Requirements7.1-7-5-2. Request for Ingredient Approval

Sec. 2. (a) A manufacturer of e-liquid may file a request with the department for approval of an ingredient to be allowed in the composition of e-liquid. (b) The department may approve the request filed under subsection (a) if the department determines that the ingredient will not pose an unreasonable threat to public health and safety. As added by P.L.176-2015, SEC.9.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 6. Violations and Penalties7.1-7-6-1. Reprimand, Civil Penalty, and Suspension; Compliance With Federal Laws

Sec. 1. (a) If a manufacturer, distributor, or retailer violates this article, the manufacturer, distributor, or retailer may be reprimanded, assessed a civil penalty, or have the manufacturer's permit, distributor's license, or retailer's tobacco sales certificate suspended. (b) Any provision in this article that requires a manufacturer to comply with the federal Food, Drug, and Cosmetic Act or a federal rule promulgated under the federal Food, Drug, and Cosmetic Act is under the sole jurisdiction of the federal Food and Drug Administration. If the federal Food and Drug Administration seeks court enforcement of any section of the federal Food, Drug, and Cosmetic Act cited in this article and a civil monetary penalty is assessed against the manufacturer, the act or omission for which the penalty was assessed constitutes a violation of this article. (c) The commission may assess a civil penalty against a manufacturer, distributor, or retailer for a violation of this article in an amount that does not exceed ten thousand dollars ($10,000). A civil penalty may be assessed in addition to other penalties allowed under this article. As added by P.L.176-2015, SEC.9. Amended by P.L.206-2017, SEC.31.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 6. Violations and Penalties7.1-7-6-2.1. Sale or Distribution of an E-Liquid to a Minor May Violate Criminal Statutes

Sec. 2.1. A person who sells or distributes an e-liquid to a person less than twenty-one (21) years of age may be in violation of IC 35-46-1. As added by P.L.49-2020, SEC.19.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 6. Violations and Penalties7.1-7-6-5. Sale of an E-Liquid to a Minor a Class C Infraction

Sec. 5. A person who knowingly or intentionally makes a delivery sale of an e-liquid to an individual who is less than twenty-one (21) years of age commits a Class C infraction. As added by P.L.206-2017, SEC.35. Amended by P.L.49-2020, SEC.20.

2024 Indiana CodeTitle 7.1. Alcohol and TobaccoArticle 7. Vapor Pens and E-LiquidChapter 6. Violations and Penalties7.1-7-6-6. Shipping an E-Liquid Without Making a Good Faith Effort to Verify the Age of the Purchaser

Sec. 6. (a) As used in this section, "good faith effort to verify the age of the purchaser of the e-liquid" means: (1) verifying the age of the purchaser in a commercially available database; or (2) obtaining a photocopy of a government issued identification; that indicates the birth date or age of the purchaser. (b) A person who knowingly or intentionally ships an e-liquid without first making a good faith effort to verify the age of the purchaser of the e-liquid commits a Class C infraction. As added by P.L.206-2017, SEC.36. Amended by P.L.49-2020, SEC.21.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 0.1. Effect of 1991 Recodification9-13-0.1-1. p.l.2-1991 Codification; No Effect on Rights, Liabilities, Penalties, Violations, or Proceedings; References

Sec. 1. (a) P.L.2-1991 is intended to be a codification and restatement of applicable or corresponding provisions repealed by P.L.2-1991, SECTION 109. If P.L.2-1991 repeals and replaces a provision in the same form or in a restated form, the substantive operation and effect of that provision continue uninterrupted. (b) P.L.2-1991 does not affect any: (1) rights or liabilities accrued; (2) penalties incurred; (3) violations committed; or (4) proceedings begun; before July 1, 1991. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if P.L.2-1991 had not been enacted. (c) A reference in a statute or rule to a statute that is repealed and replaced in the same or a different form in P.L.2-1991 shall be treated after July 1, 1991, as a reference to the new provision. As added by P.L.220-2011, SEC.208.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 0.1. Effect of 1991 Recodification9-13-0.1-2. Preservation of Materials Relating to Codification

Sec. 2. The general assembly may, by concurrent resolution, preserve any of the background materials related to P.L.2-1991. As added by P.L.220-2011, SEC.208.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 1. Application9-13-1-1. Application of Definitions

Sec. 1. Except as otherwise provided, the definitions in this article apply throughout this title. [Pre-1991 Recodification Citation: New.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 1. Application9-13-1-2. Inapplication of Article to Ic 9-28

Sec. 2. The definitions in this article do not apply to IC 9-28. [Pre-1991 Recodification Citation: New.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 1. Application9-13-1-4. References to Federal Statutes or Regulations Relating to the National Voter Registration Act

Sec. 4. Except as otherwise provided in this title, a reference in this title to a federal statute or regulation relating to the National Voter Registration Act of 1993 (52 U.S.C. 20501) is a reference to the statute or regulation as in effect September 1, 2014. As added by P.L.4-1996, SEC.96. Amended by P.L.122-2000, SEC.14; P.L.230-2005, SEC.68; P.L.128-2015, SEC.217.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-1.4. "Adapted Vehicle"

Sec. 1.4. "Adapted vehicle" means a new or used vehicle especially designed or modified for use by an individual who is disabled or aged. As added by P.L.147-2009, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-1.6. "Advisory Board"

Sec. 1.6. "Advisory board", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-2. As added by P.L.92-2013, SEC.5. Amended by P.L.104-2024, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-1.7. "Aggressive Driving"

Sec. 1.7. "Aggressive driving", for purposes of IC 9-21-8-55, has the meaning set forth in IC 9-21-8-55(b). As added by P.L.75-2006, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-1.8. "Aggregate"

Sec. 1.8. "Aggregate" includes: (1) sand; (2) gravel; (3) dirt; (4) concrete; (5) shell; (6) slag; (7) millings; (8) crushed stone; (9) other

construction materials; and (10) any combination of materials described in this section; regardless of whether the material is in a natural or processed state. As added by P.L.130-2023, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-1.9. "Airbag"

Sec. 1.9. "Airbag", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-0.2. As added by P.L.120-2020, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-1. "Abandoned Vehicle"

Sec. 1. "Abandoned vehicle" means the following: (1) A vehicle located on public property illegally. (2) A vehicle left on public property without being moved for twenty-four (24) hours. (3) A vehicle located on public property in such a manner as to constitute a hazard or obstruction to the movement of pedestrian or vehicular traffic on a public right-of-way. (4) A vehicle that has remained on private property without the consent of the owner or person in control of that property for more than forty-eight (48) hours. (5) A vehicle from which the engine, transmission, or differential has been removed or that is otherwise partially dismantled or inoperable and left on public property. (6) A vehicle that has been removed by a towing service or public agency upon request of an officer enforcing a statute or an ordinance other than this chapter if the impounded vehicle is not claimed or redeemed by the owner or the owner's agent within twenty (20) days after the vehicle's removal. (7) A vehicle that is at least three (3) model years old, is mechanically inoperable, and is left on private property continuously in a location visible from public property for more than twenty (20) days. For purposes of this subdivision, a vehicle covered by a tarpaulin or other plastic, vinyl, rubber, cloth, or textile covering is considered to be visible. (8) A vehicle: (A) that was repaired or stored at the request of the owner; (B) that has not been claimed by the owner; and (C) for which the reasonable value of the charges associated with the repair or storage remain unpaid more than thirty (30) days after the date on which the repair work is completed or the vehicle is first stored. [Pre-1991 Recodification Citation: 9-9-1.1-2 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.92-1997, SEC.1; P.L.54-2009, SEC.2; P.L.262-2013, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-10.5. "Average Wholesale Value"

Sec. 10.5. "Average wholesale value", for purposes of IC 9-32-11, has the meaning set forth in IC 9-32-2.1-6. As added by P.L.134-2023, SEC.1. Amended by P.L.104-2024, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-10. "Automotive Salvage Recycler"

Sec. 10. (a) "Automotive salvage recycler", except as provided in subsection (b), means a person that: (1) acquires damaged, inoperative, discarded, abandoned, or salvage vehicles, or their remains, as stock-in-trade; (2) dismantles, shreds, compacts, crushes, or otherwise processes such vehicles or remains for the reclamation and sale of reusable components and parts; (3) disposes of recyclable materials to a scrap metal processor or other appropriate facility; or (4) performs any combination of these actions. For purposes of this title, a recycling facility, a used parts dealer, and an automotive salvage rebuilder are all considered as an automotive salvage recycler. (b) "Automotive salvage recycler", for purposes of IC 9-32, does not include a person that holds a valid automobile auction license under IC 9-32 unless the person is a recycling facility, a used parts dealer, or an automotive salvage rebuilder. [Pre-1991 Recodification Citation: 9-1-3.6-1(d)(1).] As added by P.L.2-1991, SEC.1. Amended by P.L.151-2015, SEC.2; P.L.198-2016, SEC.83; P.L.120-2020, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-100. "Medical Services Vehicle"

Sec. 100. "Medical services vehicle" means any of the following: (1) A vehicle that is used or intended to be used for the purpose of responding to emergency life-threatening situations and providing emergency transportation service. (2) A vehicle that is routinely used to transport patients who are not acutely ill or injured in a life-threatening manner. [Pre-1991 Recodification Citation: 9-1-1-2(cc).] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-102.3. "Metered Space"

Sec. 102.3. "Metered space", for purposes of IC 9-18.5-4, IC 9-18.5-5, and IC 9-18.5-6, means a public parking space at which parking is regulated by: (1) a parking meter; or (2) an official traffic control device that imposes a maximum parking time for the public parking space. The term does not include parking spaces or areas regulated under IC 9-21-18. As added by P.L.6-2009, SEC.1. Amended by P.L.216-2014, SEC.16; P.L.198-2016, SEC.130; P.L.257-2017, SEC.24.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-102. "Metal Tire"

Sec. 102. "Metal tire" means a tire the surface of which in contact with the highway is wholly or partly of metal or other hard

nonresilient material. [Pre-1991 Recodification Citation: 9-4-1-6 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-103.1. "Mini-Truck"

Sec. 103.1. "Mini-truck" means a truck that: (1) is powered by an internal combustion engine with a piston or rotary displacement of not less than six hundred sixty (660) cubic centimeters; (2) is sixty (60) inches or less in width; (3) has an unladen dry weight of one thousand six hundred (1,600) pounds or less; (4) can achieve a top speed of not more than sixty (60) miles per hour; (5) is manufactured with a locking enclosed cab and a heated interior; and (6) is operated on a highway. As added by P.L.180-2015, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-103.2. "Mobile Home"

Sec. 103.2. "Mobile home" means a structure that: (1) is assembled in a factory; (2) is designed to be transported from the factory to another site in one (1) or more units; (3) is suitable for use as a dwelling in any season; (4) is more than thirty-five (35) feet long; and (5) either: (A) bears a seal certifying that the structure was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law (42 U.S.C. 5401 et seq.); or (B) was manufactured before the effective date of the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.). As added by P.L.108-2001, SEC.1. Amended by P.L.203-2013, SEC.14; P.L.198-2016, SEC.132.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-103.4. "Mobile Credential"

Sec. 103.4. "Mobile credential" means digital data issued to a telecommunications device by the bureau under IC 9-24-17.5 of the information contained on the following: (1) A driver's license. (2) A learner's permit. (3) An identification card. The term does not include a motorcycle learner's permit issued under IC 9-24-8-3, a photo exempt driver's license issued under IC 9-24-11-5(b), or a photo exempt identification card issued under IC 9-24-16.5. As added by P.L.178-2019, SEC.36. Amended by P.L.120-2020, SEC.10; P.L.211-2023, SEC.16; P.L.141-2024, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-103. "Military Vehicle"

Sec. 103. "Military vehicle" means a vehicle that: (1) was originally manufactured for military use; (2) is at least twenty-five (25) years old; and (3) is privately owned. [Pre-1991 Recodification Citation: 9-7-15-3.] As added by P.L.2-1991, SEC.1. Amended by P.L.221-2014, SEC.9; P.L.198-2016, SEC.131.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-104.1. "Motor Driven Cycle"

Sec. 104.1. "Motor driven cycle" means a motor vehicle that: (1) has a seat or saddle for the use of the rider; (2) is designated to travel on not more than three (3) wheels in contact with the ground; (3) complies with the applicable motor vehicle equipment requirements under IC 9-19 and 49 CFR 571; (4) has a cylinder capacity not exceeding fifty (50) cubic centimeters; and (5) is registered as a motor driven cycle under IC 9-18.1. The term does not include an electric bicycle. As added by P.L.221-2014, SEC.11. Amended by P.L.206-2019, SEC.7; P.L.111-2021, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-105.3. "Motor Vehicle Highway Account"

Sec. 105.3. "Motor vehicle highway account" refers to the motor vehicle highway account as defined in IC 8-14-1-1(1). As added by P.L.216-2014, SEC.17.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-105. "Motor Vehicle"

Sec. 105. (a) "Motor vehicle" means, except as otherwise provided in this section, a vehicle that is self-propelled. The term does not include a farm tractor, an implement of agriculture designed to be operated primarily in a farm field or on farm premises, an electric bicycle, an electric foot scooter, or an electric personal assistive mobility device. (b) "Motor vehicle", for purposes of IC 9-21, means: (1) a vehicle that is self-propelled; or (2) a vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. The term does not include an electric foot scooter. (c) "Motor vehicle", for purposes of IC 9-32, includes a semitrailer, trailer, an off-road vehicle, a snowmobile, a mini-truck, a manufactured home, or a recreational vehicle. The term does not include an electric foot scooter. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2 part; 9-4-8-4 part; 9-7-3-1 part; 9-10-1-1 part; subsection (b) formerly 9-4-1-2(b); subsection (c) formerly 9-2-1-2(j).] As added by P.L.2-1991, SEC.1. Amended by P.L.94-1997, SEC.1; P.L.143-2002, SEC.2; P.L.248-2003, SEC.2 and P.L.265-2003, SEC.2; P.L.210-2005, SEC.9; P.L.191-2007, SEC.1; P.L.9-2010, SEC.8; P.L.92-2013, SEC.25; P.L.221-2014, SEC.12; P.L.174-2016, SEC.8; P.L.198-2016,

SEC.133; P.L.142-2019, SEC.2; P.L.206-2019, SEC.8; P.L.211-2019, SEC.7; P.L.120-2020, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-106. "Motor Vehicle Liability Policy"

Sec. 106. "Motor vehicle liability policy" means an owner's policy of liability insurance or an operator's policy of liability insurance that: (1) is issued, except as provided in IC 9-25-5-10, by an insurance carrier duly authorized to transact business in Indiana to or for the benefit of the person named in the policy as insured; and (2) insures against liability resulting from the ownership, maintenance, use, or operation of a motor vehicle. [Pre-1991 Recodification Citation: 9-2-1-20.] As added by P.L.2-1991, SEC.1. Amended by P.L.59-1994, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-108.3. "Motorcycle Operator Safety Education Fund"

Sec. 108.3. "Motorcycle operator safety education fund" refers to the motorcycle operator safety education fund established by IC 9-27-7-7. As added by P.L.216-2014, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-108. "Motorcycle"

Sec. 108. "Motorcycle" means a motor vehicle with motive power that: (1) has a seat or saddle for the use of the rider; (2) is designed to travel on not more than three (3) wheels in contact with the ground; and (3) satisfies the operational and equipment specifications described in 49 CFR 571 and IC 9-19. The term includes an autocycle, but does not include a farm tractor, an electric bicycle, or a motor driven cycle. [Pre-1991 Recodification Citations: 9-1-1-2(c); 9-4-1-2.] As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.12; P.L.221-2014, SEC.13; P.L.82-2015, SEC.2; P.L.206-2019, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-109.3. "Motorsports"

Sec. 109.3. "Motorsports" means the group of sports that are sanctioned by one (1) or more member clubs of the Automobile Competition Committee for the United States. As added by P.L.12-2013, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-11. "Axle"

Sec. 11. "Axle" means the common axis of rotation of at least one (1) wheel or roller that is: (1) power driven or freely rotating; and (2) in at least one (1) segment. [Pre-1991 Recodification Citation: 9-8-1-12(f) part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-110.5. "Municipal Waste Collection and Transportation Vehicle"

Sec. 110.5. (a) "Municipal waste collection and transportation vehicle" means a truck used to transport municipal waste (as defined in IC 13-11-2-133) from a solid waste generator or a solid waste processing facility (as defined in IC 13-11-2-212) to a: (1) solid waste processing facility (as defined in IC 13-11-2-212) in Indiana; or (2) solid waste disposal facility (as defined in IC 13-11-2-206) in Indiana. (b) The term does not include a vehicle that is: (1) used to transport municipal waste (as defined in IC 13-11-2-133) from a residence if the vehicle is: (A) owned; (B) leased; or (C) operated; by an individual who lives in the residence; or (2) not used for commercial solid waste transportation. As added by P.L.114-1993, SEC.1. Amended by P.L.1-1996, SEC.58; P.L.131-2006, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-110. "Moving Traffic Offense"

Sec. 110. "Moving traffic offense" means a violation of a statute, an ordinance, a rule, or a regulation relating to the operation or use of a motor vehicle while the motor vehicle is in motion. [Pre-1991 Recodification Citations: 9-4-1-2; 9-4-12-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.94-1997, SEC.2; P.L.1-2002, SEC.39; P.L.85-2013, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-111.5. "New Motor Vehicle Dealer"

Sec. 111.5. "New motor vehicle dealer", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-32. As added by P.L.120-2020, SEC.12. Amended by P.L.104-2024, SEC.20.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-111.8. "Nonfunctional Airbag"

Sec. 111.8. "Nonfunctional airbag", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-0.8. As added by P.L.120-2020, SEC.13.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-111. "New Motor Vehicle"

Sec. 111. "New motor vehicle" means a motor vehicle: (1) that has not been previously titled under IC 9-17 and carries a manufacturer's certificate of origin; or (2) that has never been transferred by a manufacturer, distributor, or dealer to an ultimate purchaser. [Pre-1991 Recodification Citations: 9-1-1-2(gg); 9-10-1-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.10-1998, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-112. "Nonmoving Traffic Offense"

Sec. 112. "Nonmoving traffic offense" means a violation of a statute, an ordinance, or a regulation concerning the following: (1) The parking or standing of motor vehicles. (2) Motor vehicles that are not in motion. [Pre-1991 Recodification Citation: 9-4-7-2 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.85-2013, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-113.3. "Nonviolent Offender"

Sec. 113.3. "Nonviolent offender", for purposes of IC 9-25-6-15.5, has the meaning set forth in IC 9-25-6-15.5(a)(3). As added by P.L.86-2021, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-113.5. "Not-for-Hire Bus"

Sec. 113.5. "Not-for-hire bus" refers to the following: (1) A school bus. (2) A special purpose bus. (3) A church bus. (4) A private bus. (5) A bus that is used to provide incidental transportation to a passenger at no additional charge to the passenger. As added by P.L.198-2016, SEC.137.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-113. "Nonresident"

Sec. 113. "Nonresident" means a person that is not an Indiana resident. [Pre-1991 Recodification Citations: subsection (a) formerly 9-2-1-2 part; subsection (b) formerly 9-1-4-21(a).] As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.136.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-114.5. "Offer to Sell"

Sec. 114.5. "Offer to sell" means any attempt or offer to dispose of, or solicitation of an offer to purchase, a motor vehicle or interest in a motor vehicle for hire. As added by P.L.92-2013, SEC.26.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-114. "Odometer"

Sec. 114. "Odometer" means an instrument for measuring and recording the actual distance a motor vehicle travels while in operation. The term does not include an auxiliary odometer designed to be reset by the operator of the motor vehicle for the purpose of recording mileage on trips. [Pre-1991 Recodification Citation: 9-10-1-2.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-115. "Office"

Sec. 115. "Office", for purposes of IC 9-27-2, has the meaning set forth in IC 9-27-2-1. [Pre-1991 Recodification Citation: 9-6-2-1 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-116. "Officer"

Sec. 116. "Officer", for purposes of IC 9-22-1 and IC 9-22-2, has the meaning set forth in IC 9-22-1-2. [Pre-1991 Recodification Citation: 9-9-1.1-2 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.66-1992, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-117.3. "Off-Road Vehicle"

Sec. 117.3. "Off-road vehicle" has the meaning set forth in IC 14-8-2-185. As added by P.L.219-2005, SEC.2. Amended by P.L.1-2007, SEC.81.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-117.5. "Operate"

Sec. 117.5. "Operate" means to navigate or otherwise be in actual physical control of a vehicle, watercraft, off-road vehicle, or snowmobile. As added by P.L.71-1991, SEC.6. Amended by P.L.125-2012, SEC.16; P.L.85-2013, SEC.16; P.L.259-2013, SEC.4; P.L.198-2016, SEC.138; P.L.164-2020, SEC.30.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-117.7. "Operating Crew Member"

Sec. 117.7. "Operating crew member", for purposes of IC 9-19-6, has the meaning set forth in IC 9-19-6-1.5. As added by P.L.183-2005, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-117. "Official Traffic Control Devices"

Sec. 117. "Official traffic control devices" means a sign, signal, marking, and device, including a railroad advance warning sign, not inconsistent with this title placed or erected by authority of a public body or an official having jurisdiction, for the purpose of regulating, warning, or guiding traffic. [Pre-1991 Recodification Citation: 9-4-1-19 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-118. "Operator"

Sec. 118. (a) Except as provided in subsection (b), "operator" means an individual who operates a vehicle, watercraft, off-road vehicle, or snowmobile. (b) "Operator", for purposes of IC 9-18.1-14.5, has the meaning set forth in 33 CFR 174.3. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2(z); subsection (b) formerly 9-2-1-2 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.17; P.L.85-2013, SEC.17; P.L.259-2013, SEC.5; P.L.12-2015, SEC.3; P.L.198-2016, SEC.139; P.L.164-2020, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-119. "Operator of a Special Tractor Mobile Home Rig"

Sec. 119. "Operator of a special tractor mobile home rig" means: (1) a person employed by a mobile home or sectionalized building manufacturer, dealer, transport company, or individual owner for the purpose of driving a vehicle transporting a mobile home or sectionalized building (as defined in section 163(b) of this chapter) on any public road or street; or (2) an individual moving the individual's own mobile home or sectionalized building on the highways. [Pre-1991 Recodification Citation: 9-8-1.6-1 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-12. "Axle Weight"

Sec. 12. "Axle weight" means the total weight concentrated on one (1) or more axles spaced less than forty (40) inches from center to center. [Pre-1991 Recodification Citation: 9-8-1-12(f) part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-120.5. "Out-of-Service Order"

Sec. 120.5. "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, Canadian, Mexican, or local jurisdiction that a driver, a commercial motor vehicle, or a motor carrier operation is out-of-service under: (1) 49 CFR Parts 386.72, 392.5, 395.13, 396.9; (2) Indiana law; or (3) the North American Uniform Out-of-Service Criteria. As added by P.L.88-1996, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-120.7. "Overweight Divisible Load"

Sec. 120.7. "Overweight divisible load" means a tractor-semitrailer and load that: (1) can be traditionally separated or reduced to meet the specified regulatory limits for weight; (2) meet other requirements for height, length, and width; and (3) have a gross vehicle weight of more than eighty thousand (80,000) pounds but a gross vehicle weight of not more than one hundred twenty thousand (120,000) pounds. As added by P.L.135-2013, SEC.3. Amended by P.L.198-2016, SEC.141; P.L.154-2017, SEC.2; P.L.54-2018, SEC.1; P.L.179-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-121. "Owner"

Sec. 121. (a) Except as otherwise provided in subsection (b), "owner" means a person, other than a lienholder, that: (1) holds the

property in or title to, as applicable, a vehicle, manufactured home, mobile home, off-road vehicle, snowmobile, or watercraft; or (2) is entitled to the use or possession of, as applicable, a vehicle, manufactured home, off-road vehicle, snowmobile, or watercraft, through a lease or other agreement intended to operate as a security. (b) "Owner" for purposes of IC 9-18.1-14.5, has the meaning set forth in 33 CFR 174.3. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2(o); 9-7-3-1(a) part; subsection (b) formerly 9-2-1-2 part; 9-4-1-11 part; subsection (c) formerly 9-9-1.1-2 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.71-1991, SEC.7; P.L.125-2012, SEC.18; P.L.259-2013, SEC.6; P.L.198-2016, SEC.142; P.L.164-2020, SEC.32.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-122. "Parts"

Sec. 122. "Parts" refers to all components of a vehicle that as assembled do not constitute a complete vehicle. [Pre-1991 Recodification Citation: 9-9-1.1-2 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-123.3. "Pedestrian Hybrid Beacon"

Sec. 123.3. "Pedestrian hybrid beacon" for purposes of IC 9-21-3, has the meaning set forth in IC 9-21-3-0.5. As added by P.L.43-2011, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-123.5. "Permit"

Sec. 123.5. "Permit" means the following: (1) A permit issued by the state in the form of a physical credential authorizing an individual to operate the type of vehicle for which the permit was issued on public streets, roads, or highways with certain restrictions. The term under this subdivision includes the following: (A) A learner's permit. (B) A motorcycle learner's permit. (C) A commercial learner's permit. (2) A permit issued by the state in the form of a mobile credential authorizing an individual to operate the type of vehicle for which the permit was issued on public streets, roads, or highways with certain restrictions. The term under this subdivision includes a learner's permit. The term under this subdivision does not include a motorcycle learner's permit or a commercial learner's permit. As added by P.L.184-2007, SEC.9. Amended by P.L.125-2012, SEC.19; P.L.198-2016, SEC.144; P.L.178-2019, SEC.37; P.L.120-2020, SEC.14; P.L.211-2023, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-123. "Passenger Motor Vehicle"

Sec. 123. "Passenger motor vehicle" means a motor vehicle designed for carrying passengers. The term does not include the following: (1) A motorcycle. (2) A bus. (3) A snowmobile. (4) An off-road vehicle. (5) A motor driven cycle. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2(x); 9-1-4-9.1(h) part; subsection (b) formerly 9-8-14-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.21-2003, SEC.3; P.L.219-2005, SEC.3; P.L.214-2007, SEC.5; P.L.259-2013, SEC.7; P.L.221-2014, SEC.15; P.L.198-2016, SEC.143.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-124. "Person"

Sec. 124. "Person" means an individual, a firm, a partnership, an association, a fiduciary, an executor or administrator, a governmental entity, a limited liability company, a corporation, a sole proprietorship, a trust, an estate, or another entity, except as defined in the following sections: (1) IC 9-20-14-0.5. (2) IC 9-20-15-0.5. (3) IC 9-32-2.1-33. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2(n); 9-2-1-2 part; 9-3-1-1 part; 9-4-1-11 part; 9-7-3-1(a) part; 9-9-1.1-2 part; Part new; subsection (b) formerly 9-8-1-6; 9-8-1.6-1 part; subsection (c) formerly 9-10-1-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.95-1991, SEC.3; P.L.8-1993, SEC.169; P.L.89-1996, SEC.1; P.L.180-2015, SEC.4; P.L.151-2015, SEC.13; P.L.180-2015, SEC.5; P.L.198-2016, SEC.145; P.L.104-2024, SEC.21.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-125.5. "Photo Exempt Identification Card"

Sec. 125.5. "Photo exempt identification card" means an identification card issued by the bureau under IC 9-24-16.5. As added by P.L.197-2015, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-125.6. "Physical Credential"

Sec. 125.6. "Physical credential" means the following forms of documentation issued by the bureau under IC 9-24 in physical form: (1) A driver's license. (2) A learner's permit. (3) A motorcycle learner's permit. (4) An identification card. (5) A photo exempt identification card. (6) A commercial driver's license or commercial learner's permit. As added by P.L.211-2023, SEC.19.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-125.7. "Physician"

Sec. 125.7. "Physician", for purposes of IC 9-30-6-6, means an individual who is licensed to practice medicine in Indiana under IC 25-22.5. As added by P.L.224-2019, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-125. "Personalized License Plate"

Sec. 125. "Personalized license plate" means a license plate that displays the registration number assigned to the vehicle and issued in a combination of letters or numbers, or both, requested by the owner or the lessee of the vehicle and approved by the bureau. [Pre-1991 Recodification Citation: 9-7-5.5-3.] As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-126. "Pole Trailer"

Sec. 126. "Pole trailer" means a vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular shaped loads such as poles, pipes, or structural members that are capable, generally, of sustaining themselves as beams between the supporting connections. [Pre-1991 Recodification Citation: 9-4-1-5(c).] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-127. "Police Officer"

Sec. 127. (a) "Police officer" means, except as provided in subsection (b), the following: (1) A regular member of the state police department. (2) A regular member of a city or town police department. (3) A town marshal or town marshal deputy. (4) A regular member of a county sheriff's department. (5) A conservation officer of the department of natural resources. (6) An individual assigned as a motor carrier inspector under IC 10-11-2-26(a). (7) An excise police officer of the alcohol and tobacco commission. (8) A gaming control officer employed by the gaming control division under IC 4-33-20. (9) A conservancy district marshal or deputy conservancy district marshal. The term refers to a police officer having jurisdiction in Indiana, unless the context clearly refers to a police officer from another state or a territory or federal district of the United States. (b) "Police officer", for purposes of IC 9-21, means an officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-3.6-1(f); subsection (b) formerly 9-4-1-12.] As added by P.L.2-1991, SEC.1. Amended by P.L.67-1992, SEC.2; P.L.210-2005, SEC.10; P.L.94-2006, SEC.3; P.L.13-2013, SEC.34; P.L.259-2013, SEC.8; P.L.262-2013, SEC.14; P.L.198-2016, SEC.147; P.L.122-2023, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-128. "Political Subdivision"

Sec. 128. "Political subdivision" means a county, a township, a city, a town, a public school corporation, or any other subdivision of the state recognized in any law, including any special taxing district or entity and any public improvement district authority or entity authorized to levy taxes or assessments. [Pre-1991 Recodification Citation: 9-6-4-11 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-13. "B-Train Assembly"

Sec. 13. "B-train assembly" means a rigid frame extension attached to the rear frame of a first semitrailer that allows for a fifth wheel connection point for a second semitrailer. [Pre-1991 Recodification Citation: 9-8-1-2.2(b).] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-130. "Previous Conviction of Operating While Intoxicated"

Sec. 130. "Previous conviction of operating while intoxicated" means a previous conviction for: (1) an alcohol related or drug related crime under Acts 1939, c.48, s.52, as amended, IC 9-4-1-54 (repealed September 1, 1983), or IC 9-11-2 (repealed July 1, 1991); or (2) a crime under IC 9-30-5-1 through IC 9-30-5-9. [Pre-1991 Recodification Citation: 9-11-1-6.5.] As added by P.L.2-1991, SEC.1. Amended by P.L.1-1992, SEC.36; P.L.142-2020, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-131. "Prima Facie Evidence of Intoxication"

Sec. 131. "Prima facie evidence of intoxication" includes evidence that at the time of an alleged violation the person had an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per: (1) one hundred (100) milliliters of the person's blood; or (2) two hundred ten (210) liters of the person's breath. [Pre-1991 Recodification Citation: 9-11-1-7.] As added by

P.L.2-1991, SEC.1. Amended by P.L.33-1997, SEC.3; P.L.1-2000, SEC.3; P.L.175-2001, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-132. "Prisoner of War"

Sec. 132. "Prisoner of war" means an individual who, while serving in any capacity with the armed forces of the United States or their reserve components: (1) was taken prisoner and held captive: (A) while engaged in an action against an enemy of the United States; (B) while engaged in military operations involving conflict with an opposing foreign force; (C) while serving with friendly forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party; or (D) under circumstances comparable to those circumstances under which individuals have generally been held captive by enemy armed forces during periods of armed conflict; and (2) either: (A) is serving in; or (B) under conditions other than dishonorable, was discharged or separated from service in; the armed forces of the United States or their reserve components. [Pre-1991 Recodification Citation: 9-7-3.9-1.] As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.150.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-133. "Private Bus"

Sec. 133. (a) "Private bus" means a motor vehicle that is: (1) designed to transport more than thirteen (13) passengers, including the driver; and (2) used by any of the following: (A) A religious, fraternal, charitable, or benevolent organization. (B) A nonprofit youth organization. (C) A public or private postsecondary educational institution. (b) The term includes: (1) the chassis; (2) the body; or (3) both the body and the chassis; of the vehicle. (c) The term does not include the following: (1) A school bus. (2) A for-hire bus. [Pre-1991 Recodification Citation: 9-4-1-2(h).] As added by P.L.2-1991, SEC.1. Amended by P.L.2-2007, SEC.140; P.L.198-2016, SEC.151; P.L.256-2017, SEC.100.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-134. "Private Business Property or Shopping Center"

Sec. 134. "Private business property" or "shopping center", for purposes of IC 9-21-18, has the meaning set forth in IC 9-21-18-2. [Pre-1991 Recodification Citation: 9-4-14-1(a).] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-135. "Private Driveway"

Sec. 135. "Private driveway" means a way or place in private ownership that is used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons. [Pre-1991 Recodification Citation: 9-4-1-14 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-136. "Private Property"

Sec. 136. "Private property" means all property other than public property. [Pre-1991 Recodification Citation: 9-9-1.1-2 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-137. "Private Road"

Sec. 137. "Private road" means a way or place in private ownership that is used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons. [Pre-1991 Recodification Citation: 9-4-1-14 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-138.5. "Proof of Discharge"

Sec. 138.5. "Proof of discharge" means a physical document or digital verification that: (1) confirms a veteran's discharge from the armed forces of the United States or its reserves or the National Guard; and (2) was issued by the United States Department of Veterans Affairs, the United States Department of Defense, or the National Guard Bureau. As added by P.L.118-2011, SEC.2. Amended by P.L.141-2024, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-139. "Proof of Financial Responsibility"

Sec. 139. "Proof of financial responsibility", for purposes of IC 9-25, has the meaning set forth in IC 9-25-2-3. [Pre-1991 Recodification Citation: New.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-14.5. "Bicycle Traffic Control Signal"

Sec. 14.5. "Bicycle traffic control signal", for purposes of IC 9-21-3, has the meaning set forth in IC 9-21-3-0.3. As added by P.L.60-2023, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-14. "Bicycle"

Sec. 14. "Bicycle" means any foot-propelled vehicle, irrespective of the number of wheels in contact with the ground. [Pre-1991 Recodification Citation: 9-4-1-2(f).] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-140. "Protocol"

Sec. 140. "Protocol" means a procedure for the withdrawal of blood and other bodily substance samples. [Pre-1991 Recodification Citation: 9-4-1-39.1(c).] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-141. "Public Agency"

Sec. 141. "Public agency", for purposes of IC 9-22-1, has the meaning set forth in IC 9-22-1-3. [Pre-1991 Recodification Citation: 9-9-1.1-2 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-142. "Public Highway"

Sec. 142. "Public highway", for purposes of IC 9-25, has the meaning set forth in IC 9-25-2-4. [Pre-1991 Recodification Citation: 9-2-1-2 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-144. "Public Property"

Sec. 144. "Public property" means a public right-of-way, street, highway, alley, park, or other state, county, or municipal property. [Pre-1991 Recodification Citation: 9-1.1-2 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-146.1. "Qualifying Claim"

Sec. 146.1. "Qualifying claim", for purposes of IC 9-32-18, has the meaning set forth in IC 9-32-18-2. As added by P.L.179-2017, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-146.3. "Qualifying Individual"

Sec. 146.3. "Qualifying individual", for purposes of IC 9-32-18, has the meaning set forth in IC 9-32-18-3. As added by P.L.179-2017, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-146.5. "Railroad Flagman"

Sec. 146.5. "Railroad flagman", for purposes of IC 9-21-8-41.7, has the meaning set forth in IC 9-21-8-41.7(a). As added by P.L.8-2010, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-147. "Railroad Sign or Signal"

Sec. 147. "Railroad sign or signal" means a sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train. [Pre-1991 Recodification Citation: 9-4-1-19 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-149.8. "Recovery Vehicle"

Sec. 149.8. "Recovery vehicle" means a truck that is specifically designed for towing a disabled vehicle or a combination of vehicles. As added by P.L.217-2014, SEC.8. Amended by P.L.198-2016, SEC.158.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-149. "Rebuilt Vehicle"

Sec. 149. "Rebuilt vehicle" means a salvage vehicle that has been restored to an operable condition. [Pre-1991 Recodification Citation: 9-1-3.6-1(h).] As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.15; P.L.198-2016, SEC.156.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-15. "Broker"

Sec. 15. "Broker", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-7. [Pre-1991 Recodification Citation: 9-10-1-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.268-2003, SEC.2; P.L.92-2013, SEC.8; P.L.104-2024, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-150.3. "Recycling Facility"

Sec. 150.3. (a) "Recycling facility" means a person, firm, limited liability company, corporation, or other legal entity that, in the course of business, engages in the acquisition and dismantling or demolition of vehicles, motorcycles, semitrailers, or recreational vehicles or their remains for the benefit of reusable components and parts or recyclable materials. (b) The term includes the following enterprises: (1) An automotive salvage recycler. (2) A hulk crusher. (3) A scrap metal processor that processes at least five (5) vehicles during a twelve (12) month period. As added by P.L.151-2015, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-150.5. "Registered Importer"

Sec. 150.5. "Registered importer" has the meaning set forth in IC 9-17-2-0.5. As added by P.L.107-2008, SEC.8; P.L.131-2008, SEC.35.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-150.7. "Registration"

Sec. 150.7. "Registration", for purposes of IC 9-25-8, with respect to a vehicle, includes the license plate that is issued by the bureau in connection with the registration of the vehicle. As added by P.L.10-2014, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-150. "Recreational Vehicle"

Sec. 150. "Recreational vehicle" means a vehicle with or without motive power equipped exclusively for living quarters for persons traveling upon the highways. The term: (1) does not include: (A) a truck camper; or (B) a mobile structure (as defined in IC 22-12-1-17); and (2) does include a vehicle that: (A) is designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal use; (B) is not permanently affixed to real property for use as a permanent dwelling; (C) is built on a single chassis and mounted on wheels; (D) does not exceed four hundred (400) square feet of gross area; and (E) is certified by the manufacturer as complying with the American National Standards Institute A119.5 standard. A vehicle described in this subdivision may commonly be referred to as a "park model RV". [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2(t); subsection (b) formerly 9-1-4-9.1(h).] As added by P.L.2-1991, SEC.1. Amended by P.L.216-2014, SEC.20; P.L.198-2016, SEC.159.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-151.5. "Relevant Market Area"

Sec. 151.5. "Relevant market area", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-35. As added by P.L.118-2001, SEC.1. Amended by P.L.37-2009, SEC.1; P.L.92-2013, SEC.28; P.L.104-2024, SEC.22.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-151.7. "Rental Company"

Sec. 151.7. "Rental company" has the meaning set forth in IC 24-4-9-7. As added by P.L.268-2003, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-151. "Relevant Evidence of Intoxication"

Sec. 151. "Relevant evidence of intoxication" includes evidence that at the time of an alleged violation a person had an alcohol concentration equivalent to at least five-hundredths (0.05) gram, but less than eight-hundredths (0.08) gram of alcohol per: (1) one hundred (100) milliliters of the person's blood; or (2) two hundred ten (210) liters of the person's breath. [Pre-1991 Recodification Citation: 9-11-1-7.5.] As added by P.L.2-1991, SEC.1. Amended by P.L.33-1997, SEC.4; P.L.1-2000, SEC.4; P.L.175-2001, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-152.7. "Reserve Components"

Sec. 152.7. "Reserve components" means the following: (1) The United States Army National Guard. (2) The United States Army Reserve. (3) The United States Navy Reserve. (4) The United States Marine Corps Reserve. (5) The United States Air National Guard. (6) The United States Air Force Reserve. (7) The United States Coast Guard Reserve. (8) The Indiana Army National Guard.

(9) The Indiana Air National Guard. As added by P.L.198-2016, SEC.161.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-152. "Repair or Replacement"

Sec. 152. "Repair or replacement" means the restoration of an odometer to a sound working condition by replacing the odometer or any part of the odometer or by correcting what is inoperative. [Pre-1991 Recodification Citation: 9-10-1-3.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-153. "Residence District"

Sec. 153. "Residence district" means the territory contiguous to and including a highway not comprising a business district, when the property on the highway for a distance of at least five hundred (500) feet is primarily improved with residences or residences and buildings in use for business. [Pre-1991 Recodification Citation: 9-4-1-18 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-154.8. "Retractable Tire Studs"

Sec. 154.8. "Retractable tire studs", for purposes of IC 9-19-18, means tire studs that: (1) are capable of being retracted; and (2) otherwise satisfy the requirements of IC 9-19-18-3(d). As added by P.L.35-2008, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-154. "Restricted License"

Sec. 154. "Restricted license" means any current driving license, on which the commission has designated restrictions. [Pre-1991 Recodification Citation: 9-2-1-2 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-155. "Right-of-Way"

Sec. 155. "Right-of-way" means the privilege of the immediate use of a highway. [Pre-1991 Recodification Citation: 9-4-1-21.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-156. "Road Tractor"

Sec. 156. "Road tractor" means a vehicle designed and used for drawing other vehicles and not constructed to carry any load independently or any part of the weight of a vehicle or load drawn independently. [Pre-1991 Recodification Citation: 9-4-1-3 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-157.5. "Roundabout"

Sec. 157.5. "Roundabout" means a circular intersection or junction in which road traffic flows almost continuously in one (1) direction around a central island. As added by P.L.11-2017, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-157. "Roadway"

Sec. 157. (a) Except as provided in subsection (b), "roadway" means that part of a highway improved, designed, or ordinarily used for vehicular travel. (b) As used in IC 9-21-12-13, "roadway" means the part of a highway that is improved, designed, or ordinarily used for vehicular travel. The term does not include the sidewalk, berm, or shoulder, even if the sidewalk, berm, or shoulder is used by persons riding bicycles or other human powered vehicles. [Pre-1991 Recodification Citation: 9-4-1-14 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.42-2011, SEC.22.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-158. "Safety Glazing Materials"

Sec. 158. "Safety glazing materials", for purposes of IC 9-19-19, has the meaning set forth in IC 9-19-19-1. [Pre-1991 Recodification Citation: 9-8-6-40 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-159.5. "Sale"

Sec. 159.5. "Sale", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-36. As added by P.L.92-2013, SEC.31. Amended by P.L.104-2024, SEC.23.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-159. "Safety Zone"

Sec. 159. "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and that is protected or is so marked or indicated by adequate signs as to be plainly visible at all times. [Pre-1991 Recodification Citation: 9-4-1-17.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-16. "Bureau"

Sec. 16. "Bureau", unless otherwise indicated, refers to the bureau of motor vehicles. [Pre-1991 Recodification Citations: 9-1-12-1 part; 9-1.5-1-2; 9-4-1-10 part; 9-7-6-1 part; 9-7-15-1 part; 9-9-1.1-2 part; 9-11-1-2; 9-12-1-2.] As added by P.L.2-1991, SEC.1. Amended by P.L.85-2013, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-160. "Salvage Vehicle"

Sec. 160. "Salvage vehicle" means any of the following: (1) A vehicle that meets at least one (1) of the criteria set forth in IC 9-22-3-3. (2) A vehicle, ownership of which is evidenced by a salvage title or by another ownership document of similar qualification and limitation issued by a state or jurisdiction other than the state of Indiana, and recognized by and acceptable to the bureau of motor vehicles. [Pre-1991 Recodification Citation: 9-1-3.6-1(a).] As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.162.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-161.3. "School Crossing Guard"

Sec. 161.3. "School crossing guard" means a person at least eighteen (18) years of age appointed by one (1) of the following: (1) Safety board. (2) Board of public works and safety. (3) Town board. (4) Board of public safety. (5) Sheriff. As added by P.L.116-1993, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-161.5. "School Crossing Zone"

Sec. 161.5. "School crossing zone" means a part of a roadway distinctly indicated for crossing by children on the way to or from school by lines or other markings on the surface of the roadway or by signs. As added by P.L.116-1993, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-161. "School Bus"

Sec. 161. (a) "School bus" means, except as provided in subsection (b), a bus used to transport preschool, elementary, or secondary school children to and from: (1) school; (2) school athletic games or contests; or (3) other school functions. (b) "School bus", for purposes of IC 9-21, means a motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school, including project headstart, or privately owned and operated for compensation for the transportation of children to and from school, including project headstart. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2(m); 9-1-4-41(f) part; subsection (b) formerly 9-4-1-2(e).] As added by P.L.2-1991, SEC.1. Amended by P.L.54-1998, SEC.1; P.L.219-2003, SEC.2; P.L.146-2009, SEC.2; P.L.198-2016, SEC.163.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-162.5. "Secretary"

Sec. 162.5. "Secretary", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-37. As added by P.L.92-2013, SEC.33. Amended by P.L.104-2024, SEC.24.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-162. "Scrap Metal Processor"

Sec. 162. "Scrap metal processor" means a person: (1) that engages in the acquisition of vehicles or the remains of vehicles; (2) that has facilities for processing iron, steel, or nonferrous scrap; and (3) whose principal product is scrap iron, scrap steel, or nonferrous scrap for sale for remelting purposes. [Pre-1991 Recodification Citation: 9-1-3.6-1(e).] As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.32; P.L.198-2016, SEC.164.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-163. "Sectionalized Building"

Sec. 163. (a) "Sectionalized building" means, except as provided in subsection (b), any part of a finished structure. (b)

"Sectionalized building", for purposes of IC 9-20-15, means any part of a finished structure that has living quarters suitable for human use and that can be identified by a manufacturer's number sequence. [Pre-1991 Recodification Citations: subsection (a) formerly 9-8-1-6; subsection (b) formerly 9-8-1.6-1 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-164. "Semitrailer"

Sec. 164. (a) "Semitrailer", except as provided in subsection (b), means a vehicle without motive power, designed for carrying property and for being drawn by a motor vehicle, and so constructed that some part of the weight of the semitrailer and that of the semitrailer's load rests upon or is carried by another vehicle. The term does not include the following: (1) A pole trailer. (2) A two (2) wheeled homemade trailer. (b) "Semitrailer", for purposes of IC 9-21, means a vehicle with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle. The term does not include a pole trailer. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2(f); subsection (b) formerly 9-4-1-5 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.165.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-165. "Serious Bodily Injury"

Sec. 165. "Serious bodily injury" has the meaning set forth in IC 35-31.5-2-292. [Pre-1991 Recodification Citation: 9-11-1-8.] As added by P.L.2-1991, SEC.1. Amended by P.L.114-2012, SEC.20.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-166. "Shopping Center or Private Business Property"

Sec. 166. "Shopping center" or "private business property", for purposes of IC 9-21-18, has the meaning set forth in IC 9-21-18-2. [Pre-1991 Recodification Citation: 9-4-14-1(a) part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-167.5. "Snowmobile"

Sec. 167.5. "Snowmobile" has the meaning set forth in IC 14-8-2-261. As added by P.L.259-2013, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-167. "Sidewalk"

Sec. 167. "Sidewalk" means the part of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians. [Pre-1991 Recodification Citation: 9-4-1-14 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-168.3. "Solid Waste Hauler"

Sec. 168.3. "Solid waste hauler", for purposes of IC 9-21-8, has the meaning set forth in IC 9-21-8-0.5. As added by P.L.188-2015, SEC.1. Amended by P.L.185-2018, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-168. "Solid Tire"

Sec. 168. "Solid tire" means a tire of rubber or other resilient material that does not depend upon compressed air for the support of the load. [Pre-1991 Recodification Citation: 9-4-1-6 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-17. "Bus"

Sec. 17. "Bus" means a motor vehicle that is: (1) designed for carrying more than nine (9) passengers, including the driver; and (2) used to transport passengers. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2(l); 9-7-3-1(a) part; subsection (b) formerly 9-4-1-4 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.24-2006, SEC.1; P.L.198-2016, SEC.85; P.L.256-2017, SEC.98.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-170.3. "Special Machinery"

Sec. 170.3. "Special machinery" means a vehicle: (1) that is designed and used to perform a specific function that is unrelated to transporting people or property on a highway; (2) on which is permanently mounted machinery or equipment used to perform operations unrelated to transportation on a highway; and (3) that is incapable of, or would require substantial modification to be capable of, carrying a load. As added by P.L.210-2005, SEC.11. Amended by P.L.125-2012, SEC.23; P.L.262-2013, SEC.16; P.L.198-2016, SEC.167.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-170.7. "Special Purpose Bus"

Sec. 170.7. "Special purpose bus" has the meaning set forth in IC 20-27-2-10. As added by P.L.107-2006, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-170. "Special Group"

Sec. 170. "Special group" means a class or group of persons that the bureau finds: (1) have made significant contributions to the United States, Indiana, or the group's community or are descendants of native or pioneer residents of Indiana; (2) are organized as a nonprofit organization (as defined under Section 501(c) of the Internal Revenue Code); (3) are organized for nonrecreational purposes; and (4) are organized as a separate, unique organization or as a coalition of separate, unique organizations. [Pre-1991 Recodification Citation: 9-7-11-2.] As added by P.L.2-1991, SEC.1. Amended by P.L.261-2001, SEC.1; P.L.214-2005, SEC.54; P.L.147-2018, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-171. "Special Tractor-Mobile Home Rig"

Sec. 171. "Special tractor-mobile home rig" means any combination of a mobile home or sectionalized building and a towing vehicle having a width greater than one hundred forty-eight (148) inches and not greater than one hundred seventy-two (172) inches at the base and: (1) of which the mobile home, including the hitch, is not more than eighty-five (85) feet and the tractor part is not less than twelve (12) feet in length; (2) a height not in excess of fourteen (14) feet, six (6) inches; or (3) both of the dimensions in subdivisions (1) and (2). [Pre-1991 Recodification Citation: 9-8-1.6-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.61-1996, SEC.12; P.L.217-2003, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-172. "Speed Contest"

Sec. 172. "Speed contest" means an unnecessary rapid acceleration by two (2) or more vehicles that creates a hazard to pedestrians, passengers, vehicles, or other property. [Pre-1991 Recodification Citation: 9-4-6-1.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-173.1. "State Construction Fund"

Sec. 173.1. "State construction fund" refers to the state construction fund described in IC 7.1-4-8-1. As added by P.L.108-2019, SEC.158.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-173.3. "State Highway Fund"

Sec. 173.3. "State highway fund" refers to the state highway fund established by IC 8-23-9-54. The term is synonymous with the primary highway system special account described in IC 8-14-2-1(1). As added by P.L.216-2014, SEC.22.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-173.7. "State Motor Vehicle Technology Fund"

Sec. 173.7. "State motor vehicle technology fund" refers to the state motor vehicle technology fund established by IC 9-14-14-3. As added by P.L.216-2014, SEC.24. Amended by P.L.198-2016, SEC.170.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-173. "State"

Sec. 173. (a) "State" means, except as otherwise provided by this section and unless by the context some other state or territory or federal district of the United States is meant or intended, the state of Indiana. (b) "State", for purposes of IC 9-27-1, means the state of Indiana, the governor of Indiana, an agency of the state of Indiana designated by the governor to receive federal aid, and any officer, board, bureau, commission, division, or department, any public body corporate and politic created by the state of Indiana for public purposes, or any state educational institution. (c) "State", for purposes of IC 9-25, means any state in the United States, the District of Columbia, or any Province of the Dominion of Canada. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2(r); 9-6-2-1 part; subsection (b) formerly 9-6-4-11 part; subsection (c) formerly 9-2-1-2 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.88-1996, SEC.2; P.L.2-2007, SEC.141; P.L.9-2010, SEC.9; P.L.198-2016, SEC.168.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-174.3. "Stop Sale Directive"

Sec. 174.3. "Stop sale directive", for purposes of IC 9-32-11, has the meaning set forth in IC 9-32-2.1-39. As added by

P.L.134-2023, SEC.2. Amended by P.L.104-2024, SEC.25.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-174.5. "Storage Yard"

Sec. 174.5. "Storage yard" for purposes of IC 9-22-1, has the meaning set forth in IC 9-22-1-3.5. As added by P.L.104-2005, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-174. "Stinger-Steered Vehicle"

Sec. 174. "Stinger-steered vehicle" means an automobile or a boat transporter configured as a semitrailer combination in which the fifth wheel is located as a drop frame located behind and below the rearmost axle of the power unit. [Pre-1991 Recodification Citation: 9-8-1-2.3 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-175.5. "Supplemental Restraint System"

Sec. 175.5. "Supplemental restraint system", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-1. As added by P.L.120-2020, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-175. "Street or Highway"

Sec. 175. "Street" or "highway" means the entire width between the boundary lines of every way publicly maintained when any part of the way is open to the use of the public for purposes of vehicular travel. The term includes an alley in a city or town. [Pre-1991 Recodification Citation: 9-4-1-14 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-177.3. "Telecommunications Device"

Sec. 177.3. (a) "Telecommunications device", for purposes of IC 9-21-8, IC 9-25-4-7, IC 9-24-11-3.3 (before its repeal), and IC 9-24-11-3.7, means an electronic or digital telecommunications device. The term includes the following: (1) A wireless telephone, personal digital assistant, pager, or text messaging device that is intended for handheld use. (2) A wearable device that blocks, in whole or in part, the field of vision of the person wearing the device. (b) The term does not include: (1) amateur radio equipment that is being operated by a person licensed as an amateur radio operator by the Federal Communications Commission under 47 CFR Part 97; or (2) a communications system installed in a commercial motor vehicle weighing more than ten thousand (10,000) pounds. As added by P.L.101-2009, SEC.2. Amended by P.L.185-2011, SEC.1; P.L.59-2013, SEC.1; P.L.198-2016, SEC.171; P.L.141-2024, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-177. "Tandem Axle Group"

Sec. 177. "Tandem axle group" means two (2) or more axles spaced more than forty (40) inches and less than ninety-six (96) inches. For the purpose of enforcing the single axle weight limitation, the third axle of a tri-axle group of a truck shall be treated as if it were a single axle if it is independently suspended. [Pre-1991 Recodification Citation: 9-8-1-12(f).] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-178. "Through Highway"

Sec. 178. "Through highway" means a highway or portion of a highway at the entrance to which vehicular traffic from intersecting highways is required by law to yield right-of-way to vehicles on the through highway in obedience to either a stop sign or a yield sign. [Pre-1991 Recodification Citation: 9-4-1-14 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-179. "Towing Service"

Sec. 179. "Towing service" means a person that engages in moving or removing abandoned or disabled vehicles and, once the vehicles are moved or removed, stores or impounds the vehicles. [Pre-1991 Recodification Citation: 9-9-1.1-2 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.191-2007, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-18.8. "Catastrophic Injury"

Sec. 18.8. "Catastrophic injury" has the meaning set forth in IC 35-31.5-2-34.5. As added by P.L.184-2019, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-18. "Business District"

Sec. 18. "Business district" means the territory contiguous to and including a highway when at least fifty percent (50%) of the frontage of the territory for a distance of at least five hundred (500) feet is occupied by buildings in use for business. [Pre-1991 Recodification Citation: 9-4-1-18 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-180. "Tractor"

Sec. 180. "Tractor" means a motor vehicle designed and used primarily for drawing or propelling trailers, semitrailers, or vehicles of any kind. The term does not include a farm tractor. [Pre-1991 Recodification Citation: 9-1-1-2(g).] As added by P.L.2-1991, SEC.1. Amended by P.L.210-2005, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-181. "Tractor-Mobile Home Rig"

Sec. 181. "Tractor-mobile home rig" means a combination of a mobile home or sectionalized building and a towing vehicle having either a combined overall length of more than sixty (60) feet and not more than one hundred ten (110) feet of which: (1) the mobile home, including the hitch, is not more than eighty-five (85) feet; and (2) the tractor part: (A) is not less than twelve (12) feet in length; (B) has a width of more than ninety-six (96) inches and not more than one hundred forty-eight (148) inches at the base; (C) has a height of not more than fourteen (14) feet; or (D) has at least two (2) of the dimensions in clauses (A) through (C). [Pre-1991 Recodification Citation: 9-8-1-6(1) part.] As added by P.L.2-1991, SEC.1. Amended by P.L.217-2003, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-182. "Traffic"

Sec. 182. "Traffic" means pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any highway for purposes of travel. [Pre-1991 Recodification Citation: 9-4-1-20.] As added by P.L.2-1991, SEC.1. Amended by P.L.113-2014, SEC.18; P.L.217-2014, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-183. "Traffic Offense"

Sec. 183. "Traffic offense" means: (1) a violation of a statute, an ordinance, a rule, or a regulation relating to the operation or use of motor vehicles; and (2) any violation of a statute, an ordinance, a rule, or a regulation relating to the use of streets and highways by pedestrians or by the operation of any other vehicle. [Pre-1991 Recodification Citation: 9-4-7-2 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.85-2013, SEC.19.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-184. "Trailer"

Sec. 184. (a) "Trailer" means, except as otherwise provided in this section, a vehicle: (1) without motive power; (2) designed for carrying persons or property; (3) designed for being drawn by a motor vehicle; and (4) so constructed that no part of the weight of the trailer rests upon the towing vehicle. The term includes pole trailers and two (2) wheeled homemade trailers. (b) "Trailer", for purposes of IC 9-21, means a vehicle: (1) with or without motive power; (2) designed for carrying persons or property; (3) designed for being drawn by a motor vehicle; and (4) so constructed that no part of the weight of the trailer rests upon the towing vehicle. The term does not include pole trailers or special machinery. (c) "Trailer", for purposes of IC 9-21-8-12 through IC 9-21-8-13, means the combination of any motor vehicle towing another vehicle or trailer. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2(e); subsection (b) formerly 9-4-1-5 part; subsection (c) formerly 9-4-1-59(f).] As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.24.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-185. "Transfer Dealer"

Sec. 185. "Transfer dealer", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-40. [Pre-1991 Recodification Citation: 9-10-1-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.268-2003, SEC.6; P.L.92-2013, SEC.34; P.L.104-2024, SEC.26.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-187. "Transport Operator"

Sec. 187. "Transport operator" means any of the following: (1) An Indiana business that furnishes drivers and operators for the purpose of transporting motor vehicles in transit from one (1) place to another by the drive away or tow away methods. (2) An Indiana business that prepares newly purchased motor vehicles of the business and delivers the motor vehicles to the locations where the motor vehicles will be based, titled, and registered. (3) An operator of a tractor-mobile home rig or a special tractor-mobile home rig transporting a sectionalized building using a disposable trailer. [Pre-1991 Recodification Citation: 9-1-1-2(y).] As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.25; P.L.262-2013, SEC.17; P.L.149-2015, SEC.25; P.L.128-2018, SEC.2; P.L.182-2021, SEC.2.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-188.3. "Truck Camper"

Sec. 188.3. "Truck camper" means a device without motive power that is installed in the bed of a truck to provide living quarters for persons traveling on a highway. As added by P.L.198-2016, SEC.174.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-188. "Truck"

Sec. 188. (a) "Truck" means a motor vehicle designed, used, or maintained primarily for the transportation of property. (b) "Truck", for purposes of IC 9-21-8-3, includes the following: (1) A motor vehicle designed and used primarily for drawing another vehicle and constructed to carry a load other than a part of the weight of the vehicle and load drawn. (2) A motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of agriculture. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2(d); 9-4-1-4 part; subsection (b) formerly 9-4-1-64 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.210-2005, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-189. "Truck-Tractor"

Sec. 189. (a) "Truck-tractor" means, except as provided in subsection (b), a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load so drawn. (b) "Truck-tractor", for purposes of IC 9-20-13-2, means a noncargo carrying power unit designed to operate in combination with a semitrailer or trailer and includes a dromedary deck and plate. [Pre-1991 Recodification Citations: subsection (a) formerly 9-4-1-3 part; subsection (b) formerly 9-8-1-2(e).] As added by P.L.2-1991, SEC.1. Amended by P.L.91-1991, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-19.4. "Chaplain"

Sec. 19.4. "Chaplain", for purposes of IC 9-19-14.5, has the meaning set forth in IC 9-19-14.5-0.5. As added by P.L.22-2013, SEC.1. Amended by P.L.2-2014, SEC.35.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-19.5. "Charge Back"

Sec. 19.5. "Charge back", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-8. As added by P.L.68-2011, SEC.1; P.L.226-2011, SEC.2. Amended by P.L.92-2013, SEC.11; P.L.104-2024, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-19. "Certificate of Compliance"

Sec. 19. "Certificate of compliance" means proof of financial responsibility presented to the bureau, in a manner prescribed by the bureau, in compliance with IC 9-25 or IC 9-26. [Pre-1991 Recodification Citation: 9-2-1-2 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-190. "Truck-Tractor-Semitrailer-Semitrailer"

Sec. 190. "Truck-tractor-semitrailer-semitrailer" refers to a combination of vehicles containing two (2) trailing units connected with a B-train assembly. [Pre-1991 Recodification Citation: 9-8-1-2.2(a).] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-191.5. "Uniform Time Standards Manual"

Sec. 191.5. "Uniform time standards manual", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-42. As added by P.L.78-2002, SEC.4. Amended by P.L.92-2013, SEC.35; P.L.104-2024, SEC.27.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-191. "Ultimate Purchaser"

Sec. 191. "Ultimate purchaser" means the first person, other than a dealer purchasing in the dealer's capacity as a dealer, who in good faith purchases a motor vehicle for purposes other than resale. [Pre-1991 Recodification Citation: 9-10-1-1 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-192. "Unit"

Sec. 192. "Unit", for purposes of IC 9-21-18, IC 9-32-11-2, IC 9-32-11-6, IC 9-32-11-11, IC 9-32-11-11.5, and IC 9-32-11-18, has the meaning set forth in IC 9-21-18-3. [Pre-1991 Recodification Citation: 9-4-14-1(a) part.] As added by P.L.2-1991, SEC.1. Amended by P.L.151-2015, SEC.17; P.L.284-2019, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-193. "Urban District"

Sec. 193. "Urban district" means the territory contiguous to and including any street that is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than two hundred (200) feet for a distance of at least one-fourth (1/4) mile. [Pre-1991 Recodification Citation: 9-4-1-18 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-194.5. "Used Motor Vehicle"

Sec. 194.5. "Used motor vehicle", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-43. As added by P.L.120-2020, SEC.16. Amended by P.L.104-2024, SEC.28.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-194. "Used Major Component Part"

Sec. 194. "Used major component part" does not include a remanufactured part. [Pre-1991 Recodification Citation: 9-1-3.6-1(g) part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-195. "Used Parts Dealer"

Sec. 195. "Used parts dealer", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-45. [Pre-1991 Recodification Citation: 9-1-3.6-1(g) part.] As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.36; P.L.104-2024, SEC.29.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-196.2. "Vehicle Platoon"

Sec. 196.2. "Vehicle platoon", for purposes of IC 9-21, has the meaning set forth in IC 9-21-8-0.5. As added by P.L.185-2018, SEC.32.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-196.3. "Vehicular Substance Offense"

Sec. 196.3. "Vehicular substance offense", for purposes of IC 9-30-15.5, has the meaning set forth in IC 9-30-15.5-1. As added by P.L.217-2014, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-196.5. "Veteran"

Sec. 196.5. "Veteran" means an individual who: (1) is serving in; or (2) under conditions other than dishonorable, was discharged or separated from service in; the armed forces of the United States or their reserve components. As added by P.L.58-2006, SEC.1. Amended by P.L.198-2016, SEC.177.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-196. "Vehicle"

Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway. The term does not include the following: (1) A device moved by human power. (2) A device that runs only on rails or tracks. (3) A wheelchair. (4) An electric foot scooter. (b) For purposes of IC 9-17, the term includes the following: (1) Off-road vehicles. (2) Manufactured homes or mobile homes that are: (A) personal property not held for resale; and (B) not attached to real estate by a permanent foundation. (3) Watercraft. (c) For purposes of IC 9-22 (except IC 9-22-6) and IC 9-32, the term refers to a vehicle or watercraft of a type that must be registered under IC 9-18-2 (before its expiration) or IC 9-18.1, other than an off-road vehicle or a snowmobile under IC 9-18-2.5 (before its expiration) or IC 9-18.1-14. (d) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9, the term means a device for transportation by land or air. The term does not include an electric personal assistive mobility device. [Pre-1991 Recodification Citations: subsection (a) formerly 9-8-1-21(a); subsection (b) formerly 9-1-1-2(a); 9-3-1-1 part; 9-7-3-1(b) part; subsection (c) formerly 9-4-1-2(a); subsection (d) formerly 9-1.1-2 part; subsection (e) formerly 9-11-1-9.] As added by P.L.2-1991, SEC.1. Amended by P.L.88-1998, SEC.2; P.L.143-2002, SEC.4; P.L.210-2005, SEC.14; P.L.41-2006, SEC.2; P.L.9-2010, SEC.10; P.L.221-2014, SEC.16; P.L.198-2016, SEC.176; P.L.256-2017, SEC.101; P.L.257-2017, SEC.25; P.L.142-2019, SEC.3; P.L.164-2020, SEC.33.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-197. "Violation"

Sec. 197. "Violation", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-3. [Pre-1991 Recodification Citation: 9-12-1-7 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-198.5. "Watercraft"

Sec. 198.5. (a) "Watercraft" means a contrivance used or designed for navigation on water, including a vessel, boat, motor vessel, steam vessel, sailboat, vessel operated by machinery either permanently or temporarily affixed, scow, tugboat, or any marine equipment that is capable of carrying passengers. (b) The term does not include a craft that: (1) is powered by its occupants, including a canoe, rowboat, or paddleboat; and (2) does not contain any type of mechanical propellant, including internal combustion, steam, or electrical inboard or outboard motor or engine. As added by P.L.71-1991, SEC.8. Amended by P.L.164-2020, SEC.34.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-198.7. "Waters of Indiana"

Sec. 198.7. (a) "Waters of Indiana" means all waters within the boundaries of Indiana. (b) The term includes every lake, river, stream, canal, ditch, and body of water owned or controlled by a public utility that is subject to the jurisdiction of the state. As added by P.L.71-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-198. "Wagon"

Sec. 198. Except as provided in section 60(a)(2) or 60(a)(3) of this chapter, "wagon" means a vehicle that is: (1) without motive power; (2) designed to be pulled by a motor vehicle; (3) constructed so that no part of the weight of the wagon rests upon the towing vehicle; (4) equipped with a flexible tongue; and (5) capable of being steered by the front two (2) wheels. [Pre-1991 Recodification Citation: 9-8-12-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.150-2009, SEC.4; P.L.198-2016, SEC.178.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-2.3. "Alcoholic Beverage"

Sec. 2.3. "Alcoholic beverage", for purposes of IC 9-30-15, has the meaning set forth in IC 7.1-1-3-5. As added by P.L.53-1994, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-2.4. "Alcohol Concentration Equivalent"

Sec. 2.4. "Alcohol concentration equivalent" means the alcohol concentration in a person's blood or breath determined from a test of a sample of the person's blood or breath. As added by P.L.1-2000, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-2.5. "Alley"

Sec. 2.5. "Alley" means a public way in an urban district that meets the following qualifications: (1) Is open to the public for vehicular traffic. (2) Is publicly maintained. (3) Is one (1) lane wide. (4) Is designated as an alley by the local authorities on an official map of the urban district. As added by P.L.92-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-2. "Air Conditioning Equipment"

Sec. 2. "Air conditioning equipment" means mechanical vapor compression refrigeration equipment that is used to cool the driver's or passenger's compartment of a motor vehicle. [Pre-1991 Recodification Citation: 9-8-6-44 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-200. "Worksite"

Sec. 200. "Worksite" means a location or area upon which: (1) a public purpose construction or maintenance activity; or (2) a private purpose construction or maintenance activity that is authorized by a governmental agency; is being performed on a highway. The term includes the lanes of a highway leading up to the area upon which an activity described in subdivision (1) or (2) is being performed, beginning at the point where appropriate signs directing vehicles to merge from one (1) lane into another lane are posted. [Pre-1991 Recodification Citation: 9-4-1-19.6.] As added by P.L.2-1991, SEC.1. Amended by P.L.75-1999, SEC.1.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-21. "Chauffeur"

Sec. 21. (a) "Chauffeur", except as provided in subsection (b), means a person: (1) operating a motor vehicle registered as having a gross weight of at least sixteen thousand (16,000) pounds but not more than twenty-six thousand (26,000) pounds for the purpose of transporting property for hire; or (2) operating a private bus. (b) "Chauffeur", for purposes of IC 9-25, means a person: (1) who is employed for hire for the principal purpose of operating a motor vehicle upon the highways; (2) who operates a motor vehicle while in use as a carrier of passengers or property for hire; or (3) who drives or operates a motor vehicle while in use as a school bus for the transportation of pupils to or from school. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2(aa); subsection (b) formerly 9-2-1-2 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.6; P.L.85-2013, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-22. "Chemical Test"

Sec. 22. "Chemical test" means an analysis of a person's blood, breath, urine, or other bodily substance for the determination of the presence of alcohol, a controlled substance or its metabolite, or a drug or its metabolite. [Pre-1991 Recodification Citations: 9-4-1-39.1(a); 9-11-1-3.] As added by P.L.2-1991, SEC.1. Amended by P.L.94-2006, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-23. "Child Restraint System"

Sec. 23. "Child restraint system" means a device that: (1) is manufactured for the purpose of protecting children from injury during a motor vehicle accident; and (2) meets the standards prescribed and definition contained in 49 CFR 571.213. [Pre-1991 Recodification Citation: 9-8-13-1.] As added by P.L.2-1991, SEC.1. Amended by P.L.67-2004, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-24. "Church Bus"

Sec. 24. "Church bus" means a bus that is: (1) owned and operated by a religious or nonprofit youth organization; and (2) used: (A) to transport individuals to religious services; or (B) for the benefit of the members of the religious or nonprofit youth organization. [Pre-1991 Recodification Citation: New; Pre-2016 Revision Citation: 9-29-5-9(a).] As added by P.L.2-1991, SEC.1. Amended by P.L.70-2009, SEC.1; P.L.198-2016, SEC.87.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-25.5. "Civic Event Vehicle"

Sec. 25.5. "Civic event vehicle", for purposes of IC 9-18.5-10, has the meaning set forth in IC 9-18.5-10-0.5. As added by P.L.64-2017, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-25. "Civic Event"

Sec. 25. "Civic event" means an event that is staged by a private organization for the purpose of creating a tourist attraction in an Indiana community. [Pre-1991 Recodification Citation: 9-7-12-1.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-26.6. "Class 1 Electric Bicycle"

Sec. 26.6. "Class 1 electric bicycle" means an electric bicycle equipped with an electric motor that: (1) provides assistance only when the operator is pedaling; and (2) ceases to provide assistance to the operator when the electric bicycle reaches a speed of twenty (20) miles per hour. As added by P.L.206-2019, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-26.7. "Class 2 Electric Bicycle"

Sec. 26.7. "Class 2 electric bicycle" means an electric bicycle equipped with an electric motor that: (1) may be used to exclusively propel the electric bicycle; and (2) ceases or is unable to provide assistance when the bicycle reaches a speed of twenty (20) miles per hour. As added by P.L.206-2019, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-26.8. "Class 3 Electric Bicycle"

Sec. 26.8. "Class 3 electric bicycle" means an electric bicycle equipped with an electric motor that: (1) provides assistance only when the operator is pedaling; and (2) ceases to provide assistance when the bicycle reaches a speed of twenty-eight (28) miles per hour. As added by P.L.206-2019, SEC.5.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-28.4. "Collector Vehicle"

Sec. 28.4. "Collector vehicle" means a vehicle that is: (1) at least twenty-five (25) years old; (2) owned, operated, restored, maintained, or used as a collector's item, a leisure pursuit, or an investment; and (3) not used primarily for transportation. [Pre-2016 Revision Citation: 9-13-2-3.] As added by P.L.198-2016, SEC.91.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-3. "Antique Motor Vehicle"

Sec. 3. "Antique motor vehicle" means a motor vehicle that is at least twenty-five (25) years old. [Pre-1991 Recodification Citation: 9-7-6-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.146-2009, SEC.1; P.L.125-2012, SEC.4; P.L.198-2016, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-30. "Commercial Enterprise"

Sec. 30. "Commercial enterprise" does not include the transportation of: (1) a farm commodity from the place of production to the first point of delivery where the commodity is weighed and title to the commodity is transferred; (2) seasonal or perishable fruit or vegetables to the first point of processing; or (3) tomatoes or silage to the first point of processing. [Pre-1991 Recodification Citation: 9-1-4-41(i) part.] As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.94.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-31. "Commercial Motor Vehicle"

Sec. 31. "Commercial motor vehicle" has the meaning set forth in 49 CFR 383.5. [Pre-1991 Recodification Citation: 9-1-13-2.] As added by P.L.2-1991, SEC.1. Amended by P.L.66-1992, SEC.1; P.L.125-2012, SEC.8; P.L.13-2015, SEC.1; P.L.198-2016, SEC.95.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-32.5. "Commission Board"

Sec. 32.5. "Commission board" refers to the commission board of the bureau of motor vehicles. As added by P.L.125-2012, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-32.7. "Commission Fund"

Sec. 32.7. "Commission fund" refers to the bureau of motor vehicles commission fund established by IC 9-14-14-1. As added by P.L.216-2014, SEC.11. Amended by P.L.198-2016, SEC.96.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-32. "Commission"

Sec. 32. "Commission" refers to the bureau of motor vehicles commission. [Pre-1991 Recodification Citation: 9-1.5-1-3.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-33. "Commissioner"

Sec. 33. "Commissioner" refers to the commissioner of the bureau of motor vehicles. [Pre-1991 Recodification Citations: 9-1-1-2(u); 9-1-10-1 part; 9-1-12-1 part; 9-1.5-1-4; 9-2-1-2 part; 9-4-1-10 part; 9-7-3-1(a) part; 9-7-11-1 part; 9-7-15-2 part; 9-10-1-1 part; 9-12-1-3.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-34.3. "Compression Release Engine Brake"

Sec. 34.3. "Compression release engine brake", for purposes of IC 9-21-8-44.5, has the meaning set forth in IC 9-21-8-44.5(a). As added by P.L.1-2002, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-34.5. "Container"

Sec. 34.5. "Container", for purposes of IC 9-30-15, has the meaning set forth in IC 7.1-1-3-13. As added by P.L.53-1994, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-34. "Component Part"

Sec. 34. "Component part" means the engine, transmission, body-chassis, doghouse (front assembly), rear-end, frame, or catalytic converter of a vehicle. [Pre-1991 Recodification Citation: 9-1-3.6-2(a).] As added by P.L.2-1991, SEC.1. Amended by

P.L.262-2013, SEC.3; P.L.70-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-35. "Controlled Substance"

Sec. 35. "Controlled substance" has the meaning set forth in IC 35-48-1. [Pre-1991 Recodification Citation: 9-11-1-4.] As added by P.L.2-1991, SEC.1. Amended by P.L.9-2010, SEC.6; P.L.198-2016, SEC.98.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-38.9. "Counterfeit Supplemental Restraint System Component"

Sec. 38.9. "Counterfeit supplemental restraint system component", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-0.4. As added by P.L.120-2020, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-38. "Conviction"

Sec. 38. "Conviction" includes the following: (1) A conviction or judgment upon a plea of guilty or nolo contendere. (2) A determination of guilt by a jury or a court, even if: (A) no sentence is imposed; or (B) a sentence is suspended. (3) A forfeiture of bail, bond, or collateral deposited to secure the defendant's appearance for trial, unless the forfeiture is vacated. (4) A payment of money as a penalty or as costs in accordance with an agreement between a moving traffic violator and a traffic violations bureau. [Pre-1991 Recodification Citation: 9-2-1-5 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.93-1991, SEC.1; P.L.9-2010, SEC.7; P.L.198-2016, SEC.100.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-39.5. "Covered Offense"

Sec. 39.5. "Covered offense", for purposes of IC 9-30-14, has the meaning set forth in IC 9-30-14-1. As added by P.L.94-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-39.8. "Crossroads 2000 Fund"

Sec. 39.8. "Crossroads 2000 fund" refers to the crossroads 2000 fund established by IC 8-14-10-9. As added by P.L.216-2014, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-39. "Court"

Sec. 39. "Court", for purposes of IC 9-30-3, has the meaning set forth in IC 9-30-3-2. [Pre-1991 Recodification Citations: 9-4-7-2 part; 9-5-1.1-1 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-4. "Approved Driver Education Course"

Sec. 4. "Approved driver education course" means a course offered by a high school or driver education school that the bureau periodically designates as approved, after taking into consideration the standards and methods of instruction necessary to ensure adequate training for the operation of a motor vehicle. [Pre-1991 Recodification Citation: 9-1-4-33(e) part.] As added by P.L.2-1991, SEC.1. Amended by P.L.85-2013, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-40. "Crosswalk"

Sec. 40. "Crosswalk" means any of the following: (1) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway. (2) A part of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface. [Pre-1991 Recodification Citation: 9-4-1-16.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-41. "Current Driving License"

Sec. 41. "Current driving license" means every class and kind of license or permit that evidences the privilege to operate a motor vehicle upon the highways of Indiana. The term includes a privilege granted by the license. [Pre-1991 Recodification Citation: 9-2-1-2 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-42.3. "Dealer Manager"

Sec. 42.3. "Dealer manager", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-11. As added by P.L.179-2017, SEC.4. Amended by P.L.104-2024, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-42.5. "Dealer Owner"

Sec. 42.5. "Dealer owner", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-12. As added by P.L.179-2017, SEC.5. Amended by P.L.104-2024, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-42.7. "Dealer Compliance Account"

Sec. 42.7. "Dealer compliance account" refers to the dealer compliance account established by IC 9-32-7-1. As added by P.L.179-2017, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-42. "Dealer"

Sec. 42. "Dealer" has the meaning set forth in IC 9-32-2.1-10. [Pre-1991 Recodification Citations: 9-1-1-2(s); 9-10-1-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.71-1991, SEC.4; P.L.66-1992, SEC.2; P.L.74-2001, SEC.1; P.L.219-2005, SEC.1; P.L.41-2006, SEC.1; P.L.107-2008, SEC.6; P.L.131-2008, SEC.34; P.L.147-2009, SEC.3; P.L.93-2010, SEC.1; P.L.92-2013, SEC.12; P.L.259-2013, SEC.3; P.L.62-2014, SEC.1; P.L.151-2015, SEC.5; P.L.180-2015, SEC.2; P.L.174-2016, SEC.5; P.L.136-2017, SEC.1; P.L.179-2017, SEC.3; P.L.137-2018, SEC.2; P.L.104-2024, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-43.3. "Director"

Sec. 43.3. "Director", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-13. As added by P.L.92-2013, SEC.13. Amended by P.L.104-2024, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-43. "Designated Family Member"

Sec. 43. (a) "Designated family member" means a franchisee's spouse, child, grandchild, parent, or sibling who has been nominated as the franchisee's successor under a written document filed by the franchisee with the franchisor. (b) If no such document has been filed, the term means a franchisee's spouse, child, grandchild, parent, or sibling who: (1) if the franchisee is deceased, is entitled to inherit the franchisee's ownership interest in the franchisee's business under the franchisee's will or under the laws of intestate succession; or (2) if the franchisee is incapacitated, is appointed by the court as the legal representative of the franchisee's property. (c) If a franchisee is deceased, the term includes the appointed and qualified personal representative and testamentary trustee of the deceased franchisee. [Pre-1991 Recodification Citation: 9-10-7-2.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-44.5. "Disposable Trailer"

Sec. 44.5. "Disposable trailer" means a trailer that is designed for single use transportation of a sectionalized building after which the parts of the trailer are disassembled to be sold or recycled. As added by P.L.128-2018, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-45.2. "Distributor Representative"

Sec. 45.2. "Distributor representative", for purposes of IC 9-32-11, has the meaning set forth in IC 9-32-2.1-15. As added by P.L.151-2015, SEC.8. Amended by P.L.104-2024, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-45.5. "Division"

Sec. 45.5. "Division", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-16. As added by P.L.92-2013, SEC.15. Amended by P.L.104-2024, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-45.8. "Document Preparation Fee"

Sec. 45.8. "Document preparation fee" has the meaning set forth in IC 9-32-2.1-17. As added by P.L.245-2019, SEC.1. Amended by P.L.104-2024, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-45. "Distributor"

Sec. 45. "Distributor" means a person, other than a manufacturer, that is engaged in the business of selling new motor vehicles to dealers located in Indiana. The term includes a distributor's branch office. The term does not include a recreational vehicle manufacturer. [Pre-1991 Recodification Citation: 9-10-1-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.78-2002, SEC.1; P.L.151-2015, SEC.7; P.L.174-2016, SEC.6; P.L.20-2022, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-46. "Driveaway or Towaway"

Sec. 46. "Driveaway or towaway", for purposes of IC 9-20-9-1, has the meaning set forth in IC 9-20-9-1(a). [Pre-1991 Recodification Citation: 9-1-4-18.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-47.2. "Driver Training School"

Sec. 47.2. "Driver training school", for purposes of IC 9-27-6, has the meaning set forth in IC 9-27-6-3. As added by P.L.85-2013, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-47. "Driver"

Sec. 47. "Driver" means a person who drives or is in actual physical control of a vehicle. [Pre-1991 Recodification Citation: 9-4-1-11 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-48.3. "Driving Privileges"

Sec. 48.3. "Driving privileges" means the authority granted to an individual that allows the individual to operate a vehicle of the type and in the manner for which the authority was granted. As added by P.L.125-2012, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-48.5. "Driving Record"

Sec. 48.5. "Driving record" means the following: (1) A record maintained by the bureau under IC 9-14-12-3. (2) A record established by the bureau under IC 9-24-18-9. As added by P.L.125-2012, SEC.13. Amended by P.L.85-2013, SEC.10; P.L.198-2016, SEC.105.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-48. "Driver's License"

Sec. 48. "Driver's license" means the following: (1) Any type of license issued by the state in the form of a physical credential authorizing an individual to operate the type of vehicle for which the license was issued, in the manner for which the license was issued, on a highway. The term includes any endorsements added to the license under IC 9-24-8.5. (2) Any type of license issued by the state in the form of a mobile credential authorizing an individual to operate the type of vehicle for which the license was issued, in the manner for which the license was issued, on a highway. The term includes any endorsements added to the license under IC 9-24-8.5. [Pre-1991 Recodification Citation: 9-5-1.1-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.184-2007, SEC.6; P.L.125-2012, SEC.11; P.L.85-2013, SEC.9; P.L.198-2016, SEC.104; P.L.178-2019, SEC.33; P.L.120-2020, SEC.5; P.L.211-2023, SEC.12; P.L.141-2024, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-49.1. "Drug"

Sec. 49.1. The term "drug" includes legend drug (as defined in IC 16-18-2-199), nitrous oxide, "model glue" (as defined in IC 35-46-6-1), and any substance listed in IC 35-46-6-2(2). As added by P.L.33-1997, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-49.2. "Electric Bicycle"

Sec. 49.2. "Electric bicycle" means any bicycle that: (1) is equipped with: (A) fully operable pedals; (B) an assistive, electric motor with a power output not greater than seven hundred fifty (750) watts; and (2) meets the requirements of a Class 1, Class 2, or Class 3 electric bicycle. As added by P.L.206-2019, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-49.3. "Electric Personal Assistive Mobility Device"

Sec. 49.3. "Electric personal assistive mobility device" means a self-balancing, two (2) nontandem wheeled device that is designed to transport only one (1) person and that has the following: (1) An electric propulsion system with average power of seven hundred fifty (750) watts or one (1) horsepower. (2) A maximum speed of less than twenty (20) miles per hour when operated on a paved

level surface, when powered solely by the propulsion system referred to in subdivision (1), and when operated by an operator weighing one hundred seventy (170) pounds. As added by P.L.143-2002, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-49.4. "Electric Foot Scooter"

Sec. 49.4. "Electric foot scooter" means a device: (1) weighing not more than one hundred (100) pounds; (2) designed to travel on not more than three (3) wheels in contact with the ground; (3) with handlebars and a floorboard that the rider uses to stand on the device during operation; and (4) powered by an electric motor that is capable of powering the device with or without human propulsion at a speed not more than twenty (20) miles per hour on a paved level surface. The term does not include a motor driven cycle, motor vehicle, or motorcycle. As added by P.L.142-2019, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-49.5. "Electronic Traffic Ticket"

Sec. 49.5. "Electronic traffic ticket", for purposes of IC 9-30-3, has the meaning set forth in IC 9-30-3-2.5. As added by P.L.184-2007, SEC.7; P.L.206-2007, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-49.6. "Endorsement"

Sec. 49.6. "Endorsement" refers to an endorsement issued by the bureau under IC 9-24-8-4 (before its expiration) or IC 9-24-8.5. As added by P.L.198-2016, SEC.106.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-49.7. "Entrapment"

Sec. 49.7. "Entrapment" means a confining circumstance from which escape or relief is difficult or impossible. As added by P.L.126-2008, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-49. "Driveway or Private Road"

Sec. 49. "Driveway" or "private road" means a way or place in private ownership that is used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons. [Pre-1991 Recodification Citation: 9-4-1-14 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-5.3. "Armed Forces of the United States"

Sec. 5.3. "Armed forces of the United States" means the following: (1) The United States Army. (2) The United States Navy. (3) The United States Air Force. (4) The United States Marine Corps. (5) The United States Coast Guard. As added by P.L.198-2016, SEC.79.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-5. "Approved Motorcycle Driver Education and Training Course"

Sec. 5. "Approved motorcycle driver education and training course" means: (1) a course offered by a public or private secondary school, a new motorcycle dealer, or another driver education school offering motorcycle driver training as developed and approved by the bureau; or (2) a course that is: (A) offered by a commercial driving school or new motorcycle dealer; and (B) approved by the bureau. [Pre-1991 Recodification Citation: 9-1-4-33.1.] As added by P.L.2-1991, SEC.1. Amended by P.L.48-2004, SEC.3; P.L.145-2011, SEC.3; P.L.13-2013, SEC.32; P.L.85-2013, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-50.5. "Executive"

Sec. 50.5. "Executive", for purposes of IC 9-32-11-11(e), has the meaning set forth in IC 9-32-11-11(e). As added by P.L.92-2013, SEC.17. Amended by P.L.120-2020, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-50. "Established Place of Business"

Sec. 50. (a) "Established place of business" means premises owned or leased and continuously occupied by a dealer licensed or applying to be licensed under IC 9-32 for the primary purpose of the business activity for which the dealer is licensed or applying to be licensed that: (1) contains a permanent enclosed building or structure for the purpose of carrying out the business for which the dealer is licensed or applying to be licensed under IC 9-32; and (2) meets any additional requirements established by IC 9-32 or rules adopted by the secretary under IC 4-22-2. (b) The term does not include a residence, tent, temporary stand, or permanent

quarters temporarily occupied. [Pre-1991 Recodification Citation: 9-1-1-2(ff).] As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.16; P.L.179-2017, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-51. "Existing Franchise"

Sec. 51. "Existing franchise", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-21. [Pre-1991 Recodification Citation: 9-10-7-3.] As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.18; P.L.104-2024, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-52.5. "Extra Wide Manufactured Home Rig"

Sec. 52.5. "Extra wide manufactured home rig", for purposes of IC 9-20-15-6, has the meaning set forth in IC 9-20-15-6(a). As added by P.L.95-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-52. "Explosives"

Sec. 52. "Explosives" means a chemical compound or mechanical mixture that: (1) is commonly used or intended for the purpose of producing an explosion; or (2) contains any oxidizing and combustive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb. [Pre-1991 Recodification Citation: 9-4-1-8 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-53. "Fair Market Value"

Sec. 53. "Fair market value", for purposes of IC 9-22-3, has the meaning set forth in IC 9-22-3-2. [Pre-1991 Recodification Citation: 9-1-3.6-1(i) part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-54. "Farm Product"

Sec. 54. "Farm product": (1) includes agricultural products; and (2) is used interchangeably with "farm commodity". The term does not include lumber, logs, wood chips, bark, or sawdust. [Pre-1991 Recodification Citation: 9-8-1-19.8 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.215-2014, SEC.2; P.L.154-2017, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-56. "Farm Tractor"

Sec. 56. "Farm tractor" means a self-propelled implement of agriculture designed and used primarily as a farm implement for drawing implements of agriculture used on a farm and, when using the highways, in traveling from one (1) field or farm to another or to or from places of repairs. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2(h) part; 9-2-1-2 part; subsection (b) formerly 9-4-1-3 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.210-2005, SEC.5; P.L.13-2015, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-58. "Farm Truck, Farm Trailer, Farm Semitrailer and Tractor, or Farm Vehicles"

Sec. 58. "Farm truck", "farm trailer", or "farm semitrailer and tractor" means a truck, trailer, or semitrailer and tractor used for the transportation of farm products, livestock, or machinery or supplies to or from a farm or ranch. The term includes a covered farm vehicle (as defined in 49 CFR 390.5). The term does not include an implement of agriculture. The terms may be referred to collectively as "farm vehicles". [Pre-1991 Recodification Citation: 9-1-4-41(i) part.] As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.5; P.L.215-2014, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-59. "Farm Vehicle Loaded With a Farm Product"

Sec. 59. "Farm vehicle loaded with a farm product" includes a truck hauling unprocessed leaf tobacco. [Pre-1991 Recodification Citation: 9-8-1-19.9(c).] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-6.1. "Autocycle"

Sec. 6.1. Subject to IC 9-19-7-2.7, "autocycle" means a three (3) wheeled motor vehicle in which the operator and passenger ride in a completely or partially enclosed seating area that is equipped with: (1) a rollcage or roll hoops; (2) safety belts for each occupant; and (3) antilock brakes; and is designed to be controlled with a steering wheel and pedals. As added by P.L.82-2015, SEC.1. Amended by P.L.256-2017, SEC.97.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-6.3. "Automated Traffic Law Enforcement System"

Sec. 6.3. "Automated traffic law enforcement system", for purposes of IC 9-21, has the meaning set forth in IC 9-21-3.5-2. As added by P.L.47-2006, SEC.44.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-6.5. "Automated Vehicle Identifier"

Sec. 6.5. "Automated vehicle identifier" means an electronic tracking device approved by the commissioner of the department of state revenue for use in connection with special weight permits for extra heavy duty highways under IC 9-20-5. As added by P.L.129-2001, SEC.29.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-6. "Authorized Emergency Vehicle"

Sec. 6. "Authorized emergency vehicle" means the following: (1) The following vehicles: (A) Fire department vehicles. (B) Police department vehicles. (C) Ambulances. (D) Emergency vehicles operated by or for hospitals or health and hospital corporations under IC 16-22-8. (2) Vehicles designated as emergency vehicles by the Indiana department of transportation under IC 9-21-20-1. (3) Motor vehicles that, subject to IC 9-21-20-2, are approved by the Indiana emergency medical services commission that are: (A) ambulances that are owned by persons, firms, limited liability companies, or corporations other than hospitals; or (B) not ambulances and that provide emergency medical services, including extrication and rescue services (as defined in IC 16-18-2-110). (4) Vehicles of the department of correction that, subject to IC 9-21-20-3, are: (A) designated by the department of correction as emergency vehicles; and (B) responding to an emergency. [Pre-1991 Recodification Citation: 9-4-1-2(d).] As added by P.L.2-1991, SEC.1. Amended by P.L.1-1992, SEC.35; P.L.2-1993, SEC.64; P.L.8-1993, SEC.165.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-60. "Farm Wagon"

Sec. 60. "Farm wagon" means any of the following: (1) A wagon, other than an implement of agriculture, that is used primarily for transporting farm products and farm supplies in connection with a farming operation. (2) A three (3), four (4), or six (6) wheeled farming or construction related motor vehicle: (A) capable of cross country travel: (i) without the benefit of a road; and (ii) on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain; (B) manufactured with seating for not more than four (4) individuals; and (C) that is used primarily for farming or construction related purposes, including: (i) the transportation of an individual from one (1) farm field to another, whether or not the motor vehicle is operated on a highway in order to reach the other farm field; (ii) the transportation of an individual upon farm premises; or (iii) hauling building materials. [Pre-1991 Recodification Citation: 9-8-12-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.210-2005, SEC.6; P.L.150-2009, SEC.1; P.L.86-2010, SEC.1; P.L.256-2017, SEC.99.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-61. "Fatal Accident"

Sec. 61. "Fatal accident", for purposes of IC 9-30-7, has the meaning set forth in IC 9-30-7-1. [Pre-1991 Recodification Citation: 9-4-1-39.1(b) part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-62.5. "Fire Lane"

Sec. 62.5. (a) "Fire lane", for purposes of IC 9-21-16-5.5, means an area that is: (1) located within twelve (12) feet of: (A) a building that: (i) is occupied for commercial, professional, religious, or any other purpose; and (ii) is not a building that is intended for use as a dwelling for one (1) or two (2) families; or (B) a sidewalk immediately adjacent to or attached to a building; and (2) designated as a fire lane under IC 9-21-16-5.5(c). (b) The term includes an alley. As added by P.L.8-2003, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-62. "Federal Act"

Sec. 62. "Federal act", for purposes of IC 9-27-1, has the meaning set forth in IC 9-27-1-1. [Pre-1991 Recodification Citation: New.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-63. "Fiscal Body"

Sec. 63. "Fiscal body" means the following: (1) County council, for a county not having a consolidated city. (2) City-county council, for a consolidated city or county having a consolidated city. (3) Common council, for a city other than a consolidated city. (4) Town

council, for a town. [Pre-1991 Recodification Citation: 9-9-1.1-2 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-64. "Flagman"

Sec. 64. "Flagman" means an authorized person directing traffic in accordance with the provisions of this title at a worksite. [Pre-1991 Recodification Citation: 9-4-1-19.5.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-65. "Flammable Liquid"

Sec. 65. "Flammable liquid" means a liquid that has a flash point of seventy (70) degrees Fahrenheit, or less, as determined by a tabliabue or equivalent closed cup test device. [Pre-1991 Recodification Citation: 9-4-1-8 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-66.6. "Forbearance"

Sec. 66.6. "Forbearance", for purposes of IC 9-25-6-15.5, has the meaning set forth in IC 9-25-6-15.5(a)(1). As added by P.L.86-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-66.7. "For-Hire Bus"

Sec. 66.7. "For-hire bus" means a bus that is: (1) used to carry passengers for hire; or (2) operated for compensation. The term does not include a bus that is a not-for-hire bus. As added by P.L.198-2016, SEC.110.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-67. "Franchise"

Sec. 67. "Franchise", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-22. [Pre-1991 Recodification Citation: 9-10-1-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.19; P.L.104-2024, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-68. "Franchisee"

Sec. 68. "Franchisee", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-23. [Pre-1991 Recodification Citation: 9-10-1-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.20; P.L.104-2024, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-69.1. "Fund"

Sec. 69.1. "Fund", for purposes of IC 9-32-18, has the meaning set forth in IC 9-32-18-1. As added by P.L.179-2017, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-69.3. "Funeral Escort Vehicle"

Sec. 69.3. "Funeral escort vehicle" means a vehicle driven by a person who provides escort services for funeral processions. The term does not include an authorized emergency vehicle or a vehicle owned and operated by a funeral home (as defined in IC 25-15-2-15). As added by P.L.236-2003, SEC.1. Amended by P.L.80-2012, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-69.5. "Funeral Procession"

Sec. 69.5. "Funeral procession" means two (2) or more vehicles, including a lead vehicle or a funeral escort vehicle, accompanying human remains. As added by P.L.236-2003, SEC.2. Amended by P.L.24-2006, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-69.7. "Golf Cart"

Sec. 69.7. "Golf cart" means a four (4) wheeled motor vehicle originally and specifically designed and intended to transport one (1) or more individuals and golf clubs for the purpose of playing the game of golf on a golf course. As added by P.L.150-2009, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-69. "Franchisor"

Sec. 69. "Franchisor", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-24. [Pre-1991 Recodification Citation: 9-10-1-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.21; P.L.104-2024, SEC.17.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-71.4. "Gross Vehicle Weight Rating"

Sec. 71.4. "Gross vehicle weight rating" means the value specified by the manufacturer as the loaded weight of a motor vehicle. As added by P.L.13-2015, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-71. "Gross Vehicle Weight" or "Gross Weight"

Sec. 71. "Gross vehicle weight" or "gross weight" means the weight of a vehicle without load, plus the weight of any load on the vehicle. [Pre-1991 Recodification Citation: 9-4-1-9.] As added by P.L.2-1991, SEC.1. Amended by P.L.13-2015, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-72. "Habitual Violator"

Sec. 72. "Habitual violator", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-4. [Pre-1991 Recodification Citation: 9-12-1-4 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-73.3. "Highway, Road and Street Fund"

Sec. 73.3. "Highway, road and street fund" refers to the highway, road and street fund established by IC 8-14-2-2.1. As added by P.L.216-2014, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-73. "Highway" or "Street"

Sec. 73. "Highway" or "street" means the entire width between the boundary lines of every publicly maintained way when any part of the way is open to the use of the public for purposes of vehicular travel in Indiana. The term includes an alley in a city or town. [Pre-1991 Recodification Citations: 9-1-1-2(q); 9-3-1-1 part; 9-4-1-14 part; 9-4-8-4 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.116.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-74.5. "Identification Card"

Sec. 74.5. "Identification card" means an identification document issued by a state government either in the form of a physical credential or in the form of a mobile credential for purposes of identification. As added by P.L.184-2007, SEC.8. Amended by P.L.178-2019, SEC.34; P.L.120-2020, SEC.7; P.L.211-2023, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-74. "Hulk Crusher"

Sec. 74. "Hulk crusher" means a person that engages in the handling and flattening, compacting, or otherwise demolishing vehicles, or their remains, for economical delivery to an automotive salvage recycler. [Pre-1991 Recodification Citation: 9-1-3.6-1(d)(2).] As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.117.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-75. "Identification Number"

Sec. 75. "Identification number" means a set of numbers, letters, or both numbers and letters that is assigned to a vehicle, watercraft, manufactured home, mobile home, or motor vehicle part by: (1) a manufacturer; or (2) a governmental entity to: (A) replace an original identification number that is destroyed, removed, altered, or defaced; or (B) serve as a special identification number under IC 9-17-4 or a similar law of another state. [Pre-1991 Recodification Citations: 9-1-5-4 part; 9-1-5-5 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.268-2003, SEC.3; P.L.125-2012, SEC.15; P.L.262-2013, SEC.6; P.L.217-2014, SEC.6; P.L.198-2016, SEC.118.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-76. "Ignition Interlock Device"

Sec. 76. "Ignition interlock device" means a blood alcohol concentration equivalence measuring device that prevents a motor vehicle from being started without first determining the operator's equivalent breath alcohol concentration through the taking of a deep lung breath sample. [Pre-1991 Recodification Citations: 9-6-8-1; 9-11-1-4.5.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-77. "Implement of Agriculture"

Sec. 77. "Implement of agriculture" means the following: (1) Agricultural implements, pull type and self-propelled, that are used for the: (A) transport; (B) delivery; (C) application; or (D) harvest; of crop inputs, including seed, fertilizers, and crop protection products. (2) Vehicles that: (A) are designed or adapted and used exclusively for agricultural, horticultural, or livestock raising operations; and (B) are not primarily operated on or moved along a highway. (3) Vehicles that are designed to lift, carry, or transport: (A) an agricultural implement described in subdivision (1); or (B) a vehicle described in subdivision (2). [Pre-1991 Recodification Citations: 9-1-1-2(hh); 9-8-1-21(b); 9-8-6-2 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.81-1991, SEC.3; P.L.210-2005, SEC.7; P.L.262-2013, SEC.7; P.L.198-2016, SEC.119.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-78. "Indiana Resident"

Sec. 78. "Indiana resident" refers to a person that is one (1) of the following: (1) An individual who lives in Indiana for at least one hundred eighty-three (183) days during a calendar year and who has a legal residence in another state. However, the term does not include an individual who lives in Indiana for any of the following purposes: (A) Attending a postsecondary educational institution. (B) Serving on active duty in the armed forces of the United States. (C) Temporary employment. (D) Other purposes, without the intent of making Indiana a permanent home. (2) An individual who is living in Indiana if the individual has no other legal residence. (3) An individual who is registered to vote in Indiana or who satisfies the standards for determining residency in Indiana under IC 3-5-5. (4) An individual who has a dependent enrolled in an elementary or a secondary school located in Indiana. (5) A person that maintains a: (A) main office; (B) branch office; (C) warehouse; or (D) business facility; in Indiana. (6) A person that bases and operates vehicles in Indiana. (7) A person that operates vehicles in intrastate haulage in Indiana. (8) A person that has more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) derived from sources in Indiana using the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person that is considered a resident under this subdivision is not a resident if the person proves by a preponderance of the evidence that the person is not a resident under subdivisions (1) through (7). [Pre-1991 Recodification Citation: 9-1-4-21.2(a).] As added by P.L.2-1991, SEC.1. Amended by P.L.188-2006, SEC.2; P.L.2-2007, SEC.139; P.L.85-2013, SEC.12; P.L.149-2015, SEC.24; P.L.198-2016, SEC.121; P.L.211-2023, SEC.14; P.L.141-2024, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-79. "Individual Owner"

Sec. 79. "Individual owner", for purposes of IC 9-20-15-4 and IC 9-20-18-13(b), has the meaning set forth in IC 9-20-15-4(a). [Pre-1991 Recodification Citation: 9-8-1.6-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.95-1991, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-8.5. "Automotive Mobility Dealer"

Sec. 8.5. "Automotive mobility dealer" has the meaning set forth in IC 9-32-2.1-4. As added by P.L.147-2009, SEC.2. Amended by P.L.179-2017, SEC.2; P.L.137-2018, SEC.1; P.L.104-2024, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-8. "Automobile Scrapyard"

Sec. 8. "Automobile scrapyard" means a business organized for the purpose of scrap metal processing, vehicle wrecking, or operating a junkyard. [Pre-1991 Recodification Citation: 9-9-1.1-2 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.81.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-80.1. "Initial Hearing"

Sec. 80.1. "Initial hearing", for purposes of IC 9-30-16-1, means an initial hearing described in IC 35-33-7. As added by P.L.46-2018, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-80.5. "Instructor"

Sec. 80.5. "Instructor", for purposes of IC 9-27-6, has the meaning set forth in IC 9-27-6-4. As added by P.L.145-2011, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-81. "Instructor of an Approved Driver Education Course"

Sec. 81. "Instructor of an approved driver education course" includes the following: (1) A high school teacher who conducts a driver education course. (2) The principal of a high school offering a driver education course. (3) The authorized agent of an approved driver education school. [Pre-1991 Recodification Citation: 9-1-4-33(e) part.] As added by P.L.2-1991, SEC.1.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-82.5. "Integrated Public Safety Communications Fund"

Sec. 82.5. "Integrated public safety communications fund" refers to the integrated public safety communications fund established by IC 5-26-4-1. As added by P.L.216-2014, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-82. "Insured"

Sec. 82. "Insured", for purposes of IC 9-25, has the meaning set forth in IC 9-25-2-2. [Pre-1991 Recodification Citation: 9-2-1-2 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-84. "Intersection"

Sec. 84. (a) "Intersection" means the area embraced within: (1) the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of two (2) highways that join at, or approximately at, right angles; or (2) the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. (b) Where a highway includes two (2) roadways at least thirty (30) feet apart, every crossing of each roadway of the divided highway by an intersecting highway is regarded as a separate intersection. If the intersecting highway also includes two (2) roadways at least thirty (30) feet apart, every crossing of two (2) roadways of the intersecting highway is regarded as a separate intersection. [Pre-1991 Recodification Citation: 9-4-1-15.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-85. "Interstate Highway"

Sec. 85. "Interstate highway" means a highway that is a part of the national system of interstate and defense highways (23 U.S.C. as in effect January 1, 1991). [Pre-1991 Recodification Citation: New.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-86. "Intoxicated"

Sec. 86. "Intoxicated" means under the influence of: (1) alcohol; (2) a controlled substance (as defined in IC 35-48-1); (3) a drug other than alcohol or a controlled substance; (4) a substance described in IC 35-46-6-2 or IC 35-46-6-3; (5) a combination of substances described in subdivisions (1) through (4); or (6) any other substance, not including food and food ingredients (as defined in IC 6-2.5-1-20), tobacco (as defined in IC 6-2.5-1-28), or a dietary supplement (as defined in IC 6-2.5-1-16); so that there is an impaired condition of thought and action and the loss of normal control of a person's faculties. [Pre-1991 Recodification Citation: 9-11-1-5.] As added by P.L.2-1991, SEC.1. Amended by P.L.175-2001, SEC.1; P.L.151-2006, SEC.4; P.L.196-2013, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-87.5. "Job Training"

Sec. 87.5. "Job training", for purposes of IC 9-25-6-15.5, has the meaning set forth in IC 9-25-6-15.5(a)(2). As added by P.L.86-2021, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-88. "Judge"

Sec. 88. "Judge", for purposes of IC 9-30-3, has the meaning set forth in IC 9-30-3-3. [Pre-1991 Recodification Citation: 9-4-7-2 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-89. "Judgment"

Sec. 89. (a) "Judgment" means, except as provided in subsections (b), (c), and (d), any judgment, except a judgment rendered against the state or a political subdivision or a municipality of the state that becomes final by expiration without appeal of the time within which appeal might have been perfected, or by final affirmation on appeal, rendered by a court of any state of the United States. (b) "Judgment", for purposes of IC 9-25-6-4, has the meaning set forth in IC 9-25-6-4(b). (c) "Judgment", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-1. (d) "Judgment", for purposes of IC 9-30-11, has the meaning set forth in IC 9-30-11-1. [Pre-1991 Recodification Citations: subsection (a) formerly 9-2-1-2 part; subsection (b) formerly 9-2-1-6(b) part; subsection (c) formerly 9-12-1-5 part; subsection (d) formerly 9-1-12-1 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-9. "Automotive Salvage Rebuilder"

Sec. 9. "Automotive salvage rebuilder" has the meaning set forth in IC 9-32-2.1-5. [Pre-1991 Recodification Citation: 9-1-3.6-1(b).] As added by P.L.2-1991, SEC.1. Amended by P.L.8-1993, SEC.166; P.L.92-2013, SEC.7; P.L.198-2016, SEC.82; P.L.104-2024, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-90. "Labor Rate"

Sec. 90. "Labor rate", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2.1-28. [Pre-1991 Recodification Citation: 9-10-1-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.22; P.L.104-2024, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-91. "Lamp"

Sec. 91. "Lamp" means a single bulb that emits light. [Pre-1991 Recodification Citation: 9-8-6-1.5.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-92.2. "Lawful Intervention Technique"

Sec. 92.2. "Lawful intervention technique", for purposes of IC 9-21-1, has the meaning set forth in IC 9-21-1-0.5. As added by P.L.145-2009, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-92.3. "Lawful Status"

Sec. 92.3. (a) "Lawful status" means that an individual has lawful status as: (1) a citizen or national of the United States; or (2) an alien who: (A) is lawfully admitted for permanent residence or temporary residence; (B) has conditional permanent resident status; (C) has a pending or approved application for asylum; (D) has refugee status; (E) has valid nonimmigrant status; (F) has a pending or approved application for temporary protected status; (G) has approved deferred action status; or (H) has a pending application for lawful permanent resident status or conditional permanent resident status; in the United States. (b) The term does not include parole. As added by P.L.211-2023, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-92. "Law Enforcement Officer"

Sec. 92. (a) "Law enforcement officer", except as provided in subsection (b), includes the following: (1) A state police officer. (2) A city, town, or county police officer. (3) A sheriff. (4) A county coroner in accordance with IC 36-2-14-4. (5) A conservation officer. (6) An individual assigned duties and limitations under IC 10-11-2-26. (7) A member of a consolidated law enforcement department established under IC 36-3-1-5.1. (8) An excise police officer of the alcohol and tobacco commission. (9) A gaming control officer employed by the gaming control division under IC 4-33-20. (10) A hospital police officer employed by a hospital police department established under IC 16-18-4. The term refers to a law enforcement officer having jurisdiction in Indiana, unless the context clearly refers to a law enforcement officer from another state or a territory or federal district of the United States. (b) "Law enforcement officer", for purposes of IC 9-30-6 and IC 9-30-7, has the meaning set forth in IC 35-31.5-2-185. [Pre-1991 Recodification Citations: subsection (a) formerly 9-3-1-1 part; subsection (b) formerly 9-11-1-6; Part new.] As added by P.L.2-1991, SEC.1. Amended by P.L.67-1992, SEC.1; P.L.227-2005, SEC.8; P.L.210-2005, SEC.8; P.L.1-2006, SEC.157; P.L.94-2006, SEC.2; P.L.114-2012, SEC.19; P.L.13-2013, SEC.33; P.L.85-2013, SEC.13; P.L.262-2013, SEC.8; P.L.122-2023, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-93.1. "Licensed Health Care Professional"

Sec. 93.1. "Licensed health care professional", for purposes of IC 9-30-6-6, means a health care professional licensed in Indiana. As added by P.L.224-2019, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-93.2. "License Branch"

Sec. 93.2. "License branch" does not include facilities of or a physical or virtual location at which services are provided by a full service provider (as defined in IC 9-14.1-1-2) or a partial services provider (as defined in IC 9-14.1-1-3). As added by P.L.198-2016, SEC.125.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-93.5. "Line Make"

Sec. 93.5. "Line make" means the name given by a manufacturer to a line of motor vehicles to distinguish it as produced or sold by the manufacturer and that may be used and protected as a trademark. As added by P.L.78-2002, SEC.2.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-93. "License"

Sec. 93. "License", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-2. [Pre-1991 Recodification Citation: 9-12-1-6 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-94.3. "Local Road and Street Account"

Sec. 94.3. "Local road and street account" refers to the local road and street account established by IC 8-14-2-4. As added by P.L.216-2014, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-94.5. "Low Speed Vehicle"

Sec. 94.5. "Low speed vehicle" means a four (4) wheeled electrically powered motor vehicle: (1) with a maximum design speed of not more than twenty-five (25) miles per hour; (2) with operational and equipment specifications described in 49 CFR 571.500; (3) that is equipped with: (A) headlamps; (B) front and rear turn signal lamps, tail lamps, and stop lamps; (C) reflex reflectors; (D) exterior or interior mirrors; (E) brakes as specified in IC 9-19-3-1; (F) a windshield; (G) a vehicle identification number; and (H) a safety belt installed at each designated seating position; and (4) that has not been privately assembled as described in IC 9-17-4-1. The term does not include a golf cart or an off-road vehicle. As added by P.L.21-2003, SEC.1. Amended by P.L.9-2007, SEC.1; P.L.150-2009, SEC.3; P.L.262-2013, SEC.10; P.L.178-2019, SEC.35.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-94. "Local Authorities"

Sec. 94. (a) "Local authorities" means, except as provided in subsection (b), all officers of counties, cities, or towns, as well as all boards and other public officials of counties, cities, or towns. (b) "Local authorities", for purposes of IC 9-21, means every county, municipal, and other local board or body having authority to adopt local police regulations under the laws and the Constitution of the State of Indiana. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2; subsection (b) formerly 9-4-1-13.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-95. "Major Component Parts"

Sec. 95. (a) "Major component parts" means those parts of vehicles normally having a manufacturer's vehicle identification number, a derivative of the identification number, or a number supplied by an authorized governmental agency, including doors, fenders, differentials, frames, transmissions, engines, doghouses (front assembly), rear clips, and additional parts as prescribed by the bureau. (b) "Major component parts", for purposes of IC 9-32, includes a catalytic converter. [Pre-1991 Recodification Citation: 9-1-3.6-1(c).] As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.127; P.L.20-2022, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-96. "Manufactured Home"

Sec. 96. (a) "Manufactured home" means, except as provided in subsections (b) and (c), a structure that: (1) is assembled in a factory; (2) bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law (42 U.S.C. 5401 et seq.); (3) is designed to be transported from the factory to another site in one (1) or more units; (4) is suitable for use as a dwelling in any season; and (5) is more than thirty-five (35) feet long. The term does not include a vehicle described in section 150(2) of this chapter. (b) "Manufactured home", for purposes of IC 9-17-6, means either of the following: (1) A structure having the meaning set forth in the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.). (2) A mobile home. This subsection expires June 30, 2016. (c) "Manufactured home", for purposes of IC 9-22-1.7, has the meaning set forth in IC 9-22-1.7-2. [Pre-1991 Recodification Citation: 9-1-1-2(jj).] As added by P.L.2-1991, SEC.1. Amended by P.L.106-2003, SEC.1; P.L.203-2013, SEC.13; P.L.198-2016, SEC.128.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-97.6. "Manufacturer Representative"

Sec. 97.6. "Manufacturer representative", for purposes of IC 9-32-11, has the meaning set forth in IC 9-32-2.1-31. As added by P.L.151-2015, SEC.12. Amended by P.L.104-2024, SEC.19.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-97. "Manufacturer"

Sec. 97. (a) "Manufacturer" means, except as provided in subsection (b), a person engaged in the business of constructing or

assembling vehicles, of a type required to be registered under IC 9-18 (before its expiration) or IC 9-18.1 at an established place of business. The term does not include a converter manufacturer, an automotive mobility dealer, or a recreational vehicle manufacturer. (b) "Manufacturer", for purposes of IC 9-32, means a person who is engaged in the business of manufacturing or assembling new motor vehicles or major component parts of motor vehicles, or both, and sells new motor vehicles to dealers, wholesale dealers, distributors, or the general public. The term includes the following: (1) A factory branch office of the manufacturer. (2) A partnership, a firm, an association, a joint venture, a limited liability company, a corporation, or a trust, resident or nonresident, that is controlled by the manufacturer. The term does not include a converter manufacturer, an automotive mobility dealer, an off-road vehicle manufacturer, a manufactured home manufacturer, or a recreational vehicle manufacturer. [Pre-1991 Recodification Citations: subsection (a) formerly 9-1-1-2(w); subsection (b) formerly 9-10-1-1 part.] As added by P.L.2-1991, SEC.1. Amended by P.L.8-1993, SEC.168; P.L.78-2002, SEC.3; P.L.21-2003, SEC.2; P.L.147-2009, SEC.4; P.L.151-2015, SEC.11; P.L.257-2017, SEC.23; P.L.120-2020, SEC.9; P.L.182-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-98. "Marching Band Procession"

Sec. 98. "Marching band procession", for purposes of IC 9-21-14, has the meaning set forth in IC 9-21-14-2. [Pre-1991 Recodification Citation: 9-4-1.6-1 part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 2. Definitions9-13-2-99. "Maxi-Cube"

Sec. 99. "Maxi-cube" vehicle means a truck tractor combined with a semitrailer and a separable cargo carrying unit that is designed to be loaded and unloaded through the vehicle. [Pre-1991 Recodification Citation: 9-8-1-2(e) part.] As added by P.L.2-1991, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 3. Electric Vehicle Product Commission9-13-3-1. "Commission"

Sec. 1. As used in this chapter, "commission" refers to the electric vehicle product commission established by section 3 of this chapter. As added by P.L.128-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 3. Electric Vehicle Product Commission9-13-3-10. Purpose of Commission

Sec. 10. The purposes of the commission are to: (1) evaluate the inventory of existing electric vehicle product facilities and production capability; (2) evaluate the inventory of skilled and nonskilled workers in the electric vehicle product industry; (3) evaluate opportunities and needs for training within the electric vehicle product industry; (4) determine if training centers promoting careers in the electric vehicle product industry should be created or transitioned from traditional automotive industry training centers; (5) identify existing manufacturing competencies within the traditional automotive industry and determine how the existing competencies could be leveraged to increase the production of electric vehicles; (6) identify and evaluate opportunities for growth within the electric vehicle product industry; (7) identify and document results from previous instances of retooling and transforming manufacturing facilities in the automotive industry; and (8) identify opportunities for research and development within the electric vehicle product industry. As added by P.L.128-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 3. Electric Vehicle Product Commission9-13-3-11. Annual Report

Sec. 11. The commission shall submit an annual report to the Indiana economic development corporation. The report must include a description of all activities undertaken by the commission during the prior state fiscal year. The commission shall submit the report: (1) not later than September 30 of each year; and (2) in an electronic format under IC 5-14-6. As added by P.L.128-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 3. Electric Vehicle Product Commission9-13-3-12. Chapter Expiration

Sec. 12. This chapter expires December 31, 2026. As added by P.L.128-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 3. Electric Vehicle Product Commission9-13-3-2. "Electric Vehicle Product"

Sec. 2. As used in this chapter, "electric vehicle product" means a battery powered electric vehicle, an alternative powertrain technology vehicle, a hydrogen powered vehicle, or a plug-in hybrid electric vehicle, and charging stations needed to promote the use of those vehicles. As added by P.L.128-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 3. Electric Vehicle Product Commission9-13-3-3. Establishment of Electronic Vehicle Product Commission

Sec. 3. The electric vehicle product commission is established. As added by P.L.128-2021, SEC.1.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 3. Electric Vehicle Product Commission9-13-3-4. Commission Composition

Sec. 4. The commission consists of ten (10) members, the majority of which must be Indiana residents, appointed as follows: (1) Six (6) members who are Indiana residents, or are employed by a business with a nexus in Indiana, appointed by the governor. Two (2) members shall be representatives of the automotive vehicle and component manufacturing industry. One (1) member shall be a representative of a labor union representing workers in the automotive vehicle and component manufacturing industry. One (1) member shall be a representative of Energy Systems Network. One (1) member shall be a representative of the Battery Innovation Center. One (1) member shall be a member or employee of the Indiana Chamber of Commerce, as recommended to the governor by the Indiana Chamber of Commerce. (2) Four (4) members of the general assembly who are appointed under section 6 of this chapter. As added by P.L.128-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 3. Electric Vehicle Product Commission9-13-3-5. Chairperson; Terms

Sec. 5. (a) The governor shall annually designate one (1) of the members appointed under section 4(1) of this chapter as chairperson of the commission. (b) Members of the commission appointed under section 4(1) of this chapter serve a four (4) year term that expires June 30, 2025, and each fourth year thereafter. As added by P.L.128-2021, SEC.1. Amended by P.L.42-2024, SEC.69.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 3. Electric Vehicle Product Commission9-13-3-6. Legislative Members

Sec. 6. (a) Four (4) members of the general assembly shall be appointed as members of the commission as follows: (1) The speaker of the house of representatives shall appoint two (2) members of the house of representatives, both of whom may not be members of the same political party. (2) The president pro tempore of the senate shall appoint two (2) members of the senate, both of whom may not be members of the same political party. (b) A member of the commission appointed under subsection (a) serves a two (2) year term that expires June 30 of an odd-numbered year. (c) A vacancy under subsection (a) shall be filled by the officer who appointed the vacating legislative member. A legislative member appointed under this subsection serves until the end of the unexpired term of the member's predecessor. (d) A member of the commission appointed under this section may be reappointed. As added by P.L.128-2021, SEC.1. Amended by P.L.42-2024, SEC.70.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 3. Electric Vehicle Product Commission9-13-3-7. Quorum

Sec. 7. Six (6) members of the commission constitute a quorum. As added by P.L.128-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 3. Electric Vehicle Product Commission9-13-3-8. Authority of the Commission

Sec. 8. The commission is responsible for making all policy decisions relating to the duties and powers of the commission. As added by P.L.128-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 13. General Provisions and DefinitionsChapter 3. Electric Vehicle Product Commission9-13-3-9. Reimbursement of Member Expenses

Sec. 9. (a) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for mileage, traveling expenses as provided under IC 4-13-1-4, and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency. Expenses incurred under this subsection shall be paid out of the funds appropriated to the lieutenant governor. (b) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency. As added by P.L.128-2021, SEC.1. Amended by P.L.42-2024, SEC.71.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 1. Definitions9-14.1-1-1. Applicability of Chapter

Sec. 1. The definitions in this chapter apply throughout this article. As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 1. Definitions9-14.1-1-2. "Full Service Provider"

Sec. 2. "Full service provider" refers to a qualified person with whom the commission enters into a contract under IC 9-14.1-3-1. As

added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 1. Definitions9-14.1-1-3. "Partial Services Provider"

Sec. 3. "Partial services provider" refers to a qualified person with whom the commission enters into a contract under IC 9-14.1-3-2. As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 1. Definitions9-14.1-1-4. "Procurement"

Sec. 4. (a) "Procurement" includes buying, purchasing, renting, leasing, or otherwise acquiring. (b) The term includes the following activities: (1) Description of requirements. (2) Solicitation or selection of sources. (3) Preparation and award of contract. (4) All phases of contract administration. (5) All functions that pertain to purchasing or procuring. [Pre-2016 Revision Citation: 9-16-2-1.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 1. Definitions9-14.1-1-5. "Qualified Person"

Sec. 5. "Qualified person" means any of the following: (1) A motor club that is any of the following: (A) A domestic corporation. (B) A foreign corporation qualified to transact business in Indiana under IC 23-1 or IC 23-17. (2) A financial institution (as defined in IC 28-1-1-3). (3) A new motor vehicle dealer licensed under IC 9-32-11. (4) Other persons, including persons licensed under IC 9-32-11 that are not covered by subdivision (3), that the commission determines can meet the requirements for contractors under IC 9-14.1-3-2. [Pre-2016 Revision Citation: 9-16-1-1.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 2. Powers and Duties9-14.1-2-1. Number of License Branches

Sec. 1. (a) There must be at least one (1) license branch in each county. (b) The number of license branches may not be reduced in a county below the number in existence on January 1, 2001, unless the commission: (1) holds a public hearing in the county; and (2) receives unlimited public testimony before the commissioner on the merits of closing the branch that the commission proposes to close in the county. [Pre-2016 Revision Citations: subsection (a) formerly 9-15-2-1(4); subsection (b) formerly 9-16-1-2.5.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 2. Powers and Duties9-14.1-2-2. Powers and Duties of License Branches

Sec. 2. License branches have all the powers and duties assigned to license branches by statute and by the commissioner. [Pre-2016 Revision Citation: 9-16-1-3(a).] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 2. Powers and Duties9-14.1-2-3. Collection and Remittance of Service Charges, Fees, and Excise Taxes

Sec. 3. Each license branch shall: (1) collect: (A) the service charges and fees as set forth in this title and in policies and other documents of the bureau; and (B) applicable excise taxes under IC 6-6; and (2) remit the amounts collected to the bureau for deposit as set forth in this title and IC 6-6. [Pre-2016 Revision Citation: 9-16-1-5(a).] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 2. Powers and Duties9-14.1-2-4. Performance of Transactions

Sec. 4. A transaction under this title that may be performed in a license branch may be performed in any license branch in any county. [Pre-2016 Revision Citations: 9-18-2-13; 9-18-2-15.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 2. Powers and Duties9-14.1-2-5. Election Day Services

Sec. 5. (a) This section does not apply to a license branch in a county if there are no precincts in the county in which an election is held on election day. (b) On each general, municipal, primary, and special election day (as defined in IC 3-5-2-18), all license branches that provide state identification cards must remain open from 6:00 a.m., local time, to 6:00 p.m., local time, with priority given to issuing driver's licenses and state identification cards under IC 9-24. (c) On the day before each general, municipal, primary, and special election day (as defined in IC 3-5-2-18), all license branches that provide state identification cards must remain open from 8:30 a.m., local time, to 8:00 p.m., local time, with priority given to issuing driver's licenses and state identification cards under IC 9-24. (d) The commission shall: (1) designate another day as time off; or (2) authorize overtime pay; for license branch personnel required to work on an election day. [Pre-2016 Revision Citation: 9-16-1-7.] As added by P.L.198-2016, SEC.195. Amended by P.L.111-2021, SEC.15.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 3. Services Provided by Qualified Persons9-14.1-3-1. Contracts With Qualified Persons for Full Services

Sec. 1. The commission board may enter into a contract with a qualified person to provide full services at the qualified person's location, including a location within a facility used for other purposes. The contract must include the following provisions: (1) The qualified person shall provide the following services: (A) Vehicle title services. (B) Vehicle registration and renewal services. (C) Driver's licenses and related services. (D) Voter registration services as imposed on the commission under IC 3-7. (2) The qualified person shall provide personnel trained to properly process branch transactions. (3) The qualified person shall do the following: (A) With respect to transactions processed at the qualified person's location, impose and collect all fees and taxes applicable to the transaction. (B) Deposit the fees and taxes with the bureau for deposit in the appropriate fund or account. (4) The qualified person shall generate a transaction volume sufficient to justify the installation of bureau support systems. (5) The qualified person shall provide fidelity bond coverage in an amount prescribed by the commission. (6) The qualified person may provide full services within a facility used for other purposes. (7) The qualified person shall pay the cost of any post audits conducted by the commission or the state board of accounts on an actual cost basis. (8) The commission shall provide support systems to the qualified person on the same basis as to license branches. (9) The commission must approve each location and physical facility based upon criteria developed by the commission board. (10) The term of the contract must be for a fixed period. (11) The qualified person shall agree to provide voter registration services and to perform the same duties imposed on the commission under IC 3-7. [Pre-2016 Revision Citation: 9-16-1-4(b).] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 3. Services Provided by Qualified Persons9-14.1-3-2. Contracts With Qualified Persons for Partial Services

Sec. 2. The commission may enter into a contract with a qualified person to provide partial services at the qualified person's location, including a location within a facility used for other purposes. The contract must include the following provisions: (1) The qualified person must provide one (1) or more of the following services: (A) Vehicle title services. (B) Vehicle registration and renewal services. (2) The qualified person must provide trained personnel to properly process branch transactions. (3) The qualified person shall do the following: (A) With respect to each transaction processed at the qualified person's location, impose and collect all fees and taxes applicable to the transaction. (B) Deposit the fees and taxes with the bureau for deposit in the appropriate fund or account. (4) The qualified person shall provide fidelity bond coverage in an amount prescribed by the commission. (5) The qualified person shall provide: (A) liability insurance coverage in an amount not to exceed two million dollars ($2,000,000) per occurrence, as prescribed by the commission; and (B) indemnification of the commission for any liability in excess of the amount of coverage provided under clause (A), not to exceed five million dollars ($5,000,000) per occurrence. (6) The qualified person shall pay the cost of any post audits conducted by the commission or the state board of accounts on an actual cost basis. (7) The commission must approve each location and physical facility used by a qualified person. (8) The term of the contract must be for a fixed period. [Pre-2016 Revision Citation: 9-16-1-4.5.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 3. Services Provided by Qualified Persons9-14.1-3-3. Convenience Fees

Sec. 3. (a) A transaction processed by a full service provider or partial services provider is subject to the same fees and taxes as if the transaction were processed at a license branch. (b) In addition to a fee or tax described in subsection (a), a full service provider or partial services provider may impose, collect, and retain a convenience fee for each transaction that is: (1) related to: (A) a title issued under IC 9-17; or (B) a registration issued under IC 9-18 (before its expiration) or IC 9-18.1; and (2) processed by the provider. (c) The amount of a convenience fee described in subsection (b): (1) is subject to the written approval of the commission; and (2) may not exceed the following: (A) For a transaction described in subsection (b)(1)(A), one hundred fifty percent (150%) of the fee imposed on the same transaction processed at a license branch. (B) For a transaction described in subsection (b)(1)(B), one hundred fifty percent (150%) of the fee imposed under IC 9-29-5-1 (before its repeal) or IC 9-18.1-5-2 for a transaction processed at a license branch. (d) This subsection applies if a full service provider or partial services provider imposes a convenience fee under subsection (b). Before the full service provider or partial services provider may impose and collect the convenience fee, all of the following conditions must occur: (1) Notice of the convenience fee must be provided, in writing or by electronic means, to the customer by: (A) the full service provider; (B) the partial services provider; or (C) a dealer that interacts directly with the customer at the initial transaction level. (2) The notice must disclose only the following: (A) The amount of the convenience fee. (B) That the convenience fee is not imposed on a transaction processed at a license branch. (C) The address and hours of operation of the license branch located nearest to the full service location or partial services location. (D) The distance between the license branch described in clause (C) and the full service location or partial services location. (3) The customer must agree, in writing or by electronic means, to pay the convenience fee. (e) A notice provided under subsection (d)(1) must be provided: (1) in a single, discrete document or publication that contains no additional terms or conditions; or (2) in combination only with an agreement described in subsection (d)(3). (f) With respect to each transaction processed by a full service provider or partial services provider, the full service provider or partial services provider shall: (1) collect all fees and taxes related to the transaction; and (2) remit the amounts collected to the bureau for deposit as set forth in this title. [Pre-2016 Revision Citation: 9-16-1-5.] As added by P.L.198-2016,

SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 3. Services Provided by Qualified Persons9-14.1-3-4. Violation

Sec. 4. A person that violates section 3 of this chapter commits a Class C infraction. [Pre-2016 Revision Citation: 9-16-1-6.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 4. Voter Registration and Election Day Services9-14.1-4-1. Applicability of Chapter

Sec. 1. This chapter applies to a license branch. [Pre-2016 Revision Citation: 9-16-7-1.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 4. Voter Registration and Election Day Services9-14.1-4-2. Voter Registration Services at License Branches

Sec. 2. (a) License branches shall offer voter registration services under this chapter, in addition to providing a voter registration application as a part of an application for a motor vehicle driver's license, permit, or identification card under IC 9-24-2.5 and 52 U.S.C. 20504. (b) Whenever an individual transacts any business with the bureau of motor vehicles in person other than a transaction described in subsection (a), the license branch employee assisting the individual with the transaction shall ask the individual whether the individual wants to register to vote or change the individual's voter registration record by submitting a paper voter registration application. (c) If an individual described in subsection (b) wants to register to vote or change the individual's voter registration record, the license branch employee shall provide the individual with the appropriate form to register to vote or to change the individual's voter registration record. (d) If an individual accepts a form under subsection (c), the individual must mail or deliver the form to the appropriate county voter registration office in order to apply to register to vote or change the individual's voter registration record. [Pre-2016 Revision Citation: 9-16-7-2.] As added by P.L.198-2016, SEC.195. Amended by P.L.84-2017, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 4. Voter Registration and Election Day Services9-14.1-4-3. Availability of Voter Registration Forms

Sec. 3. Each license branch shall provide copies of voter registration forms. The registration forms must be: (1) prescribed by the Indiana election commission to permit the NVRA official to fulfill the NVRA official's reporting duties under 52 U.S.C. 20508(a)(3) and IC 3-7-11-2; and (2) placed in an easily accessible location within the branch, so that members of the public may obtain the forms without further assistance from the commission. [Pre-2016 Revision Citations: 9-16-7-3; 9-16-7-4.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 4. Voter Registration and Election Day Services9-14.1-4-4. Notice to Public

Sec. 4. Each license branch shall post a notice in a prominent location easily visible to members of the public. The notice must state substantially the following: "VOTER REGISTRATION FORMS AVAILABLE HERE This office has forms that you can fill out so that you can register to vote in Indiana. If you live in Indiana and are not registered to vote where you live now, and you want to register (or change your registration record), please take one of the forms. If you cannot find a blank voter registration form in this office, ask us to give you a form. You must take the form with you and mail or deliver the form to the voter registration office. Applying to register or declining to register to vote will not affect the assistance or service that you will be provided by this office.". [Pre-2016 Revision Citation: 9-16-7-5.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 4. Voter Registration and Election Day Services9-14.1-4-5. Confidentiality of Voter Registration Information

Sec. 5. Voter registration information received or maintained under this chapter is confidential. [Pre-2016 Revision Citation: 9-16-7-6.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 5. Audits, Budgets, and Procurement9-14.1-5-1. Audit of License Branch Accounts by State Board of Accounts; Public Record

Sec. 1. (a) The bureau shall conduct an audit of each license branch operated under this article. (b) Each audit must be conducted as determined by an annual risk assessment and an audit plan. (c) An audit prepared under this section is a public record. (d) Notwithstanding the audit performed under subsection (a), the state board of accounts may examine an account of a license branch operated under this article. [Pre-2016 Revision Citations: 9-16-5-1; subsection (b) formerly 9-16-5-2.] As added by P.L.198-2016, SEC.195. Amended by P.L.118-2022, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 5. Audits, Budgets, and Procurement9-14.1-5-2. Procurement System

Sec. 2. (a) Notwithstanding IC 5-16, IC 5-17-1, and IC 5-22, the commission may develop a system of procurement that applies only to procurement of equipment, materials, services, and goods required for the operation of license branches. (b) A system of procurement adopted under this section must provide that whenever: (1) a contract is awarded by acceptance of bids, proposals, or quotations; and (2) a trust (as defined in IC 30-4-1-1(a)) submits a bid, proposal, or quotation; the bid, proposal, or quotation must identify each beneficiary of the trust and each settlor empowered to revoke or modify the trust. (c) This section does not apply to the purchasing, leasing, or disposal of real property. [Pre-2016 Revision Citation: 9-16-2-5.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 5. Audits, Budgets, and Procurement9-14.1-5-3. Appraisals

Sec. 3. The value of all: (1) purchases of supplies, fixtures, and equipment; (2) purchases of real property; and (3) lease agreements and contracts; shall be appraised by the Indiana department of administration or by an independent appraiser, at the discretion of the Indiana department of administration. The cost of a purchase, lease agreement, or contract may not exceed the appraised value. [Pre-2016 Revision Citation: 9-16-2-3.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 5. Audits, Budgets, and Procurement9-14.1-5-4. Statewide License Branch Budget

Sec. 4. The commission shall develop a statewide license branch budget. If the commission board determines that the total of: (1) revenues from license branch operations; and (2) appropriations received by the commission; are insufficient to support license branch operations, the commission may increase fees by rule under IC 9-14-8-3(4). [Pre-2016 Revision Citation: 9-16-3-2.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 5. Audits, Budgets, and Procurement9-14.1-5-5. Submission of Statewide License Branch Budget to Budget Agency

Sec. 5. (a) On a date specified by the budget agency of each even-numbered year, the commission shall submit to the budget agency a proposed statewide license branch budget. The commission shall include, at a minimum, the following information on a county by county basis: (1) Total estimated revenue. (2) Total estimated expenditures for salaries and fringe benefits. (3) Total estimated expenditures for other personal services. (4) Total estimated expenditures for nonpersonal services. (5) Total estimated expenditures for contractual services. (6) Total estimated expenditures for supplies and materials. (7) All other estimated expenditures. (8) The number of full-time and part-time employees. (9) Other information the budget agency requires. (b) The budget agency shall provide the information received under subsection (a) to the budget committee for the committee's review. [Pre-2016 Revision Citations: subsection (a) formerly 9-16-3-3; subsection (b) formerly 9-16-3-4.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 6. Political Activities and Contributions9-14.1-6-1. Prohibition Against Mandatory Political Activity or Contributions by License Branch Employees

Sec. 1. An employee who is employed under this article may not be forced to contribute to a political party or participate in a political activity. [Pre-2016 Revision Citation: 9-16-6-1.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 6. Political Activities and Contributions9-14.1-6-2. Voluntary Political Activity or Contributions by License Branch Employees

Sec. 2. Section 1 of this chapter may not be interpreted to prohibit the following: (1) The voluntary contribution of an employee to a political party. (2) The voluntary participation of an employee in a political activity, unless the participation interferes with the employee's performance or responsibility of the employee's job. [Pre-2016 Revision Citation: 9-16-6-2.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 6. Political Activities and Contributions9-14.1-6-3. Use of License Branch Equipment or Facilities for Political Purposes; Violation

Sec. 3. (a) Equipment or facilities of a license branch operated under this article may not be used for political purposes. (b) A person who violates this section commits a Class C infraction. [Pre-2016 Revision Citation: 9-16-6-3.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 6. Political Activities and Contributions9-14.1-6-4. Political Displays in License Branches; Violation

Sec. 4. A person that: (1) collects; (2) displays; (3) distributes; or (4) stores; paraphernalia, brochures, or displays for a political party or organization in a license branch commits a Class C infraction. [Pre-2016 Revision Citation: 9-16-6-4.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14.1. License BranchesChapter 6. Political Activities and Contributions9-14.1-6-5. Permissible Uses of License Branch Equipment and Facilities

Sec. 5. This chapter does not prohibit an employee from using the equipment or facilities of a license branch or full service location operated under this article or engaging in activity permitted or required under: (1) IC 3-7; (2) IC 9-14.1-4; (3) IC 9-24-2.5; or (4) the National Voter Registration Act of 1993 (52 U.S.C. 20501). [Pre-2016 Revision Citation: 9-16-6-5.] As added by P.L.198-2016, SEC.195.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 10. Powers and Duties of the Commission Board9-14-10-1. Duties of Commission Board

Sec. 1. The commission board shall do the following: (1) Recommend legislation needed to operate the license branches. (2) Recommend rules needed to operate the license branches. (3) Review budget proposals for the commission and the license branches operated under IC 9-14.1, including the budget required by IC 9-14.1-5-4 and IC 9-14.1-5-5. (4) Establish the determination criteria and determine the number and location of license branches to be operated under IC 9-14.1. (5) Establish and adopt minimum standards for the operation and maintenance of each physical or virtual location at which services are provided by a full service provider or partial services provider under IC 9-14.1. (6) Administer the commission fund established under IC 9-14-14-1. (7) Establish and maintain an audit working group composed of two (2) board members of the commission, excluding the commissioner, who are selected by and may be dismissed by the commissioner. A meeting of the audit working group is not subject to IC 5-14-1.5. (8) Approve an internal audit charter and an audit plan at least one (1) time each year. [Pre-2016 Revision Citation: 9-15-2-1.] As added by P.L.198-2016, SEC.190. Amended by P.L.257-2017, SEC.26; P.L.118-2022, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 10. Powers and Duties of the Commission Board9-14-10-2. Powers of Commission Board

Sec. 2. The commission board may do the following: (1) Procure insurance against any loss in connection with the commission's operations in the amount the commission board considers necessary or desirable. (2) Contract with a qualified person: (A) to serve as a full service provider under IC 9-14.1-3-1; (B) to serve as a partial services provider under IC 9-14.1-3-2; or (C) for other services to process specific transactions as outlined by the commission. (3) Notwithstanding IC 5-16, IC 5-17-1, and IC 5-22, develop a system of procurement that applies only to procurement of equipment, materials, services, and goods required for the operation of license branches under IC 9-14.1. (4) Either: (A) develop a retirement program for managers and employees of license branches; or (B) cause managers and employees of license branches to be members of the public employees' retirement fund (IC 5-10.3-7). (5) Enter into lease agreements as necessary for office space, storage space, and parking facilities for license branches under IC 9-14.1. (6) Take any other action necessary to achieve the commission's purpose. [Pre-2016 Revision Citations: 9-15-2-2; subdivision (2) formerly 9-16-1-4(a); subdivision (3) formerly 9-16-2-5(a); subdivision (4) formerly 9-16-4-2; subdivision (5) formerly 9-16-2-2.] As added by P.L.198-2016, SEC.190.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 10. Powers and Duties of the Commission Board9-14-10-3. Personnel System for Commission Employees

Sec. 3. The commission board may develop a separate personnel system for employees of the commission who are assigned to be managers and employees of license branches. The system may establish the rights, privileges, powers, and duties of these employees, including a license branch pay scale and benefit package. If the commission board does not develop and adopt a license branch personnel system, those employees are subject to the state personnel system under IC 4-15-2.2, except as provided in IC 9-14.1-2-5(d). [Pre-2016 Revision Citation: 9-16-4-1.] As added by P.L.198-2016, SEC.190.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 11. Driver Licensing Medical Advisory Board9-14-11-1. "Board"

Sec. 1. As used in this chapter, "board" refers to the driver licensing medical advisory board established under section 2 of this chapter. As added by P.L.198-2016, SEC.191.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 11. Driver Licensing Medical Advisory Board9-14-11-2. Establishment of Driver Licensing Medical Advisory Board

Sec. 2. The driver licensing medical advisory board is established. As added by P.L.198-2016, SEC.191.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 11. Driver Licensing Medical Advisory Board9-14-11-3. Membership

Sec. 3. The board consists of five (5) members, of whom: (1) two (2) members must have unlimited licenses to practice medicine in Indiana, including one (1) neurologist with expertise in epilepsy; and (2) one (1) member must be licensed as an optometrist. The board members serve at the pleasure of the commissioner. [Pre-2016 Revision Citation: 9-14-4-2.] As added by P.L.198-2016, SEC.191.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 11. Driver Licensing Medical Advisory Board9-14-11-4. Reimbursement; Salary per Diem

Sec. 4. A board member is entitled to be reimbursed for travel expenses necessarily incurred in the performance of the member's duties and is also entitled to receive a salary per diem as prescribed by the budget agency. [Pre-2016 Revision Citation: 9-14-4-3.] As added by P.L.198-2016, SEC.191.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 11. Driver Licensing Medical Advisory Board9-14-11-5. Duties of Board

Sec. 5. The board shall provide the commissioner and the office of traffic safety created by IC 9-27-2-2 with assistance in the administration of Indiana driver licensing laws, including: (1) providing guidance to the commissioner in the area of licensing drivers with health or other problems that may adversely affect a driver's ability to operate a vehicle safely; (2) recommending factors to be used in determining qualifications and ability for issuance and retention of a driver's license; and (3) recommending and participating in the review of license suspension, restriction, or revocation appeal procedures, including reasonable investigation into the facts of the matter. [Pre-2016 Revision Citation: 9-14-4-4.] As added by P.L.198-2016, SEC.191.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 11. Driver Licensing Medical Advisory Board9-14-11-6. Request for Assistance by Commissioner

Sec. 6. The commissioner may request assistance from any of the board members at any time. [Pre-2016 Revision Citation: 9-14-4-5.] As added by P.L.198-2016, SEC.191.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 11. Driver Licensing Medical Advisory Board9-14-11-7. Exemption From Civil Actions

Sec. 7. A member of the board is exempt from a civil action arising or thought to arise from an action taken in good faith as a member of the board. [Pre-2016 Revision Citation: 9-14-4-6.] As added by P.L.198-2016, SEC.191.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 11. Driver Licensing Medical Advisory Board9-14-11-8. Practice of Medicine

Sec. 8. The evaluation of medical reports for the commissioner by a member of the board does not constitute the practice of medicine. This chapter does not authorize a person to engage in the practice of the healing arts or the practice of medicine as defined by law. [Pre-2016 Revision Citation: 9-14-4-7.] As added by P.L.198-2016, SEC.191.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 11. Driver Licensing Medical Advisory Board9-14-11-9. Physician Contract; Administration

Sec. 9. (a) The bureau may contract with a physician licensed to practice medicine in Indiana to assist in the administration of Indiana driver licensing laws under section 5(3) of this chapter. (b) Sections 7 and 8 of this chapter apply to a physician contracted under this section. (c) A physician contracted under this section is not a member of the board. As added by P.L.111-2021, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 12. Records of the Bureau9-14-12-1. Records Open to Public Inspection

Sec. 1. All records of the bureau, except: (1) those declared by law to be confidential; or (2) those containing personal information; must be open to public inspection during office hours in accordance with IC 5-14. [Pre-2016 Revision Citations: 9-14-3-1; 9-18-2.5-13.] As added by P.L.198-2016, SEC.192.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 12. Records of the Bureau9-14-12-2. Duties of Bureau

Sec. 2. The bureau shall maintain the following records: (1) All records related to or concerning certificates of title issued by the bureau under IC 9-17 and IC 9-31 (before its repeal), including the following: (A) An original certificate of title and all assignments and reissues of the certificate of title. (B) All documents submitted in support of an application for a certificate of title. (C) Any notations recorded on a certificate of title. (D) A listing of all reported buyback vehicles, including all vehicles in which a manufacturer accepts a return of a motor vehicle that is considered a buyback vehicle under IC 24-5-13.5, in accordance with IC 9-17-3-3.5. (E) Any inspection that is conducted: (i) by an employee of the bureau or commission; and (ii) with respect to a certificate of title issued by the bureau. (2) All records related to or concerning registrations issued under IC 9-18 (before its expiration), IC 9-18.1, or IC 9-31 (before its repeal), including the following: (A) The distinctive registration number assigned to each vehicle registered under IC 9-18 (before its expiration) or IC 9-18.1 or each watercraft registered under IC 9-31 (before its repeal). (B) All documents submitted in support of applications for registration. (3) All records related to or concerning physical credentials or mobile credentials issued by the bureau under IC 9-24, including applications and information submitted by applicants. (4) All driving records maintained by the bureau under section 3 of this chapter. (5) A record of each individual that acknowledges making an anatomical gift as set forth in IC 9-24-17. [Pre-2016 Revision Citations: 9-14-3-2; 9-14-3-5(a); subdivision (3) formerly 9-14-2-6; subdivision (4) formerly 9-14-3-7; 9-14-3-8(a); 9-14-3-8(b); 9-24-18-9; subdivision (5) formerly 9-24-17-9.] As added by P.L.198-2016, SEC.192. Amended by P.L.27-2018, SEC.1; P.L.164-2020, SEC.35; P.L.211-2023, SEC.21.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 12. Records of the Bureau9-14-12-3. Driving Record

Sec. 3. (a) For each individual licensed by the bureau to operate a motor vehicle, the bureau shall create and maintain a driving record that contains the following: (1) The individual's convictions for any of the following: (A) A moving traffic violation. (B) Operating a vehicle without financial responsibility in violation of IC 9-25. (2) Any administrative penalty imposed by the bureau. (3) Any suspensions, revocations, or reinstatements of the individual's driving privileges, license, or permit. (4) If the driving privileges of the individual have been suspended or revoked by the bureau, an entry in the record stating that a notice of suspension or revocation was mailed to the individual by the bureau or sent electronically if the individual has indicated a preference for receiving notices from the bureau electronically, and the date of the mailing or sending of the notice. (5) Any requirement that the individual may operate only a motor vehicle equipped with a certified ignition interlock device. A driving record may not contain voter registration information. (b) For an Indiana resident who does not hold any type of valid driving license, the bureau shall maintain a driving record as provided in IC 9-24-18-9. [Pre-2016 Revision Citations: 9-14-3-7(a); 9-14-3-7(b); subsection (b) formerly 9-14-3-8.] As added by P.L.198-2016, SEC.192. Amended by P.L.141-2024, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 12. Records of the Bureau9-14-12-4. Record Requests

Sec. 4. All requests for records maintained under this chapter must be: (1) submitted in writing; or (2) made electronically through the computer gateway administered under IC 4-13.1-2-2(a)(6) by the office of technology; to the bureau and, unless exempted by law, must be accompanied by the payment of the applicable fee prescribed in section 7 of this chapter. [Pre-2016 Revision Citation: 9-14-3-5(a).] As added by P.L.198-2016, SEC.192. Amended by P.L.134-2021, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 12. Records of the Bureau9-14-12-5. Certified Copies

Sec. 5. (a) Upon receiving a request that complies with section 4 of this chapter, the bureau shall prepare and deliver a certified copy of any record of the bureau that is not otherwise declared by law to be confidential. (b) A certified copy of a record obtained under subsection (a) is admissible in a court proceeding as if the copy were the original. However, a driving record maintained under section 3 of this chapter is not admissible as evidence in any action for damages arising out of a motor vehicle accident. (c) An electronic record of the bureau obtained from the bureau that bears an electronic signature is admissible in a court proceeding as if the copy were the original. [Pre-2016 Revision Citations: 9-14-3-4; subsection (b) formerly 9-14-3-7(d).] As added by P.L.198-2016, SEC.192.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 12. Records of the Bureau9-14-12-6. Requests by Law Enforcement and Government Agencies

Sec. 6. (a) The bureau shall give precedence to requests under this chapter from law enforcement agencies and agencies of government for certified copies of records. (b) The bureau may not impose a fee on a law enforcement agency, an agency of government, or an operator (as defined in IC 9-21-3.5-4) for a request made under this chapter. [Pre-2016 Revision Citations: 9-29-2-1(c); subsection (b) formerly 9-29-2-1(b).] As added by P.L.198-2016, SEC.192.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 12. Records of the Bureau9-14-12-7. Fees for Certified Copies

Sec. 7. (a) The fee for a certified copy of a record maintained by the bureau under this chapter is as follows: (1) For a record that is generated by the bureau's computer systems, including a driving record, four dollars ($4) for each certified copy requested. (2) For a record that is not generated by the bureau's computer systems, eight dollars ($8) for each certified copy requested. (b) A fee imposed under this section: (1) is instead of the uniform copying fee established under IC 5-14-3-8; and (2) shall be deposited in the motor vehicle highway account. [Pre-2016 Revision Citations: 9-29-2-1(a); 9-29-2-2(a); 9-29-2-2(b); 9-29-2-2(c); 9-29-2-2(d); 9-29-2-3.5; subsection (b) formerly 9-29-2-2(e).] As added by P.L.198-2016, SEC.192.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 12. Records of the Bureau9-14-12-8. Specific Written Requests; Fee; Permissible Uses; Violation

Sec. 8. (a) Upon the submission to the bureau of a specific written request for a compilation of specific information requested for the purposes described in subsection (c), the bureau may contract with the requesting person to compile the requested information from the records of the bureau. (b) The bureau may charge an amount agreeable to the parties for information compiled under subsection (a). (c) A person that makes a request under this section must certify that the information compiled in response to the request will be used for one (1) of the following purposes: (1) For notifying vehicle owners of vehicle defects and recalls. (2) For research or statistical reporting purposes. Individual identities will be properly protected in the preparation of the research or reports and not ascertainable from the published reports or research results. (3) For documenting the sale of motor vehicles in Indiana. (4) For

purposes of the federal Selective Service System. (5) Solely for law enforcement purposes by police officers. (6) For locating a parent described in IC 31-25-3-2(c) as provided under IC 31-25-3-2. (d) A person that requests information under this section for a purpose not specified in subsection (c) commits a Class C infraction. [Pre-2016 Revision Citations: 9-14-3-6; subsection (b) formerly 9-29-2-3; subsection (c) formerly 9-14-3-6(c); subsection (d) formerly 9-14-3-6(f).] As added by P.L.198-2016, SEC.192.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 12. Records of the Bureau9-14-12-9. Destruction or Disposal of Records

Sec. 9. The bureau may destroy or otherwise dispose of any records of the bureau: (1) in accordance with the bureau's record retention schedule; or (2) with permission from the Indiana archives and record administration under IC 5-15-5.1-14. [Pre-2016 Revision Citation: 9-14-3-3.] As added by P.L.198-2016, SEC.192.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 13. Privacy and Disclosure of Bureau Records9-14-13-1. Voter Registration Information

Sec. 1. (a) The bureau may not compile information concerning voter registration under this article. (b) Voter registration information received or maintained by the bureau is confidential. [Pre-2016 Revision Citations: 9-14-3-6(d); subsection (b) formerly 9-14-3-5(d); 9-14-3-5(e); 9-14-3-7(d); 9-14-3-8(c); 9-14-3.5-1; 9-16-7-6.] As added by P.L.198-2016, SEC.193.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 13. Privacy and Disclosure of Bureau Records9-14-13-10. Permissible Uses of Personal Information by an Authorized Recipient

Sec. 10. (a) An authorized recipient of personal information, except a recipient under section 7(11) or 7(12) of this chapter, may resell or redisclose the information for any use allowed under section 7 of this chapter, except for a use under section 7(11) or 7(12) of this chapter. (b) An authorized recipient of a record under section 7(11) of this chapter may resell or redisclose personal information for any purpose. (c) An authorized recipient of personal information under IC 9-14-12-8 and section 7(12) of this chapter may resell or redisclose the personal information for use only in accordance with section 7(12) of this chapter. (d) Except for a recipient under section 7(11) of this chapter, a recipient who resells or rediscloses personal information is required to maintain and make available for inspection to the bureau, upon request, for at least five (5) years, records concerning: (1) each person that receives the information; and (2) the permitted use for which the information was obtained. [Pre-2016 Revision Citation: 9-14-3.5-13.] As added by P.L.198-2016, SEC.193.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 13. Privacy and Disclosure of Bureau Records9-14-13-11. Violation

Sec. 11. A person requesting the disclosure of personal information or highly restricted personal information from bureau records who knowingly or intentionally misrepresents the person's identity or makes a false statement to the bureau on an application required to be submitted under this chapter commits a Class C misdemeanor. [Pre-2016 Revision Citation: 9-14-3.5-15.] As added by P.L.198-2016, SEC.193.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 13. Privacy and Disclosure of Bureau Records9-14-13-12. Report to Budget Committee

Sec. 12. Not later than December 1, 2023, and not later than December 1 of every year thereafter, the bureau shall provide a report to the budget committee that includes: (1) the amount of revenue received by the bureau in the calendar year in exchange for the disclosure of personal information or data to any person or entity; and (2) detailed, specific information on the bureau's use, or intended use, of the revenue described in subdivision (1). As added by P.L.108-2023, SEC.1. Amended by P.L.9-2024, SEC.309.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 13. Privacy and Disclosure of Bureau Records9-14-13-2. Disclosure of Certain Information

Sec. 2. (a) The bureau shall not disclose: (1) the Social Security number; (2) the federal identification number; (3) the driver's license number; (4) the digital image of the driver's license, identification card, or photo exempt identification card applicant; (5) a reproduction of the signature secured under IC 9-24-9-1, IC 9-24-16-2, or IC 9-24-16.5-2; or (6) medical or disability information; of any individual except as provided in subsection (b). (b) The bureau may disclose any information listed in subsection (a): (1) to a law enforcement officer; (2) to an agent or a designee of the department of state revenue; (3) for uses permitted under IC 9-14-13-7(1), IC 9-14-13-7(4), IC 9-14-13-7(6), and IC 9-14-13-7(9); or (4) for voter registration and election purposes required under IC 3-7, IC 3-11, or IC 9-24-2.5. [Pre-2016 Revision Citation: 9-14-3-5.] As added by P.L.198-2016, SEC.193. Amended by P.L.153-2024, SEC.27.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 13. Privacy and Disclosure of Bureau Records9-14-13-3. Confidential Records Related to Law Enforcement

Sec. 3. (a) If the governor, the superintendent of the state police department, or the highest officer located in Indiana of the Federal Bureau of Investigation, the United States Secret Service, or the United States Treasury Department certifies to the bureau that: (1)

an individual named in the certification is an officer or employee of a state, county, or city department or bureau with police power; (2) the nature of the individual's work or duties is of a secret or confidential nature; and (3) in the course of the individual's work the individual uses the motor vehicle described in the certification; the bureau shall regard all of the bureau's records concerning the certificate of title or certificate of registration of the motor vehicle and the driver's license of the individual described in the certification as confidential. (b) The bureau may disclose the records described in subsection (a) only upon one (1) of the following: (1) An order of a court with jurisdiction made in a cause or matter pending before the court. (2) The written request of the officer, employee, or a successor of the officer or employee making the certification. (3) A request of the governor. [Pre-2016 Revision Citation: 9-14-3-9.] As added by P.L.198-2016, SEC.193.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 13. Privacy and Disclosure of Bureau Records9-14-13-4. Registrants Under the International Registration Plan

Sec. 4. (a) The department of state revenue shall adopt rules under IC 4-22-2 providing for the release of a list of registrants under the International Registration Plan. (b) The list must be limited to the following: (1) The name of the registrant. (2) The complete address of the registrant. (3) The number of Indiana miles, total miles, and number of each type of vehicle registered by the registrant. (c) The list described in this section is not confidential. (d) Notwithstanding IC 5-14-3-8, the department of state revenue may charge for a list of registrants under this section an amount that is agreeable to the parties. [Pre-2016 Revision Citations: 9-14-3-10; subsection (d) formerly 9-14-3-10(d); 9-29-2-5.] As added by P.L.198-2016, SEC.193.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 13. Privacy and Disclosure of Bureau Records9-14-13-5. Prohibition Against Disclosure of Personal Information

Sec. 5. Except as otherwise provided in this chapter: (1) an officer or employee of the bureau; (2) an officer or employee of the bureau of motor vehicles commission; or (3) a contractor of the bureau or the bureau of motor vehicles commission (or an officer or employee of the contractor); may not knowingly disclose or otherwise make available personal information, including highly restricted personal information. [Pre-2016 Revision Citation: 9-14-3.5-7(a).] As added by P.L.198-2016, SEC.193.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 13. Privacy and Disclosure of Bureau Records9-14-13-6. Disclosure of Certain Personal Information for Federal Purposes

Sec. 6. Personal information related to: (1) motor vehicle or driver safety and theft; (2) motor vehicle emissions; (3) motor vehicle product alterations, recalls, or advisories; (4) performance monitoring of motor vehicles and dealers by motor vehicle manufacturers; and (5) the removal of nonowner records from the original owner records of motor vehicle manufacturers; must be disclosed under this chapter to carry out the purposes of the federal Automobile Information Disclosure Act (15 U.S.C. 1231 et seq.), the Anti-Car Theft Act of 1992 (49 U.S.C. 33101 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), and all federal regulations enacted or adopted under those acts. [Pre-2016 Revision Citation: 9-14-3.5-8.] As added by P.L.198-2016, SEC.193.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 13. Privacy and Disclosure of Bureau Records9-14-13-7. Disclosure of Personal Information Other Than Highly Restricted Personal Information for Certain Purposes

Sec. 7. The bureau may disclose certain personal information that is not highly restricted personal information if the person requesting the information provides proof of identity and represents that the use of the personal information will be strictly limited to at least one (1) of the following: (1) For use by a government agency, including a court or law enforcement agency, in carrying out its functions, or a person acting on behalf of a government agency in carrying out its functions. (2) For use in connection with matters concerning: (A) motor vehicle or driver safety and theft; (B) motor vehicle emissions; (C) motor vehicle product alterations, recalls, or advisories; (D) performance monitoring of motor vehicles, motor vehicle parts, and dealers; (E) motor vehicle market research activities, including survey research; (F) the removal of nonowner records from the original owner records of motor vehicle manufacturers; and (G) motor fuel theft under IC 24-4.6-5. (3) For use in the normal course of business by a business or its agents, employees, or contractors, but only: (A) to verify the accuracy of personal information submitted by an individual to the business or its agents, employees, or contractors; and (B) if information submitted to a business is not correct or is no longer correct, to obtain the correct information only for purposes of preventing fraud by pursuing legal remedies against, or recovering on a debt or security interest against, the individual. (4) For use in connection with a civil, a criminal, an administrative, or an arbitration proceeding in a court or government agency or before a self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or under an order of a court. (5) For use in research activities, and for use in producing statistical reports, as long as the personal information is not published, redisclosed, or used to contact the individuals who are the subject of the personal information. (6) For use by an insurer, an insurance support organization, or a self-insured entity, or the agents, employees, or contractors of an insurer, an insurance support organization, or a self-insured entity in connection with claims investigation activities, anti-fraud activities, rating, or underwriting. (7) For use in providing notice to the owners of towed or impounded vehicles. (8) For use by a licensed private investigative agency or licensed security service for a purpose allowed under this section. (9) For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under the Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C. 31131 et

seq.). (10) For use in connection with the operation of private toll transportation facilities. (11) For any use in response to requests for individual motor vehicle records when the bureau has obtained the written consent of the person to whom the personal information pertains. (12) For bulk distribution for surveys, marketing, or solicitations when the bureau has obtained the written consent of the person to whom the personal information pertains. (13) For use by any person, when the person demonstrates, in a form and manner prescribed by the bureau, that written consent has been obtained from the individual who is the subject of the information. (14) For any other use specifically authorized by law that is related to the operation of a motor vehicle or public safety. However, this section does not affect the use of anatomical gift information on a person's driver's license or identification document issued by the bureau, nor does this section affect the administration of anatomical gift initiatives in Indiana. [Pre-2016 Revision Citation: 9-14-3.5-10.] As added by P.L.198-2016, SEC.193.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 13. Privacy and Disclosure of Bureau Records9-14-13-8. Disclosure of Highly Restricted Personal Information

Sec. 8. Highly restricted personal information may be disclosed only as follows: (1) With the express written consent of the person to whom the highly restricted personal information pertains. (2) In the absence of the express written consent of the person to whom the highly restricted personal information pertains, if the person requesting the information: (A) provides proof of identity; and (B) represents that the use of the highly restricted personal information will be strictly limited to at least one (1) of the uses set forth in section 7(1), 7(4), 7(6), and 7(9) of this chapter. [Pre-2016 Revision Citation: 9-14-3.5-10.5.] As added by P.L.198-2016, SEC.193.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 13. Privacy and Disclosure of Bureau Records9-14-13-9. Conditions for Disclosure of Personal Information

Sec. 9. The bureau may, before disclosing personal information, require the requesting person to satisfy certain conditions for the purpose of ascertaining: (1) the correct identity of the requesting person; (2) that the use of the disclosed information will be only as authorized; or (3) that the consent of the person who is the subject of the information has been obtained. The conditions may include the making and filing of a written application on a form prescribed by the bureau and containing all information and certification requirements required by the bureau. [Pre-2016 Revision Citation: 9-14-3.5-12.] As added by P.L.198-2016, SEC.193.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 14. Funds9-14-14-1. Bureau of Motor Vehicles Commission Fund

Sec. 1. (a) The bureau of motor vehicles commission fund is established for the purpose of paying the expenses incurred in administering IC 9-14.1 and to defray expenses incurred by the bureau in verifying compliance with financial responsibility requirements under IC 9-25-9. The commission shall administer the fund. (b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. (c) Money in the fund at the end of a state fiscal year does not revert to the state general fund. (d) There is annually appropriated to the commission the money in the fund for its use in carrying out the purposes of IC 9-14.1, subject to the approval of the budget agency. (e) The fund consists of the following: (1) Money deposited in or distributed to the fund under this title. (2) Money deposited in the fund under IC 9-29-14-5 (before its repeal). (3) Money received from any other source, including appropriations. [Pre-2016 Revision Citations: subsection (a) formerly 9-29-14-1; subsection (b) formerly 9-29-14-2; subsection (c) formerly 9-29-14-3; subsection (d) formerly 9-29-14-4; subsection (e) formerly 9-29-14-5.] As added by P.L.198-2016, SEC.194. Amended by P.L.201-2023, SEC.118.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 14. Funds9-14-14-2. Motor Vehicle Odometer Fund

Sec. 2. (a) The motor vehicle odometer fund is established. The fund consists of the following: (1) Amounts deposited in the fund under this title. (2) Money deposited in the fund under IC 9-29-1-5 (before its repeal). (3) Money deposited in the fund from any other source. (b) All money in the motor vehicle odometer fund shall be allocated each July as follows: (1) Forty percent (40%) is to be deposited in the motor vehicle highway account (IC 8-14-1). (2) Thirty percent (30%) is to be appropriated to the bureau for use in enforcing odometer laws. (3) Twenty percent (20%) is to be appropriated to the state police for use in enforcing odometer laws. (4) Ten percent (10%) is to be appropriated to the attorney general for use in enforcing odometer laws. [Pre-2016 Revision Citation: 9-29-1-5.] As added by P.L.198-2016, SEC.194.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 14. Funds9-14-14-3. State Motor Vehicle Technology Fund

Sec. 3. (a) The state motor vehicle technology fund is established for the purpose of paying for new technology as it becomes available to carry out the functions of the bureau. The bureau shall administer the fund. This fund is in addition to normal budgetary appropriations. (b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. (c) Money in the fund at the end of a state fiscal year does not revert to the state general fund. (d) There is annually appropriated to the bureau the money in the fund to procure as the need arises: (1) computer equipment and software; (2) telephone equipment and software; (3) electronic queue systems; (4) other related devices; or

(5) technology services; subject to the approval of the budget agency. (e) The fund consists of the following: (1) Money deposited in or distributed to the fund under this title. (2) Money deposited in the fund under IC 9-29-16-5 (before its repeal). (3) Money received from any other source, including appropriations. [Pre-2016 Revision Citations: subsection (a) formerly 9-29-16-1; subsection (b) formerly 9-29-16-2; subsection (c) formerly 9-29-16-3; subsection (d) formerly 9-29-16-4; subsection (e) formerly 9-29-16-5.] As added by P.L.198-2016, SEC.194.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 14. Funds9-14-14-5. Allocation of Money in the Highway, Road and Street Fund

Sec. 5. Money distributed to or deposited in the highway, road and street fund under this title shall be allocated as follows: (1) To the state highway fund as provided in IC 8-14-2-3. (2) To the local road and street account as provided in IC 8-14-2-4. [Pre-2016 Revision Citation: 9-29-1-11.] As added by P.L.198-2016, SEC.194. Amended by P.L.211-2019, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 6. Definitions9-14-6-1. Applicability of Chapter

Sec. 1. The definitions in this chapter apply throughout this article. As added by P.L.198-2016, SEC.186.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 6. Definitions9-14-6-2. "Disclose"

Sec. 2. "Disclose" means to engage in a practice or conduct to make available and make known personal information contained in a record about a person to another person by any means of communication. [Pre-2016 Revision Citations: 9-13-2-43.5; 9-14-3.5-2.] As added by P.L.198-2016, SEC.186.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 6. Definitions9-14-6-3. "Electronic Record"

Sec. 3. "Electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means. [Pre-2016 Revision Citation: 9-14-3-0.5.] As added by P.L.198-2016, SEC.186.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 6. Definitions9-14-6-4. "Electronic Signature"

Sec. 4. "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record. [Pre-2016 Revision Citation: 9-14-3-0.8.] As added by P.L.198-2016, SEC.186.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 6. Definitions9-14-6-5. "Highly Restricted Personal Information"

Sec. 5. "Highly restricted personal information" means the following information that identifies an individual: (1) Digital photograph or image. (2) Social Security number. (3) Medical or disability information. [Pre-2016 Revision Citations: 9-13-2-72.7; 9-14-3.5-2.5.] As added by P.L.198-2016, SEC.186.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 6. Definitions9-14-6-6. "Personal Information"

Sec. 6. "Personal information" means information that identifies an individual, including an individual's: (1) digital photograph or image; (2) Social Security number; (3) driver's license or identification document number; (4) name; (5) address (but not the ZIP code); (6) telephone number; or (7) medical or disability information. The term does not include information about vehicular accidents, driving or equipment related violations, and driver's license or registration status. [Pre-2016 Revision Citations: 9-13-2-124.5; 9-14-3.5-5.] As added by P.L.198-2016, SEC.186.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 6. Definitions9-14-6-7. "Record"

Sec. 7. "Record" means any information, books, papers, photographs, photostats, cards, films, tapes, recordings, electronic data, printouts, or other documentary materials, regardless of medium, that are created or maintained by the bureau. [Pre-2016 Revision Citations: 9-13-2-149.5; 9-14-3.5-6.] As added by P.L.198-2016, SEC.186.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 7. Creation and Organization of Bureau of Motor Vehicles9-14-7-1. Creation of Bureau

Sec. 1. The bureau of motor vehicles is created. [Pre-2016 Revision Citation: 9-14-1-1.] As added by P.L.198-2016, SEC.187.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 7. Creation and Organization of Bureau of Motor Vehicles9-14-7-2. Appointment of Commissioner of Bureau

Sec. 2. The governor shall appoint a commissioner to administer the bureau. The commissioner serves at the pleasure of the

governor. Subject to IC 4-12-1-13, the governor shall fix the salary of the commissioner at the time of appointment. [Pre-2016 Revision Citation: 9-14-1-2.] As added by P.L.198-2016, SEC.187.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 8. Powers and Duties of the Bureau and the Commissioner9-14-8-1. Duties of Commissioner

Sec. 1. The commissioner shall do the following: (1) Administer and enforce: (A) this title and other statutes concerning the bureau; and (B) the policies and procedures of the bureau. (2) Organize the bureau in the manner necessary to carry out the duties of the bureau, including by appointing and fixing the salaries of the deputies, subordinate officers, clerks, and other employees necessary to carry out this title, IC 6-6-5, IC 6-6-5.1, IC 6-6-5.5, and IC 6-6-11. (3) Submit budget proposals for the bureau to the budget director before September 1 of each year. (4) Not later than August 1 of each year, prepare for the interim study committee on roads and transportation a report that includes updates on the following: (A) Significant policy changes, including changes in implementation. (B) Contracts with third parties for performance of department responsibilities and functions. (C) Projects or other undertakings required by law. (D) Any other information requested by the study committee. The report must be submitted in an electronic format under IC 5-14-6. (5) Design and procure a seal of office for the bureau. (6) Appoint members to the driver licensing medical advisory board under IC 9-14-11-3. (7) Operate or be responsible for the administration of all license branches in Indiana under IC 9-14.1. (8) Assign to license branches those functions that: (A) the commission or the bureau is legally required or authorized to perform; and (B) cannot be adequately performed by the commission or the bureau without assistance from the license branches. (9) Perform other duties as required by the bureau. [Pre-2016 Revision Citations: 9-14-2-1; subdivision (2) formerly 9-14-1-4; subdivision (5) formerly 9-14-1-3; subdivision (6) formerly 9-14-4-1; subdivision (7) formerly 9-16-1-2; subdivision (8) formerly 9-16-1-3(b).] As added by P.L.198-2016, SEC.188.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 8. Powers and Duties of the Bureau and the Commissioner9-14-8-2-b. Duties of Bureau

Note: This version of section effective 1-1-2025. See also preceding version of this section, effective until 1-1-2025. Sec. 2. The bureau shall do the following: (1) Prescribe and provide all forms necessary to carry out any laws or rules administered and enforced by the bureau. Each form must state the law or rule making the form necessary. (2) Maintain records under IC 9-14-12. (3) At the close of the calendar year, make a final settlement for all the money in accounts administered by the bureau and make any necessary adjustments to meet the intent of IC 8-14-2. [Pre-2016 Revision Citations: 9-14-2-4; subdivision (2) formerly 9-14-2-6; subdivision (3) formerly 9-29-1-3.] As added by P.L.198-2016, SEC.188. Amended by P.L.141-2024, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 8. Powers and Duties of the Bureau and the Commissioner9-14-8-2. Duties of Bureau

Note: This version of section effective until 1-1-2025. See also following version of this section, effective 1-1-2025. Sec. 2. The bureau shall do the following: (1) Prescribe and provide all forms necessary to carry out any laws or rules administered and enforced by the bureau. (2) Maintain records under IC 9-14-12. (3) At the close of the calendar year, make a final settlement for all the money in accounts administered by the bureau and make any necessary adjustments to meet the intent of IC 8-14-2. [Pre-2016 Revision Citations: 9-14-2-4; subdivision (2) formerly 9-14-2-6; subdivision (3) formerly 9-29-1-3.] As added by P.L.198-2016, SEC.188.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 8. Powers and Duties of the Bureau and the Commissioner9-14-8-3. Powers of Bureau

Sec. 3. The bureau may do the following: (1) Adopt and enforce rules under IC 4-22-2 that are necessary to carry out this title. (2) Subject to the approval of the commission, request the necessary office space, storage space, and parking facilities for each license branch operated by the commission from the Indiana department of administration as provided in IC 4-20.5-5-5. (3) Upon any reasonable ground appearing on the records of the bureau and subject to rules and guidelines of the bureau, suspend or revoke the following: (A) The current driving privileges or driver's license of any individual. (B) The certificate of registration and proof of registration for any vehicle. (C) The certificate of registration and proof of registration for any watercraft, off-road vehicle, or snowmobile. (4) With the approval of the commission, adopt rules under IC 4-22-2 to do the following: (A) Increase or decrease any fee or charge imposed under this title. (B) Impose a fee on any other service for which a fee is not imposed under this article. (C) Increase or decrease a fee imposed under clause (B). (D) Designate the fund or account in which a: (i) fee increase under clause (A) or (C); or (ii) new fee under clause (B); shall be deposited. [Pre-2016 Revision Citations: 9-14-2-2; subdivision (1) formerly 9-14-3.5-14; 9-18-11-13; 9-18-12.5-6(c); 9-18-13-4(c); 9-18-15-14; 9-18-2.5-15; 9-18-4-7; 9-18-23-5; 9-24-6.5-3; 9-24-9-7; 9-24-11-4(e); 9-24-11-5(h); 9-24-16.5-7; 9-25-8-3; 9-28-5.1-5; 9-29-9-3.5; 9-30-4-14; 9-30-6-4; 9-31-1-5; subdivision (2) formerly 9-16-2-2; subdivision (3) formerly 9-30-4-1; subdivision (4) formerly 9-29-1-12.] As added by P.L.198-2016, SEC.188.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 8. Powers and Duties of the Bureau and the Commissioner9-14-8-4. Internal Audit and Review of Bureau

Sec. 4. The bureau is subject to internal audit and review under IC 5-11-1-28. [Pre-2016 Revision Citation: 9-14-2-9.] As added by P.L.198-2016, SEC.188.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 9. Creation and Organization of the Bureau of Motor Vehicles Commission9-14-9-1. Establishment of Bureau of Motor Vehicles Commission

Sec. 1. The bureau of motor vehicles commission is established. The commission is a body corporate and politic, and though separate from the state, the exercise by the commission of the commission's powers constitutes an essential governmental function. The commission may sue and be sued and plead and be impleaded. [Pre-2016 Revision Citation: 9-15-1-1.] As added by P.L.198-2016, SEC.189.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 9. Creation and Organization of the Bureau of Motor Vehicles Commission9-14-9-2. Membership of Commission Board

Sec. 2. The commission board acts on behalf of the commission and consists of the following five (5) members: (1) Four (4) individuals, not more than two (2) of whom may be members of the same political party, who are appointed by the governor. An individual appointed under this subdivision: (A) serves for a term of four (4) years; (B) may not hold any other public office or serve as a state or local employee while serving as a commission board member; and (C) shall devote as much time as is needed to carry out the commission board's obligations, but is not required to devote full time to the commission board. (2) The commissioner, who: (A) shall serve as chair of the commission board; and (B) is responsible for calling commission board meetings. [Pre-2016 Revision Citation: 9-15-1-2(a).] As added by P.L.198-2016, SEC.189.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 9. Creation and Organization of the Bureau of Motor Vehicles Commission9-14-9-3. Membership of Commission

Sec. 3. The commission consists of the following: (1) All officers and employees of the license branches. (2) Other officers and employees designated by the commission board as commission employees. [Pre-2016 Revision Citation: 9-15-1-2(b).] As added by P.L.198-2016, SEC.189.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 9. Creation and Organization of the Bureau of Motor Vehicles Commission9-14-9-4. Quorum

Sec. 4. Three (3) commission board members constitute a quorum. The consent of three (3) commission board members is required before any action may be taken. [Pre-2016 Revision Citation: 9-15-1-3.] As added by P.L.198-2016, SEC.189.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 9. Creation and Organization of the Bureau of Motor Vehicles Commission9-14-9-5. Salary per Diem; Reimbursement

Sec. 5. (a) Each member of the commission board appointed under section 2(1) of this chapter is entitled to: (1) the minimum salary per diem provided by IC 4-10-11-2.1(b); and (2) reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency. (b) The commissioner, in the capacity as chair of the commission board, is entitled to reimbursement as a state employee for traveling expenses and other expenses actually incurred in connection with the chair's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency. [Pre-2016 Revision Citation: 9-15-1-4.] As added by P.L.198-2016, SEC.189.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 9. Creation and Organization of the Bureau of Motor Vehicles Commission9-14-9-6. Duties

Sec. 6. The commission shall: (1) develop a statewide license branch budget; and (2) on a date specified by the budget agency of each even-numbered year, submit to the budget agency a proposed budget. [Pre-2016 Revision Citations: 9-16-3-2; subdivision (2) formerly 9-16-3-3.] As added by P.L.198-2016, SEC.189.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 9. Creation and Organization of the Bureau of Motor Vehicles Commission9-14-9-7. Tort Claim Immunity

Sec. 7. IC 34-13-3 applies to a claim or suit in tort against any of the following: (1) A member of the commission board. (2) An employee of the commission. (3) The commission. [Pre-2016 Revision Citation: 9-15-4-1.] As added by P.L.198-2016, SEC.189. Amended by P.L.111-2021, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 9. Creation and Organization of the Bureau of Motor Vehicles Commission9-14-9-8. Commission Property

Sec. 8. Property of the commission is public property devoted to an essential public and governmental function and purpose and is exempt from all taxes and special assessments of the state or a political subdivision of the state. [Pre-2016 Revision Citation: 9-16-2-4.] As added by P.L.198-2016, SEC.189.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 14. Bureau of Motor VehiclesChapter 9. Creation and Organization of the Bureau of Motor Vehicles Commission9-14-9-9. Audit by State Board of Accounts

Sec. 9. The state board of accounts shall audit all accounts of the commission. [Pre-2016 Revision Citation: 9-15-3-1.] As added by P.L.198-2016, SEC.189.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 1. Application9-17-1-0.5. Applicability of Article

Sec. 0.5. The following are required to be titled under this article: (1) Off-road vehicles. (2) Watercraft. (3) Manufactured or mobile homes that are: (A) personal property not held for resale; or (B) not attached to real estate by a permanent foundation. As added by P.L.198-2016, SEC.198.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 1. Application9-17-1-1. Applicability

Sec. 1. (a) This article does not apply to the following: (1) A vehicle that is not required to be registered under IC 9-18-2 (before its expiration) or IC 9-18.1. (2) Special machinery. (3) A motor vehicle that was designed to have a maximum design speed of not more than twenty-five (25) miles per hour and that was built, constructed, modified, or assembled by a person other than the manufacturer. (4) Motor driven cycles. (5) An off-road vehicle that was purchased or otherwise acquired before January 1, 2010. (6) Snowmobiles. (7) A watercraft that is not required to be registered under IC 9-31-3 (before its repeal) or IC 9-18.1-14.5. (b) Notwithstanding subsection (a), a person may apply for: (1) a certificate of title under IC 9-17-2-2; or (2) a special identification number under IC 9-17-4; for a vehicle listed in subsection (a). (c) If the bureau issues a certificate of title under subsection (b)(1), the vehicle remains subject to this article until the titleholder surrenders the title to the bureau. [Pre-1991 Recodification Citation: 9-8-12-2 part; Pre-2016 Revision Citations: subsection (a) formerly 9-17-2-1.5; 9-31-2-2(a).] As added by P.L.2-1991, SEC.5. Amended by P.L.21-2003, SEC.4; P.L.150-2009, SEC.5; P.L.182-2009(ss), SEC.284; P.L.125-2012, SEC.70; P.L.259-2013, SEC.10; P.L.262-2013, SEC.19; P.L.221-2014, SEC.17; P.L.149-2015, SEC.31; P.L.180-2015, SEC.6; P.L.198-2016, SEC.199; P.L.164-2020, SEC.36.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 2. General Procedures for Obtaining Certificates of Title9-17-2-0.5. "Registered Importer"

Sec. 0.5. As used in this chapter, "registered importer" means a person that is: (1) registered as an importer with the National Highway Traffic Safety Administration; (2) a licensed dealer currently in good standing with the state; and (3) a validated member of the United States Department of Homeland Security's Customs-Trade Partnership Against Terrorism (C-TPAT) administered by the United States Customs and Border Protection. As added by P.L.107-2008, SEC.9; P.L.131-2008, SEC.37.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 2. General Procedures for Obtaining Certificates of Title9-17-2-1. Vehicles Requiring Certificates of Title; Proof of Residency; Violation

Sec. 1. (a) Except as provided in IC 9-17-1-1 and subsection (b), a person must obtain a certificate of title under this article for all vehicles that are: (1) owned by the person; and (2) either: (A) titled under this article by application of IC 9-17-1-0.5 or IC 9-17-1-1(c); or (B) registered under IC 9-18 (before its expiration) or IC 9-18.1. (b) A nonresident that owns a vehicle may declare Indiana as the nonresident's base without obtaining a certificate of title for the vehicle if: (1) the nonresident's state of residence is not a member of the International Registration Plan; and (2) the nonresident presents to the bureau satisfactory proof of ownership of the vehicle from the originating state. (c) A person that obtains a certificate of title for a type of vehicle that must be registered under IC 9-18 (before its expiration) or IC 9-18.1 shall register the vehicle in Indiana under IC 9-18 (before its expiration) or IC 9-18.1. (d) A person must obtain a certificate of title for all vehicles owned by the person not later than sixty (60) days after becoming an Indiana resident. Upon request by the bureau, a person must produce evidence concerning the date on which the person became an Indiana resident. (e) Except as provided in subsection (b), an individual who operates a vehicle without a certificate of title commits a Class C infraction. [Pre-1991 Recodification Citation: 9-1-4-21.2(b) part; Pre-2016 Revision Citation: subsection (c) formerly 9-17-2-17.] As added by P.L.2-1991, SEC.5. Amended by P.L.181-1999, SEC.10; P.L.219-2005, SEC.4; P.L.131-2008, SEC.38; P.L.125-2012, SEC.71; P.L.262-2013, SEC.20; P.L.188-2015, SEC.4; P.L.198-2016, SEC.201.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 2. General Procedures for Obtaining Certificates of Title9-17-2-12. Inspection of Vehicle; Fee Charged by Inspecting Police Officer

Sec. 12. (a) This section does not apply to the following: (1) A trailer or semitrailer. (2) A new motor vehicle or recreational vehicle sold by a dealer licensed under IC 9-32. (3) A vehicle transferred or assigned on a certificate of title issued by the bureau. (4) A vehicle that is registered under the International Registration Plan. (5) A vehicle that is titled in the name of a financial institution, lending institution, or insurance company in Canada and imported by a registered importer, if the registered importer provides: (A) a copy of the registered importer's validation agreement issued by the United States customs and border protection; (B) a copy of the entry summary issued by the United States customs and border protection (CBP form 7501); and (C) a vehicle history report issued

by an independent provider of vehicle history information that includes the vehicle's title information, odometer readings, and number of owners. (6) A vehicle that is titled in another state and is in the lawful possession of a financial institution, a lending institution, an insurance company, a vehicle rental company, a vehicle leasing company, or a lessee of a vehicle leasing company if the financial institution, lending institution, insurance company, vehicle rental company, vehicle leasing company, or lessee of a vehicle leasing company: (A) provides a vehicle history report issued by an independent provider of vehicle history information that includes the vehicle's: (i) title information; (ii) odometer readings; and (iii) number of owners; and (B) maintains a copy of all documentation required under this subsection for at least ten (10) years. (7) A vehicle that is purchased in another state and titled in Indiana by a vehicle rental company or a vehicle leasing company if the vehicle rental company or vehicle leasing company: (A) provides a vehicle history report issued by an independent provider of vehicle history information that includes the vehicle's: (i) title information; (ii) odometer readings; and (iii) number of owners; and (B) maintains a copy of all documentation required under this subsection for at least ten (10) years. (b) Subject to subsection (d), an application for a certificate of title for a vehicle may not be accepted by the bureau unless the vehicle has been inspected by one (1) of the following: (1) An employee of a dealer licensed under IC 9-32. (2) A military police officer assigned to a military post in Indiana. (3) A police officer. (4) A designated employee of the bureau. (5) An employee of a qualified person operating under a contract with the commission. (6) An employee of a dealer that is: (A) licensed as a motor vehicle dealer in a state other than Indiana; and (B) approved by the bureau. (c) A person described in subsection (b) inspecting a vehicle shall do the following: (1) Make a record of inspection upon the application form prepared by the bureau. (2) Verify the facts set out in the application. (d) The bureau may accept an inspection performed by a police officer from a jurisdiction outside Indiana if the bureau determines that an inspection performed by an individual described in subsection (b) is unavailable or otherwise insufficient to complete an application for a certificate of title. (e) A police officer who makes an inspection under this section may charge a fee, subject to the following: (1) The fee must be established by ordinance adopted by the unit (as defined in IC 36-1-2-23) that employs the police officer. (2) The fee may not exceed five dollars ($5). (3) The revenue from the fee shall be deposited in the following manner: (A) A special vehicle inspection fund if the police officer making the inspection is a member of the county sheriff's department. The fiscal body of the unit must appropriate the money from the inspection fund only for law enforcement purposes. (B) A local law enforcement continuing education fund established by IC 5-2-8-2 if the police officer making the inspection is a member of a city or town police department, a town marshal, a town marshal deputy, a conservancy district marshal, or a deputy conservancy district marshal. [Pre-1991 Recodification Citation: 9-1-2-1(h) part; (i) part; Pre-2016 Revision Citation: subsection (e) formerly 9-29-4-2.] As added by P.L.2-1991, SEC.5. Amended by P.L.81-1991, SEC.4; P.L.117-1993, SEC.1; P.L.113-1995, SEC.1; P.L.2-1996, SEC.222; P.L.106-2008, SEC.3; P.L.107-2008, SEC.10; P.L.131-2008, SEC.40; P.L.1-2009, SEC.78; P.L.109-2011, SEC.2; P.L.262-2013, SEC.22; P.L.198-2016, SEC.211; P.L.120-2020, SEC.18; P.L.122-2023, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 2. General Procedures for Obtaining Certificates of Title9-17-2-13.5. Speed Title Fee

Sec. 13.5. (a) The bureau may impose an additional fee of twenty-five dollars ($25) if the bureau processes a vehicle title in a period of time that is substantially shorter than the normal processing period. The bureau shall deposit the fee in the commission fund. (b) A fee imposed under this section is in addition to any other fee imposed under this article. [Pre-2016 Revision Citation: 9-29-4-8.] As added by P.L.198-2016, SEC.214.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 2. General Procedures for Obtaining Certificates of Title9-17-2-14.5. Determination of Authenticity, Regularity, or Legality of Application; Fee; Delivery of Certificate of Title; Exceptions

Sec. 14.5. (a) The bureau may: (1) make investigations or require additional information; and (2) reject an application or request; if the bureau is not satisfied of the genuineness, regularity, or legality of an application or the truth of a statement in an application, or for any other reason. (b) If the bureau is satisfied that the person applying for a certificate of title for a vehicle is the owner of the vehicle, the bureau shall issue a certificate of title for the vehicle after the person pays the applicable fee under subsection (c) or (d). (c) The fee for a certificate of title for a vehicle other than a watercraft is fifteen dollars ($15). Except as provided in subsection (e), the fee shall be distributed as follows: (1) Fifty cents ($0.50) to the state motor vehicle technology fund. (2) To the motor vehicle highway account as follows: (A) For a title issued before January 1, 2017, one dollar ($1). (B) For a title issued after December 31, 2016, three dollars and twenty-five cents ($3.25). (3) For a title issued before January 1, 2017, three dollars ($3) to the highway, road and street fund. (4) Five dollars ($5) to the crossroads 2000 fund. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) To the commission fund as follows: (A) For a title issued before January 1, 2017, four dollars and twenty-five cents ($4.25). (B) For a title issued after December 31, 2016, five dollars ($5). (d) The fee for a certificate of title for a watercraft is as follows: (1) For a certificate of title issued before January 1, 2017, fifteen dollars and fifty cents ($15.50). The fee shall be distributed as follows: (A) Fifty cents ($0.50) to the state motor vehicle technology fund. (B) Two dollars ($2) to the crossroads 2000 fund. (C) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (D) Four dollars and seventy-five cents ($4.75) to the commission fund. (E) Seven dollars ($7) to the department of natural resources. (2) For a certificate of title issued after December 31, 2016, fifteen dollars ($15). The fee shall be distributed as follows: (A) Fifty cents ($0.50) to the state motor vehicle technology fund. (B) Three dollars and twenty-five cents ($3.25) to the motor vehicle highway account. (C) Five dollars ($5) to the crossroads 2000 fund. (D) One dollar and twenty-five cents ($1.25) to the integrated

public safety communications fund. (E) Five dollars ($5) to the commission fund. (e) Fees paid by dealers under this section shall be deposited in the motor vehicle odometer fund. (f) Except as provided in subsection (g), the bureau shall deliver a certificate of title: (1) to the person that owns the vehicle for which the certificate of title was issued, if no lien or encumbrance appears on the certificate of title; or (2) if a lien or an encumbrance appears on the certificate of title, to the person that holds the lien or encumbrance as set forth in the application for the certificate of title. (g) If a certificate of title is maintained electronically by the bureau, the bureau is not required to physically deliver the certificate of title but shall provide notification: (1) to the person who owns the vehicle for which the certificate of title was issued, if no lien or encumbrance appears on the certificate of title; or (2) if a lien or an encumbrance appears on the certificate of title, to the person that holds the lien or an encumbrance as set forth in the application for the certificate of title. [Pre-2016 Revision Citations: subsection (c) formerly 9-29-4-3(a); 9-29-4-3.5; 9-29-4-9; subsection (e) formerly 9-29-4-7; subsection (f) formerly 9-17-2-11.] As added by P.L.198-2016, SEC.215. Amended by P.L.256-2017, SEC.102; P.L.27-2018, SEC.3; P.L.141-2024, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 2. General Procedures for Obtaining Certificates of Title9-17-2-14.7. Delinquent Titles; Administrative Penalty

Sec. 14.7. (a) This section does not apply to a mobile home or a manufactured home. (b) Except as provided in subsection (c), a person must apply for a certificate of title for a vehicle within forty-five (45) days after the date on which the person acquires the vehicle. (c) A person that acquires a vehicle through a transfer on death conveyance under IC 9-17-3-9 must apply for a certificate of title for the vehicle within sixty (60) days after the date on which the person acquires the vehicle. (d) A person that owns a vehicle and becomes an Indiana resident must apply for a certificate of title for the vehicle within sixty (60) days after the date on which the person becomes an Indiana resident. (e) A person that violates this section with respect to a certificate of title for a vehicle other than a watercraft shall pay to the bureau an administrative penalty as follows: (1) For a violation that occurs before January 1, 2017, an administrative penalty of twenty-one dollars and fifty cents ($21.50). The administrative penalty shall be distributed as follows: (A) Twenty-five cents ($0.25) to the crossroads 2000 fund. (B) Fifty cents ($0.50) to the state motor vehicle technology fund. (C) Three dollars ($3) to the highway, road and street fund. (D) Five dollars ($5) to the motor vehicle highway account. (E) One dollar and fifty cents ($1.50) to the integrated public safety communications fund. (F) Eleven dollars and twenty-five cents ($11.25) to the commission fund. (2) For a violation that occurs after December 31, 2016, an administrative penalty of thirty dollars ($30). The administrative penalty shall be distributed as follows: (A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (B) Twenty-eight dollars and seventy-five cents ($28.75) to the commission fund. (f) A person that violates this section with respect to a certificate of title for a watercraft shall pay to the bureau an administrative penalty as follows: (1) For a violation that occurs before January 1, 2017, an administrative penalty of twenty dollars ($20). The administrative penalty shall be distributed as follows: (A) Three dollars ($3) to the crossroads 2000 fund. (B) Eight dollars ($8) to the department of natural resources. (C) Nine dollars ($9) to the commission fund. (2) For a violation that occurs after December 31, 2016, an administrative penalty of thirty dollars ($30). The administrative penalty shall be distributed as follows: (A) Twenty-five cents ($0.25) to the state construction fund. (B) Two dollars and fifty cents ($2.50) to the commission fund. (C) Twenty-seven dollars and twenty-five cents ($27.25) to the department of natural resources. [Pre-2016 Revision Citations: 9-29-4-4; subsection (e) formerly 9-29-4-4(b).] As added by P.L.198-2016, SEC.216. Amended by P.L.256-2017, SEC.103; P.L.108-2019, SEC.161.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 2. General Procedures for Obtaining Certificates of Title9-17-2-15. Sale, Purchase, or Possession of Certificate Not Issued by Bureau; Class C Misdemeanor

Sec. 15. A person that knowingly sells, offers to sell, buys, possesses, or offers as genuine a certificate of title for a vehicle that is required to be issued by the bureau and has not been issued by the: (1) bureau under this article; or (2) appropriate governmental authority of another state; commits a Class C misdemeanor. [Pre-1991 Recodification Citations: 9-1-4-47 part; 9-1-4-53(a) part.] As added by P.L.2-1991, SEC.5. Amended by P.L.198-2016, SEC.217.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 2. General Procedures for Obtaining Certificates of Title9-17-2-18. Watercraft Certificate of Title; Failure to Surrender; Violation

Sec. 18. A person that owns a watercraft commits a Class A infraction if the person does any of the following: (1) Allows the watercraft to be operated in Indiana without having a certificate of title as required under this title. (2) Fails to surrender the certificate of title for the watercraft to the bureau if the bureau cancels the certificate of title. (3) Fails to surrender the certificate of title for the watercraft to the bureau if the watercraft is: (A) destroyed; (B) dismantled; or (C) changed in a manner that the watercraft is no longer the watercraft described in the certificate of title. As added by P.L.198-2016, SEC.219.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 2. General Procedures for Obtaining Certificates of Title9-17-2-19. Validity of Certificate of Title Issued for Manufactured or Mobile Home

Sec. 19. A certificate of title issued for a manufactured or mobile home is valid for the life of the manufactured or mobile home: (1) as long as the manufactured or mobile home is owned or held by the original holder of the certificate of title or a legal transferee of the certificate of title; or (2) until the manufactured or mobile home is transferred to real estate under section 15.1 of this chapter. As added by P.L.198-2016, SEC.220.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 2. General Procedures for Obtaining Certificates of Title9-17-2-2. Application; Contents

Sec. 2. (a) A person applying for a certificate of title for a vehicle must submit an application in the form and manner prescribed by the bureau and provide the following information: (1) A full description of the vehicle, including the make, model, and year of manufacture of the vehicle. (2) A statement of any liens, mortgages, or other encumbrances on the vehicle. (3) The vehicle identification number or special identification number of the vehicle. (4) The former title number, if applicable. (5) The purchase or acquisition date. (6) The name and Social Security number or federal identification number of the person. (7) Any other information that the bureau requires, including a valid permit to transfer title issued under IC 6-1.1-7-10, if applicable. (b) This subsection applies only to a person that receives an interest in a vehicle under IC 9-17-3-9. To obtain a certificate of title for the vehicle, the person must do the following: (1) Surrender the certificate of title designating the person as a transfer on death beneficiary. (2) Submit proof of the transferor's death. (3) Submit an application for a certificate of title in the form and manner prescribed by the bureau. [Pre-1991 Recodification Citation: 9-1-2-1(a) part.] As added by P.L.2-1991, SEC.5. Amended by P.L.83-2008, SEC.3; P.L.125-2012, SEC.72; P.L.81-2015, SEC.1; P.L.198-2016, SEC.203.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 2. General Procedures for Obtaining Certificates of Title9-17-2-3. Oath and Affirmation; Signature; Transfer Statement

Sec. 3. (a) The application described under section 2 of this chapter must include the following printed statement: "I swear or affirm that the information I have entered on this form is correct. I understand that making a false statement on this form may constitute the crime of perjury.". (b) The person applying for the certificate of title must sign the form directly below the printed statement. [Pre-1991 Recodification Citation: 9-1-2-1(a) part.] As added by P.L.2-1991, SEC.5. Amended by P.L.131-2008, SEC.39; P.L.125-2012, SEC.73.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 2. General Procedures for Obtaining Certificates of Title9-17-2-4. Information Accompanying Application for Certificate of Title; Certificate of Title Format

Sec. 4. (a) Except as provided in subsection (b), an application for a certificate of title for a vehicle for which a certificate of title has been issued previously must be accompanied by the previously issued certificate of title. (b) An application for a certificate of title submitted only to remove a satisfied lien is not required to be accompanied by the previously issued certificate of title if the application is accompanied by a written instrument: (1) on the lienholder's letterhead; (2) identifying the vehicle identification number; and (3) stating that the lien has been satisfied. (c) An application for a certificate of title for a vehicle for which a certificate of title has not been issued previously must be accompanied by the following: (1) If the vehicle is in Indiana, a manufacturer's certificate of origin as provided in IC 9-32-5-3. (2) If the vehicle is brought into Indiana from another state, the following: (A) A sworn bill of sale or dealer's invoice fully describing the vehicle. (B) The most recent registration receipt issued for the vehicle. (C) Any other information that the bureau requires to establish ownership. (d) A certificate of title may be possessed either in printed form or electronic form. [Pre-1991 Recodification Citation: 9-1-2-1(a) part; Pre-2016 Revision Citation: subsection (b) formerly 9-17-2-5.] As added by P.L.2-1991, SEC.5. Amended by P.L.125-2012, SEC.74; P.L.92-2013, SEC.39; P.L.198-2016, SEC.204; P.L.27-2018, SEC.2; P.L.120-2020, SEC.17.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 2. General Procedures for Obtaining Certificates of Title9-17-2-6. Odometer Reading; False Information; Bureau Immunity; Violation

Sec. 6. (a) An application for a certificate of title for a vehicle must contain the odometer reading of the vehicle in miles or kilometers as of the date of sale or transfer of the vehicle to the applicant. (b) Subsection (a) does not apply to the following: (1) A vehicle described in IC 9-17-1-1(b)(1). (2) A vehicle described in IC 9-17-1-1(c). (3) A manufactured or mobile home. (4) An off-road vehicle. (5) A watercraft. (6) A vehicle that is required to be registered under this title at a declared gross weight of more than sixteen thousand (16,000) pounds. (c) A person shall not knowingly furnish to the bureau odometer information that does not accurately indicate the total recorded miles or kilometers on the vehicle. (d) The bureau and its license branches are not subject to a criminal or civil action by a person for an invalid odometer reading on a certificate of title. (e) A person that: (1) fails to provide an odometer reading as required under subsection (a); or (2) knowingly provides an erroneous odometer reading for purposes of subsection (c); commits a Class B infraction. [Pre-1991 Recodification Citation: 9-1-2-1(c) part.] As added by P.L.2-1991, SEC.5. Amended by P.L.95-1997, SEC.1; P.L.219-2005, SEC.7; P.L.188-2015, SEC.6; P.L.198-2016, SEC.206.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 2. General Procedures for Obtaining Certificates of Title9-17-2-7. Evidence of Title; Retention by Bureau

Sec. 7. The bureau shall retain the evidence of title presented by a person upon which the Indiana certificate of title is issued in accordance with applicable document and record retention requirements. [Pre-1991 Recodification Citation: 9-1-2-1(a) part.] As added by P.L.2-1991, SEC.5. Amended by P.L.125-2012, SEC.75.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 3. Expiration, Replacement, and Transfer of Certificates of Title9-17-3-0.6. "Transferring Party"

Sec. 0.6. As used in this chapter, "transferring party" means a person that: (1) is listed on the certificate of title as the owner of the vehicle; or (2) is acting as an agent of the owner and holds power of attorney for the owner of the vehicle. As added by P.L.27-2018, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 3. Expiration, Replacement, and Transfer of Certificates of Title9-17-3-1. Validity of Title; Renewal

Sec. 1. (a) A certificate of title is valid for as long as the vehicle for which the certificate of title has been issued is owned or held by the person who originally held the certificate of title. (b) A certificate of title does not have to be renewed except as otherwise provided. [Pre-1991 Recodification Citation: 9-1-2-1(g) part.] As added by P.L.2-1991, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 3. Expiration, Replacement, and Transfer of Certificates of Title9-17-3-2. Duplicate Certificate of Title; Fee

Sec. 2. (a) If a certificate of title: (1) is lost or stolen; (2) is mutilated; (3) is destroyed; or (4) becomes illegible; the person that owns the vehicle or the legal representative or legal successor in interest of the person that owns the vehicle for which the certificate of title was issued, as shown by the records of the bureau, shall apply for and may obtain a duplicate certificate of title. (b) To obtain a duplicate certificate of title under subsection (a), a person must: (1) furnish information satisfactory to the bureau concerning the loss, theft, mutilation, destruction, or illegibility of the certificate of title; and (2) pay the applicable fee under subsection (e) or (f). (c) The word "duplicate" shall be notated on the certificate of title issued under this section. (d) When a duplicate certificate of title is issued, the previous certificate of title becomes void. (e) The fee for a duplicate certificate of title issued before January 1, 2017, for a vehicle other than a watercraft is eight dollars ($8). The fee shall be distributed as follows: (1) One dollar ($1) to the motor vehicle highway account. (2) One dollar ($1) to the highway, road and street fund. (3) Six dollars ($6) to the commission fund. (f) The fee for a duplicate certificate of title issued before January 1, 2017, for a watercraft is fifteen dollars and fifty cents ($15.50). The fee shall be distributed as follows: (1) Fifty cents ($0.50) to the state motor vehicle technology fund. (2) Two dollars ($2) to the crossroads 2000 fund. (3) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (4) Four dollars and seventy-five cents ($4.75) to the commission fund. (5) Seven dollars ($7) to the department of natural resources. (g) The fee for a duplicate certificate of title issued after December 31, 2016, is fifteen dollars ($15). The fee shall be distributed as follows: (1) Fifty cents ($0.50) to the state motor vehicle technology fund. (2) One dollar and twenty-five cents ($1.25) to the department of natural resources. (3) Three dollars and twenty-five cents ($3.25) to the motor vehicle highway account. (4) Five dollars ($5) to the crossroads 2000 fund. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Three dollars and seventy-five cents ($3.75) to the commission fund. [Pre-1991 Recodification Citation: 9-1-3-9; Pre-2016 Revision Citations: 9-29-15-1; 9-29-15-1(b); subsection (e) formerly 9-29-4-5.] As added by P.L.2-1991, SEC.5. Amended by P.L.125-2012, SEC.79; P.L.198-2016, SEC.222; P.L.256-2017, SEC.104; P.L.27-2018, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 3. Expiration, Replacement, and Transfer of Certificates of Title9-17-3-3.2. Transfer Statement Language for Certificate of Title Applications

Sec. 3.2. (a) When a certificate of title is available and a vehicle is sold or transferred to a person other than a dealer licensed under IC 9-32, the transferring party shall fill in all blanks on the certificate of title relating to buyer information, including the sale price. (b) The failure of the transferring party to fill in all buyer information is a Class B infraction. As added by P.L.131-2008, SEC.44. Amended by P.L.125-2012, SEC.80; P.L.158-2013, SEC.137; P.L.217-2014, SEC.14; P.L.226-2014(ts), SEC.14; P.L.198-2016, SEC.223; P.L.27-2018, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 3. Expiration, Replacement, and Transfer of Certificates of Title9-17-3-3.4. Sale or Transfer of Ownership of Vehicle; Requirements to Transfer Certificate of Title

Sec. 3.4. (a) If a vehicle for which a certificate of title has been issued is sold or if the ownership of the vehicle is transferred in any manner other than by a transfer on death conveyance under section 9 of this chapter, the transferring party must do the following: (1) Endorse the certificate of title by assigning the certificate of title with warranty of title, in a form approved by the bureau, with a statement describing all liens or encumbrances on the vehicle. (2) Deliver or transmit the certificate of title to the purchaser or transferee at the time of the sale or delivery to the purchaser or transferee of the vehicle, if the purchaser or transferee has made all agreed upon initial payments for the vehicle, including delivery of a trade-in vehicle without hidden or undisclosed statutory liens. (3) Unless the vehicle is being sold or transferred to a dealer licensed under IC 9-32, complete all information concerning the purchase on the certificate of title, including, but not limited to: (A) the name and address of the purchaser; and (B) the sale price of the vehicle. (b) If a vehicle for which a certificate of title has been issued by another state is sold or delivered, the transferring party must deliver or transmit to the purchaser or receiver of the vehicle a proper certificate of title with an assignment of the certificate of title in a form prescribed by the bureau. (c) The original certificate of title and all assignments and subsequent reissues of the

certificate of title shall be retained by the bureau and appropriately classified and indexed in the most convenient manner to trace title to the vehicle described in the certificate of title. (d) A person who violates subsection (a)(1) or (a)(3) commits a Class B infraction. (e) After a person delivers or transmits a certificate of title to a purchaser or transferee under subsection (a)(2), the person may deliver the certificate of registration of the vehicle to the bureau under IC 9-18.1-4-6 to have the transfer of ownership of the vehicle indicated in the records of the bureau. As added by P.L.262-2013, SEC.23. Amended by P.L.217-2014, SEC.15; P.L.226-2014(ts), SEC.14; P.L.3-2017, SEC.1; P.L.27-2018, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 3. Expiration, Replacement, and Transfer of Certificates of Title9-17-3-3.5. Buyback Vehicles; Certificate of Title

Sec. 3.5. (a) This section applies to a vehicle for which a certificate of title is required to be obtained under IC 24-5-13.5-12. (b) The bureau shall do the following: (1) For a subsequent request for a new certificate of title for a buyback vehicle, whether titled in Indiana or any other state, cause the words "Manufacturer Buyback ■ Disclosure on File" to appear on the new certificate of title. (2) Maintain a listing of all reported buyback vehicles in accordance with this section, maintain a record of the disclosure document required by IC 24-5-13.5-10(b)(3), and allow access to the listing and disclosure document upon written application. As added by P.L.65-1992, SEC.2. Amended by P.L.1-1993, SEC.53; P.L.118-1993, SEC.1; P.L.1-1994, SEC.39; P.L.27-2018, SEC.9; P.L.211-2023, SEC.22.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 3. Expiration, Replacement, and Transfer of Certificates of Title9-17-3-4. Members of Armed Forces; Transfer of Title; Procedure

Sec. 4. (a) A certificate of title for a vehicle held by an Indiana resident who is serving in the armed forces of the United States may be transferred by the Indiana resident to another person if the Indiana resident authorizes the transfer by a letter signed by the Indiana resident. The letter must be accompanied by proof that the Indiana resident is actively serving in the armed forces of the United States and is outside Indiana. (b) When the bureau receives the letter and proof described in subsection (a), the bureau may make the transfer to the person named in the letter. (c) Whenever a transfer described in subsection (a) is made, the letter: (1) must be attached to the certificate of title being transferred; and (2) becomes a permanent record of the bureau. (d) The bureau shall use reasonable diligence in determining if the signature of the person that signed the letter described in subsection (a) authorizing the transfer is the signature of the person. (e) If the bureau is satisfied that the signature is the signature of the person that owns the vehicle described in the certificate of title, the bureau shall issue an appropriate certificate of title over the signature of the bureau and sealed with the seal of the bureau to the person named in the letter. [Pre-1991 Recodification Citation: 9-1-2-2(b).] As added by P.L.2-1991, SEC.5. Amended by P.L.125-2012, SEC.81; P.L.262-2013, SEC.24; P.L.198-2016, SEC.224.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 3. Expiration, Replacement, and Transfer of Certificates of Title9-17-3-5. Sale or Transfer of Vehicle Under Court Order or by Law

Sec. 5. (a) Whenever a vehicle for which a certificate of title is required by this article is sold or transferred: (1) under an order or a process of an Indiana court; (2) under any provision of an Indiana statute; or (3) by operation of law; the person that obtains the vehicle may obtain a certificate of title for the vehicle by filing an application for the certificate of title with the bureau and attaching to the application written evidence showing the order, process, statute, or operation under which the person obtained ownership of the vehicle. (b) The bureau shall use due diligence to ascertain that the sale was in conformity with the order, process, statute, or operation under which the sale or transfer occurred. The order, process, statute, or operation may substitute for proof of ownership under IC 9-17-2-4, but the applicant must comply with IC 9-17 to receive a certificate of title. (c) An order or a process of an Indiana court described in subsection (a) must include the: (1) year of manufacture of; (2) make and model of; (3) vehicle identification number of; and (4) name and address of the person that is entitled to; the vehicle. [Pre-1991 Recodification Citation: 9-1-4-46.] As added by P.L.2-1991, SEC.5. Amended by P.L.125-2012, SEC.82; P.L.198-2016, SEC.225; P.L.256-2017, SEC.105.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 3. Expiration, Replacement, and Transfer of Certificates of Title9-17-3-6. Cancellation of Record of Certificate of Title

Sec. 6. If the bureau: (1) determines that a certificate of title is issued in error; or (2) receives notification from another state or country that a certificate of title for a vehicle that was issued by the bureau has been surrendered by the person that owns the vehicle in conformity with the laws of the other state or country; the bureau may cancel the record of certificate of title in Indiana. [Pre-1991 Recodification Citation: 9-1-3-10.] As added by P.L.2-1991, SEC.5. Amended by P.L.61-1998, SEC.1; P.L.125-2012, SEC.83; P.L.198-2016, SEC.226.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 3. Expiration, Replacement, and Transfer of Certificates of Title9-17-3-7. Violation of Chapter; Penalties

Sec. 7. (a) This section does not apply to section 5 of this chapter. (b) Except as provided in sections 3.2(b) and 3.4(d) of this chapter, a person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citations: 9-1-2-2(a) part; 9-1-2-5 part; 9-1-3-11 part.] As added by P.L.2-1991, SEC.5. Amended by P.L.131-2008, SEC.45; P.L.92-2013, SEC.42; P.L.262-2013, SEC.25; P.L.158-2013, SEC.138; P.L.217-2014, SEC.16; P.L.226-2014(ts), SEC.2.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 3. Expiration, Replacement, and Transfer of Certificates of Title9-17-3-8. Determination of Previous Title

Sec. 8. The bureau shall enable the owner of a motor vehicle titled in Indiana to determine: (1) whether that motor vehicle has previously been titled in Indiana; and (2) if the motor vehicle has previously been titled in Indiana, whether the title was issued as a salvage title under IC 9-22-3. As added by P.L.61-1998, SEC.2. Amended by P.L.125-2012, SEC.84; P.L.262-2013, SEC.26; P.L.216-2014, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 3. Expiration, Replacement, and Transfer of Certificates of Title9-17-3-9. Transfer on Death Conveyance; Requirements

Sec. 9. (a) The owner or owners of a vehicle may create an interest in the vehicle that is transferrable on the death of the owner or owners by obtaining a certificate of title conveying the interest in the vehicle to one (1) or more persons as transfer on death beneficiaries. (b) Subject to subsection (e), an interest in a vehicle transferred under this section vests upon the death of the owner or owners. (c) A certificate of title that is: (1) worded in substance as "A.B. transfers on death to C.D." or "A.B. and C.D. transfer on death to E.F."; and (2) signed by the owner or owners; is a good and sufficient conveyance on the death of the owner or owners to the transferee or transferees. (d) A certificate of title obtained under this section is not required to be: (1) supported by consideration; or (2) delivered or transmitted to the named transfer on death beneficiary or beneficiaries; to be effective. (e) Upon the death of the owner or owners conveying an interest in a vehicle in a certificate of title obtained under this section, the interest in the vehicle is transferred to each beneficiary who is described by either of the following: (1) The beneficiary: (A) is named in the certificate; and (B) survives the transferor. (2) The beneficiary: (A) survives the transferor; and (B) is entitled to an interest in the vehicle under IC 32-17-14-22 following the death of a beneficiary who: (i) is named in the certificate; and (ii) did not survive the transferor. (f) A certificate of title designating a transfer on death beneficiary is not testamentary. (g) In general, IC 32-17-14 applies to a certificate of title designating a transfer on death beneficiary. However, a particular provision of IC 32-17-14 does not apply if it is inconsistent with the requirements of this section or IC 9-17-2-2(b). As added by P.L.83-2008, SEC.5. Amended by P.L.143-2009, SEC.3; P.L.6-2010, SEC.4; P.L.36-2011, SEC.1; P.L.81-2015, SEC.2; P.L.79-2017, SEC.60; P.L.27-2018, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 4. Private Assembly of Vehicles; Engine Identification Numbers9-17-4-0.3. "Assembled Vehicle"

Sec. 0.3. As used in this chapter, "assembled vehicle" means: (1) a vehicle, excluding a motorcycle, that has had the: (A) frame; (B) chassis; (C) cab; or (D) body; modified from its original construction, replaced, or constructed; or (2) a motorcycle that has had the: (A) frame; or (B) engine; modified from its original construction, replaced, or constructed. The term includes but is not limited to glider kits, fiberglass body kits, and vehicle reproductions or replicas and includes vehicles that have visible and original vehicle identification numbers. As added by P.L.268-2003, SEC.10. Amended by P.L.125-2012, SEC.85; P.L.262-2013, SEC.27; P.L.198-2016, SEC.227.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 4. Private Assembly of Vehicles; Engine Identification Numbers9-17-4-0.4. "Motor Vehicle Part"

Sec. 0.4. As used in this chapter, "motor vehicle part" means the following: (1) For a motorcycle, the: (A) frame; or (B) engine. (2) For a passenger motor vehicle; the: (A) frame; (B) chassis; or (C) body. (3) For a truck or tractor, the: (A) frame; (B) chassis; (C) cab; or (D) body. (4) For a trailer, semitrailer, or recreational vehicle, the: (A) chassis; or (B) body. As added by P.L.262-2013, SEC.28.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 4. Private Assembly of Vehicles; Engine Identification Numbers9-17-4-0.5. Special Identification Number

Sec. 0.5. As used in this chapter, "special identification number" means a distinguishing number assigned by the bureau to a privately assembled vehicle. As added by P.L.268-2003, SEC.11. Amended by P.L.125-2012, SEC.86; P.L.198-2016, SEC.228.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 4. Private Assembly of Vehicles; Engine Identification Numbers9-17-4-1. Assembly of Vehicle by Owner; Procedure

Sec. 1. If a vehicle has been built, constructed, or assembled by the person that owns the vehicle, the person shall: (1) indicate on a form provided by the bureau the major component parts that have been used to assemble the vehicle; (2) make application through the bureau for a special identification number for the vehicle; (3) after receipt of the special identification number described in subdivision (2), stamp or attach the special identification number received from the bureau in the manner provided in section 2(3) of this chapter; and (4) apply for a certificate of title for the vehicle from the bureau. [Pre-1991 Recodification Citation: 9-1-2-1(a) part.] As added by P.L.2-1991, SEC.5. Amended by P.L.268-2003, SEC.12; P.L.125-2012, SEC.87; P.L.198-2016, SEC.229.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 4. Private Assembly of Vehicles; Engine Identification Numbers9-17-4-10. Designation of Special Identification Number; Authority of Manufacturer to Perform

Numbering on Vehicles or Parts

Sec. 10. (a) The bureau shall designate special identification numbers under this chapter in a manner that allows a person to distinguish a special identification number issued by the bureau from any other vehicle identification number. (b) This chapter does not affect the authority of a manufacturer or a manufacturer's agent, other than a dealer, to perform numbering on vehicles or motor vehicle parts that are removed or changed and then replaced with other numbered motor vehicle parts. As added by P.L.262-2013, SEC.33. Amended by P.L.198-2016, SEC.235; P.L.147-2018, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 4. Private Assembly of Vehicles; Engine Identification Numbers9-17-4-11. Bureau Prohibited From Issuing a Certificate of Title for Vehicle Without Identification Number

Sec. 11. The bureau may not issue a certificate of title for a vehicle that does not have an identification number. As added by P.L.262-2013, SEC.34. Amended by P.L.198-2016, SEC.236.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 4. Private Assembly of Vehicles; Engine Identification Numbers9-17-4-12. Statement by Applicant and Law Enforcement Officer Concerning Special Identification Number

Sec. 12. (a) Before the bureau may issue a certificate of title for a vehicle that is required under this chapter to have a special identification number made or stamped on the vehicle, the bureau shall require the person applying for the certificate of title to sign a statement that the special identification number assigned to the vehicle by the bureau has been made or stamped on the vehicle in a workmanlike manner. The statement must also be signed by the law enforcement officer who inspected the vehicle and determined that the special identification number was made or stamped in a workmanlike manner. (b) This section does not affect the authority of a manufacturer or a manufacturer's agent, other than a dealer licensed under IC 9-32, to perform numbering on vehicles or motor vehicle parts that are removed or changed and then replaced with other numbered motor vehicle parts. As added by P.L.262-2013, SEC.35. Amended by P.L.198-2016, SEC.237.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 4. Private Assembly of Vehicles; Engine Identification Numbers9-17-4-19. Operation of Motor Vehicle With Concealed, Removed, Defaced, Destroyed, or Obliterated Special Identification Number; Confiscation and Return of Motor Vehicle Upon Proof of Owner's Title

Sec. 19. (a) A person that: (1) either: (A) with the intent to conceal evidence of the commission of a crime, operates a vehicle with an identification number that is concealed; or (B) operates a vehicle with an identification number that is removed, defaced, destroyed, or obliterated; and (2) has not applied under section 7 of this chapter for a new special identification number; commits a Class C infraction. (b) If a person that violates subsection (a) cannot prove to the satisfaction of the court that the person owns the vehicle, the court shall confiscate and sell the vehicle. The proceeds from the sale shall be used to pay the fine and costs of prosecution, and the balance, if any, shall be deposited in the motor vehicle highway account. (c) If the fine and costs are not paid not later than thirty (30) days after judgment is rendered under this section, the court shall proceed to advertise and sell the vehicle in the manner provided by law for the sale of personal property under execution. (d) If at any time at which the vehicle remains in the custody of the court or the court's officers under this section, the owner appears and establishes the owner's title to the vehicle to the satisfaction of the court, the vehicle shall be returned to the owner. The owner shall then make application for and may obtain an identification number and a title as provided in this chapter. The owner may then use the vehicle upon proper registration. As added by P.L.262-2013, SEC.42. Amended by P.L.198-2016, SEC.238.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 4. Private Assembly of Vehicles; Engine Identification Numbers9-17-4-2. Special Identification Number; Placement on Vehicle

Sec. 2. (a) A certificate of title may not be issued for a manufactured or privately assembled vehicle that does not have a special identification number stamped on the vehicle or permanently attached to the vehicle until the person that owns the vehicle has: (1) an inspection performed under IC 9-17-2-12; (2) obtained from the bureau a special identification number designated by the bureau; and (3) stamped or permanently attached the special identification number in a conspicuous place on the frame of the vehicle. (b) A special identification number obtained from the bureau under subsection (a) for a manufactured or mobile home must be the same identification number used on the certificate of title for the manufactured or mobile home. [Pre-1991 Recodification Citation: 9-1-2-1(b) part.] As added by P.L.2-1991, SEC.5. Amended by P.L.268-2003, SEC.13; P.L.125-2012, SEC.88; P.L.198-2016, SEC.230.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 4. Private Assembly of Vehicles; Engine Identification Numbers9-17-4-4.5. Certificate of Title; Requirements; Violation

Sec. 4.5. (a) A person must obtain a certificate of title whenever the body of a vehicle is altered so that the alteration changes the type of the vehicle, as noted on the: (1) current title; or (2) certificate of origin; of the vehicle. (b) To receive a body change title, an applicant must provide: (1) the former title or certificate of origin; (2) a properly completed body change affidavit using a form prescribed by the bureau; and (3) proof of a vehicle inspection. (c) An assembled vehicle and a vehicle that is altered such that the

vehicle type is changed must meet all applicable federal and state highway safety requirements before the vehicle may be titled and registered for operation on highways. (d) A person that fails to obtain an updated certificate of title as required under subsection (a) commits a Class C infraction. As added by P.L.125-2012, SEC.91. Amended by P.L.188-2015, SEC.10; P.L.198-2016, SEC.232; P.L.256-2017, SEC.106.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 4. Private Assembly of Vehicles; Engine Identification Numbers9-17-4-4. Contents of Certificate of Title

Sec. 4. A certificate of title issued under this chapter must contain the following: (1) A description and other evidence of identification of the vehicle as required by the bureau. (2) A statement of any liens or encumbrances that the application shows to be on the certificate of title. (3) The appropriate notation prominently recorded on the title as follows: (A) For a vehicle that is assembled using all new or used vehicle parts that does not resemble a specific manufacturer make or model: (i) "RECONSTRUCTED VEHICLE", if the certificate of title is issued before January 1, 2019; or (ii) "SPECIALTY CONSTRUCTED VEHICLE", if the certificate of title is issued after December 31, 2018. (B) For a vehicle: (i) with a body built to resemble and be a reproduction of another vehicle of a given year that was manufactured at least twenty-five (25) years in the past; and (ii) that is assembled using all new or used parts; "SPECIALTY CONSTRUCTED VEHICLE", if the certificate of title is issued before January 1, 2019, or "REPLICA VEHICLE", if the certificate of title is issued after December 31, 2018. (C) For a vehicle that has been permanently altered from its original construction by adding, removing, or substituting major component parts, "RECONSTRUCTED". [Pre-1991 Recodification Citation: 9-1-2-1(b) part.] As added by P.L.2-1991, SEC.5. Amended by P.L.268-2003, SEC.14; P.L.125-2012, SEC.90; P.L.262-2013, SEC.29; P.L.198-2016, SEC.231; P.L.62-2017, SEC.1; P.L.27-2018, SEC.11; P.L.147-2018, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 4. Private Assembly of Vehicles; Engine Identification Numbers9-17-4-7. Application for Special or Hull Identification Number; Fees

Sec. 7. (a) Not more than twenty (20) days after a person becomes the owner, custodian, or possessor of a vehicle that: (1) does not have a manufacturer's identification number installed on the vehicle; or (2) has an original manufacturer's identification number that is altered, destroyed, obliterated, or defaced; the person shall apply to the bureau for permission to make or stamp a special identification number on the vehicle. (b) The bureau shall prescribe the form and manner of an application under subsection (a). The application must contain the following: (1) A description of the vehicle, including the make, style, and year of model of the vehicle. (2) A description of: (A) the original manufacturer's identification number, if possible; or (B) any distinguishing marks on the engine or body of the vehicle. (3) The name and address of the applicant. (4) The date on which the applicant purchased or took possession of the vehicle. (5) The name and address of the person from whom the applicant purchased or acquired the vehicle. (6) An application fee in an amount under subsection (c) or (d), as applicable. (7) Any other information the bureau requires. (c) The fee for an application for an identification number other than a hull identification number that is submitted before January 1, 2017, is thirteen dollars ($13). The fee shall be distributed as follows: (1) Fifty cents ($0.50) to the state motor vehicle technology fund. (2) One dollar ($1) to the highway, road and street fund. (3) One dollar ($1) to the motor vehicle highway account. (4) One dollar and fifty cents ($1.50) to the integrated public safety communications fund. (5) Four dollars ($4) to the crossroads 2000 fund. (6) Five dollars ($5) to the commission fund. (d) The fee for an application for a hull identification number that is submitted before January 1, 2017, is ten dollars and fifty cents ($10.50). The fee shall be distributed as follows: (1) Two dollars and fifty cents ($2.50) to the department of natural resources. (2) Four dollars ($4) to the crossroads 2000 fund. (3) Four dollars ($4) to the commission fund. (e) The fee for an application for an identification number that is submitted after December 31, 2016, is ten dollars ($10). The fee shall be distributed as follows: (1) Fifty cents ($0.50) to the state motor vehicle technology account. (2) Three dollars and twenty-five cents ($3.25) to the motor vehicle highway account. (3) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (4) Five dollars ($5) to the commission fund. (f) A person that owns or possesses a vehicle described in subsection (a) and fails to comply with this section commits a Class B infraction. [Pre-2016 Revision Citations: 9-29-15-2; subsection (c) formerly 9-29-5-22.] As added by P.L.262-2013, SEC.31. Amended by P.L.217-2014, SEC.17; P.L.198-2016, SEC.233; P.L.256-2017, SEC.107.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 4. Private Assembly of Vehicles; Engine Identification Numbers9-17-4-8. Permission for Special Identification Number; Violation

Sec. 8. (a) The bureau shall review an application submitted under section 7 of this chapter. If the bureau determines the application is complete, the bureau shall issue to the applicant written permission to make or stamp a special identification number on the vehicle. The bureau shall designate the special identification number and the location of the special identification number on the vehicle. (b) A new special identification number may not cover or otherwise obscure an original identification number that is visible on a vehicle. (c) A new special identification number that is stamped or otherwise placed on a vehicle under this chapter becomes the lawful identification number of the vehicle for all purposes, including for purposes of selling or transferring the vehicle. (d) A person that covers or obscures an original or special identification number as described in subsection (b) commits a Class B infraction. As added by P.L.262-2013, SEC.32. Amended by P.L.217-2014, SEC.18; P.L.198-2016, SEC.234.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 5. Liens9-17-5-1. Satisfaction or Discharge of Lien; Delivery of Certificate of Title; Violation

Sec. 1. (a) Except as provided in subsection (b), a person having physical possession of a certificate of title for a vehicle because the person has a lien or an encumbrance on the vehicle must: (1) note the discharge on the certificate of title over the signature of the holder of the lien or encumbrance; and (2) deliver not more than ten (10) business days after receipt of the final payment for the satisfaction or discharge of the lien or encumbrance indicated upon the certificate of title to the person that: (A) is listed on the certificate of title as owner of the vehicle; or (B) is acting as an agent of the owner and that holds power of attorney for the owner of the vehicle. (b) A person having a lien or encumbrance on a vehicle for which the certificate of title is electronically recorded shall electronically release the lien or encumbrance not more than ten (10) days after the receipt of the final payment for the satisfaction or discharge of the lien or encumbrance. The electronic lien or encumbrance release referenced in this subsection constitutes notice to the bureau that the lien or encumbrance has been satisfied or discharged. (c) A person having a lien or encumbrance on a vehicle for which the certificate of title is electronically recorded shall notify the person: (1) who is listed on the certificate of title as owner of the vehicle; or (2) who: (A) is acting as an agent of the owner; and (B) holds power of attorney for the owner of the vehicle; of the release of the lien or encumbrance not more than ten (10) business days after receipt of the final payment for the satisfaction or discharge of the lien or encumbrance. (d) A notice under subsection (c) must include: (1) the date the satisfaction or discharge of the lien or encumbrance occurred; and (2) the name and address of the person: (A) who is listed on the certificate of title as owner of the vehicle; or (B) who: (i) is acting as an agent of the owner; and (ii) holds power of attorney for the owner of the vehicle. (e) When the bureau receives notice under subsection (b), the bureau shall remove the record of the lien or encumbrance from the certificate of title. (f) A person that: (1) fails to remove a lien or encumbrance under subsection (b); (2) fails to notify the owner of a vehicle or the owner's agent under subsection (c); or (3) fails to deliver a certificate of title to the owner of a vehicle as required under subsection (a); commits a Class C infraction. [Pre-1991 Recodification Citation: 9-1-3.5-1 part.] As added by P.L.2-1991, SEC.5. Amended by P.L.268-2003, SEC.16; P.L.188-2015, SEC.12; P.L.198-2016, SEC.239; P.L.27-2018, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 5. Liens9-17-5-2. Lienholder; Repossession of Vehicle; Application for Certificate of Title; Procedure

Sec. 2. A person that holds a lien on a vehicle, has repossessed the vehicle, and wants to obtain a certificate of title for the vehicle in the person's name may obtain the certificate of title from the bureau if: (1) the person from whom the vehicle has been repossessed is shown by the records of the bureau to be the last registered owner of the vehicle; and (2) the person that holds the lien: (A) has complied with this chapter; and (B) establishes to the satisfaction of the bureau that the person is entitled to the certificate of title. [Pre-1991 Recodification Citation: 9-1-3.5-1 part.] As added by P.L.2-1991, SEC.5. Amended by P.L.262-2013, SEC.43; P.L.198-2016, SEC.240.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 5. Liens9-17-5-4. Security Interest Not Created by Rental Agreement

Sec. 4. Notwithstanding any other law, a rental transaction agreement does not create a sale or security interest in a vehicle solely because the transaction agreement provides that the rental price may be adjusted upon the termination of the agreement based upon the amount received for the vehicle upon sale or other disposition. As added by P.L.123-1995, SEC.1. Amended by P.L.198-2016, SEC.241.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 5. Liens9-17-5-5. Security Agreements; Notation of Lien on Certificate of Title

Sec. 5. (a) A security agreement covering a security interest in a vehicle that is not inventory held for sale is perfected when: (1) the record of the lien is electronically received by the bureau, if the application for certificate of title is received electronically; or (2) the application for certificate of title is submitted to the bureau, if the application for certificate of title is submitted in physical form. Except as otherwise provided in subsection (b) and section 1 of this chapter, IC 26-1-9.1 applies to security interests in vehicles. (b) The secured party, upon presentation to the bureau of a properly completed application for certificate of title together with the fee prescribed, may have a notation of the lien made on the certificate of title to be issued by the bureau. The bureau shall: (1) enter the notation and the date of the notation; and (2) note the lien and date of lien in the bureau's files. As added by P.L.125-2012, SEC.92. Amended by P.L.27-2018, SEC.13; P.L.120-2020, SEC.19.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 5. Liens9-17-5-6. Statewide Electronic Lien and Title System; Purposes; Development of System; Bureau to Work With Qualified Vendors or Qualified Service Providers; Requirements; Dates for Voluntary and Mandatory Use

Sec. 6. (a) As used in this section, "qualified service provider" means a person able to provide electronic lien or electronic title services in coordination with vehicle lienholders and state departments of motor vehicles. (b) As used in this section, "qualified vendor" refers to a person with whom the bureau contracts to: (1) develop; (2) implement; and (3) provide ongoing support with

respect to; a statewide electronic lien and title system under this section. (c) As used in this section, "statewide electronic lien and title system" or "system" means a statewide electronic lien and title system implemented by the bureau under this section to process: (1) vehicle titles; (2) certificate of title data in which a lien is notated; and (3) the notification, maintenance, and release of security interests in vehicles; through electronic means instead of paper documents. (d) Not later than the dates set forth in subsection (h), the bureau shall implement a statewide electronic lien and title system for the following purposes: (1) To facilitate and promote commerce and governmental transactions by validating and authorizing the use of electronic records. (2) To modernize the law and eliminate barriers to electronic commerce and governmental transactions resulting from uncertainties related to handwritten and other written materials. (3) To promote uniformity of the law among the states relating to the use of electronic and similar technological means of effecting and performing commercial and governmental transactions. (4) To promote public confidence in the validity, integrity, and reliability of electronic commerce and governmental transactions. (5) To promote the development of the legal and business infrastructure necessary to implement electronic commerce and governmental transactions. (e) The bureau may: (1) contract with one (1) or more qualified vendors to develop and implement a statewide electronic lien and title system; or (2) develop and make available to qualified service providers a well defined set of information services that will enable secure access to the data and internal application components necessary to facilitate the creation of a statewide electronic lien and title system. (f) If the bureau elects under subsection (e)(1) to contract with one (1) or more qualified vendors to develop and implement a statewide electronic lien and title system, the following apply: (1) The bureau shall issue a competitive request for proposals to assess the qualifications of any vendor seeking to develop, implement, and provide ongoing support for the system. The bureau may reserve the right to receive input concerning specifications for the establishment and operation of the system from parties that do not respond to the bureau's request for proposals. (2) A contract entered into between the bureau and a qualified vendor may not provide for any costs or charges payable by the bureau to the qualified vendor. The qualified vendor shall reimburse the bureau for any reasonable and documented costs incurred by the bureau and directly associated with the development, implementation, or ongoing support of the system. (3) Upon implementing a statewide electronic lien and title system under this section, the qualified vendor may charge participating lienholders or their agents a fee for each lien notification transaction provided through the system, in order to recover the qualified vendor's costs associated with the development, implementation, and ongoing administration of the system. A lien notification fee under this subdivision must be consistent with market pricing and may not exceed three dollars and fifty cents ($3.50). The qualified vendor may not charge lienholders or their agents any additional fee for lien releases, assignments, or transfers. The qualified vendor may not charge a fee under this subdivision to a state agency or its agents for lien notification, lien release, lien assignment, or lien transfer. To recover their costs associated with the lien, participating lienholders or their agents may charge: (A) the borrower in a vehicle loan; or (B) the lessee in a vehicle lease; an amount equal to any lien notification fee imposed by the qualified vendor under this subdivision, plus a fee in an amount not to exceed three dollars ($3) for each electronic transaction in which a lien is notated. (4) A qualified vendor may also serve as a qualified service provider to motor vehicle lienholders if the following conditions are met: (A) The contract between the bureau and the qualified vendor must include provisions specifically prohibiting the qualified vendor from using information concerning vehicle titles for any commercial, marketing, business, or other purpose not specifically contemplated by this chapter. (B) The contract between the bureau and the qualified vendor must include an acknowledgment by the qualified vendor that the qualified vendor is required to enter into agreements to exchange electronic lien data with any: (i) qualified service providers that offer electronic lien or title services in Indiana and that have been approved by the bureau for participation in the system; and (ii) qualified service providers that are not qualified vendors. (C) The bureau must periodically monitor the fees charged by a qualified vendor that also: (i) serves as a qualified service provider to lienholders; or (ii) provides services as a qualified vendor to other qualified service providers; to ensure that the qualified vendor is not engaging in predatory pricing. (g) If the bureau elects under subsection (e)(2) to develop an interface to provide qualified service providers secure access to data to facilitate the creation of a statewide electronic lien and title system, the following apply: (1) The bureau shall establish: (A) the total cost to develop the statewide electronic lien and title system by July 1, 2022; (B) qualifications for third party service providers offering electronic lien services; and (C) a qualification process to: (i) evaluate electronic lien and title system technologies developed by third party service providers; and (ii) determine whether such technologies comply with defined security and platform standards. (2) Not later than July 1, 2022, the bureau shall publish on the bureau's website the qualifications established by the bureau under subdivision (1). A third party service provider that seeks to become qualified by the bureau under this subsection must demonstrate the service provider's qualifications, in the form and manner specified by the bureau, not later than thirty (30) days after the date of the bureau's publication under this subdivision. After the elapse of the thirty (30) day period during which third party service providers may respond to the bureau's publication under this subdivision, the bureau shall notify each responding third party service provider as to: (A) the total cost to develop the system, as determined by the bureau under subdivision (1); and (B) whether the third party service provider has met the qualifications established by the bureau under subdivision (1) and is approved to participate in the statewide electronic lien and title system. (3) Not later than thirty (30) days after receiving a notice of approval from the bureau under subdivision (2), each qualified service provider shall notify the bureau of the qualified service provider's intention to participate in the statewide electronic lien and title system. (4) Upon implementing a statewide electronic lien and title system under this section, the bureau may charge participating service providers or their agents a fee for each lien transaction provided through the system in order to recover the bureau's costs associated with the development, implementation, and ongoing administration of the system. A fee under this subdivision must be consistent with market pricing and may not exceed three dollars and twenty-five cents ($3.25). A fee collected under this subdivision shall be deposited in the commission fund. Fees collected by the bureau for the implementation of a statewide electronic

lien and title system are limited to those contained in this subdivision. This subdivision expires July 1, 2025. (5) A contract entered into between the bureau and a qualified service provider may not provide for any costs or charges payable by the bureau to the qualified service provider. (6) Upon the implementation of a statewide electronic lien and title system under this section, a qualified service provider may charge participating lienholders or their agents transaction fees consistent with market pricing in addition to the fees described in subdivision (4). A fee under this subdivision may not be charged to a state agency or its agents for lien notification, lien release, lien assignment, or lien transfer. To recover their costs associated with a lien, participating lienholders or their agents may charge: (A) the borrower in a vehicle loan; or (B) the lessee in a vehicle lease; an amount equal to any fee imposed by a qualified service provider under this subdivision, plus a fee in an amount not to exceed three dollars ($3) for each electronic transaction in which a lien is notated. This subdivision expires July 1, 2025. (7) The contract between the bureau and a qualified service provider must include provisions specifically prohibiting the qualified service provider from using information concerning vehicle titles for any commercial, marketing, business, or other purpose not specifically contemplated by this chapter. (h) Subject to subsection (i), the bureau shall implement, and allow or require the use of, a statewide electronic lien and title system under this section as follows: (1) A statewide electronic lien system that is capable of processing: (A) certificate of title data in which a lien is notated; and (B) the notification, maintenance, and release of security interests in vehicles; through electronic means must be made available for voluntary use by vehicle lienholders not later than July 1, 2022. (2) Subject to subsection (j)(5), the bureau shall require that the statewide electronic lien system made available under subdivision (1) be used for processing: (A) certificate of title data in which a lien is notated; and (B) the notification, maintenance, and release of security interests in vehicles; after June 30, 2023. (3) A statewide electronic title system capable of processing vehicle titles through electronic means must be made available for voluntary use by vehicle dealers, lienholders, and owners not later than July 1, 2025. (4) The bureau shall require that the statewide electronic title system made available under subdivision (3) be used for processing vehicle titles after June 30, 2026. (i) Subsection (h) does not prohibit the bureau or any: (1) qualified vendor with whom the bureau contracts under subsection (f); or (2) qualified service provider with whom the bureau contracts under subsection (g); from implementing, making available, or requiring the use of a statewide electronic lien system described in subsection (h)(1) at the same time as, or in conjunction with, a statewide electronic title system described in subsection (h)(3), or from implementing, making available, or requiring the use of a statewide electronic lien system described in subsection (h)(1) or a statewide electronic title system described in subsection (h)(3) before the applicable dates otherwise set forth in subsection (h). (j) The following apply to the use of a statewide electronic lien system described in subsection (h)(1): (1) Notwithstanding section 5(b) of this chapter, if there are one (1) or more liens or encumbrances on a motor vehicle, the bureau may electronically transmit the lien to the first lienholder and notify the first lienholder of any additional liens. Subsequent lien satisfactions may be electronically transmitted to the bureau and must include the name and address of the person satisfying the lien. (2) Whenever the electronic transmission of lien notifications and lien satisfactions is used, a certificate of title need not be issued until the last lien is satisfied and a clear certificate of title can be issued to the owner of the motor vehicle. The bureau may print or issue electronically the clear certificate of title to the owner or subsequent assignee of the motor vehicle. (3) If a motor vehicle is subject to an electronic lien, the certificate of title for the motor vehicle is considered to be physically held by the lienholder for purposes of compliance with state or federal odometer disclosure requirements. (4) A certified copy of the bureau's electronic record of a lien is admissible in any civil, criminal, or administrative proceeding in Indiana as evidence of the existence of the lien. If a certificate of title is maintained electronically in a statewide electronic title system described in subsection (h)(3), a certified copy of the bureau's electronic record of the certificate of title is admissible in any civil, criminal, or administrative proceeding in Indiana as evidence of the existence and contents of the certificate of title. (5) All individuals and lienholders who conduct at least twelve (12) lien transactions annually must use the statewide electronic lien and title system implemented under this section to record information concerning the perfection and release of a security interest in a vehicle. (6) An electronic notice or release of a lien made through the statewide electronic lien and title system implemented under this section has the same force and effect as a notice or release of a lien made on a paper document. (7) The bureau may convert an existing paper lien to an electronic lien upon request of the primary lienholder. The bureau, or a third party contracting with the bureau under this section, is authorized to collect a fee not to exceed three dollars ($3) for each conversion performed under this subdivision. A fee under this subdivision may not be charged to a state agency or its agents. (8) Notwithstanding section 5 of this chapter, any requirement that a security interest or other information appear on a certificate of title is satisfied by the inclusion of that information in an electronic file maintained in an electronic title system. (k) Nothing in this section precludes the bureau from collecting a title fee for the preparation and issuance of a title. (l) The bureau may adopt rules under IC 4-22-2 to implement this section. As added by P.L.81-2021, SEC.1. Amended by P.L.118-2022, SEC.6; P.L.93-2024, SEC.91.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 6. Manufactured Homes9-17-6-0.5. Applicability to Mobile Homes

Sec. 0.5. For purposes of this chapter, a reference to a manufactured home must be construed to also refer to a mobile home. As added by P.L.203-2013, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 6. Manufactured Homes9-17-6-15.1. Affidavit of Transfer to Real Estate; Application; Fee

Sec. 15.1. (a) A person that: (1) holds a certificate of title for; (2) holds a certificate of origin for; or (3) otherwise owns as an improvement; a manufactured home that is attached to real estate by a permanent foundation may apply for an affidavit of transfer to

real estate with the bureau. The application must be accompanied by the fee set forth in subsection (d). (b) An application for an affidavit of transfer to real estate must contain the following: (1) A full description of the manufactured home, including: (A) a description; and (B) the parcel number; of the real estate to which the manufactured home is attached. (2) One (1) or more of the following numbers: (A) A unique serial number assigned by the manufacturer to the manufactured home. (B) The certification label number required by the United States Department of Housing and Urban Development for the manufactured home. (C) A special identification number issued by the bureau for the manufactured home. (3) An attestation by the owner of the manufactured home that the manufactured home has been permanently attached to the real estate upon which it is located. (c) A certificate of title or a certificate of origin is not required for a person who applies for an affidavit of transfer to real estate under this section. (d) The fee for an affidavit of transfer to real estate is as follows: (1) For an application made before January 1, 2017, twenty dollars ($20). The fee shall be distributed as follows: (A) Ten dollars ($10) to the motor vehicle highway account. (B) Ten dollars ($10) to the commission fund. (2) For an application made after December 31, 2016, fifteen dollars ($15). The fee shall be distributed as follows: (A) Five dollars ($5) to the motor vehicle highway account. (B) Ten dollars ($10) to the commission fund. As added by P.L.106-2003, SEC.2. Amended by P.L.106-2007, SEC.3; P.L.262-2013, SEC.46; P.L.198-2016, SEC.256; P.L.256-2017, SEC.108.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 6. Manufactured Homes9-17-6-15.3. Recording of Affidavit of Transfer to Real Estate

Sec. 15.3. Upon receipt from the person filing the affidavit of transfer to real estate, with the accompanying retired certificate of title, if available, the recorder of the county in which the manufactured home is located shall record the affidavit in the manner required by IC 36-2-11-8, if the auditor of the county has performed the endorsement required by IC 36-2-9-18. As added by P.L.106-2003, SEC.3. Amended by P.L.106-2007, SEC.4; P.L.198-2016, SEC.257.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 6. Manufactured Homes9-17-6-15.5. Application of Transfer to Real Estate; Conversion of Manufactured Home to Real Estate

Sec. 15.5. The filing in the appropriate county recorder's office of the affidavit of transfer to real estate with the retired certificate of title, if available, is deemed a conversion of the manufactured home that is attached to real estate by a permanent foundation to an improvement upon the real estate upon which it is located. However, a filing under this section is not required for a person who converts a manufactured home that is attached to real estate by a permanent foundation to an improvement upon the real estate upon which it is located. As added by P.L.106-2003, SEC.4. Amended by P.L.106-2007, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 6. Manufactured Homes9-17-6-17. Requirements Concerning Purchase Contracts

Sec. 17. A purchase contract for a mobile or manufactured home that is required to be titled under IC 9-17-1-0.5 is subject to the following terms and conditions: (1) The seller must provide a copy of the title to the mobile or manufactured home. (2) The contract must specify whether the seller or buyer is responsible for the payment of property taxes assessed against the mobile or manufactured home under IC 6-1.1-7. (3) The buyer of the mobile or manufactured home must record the contract in the county recorder's office. As added by P.L.203-2013, SEC.16. Amended by P.L.198-2016, SEC.258.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 17. Certificates of TitleChapter 6. Manufactured Homes9-17-6-18. Immunity From Civil Liability

Sec. 18. The bureau, the commissioner of the bureau, and employees of the bureau are not liable in a civil action for any false information that is: (1) provided to the bureau by an applicant for a certificate of title; (2) reasonably relied upon by the bureau in making a determination to issue a certificate of title to the applicant; and (3) included in the certificate of title to a manufactured home under this chapter. As added by P.L.198-2016, SEC.259.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 1. Definitions9-18.1-1-1. Applicability of Chapter

Sec. 1. The following definitions apply throughout this article. As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 1. Definitions9-18.1-1-2. "Declared Gross Weight"

Sec. 2. "Declared gross weight" means the following: (1) For a for-hire bus, the sum of: (A) the empty weight of the bus; plus (B) the product of: (i) the number of seats on the bus; multiplied by (ii) two hundred (200) pounds. (2) For a trailer, the empty weight of the trailer plus the weight of the heaviest load the trailer will carry during a registration year. (3) For a truck, the empty weight of the truck plus the weight of the heaviest load the truck will carry during a registration year. The term includes a truck camper that is installed on a truck. The term does not include the weight of a vehicle towed by a truck. (4) For a tractor used with a semitrailer, the declared gross combination weight, which is the sum of the following: (A) The empty weight of the tractor. (B) The empty weight of the heaviest semitrailer, or set of semitrailers, that the tractor will tow during a registration year. (C) The heaviest load that the tractor will carry during a registration year. (D) The heaviest load that will be carried by a semitrailer, or set of semitrailers, that the

tractor will tow during a registration year. As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 1. Definitions9-18.1-1-3. "Distinctive License Plate"

Sec. 3. "Distinctive license plate" refers to a license plate designed and issued under IC 9-18.5. As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 1. Definitions9-18.1-1-4.5. "Permanent Registration"

Sec. 4.5. "Permanent registration" refers to: (1) a certificate of registration; or (2) any other indication of registration issued by the bureau or the motor carrier services division of the department of state revenue; where the term of the registration does not expire unless the registered owner sells or disposes of the registered vehicle. As added by P.L.114-2021, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 1. Definitions9-18.1-1-4. "License Plate"

Sec. 4. "License plate" includes the following: (1) A license plate issued under this article for display on a vehicle. (2) A distinctive license plate designed and issued under IC 9-18.5. As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 1. Definitions9-18.1-1-5. "Proof of Registration"

Sec. 5. "Proof of registration" includes the following: (1) A license plate. (2) A decal or sticker issued by the bureau to indicate registration. (3) A certificate of registration. (4) Any other indication of registration issued by the bureau or the motor carrier services division of the department of state revenue. As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 10. Fleet Registration Program9-18.1-10-1. "Fleet Operator"

Sec. 1. As used in this chapter, "fleet operator" means an operator who participates in the program. [Pre-2016 Revision Citation: 9-18-12.5-1.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 10. Fleet Registration Program9-18.1-10-10. Fee

Sec. 10. The fee to register a vehicle as a fleet vehicle under this chapter is the applicable fee for the vehicle under IC 9-18.1-5. [Pre-2016 Revision Citation: 9-18-12.5-10.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 10. Fleet Registration Program9-18.1-10-11. Fleet Vehicle License Plate

Sec. 11. The bureau shall design a fleet vehicle license plate. The design must include distinctive colors and graphics and the fleet number assigned under section 7(c) of this chapter. The design may not include years, months, or other indications of calendar dates. The design may indicate that the fleet license plate does not expire. [Pre-2016 Revision Citation: 9-18-12.5-11.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 10. Fleet Registration Program9-18.1-10-12. Applicability of Laws, Rules, and Regulations to Fleet Vehicles

Sec. 12. A fleet vehicle is subject to all applicable laws, rules, and regulations for vehicles of the same type or class. [Pre-2016 Revision Citation: 9-18-12.5-12.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 10. Fleet Registration Program9-18.1-10-2. "Fleet Vehicle"

Sec. 2. As used in this chapter, "fleet vehicle" means a passenger motor vehicle or a truck with a declared gross weight of not more than eleven thousand (11,000) pounds that is: (1) owned or leased by a fleet operator; and (2) registered in the program under this chapter. [Pre-2016 Revision Citation: 9-18-12.5-2.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 10. Fleet Registration Program9-18.1-10-3. "Operator"

Sec. 3. As used in this chapter, "operator" means an Indiana resident that owns or leases one thousand (1,000) or more fleet vehicles. [Pre-2016 Revision Citation: 9-18-12.5-3.] As added by P.L.198-2016, SEC.326.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 10. Fleet Registration Program9-18.1-10-4. "Program"

Sec. 4. As used in this chapter, "program" refers to the fleet registration program established under section 6 of this chapter. [Pre-2016 Revision Citation: 9-18-12.5-4.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 10. Fleet Registration Program9-18.1-10-5. Applicability of Chapter

Sec. 5. This chapter does not apply to a vehicle that is registered under: (1) a reciprocal agreement between the state of Indiana and another governmental entity; (2) the International Registration Plan; or (3) IC 9-18.1-13 with the department of state revenue. [Pre-2016 Revision Citation: 9-18-12.5-5.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 10. Fleet Registration Program9-18.1-10-6. Fleet Registration Program Established

Sec. 6. (a) The fleet registration program is established to accommodate requests from fleet operators for common registration dates for all fleet vehicles. (b) The bureau shall administer the program. (c) The bureau may adopt rules under IC 4-22-2 to administer the program. [Pre-2016 Revision Citation: 9-18-12.5-6.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 10. Fleet Registration Program9-18.1-10-7. Application; Form and Manner; Expiration

Sec. 7. (a) An operator may apply to the bureau to participate in the program. (b) An application must be in the form and manner prescribed by the bureau and must contain the following information: (1) The name and business address of the operator. (2) The preferred expiration month requested by the operator. (3) All counties in which the fleet vehicles are registered. (4) Any other information required by the bureau. The bureau may designate an expiration month that differs from the preferred expiration month requested by the operator under subdivision (2). (c) The bureau shall approve an application if the bureau is satisfied that the application is complete and accurate. Upon approval of the application, the bureau shall assign the fleet operator a fleet number. (d) If an application does not contain a preferred expiration month, the bureau may: (1) deny the application; or (2) designate an expiration month and approve the application. (e) An operator may not register a vehicle as a fleet vehicle in a county that is not designated in the application. [Pre-2016 Revision Citation: 9-18-12.5-7.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 10. Fleet Registration Program9-18.1-10-8. Termination of Participation

Sec. 8. (a) The bureau shall terminate the participation in the program of a fleet operator with fewer than one thousand (1,000) fleet vehicles. (b) A fleet operator whose participation is terminated under subsection (a) may reapply for participation in the program in the manner determined by the bureau. [Pre-2016 Revision Citation: 9-18-12.5-8.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 10. Fleet Registration Program9-18.1-10-9. Validity of Certificate of Registration

Sec. 9. A certificate of registration as a fleet vehicle under this chapter is valid for the twelve (12) month period designated on the certificate. [Pre-2016 Revision Citation: 9-18-12.5-9.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 11. Expiration, Replacement, and Transfer of Registrations9-18.1-11-1. Schedule of Expiration Dates

Sec. 1. The bureau shall establish and publish a schedule of expiration dates for vehicle registrations. [Pre-2016 Revision Citations: 9-18-2-8; 9-18-2-8.5(a).] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 11. Expiration, Replacement, and Transfer of Registrations9-18.1-11-10. Application to Display Different License Plate; Fee

Sec. 10. (a) A person that owns a vehicle may apply to the bureau in a manner and form prescribed by the bureau to display on the vehicle a license plate that is different from the license plate that is displayed on the vehicle at the time of application. The bureau shall issue the different license plate and an amended certificate of registration after the person pays the following: (1) Any fees required under IC 9-18.5 to obtain the different license plate. (2) If the application is not part of the person's registration or renewal process, an additional plate change fee of nine dollars and fifty cents ($9.50). (b) The fee described in subsection (a)(2) shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) One dollar ($1) to the crossroads 2000 fund. (4) One dollar and fifty cents ($1.50) to the motor vehicle highway account. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Five dollars ($5) to the commission fund. [Pre-2016 Revision Citations: 9-18-6-4(f); subsection (a) formerly 9-29-5-23(c).] As added by P.L.198-2016,

SEC.326. Amended by P.L.256-2017, SEC.128; P.L.108-2019, SEC.179.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 11. Expiration, Replacement, and Transfer of Registrations9-18.1-11-2. Operation of Vehicle With Expired License Plates; Violation

Sec. 2. (a) If the date on which the registration of a vehicle expires is a day on which all license branches located in the county in which the vehicle is registered are closed, including: (1) a Sunday; or (2) a legal holiday listed in IC 1-1-9-1; the registration expires at midnight on the date following the next day on which a license branch located in the county in which the vehicle is registered is open for business. (b) Except as provided in subsection (a) and IC 9-18.5-34-3, a person that owns or operates a vehicle may not operate or permit the operation of a vehicle that: (1) is required to be registered under this chapter; and (2) has expired license plates. (c) A person that operates or permits the operation of a motor vehicle in violation of subsection (b) commits a Class C infraction. [Pre-2016 Revision Citations: subsection (a) formerly 9-18-2-50; subsection (b) formerly 9-18-2-7(b); subsection (c) formerly 9-18-2-7(h).] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 11. Expiration, Replacement, and Transfer of Registrations9-18.1-11-3. Registration Period; Renewal

Sec. 3. (a) Upon becoming subject to registration under this article, a vehicle must be registered for a period that is not: (1) less than three (3) months; or (2) greater than twenty-four (24) months. (b) A registration under this article may be renewed: (1) for a vehicle with an unexpired registration, for a period of twelve (12) months from the date on which the registration will expire; or (2) for a vehicle with an expired registration, for a period of not: (A) less than three (3) months; or (B) greater than twenty-four (24) months. (c) Subject to subsection (a), the registration year for a registration, other than a renewal described in subsection (b), begins on the date on which the vehicle becomes subject to registration as determined under section 4 of this chapter and ends on the following date selected by the person registering the vehicle: (1) The date on which the vehicle's registration expires, as determined under the schedule established under section 1 of this chapter. (2) Twelve (12) months after the date described in subdivision (1). As added by P.L.198-2016, SEC.326. Amended by P.L.178-2019, SEC.40.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 11. Expiration, Replacement, and Transfer of Registrations9-18.1-11-4. Vehicle Subject to Continuous Registration; Affidavit of Nonuse

Sec. 4. (a) Except as provided in subsection (b), a vehicle: (1) becomes subject to registration under this article: (A) on the date the vehicle is acquired; or (B) for a vehicle owned by a person described in IC 9-18.1-2-7, on the earlier of: (i) sixty (60) days after the person becomes an Indiana resident; or (ii) the date on which the person registers the vehicle under this article; and (2) remains subject to continuous registration under this article until: (A) the vehicle is sold or otherwise disposed of; or (B) the person that registered the vehicle becomes a nonresident. (b) A person is not required to register a vehicle under this article if the person submits an affidavit demonstrating that the vehicle will not be used upon a highway for a period of at least ninety (90) consecutive days. (c) A vehicle described in subsection (b) becomes subject to registration on the date on which the vehicle is used upon a highway. As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 11. Expiration, Replacement, and Transfer of Registrations9-18.1-11-5. Delinquent Registration; Administrative Penalty; Violation

Sec. 5. (a) The bureau shall collect an administrative penalty of fifteen dollars ($15) from the following persons: (1) A person that fails to: (A) register; or (B) provide full payment for the registration of; a vehicle within forty-five (45) days after the date on which the person acquires the vehicle. (2) Except as provided in subsection (b), a person that fails to: (A) renew; or (B) provide full payment for the renewal of; the registration of a vehicle by the date on which the registration expires. (3) A person who: (A) owns a vehicle; (B) becomes an Indiana resident; and (C) fails to register or provide full payment for the registration of; a vehicle within sixty (60) days after the person becomes an Indiana resident. (b) An administrative penalty collected under subsection (a) does not apply to a person who has filed an affidavit under section 4(b) of this chapter. (c) An administrative penalty collected under subsection (a) shall be deposited in the commission fund. (d) A person described in subsection (a) commits a Class C infraction. [Pre-2016 Revision Citation: 9-29-5-46.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.124; P.L.178-2019, SEC.41.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 11. Expiration, Replacement, and Transfer of Registrations9-18.1-11-6. Transfer of Registration and License Plate Fee

Sec. 6. (a) A person that sells or otherwise disposes of a vehicle, including a wrecked or destroyed vehicle, owned by the person before the date on which the vehicle's registration expires may apply to the bureau to transfer the registration and license plates to a vehicle acquired or owned by the person. (b) This subsection applies if the vehicle to which the registration and license plate are transferred is of the same type and in the same weight class as the vehicle for which the registration and license plate were originally issued. The bureau shall transfer the registration and license plate and issue an amended certificate of registration to the person applying for the transfer after the person pays the following: (1) A fee of nine dollars and fifty cents ($9.50). The fee shall be distributed as follows: (A) Twenty-five cents ($0.25) to the state construction fund. (B) Fifty cents ($0.50) to the state motor vehicle

technology fund. (C) One dollar ($1) to the crossroads 2000 fund. (D) One dollar and fifty cents ($1.50) to the motor vehicle highway account. (E) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (F) Five dollars ($5) to the commission fund. (2) Any additional excise taxes owed under IC 6-6 on the vehicle to which the registration is transferred. (c) This subsection applies if a vehicle to which the registration is transferred is of a different type or in a different weight class than the vehicle for which the registration and license plate were originally issued. The bureau shall transfer the registration and license plate and issue to the person applying for the transfer an amended certificate of registration and, if necessary, a new license plate or other proof of registration under this article or IC 9-18.5 after the person pays the following: (1) A fee of nine dollars and fifty cents ($9.50). The fee shall be distributed as follows: (A) Twenty-five cents ($0.25) to the state construction fund. (B) Fifty cents ($0.50) to the state motor vehicle technology fund. (C) One dollar ($1) to the crossroads 2000 fund. (D) One dollar and fifty cents ($1.50) to the motor vehicle highway account. (E) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (F) Five dollars ($5) to the commission fund. (2) Any additional excise taxes owed under IC 6-6 on the vehicle to which the registration is transferred. (3) If the fee to register the vehicle to which the registration is transferred exceeds by more than ten dollars ($10) the fee to register the vehicle for which the registration was originally issued, the amount determined under the following formula: STEP ONE: Determine the number of months between: (i) the date on which the vehicle to which the registration is transferred was acquired; and (ii) the next registration date under this chapter for a vehicle registered by the person. A partial month shall be rounded to one (1) month. STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12). STEP THREE: Determine the difference between: (i) the registration fee for the vehicle to which the registration is transferred; minus (ii) the registration fee for the vehicle for which the registration was originally issued. STEP FOUR: Determine the product of: (i) the STEP TWO result; multiplied by (ii) the STEP THREE result. A fee collected under this subdivision shall be deposited in the motor vehicle highway account. (d) A person may register a vehicle to which a registration is transferred under this section: (1) individually; or (2) with one (1) or more other persons. [Pre-2016 Revision Citations: 9-18-6-4(b); subsection (b) formerly 9-29-5-23(a); subsection (c) formerly 9-29-5-23(b).] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.125; P.L.108-2019, SEC.176; P.L.178-2019, SEC.42; P.L.156-2020, SEC.44.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 11. Expiration, Replacement, and Transfer of Registrations9-18.1-11-7. Refund of Unused Registration Fees Prohibited; Exceptions

Sec. 7. (a) Except as provided in IC 9-33-3 and subsection (b), a person is not entitled to a refund of any unused registration fees. (b) The bureau may establish administrative procedures to provide for: (1) a refund; or (2) a credit; of registration fees imposed under this article if a person that has registered a vehicle changes the vehicle registration from registration under any other law to registration under the International Registration Plan. [Pre-2016 Revision Citation: subsection (b) formerly 9-18-4-4.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 11. Expiration, Replacement, and Transfer of Registrations9-18.1-11-8. Duplicate or Replacement License Plate or Other Proof of Registration; Notice to Law Enforcement; Fee

Sec. 8. (a) If a license plate or other proof of registration is stolen, the person in whose name the license plate or other proof of registration was issued shall notify: (1) the Indiana law enforcement agency that has jurisdiction where the theft occurred; or (2) the law enforcement agency that has jurisdiction over the address listed on the registration for the vehicle for which the license plate or other proof of registration was issued; that the original license plate or other proof of registration has been stolen. (b) A person may apply to the bureau to replace a license plate or other proof of registration that is lost, stolen, destroyed, or damaged. The bureau shall issue a duplicate or replacement license plate or other proof of registration after the person does the following: (1) Pays a fee of nine dollars and fifty cents ($9.50). The fee shall be distributed as follows: (A) Twenty-five cents ($0.25) to the state construction fund. (B) Fifty cents ($0.50) to the state motor vehicle technology fund. (C) One dollar ($1) to the crossroads 2000 fund. (D) One dollar and fifty cents ($1.50) to the motor vehicle highway account. (E) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (F) Five dollars ($5) to the commission fund. However, the bureau may waive the fee under this subsection for a duplicate certificate of registration that is processed on the Internet web site of the bureau. (2) If the proof of registration was lost or stolen, provides proof of compliance with subsection (a) in a manner and form prescribed by the bureau. (c) A replacement proof of registration must be kept or displayed in the same manner as the original proof of registration. [Pre-2016 Revision Citations: 9-18-6-2; subsection (b) formerly 9-29-5-17.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.126; P.L.108-2019, SEC.177; P.L.111-2021, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 11. Expiration, Replacement, and Transfer of Registrations9-18.1-11-9. Change of Ownership of Vehicle; Amended Certificate of Registration; Fee

Sec. 9. (a) A person that owns a vehicle may apply to the bureau to change the ownership of the vehicle: (1) by adding at least one (1) other person as a joint owner; or (2) if the person is a joint owner of the vehicle, by transferring the person's ownership interest in a vehicle to at least one (1) remaining joint owner. (b) The bureau shall issue an amended certificate of registration to a person that applies under subsection (a) after the person does the following: (1) Complies with IC 9-17. (2) Pays a fee of nine dollars and fifty cents ($9.50). (c) A person may apply to the bureau to amend any obsolete or incorrect information contained in a certificate of registration. The bureau shall issue an amended certificate of registration after the person pays a fee of nine dollars and fifty cents

($9.50). (d) The bureau may not impose or collect a fee for a duplicate, an amended, or a replacement certificate of registration that is issued as a result of an error on the part of the bureau. (e) A fee described in subsection (b)(2) or (c) shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) One dollar ($1) to the crossroads 2000 fund. (4) One dollar and fifty cents ($1.50) to the motor vehicle highway account. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Five dollars ($5) to the commission fund. [Pre-2016 Revision Citations: subsection (a) formerly 9-18-6-4(d); subsection (d) formerly 9-29-5-17.1(b).] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.127; P.L.108-2019, SEC.178.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 12. Temporary Permits9-18.1-12-1. Mini-Trucks; Exception

Sec. 1. This chapter does not apply to mini-trucks. [Pre-2016 Revision Citation: 9-18-1-2.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 12. Temporary Permits9-18.1-12-2. Application; Fee; Period of Validity; Display

Sec. 2. (a) A person may apply to the bureau for a temporary registration permit for a vehicle. The bureau shall issue the person a temporary registration permit after the person does the following: (1) Provides proof of financial responsibility in effect with respect to the vehicle in the amounts specified under IC 9-25. (2) Pays a fee of eighteen dollars ($18). The fee shall be distributed as follows: (A) Twenty-five cents ($0.25) to the state construction fund. (B) Fifty cents ($0.50) to the state motor vehicle technology fund. (C) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (D) Five dollars ($5) to the commission fund. (E) Any remaining amount to the motor vehicle highway account. (b) A temporary registration permit is valid for a period of thirty (30) days from the date of issuance and authorizes the use of the vehicle on a highway if any of the following conditions exist: (1) The person has purchased or otherwise obtained the vehicle in Indiana and will be titling or registering the vehicle in another state or foreign country. (2) The person is an Indiana resident and is intending to move to another state and the current vehicle registration or temporary permit will expire before the person moves. (3) The person is an Indiana resident and the vehicle registration in another state has expired and the person has applied under IC 9-17 for a title for the vehicle. (4) The person owns and operates the vehicle and the person: (A) does not operate the vehicle as a lessor; and (B) moves the empty vehicle from one (1) lessee-carrier to another. (5) The person owns a vehicle for which emissions testing is required and the vehicle will require further mechanical repairs in order to comply with the emissions testing requirements. (c) A temporary registration permit shall be displayed on a vehicle in a manner determined by the bureau. [Pre-2016 Revision Citations: 9-18-7-1; subsection (a) formerly 9-18-7-1(e); 9-29-5-20(b).] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.129; P.L.108-2019, SEC.180.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 12. Temporary Permits9-18.1-12-3. Operation of Vehicle Without Certificate of Title or Registration; Period of Validity; Violation

Sec. 3. (a) A person that owns a vehicle may apply to the bureau for a temporary delivery permit to operate the vehicle without obtaining a certificate of title or registration for the vehicle as set forth in subsection (b). The bureau shall issue the person a temporary delivery permit after the person does the following: (1) Provides proof of financial responsibility in effect with respect to the vehicle in the amounts specified under this article in the form required by the bureau. (2) Pays a fee of eighteen dollars ($18). The fee shall be distributed as follows: (A) Twenty-five cents ($0.25) to the state construction fund. (B) Fifty cents ($0.50) to the state motor vehicle technology fund. (C) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (D) Five dollars ($5) to the commission fund. (E) Any remaining amount to the motor vehicle highway account. (b) A temporary delivery permit issued under subsection (a) is valid for a period of ninety-six (96) hours beginning with the time of issuance and authorizes the person or the person's agent or employee to operate the vehicle upon a highway for the purpose of delivering, or having delivered, the vehicle to any of the following locations: (1) A place of storage, including the person's residence or place of business. (2) An inspection station for purposes of emissions testing under IC 13-17-5-5.1(b). (3) A license branch or a location operated by a full service provider (as defined in IC 9-14.1-1-2) or a partial services provider (as defined in IC 9-14.1-1-3) to register the vehicle under this article. (c) A temporary delivery permit must be displayed on a vehicle in a manner determined by the bureau. (d) A person that uses a temporary permit: (1) for a period greater than ninety-six (96) hours; or (2) for a purpose not specified in subsection (b); commits a Class C infraction. [Pre-2016 Revision Citations: 9-18-7-4; subsection (a) formerly 9-18-7-4(a); 9-18-7-4(b); 9-29-5-20.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.130; P.L.108-2019, SEC.181; P.L.111-2021, SEC.19.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 13. Department of State Revenue Registrations and Permits9-18.1-13-1. "Commercial Vehicle"

Sec. 1. As used in this chapter, "commercial vehicle" means a motor vehicle used in commerce to transport property if the motor vehicle: (1) has a declared gross vehicle weight of at least sixteen thousand (16,000) pounds; and (2) is subject to the commercial motor vehicle excise tax under IC 6-6-5.5. [Pre-2016 Revision Citations: 9-13-2-31(b); 9-13-2-31.5(b).] As added by P.L.198-2016, SEC.326.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 13. Department of State Revenue Registrations and Permits9-18.1-13-2. Authority of Department of State Revenue

Sec. 2. (a) The authority granted to the bureau throughout this article extends to the department of state revenue when the department administers transactions under IC 9-17-2, IC 9-17-3, IC 9-18 (before its expiration), or IC 9-18.1. The department's authority includes the following: (1) Registering vehicles (IC 9-18.1-3 and IC 9-18.1-4). (2) Withholding registration of a vehicle when the vehicle was used in the commission of a toll violation (IC 9-18.1-3). (3) Determining the size, character, display, mounting, securing, content, issuance, replacement, and life cycle of license plates, temporary license plates, renewal stickers, and other proof of registration issued by the department (IC 9-18.1-4). (4) Publishing a schedule of expiration dates (IC 9-18.1-11). (5) Transferring registration and license plates (IC 9-18.1-11). (6) Issuing a duplicate license plate that is lost, stolen, or destroyed (IC 9-18.1-11). (7) Changing ownership information (IC 9-18.1-11). (8) Issuing temporary permits (IC 9-18.1-12). (9) Issuing certificates of title (IC 9-17-2). (b) Plates issued by the department of state revenue remain the property of the department (IC 9-18.1-4). (c) The department of state revenue may adopt rules under IC 4-22-2 to administer this chapter. [Pre-2016 Revision Citation: 9-18-2-7(d).] As added by P.L.198-2016, SEC.326. Amended by P.L.257-2017, SEC.27.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 13. Department of State Revenue Registrations and Permits9-18.1-13-3-b. Registration; License Plates; Transfers

Note: This version of section effective 1-1-2025. See also preceding version of this section, effective until 1-1-2025. Sec. 3. (a) Upon payment of the annual registration fee under IC 9-18.1-5 and any applicable commercial vehicle excise tax under IC 6-6-5.5, the department of state revenue may issue a license plate for each commercial vehicle registered to the owner of at least five (5) commercial vehicles. The license plate issued under this section for a commercial vehicle is permanently valid. (b) The application of registration for the commercial vehicles must be on an aggregate basis by electronic means. If the application is approved, the department of state revenue shall issue a certificate of registration that shall be carried at all times in the vehicle for which it is issued. (c) The registration for a commercial vehicle is void when the registered owner: (1) sells (and does not replace); (2) disposes of; or (3) does not renew the registration of; the commercial vehicle or the commercial vehicle is destroyed. (d) This section does not relieve the owner of a vehicle from payment of any applicable commercial vehicle excise tax under IC 6-6-5.5 on a yearly basis. (e) A registered license plate issued under subsection (a) may be transferred to another vehicle in a fleet of the same weight and plate type, with a new certificate of registration issued under subsection (b), upon application to the department of state revenue. A commercial vehicle excise tax credit may be applied to any plate transfer of the same vehicle type and same weight category. (f) The following apply to rules adopted by the bureau before January 1, 2014, under IC 9-18-2-4.5(f) (before its expiration): (1) The rules are transferred to the department of state revenue and are considered rules of the department of state revenue. (2) The rules are treated as if they had been adopted by the department of state revenue. (g) Upon qualification under this section, a vehicle subject to the commercial vehicle excise tax under IC 6-6-5.5, including trailers and semitrailers, must be registered with the department of state revenue and issued a permanent license plate. (h) A registered owner may continue to register commercial vehicles under this section even after a reduction in the registered owner's fleet to fewer than five (5) commercial vehicles. As added by P.L.198-2016, SEC.326. Amended by P.L.257-2017, SEC.28; P.L.141-2024, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 13. Department of State Revenue Registrations and Permits9-18.1-13-3. Registration; License Plates; Transfers

Note: This version of section effective until 1-1-2025. See also following version of this section, effective 1-1-2025. Sec. 3. (a) Upon payment of the annual registration fee under IC 9-18.1-5 and any applicable commercial vehicle excise tax under IC 6-6-5.5, the department of state revenue may issue a license plate for each commercial vehicle registered to the owner of at least twenty-five (25) commercial vehicles. The license plate issued under this section for a commercial vehicle is permanently valid. (b) The application of registration for the commercial vehicles must be on an aggregate basis by electronic means. If the application is approved, the department of state revenue shall issue a certificate of registration that shall be carried at all times in the vehicle for which it is issued. (c) The registration for a commercial vehicle is void when the registered owner: (1) sells (and does not replace); (2) disposes of; or (3) does not renew the registration of; the commercial vehicle or the commercial vehicle is destroyed. (d) This section does not relieve the owner of a vehicle from payment of any applicable commercial vehicle excise tax under IC 6-6-5.5 on a yearly basis. (e) A registered license plate issued under subsection (a) may be transferred to another vehicle in a fleet of the same weight and plate type, with a new certificate of registration issued under subsection (b), upon application to the department of state revenue. A commercial vehicle excise tax credit may be applied to any plate transfer of the same vehicle type and same weight category. (f) The following apply to rules adopted by the bureau before January 1, 2014, under IC 9-18-2-4.5(f) (before its expiration): (1) The rules are transferred to the department of state revenue and are considered rules of the department of state revenue. (2) The rules are treated as if they had been adopted by the department of state revenue. (g) Upon qualification under this section, a vehicle subject to the commercial vehicle excise tax under IC 6-6-5.5, including trailers and semitrailers, must be registered with the department of state revenue and issued a permanent license plate. (h) A registered owner may continue to register commercial vehicles under this section even after a reduction in the registered owner's fleet to fewer than twenty-five (25) commercial vehicles. As added by P.L.198-2016, SEC.326. Amended by P.L.257-2017, SEC.28.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 13. Department of State Revenue Registrations and Permits9-18.1-13-4. Vehicle Registrations Subject to International Registration Plan; Distinctive Cab Card; Fee

Sec. 4. (a) The department of state revenue shall administer vehicle registrations that are subject to the International Registration Plan according to the terms of the International Registration Plan and rules adopted by the department of state revenue under IC 4-22-2. (b) A person that registers a vehicle under the International Registration Plan shall file electronically with the department of state revenue an application for the registration of the vehicle. (c) The department of state revenue may audit records of persons that register trucks, trailers, semitrailers, buses, and rental cars under the International Registration Plan to verify the accuracy of the application and collect or refund fees due. (d) The department of state revenue may issue a certificate of registration or a license plate for a vehicle that is: (1) subject to registration under apportioned registration of the International Registration Plan; and (2) based and titled in a state other than Indiana subject to the conditions of the plan. (e) A person that owns or leases a vehicle required to be registered under the International Registration Plan shall receive an apportioned plate and cab card as determined by the department of state revenue. (f) A distinctive cab card: (1) shall be issued for a vehicle registered under the International Registration Plan; and (2) must be carried in the vehicle. (g) The fee for a cab card issued under subsection (f) is five dollars ($5). The fee for a duplicate cab card is one dollar ($1). However, the department of state revenue may waive the fee for a duplicate cab card processed on the Internet web site of the department. (h) A recovery vehicle may be registered under the International Registration Plan and be issued an apportioned license plate. (i) The department of state revenue shall issue a document to a person applying for registration under the International Registration Plan to serve as a temporary registration authorization pending issuance of a permanent registration plate and cab card. The document must be carried in the vehicle for which the document is issued. [Pre-2016 Revision Citations: subsection (b) formerly 9-18-2-14(c); subsection (c) formerly 9-18-2-16(b); subsection (d) formerly 9-18-2-18; subsection (e) formerly 9-18-2-19; subsection (g) formerly 9-29-13-3; 9-29-13-4; subsection (h) formerly 9-18-13-6; subsection (i) formerly 9-18-7-3.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 13. Department of State Revenue Registrations and Permits9-18.1-13-5. Trip Permit; Violation

Sec. 5. (a) A trip permit may be issued for: (1) a vehicle that could be operated in Indiana for a period of seventy-two (72) hours instead of full registration; and (2) both interstate and intrastate travel. (b) A trip permit may not be used to evade full registration. (c) The department of state revenue or agents for the department of state revenue may issue trip permits under rules adopted under IC 4-22-2. (d) A person that uses a trip permit: (1) for a period greater than seventy-two (72) hours; or (2) to evade full registration; commits a Class C infraction. [Pre-2016 Revision Citation: 9-18-7-2.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 13. Department of State Revenue Registrations and Permits9-18.1-13-6. Hunter's Permit; Transfer

Sec. 6. (a) When a hunter's permit is applied for under this section, the department of state revenue shall issue a hunter's permit to a common carrier (as defined under IC 8-2.1-17-4) that contracts for common carrier services from an individual who owns and operates a motor vehicle subject to the International Registration Plan. (b) If a motor vehicle under subsection (a) is registered in the name of the common carrier that contracts for services from the person that is the owner and operator of the motor vehicle, when the person no longer provides services to the common carrier, the common carrier shall transfer a hunter's permit issued to the common carrier under subsection (a) to the person upon the person's request. The common carrier may charge the person receiving the hunter's permit an amount that does not exceed the amount the common carrier paid for the hunter's permit under subsection (a). (c) A hunter's permit transferred to a person under subsection (b) allows the person to move the motor vehicle under subsection (a) within Indiana for thirty (30) days to search for a new independent contract for services with a common carrier without first registering the motor vehicle. [Pre-2016 Revision Citation: 9-18-7-6.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 13. Department of State Revenue Registrations and Permits9-18.1-13-7. Delinquent Registration; Administrative Penalty

Sec. 7. (a) Except as provided in subsection (b), a person that fails to: (1) apply for the registration of, or transfer a registration to, a vehicle; (2) provide full payment for the registration of a vehicle; or (3) both: (A) apply for the registration of, or transfer a registration to, a vehicle; and (B) provide full payment for the registration of a vehicle; as required under this chapter is subject to the penalties and interest imposed under IC 6-8.1-10. (b) A person that fails to: (1) apply for the registration of, or transfer a registration to, a vehicle; (2) provide full payment for the registration of a vehicle; or (3) both: (A) apply for the registration of, or transfer a registration to, a vehicle; and (B) provide full payment for the registration of a vehicle; as required under IC 9-18-2-4.6 (before its expiration) or IC 9-18.1-13-3 is subject to the administrative penalty imposed under IC 9-18.1-11-5. (c) An administrative penalty collected under subsection (b) shall be deposited in the commission fund. As added by P.L.198-2016, SEC.326. Amended by P.L.257-2017, SEC.29.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14.5. Watercraft9-18.1-14.5-1. Registration; Exceptions

Sec. 1. (a) Except as provided in subsection (b), a watercraft may not be operated, used, docked, or stored in Indiana during any part of a calendar year unless the watercraft: (1) is registered under this chapter; and (2) displays proof of registration under this chapter. (b) Registration is not required for the following watercraft: (1) A watercraft that is from a country other than the United States temporarily using the waters of Indiana. (2) A ship's lifeboat, when used solely as a lifeboat of another boat and for no other recreational purpose. (3) Except as provided in subdivision (4), a watercraft that is registered outside of Indiana and operated, used, stored, or docked in Indiana for a combined total of not more than sixty (60) consecutive days during a calendar year. (4) A watercraft that is registered outside of Indiana and docked on the Indiana part of Lake Michigan for a combined total of not more than one hundred eighty (180) consecutive days. (5) A watercraft that belongs to a class of boats that has been exempted from registration and numbering by the bureau after the bureau has found the following: (A) That an agency of the federal government has a numbering system applicable to the class of watercraft to which the watercraft in question belongs. (B) That the watercraft would also be exempt from numbering if the watercraft were subject to federal law. (6) A watercraft, the operator of which has in the operator's possession a bill of sale from a dealer licensed under IC 9-32 or private individual that includes the following: (A) The purchaser's name and address. (B) A date of purchase that is not more than forty-five (45) days preceding the date that the operator is required to show the bill of sale. (C) The make, model, and identification number of the watercraft provided by the manufacturer. (7) A watercraft held by a watercraft manufacturer, distributor, or dealer for sale in the ordinary course of business. (8) A watercraft subject to the commercial vessel tonnage tax under IC 6-6-6. (c) A person that fails to register a watercraft that is required to be registered under this chapter commits a Class C infraction. As added by P.L.164-2020, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14.5. Watercraft9-18.1-14.5-10. Delinquent Registration Renewal; Administration Penalty; Violation

Sec. 10. (a) The bureau shall collect an administrative penalty of fifteen dollars ($15) from the following: (1) A person that fails to: (A) register; or (B) provide full payment for the registration of; a watercraft within forty-five (45) days after the date on which the watercraft becomes subject to registration under section 8(a)(1) of this chapter. (2) A person that fails to: (A) renew; or (B) provide full payment for the renewal of; the registration of a watercraft by the date on which the registration expires. (3) A person who: (A) owns a watercraft; (B) becomes an Indiana resident; and (C) fails to register or provide full payment of the registration of the watercraft within sixty (60) days after the person becomes an Indiana resident. (b) An administrative penalty collected under subsection (a) shall be deposited in the commission fund. (c) A person described in subsection (a) commits a Class C infraction. As added by P.L.164-2020, SEC.38. Amended by P.L.111-2021, SEC.22.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14.5. Watercraft9-18.1-14.5-11. Replacement Certificate of Registration or Decal; Notice to Law Enforcement; Fee

Sec. 11. (a) If a certificate of registration or decal issued for a watercraft that is registered under this chapter is lost, stolen, destroyed, or damaged, the owner of the watercraft may apply to the bureau for a replacement certificate of registration or decal. If the certificate of registration or decal is stolen, the owner shall provide notice of the theft to a law enforcement agency with jurisdiction over: (1) the site of the theft; or (2) the address listed on the certificate of registration. (b) The bureau shall issue a replacement certificate of registration or decal to the owner of a watercraft after the owner pays a fee of nine dollars and fifty cents ($9.50). (c) The fee imposed under subsection (b) shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) One dollar ($1) to the crossroads 2000 fund. (4) One dollar and fifty cents ($1.50) to the motor vehicle highway account. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Five dollars ($5) to the commission fund. (d) A replacement certificate of registration or decal issued under this section must be attached and displayed in the same manner as the original certificate of registration or decal. As added by P.L.164-2020, SEC.38. Amended by P.L.111-2021, SEC.23.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14.5. Watercraft9-18.1-14.5-12. Change of Ownership; Amended Certificate of Registration; Fee

Sec. 12. (a) A person that owns a watercraft that is registered under this chapter may apply to the bureau to change the ownership of the watercraft: (1) by adding at least one (1) other person as a joint owner; or (2) if the person is a joint owner of the watercraft, by transferring the person's ownership interest in the watercraft to at least one (1) remaining joint owner. (b) The bureau shall issue an amended certificate of registration to a person that applies under subsection (a) after the person does the following: (1) Complies with IC 9-17. (2) Pays the fee of nine dollars and fifty cents ($9.50). (c) A person may apply to the bureau to amend any obsolete or incorrect information contained in the certificate of registration issued with respect to the watercraft. The bureau shall issue an amended certificate of registration after the person pays a fee of nine dollars and fifty cents ($9.50). (d) The bureau may not impose or collect a fee for a duplicate, amended, or replacement certificate of registration that is issued as a result of an error on the part of the bureau. (e) A fee described in subsection (b)(2) or (c) shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) One dollar ($1) to the crossroads 2000 fund.

(4) One dollar and fifty cents ($1.50) to the motor vehicle highway account. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Five dollars ($5) to the commission fund. As added by P.L.164-2020, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14.5. Watercraft9-18.1-14.5-13. Duties of the Bureau

Sec. 13. (a) If an agency of the federal government has an overall system of identification numbering for watercraft within the United States, the registration and numbering system employed under this chapter by the bureau must conform with the system. (b) In accordance with any request made by an authorized official or agency of the United States, the bureau shall transmit any information compiled or otherwise available to the bureau under: (1) IC 14-15-4-1; (2) IC 14-15-4-2; and (3) IC 14-15-4-3; to the official or agency of the United States. As added by P.L.164-2020, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14.5. Watercraft9-18.1-14.5-14. Enforcement

Sec. 14. Every law enforcement officer of this state and its subdivisions, including an enforcement officer of the department of natural resources, may enforce this chapter and may stop and board a watercraft subject to this chapter. As added by P.L.164-2020, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14.5. Watercraft9-18.1-14.5-2. Application; False Statement; Violation

Sec. 2. (a) A person that desires to register a watercraft must submit an application, in a form and manner prescribed by the bureau, that contains the following information: (1) The name of the owner of the watercraft, and, if the watercraft is leased, the name of the lessee. (2) The person's address in Indiana, including the county and township, on the date of the application, as follows: (A) If the person is an individual, the person's residence address. However, if the person participates in the address confidentiality program under IC 5-26.5, the address may be a substitute address designated by the office of the attorney general under IC 5-26.5. (B) If the person is not an individual, the person's principal office in Indiana. (C) If the person does not have a physical residence or office in Indiana, the county and township in Indiana where the watercraft will be primarily operated or stored. (3) A description of the watercraft to be registered, including the identification number and color of the watercraft. (4) The tax situs of the watercraft as defined in IC 6-6-11-5. (5) Any other information required by the bureau. (b) An application made online or through the United States mail is not required to be sworn or notarized. (c) A person may apply on behalf of another person to register a watercraft under this chapter. However, the person in whose name the watercraft will be registered must sign and verify the application. (d) A person that makes a false statement in an application under this section commits a Class C infraction. As added by P.L.164-2020, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14.5. Watercraft9-18.1-14.5-3. Registration; Requirements

Sec. 3. The bureau may not register a watercraft unless: (1) the watercraft has an identification number; (2) the registrant: (A) pays the applicable boat excise tax for the watercraft under IC 6-6-11; or (B) provides proof in a manner acceptable to the bureau that the watercraft is exempt from the boat excise tax for watercraft under IC 6-6-11; (3) the registrant titles the watercraft under IC 9-17; and (4) the registrant pays the appropriate registration fee under section 6 of this chapter. As added by P.L.164-2020, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14.5. Watercraft9-18.1-14.5-4. Determination of Genuineness, Regularity, and Legality

Sec. 4. (a) The bureau shall use due diligence in examining and determining the genuineness, regularity, and legality of the information provided by a person as part of a request to register a watercraft under this chapter. (b) The bureau may: (1) make investigations or require additional information; and (2) reject an application or request; if the bureau is not satisfied of the genuineness, regularity, or legality of an application or the truth of a statement contained in an application or request, or for any other reason. As added by P.L.164-2020, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14.5. Watercraft9-18.1-14.5-5. Certificates of Registration and Decals

Sec. 5. (a) If the bureau determines that a person applying to register a watercraft is entitled to register the watercraft, the bureau shall register the watercraft and issue to the applicant proof of registration for display on the watercraft and a certificate of registration. (b) Proof of registration for display on the watercraft must be displayed in a manner prescribed by the department of natural resources, including the following: (1) The registration number set forth in the certificate of registration must be displayed on each side of the bow of the watercraft. The display must be legible. However, a watercraft that has a valid marine document issued by the United States Bureau of Customs is not required to display the registration number. (2) If a watercraft is required to be registered under 33 CFR 173, the registration number must be displayed in the manner prescribed by 33 CFR 173.27. (3) Decals indicating the year of expiration of registration, with a unique identification number and a different color than colors used for the

previous registration year, must be affixed: (A) to the bow of each side of the watercraft, within three (3) inches to the right of the watercraft's registration number; or (B) on each side of the forward half of the bow above the water line of the watercraft if a registration number is not required to be displayed. However, the department of natural resources may adopt rules under IC 4-22-2 providing that the decals do not have to be affixed to a particular type of watercraft. (c) A number other than the number awarded to a watercraft or granted reciprocity under this chapter may not be painted, attached, or otherwise displayed on each side of the bow of the watercraft. (d) A person that fails to: (1) carry a certificate of registration or a legible reproduction of a certificate of registration; or (2) display proof of registration for display on the watercraft as required by the department of natural resources; commits a Class C infraction. (e) Certificates of registration, decals, and other proof of registration issued under this section: (1) remain the property of the bureau; and (2) may be revoked, canceled, or repossessed as provided by law. (f) A person who knowingly or intentionally falsifies, predates, changes, or counterfeits proof of registration for a watercraft commits a Class C misdemeanor. As added by P.L.164-2020, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14.5. Watercraft9-18.1-14.5-6. Fee

Sec. 6. (a) A request for registration under this chapter must be signed by the owner of the watercraft and accompanied by the appropriate fee specified in subsection (b). The fee to renew a watercraft registration is specified in subsection (c). (b) The fee to register a watercraft in its first year of registration is the amount determined by STEP THREE of the following formula: STEP ONE: Determine the appropriate fee based upon the length of the watercraft as follows: Watercraft Length (in feet) At Least But Less Fee ($) Than 0 13 15 13 26 18 26 40 21 40 24 STEP TWO: Determine the appropriate fee based upon the value of the watercraft as follows: Value ($) Value ($) Fee ($) Greater Than or Equal to Less Than 0 1,000 5 1,000 3,000 10 3,000 5,000 15 5,000 10,000 20 10,000 25 STEP THREE: Determine the sum of the STEP ONE amount plus the STEP TWO amount. (c) The fee to renew a watercraft registration is based upon the value of the watercraft as follows: Class Boat Value When New Fee Due At Least But Less Than 1 $0.01 $500 $15 2 500 1,000 15 3 1,000 1,500 20 4 1,500 2,000 20 5 2,000 3,000 20 6 3,000 5,000 25 7 5,000 7,500 30 8 7,500 10,000 30 9 10,000 15,000 35 10 15,000 22,500 40 11 22,500 35,000 45 12 35,000 50,000 50 13 50,000 75,000 55 14 75,000 or more 60 (d) For purposes of this section, the bureau shall determine the value of a watercraft in the same manner as set forth in IC 6-6-11-10(b). (e) The fees collected under subsection (b) shall be distributed as follows: (1) Fees collected from STEP ONE of subsection (b) shall be deposited in the fish and wildlife fund established by IC 14-22-3-2 and shall be used exclusively for the following: (A) The enforcement of laws pertaining to watercraft. (B) The state's share of the cost of retirement benefits for conservation officers of the department of natural resources. (C) Improving the navigable waters of Indiana. (2) Sixty-six and seven-tenths percent (66.7%) of the fees collected from STEP TWO of subsection (b) shall be deposited in the lake and river enhancement fund established by IC 14-22-3.5-1. (3) Thirty-three and three-tenths percent (33.3%) of the fees collected from STEP TWO of subsection (b) shall be deposited in the conservation officers marine enforcement fund established by IC 14-9-8-21.5. (f) A fee collected under subsection (c) shall be distributed as follows: (1) Five dollars ($5) shall be deposited in the fish and wildlife fund established by IC 14-22-3-2 and shall be used exclusively for the following: (A) The enforcement of laws pertaining to watercraft. (B) The state's share of the cost of retirement benefits for conservation officers of the department of natural resources. (C) Improving the navigable waters of Indiana. (2) The remaining amount shall be distributed as follows: (A) Seventy-five percent (75%) to the lake and river enhancement fund established by IC 14-22-3.5-1. (B) Twenty-five percent (25%) to the conservation officers marine enforcement fund established by IC 14-9-8-21.5. (g) The owner of a watercraft that is registered under this section is required to: (1) renew the registration under subsection (c); and (2) pay any applicable fees and excise tax under IC 6-6-11-13 on the watercraft; each year. As added by P.L.164-2020, SEC.38. Amended by P.L.74-2023, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14.5. Watercraft9-18.1-14.5-7. Exempted Vehicles

Sec. 7. (a) A watercraft that is owned or leased and used for official business by the following is exempt from the payment of registration fees under this article: (1) A state or state agency (as defined in IC 6-1.1-1-18). (2) A municipal corporation (as defined in IC 36-1-2-10). (3) A volunteer fire department (as defined in IC 36-8-12-2). (b) The bureau may issue proof of registration under this chapter for a watercraft owned by or leased by the federal government. (c) The bureau may adopt rules under IC 4-22-2 to assign permanent registration numbers and accompanying registration cards to watercraft owned or leased by an entity listed in subsection (a)(1). As added by P.L.164-2020, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14.5. Watercraft9-18.1-14.5-8. Term of Validity

Sec. 8. (a) A watercraft becomes subject to registration under this chapter: (1) on the date the watercraft is acquired; or (2) not later than sixty (60) days after a person who owns the watercraft becomes an Indiana resident. (b) Upon becoming subject to registration under this chapter, a watercraft must be registered for a period that is not: (1) less than three (3) months; or (2) greater than twenty-four (24) months. (c) A registration under this article may be renewed: (1) for a watercraft with an unexpired registration, for a period of twelve (12) months from the date on which the registration will expire; or (2) for a watercraft with an expired registration, for a period of not: (A) less than three (3) months; or (B) greater than twenty-four (24) months. (d) Subject to subsection (b), and except as provided for in subsection (h), the registration year for a registration, other than a renewal described in

subsection (c), begins on the date on which the watercraft becomes subject to registration as determined under subsection (a) and ends on the following date selected by the person registering the watercraft: (1) The date on which the watercraft registration expires, as determined under the schedule established under IC 9-18.1-11-1. (2) Twelve (12) months after the date described in subdivision (1). (e) If a person sells or otherwise disposes of a watercraft: (1) the certificate of registration and proof of registration for the watercraft are canceled; and (2) except as provided in IC 9-33-3, the person is not entitled to a refund of any unused part of a fee paid by the person under this chapter. (f) If the watercraft is transferred or sold, the person shall provide ownership documents at the time of delivering the watercraft. (g) A person that acquires a watercraft that is registered under this chapter must apply to the bureau under this chapter to register the watercraft. (h) A watercraft registered under this chapter remains subject to continuous registration under this chapter until: (1) the watercraft is sold or otherwise disposed of; or (2) the person that registered the watercraft becomes a nonresident. As added by P.L.164-2020, SEC.38. Amended by P.L.111-2021, SEC.21.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14.5. Watercraft9-18.1-14.5-9. Operation of a Watercraft With Expired Plates; Violation

Sec. 9. (a) If the date on which the registration of a watercraft expires is a day on which all license branches located in the county in which the watercraft is registered are closed, including: (1) a Sunday; or (2) a legal holiday listed in IC 1-1-9-1; the registration expires at midnight on the date following the next day on which a license branch located in the county in which the watercraft is registered is open for business. (b) Except as provided in subsection (a), a person that owns or operates a watercraft may not operate or permit the operation of a watercraft that: (1) is required to be registered under this chapter; and (2) has an expired registration. (c) A person that operates or permits the operation of a watercraft in violation of subsection (b) commits a Class C infraction. As added by P.L.164-2020, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14. Off-Road Vehicles and Snowmobiles9-18.1-14-1. Registration; Exceptions

Sec. 1. (a) Except as provided under subsections (b) and (c), an off-road vehicle or a snowmobile must be registered under this chapter to be operated in Indiana. (b) Registration is not required for the following vehicles: (1) An off-road vehicle or snowmobile that is exclusively operated in a special event of limited duration that is conducted according to a prearranged schedule under a permit from the governmental unit having jurisdiction. (2) An off-road vehicle or snowmobile that is registered in another state or country and being operated by a nonresident of Indiana for a period not to exceed twenty (20) days in one (1) calendar year. (3) An off-road vehicle or snowmobile that is being operated for purposes of testing or demonstration and on which certificate numbers have been placed under section 9 of this chapter. (4) An off-road vehicle or snowmobile, the operator of which has in the operator's possession a bill of sale from a dealer licensed under IC 9-32 or a private individual that includes the following: (A) The purchaser's name and address. (B) A date of purchase, which may not be more than forty-five (45) days before the date on which the operator is required to show the bill of sale. (C) The make, model, and vehicle number of the off-road vehicle or snowmobile provided by the manufacturer. (5) An off-road vehicle or snowmobile that is owned or leased and used for official business by: (A) the state; (B) a municipal corporation (as defined in IC 36-1-2-10); (C) a volunteer fire department (as defined in IC 36-8-12-2); or (D) the United States government or an agency of the United States government. (c) The owner of an off-road vehicle or a snowmobile that was properly registered under IC 14-16-1 or IC 9-18-2.5 (before its expiration) is not required to register the off-road vehicle or snowmobile under this chapter until the date on which the previous registration expires. (d) A person that: (1) operates an off-road vehicle or snowmobile on a public roadway; or (2) fails to register an off-road vehicle or snowmobile as required by this section; commits a Class C infraction. [Pre-2016 Revision Citation: 9-18-2.5-3.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14. Off-Road Vehicles and Snowmobiles9-18.1-14-10. Identifying Vehicle Number; Violations

Sec. 10. (a) A manufacturer of an off-road vehicle or snowmobile shall stamp an identifying vehicle number into the frame of the off-road vehicle or snowmobile. The vehicle number shall be stamped where the number may be easily seen with a minimum of physical effort. A manufacturer that violates this subsection commits a Class A infraction. (b) Upon request, a manufacturer shall furnish information as to the location of vehicle numbers on off-road vehicles and snowmobiles the manufacturer produces to a police officer or the bureau. A manufacturer that violates this subsection commits a Class A infraction. (c) A person may not possess an off-road vehicle or snowmobile with an altered, defaced, or obliterated vehicle number. A person that knowingly or intentionally violates this subsection commits a Class B misdemeanor. [Pre-2016 Revision Citation: 9-18-2.5-12.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14. Off-Road Vehicles and Snowmobiles9-18.1-14-11. Helmet Requirements for Off-Road Vehicle Operators

Sec. 11. (a) As used in this section, "child restraint system" has the meaning set forth in IC 9-13-2-23. (b) Except as provided in subsection (c), an individual less than eighteen (18) years of age who is operating or riding on an off-road vehicle shall wear a helmet that meets the standards established by the United States Department of Transportation under 49 CFR 571.218 as in effect January 1, 1979. (c) An individual less than eighteen (18) years of age who is operating or riding on an off-road vehicle is not

required to wear a helmet if: (1) the individual is properly fastened and restrained by a child restraint system according to the child restraint system manufacturer's instructions; (2) the child restraint system is designed to protect the individual's head; and (3) the off-road vehicle: (A) is factory equipped to secure the child in a child restraint system; and (B) has a roll over protection structure. (d) An individual who violates this section commits a Class C infraction. As added by P.L.141-2017, SEC.1. Amended by P.L.38-2024, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14. Off-Road Vehicles and Snowmobiles9-18.1-14-2. Application; False Statement; Violation

Sec. 2. (a) A person that desires to register an off-road vehicle or a snowmobile must submit an application, in a form and manner prescribed by the bureau, that contains the following: (1) The name of the owner of the off-road vehicle or snowmobile and, if the off-road vehicle or snowmobile is leased, the name of the lessee. (2) The person's address in Indiana, including the county and township, on the date of the application, as follows: (A) If the person is an individual, the person's residence address. However, if the person participates in the address confidentiality program under IC 5-26.5, the address may be a substitute address designated by the office of the attorney general under IC 5-26.5. (B) If the person is not an individual, the person's principal office in Indiana. (C) If the person does not have a physical residence or office in Indiana, the county and township in Indiana where the off-road vehicle or snowmobile will be primarily operated. (3) A description of the off-road vehicle or snowmobile to be registered, including the identification number and color of the off-road vehicle or snowmobile. (4) Any other information required by the bureau. The bureau may not register an off-road vehicle or a snowmobile that does not have an identification number. (b) An application made online or through the United States mail is not required to be sworn or notarized. (c) A person may apply on behalf of another person to register an off-road vehicle or a snowmobile under this chapter. However, the person in whose name the off-road vehicle or snowmobile will be registered must sign and verify the application. (d) A person that makes a false statement in an application under this section commits a Class C infraction. [Pre-2016 Revision Citations: 9-18-2.5-4; 9-18-2.5-6(c).] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14. Off-Road Vehicles and Snowmobiles9-18.1-14-3. Determination of Genuineness, Regularity, and Legality; Certificates of Registration and Decals

Sec. 3. (a) The bureau shall use due diligence in examining and determining the genuineness, regularity, and legality of the information provided by a person as part of a request to register an off-road vehicle or a snowmobile under this chapter. (b) The bureau may: (1) make investigations or require additional information; and (2) reject an application or request; if the bureau is not satisfied of the genuineness, regularity, or legality of an application or the truth of a statement contained in an application or request, or for any other reason. (c) If the bureau determines that a person applying to register an off-road vehicle or a snowmobile is entitled to register the off-road vehicle or snowmobile, the bureau shall register the off-road vehicle or snowmobile and issue to the applicant the following: (1) A certificate of registration. (2) Two (2) decals. A person that fails to maintain registration for an off-road vehicle or snowmobile under this section commits a Class C infraction. (d) Certificates of registration and decals issued under this section: (1) remain the property of the bureau; and (2) may be revoked, canceled, or repossessed as provided by law. [Pre-2016 Revision Citations: subsection (c) formerly 9-18-2.5-4(b); 9-18-2.5-4(d).] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14. Off-Road Vehicles and Snowmobiles9-18.1-14-4. Fee; Term of Validity

Sec. 4. (a) The fee to register an off-road vehicle or snowmobile is thirty dollars ($30). The fee shall be deposited in the off-road vehicle and snowmobile fund established by IC 14-16-1-30. (b) The registration of an off-road vehicle or a snowmobile under this chapter is valid until the earlier of the following: (1) Three (3) years from the date of registration or renewal under this chapter. (2) The date on which the off-road vehicle or snowmobile is sold or transferred to another person. The bureau may designate an expiration month that aligns with the schedule of expiration dates described in IC 9-18.1-11-1. However, the registration period must be at least thirty-six (36) months and not more than forty-eight (48) months for a given registration or renewal. (c) If a person sells or otherwise disposes of an off-road vehicle or snowmobile: (1) the certificate of registration and decals for the off-road vehicle or snowmobile are canceled; and (2) except as provided in IC 9-33-3, the person is not entitled to a refund of any unused part of a fee paid by the person under this section. (d) A person that acquires an off-road vehicle or a snowmobile that is registered under this chapter must apply to the bureau under this chapter to register the off-road vehicle or snowmobile. [Pre-2016 Revision Citations: 9-29-5-44(b); 9-29-5-44(j); subsection (b) formerly 9-18-2.5-6(b).] As added by P.L.198-2016, SEC.326. Amended by P.L.141-2024, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14. Off-Road Vehicles and Snowmobiles9-18.1-14-5. Certificate of Registration; Decals; Display; Violation

Sec. 5. (a) The bureau may adopt rules under IC 4-22-2 concerning the size, character, and content of a certificate of registration or decals issued under this chapter. (b) A certificate of registration issued under this chapter, or a legible reproduction of the certificate of registration, must: (1) be pocket size; (2) accompany the off-road vehicle or snowmobile; and (3) be made available for inspection upon demand by a law enforcement officer. (c) A person that fails to carry or produce an off-road vehicle's or snowmobile's

registration under subsection (b) commits a Class C infraction. (d) Decals issued under section 3(c)(2) of this chapter shall be attached and displayed on the forward half of the off-road vehicle or snowmobile or as prescribed in rules adopted by the bureau. All decals shall be maintained in a legible condition and displayed only for the period for which the registration is valid. (e) A person that fails to properly display a decal as prescribed under subsection (d) commits a Class C infraction. [Pre-2016 Revision Citations: 9-18-2.5-6; subsection (b) formerly 9-18-2.5-4(c); subsection (c) formerly 9-18-2.5-4(d); subsection (d) formerly 9-18-2.5-7(a).] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14. Off-Road Vehicles and Snowmobiles9-18.1-14-6. Delinquent Registration or Renewal; Administration Penalty; Violation

Sec. 6. (a) The bureau shall collect an administrative penalty of fifteen dollars ($15) from the following: (1) A person that fails to: (A) register; or (B) provide full payment for the registration of; an off-road vehicle or a snowmobile within forty-five (45) days after the date on which the person acquires the off-road vehicle or snowmobile. (2) A person that fails to: (A) renew; or (B) provide full payment for the renewal of; the registration of an off-road vehicle or a snowmobile by the date on which the registration expires. (3) A person that: (A) owns an off-road vehicle or a snowmobile; (B) becomes an Indiana resident; and (C) fails to: (i) register; or (ii) provide full payment for the registration of; the off-road vehicle or snowmobile within sixty (60) days after the person becomes an Indiana resident. (b) A penalty collected under subsection (a) shall be deposited in the commission fund. (c) A person described in subsection (a) commits a Class C infraction. [Pre-2016 Revision Citations: 9-18-2.5-9; subsection (a) formerly 9-18-2.5-8(a); subsection (c) formerly 9-18-2.5-8(b).] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14. Off-Road Vehicles and Snowmobiles9-18.1-14-7. Replacement Certificate of Registration or Decal; Notice to Law Enforcement; Fee

Sec. 7. (a) If a certificate of registration or decal issued for an off-road vehicle or a snowmobile that is registered under this chapter is lost, stolen, destroyed, or damaged, the owner of the off-road vehicle or snowmobile may apply to the bureau for a replacement certificate of registration or decal. If the certificate of registration or decal is stolen, the owner shall provide notice of the theft to a law enforcement agency with jurisdiction over: (1) the site of the theft; or (2) the address listed on the certificate of registration. (b) The bureau shall issue a replacement certificate of registration or decal to the owner of an off-road vehicle or a snowmobile after the owner: (1) pays a fee of nine dollars and fifty cents ($9.50); and (2) provides notice as required under subsection (a), if applicable. (c) The fee imposed under subsection (b) shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) One dollar ($1) to the crossroads 2000 fund. (4) One dollar and fifty cents ($1.50) to the motor vehicle highway account. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Five dollars ($5) to the commission fund. (d) A replacement certificate of registration or decal issued under this section must be attached and displayed in the same manner as the original certificate of registration or decal. [Pre-2016 Revision Citations: subsection (b) formerly 9-29-5-44(d); 9-29-5-44(f).] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.131; P.L.108-2019, SEC.183; P.L.111-2021, SEC.20.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14. Off-Road Vehicles and Snowmobiles9-18.1-14-8. Change of Ownership; Amended Certificate of Registration; Fee

Sec. 8. (a) A person that owns an off-road vehicle or a snowmobile that is registered under this chapter may apply to the bureau to change the ownership of the off-road vehicle or snowmobile: (1) by adding at least one (1) other person as a joint owner; or (2) if the person is a joint owner of the off-road vehicle or snowmobile, by transferring the person's ownership interest in the off-road vehicle or snowmobile to at least one (1) remaining joint owner. (b) The bureau shall issue an amended certificate of registration to a person that applies under subsection (a) after the person does the following: (1) Complies with IC 9-17. (2) Pays a fee of nine dollars and fifty cents ($9.50). (c) A person may apply to the bureau to amend any obsolete or incorrect information contained in the certificate of registration issued with respect to the off-road vehicle or snowmobile. The bureau shall issue an amended certificate of registration after the person pays a fee of nine dollars and fifty cents ($9.50). (d) The bureau may not impose or collect a fee for a duplicate, an amended, or a replacement certificate of registration that is issued as a result of an error on the part of the bureau. (e) A fee described in subsection (b)(2) or (c) shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) One dollar ($1) to the crossroads 2000 fund. (4) One dollar and fifty cents ($1.50) to the motor vehicle highway account. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Five dollars ($5) to the commission fund. As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.132; P.L.108-2019, SEC.184.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 14. Off-Road Vehicles and Snowmobiles9-18.1-14-9. Additional Certificates of Registration for Certain Off-Road Vehicles and Snowmobiles; Fee

Sec. 9. (a) A manufacturer or person engaged in the commercial sale of off-road vehicles or snowmobiles may apply to the bureau to obtain certificates of registration for use in the testing or demonstrating of off-road vehicles or snowmobiles. (b) A manufacturer or person engaged in the commercial sale of off-road vehicles or snowmobiles may use a certificate of registration issued under this section only in the testing or demonstrating of off-road vehicles and snowmobiles by temporarily placing the numbers of the

certificate of registration on the off-road vehicle or snowmobile being tested or demonstrated. The temporary placement of numbers must conform to the requirements of this chapter or rules adopted under this chapter. (c) A certificate of registration issued under this section may be used on only one (1) off-road vehicle or snowmobile at any given time. (d) The fee for each certificate of registration issued under this section is thirty dollars ($30). The fee shall be deposited in the off-road vehicle and snowmobile fund established by IC 14-16-1-30. [Pre-2016 Revision Citations: 9-18-2.5-11; subsection (d) formerly 9-29-5-44(g); 9-29-5-44(h); 9-29-5-44(j).] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 15. Transportation Infrastructure Improvement Fee9-18.1-15-1. Applicability

Sec. 1. (a) This chapter applies to annual motor vehicle registrations occurring after December 31, 2017. (b) This chapter does not apply to the following vehicles: (1) Trailers. (2) Semitrailers. (3) Nonmotive recreational vehicles. (4) Special machinery. (5) Vehicles registered as military vehicles under IC 9-18.1-8. (6) Vehicles registered as collector vehicles under IC 9-18.1-5. (7) Motor driven cycles. (8) Trucks, tractors used with a semitrailer, and for-hire buses with a declared gross weight greater than twenty-six thousand (26,000) pounds. As added by P.L.218-2017, SEC.89.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 15. Transportation Infrastructure Improvement Fee9-18.1-15-2. Imposition

Sec. 2. (a) Each year, the owner of a motor vehicle that is registered in Indiana shall pay a transportation infrastructure improvement fee. (b) The amount of the annual transportation infrastructure improvement fee is fifteen dollars ($15). (c) The transportation infrastructure improvement fee specified in subsection (b) shall be apportioned if the vehicle for which the transportation infrastructure improvement fee applies is registered under the International Registration Plan. (d) The transportation infrastructure improvement fee for a vehicle to which this chapter applies: (1) is due and shall be paid each year at the time the vehicle is registered; (2) is a condition to the right to register or reregister the vehicle; and (3) is in addition to all other conditions, taxes, and fees prescribed by law. (e) Except as provided in IC 9-33-3, a person is not entitled to a refund of any unused transportation infrastructure improvement fee. As added by P.L.218-2017, SEC.89. Amended by P.L.185-2018, SEC.36.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 15. Transportation Infrastructure Improvement Fee9-18.1-15-3. Distribution

Sec. 3. Fees collected under this chapter shall be deposited in the local road and bridge matching grant fund established by IC 8-23-30. As added by P.L.218-2017, SEC.89.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 2. Application9-18.1-2-1. Applicability of Article; Validity of Certificate or Proof of Registration Issued Under Ic 9-18 (Before Its Expiration)

Sec. 1. (a) This article applies after December 31, 2016. (b) A certificate of registration or proof of registration issued under IC 9-18 (before its expiration on December 31, 2016) remains valid until it expires or is revoked, suspended, or canceled. As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 2. Application9-18.1-2-10. Actions by Law Enforcement Officers

Sec. 10. (a) Subject to subsection (b), a law enforcement officer authorized to enforce motor vehicle laws who discovers a vehicle that is operated in violation of this chapter may: (1) take the license plate displayed on the vehicle into the officer's custody; (2) take the vehicle into the officer's custody; (3) cause the vehicle to be taken to and stored in a suitable place; or (4) take any combination of the actions described in subdivisions (1), (2), and (3); until the proper certificate of registration and license plates for the vehicle are procured or the legal owner of the vehicle is found. (b) A farm vehicle that is carrying perishable fruits or vegetables or livestock may not be impounded, and the operator may proceed to the point of destination after having been stopped by a law enforcement officer under this section. [Pre-2016 Revision Citations: 9-18-2-43(a); subsection (b) formerly 9-18-2-43(b); 9-21-21-7.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 2. Application9-18.1-2-11. Failure to Register; Violation

Sec. 11. A person that fails to register a vehicle that is required to be registered under this chapter commits a Class C infraction. [Pre-2016 Revision Citations: 9-18-2-1(j); 9-18-2-7(g); 9-18-2-7(h).] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 2. Application9-18.1-2-12. Registration in Other State; Violation

Sec. 12. A person that knowingly or intentionally owns a motor vehicle that is registered outside Indiana but that is required to be registered in Indiana commits a Class B misdemeanor. [Pre-2016 Revision Citation: 9-18-2-45.] As added by P.L.198-2016, SEC.326.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 2. Application9-18.1-2-2. Vehicles Not Required to Be Registered

Sec. 2. The following vehicles are not required to be registered under this article: (1) A vehicle that is propelled by electric power obtained from overhead trolley wires but is not operated on rails or tracks. (2) A firetruck and apparatus used for fire protection. (3) A new motor vehicle if the new motor vehicle is being operated in Indiana solely to remove it from an accident site to a storage location because: (A) the new motor vehicle was being transported on a railroad car or semitrailer; and (B) the railroad car or semitrailer was involved in an accident that required the unloading of the new motor vehicle to preserve or prevent further damage to it. (4) A vehicle that is: (A) owned or leased; and (B) used; by the United States government for official government purposes. (5) A school bus or special purpose bus that is: (A) owned by a school corporation; and (B) registered under IC 20-27-7. (6) Golf carts when operated in accordance with an ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a). (7) A vehicle that is not designed for or employed in general highway transportation of persons or property and is occasionally operated or moved over the highway, including the following: (A) An electric personal assistive mobility device. (B) Road construction or maintenance machinery. (C) A movable device designed, used, or maintained to alert motorists of hazardous conditions on highways. (D) Construction dust control machinery. (E) A well boring apparatus. (F) A ditch digging apparatus. (G) An implement of agriculture designed to be operated primarily in a farm field or on farm premises. (H) A farm tractor. (I) A farm wagon. (J) A tractor: (i) that is used to move semitrailers around a terminal or a loading or spotting facility; and (ii) for which a permit is issued under IC 6-6-4.1-13(f). (8) Except as provided in IC 9-18.1-14, an off-road vehicle or a snowmobile. (9) A vehicle that is operated and displays a license plate in accordance with IC 9-32. (10) A disposable trailer. [Pre-2016 Revision Citations: 9-13-2-196(b); 9-13-2-201; 9-18-1-1; 9-18-2-7(a); 9-18-3-1; 9-29-5-12.] As added by P.L.198-2016, SEC.326. Amended by P.L.128-2018, SEC.3; P.L.178-2019, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 2. Application9-18.1-2-3. Registration Required for Operation on Highway

Sec. 3. Except as provided in sections 4 through 9 of this chapter, a vehicle may not be operated on a highway unless the vehicle: (1) is registered under this article; and (2) displays proof of registration in accordance with this article. [Pre-2016 Revision Citations: 9-18-2-1(i); 9-18-2-7; 9-18-2-29(a); 9-18-2-29.5(a); 9-18-9-1(a); 18-10-1(a); subdivision (1) formerly 9-18-2-1(e); subdivision (2) formerly 9-18-2-30.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 2. Application9-18.1-2-4. Semitrailer or Trailer Used With Apportionable Vehicle; Exception

Sec. 4. A semitrailer or trailer that is used in combination with a vehicle that is an apportionable vehicle under the terms of the International Registration Plan may be operated on a highway if the semitrailer or trailer is registered in accordance with the laws of a jurisdiction that participates in the International Registration Plan. [Pre-2016 Revision Citation: 9-18-2-5.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 2. Application9-18.1-2-5. Vehicle Operated by Nonresident; Exception

Sec. 5. (a) A nonresident that owns a vehicle that: (1) is required to be registered under this article; and (2) is not subject to registration under the International Registration Plan; may operate, or permit the operation of, the vehicle on a highway without registering the vehicle under this article if the vehicle is registered in accordance with the laws of the jurisdiction in which the nonresident is a resident. (b) The exemption granted by subsection (a) applies only to the extent that Indiana residents are granted an equivalent exemption in the jurisdiction in which the nonresident is a resident. [Pre-2016 Revision Citations: 9-18-2-2; subsection (b) formerly 9-18-2-3.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 2. Application9-18.1-2-6. Operation of Vehicle on Highway by Nonresident

Sec. 6. A nonresident that becomes an Indiana resident may operate a vehicle on a highway for not more than sixty (60) days after becoming an Indiana resident without registering the vehicle under this article if the vehicle is registered in accordance with the laws of the jurisdiction in which the nonresident was a resident. [Pre-2016 Revision Citation: 9-18-2-1(d).] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 2. Application9-18.1-2-7. Vehicle Registered in Another State; Exception

Sec. 7. An Indiana resident that: (1) has a legal residence in a state that is not contiguous to Indiana; and (2) owns or operates a vehicle that is registered in accordance with the laws of the other state of legal residence; may operate the vehicle on a highway for not more than sixty (60) days without registering the vehicle under this article. [Pre-2016 Revision Citation: 9-18-2-1(f).] As added

by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 2. Application9-18.1-2-8. Newly Acquired Vehicle; Exception

Sec. 8. A person that acquires a vehicle may operate the vehicle on a highway without registering the vehicle under this article under the following conditions: (1) For the length of a temporary permit issued under the following: (A) IC 9-18-7-1 (before its expiration on December 31, 2016). (B) IC 9-18-7-4 (before its expiration on December 31, 2016). (C) IC 9-18.1-12-2. (D) IC 9-18.1-12-3. (2) For not more than forty-five (45) days after the date on which the person acquires the vehicle, if the person displays on the newly acquired vehicle a valid and unexpired license plate transferred from another vehicle that the person disposes of by sale or other means. While operating the newly acquired vehicle, the person must have in the person's possession a: (A) manufacturer's certificate of origin; (B) certificate of title; or (C) bill of sale; indicating that the person owns the vehicle to which the unexpired license plates are affixed. (3) For not more than forty-five (45) days after the date on which the person acquires the vehicle from a dealer licensed under IC 9-32, if the person displays on the newly acquired vehicle a valid and unexpired interim plate issued under IC 9-32-6-11. (4) If the person acquires the vehicle from a person other than a dealer licensed under IC 9-32, for: (A) not more than seventy-two (72) hours after the date of acquisition; and (B) the sole purpose of transporting the vehicle by the most direct route from the place of acquisition to: (i) a place of storage, including the person's residence or place of business; (ii) an inspection station for purposes of emissions testing under IC 13-17-5-5.1(b); or (iii) a license branch or a location operated by a full service provider (as defined in IC 9-14.1-1-2) or a partial services provider (as defined in IC 9-14.1-1-3) to register the vehicle under this article. While operating the vehicle, the person must have in the person's possession a certificate of title indicating that the person owns the vehicle. [Pre-2016 Revision Citations: subdivision (2) formerly 9-18-6-5; subdivision (3) formerly 9-18-6-4; subdivision (4) formerly 9-18-7-2.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 2. Application9-18.1-2-9. Apportionable Vehicle; Exception

Sec. 9. A person may operate a vehicle that is an apportionable vehicle under the terms of the International Registration Plan upon a highway if the vehicle is registered under the International Registration Plan with a valid and unexpired cab card. As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 3. General Procedures9-18.1-3-1. Application; Violation

Sec. 1. (a) A person that desires to register a vehicle under this article must provide, in the form and manner prescribed by the bureau, the following information: (1) The name of the person that owns the vehicle, or if the vehicle has been leased and is being registered in the name of the lessee instead of the owner, the name of the lessee. (2) The person's address in Indiana, including the county, township, and municipality, on the date of the application, as follows: (A) If the person is an individual, the person's residence address. However, if the person participates in the address confidentiality program under IC 5-26.5, the address may be a substitute address designated by the office of the attorney general under IC 5-26.5. (B) If the person is not an individual, the person's principal office in Indiana. (C) If the person does not have a physical residence or office in Indiana, the county, township, and municipality, in Indiana where the vehicle will be primarily operated. (3) A brief description of the vehicle to be registered, including the identification number and the color of the vehicle. (4) Any other information required by the bureau, including: (A) the manufacturer's rated capacity for the vehicle; (B) a statement of the vehicle's intended use; (C) the vehicle's odometer reading; and (D) the declared gross weight of the vehicle. (b) An application to register a vehicle that is made through the United States mail or by electronic means is not required to be sworn to or notarized. (c) A person may apply on behalf of another person to register a vehicle under this article. However, the application must be signed and verified by the person in whose name the vehicle is to be registered. (d) A person that makes a false statement in an application to register a vehicle under this article commits a Class C infraction. [Pre-2016 Revision Citations: 9-18-4-5; subsection (a) formerly 9-18-2-16(a).] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.109.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 3. General Procedures9-18.1-3-10. Genuineness, Regularity, and Legality of Application

Sec. 10. (a) The bureau shall use due diligence in examining and determining the genuineness, regularity, and legality of the following: (1) Information provided by a person as part of a request for the registration of a vehicle. (2) A request for any type of license plate required under this title for the operation of a vehicle upon a highway. (3) Any other application or request made to the bureau under this article or IC 9-18.5. (b) The bureau may: (1) make investigations or require additional information; and (2) reject an application or request; if the bureau is not satisfied of the genuineness, regularity, or legality of an application or the truth of a statement contained in an application or request, or for any other reason. [Pre-2016 Revision Citation: 9-18-2-9.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 3. General Procedures9-18.1-3-2. Certificate of Title Required; Violation

Sec. 2. (a) This section does not apply to the following: (1) Special machinery. (2) A motor vehicle that was designed to have a maximum design speed of not more than twenty-five (25) miles per hour and that was built, constructed, modified, or assembled by a person other than the manufacturer. (3) Snowmobiles. (4) Motor driven cycles. (b) The bureau may not register a vehicle unless the person applying for the certificate of registration: (1) applies at the same time or within the immediately preceding forty-five (45) days for a certificate of title for the vehicle; or (2) presents satisfactory evidence that a certificate of title has been previously issued to the person that covers the vehicle. (c) If the bureau at any time determines that a certificate of title for a vehicle cannot be issued or is invalid, the bureau: (1) shall not issue or furnish; or (2) may invalidate; the certificate of registration for the vehicle. (d) A person that operates a vehicle for which a certificate of registration is required without a valid certificate of registration commits a Class C infraction. [Pre-2016 Revision Citations: 9-17-1-1(a); subsection (b) formerly 9-18-2-10(a); subsection (c) formerly 9-18-2-10(b).] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 3. General Procedures9-18.1-3-3. Identification Number Required

Sec. 3. The bureau may not register a vehicle that does not have an identification number. [Pre-2016 Revision Citation: 9-18-2-34.1.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 3. General Procedures9-18.1-3-4. Payment of or Exemption From Excise Tax

Sec. 4. The bureau may not register a vehicle unless the registrant: (1) pays the applicable excise tax for the vehicle under IC 6-6; or (2) provides proof in a manner acceptable to the bureau that the vehicle is exempt from excise taxes under IC 6-6. [Pre-2016 Revision Citation: 9-18-2-1.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 3. General Procedures9-18.1-3-5. Proof of Financial Responsibility Required

Sec. 5. The bureau may not register a motor vehicle unless the person applying for registration provides proof of financial responsibility that is in effect in the amounts specified in IC 9-25 at the time the application for registration is made. [Pre-2016 Revision Citation: 9-18-2-11.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 3. General Procedures9-18.1-3-6. Vehicles Bureau May Not Register

Sec. 6. The bureau may not register the following vehicles: (1) A vehicle that: (A) is subject under rules adopted under air pollution control laws (as defined in IC 13-11-2-6) to: (i) inspection of vehicle air pollution control equipment; and (ii) testing of emission characteristics; and (B) has not been: (i) inspected; and (ii) certified by an inspection station under IC 13-17-5-5.1(b) that the air pollution equipment is not in a tampered condition and the vehicle meets air emission control standards. (2) A motor vehicle that does not comply with applicable motor vehicle equipment requirements under IC 9-19. (3) A motor vehicle that does not comply with applicable operational and equipment specifications described in 49 CFR 571. (4) A private bus that is designed or used to transport more than fifteen (15) passengers, including the driver, that does not have an unexpired certificate indicating compliance with an inspection program established under IC 9-19-22-3. (5) A school bus or special purpose bus that does not have an unexpired certificate of inspection under IC 20-27-7-3. (6) A farm wagon. (7) A farm tractor. (8) A golf cart. (9) An implement of agriculture designed to be operated primarily in a farm field or on farm premises. [Pre-2016 Revision Citations: 9-18-1-1(a); 9-18-2-12; subdivision (4) formerly 9-18-2-8(g); subdivision (5) formerly 9-18-2-8.5.] As added by P.L.198-2016, SEC.326. Amended by P.L.164-2018, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 3. General Procedures9-18.1-3-7. Withholding Registration of Vehicle Used in Commission of Toll Violation; Reinstatement; Fee

Sec. 7. (a) Upon receiving notice, as described in IC 9-21-3.5-10(c), of the failure of an owner of a vehicle to pay a fine, charge, or other assessment for a toll violation documented under IC 9-21-3.5-12, the bureau shall withhold the annual registration of the vehicle that was used in the commission of the toll violation until the owner pays the fine, charge, or other assessment, plus any applicable fees, to the appropriate authority under IC 9-21-3.5 that is responsible for the collection of fines, charges, or other assessments for toll violations under IC 9-21-3.5. (b) Upon receiving notice, as described in IC 9-21-3.5-15(d), of the failure of an owner of a vehicle to pay a fine, charge, or other assessment for a toll violation documented under IC 9-21-3.5-12 or IC 9-21-3.5-14, the bureau shall withhold the annual registration of the vehicle that was used in the commission of the toll violation until the owner pays the fine, charge, or other assessment, plus any applicable fees, to: (1) the operator of the private toll facility; or (2) a person designated by the operator of the private toll facility to collect fines, charges, or other assessments for toll violations under IC 9-21-3.5; as applicable. The bureau may impose a fee to reinstate an annual registration that was withheld under this subsection. [Pre-2016 Revision Citation: 9-18-2-17.] As added by P.L.198-2016, SEC.326. Amended by P.L.111-2021, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 3. General Procedures9-18.1-3-8. Suspension of Registration; Notice; Reinstatement

Sec. 8. (a) Except as provided in subsection (b), upon receipt of written notice under IC 13-17-5-8 of a violation of IC 13-17-5-1, IC 13-17-5-3, or IC 13-17-5-4, the bureau shall suspend the registration of the vehicle identified in the notice. (b) The bureau may decline to suspend the registration of the vehicle pending verification of the statements set forth in the written notice. (c) The bureau shall promptly notify a vehicle's owner of the suspension of the vehicle's registration under this section. (d) Except as provided in subsection (e), upon the: (1) receipt of written notice under IC 13-17-5-8 that the violation of IC 13-17-5-1, IC 13-17-5-3, or IC 13-17-5-4 has been corrected; or (2) presentation of evidence to the bureau establishing that the violation of IC 13-17-5-1, IC 13-17-5-3, or IC 13-17-5-4 has been corrected; the bureau shall reinstate the registration of the vehicle. (e) The bureau may decline to reinstate the registration of the vehicle pending verification of the statements set forth in a written notice provided under subsection (d)(1). [Pre-2016 Revision Citation: 9-18-2-39.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 3. General Procedures9-18.1-3-9. Donations to Anatomical Gift Promotion Fund

Sec. 9. A person that registers a vehicle may indicate the person's desire to donate money to organizations that promote the procurement of organs for anatomical gifts. The bureau must: (1) allow the person registering the vehicle to indicate the amount the person desires to donate; and (2) provide that the minimum amount a person may donate is one dollar ($1). Funds collected under this section shall be deposited with the treasurer of state in a special account. The state comptroller shall monthly distribute the money in the special account to the anatomical gift promotion fund established by IC 16-19-3-26. The bureau may deduct from the funds collected under this subdivision the costs incurred by the bureau in implementing and administering this subdivision. [Pre-2016 Revision Citation: 9-18-2-16(a).] As added by P.L.198-2016, SEC.326. Amended by P.L.9-2024, SEC.310.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 4. Proof of Registration9-18.1-4-1. Registration; Proof of Registration

Sec. 1. (a) If the bureau determines that a person applying for registration is entitled to register the vehicle, the bureau shall: (1) register the vehicle described in the application; (2) issue the person a certificate of registration; and (3) issue proof of registration for display on the vehicle. (b) The bureau may issue under subsection (a)(3): (1) a regular license plate under this article; or (2) if the person satisfies the applicable requirements under IC 9-18.5, a distinctive license plate designed and issued under IC 9-18.5. [Pre-2016 Revision Citations: subsection (a) formerly 9-18-2-8(b); 9-18-2-17(a); 9-18-2-20(a).] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 4. Proof of Registration9-18.1-4-2. Requirement to Carry Certificate of Registration; Violation

Sec. 2. (a) The bureau shall adopt rules under IC 4-22-2 regarding the size, character, and content of a certificate of registration. (b) A certificate of registration or a legible reproduction of the certificate of registration must be carried: (1) in the vehicle to which the registration refers; or (2) by the individual operating or in control of the vehicle, who shall display the registration upon the demand of a police officer. (c) An individual who fails to carry a certificate of registration or a legible reproduction of a certificate of registration as required under subsection (b) commits a Class C infraction. [Pre-2016 Revision Citations: 9-18-2-20; 9-18-9-3; subsection (b) formerly 9-18-2-21.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 4. Proof of Registration9-18.1-4-3. Display of Proof of Registration; Rules

Sec. 3. The bureau shall adopt rules under IC 4-22-2 regarding the size, character, display, mounting, securing, content, issuance, replacement, and life cycle of license plates, temporary license plates, renewal stickers, and other proof of registration. [Pre-2016 Revision Citations: 9-18-2-8; 9-18-2-25; 9-18-2-32; 9-18-2-33; 9-18-2-36; 9-18-2-38; 9-18-2-47; 9-18-2-49; 9-18-9-3; 9-18-13-1.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 4. Proof of Registration9-18.1-4-4. Display of License Plates; Violation

Sec. 4. (a) License plates shall be displayed on a vehicle as follows: (1) For a tractor, a dump truck, or a truck with a rear-mounted forklift or a mechanism to carry a rear-mounted forklift or implement, upon the front of the vehicle. (2) Except as provided in subsections (c) and (d), for every other vehicle, upon the rear of the vehicle. (b) A license plate shall be: (1) securely fastened, in a horizontal and upright position that displays the registration expiration year in the upper right corner, to the vehicle for which the plate is issued: (A) to prevent the license plate from swinging; (B) at a height of at least twelve (12) inches from the ground, measuring from the bottom of the license plate; and (C) in a place and position that are clearly visible; (2) maintained free from foreign materials and in a condition to be clearly legible; and (3) not obstructed or obscured by tires, bumpers, accessories, or other opaque objects. (c) Subject to subsection (b), an interim license plate issued or used by a dealer licensed under IC 9-32 or used by a manufacturer must be displayed: (1) in the manner required under subsection (a) for the type of vehicle on which the interim license plate is displayed; or (2) in a location on the left side of a window that is: (A) facing the rear of the motor vehicle; and (B) clearly visible and unobstructed. A plate displayed under subdivision (2) must be affixed to the window of the motor vehicle. (d) A

temporary license plate issued by the bureau must be displayed in the same manner as an interim license plate under subsection (c). (e) Upon the renewal of a registration under this article, a license plate other than a temporary license plate must display a renewal sticker: (1) that is securely affixed in the upper right corner of the license plate; and (2) that covers the previous registration expiration year. (f) A person that violates this section commits a Class C infraction. [Pre-2016 Revision Citations: 9-18-2-26; subsection (c) formerly 9-32-6-11(f).] As added by P.L.198-2016, SEC.326. Amended by P.L.164-2018, SEC.2; P.L.111-2021, SEC.17.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 4. Proof of Registration9-18.1-4-5. Operation of Vehicle on Highway Without Proper Proof of Registration; Violation

Sec. 5. (a) A vehicle required to be registered under this article may not be used or operated on a highway if the vehicle displays any of the following: (1) A license plate belonging to any other vehicle. (2) A fictitious registration number. (3) A sign or placard bearing the words "license applied for" or "in transit" or other similar signs. (b) A person that operates a vehicle in violation of subsection (a) commits a Class C infraction. [Pre-2016 Revision Citation: 9-18-2-27.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 4. Proof of Registration9-18.1-4-6. Transfer of Ownership of Vehicle; Expiration of Registration

Sec. 6. (a) If the ownership of a vehicle registered under this article is transferred, except a transfer from a manufacturer or a dealer licensed under IC 9-32: (1) the registration of the vehicle expires; and (2) the person transferring ownership of the vehicle shall remove the license plate and certificate of registration from the vehicle. (b) Not more than thirty (30) days after a transfer of ownership of a vehicle registered under this article, the person transferring ownership of the vehicle may deliver: (1) the certificate of registration of the vehicle; and (2) proof of the transfer of ownership of the vehicle; to the bureau. Upon receipt of the certificate of registration and proof of transfer, the bureau shall indicate in the records of the bureau that the person has transferred ownership of the vehicle. A copy of a certificate of title endorsed under IC 9-17-3-3.4 constitutes proof of transfer of ownership under subdivision (2). [Pre-2016 Revision Citation: 9-18-6-4(a).] As added by P.L.198-2016, SEC.326. Amended by P.L.3-2017, SEC.2; P.L.256-2017, SEC.110.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 4. Proof of Registration9-18.1-4-7. Proof of Registration Remains Property of Bureau

Sec. 7. A license plate or other proof of registration issued by the bureau under this article or IC 9-18.5: (1) remains the property of the bureau; and (2) may be revoked, canceled, or repossessed as provided by law. [Pre-2016 Revision Citation: 9-18-2-31.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 4. Proof of Registration9-18.1-4-8. Sale of False Certificate of Registration; Violation

Sec. 8. A person that knowingly sells, offers to sell, buys, possesses, or offers as genuine a certificate of registration for a vehicle that is required to be issued by the bureau and has not been issued by the: (1) bureau under this article; or (2) appropriate governmental authority of another state; commits a Class C misdemeanor. [Pre-2016 Revision Citation: 9-18-2-44.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 4. Proof of Registration9-18.1-4-9. Notice of Motor Vehicle Safety Recall; Fee for Providing Information Prohibited; Liability

Sec. 9. (a) The bureau may provide notice of a manufacturer issued motor vehicle safety recall to the owner of a motor vehicle at the time the owner of the motor vehicle: (1) registers; or (2) renews registration for; a motor vehicle subject to a manufacturer issued safety recall. (b) The bureau may not charge a fee for providing the information described in subsection (a). (c) The following are not liable for any act or omission related to the providing of manufacturer issued motor vehicle safety recall information under this section: (1) The bureau. (2) The commissioner. (3) An employee of the bureau. (4) Any third party vendor responsible for supplying the bureau with manufacturer issued motor vehicle safety recall information. As added by P.L.178-2019, SEC.39.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 5. Vehicle Classification and Registration Fees9-18.1-5-1. Classification of Vehicles by Bureau

Sec. 1. (a) The bureau shall classify each vehicle that is eligible to be registered under this title based on: (1) the application submitted under IC 9-18.1-3; (2) this title; and (3) rules adopted by the bureau under IC 4-22-2. (b) If the bureau is unable to classify a motor vehicle that is eligible to be registered under this title, the bureau shall classify the vehicle as a truck. (c) If the bureau is unable to classify a vehicle without motive power that is eligible to be registered under this title, the bureau shall classify the vehicle as a trailer. (d) The bureau shall classify a tractor that is not used with a semitrailer as a truck. [Pre-2016 Revision Citation: subsection (b) formerly 9-29-1-7.] As added by P.L.198-2016, SEC.326.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 5. Vehicle Classification and Registration Fees9-18.1-5-10.5. International Registration Plan; Distribution of Fee Revenue

Sec. 10.5. (a) This section applies after June 30, 2017. (b) This section applies only to fees that are collected under the International Registration Plan or through an Indiana based International Registration Plan account. (c) The fees collected as described in subsection (b) during each state fiscal year shall be distributed as follows: (1) The first one hundred twenty-five thousand dollars ($125,000) to the state construction fund. (2) Any remaining amounts to the motor vehicle highway account. As added by P.L.218-2017, SEC.87. Amended by P.L.185-2018, SEC.34; P.L.108-2019, SEC.170.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 5. Vehicle Classification and Registration Fees9-18.1-5-10. Semitrailers; Fee; Permanent Registration

Sec. 10. (a) The following vehicles shall be registered as semitrailers: (1) A semitrailer converted to a full trailer through the use of a converter dolly. (2) A trailer drawn behind a semitrailer. (3) A trailer drawn by a vehicle registered under the International Registration Plan. (b) The fee for a permanent registration of a semitrailer is eighty-two dollars ($82). (c) A fee described in subsection (b) that is collected for a registration issued through an Indiana based International Registration Plan account shall be distributed as set forth in section 10.5 of this chapter. (d) The fee described in subsection (b) that is not required to be distributed under subsection (c) shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) Two dollars and ninety cents ($2.90) to the highway, road and street fund. (4) Twelve dollars ($12) to the crossroads 2000 fund. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Three dollars and ten cents ($3.10) to the commission fund. (7) Any remaining amount to the motor vehicle highway account. (e) A permanent registration under subsection (b) must be renewed on an annual basis to pay all applicable excise taxes. There is no fee to renew a permanent registration under subsection (b). (f) A permanent registration under subsection (b) may be transferred under IC 9-18.1-11. [Pre-2016 Revision Citations: 9-18-10-5; 9-29-5-6; 9-29-5-6.1; subsection (c) formerly 9-29-5-6.2.] As added by P.L.198-2016, SEC.326. Amended by P.L.218-2017, SEC.86; P.L.108-2019, SEC.169; P.L.11-2023, SEC.39.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 5. Vehicle Classification and Registration Fees9-18.1-5-11. Partial Year Registration

Sec. 11. (a) This section applies to the following vehicles: (1) A trailer with a declared gross weight greater than nine thousand (9,000) pounds. (2) A truck with a declared gross weight greater than eleven thousand (11,000) pounds. (3) A tractor used with a semitrailer with a declared gross weight greater than eleven thousand (11,000) pounds. (4) A for-hire bus with a declared gross weight greater than eleven thousand (11,000) pounds. (b) The fee to register a vehicle listed in subsection (a) for a period other than twelve (12) months is the amount determined under the following formula: STEP ONE: Determine the number of months remaining until the vehicle's next registration date under IC 9-18.1-11-3. A partial month shall be rounded to one (1) month. STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12). STEP THREE: Multiply the STEP TWO product by the applicable registration fee under this chapter for the vehicle. (c) A fee described in subsection (b) shall be distributed in the same manner as the applicable registration fee under this chapter for the vehicle. [Pre-2016 Revision Citations: 9-29-5-13; 9-29-5-13.1; 9-29-5-13.4.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 5. Vehicle Classification and Registration Fees9-18.1-5-12. Supplemental Fee; Electric Vehicles; Hybrid Vehicles

Sec. 12. (a) The supplemental fee in this section applies after December 31, 2017, to each electric vehicle and hybrid vehicle that is required to be registered under this article. The supplemental fee in this section does not apply to vehicles subject to the motor carrier fuel tax under IC 6-6-4.1. (b) As used in this section, "electric vehicle" means a vehicle that: (1) is propelled by an electric motor powered by a battery or other electrical device incorporated into the vehicle; and (2) is not propelled by an engine powered by the combustion of a hydrocarbon fuel, including gasoline, diesel, propane, or liquid natural gas. (c) As used in this section, "hybrid vehicle" means a vehicle that: (1) draws propulsion energy from both an internal combustion engine and an energy storage device; and (2) employs a regenerative braking system to recover waste energy to charge the energy storage device that is providing propulsion energy. (d) In addition to any other fee required to register an electric vehicle under this chapter, the supplemental fee to register an electric vehicle is one hundred fifty dollars ($150). The bureau shall determine a new fee amount to take effect as of January 1 of the following year by determining the product of the following: (1) Before October 1, 2023: (A) the fee in effect for the determination year; multiplied by (B) the factor determined under IC 6-6-1.6-2(b). (2) Before October 1 of each year thereafter: (A) the fee in effect for the determination year; multiplied by (B) the factor determined under IC 6-6-1.6-3. The fee shall be rounded to the nearest dollar. (e) In addition to any other fee required to register a hybrid vehicle under this chapter, the supplemental fee to register a hybrid vehicle is fifty dollars ($50). The bureau shall determine a new fee amount to take effect as of January 1 of the following year by determining the product of the following: (1) Before October 1, 2023: (A) the fee in effect for the determination year; multiplied by (B) the factor determined under IC 6-6-1.6-2(b). (2) Before October 1 of each year thereafter: (A) the fee in effect for the determination year; multiplied by (B) the factor determined under IC 6-6-1.6-3. The fee shall be rounded to the nearest

dollar. (f) The fee shall be deposited in the local road and bridge matching grant fund established by IC 8-23-30-2. As added by P.L.218-2017, SEC.88. Amended by P.L.211-2023, SEC.23.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 5. Vehicle Classification and Registration Fees9-18.1-5-13. Trailer Registration; Gross Vehicle Weight; Fee; Distribution of Tax

Sec. 13. (a) A trailer registration under this section applies after December 31, 2021. (b) This section applies to a trailer with a declared gross vehicle weight of three thousand (3,000) pounds or less. (c) The owner of a vehicle under subsection (b) may apply to the bureau for a permanent registration. (d) The fee to register a vehicle under subsection (b) for a permanent registration is eighty-two dollars ($82). Beginning on or after January 1, 2024, the following apply to a permanent registration under this section: (1) There is no fee to renew a permanent registration. (2) A permanent registration shall not expire on an annual basis. (e) A fee described in subsection (d) shall be distributed in the same manner as the applicable registration fee under section 8 of this chapter. (f) A vehicle described under subsection (b) is subject to: (1) a surtax payment under IC 6-3.5-4-7.5; (2) a surtax payment under IC 6-3.5-10-8.5; or (3) both; whichever is applicable. This subsection expires December 31, 2023. (g) A tax described in subsection (f) shall be distributed in the same manner as the applicable surtax under IC 6-3.5-4 or IC 6-3.5-10. This subsection expires December 31, 2023. As added by P.L.114-2021, SEC.9. Amended by P.L.236-2023, SEC.124.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 5. Vehicle Classification and Registration Fees9-18.1-5-2. Passenger Motor Vehicles; Fee

Sec. 2. (a) The bureau shall classify the following as a passenger motor vehicle, regardless of the vehicle's gross vehicle weight rating: (1) A low speed vehicle. (2) A hearse. (3) A motor vehicle that is funeral equipment and used in the operation of funeral services (as defined in IC 25-15-2-17). (4) A medical services vehicle. (b) The fee to register a passenger motor vehicle is twenty-one dollars and thirty-five cents ($21.35). The fee shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Thirty cents ($0.30) to the spinal cord and brain injury fund. (3) Fifty cents ($0.50) to the state motor vehicle technology fund. (4) Two dollars and ninety cents ($2.90) to the highway, road and street fund. (5) Three dollars ($3) to the crossroads 2000 fund. (6) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (7) Three dollars and ten cents ($3.10) to the commission fund. (8) Any remaining amount to the motor vehicle highway account. [Pre-2016 Revision Citations: 9-29-5-1; subsection (a) formerly 9-13-2-123; 9-29-1-8.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.111; P.L.108-2019, SEC.162.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 5. Vehicle Classification and Registration Fees9-18.1-5-3. Motorcycle or Motor Driven Cycle; Fee

Sec. 3. The fee to register a motorcycle or motor driven cycle is twenty-six dollars and thirty-five cents ($26.35). The fee shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Thirty cents ($0.30) to the spinal cord and brain injury fund. (3) Fifty cents ($0.50) to the state motor vehicle technology fund. (4) Two dollars and ninety cents ($2.90) to the highway, road and street fund. (5) Four dollars ($4) to the crossroads 2000 fund. (6) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (7) Three dollars and ten cents ($3.10) to the commission fund. (8) Seven dollars ($7) to the motorcycle operator safety education fund. (9) Any remaining amount to the motor vehicle highway account. [Pre-2016 Revision Citation: 9-29-5-2.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.112; P.L.108-2019, SEC.163.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 5. Vehicle Classification and Registration Fees9-18.1-5-4. Not-for-Hire Bus; Fee

Sec. 4. (a) The fee to register a not-for-hire bus is sixteen dollars and thirty-five cents ($16.35). (b) Except as provided in subsection (c), a fee imposed and collected under subsection (a) shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) Two dollars and ninety cents ($2.90) to the highway, road and street fund. (4) Four dollars ($4) to the crossroads 2000 fund. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Three dollars and ten cents ($3.10) to the commission fund. (7) Any remaining amount to the motor vehicle highway account. (c) A fee described in subsection (a) that is collected under the International Registration Plan shall be distributed as set forth in section 10.5 of this chapter. [Pre-2016 Revision Citations: 9-29-5-7.5; 9-29-5-8; 9-29-5-9; 9-29-5-10.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.113; P.L.185-2018, SEC.33; P.L.108-2019, SEC.164.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 5. Vehicle Classification and Registration Fees9-18.1-5-5. Collector Vehicle; Fee

Sec. 5. The fee to register a collector vehicle is sixteen dollars and thirty-five cents ($16.35). The fee shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology account. (3) Two dollars and ninety cents ($2.90) to the highway, road and street fund. (4) Four dollars ($4) to the crossroads 2000 fund. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Three dollars and ten cents ($3.10) to the commission fund. (7) Any remaining amount to the motor vehicle highway account. [Pre-2016 Revision Citations: 9-29-5-28;

9-29-5-28.1; 9-29-5-28.2.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.114; P.L.156-2020, SEC.43.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 5. Vehicle Classification and Registration Fees9-18.1-5-6. Recreational Vehicle; Fee

Sec. 6. The fee to register a recreational vehicle is twenty-nine dollars and thirty-five cents ($29.35). The fee shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) Two dollars and ninety cents ($2.90) to the highway, road and street fund. (4) Four dollars ($4) to the crossroads 2000 fund. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Three dollars and ten cents ($3.10) to the commission fund. (7) Any remaining amount to the motor vehicle highway account. [Pre-2016 Revision Citation: 9-29-5-18.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.115; P.L.108-2019, SEC.165.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 5. Vehicle Classification and Registration Fees9-18.1-5-7. Special Machinery; Fee

Sec. 7. The fee to register special machinery is sixteen dollars and thirty-five cents ($16.35). The fee shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) Two dollars and ninety cents ($2.90) to the highway, road and street fund. (4) Four dollars ($4) to the crossroads 2000 fund. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Three dollars and ten cents ($3.10) to the commission fund. (7) Any remaining amount to the motor vehicle highway account. [Pre-2016 Revision Citation: 9-29-5-11.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.116; P.L.108-2019, SEC.166.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 5. Vehicle Classification and Registration Fees9-18.1-5-8. Trailer; Fee

Sec. 8. (a) Except as provided in sections 11 and 13 of this chapter, the fee to register a trailer is as follows: Declared Gross Weight (Pounds) Fee ($) Greater than Equal to or less than 0 3,000 $ 16.35 3,000 9,000 25.35 9,000 12,000 72 12,000 16,000 108 16,000 22,000 168 22,000 228 (b) A fee described in subsection (a) that is collected by the department from a person registering under the International Registration Plan shall be prorated based on the Indiana mileage percentage of the trucks and tractors registered by the person under the International Registration Plan pursuant to section 9 of this chapter. The prorated amount shall be distributed as set forth in section 10.5 of this chapter. (c) A fee described in subsection (a) that is not required to be distributed under subsection (b) shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) Two dollars and ninety cents ($2.90) to the highway, road and street fund. (4) Four dollars ($4) to the crossroads 2000 fund. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Three dollars and ten cents ($3.10) to the commission fund. (7) Any remaining amount to the motor vehicle highway account. [Pre-2016 Revision Citations: 9-18-9-2; 9-29-5-4.] As added by P.L.198-2016, SEC.326. Amended by P.L.218-2017, SEC.84; P.L.108-2019, SEC.167; P.L.114-2021, SEC.8; P.L.159-2021, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 5. Vehicle Classification and Registration Fees9-18.1-5-9. Truck, Tractor Used With Semitrailer, or For-Hire Bus; Fee

Sec. 9. (a) Except as provided in section 11 of this chapter, the fee to register a truck, a tractor used with a semitrailer, or a for-hire bus is determined as follows: Declared Gross Weight (Pounds) Fee ($) Greater than Equal to or less than 0 11,000 $ 30.35 11,000 16,000 144 16,000 26,000 180 26,000 36,000 372 36,000 48,000 624 48,000 66,000 900 66,000 78,000 1,200 78,000 1,692 (b) A fee described in subsection (a) that is collected under the International Registration Plan shall be distributed as set forth in section 10.5 of this chapter. (c) A fee described in subsection (a) that is not required to be distributed under subsection (b) shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) For a truck with a declared gross weight of eleven thousand (11,000) pounds or less, thirty cents ($0.30) to the spinal cord and brain injury fund. (3) Fifty cents ($0.50) to the state motor vehicle technology fund. (4) Two dollars and ninety cents ($2.90) to the highway, road and street fund. (5) Four dollars ($4) to the crossroads 2000 fund. (6) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (7) Three dollars and ten cents ($3.10) to the commission fund. (8) Any remaining amount to the motor vehicle highway account. (d) A trailer that is towed by a truck must be registered separately, and the appropriate fee must be paid under this chapter. [Pre-2016 Revision Citations: 9-29-5-3.1; 9-29-5-3.2; 9-29-5-3.3; 9-29-5-5; 9-29-5-7.] As added by P.L.198-2016, SEC.326. Amended by P.L.218-2017, SEC.85; P.L.108-2019, SEC.168.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 6. Recovery Vehicles9-18.1-6-1. Conditions for Registration as Recovery Vehicle

Sec. 1. A vehicle that satisfies the following conditions may be registered as a recovery vehicle: (1) The vehicle is capable of lifting and pulling a disabled, a wrecked, an abandoned, an improperly parked, or a burnt vehicle by attaching a pickup bar with an adequate chain or steel structured lifting apparatus to the vehicle in lift. (2) The vehicle is equipped with a power driven winch. (3) The vehicle is equipped with proper emergency lighting for the recovery vehicle and the vehicle in lift. (4) The vehicle is capable of attaching safety chains on the vehicle in lift. (5) The vehicle is capable of traveling the highways safely at least at the minimum

speed limit. [Pre-2016 Revision Citation: 9-18-13-3.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 6. Recovery Vehicles9-18.1-6-2. Registration as Recovery Vehicle Required to Operate Recovery Vehicle; Violation

Sec. 2. A person may not operate a recovery vehicle unless the vehicle is registered as a recovery vehicle under this chapter. A person that violates this section commits a Class C infraction. [Pre-2016 Revision Citation: 9-18-13-8.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 6. Recovery Vehicles9-18.1-6-3. Use of Vehicle Not Qualified to Register as Recovery Vehicle; Violation

Sec. 3. A person may not operate a vehicle on a highway: (1) that is not qualified to register as a recovery vehicle under this chapter; and (2) for the purpose of lifting and pulling: (A) a disabled; (B) a wrecked; (C) an abandoned; (D) an improperly parked; or (E) a burnt; vehicle. A person that violates this section commits a Class C infraction. [Pre-2016 Revision Citation: 9-18-13-7.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 6. Recovery Vehicles9-18.1-6-4. Registration Fee

Sec. 4. (a) Except as provided in subsection (e), the fee to register a recovery vehicle with a gross vehicle weight rating greater than sixteen thousand (16,000) pounds is five hundred four dollars ($504). (b) Except as provided in subsection (e), the fee to register a recovery vehicle with a gross vehicle weight rating equal to or less than sixteen thousand (16,000) pounds is seventy-two dollars ($72). (c) Except as provided in subsection (d), a fee imposed and collected under subsection (a) or (b) shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) Two dollars and ninety cents ($2.90) to the highway, road and street fund. (4) Four dollars ($4) to the crossroads 2000 fund. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Three dollars and ten cents ($3.10) to the commission fund. (7) Any remaining amount to the motor vehicle highway account. (d) A fee described in subsection (a) that is collected under the International Registration Plan shall be distributed as set forth in IC 9-18.1-5-10.5. (e) The fee to register a recovery vehicle for a period other than twelve (12) months is the amount determined under the following formula: STEP ONE: Determine the number of months remaining until the vehicle's next registration date under IC 9-18.1-11. A partial month shall be rounded to one (1) month. STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12). STEP THREE: Multiply the STEP TWO product by the applicable registration fee under subsection (a) or (b) for the vehicle. A fee imposed and collected under this subsection that is not collected under the International Registration Plan shall be distributed under subsection (c). A fee imposed and collected under this subsection that is collected under the International Registration Plan shall be distributed under subsection (d). [Pre-2016 Revision Citations: 9-29-5-30; subsection (b) formerly 9-29-5-30.1.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.117; P.L.185-2018, SEC.35; P.L.108-2019, SEC.171.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 6. Recovery Vehicles9-18.1-6-5. Applicability; Exception

Sec. 5. This chapter does not apply to a truck or tractor with a declared gross weight of more than sixteen thousand (16,000) pounds that is used to lift or pull a vehicle or combination of vehicles if: (1) the same person that owns or operates the truck or tractor also owns or leases the vehicle or combination of vehicles; or (2) the vehicle or combination of vehicles are owned by or leased to a subsidiary or related corporation of the person that owns or operates the truck or tractor. As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 7. Farm Vehicles9-18.1-7-1. Conditions for Registration as Farm Vehicle

Sec. 1. A vehicle that satisfies the following conditions may be registered as a farm vehicle: (1) The vehicle must be one (1) of the following: (A) A truck with a declared gross weight of more than eleven thousand (11,000) pounds. (B) A tractor used with a semitrailer that has a declared gross weight of more than eleven thousand (11,000) pounds. (C) A trailer with a declared gross weight of more than nine thousand (9,000) pounds. (D) A semitrailer. (2) The owner of the vehicle or a guest occupant uses the vehicle in connection with agricultural pursuits usual and normal to the user's farming operations. (3) The vehicle is used to transport farm products, livestock, machinery, or supplies to or from a farm or ranch. (4) The vehicle is not used: (A) in the conduct of a commercial enterprise; or (B) to transport farm products anywhere other than to the first point of processing. [Pre-2016 Revision Citations: New; subdivision (4) formerly 9-21-21-3.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 7. Farm Vehicles9-18.1-7-10. Improper Operation of Farm Vehicle Is Continuing Offense

Sec. 10. The operation of a vehicle in violation of section 9 of this chapter is a continuing offense, and the venue for prosecution lies in a county in which the unlawful operation occurred. However, a: (1) judgment against; or (2) finding by the court for; the owner or operator of the vehicle bars a prosecution in another county. [Pre-2016 Revision Citation: 9-21-21-6.] As added by P.L.198-2016,

SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 7. Farm Vehicles9-18.1-7-2. Personal Use Permitted

Sec. 2. A farm vehicle may be used for personal purposes if the vehicle otherwise qualifies for registration as a farm vehicle. [Pre-2016 Revision Citation: 9-21-21-2.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 7. Farm Vehicles9-18.1-7-3. Fee to Register Farm Vehicle That Is a Trailer With a Declared Gross Weight of More Than 9,000 Pounds

Sec. 3. Except as provided in section 7 of this chapter, the fee to register a farm vehicle that is a trailer with a declared gross weight of more than nine thousand (9,000) pounds is fifty percent (50%) of the fee listed in IC 9-18.1-5-8 for a trailer of the same declared gross weight. [Pre-2016 Revision Citation: 9-29-5-13.1.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 7. Farm Vehicles9-18.1-7-4. Fee to Register Farm Vehicle That Is a Truck or Tractor Used With a Semitrailer

Sec. 4. Except as provided in section 7 of this chapter, the fee to register a farm vehicle that is: (1) a truck; or (2) a tractor used with a semitrailer; with a declared gross weight of more than eleven thousand (11,000) pounds is fifty percent (50%) of the fee listed in IC 9-18.1-5-9 for a vehicle of the same declared gross weight. [Pre-2016 Revision Citation: 9-29-5-13.4.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 7. Farm Vehicles9-18.1-7-5. Distribution of Registration Fees

Sec. 5. A fee to register a farm vehicle under section 3 or 4 of this chapter shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) Two dollars ($2) to the crossroads 2000 fund. (4) Two dollars and ninety cents ($2.90) to the highway, road and street fund. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Three dollars and ten cents ($3.10) to the commission fund. (7) Any remaining amount to the motor vehicle highway account. [Pre-2016 Revision Citation: 9-29-5-13.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.118; P.L.108-2019, SEC.172.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 7. Farm Vehicles9-18.1-7-6. Fee for Permanent Registration of Farm Vehicle That Is Semitrailer; Annual Renewal

Sec. 6. (a) The fee for permanent registration of a farm vehicle that is a semitrailer is forty-one dollars ($41). The fee shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) Two dollars and ninety cents ($2.90) to the highway, road and street fund. (4) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (5) Three dollars and ten cents ($3.10) to the commission fund. (6) Six dollars ($6) to the crossroads 2000 fund. (7) Any remaining amount to the motor vehicle highway account. (b) A permanent registration under subsection (a) must be renewed on an annual basis to pay all applicable excise tax. There is no fee to renew a permanent registration under subsection (a). [Pre-2016 Revision Citation: 9-29-5-13.2.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.119; P.L.108-2019, SEC.173.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 7. Farm Vehicles9-18.1-7-7. Partial Year Registration; Fee

Sec. 7. The fee to register a farm vehicle for a period of other than twelve (12) months is fifty percent (50%) of the applicable registration fee determined under IC 9-18.1-5-11 for the vehicle. The fee shall be distributed in the same manner as the applicable fee under section 5 of this chapter. As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 7. Farm Vehicles9-18.1-7-8. Change of Registration From Farm Vehicle; Amended Certificate of Registration; Fee

Sec. 8. (a) If a person has registered a vehicle as a farm vehicle and the person: (1) desires to register the vehicle as a vehicle other than a farm vehicle; or (2) operates the vehicle in the conduct of a commercial enterprise; the person shall apply to the bureau to change the registration from registration as a farm vehicle to the applicable registration for the vehicle under IC 9-18.1-5. (b) The bureau shall issue to a person described in subsection (a) an amended certificate of registration and the appropriate license plate after the person pays the following: (1) A fee of nine dollars and fifty cents ($9.50). The fee shall be distributed as follows: (A) Twenty-five cents ($0.25) to the state construction fund. (B) Fifty cents ($0.50) to the state motor vehicle technology fund. (C) One dollar ($1) to the crossroads 2000 fund. (D) One dollar and fifty cents ($1.50) to the motor vehicle highway account. (E) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (F) Five dollars ($5) to the commission fund. (2) Any additional excise taxes owed under IC 6-6 on the vehicle to which the registration is transferred. (3) If the vehicle was registered as a farm semitrailer, a fee of forty-one dollars ($41). The fee shall be distributed to the motor vehicle highway account.

(4) If the vehicle was registered as a farm vehicle other than a farm semitrailer, the amount determined under the following formula: STEP ONE: Determine the number of months between: (i) the date on which the farm vehicle is registered as a vehicle other than a farm vehicle or is operated in the conduct of a commercial enterprise; and (ii) the next registration date under IC 9-18.1-11 of the farm vehicle. A partial month shall be rounded to one (1) month. STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12). STEP THREE: Determine the product of: (i) the STEP TWO result; multiplied by (ii) the applicable fee under IC 9-18.1-5 for the classification to which the vehicle's registration is changed. The amount determined under this subdivision shall be deposited in the motor vehicle highway account. [Pre-2016 Revision Citations: 9-21-21-3; subsection (b) formerly 9-29-5-17.1.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.120; P.L.108-2019, SEC.174.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 7. Farm Vehicles9-18.1-7-9. Operation of Farm Vehicle in Conduct of Commercial Enterprise; Violation

Sec. 9. A person that operates a farm vehicle: (1) in the conduct of a commercial enterprise; or (2) to transport farm products anywhere other than to the first point of processing; commits a Class C infraction. However, the offense is a Class B infraction if, within the three (3) years preceding the commission of the offense, the person had a prior unrelated judgment under this section. [Pre-2016 Revision Citation: 9-21-21-5.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 8. Military Vehicles9-18.1-8-1. Registration of Vehicle as Military Vehicle

Sec. 1. A person that owns a military vehicle displaying a registration number as described in section 3 of this chapter may register the military vehicle under this chapter instead of under IC 9-18.1-5. [Pre-2016 Revision Citation: 9-18-14-1.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.121.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 8. Military Vehicles9-18.1-8-2. Display of License Plate Not Required

Sec. 2. A military vehicle that is registered under this chapter is not required to display a license plate on the military vehicle. [Pre-2016 Revision Citation: 9-18-14-1.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 8. Military Vehicles9-18.1-8-3. Military Vehicle Identification Number

Sec. 3. The registration number for a military vehicle registered under this chapter is the military vehicle identification number stenciled on the military vehicle in white or yellow letters and numbers in accordance with applicable military regulations. [Pre-2016 Revision Citation: 9-18-14-3.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 8. Military Vehicles9-18.1-8-4. Permanent Registration; Fee

Sec. 4. The registration of a military vehicle under this chapter is permanent. The fee for the permanent registration of a military vehicle is twelve dollars ($12). The fee shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) Two dollars and ninety cents ($2.90) to the highway, road and street fund. (4) Four dollars ($4) to the crossroads 2000 fund. (5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (6) Three dollars and ten cents ($3.10) to the commission fund. [Pre-2016 Revision Citations: 9-18-14-2; 9-29-5-31.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017, SEC.122; P.L.108-2019, SEC.175.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 8. Military Vehicles9-18.1-8-5. Annual Renewal of Permanent Registration

Sec. 5. A permanent registration under section 4 of this chapter must be renewed on an annual basis. There is no fee to renew the permanent registration. However, the military vehicle remains subject to all applicable excise taxes. [Pre-2016 Revision Citation: 9-18-14-2.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 9. Vehicles Used for Official Business9-18.1-9-1. Exemption From Registration Fees

Sec. 1. A vehicle that is owned or leased and used for official business by the following is exempt from the payment of registration fees under this article: (1) The state or a state agency (as defined in IC 6-1.1-1-18). (2) A municipal corporation (as defined in IC 36-1-2-10). (3) A volunteer fire department (as defined in IC 36-8-12-2). (4) A volunteer emergency ambulance service that: (A) meets the requirements of IC 16-31; and (B) has only members that serve for no compensation or a nominal annual compensation of not more than three thousand five hundred dollars ($3,500). (5) A rehabilitation center funded under IC 12-12. (6) A community action agency (IC 12-14-23). (7) An area agency on aging (IC 12-10-1-6) and a county council on aging that is funded through an area agency. (8) A community mental health center (IC 12-29-2). (9) An approved postsecondary educational institution listed in IC 21-7-13-6(a)(1)(C). [Pre-2016 Revision Citation: 9-18-3-1.] As added by P.L.198-2016, SEC.326. Amended by P.L.256-2017,

SEC.123; P.L.147-2018, SEC.8; P.L.10-2019, SEC.45.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 9. Vehicles Used for Official Business9-18.1-9-2. Issuance of License Plate

Sec. 2. The bureau may issue a license plate under this chapter for a vehicle owned by or leased by the United States government. [Pre-2016 Revision Citation: 9-18-3-3.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 9. Vehicles Used for Official Business9-18.1-9-3. Assignment of Permanent License Plates and Registration Cards; Rules

Sec. 3. The bureau may adopt rules under IC 4-22-2 to assign permanent license plates and accompanying permanent registration cards to vehicles owned or leased by an entity listed in section 1 of this chapter. [Pre-2016 Revision Citation: 9-18-3-4.] As added by P.L.198-2016, SEC.326.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.1. Motor Vehicle RegistrationChapter 9. Vehicles Used for Official Business9-18.1-9-4. Confidential License Plate or Other Proof of Registration for Investigative Purposes

Sec. 4. The bureau may issue a confidential license plate or other proof of registration for investigative purposes to the following: (1) A state agency upon the annual consent of the bureau or the Indiana department of administration. (2) Other investigative agencies upon the annual consent of the superintendent of the state police. [Pre-2016 Revision Citation: 9-18-3-5.] As added by P.L.198-2016, SEC.326. Amended by P.L.164-2020, SEC.37.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 1. Application9-18.5-1-1. Applicability of Chapter

Sec. 1. This chapter applies to a person that: (1) is the registered owner or lessee of a vehicle; or (2) applies to register or renew the registration of a vehicle; that is eligible to display a license plate under this article. As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 1. Application9-18.5-1-2. Eligibility for License Plate

Sec. 2. The bureau may not issue a license plate under this article to a person that is not eligible to be issued a license plate under IC 9-18 (before its expiration) or IC 9-18.1. As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 1. Application9-18.5-1-3. Vehicles on Which License Plates May Be Displayed

Sec. 3. Except as otherwise provided, the following vehicles may display any license plate designed under this article: (1) A passenger motor vehicle. (2) A motorcycle. (3) A recreational vehicle. (4) A truck with a declared gross weight of not more than eleven thousand (11,000) pounds. As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 1. Application9-18.5-1-4. No Dual Registration Fees or Excise Taxes; Period of Validity

Sec. 4. (a) A vehicle that displays a license plate issued under this article is not subject to dual registration fees or dual excise taxes. (b) A fee for a license plate issued under this article covers the entire registration period for which the license plate is issued. [Pre-2016 Revision Citation: 9-18-15-12.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 10. Civic Event License Plates9-18.5-10-0.5. "Civic Event Vehicle"

Sec. 0.5. As used in this chapter, "civic event vehicle" means a vehicle that, in any past registration year: (1) was operated in conjunction with a civic event; and (2) legally displayed a supplemental civic event license plate for the civic event. As added by P.L.64-2017, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 10. Civic Event License Plates9-18.5-10-1. Issuance

Sec. 1. The bureau may issue a civic event license plate for use in promoting civic events that the bureau finds beneficial to the state or to a unit (as defined in IC 36-1-2-23). [Pre-2016 Revision Citation: 9-18-24-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 10. Civic Event License Plates9-18.5-10-2. Supplemental Plates; Proof of Registration or Ownership

Sec. 2. (a) Except as provided in sections 3.5 and 3.6 of this chapter, a civic event license plate issued under this chapter is supplemental to a license plate displayed on a vehicle otherwise registered or in the inventory of a dealer licensed under IC 9-32 or a manufacturer. (b) Proof: (1) of registration; or (2) for a manufacturer or a dealer licensed under IC 9-32, of ownership; must be in

the vehicle at all times. [Pre-2016 Revision Citation: 9-18-24-2.] As added by P.L.198-2016, SEC.327. Amended by P.L.64-2017, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 10. Civic Event License Plates9-18.5-10-3.5. Annual Fees; Disposition

Sec. 3.5. (a) After December 31, 2017, a person that: (1) registers a civic event vehicle under IC 9-18.1 for the current registration year; and (2) wishes to display on the civic event vehicle an authentic civic event license plate under section 3.6 of this chapter; must pay the required fee under subsection (b). (b) The fee to display an authentic civic event license plate under subsection (a) is thirty-seven dollars ($37). The fee shall be distributed as follows: (1) Fifty cents ($0.50) to the state motor vehicle technology fund. (2) Six dollars and fifty cents ($6.50) to the motor vehicle highway account. (3) Thirty dollars ($30) to the commission fund. As added by P.L.64-2017, SEC.5. Amended by P.L.86-2018, SEC.145; P.L.9-2024, SEC.311.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 10. Civic Event License Plates9-18.5-10-3.6. Registration; Display; Reproductions Prohibited

Sec. 3.6. (a) A person that registers a civic event vehicle under IC 9-18.1 may: (1) furnish; and (2) display on the civic event vehicle; an Indiana civic event license plate from the same civic event in which the civic event vehicle was operated. (b) A license plate furnished and displayed under this section must be an authentic civic event license plate that was originally assigned to: (1) the civic event motor vehicle; or (2) another motor vehicle that was operated in conjunction with the same civic event in which the civic event motor vehicle was operated. (c) Before a license plate is mounted on a civic event vehicle under this section, the license plate must be inspected by the bureau to determine whether the license plate: (1) complies with this section; (2) is in suitable condition to be displayed; and (3) bears a unique plate number. The bureau shall authorize the display of a restored or refurbished authentic license plate, but may prohibit the display of an authentic license plate under this section if the authentic license plate is not in conformance with this subsection. (d) If an Indiana civic event license plate is displayed on a civic event vehicle under this section, the current certificate of registration of the civic event vehicle shall be: (1) kept in the civic event vehicle at all times; and (2) made available for inspection upon the demand of a law enforcement officer. Notwithstanding IC 9-18.1-4-2(b), this subsection is not satisfied by keeping a reproduction of the certificate of registration in the collector vehicle or making a reproduction of the certificate of registration available for inspection. As added by P.L.64-2017, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 10. Civic Event License Plates9-18.5-10-3. Rules

Sec. 3. The bureau may adopt rules under IC 4-22-2 to establish the following: (1) The term of a civic event license plate. (2) The qualifications of a person applying for a civic event license plate. (3) The conditions that apply to the use of a civic event license plate. (4) The fee to display a supplemental civic event license plate. [Pre-2016 Revision Citations: 9-18-24-3; subdivision (4) formerly 9-29-5-37.] As added by P.L.198-2016, SEC.327. Amended by P.L.64-2017, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 10. Civic Event License Plates9-18.5-10-4. Violation

Sec. 4. An individual who operates a vehicle that displays a civic event license plate without proof of registration or ownership commits a Class C infraction. [Pre-2016 Revision Citation: 9-18-24-4.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 10. Civic Event License Plates9-18.5-10-5. Fee

Sec. 5. The bureau shall set the fee for a license plate issued under this chapter by rule. [Pre-2016 Revision Citation: 9-29-5-37.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 11. In God We Trust License Plates9-18.5-11-1. Design and Issuance

Sec. 1. The bureau shall design an In God We Trust license plate. [Pre-2016 Revision Citation: 9-18-24.5-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 11. In God We Trust License Plates9-18.5-11-2. Design

Sec. 2. An In God We Trust license plate must include the following: (1) A basic design for the plate with consecutive numbers or letters, or both, to properly identify the vehicle. (2) A background design, an emblem, or colors that designate the license plate as an In God We Trust license plate. (3) Any other information the bureau considers necessary. [Pre-2016 Revision Citation: 9-18-24.5-2.] As added by P.L.198-2016, SEC.327.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 11. In God We Trust License Plates9-18.5-11-3. Motorcycle Ineligible to Display Plate

Sec. 3. A license plate issued under this chapter may not be displayed on a motorcycle. [Pre-2016 Revision Citation: 9-18-24.5-3.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 11. In God We Trust License Plates9-18.5-11-4. Eligibility; No Additional Fee for Plate

Sec. 4. A person that is a resident of Indiana and that is eligible to register and display a license plate on a vehicle under this title may apply for and receive an In God We Trust license plate for one (1) or more vehicles after completing an application for an In God We Trust license plate. There is no additional fee for an In God We Trust license plate. [Pre-2016 Revision Citations: 9-18-24.5-4; 9-18-24.5-5; 9-29-5-34.5.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-1. "Committee"

Sec. 1. As used in this chapter, "committee" means the interim study committee on roads and transportation established by IC 2-5-1.3-4. [Pre-2016 Revision Citation: 9-18-25-0.5.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-10. Transfer of Plates

Sec. 10. A person that owns a vehicle on which is displayed a special group recognition license plate may transfer the special group recognition license plate from the vehicle to another vehicle that is registered to the person under this title. [Pre-2016 Revision Citation: 9-18-25-9.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-12. Violation

Sec. 12. A person that violates this chapter commits a Class C infraction. [Pre-2016 Revision Citation: 9-18-25-13.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-13. Sales Requirement for Continued Participation and Issuance of Plates; Termination

Sec. 13. (a) In order to continue participation in the special group recognition license plate program, a special group must: (1) sell at least five hundred (500) special group recognition license plates of the special group in the first two (2) years in which the license plate is offered for sale; and (2) maintain the sale or renewal of at least five hundred (500) special group recognition license plates during each subsequent year after the initial two (2) year period of sale. (b) If the special group fails to sell or renew special group recognition license plates in the manner provided in subsection (a), the bureau shall place the issuance of the special group recognition license plates for the special group on probation for the subsequent year. If, in that subsequent year on probation, the special group fails to sell or renew at least five hundred (500) special group recognition license plates, the bureau shall terminate the participation of the special group in the special group recognition license plate program. If the special group sells or renews at least five hundred (500) special group recognition license plates in the year on probation, the participation of the special group in the special group recognition license plate program is continued. A special group shall be afforded only one (1) probationary period under this subsection. (c) The bureau may terminate the participation of a special group in the special group recognition license plate program if the special group: (1) ceases operations; or (2) fails to use the annual fee collected by the bureau in a manner consistent with the statement submitted by the special group under section 3(a)(9) of this chapter. (d) A special group that desires to participate in the special group recognition license plate program after termination by the bureau under this section: (1) must follow the procedure set forth in section 3 of this chapter; and (2) may not reapply to participate in the special group recognition license plate program for at least two (2) years after termination. (e) Upon termination under this section of a special group's participation in the special group recognition license plate program, the bureau shall distribute any money remaining in the trust fund established under section 14 of this chapter for the special group to the state general fund. [Pre-2016 Revision Citation: 9-18-25-15.5.] As added by P.L.198-2016, SEC.327. Amended by P.L.178-2019, SEC.43; P.L.118-2022, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-14. Sales of Special Group Plates in Excess of 5,000; Fees and Trust Funds

Sec. 14. (a) This section applies to a special group if at least five thousand (5,000) of the special group's license plates are issued under this chapter during one (1) calendar year beginning after December 31, 2004. (b) The representatives of the special group may petition the bureau to design a distinctive license plate that identifies a vehicle as being registered to a person who is a member of the special group. (c) The design of the special group license plate must include a basic design for the special group recognition

license plate, with consecutive numerals or letters, or both, to properly identify the vehicle. (d) Beginning with the calendar year following the year in which the representatives petition the bureau under subsection (b), the bureau shall issue the special group's license plate to a person that is eligible to register a vehicle under this title and does the following: (1) Completes an application for the license plate. (2) Pays an annual special group recognition license plate fee of twenty-five dollars ($25). (e) The annual fee referred to in subsection (d)(2) and any other amounts remitted to the bureau as required under law shall be collected by the bureau and deposited in a trust fund for the special group established under subsection (f). However, the bureau shall retain two dollars ($2) for each license plate issued until the cost of designing and issuing the special group license plate is recovered by the bureau. (f) The treasurer of state shall establish a trust fund for each special group for which the bureau collects fees under this section. (g) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the fund. Money in the fund is continuously appropriated for the purposes of this section. Money in the fund at the end of a state fiscal year does not revert to the state general fund. (h) The bureau shall administer the fund. Expenses of administering the fund shall be paid from money in the fund. (i) On June 30 of each year, the bureau shall distribute the money from the fund to the special group for which the bureau has: (1) collected fees under this section; or (2) received and deposited amounts as required by law. (j) The bureau may not disclose information that identifies the persons to whom special group license plates have been issued under this section. [Pre-2016 Revision Citation: 9-18-25-17.5.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-15. Special Group Plates; Collection of Annual Fee by Bureau

Sec. 15. (a) Notwithstanding any other law, representatives of a special group that participates in the special group recognition plate program may request that the bureau collect an annual fee of twenty-five dollars ($25) or less on behalf of the special group. (b) If a request is made under subsection (a), the bureau shall collect an annual fee of twenty-five dollars ($25) or less, as requested by the special group. (c) The annual fee referred to in subsection (b) shall be collected by the bureau and deposited in a trust fund for the special group established under subsection (d). (d) The treasurer of state shall establish a trust fund for each special group for which the bureau collects fees under this section. (e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the fund. Money in the fund is continuously appropriated for the purposes of this section. Money in the fund at the end of a state fiscal year does not revert to the state general fund. (f) The bureau shall administer the fund. Expenses of administering the fund shall be paid from money in the fund. (g) Before June 30 of each year, the bureau shall distribute the money from the fund to the special group for which the bureau has collected fees under this section. (h) Subject to section 16 of this chapter, the bureau may not disclose information that identifies the persons to whom special group license plates have been issued under this section. (i) If: (1) representatives of a special group have collected an annual fee as set forth in subsection (a) from purchasers of the special group recognition license plates that was paid directly to the special group; and (2) the representatives of the special group request the bureau to collect the annual fee on behalf of the special group as set forth in subsection (a); representatives of the special group may request the bureau to change the method of collection of the annual fee for the following calendar year. The representatives of the special group must make a request under this subsection by July 1 of the year preceding the year for which the change has been requested. The group may request only one (1) change in the method of collection in a calendar year. (j) If: (1) the bureau collects an annual fee as set forth in subsection (a) on behalf of a special group; and (2) representatives of the special group request the bureau to cease collection of the annual fee as set forth in subsection (a) on behalf of the special group, as the annual fee will be paid directly to the special group by purchasers of the special group recognition license plates; representatives of the special group may request the bureau to change the method of collection of the annual fee for the following calendar year. The representatives of the special group must make a request under this subsection by July 1 of the year preceding the year for which the change has been requested. The group may request only one (1) change in the method of collection in a calendar year. [Pre-2016 Revision Citation: 9-18-25-17.7.] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.142.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-16. Collection of Annual Supplemental Fee by Bureau

Sec. 16. (a) Except as provided in IC 9-18.5-28, the bureau shall collect an annual supplemental fee of fifteen dollars ($15) with respect to each special group recognition license plate issued under this article. The annual supplemental fee is in addition to a fee imposed under section 14(d)(2) or 15(b) of this chapter. (b) An annual supplemental fee collected under subsection (a) shall be distributed as follows: (1) Fifty cents ($0.50) to the state motor vehicle technology fund. (2) One dollar ($1) to the crossroads 2000 fund. (3) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (4) Five dollars ($5) to the commission fund. (5) Any remaining amount to the motor vehicle highway account. [Pre-2016 Revision Citation: 9-29-5-38(a).] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.143.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-17. Disclosure to Special Group of Personal Information on Application

Sec. 17. (a) This section applies to an application form for a special group recognition license plate that: (1) is subject to an annual special group fee; and (2) does not require an applicant to obtain authorization from the special group that sponsors the license plate.

(b) The application form must allow the applicant to choose to allow the disclosure of personal information to the special group that sponsors the license plate for which the applicant is applying. (c) The bureau must inform the applicant that: (1) the special group may contact the applicant with information about its activities but may not use the applicant's personal information primarily for fundraising or solicitation purposes; (2) the bureau will not disclose the applicant's personal information to any other person or group; and (3) the special group will not disclose the applicant's personal information to any other person or group without the applicant's written consent. (d) If an applicant chooses to allow disclosure under subsection (b), the bureau may disclose personal information about the applicant included on the application form only to the special group that sponsors the license plate. (e) If a special group receives personal information disclosed under subsection (d), the special group: (1) may contact the applicant with information about the special group's activities; (2) may not contact the applicant primarily for fundraising or solicitation purposes; and (3) may not disclose the applicant's personal information to any other person or group without the applicant's written consent. [Pre-2016 Revision Citation: 9-18-25-18.] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.144.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-18. Agreements Between Bureau and Special Groups

Sec. 18. The bureau and a special group may enter into agreements to do the following: (1) Restrict the issuance of the special group's license plates to individuals authorized by the special group. (2) Restrict the issuance of the special group's license plates with numbers one (1) through one hundred (100) to individuals authorized by the special group. [Pre-2016 Revision Citation: 9-18-25-19.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-19. Disclosure of Personal Information; Permissible Uses

Sec. 19. (a) Notwithstanding section 17 of this chapter, the bureau shall disclose personal information included on the application form for a special group recognition license plate from a special group described in section 3(a)(13)(F) of this chapter unless the applicant makes an affirmative statement against the disclosure. (b) If the applicant does not make an affirmative statement against disclosure as described in subsection (a), the bureau shall disclose personal information about the applicant included on the application form only to the special group that sponsors the license plate. (c) If a special group receives personal information disclosed under subsection (a), the special group may: (1) contact the applicant with information about activities of the special group; (2) not contact the applicant primarily for fundraising or solicitation purposes; and (3) not disclose the personal information of the applicant to any other person or group without the written consent of the applicant. [Pre-2016 Revision Citation: 9-18-25-20.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-2. Exemptions From Chapter

Sec. 2. This chapter does not apply to the following: (1) Historic vehicle license plates (IC 9-18.5-34). (2) Personalized license plates (IC 9-18.5-2). (3) Disabled Hoosier veteran license plates (IC 9-18.5-5). (4) Purple Heart license plates (IC 9-18.5-6). (5) National Guard license plates (IC 9-18.5-7). (6) Person with a disability license plates (IC 9-18.5-8). (7) Amateur radio operator license plates (IC 9-18.5-9). (8) In God We Trust license plates (IC 9-18.5-11). (9) Pearl Harbor survivor license plates (IC 9-18.5-24). (10) Lewis and Clark expedition license plates (IC 9-18.5-26). (11) National Football League franchised football team license plates (IC 9-18.5-28). (12) Hoosier veteran license plates (IC 9-18.5-29). (13) Support our troops license plates (IC 9-18.5-30). (14) Abraham Lincoln's boyhood home license plates (IC 9-18.5-31). (15) Indiana Gold Star family member license plates (IC 9-18.5-33). (16) Armed Forces Expeditionary Medal license plates (IC 9-18.5-35). [Pre-2016 Revision Citation: 9-18-25-1.] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.140; P.L.147-2018, SEC.9; P.L.29-2021, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-3. Application; Review

Sec. 3. (a) A special group that seeks initial participation in the special group recognition license plate program must submit a completed application to the bureau not later than April 1 for potential issuance in the following year. The application must contain the following: (1) The name and address of the resident agent of the special group. (2) Evidence of governance by a board of directors consisting of at least five (5) members, a majority of whom are outside directors, who meet at least semiannually to establish policy for the special group and review the accomplishments of the special group. (3) A copy of the: (A) ethics statement; (B) constitution and bylaws; and (C) articles of incorporation as an entity that is exempt from federal income taxation under Section 501(c) of the Internal Revenue Code; of the special group. (4) Copies of the last three (3) consecutive: (A) annual reports; and (B) annual generally accepted auditing standards or government auditing standards audits; of the special group. (5) Evidence of appropriate use of resources and compliance with federal and state laws, including evidence of appropriate management and internal controls in order to ensure: (A) compliance with law; (B) that finances are used in compliance with the purpose statement of the special group; and (C) maintenance as an entity that is exempt from taxation under Section 501(c) of the Internal Revenue Code. (6) Evidence of transparency of financial and operational activities to include availability of current financial statements at any time upon the request of the bureau or a donor to the special group. (7) Evidence of internal controls to prevent conflict of interest by

board members and employees. (8) A petition with the signatures of at least five hundred (500) residents of Indiana who pledge to purchase the special group recognition license plate. (9) A statement of the designated use of any annual fee to be collected by the bureau. (10) A copy of a certified motion passed by the board of directors of the special group requesting that the special group recognition license plate be issued by the bureau and stating the designated use of any annual fee to be collected by the bureau. (11) Evidence of statewide public benefit from the special group. (12) Evidence of statewide public benefit from the use of the annual fee collected by the bureau. (13) Evidence that the special group's use of the annual fee to be collected by the bureau and the organizational purpose statement of the special group conform with at least one (1) of the following categories: (A) Direct health care or medical research. (B) Fraternal or service organizations. (C) Government and quasi-government. For purposes of this clause, a special group that designates the use of the fees collected for deposit in the capital projects fund established by IC 9-18.5-28-5(a) is considered to have a quasi-government purpose. (D) Military and veterans' affairs. (E) Public and transportation safety. (F) A state educational institution (as defined in IC 21-7-13-32) or an approved postsecondary educational institution (as defined in IC 21-7-13-6) for scholarships for Indiana residents. (G) Agriculture, animals, and environment. (14) Evidence that the organization has prohibitions and internal controls prohibiting advocacy of the following: (A) Violation of federal or state law. (B) Violation of generally accepted ethical standards or societal behavioral standards. (C) Individual political candidates. (b) The bureau shall review the application for a special group recognition license plate that has been submitted to the bureau under subsection (a). Upon satisfaction to the bureau of the completeness of the information in the application, the bureau shall forward the application to the executive director of the legislative services agency in an electronic format under IC 5-14-6 for review by the committee. [Pre-2016 Revision Citation: 9-18-25-2.3.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-4. New Special Group Recognition Plates; Review by Legislative Committee; Limitations

Sec. 4. (a) The committee shall review applications for special group recognition license plates that have been forwarded to the committee by the bureau under section 3 of this chapter. (b) After reviewing the applications, the committee shall: (1) compile a list recommending new special group recognition license plates; and (2) forward to the bureau by written means the list of recommended special groups that meet the suitability for issuance of a special group recognition license plate. The committee may not recommend more than five (5) new special group recognition license plates to the bureau under this subsection in a calendar year. (c) After receiving the list forwarded under subsection (b)(2), the bureau shall conduct an independent review of the applications, taking into consideration the recommendations of the committee. The bureau may issue a special group recognition license plate in the absence of a positive recommendation from the committee. However, the bureau may not issue a special group recognition license plate unless the license plate has first been reviewed by the committee and has been given a positive or negative recommendation to the bureau regarding that special group. (d) The bureau may not issue more than five (5) special group recognition license plates for the first time in a year. [Pre-2016 Revision Citation: 9-18-25-2.5.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-5. Periodic Review of Previously Issued Special Group Recognition License Plates

Sec. 5. (a) Beginning July 1, 2023, and each year thereafter, the bureau shall forward to the executive director of the legislative services agency in an electronic format under IC 5-14-6 for review by the committee the name of a special group for whom: (1) ten (10) years have elapsed since the special group was admitted into the special group recognition license plate program; or (2) ten (10) years have elapsed since the previous review of the special group by the special group recognition license plate committee established by IC 2-5-36.2-4 (repealed) or the committee as required under this section. Upon receipt of the name of a special group, except for a petition under section 3(a)(8) of this chapter, the committee shall require the special group to submit to the committee evidence of the criteria set forth in section 3 of this chapter. Upon submission of the criteria, the committee shall review the suitability of the special group to continue participating in the special group recognition license plate program. In the review, the committee shall consider the criteria set forth in section 3 of this chapter and may seek additional evidence of the criteria from a special group. The committee shall recommend to the bureau that participation in the special group recognition license plate program be terminated if the committee finds that termination is appropriate because the special group is not suitable for inclusion in the special group license plate program. (b) If a special group was subject to a decennial review under this section before July 1, 2023, then the next review occurs in the year which is a multiple of ten (10) years after the year of the special group's admittance to the special group recognition license plate program under this section. (c) Upon receiving a recommendation of termination for a special group under subsection (a), the bureau may: (1) terminate the special group from participation in the special group recognition license plate program; or (2) allow the special group to continue participating in the special group recognition license plate program for a period of not more than eighteen (18) months. (d) If the bureau terminates the participation of a special group under subsection (c)(1): (1) the bureau may not issue additional special group recognition license plates of the special group to plateholders; and (2) a plateholder may not renew a special group recognition license plate of the special group. If the special group desires to continue participating in the special group recognition license plate program, the special group must submit an application to the bureau containing the criteria set forth in section 3 of this chapter. The bureau shall then follow the procedure set forth in section 3 of this chapter. (e) If the bureau allows a special group to continue participating in the special group recognition license plate program for a period under subsection (c)(2), the bureau shall: (1) establish the duration of the set period under subsection

(c)(2); and (2) require the special group to submit to the bureau: (A) evidence of the criteria set forth in section 3 of this chapter; and (B) any additional information the bureau determines is necessary. (f) The bureau shall: (1) review the evidence and additional information submitted by a special group under subsection (e)(2); and (2) determine whether to terminate or continue the participation of the special group in the special group recognition license plate program. (g) After the review under subsection (f), if the bureau terminates the participation of the special group and the special group desires to continue participating, the special group must submit an application to the bureau containing the criteria set forth in section 3 of this chapter. The bureau shall then follow the procedure set forth in section 3 of this chapter. (h) After the review under subsection (f), if the bureau continues the participation of the special group in the special group recognition license plate program, the bureau may do one (1) or more of the following: (1) Allow the special group to remedy the defect or the violation that caused the special group to not be suitable for inclusion in the special group recognition license plate program. (2) Place restrictions on or temporarily suspend the sales of special group recognition license plates for the special group. (3) Require the special group to appear before the commission for review or reinstatement, or both. (i) The bureau may suspend the issuance of a special group recognition license plate for a special group if the bureau, upon investigation, has determined that the special group has advocated or committed a violation of federal or state law. [Pre-2016 Revision Citation: 9-18-25-2.7.] As added by P.L.198-2016, SEC.327. Amended by P.L.111-2021, SEC.24; P.L.211-2023, SEC.24.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-6. Total Number of Special Group Recognition License Plates in Circulation

Sec. 6. The total number of special group recognition license plate designs in circulation each year may not exceed one hundred fifty (150). [Pre-2016 Revision Citation: 9-18-25-2.8.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-7. Design and Emblem

Sec. 7. The design of a special group recognition license plate issued under this chapter must be a distinct design and include an emblem that identifies the vehicle as being registered to a person who is a member of a special group. [Pre-2016 Revision Citation: 9-18-25-3.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-8. Special Group Representatives; Design Conference; Group Membership List

Sec. 8. The bureau: (1) shall require representatives of a special group to confer with the bureau concerning the design of the emblem that identifies the vehicle as being registered to a person that is a member of a special group; and (2) may request a list of the names and addresses of the persons that are: (A) members of the special group; and (B) eligible for a special group recognition license plate. [Pre-2016 Revision Citation: 9-18-25-5.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 12. Special Group Recognition License Plates9-18.5-12-9. Issuance Only to Qualified Persons

Sec. 9. The bureau may issue a license plate under this chapter only to a person that qualifies for a special group recognition license plate. [Pre-2016 Revision Citation: 9-18-25-8.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 13. Environmental License Plates9-18.5-13-1. Design and Issuance; Contents

Sec. 1. The bureau shall design and issue an environmental license plate. The environmental license plate shall be designed and issued as a special group recognition license plate under IC 9-18.5-12 and must include the following: (1) A basic design for the plate with consecutive numbers or letters, or both, to properly identify the vehicle. (2) A background design, an emblem, or colors that designate the license plate as an environmental license plate. (3) Any other information the bureau considers necessary. [Pre-2016 Revision Citations: 9-18-29-1; 9-18-29-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 13. Environmental License Plates9-18.5-13-2. Eligibility

Sec. 2. A person is eligible to receive an environmental license plate under this chapter upon doing the following: (1) Completing an application for an environmental license plate. (2) Paying the appropriate fees under section 3 of this chapter. [Pre-2016 Revision Citation: 9-18-29-3.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 13. Environmental License Plates9-18.5-13-3. Annual Fees; Special Fund

Sec. 3. (a) The fees for an environmental license plate are as follows: (1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16. (2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b). (b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau and deposited with the treasurer

of state in a special fund. The bureau shall distribute monthly the money in the special fund to the President Benjamin Harrison conservation trust fund established by IC 14-12-2-25. [Pre-2016 Revision Citations: 9-18-29-4; subsection (a) formerly 9-29-5-38(a); subsection (b) formerly 9-18-29-5.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 13. Environmental License Plates9-18.5-13-4. Municipal Corporations

Sec. 4. If an officer or employee of a municipal corporation requests an environmental license plate for a vehicle that is assigned to or customarily used by the officer or employee, the officer or employee is responsible for paying all fees associated with the environmental license plate under this chapter and all annual registration fees under IC 9-18 (before its expiration), IC 9-18.1, and, if applicable, IC 9-29 (repealed) for the vehicle on which the environmental license plate is displayed. [Pre-2016 Revision Citation: 9-18-29-6.] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.145; P.L.86-2018, SEC.146.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 14. Kids First Trust License Plates9-18.5-14-1. Design and Issuance

Sec. 1. The bureau shall design and issue a kids first trust license plate. The kids first trust license plate shall be designed and issued as a special group recognition license plate under IC 9-18.5-12. The final design of the plate must be approved by the board (as defined in IC 31-26-4-2). [Pre-2016 Revision Citation: 9-18-30-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 14. Kids First Trust License Plates9-18.5-14-2. Contents

Sec. 2. A kids first trust license plate designed under IC 9-18.5-12 must include the following: (1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle. (2) A background design, an emblem, or colors that designate the license plate as a children's trust license plate. (3) Any other information the bureau considers necessary. [Pre-2016 Revision Citation: 9-18-30-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 14. Kids First Trust License Plates9-18.5-14-3. Eligibility

Sec. 3. A person that is eligible to register a vehicle under this title is eligible to receive a kids first trust license plate under this chapter upon doing the following: (1) Completing an application for a kids first trust license plate. (2) Paying the appropriate fees under section 4 of this chapter. [Pre-2016 Revision Citation: 9-18-30-3.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 14. Kids First Trust License Plates9-18.5-14-4. Annual Fees; Disposition

Sec. 4. (a) The fees for a kids first trust license plate are as follows: (1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16. (2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b). (b) The annual fee referred to in subsection (a)(2) shall be collected by the commission and deposited with the treasurer of state in a special account. The bureau shall distribute monthly the money in the special account to the Indiana kids first trust fund established by IC 31-26-4-12. [Pre-2016 Revision Citations: 9-18-30-4; subsection (a) formerly 9-29-5-38(a); subsection (b) formerly 9-18-30-5.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 14. Kids First Trust License Plates9-18.5-14-5. Municipal Vehicles

Sec. 5. (a) This section applies only to a license plate issued under IC 9-18-3-5(b) (before its expiration) or IC 9-18.1-9-4. (b) A municipal corporation (as defined in IC 36-1-2-10) that registers a vehicle under this title is eligible to receive a kids first trust license plate under this chapter. (c) If an officer or employee of a municipal corporation requests a kids first trust license plate for a vehicle that is assigned to or customarily used by the officer or employee, the officer or employee is responsible for paying the annual fee for the kids first trust license plate under section 4(a)(2) of this chapter, the annual supplemental fee under section 4(a)(1) of this chapter, and all applicable annual registration fees under IC 9-18 (before its expiration), IC 9-18.1, or IC 9-29 (repealed), as applicable. (d) Notwithstanding subsection (c): (1) a kids first trust license plate that is issued under this section; and (2) all fees and taxes that have been paid to have the plate issued; are considered issued to and paid by the municipal corporation that registered the vehicle for which the license plate was issued, and the municipal corporation is entitled to retain possession of the license plate. [Pre-2016 Revision Citation: 9-18-30-6.] As added by P.L.198-2016, SEC.327. Amended by P.L.86-2018, SEC.147.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 15. Education License Plates9-18.5-15-1. "School Corporation"

Sec. 1. As used in this chapter, "school corporation" has the meaning set forth in IC 36-1-2-17. [Pre-2016 Revision Citation: 9-18-31-1.] As added by P.L.198-2016, SEC.327.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 15. Education License Plates9-18.5-15-2. Design and Issuance

Sec. 2. The bureau shall design and issue an education license plate. The education license plate shall be designed and issued as a special group recognition license plate under IC 9-18.5-12 and must include the following: (1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle. (2) A background design, an emblem, or colors that designate the license plate as an education license plate. (3) Any other information the bureau considers necessary. [Pre-2016 Revision Citations: 9-18-31-2; 9-18-31-3.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 15. Education License Plates9-18.5-15-3. Eligibility

Sec. 3. A person that is eligible to register a vehicle under this title is eligible to receive an education license plate upon doing the following: (1) Completing an application for an education license plate. (2) Paying the appropriate fees under section 4 of this chapter. [Pre-2016 Revision Citation: 9-18-31-4.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 15. Education License Plates9-18.5-15-4. Fees; Designation

Sec. 4. (a) The fees for an education license plate are as follows: (1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16. (2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b). (b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau. (c) The bureau shall require a person that purchases an education license plate under this chapter to designate the Indiana school corporation the person wants to receive the fee that the person pays under subsection (a)(2). [Pre-2016 Revision Citations: 9-18-31-5; subdivision (1) formerly 9-29-5-38(a); subdivision (2) formerly 9-29-5-38(a).] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 15. Education License Plates9-18.5-15-5. Distribution of Fees

Sec. 5. The fees collected under this chapter shall be distributed as follows: (1) Twenty-five percent (25%) to the secretary of education to administer the school intervention and career counseling development program and fund under IC 20-20-17. (2) Seventy-five percent (75%) as provided under section 6 of this chapter. [Pre-2016 Revision Citation: 9-18-31-6.] As added by P.L.198-2016, SEC.327. Amended by P.L.43-2021, SEC.33.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 15. Education License Plates9-18.5-15-6. Duties of School Corporations Receiving Fees; Distribution and Report to County Auditor; Distribution and Notice to School Corporations Identifying Recipient Educational Foundation

Sec. 6. (a) If an educational foundation that is exempt from federal income taxation under Internal Revenue Code Section 501(c)(3) is established as an Indiana nonprofit corporation for the benefit of a school corporation designated to receive a fee under section 4(c) of this chapter, fees designated to go to the school corporation shall be distributed to an educational foundation that provides benefit to the designated school corporation. A school corporation that receives benefit from an educational foundation that meets the requirements of this section shall: (1) obtain a certificate from the educational foundation that certifies to the school corporation and the county auditor that the educational foundation: (A) is exempt from federal income taxation under Internal Revenue Code Section 501(c)(3); and (B) is established as an Indiana nonprofit corporation to provide benefit to the school corporation; and (2) provide a copy of the certificate described in subdivision (1) to the county auditor. (b) If a school corporation designated to receive a fee under section 4(c) of this chapter does not receive benefit from an educational foundation described under subsection (a), the fees designated to go to the school corporation shall be distributed to the school corporation and may be used only for purposes other than salaries and related fringe benefits. (c) Before the twentieth day of the calendar month following the calendar month in which a fee was collected, the bureau shall distribute the fees collected under this chapter to the county auditor of the county in which the designated school corporation's administration office is located. Each monthly distribution under this subsection shall be accompanied by a report to the auditor that shows: (1) the total amount of the monthly distribution for all school corporations in the county that were designated to receive an education license plate fee under this chapter; and (2) the amount of the fees that are to be distributed to each designated school corporation in the county. (d) Within thirty (30) days of receipt of a distribution from the bureau under subsection (c), the county auditor shall distribute the fees received to: (1) an educational foundation under subsection (a), if the school corporation has provided a copy of the certificate described in subsection (a); or (2) the school corporation under subsection (b); whichever subsection is applicable. The county auditor shall designate which school corporation is to receive benefit in connection with a distribution to an educational foundation under this subsection. If the school corporation receives benefit from more than one (1) educational foundation, the superintendent of the benefited school corporation shall determine, and inform the auditor in writing, how fees received are to be distributed to the educational foundations. The county auditor shall, simultaneously with a distribution to an educational foundation, send the school corporation to receive benefit a notice of the distribution that

identifies the recipient educational foundation and the date and the amount of the distribution. (e) Funds received by an educational foundation under this chapter must be used to provide benefit to the designated school corporation. [Pre-2016 Revision Citation: 9-18-31-7.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 16. Indiana Ffa Trust License Plates9-18.5-16-1. Design and Issuance

Sec. 1. The bureau shall design and issue an Indiana FFA trust license plate. The Indiana FFA trust license plate shall be designed and issued as a special group recognition license plate under IC 9-18.5-12. [Pre-2016 Revision Citation: 9-18-33-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 16. Indiana Ffa Trust License Plates9-18.5-16-2. Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive an Indiana FFA trust license plate under this chapter upon doing the following: (1) Completing an application for an Indiana FFA trust license plate. (2) Paying the fees under section 3 of this chapter. [Pre-2016 Revision Citation: 9-18-33-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 16. Indiana Ffa Trust License Plates9-18.5-16-3. Fees

Sec. 3. (a) The fees for an Indiana FFA trust license plate are as follows: (1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16. (2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b). (b) The bureau shall collect the annual fee referred to in subsection (a)(2) and deposit the fee in the fund established by section 4 of this chapter. [Pre-2016 Revision Citations: 9-18-33-3; subsection (a) formerly 9-29-5-38(a).] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 16. Indiana Ffa Trust License Plates9-18.5-16-4. Ffa Trust Fund

Sec. 4. (a) The Indiana FFA trust fund is established. (b) The treasurer of state shall invest the money in the Indiana FFA trust fund not currently needed to meet the obligations of the Indiana FFA trust fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the Indiana FFA trust fund. (c) The bureau shall administer the Indiana FFA trust fund. Expenses of administering the Indiana FFA trust fund shall be paid from money in the Indiana FFA trust fund. (d) The bureau shall distribute at least one (1) time each month the money from the fund to the FFA Foundation that is located within Indiana. (e) Money in the fund at the end of a state fiscal year does not revert to the state general fund. [Pre-2016 Revision Citation: 9-18-33-4.] As added by P.L.198-2016, SEC.327. Amended by P.L.118-2022, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 17. Indiana Firefighter License Plates9-18.5-17-2. Design and Issuance

Sec. 2. (a) The bureau shall design and issue an Indiana firefighter license plate as a special group recognition license plate under IC 9-18.5-12. (b) The bureau shall confer with representatives of the Professional Firefighters Union of Indiana and the Indiana Firefighters Association concerning the design of the license plate. [Pre-2016 Revision Citation: 9-18-34-2.] As added by P.L.198-2016, SEC.327. Amended by P.L.147-2018, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 17. Indiana Firefighter License Plates9-18.5-17-3. Eligibility

Sec. 3. An individual is eligible to receive at least one (1) Indiana firefighter license plate upon doing the following: (1) Completing an application for an Indiana firefighter license plate. (2) Paying an annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16. (3) Paying an annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b). [Pre-2016 Revision Citations: 9-18-34-3; subdivision (2) formerly 9-29-5-38(a); subdivision (3) formerly 9-29-5-38(a).] As added by P.L.198-2016, SEC.327. Amended by P.L.147-2018, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 18. Indiana Boy Scouts Trust License Plates9-18.5-18-1. Design and Issuance

Sec. 1. The bureau shall design and issue an Indiana boy scouts trust license plate as a special group recognition license plate under IC 9-18.5-12. [Pre-2016 Revision Citation: 9-18-37-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 18. Indiana Boy Scouts Trust License Plates9-18.5-18-2. Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive an Indiana boy scouts trust license plate under this chapter upon doing the following: (1) Completing an application for an Indiana boy scouts trust license plate. (2) Paying

the fees under section 3 of this chapter. [Pre-2016 Revision Citation: 9-18-37-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 18. Indiana Boy Scouts Trust License Plates9-18.5-18-3. Fees

Sec. 3. (a) The fees for an Indiana boy scouts trust license plate are as follows: (1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16. (2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b). (b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau and deposited in the fund established by section 4 of this chapter. [Pre-2016 Revision Citations: 9-18-37-3; subsection (a) formerly 9-29-5-38(a).] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 18. Indiana Boy Scouts Trust License Plates9-18.5-18-4. Indiana Boy Scouts Trust Fund

Sec. 4. (a) The Indiana boy scouts trust fund is established. (b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the fund. (c) The bureau shall administer the fund. Expenses of administering the fund shall be paid from money in the fund. (d) The bureau shall distribute at least one (1) time each month the money from the fund to the organization established under section 5 of this chapter. (e) Money in the fund at the end of a state fiscal year does not revert to the state general fund. [Pre-2016 Revision Citation: 9-18-37-4.] As added by P.L.198-2016, SEC.327. Amended by P.L.118-2022, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 18. Indiana Boy Scouts Trust License Plates9-18.5-18-5. Distribution of Money by Charitable Organization

Sec. 5. (a) The representatives of the councils of the Boy Scouts of America that are located entirely or partially within Indiana shall establish an organization that: (1) is a charitable organization under Section 501(c) of the Internal Revenue Code; (2) is registered to do business in Indiana; (3) is located in Indiana; and (4) exists for the purpose of raising funds on the behalf of all of the councils of the Boy Scouts of America that are located entirely or partially within Indiana. (b) The organization shall distribute the money received under section 4 of this chapter to each council of the Boy Scouts of America that is located entirely or partially within Indiana. [Pre-2016 Revision Citation: 9-18-37-5.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 19. d.a.r.e. Indiana Trust License Plates9-18.5-19-1. Design and Issuance

Sec. 1. The bureau shall design and issue a D.A.R.E. Indiana trust license plate as a special group recognition license plate under IC 9-18.5-12. [Pre-2016 Revision Citation: 9-18-40-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 19. d.a.r.e. Indiana Trust License Plates9-18.5-19-2. Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive a D.A.R.E. Indiana trust license plate under this chapter upon doing the following: (1) Completing an application for a D.A.R.E. Indiana trust license plate. (2) Paying the fees under section 3 of this chapter. [Pre-2016 Revision Citation: 9-18-40-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 19. d.a.r.e. Indiana Trust License Plates9-18.5-19-3. Fees

Sec. 3. (a) The fees for a D.A.R.E. Indiana trust license plate are as follows: (1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16. (2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b). (b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau and deposited in the fund established by section 4 of this chapter. [Pre-2016 Revision Citations: 9-18-40-3; subsection (a) formerly 9-29-5-38(a).] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 19. d.a.r.e. Indiana Trust License Plates9-18.5-19-4. d.a.r.e. Indiana Trust Fund

Sec. 4. (a) The D.A.R.E. Indiana trust fund is established. (b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the fund. (c) The bureau shall administer the fund. Expenses of administering the fund shall be paid from money in the fund. (d) The bureau shall distribute at least one (1) time each month the money from the fund to D.A.R.E. Indiana, Inc. (e) Money in the fund at the end of a state fiscal year does not revert to the state general fund. [Pre-2016 Revision Citation: 9-18-40-4.] As added by P.L.198-2016, SEC.327. Amended by P.L.118-2022, SEC.11.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 2. Personalized License Plates9-18.5-2-1. Application for Personalized License Plate; Eligible License Plates

Sec. 1. (a) A person may apply to the bureau for a personalized license plate to display on the person's vehicle. (b) The following license plates may be designed as a personalized license plate under this chapter: (1) IC 9-18.5-4 (prisoner of war license plates). (2) IC 9-18.5-5 (disabled Hoosier veteran license plates). (3) IC 9-18.5-6 (Purple Heart license plates). (4) IC 9-18.5-7 (National Guard license plates). (5) IC 9-18.5-8 (license plates for persons with disabilities). (6) IC 9-18.5-9 (amateur radio operator license plates). (7) IC 9-18.5-10 (civic event license plates). (8) IC 9-18.5-11 (In God We Trust license plates). (9) IC 9-18.5-12 (special group recognition license plates). (10) IC 9-18.5-13 (environmental license plates). (11) IC 9-18.5-14 (kids first trust license plates). (12) IC 9-18.5-15 (education license plates). (13) IC 9-18.5-16 (Indiana FFA trust license plates). (14) IC 9-18.5-17 (Indiana firefighter license plates). (15) IC 9-18.5-18 (Indiana boy scouts trust license plates). (16) IC 9-18.5-19 (D.A.R.E. Indiana trust license plates). (17) IC 9-18.5-20 (Indiana arts trust license plates). (18) IC 9-18.5-21 (Indiana health trust license plates). (19) IC 9-18.5-22 (Indiana Native American trust license plates). (20) IC 9-18.5-24 (Pearl Harbor survivor license plates). (21) IC 9-18.5-25 (Indiana state educational institution trust license plates). (22) IC 9-18.5-26 (Lewis and Clark expedition license plates). (23) IC 9-18.5-27 (Riley Children's Foundation license plates). (24) IC 9-18.5-28 (National Football League franchised professional football team license plates). (25) IC 9-18.5-29 (Hoosier veteran license plates). (26) IC 9-18.5-30 (support our troops license plates). (27) IC 9-18.5-31 (Abraham Lincoln's boyhood home license plates). (28) IC 9-18.5-33 (Indiana Gold Star family member license plates). (29) IC 9-18.5-35 (Armed Forces Expeditionary Medal license plates). (30) A license plate issued under IC 9-18 (before its expiration) or IC 9-18.1. [Pre-2016 Revision Citation: 9-18-15-1.] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.133; P.L.29-2021, SEC.1; P.L.118-2022, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 2. Personalized License Plates9-18.5-2-2. Appearance and Contents of Personalized License Plates

Sec. 2. (a) A personalized license plate may be the same color and size and contain similar required information as regular license plates issued under IC 9-18 (before its expiration) or IC 9-18.1 for the respective class of vehicle. (b) A personalized license plate is limited to the: (1) numerals 0 through 9; or (2) letters A through Z; in a continuous combination of numbers and letters with at least two (2) positions. (c) A personalized license plate may not duplicate a regularly issued plate. (d) Only one (1) personalized plate, without regard to classification of registration, may be issued by the bureau with the same configuration of numbers and letters. [Pre-2016 Revision Citation: 9-18-15-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 2. Personalized License Plates9-18.5-2-3. Personalized License Plate Issued Only to Owner or Lessee of Vehicle

Sec. 3. A personalized license plate may be issued only to the person registered as the owner or lessee of the vehicle on which the license plate will be displayed. [Pre-2016 Revision Citation: 9-18-15-3.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 2. Personalized License Plates9-18.5-2-4. Application; Refusal by Bureau to Issue Personalized License Plate

Sec. 4. (a) A person that applies for: (1) a personalized license plate; or (2) the renewal of a personalized license plate in the subsequent period; must file an application in the manner the bureau requires, indicating the combination of letters or numerals, or both, requested by the person. (b) The bureau may refuse to issue a combination of letters or numerals, or both, that: (1) carries a connotation offensive to good taste and decency; (2) would be misleading; or (3) the bureau otherwise considers improper for issuance. [Pre-2016 Revision Citation: 9-18-15-4.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 2. Personalized License Plates9-18.5-2-5. Reservation of Configuration of Letters, Numbers, or Both Letters and Numbers

Sec. 5. If a person that has been issued a personalized license plate reserves the same configuration of letters or numbers, or both, for the next plate cycle, that configuration of letters or numbers, or both, is not available to another person until the following plate cycle. [Pre-2016 Revision Citation: 9-18-15-6.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 2. Personalized License Plates9-18.5-2-6. Availability of Personalized License Plate Upon Change of Ownership of Vehicle

Sec. 6. If a person that has been issued a personalized license plate for a registered vehicle releases ownership of the registered vehicle without transferring the registration to another vehicle, the combination of numbers or letters, or both, becomes available in the next registration year to any person. [Pre-2016 Revision Citation: 9-18-15-7.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 2. Personalized License Plates9-18.5-2-7. Transfer of Personalized License Plate From Leased Vehicle

Sec. 7. If a person has been issued a personalized license plate for use on a leased vehicle and: (1) the person cancels the lease; or (2) the lease expires during the registration year; the person may transfer the license plate to another vehicle registered under IC 9-18 (before its expiration) or under IC 9-18.1-11. [Pre-2016 Revision Citation: 9-18-15-8.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 2. Personalized License Plates9-18.5-2-8. Conditions for Issuance of Personalized License Plate; Fee

Sec. 8. The bureau shall issue a personalized license plate under this chapter to a person that does the following: (1) Complies with IC 9-18 (before its expiration) or IC 9-18.1. (2) Pays any additional fee associated with a license plate described in section 1(b) of this chapter. (3) Pays a fee of forty-five dollars ($45). The fee shall be distributed as follows: (A) Four dollars ($4) to the crossroads 2000 fund. (B) Seven dollars ($7) to the motor vehicle highway account. (C) Thirty-four dollars ($34) to the commission fund. Upon the payment of the fee, the bureau shall issue a receipt. [Pre-2016 Revision Citations: 9-18-15-10; subdivision (3) formerly 9-29-5-32.5(a).] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 2. Personalized License Plates9-18.5-2-9. Refund of Personalized License Plate Fee

Sec. 9. If a person that applies for a personalized license plate with a given configuration of letters or numbers is not able to obtain the license plate requested or a satisfactory alternative configuration, the bureau shall refund the entire personalized license plate fee under section 8(3) of this chapter to the person. However, a refund of a personalized license plate fee may not be made when the person that applies for the personalized license plate cancels the request. [Pre-2016 Revision Citation: 9-18-15-11.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 20. Indiana Arts Trust License Plates9-18.5-20-1. Design and Issuance

Sec. 1. The bureau shall design and issue an Indiana arts trust license plate as a special group recognition license plate under IC 9-18.5-12. [Pre-2016 Revision Citation: 9-18-41-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 20. Indiana Arts Trust License Plates9-18.5-20-2. Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive an Indiana arts trust license plate under this chapter upon doing the following: (1) Completing an application for an Indiana arts trust license plate. (2) Paying the fees under section 3 of this chapter. [Pre-2016 Revision Citation: 9-18-41-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 20. Indiana Arts Trust License Plates9-18.5-20-3. Fees

Sec. 3. (a) The fees for an Indiana arts trust license plate are as follows: (1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16. (2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b). (b) The annual fee referred to in subsection (a)(2) must be collected by the bureau and deposited in the Indiana arts commission trust fund established under IC 4-23-2.5-4. (c) The bureau shall distribute at least one (1) time each month the money from the Indiana arts commission trust fund collected under subsection (b). [Pre-2016 Revision Citations: 9-18-41-3; subsection (a) formerly 9-29-5-38(a).] As added by P.L.198-2016, SEC.327. Amended by P.L.118-2022, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 21. Indiana Health Trust License Plates9-18.5-21-1. Design and Issuance

Sec. 1. The bureau shall design and issue an Indiana health trust license plate as a special group recognition license plate under IC 9-18.5-12. [Pre-2016 Revision Citation: 9-18-42-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 21. Indiana Health Trust License Plates9-18.5-21-2. Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive an Indiana health trust license plate under this chapter upon doing the following: (1) Completing an application for an Indiana health trust license plate. (2) Paying the fees under section 3 of this chapter. [Pre-2016 Revision Citation: 9-18-42-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 21. Indiana Health Trust License Plates9-18.5-21-3. Fees

Sec. 3. (a) The fees for an Indiana health trust license plate are as follows: (1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16. (2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b). (b) The annual fee referred to in subsection (a)(2) must be collected by the bureau and deposited in the fund established by section 4 of this chapter. [Pre-2016 Revision Citations: 9-18-42-3; subsection (a) formerly 9-29-5-38(a).] As added

by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 21. Indiana Health Trust License Plates9-18.5-21-4. Indiana Health Trust Fund

Sec. 4. (a) The Indiana health trust fund is established. (b) The treasurer of state shall invest the money in the Indiana health trust fund not currently needed to meet the obligations of the Indiana health trust fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the Indiana health trust fund. (c) The bureau shall administer the Indiana health trust fund. Expenses of administering the Indiana health trust fund shall be paid from money in the Indiana health trust fund. (d) The bureau shall distribute at least one (1) time each month the money from the fund to the organization established under section 5 of this chapter. (e) Money in the fund at the end of a state fiscal year does not revert to the state general fund. [Pre-2016 Revision Citation: 9-18-42-4.] As added by P.L.198-2016, SEC.327. Amended by P.L.118-2022, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 21. Indiana Health Trust License Plates9-18.5-21-5. Distribution of Money by Charitable Organization

Sec. 5. (a) Representatives of the following nonprofit health organizations shall establish an organization that meets the requirements of subsection (b) for the purpose of receiving money from the Indiana health trust fund: (1) AIDServe Indiana. (2) American Cancer Society. (3) American Heart Association, Indiana Affiliate. (4) American Lung Association of Indiana. (5) American Red Cross. (6) Arthritis Foundation, Indiana Chapter. (7) Hemophilia of Indiana. (8) Indiana AIDS Fund. (9) National Kidney Foundation of Indiana. (b) An organization established for the purpose of receiving money from the Indiana health trust fund must: (1) be a charitable organization under Section 501(c) of the Internal Revenue Code; (2) be registered to do business in Indiana; (3) be located in Indiana; and (4) exist for the purpose of raising funds on the behalf of all of the organizations described in subsection (a). (c) The organization shall distribute the money received under section 4 of this chapter to each of the organizations described in subsection (a). [Pre-2016 Revision Citation: 9-18-42-5.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 22. Indiana Native American Trust License Plates9-18.5-22-1. Design and Issuance

Sec. 1. The bureau shall, with the advice of the Native American Indian affairs commission established under IC 4-23-32, design and issue an Indiana Native American trust license plate as a special group recognition license plate under IC 9-18.5-12. [Pre-2016 Revision Citation: 9-18-44-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 22. Indiana Native American Trust License Plates9-18.5-22-2. Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive an Indiana Native American trust license plate under this chapter upon doing the following: (1) Completing an application for an Indiana Native American trust license plate. (2) Paying the fees under section 3 of this chapter. [Pre-2016 Revision Citation: 9-18-44-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 22. Indiana Native American Trust License Plates9-18.5-22-3. Fees

Sec. 3. (a) The fees for an Indiana Native American trust license plate are as follows: (1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16. (2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b). (b) The annual fee referred to in subsection (a)(2) must be collected by the bureau and deposited in the fund established by section 4 of this chapter. [Pre-2016 Revision Citations: 9-18-44-3; subsection (a) formerly 9-29-5-38(a).] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 22. Indiana Native American Trust License Plates9-18.5-22-4. Indiana Native American Trust Fund

Sec. 4. (a) The Indiana Native American trust fund is established. (b) The treasurer of state shall invest the money in the Indiana Native American trust fund not currently needed to meet the obligations of the Indiana Native American trust fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the Indiana Native American trust fund. (c) The bureau shall administer the Indiana Native American trust fund. Expenses of administering the Indiana Native American trust fund shall be paid from money in the Indiana Native American trust fund. (d) The bureau shall distribute at least one (1) time each month the money from the fund to the Native American Indian affairs commission established under IC 4-23-32. (e) Money in the fund at the end of a state fiscal year does not revert to the state general fund. (f) The Native American Indian affairs commission may use money received under this section for any lawful purpose of the Native American Indian affairs commission. [Pre-2016 Revision Citation: 9-18-44-4.] As added by P.L.198-2016, SEC.327. Amended by P.L.118-2022, SEC.14.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 23. Safety First License Plates9-18.5-23-1. Design and Issuance

Sec. 1. The bureau shall design and issue a first responder license plate. The first responder license plate shall: (1) be designed and issued as a special group recognition license plate under IC 9-18.5-12; and (2) replace the emergency medical services license plate issued by the bureau. [Pre-2016 Revision Citation: 9-18-45-1.] As added by P.L.198-2016, SEC.327. Amended by P.L.57-2020, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 23. Safety First License Plates9-18.5-23-2. Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive a first responder license plate under this chapter upon doing the following: (1) Completing an application for a first responder license plate. (2) Paying the fees under section 3 of this chapter. [Pre-2016 Revision Citation: 9-18-45-2.] As added by P.L.198-2016, SEC.327. Amended by P.L.57-2020, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 23. Safety First License Plates9-18.5-23-3. Fees

Sec. 3. (a) The fees for a first responder license plate are as follows: (1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16. (2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b). (b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau and deposited in the regional public safety training fund established by IC 10-19-9.1-1. (c) The bureau shall distribute at least one (1) time each month the money from the fund collected under subsection (b). [Pre-2016 Revision Citations: 9-18-45-3; subsection (a) formerly 9-29-5-38(a).] As added by P.L.198-2016, SEC.327. Amended by P.L.57-2020, SEC.3; P.L.118-2022, SEC.15; P.L.201-2023, SEC.119.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 24. Pearl Harbor Survivor License Plates9-18.5-24-1. "Pearl Harbor Survivor"

Sec. 1. As used in this chapter, "Pearl Harbor survivor" means an individual who was an active member of the armed forces of the United States serving at Pearl Harbor at the time of the Pearl Harbor attack. [Pre-2016 Revision Citation: 9-18-45.8-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 24. Pearl Harbor Survivor License Plates9-18.5-24-2. Design and Issuance

Sec. 2. The bureau shall design and issue license plates for a vehicle that designates the vehicle as being registered to a Pearl Harbor survivor. [Pre-2016 Revision Citation: 9-18-45.8-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 24. Pearl Harbor Survivor License Plates9-18.5-24-3. Eligibility

Sec. 3. (a) A resident of Indiana who is a Pearl Harbor survivor may apply for and receive one (1) or more Pearl Harbor survivor license plates. (b) The bureau may issue one (1) or more Pearl Harbor survivor license plates to the surviving spouse of a Pearl Harbor survivor. [Pre-2016 Revision Citation: 9-18-45.8-3.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 24. Pearl Harbor Survivor License Plates9-18.5-24-4. Display

Sec. 4. A Pearl Harbor survivor license plate may be assigned only to and displayed only on a vehicle registered under this title. [Pre-2016 Revision Citation: 9-18-45.8-4.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 25. Indiana State Educational Institution Trust License Plates9-18.5-25-1. Design and Issuance

Sec. 1. At the request of a state educational institution, the bureau shall design and issue a state educational institution trust license plate as a special group recognition license plate under IC 9-18.5-12. [Pre-2016 Revision Citation: 9-18-46.2-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 25. Indiana State Educational Institution Trust License Plates9-18.5-25-2. Contents

Sec. 2. A state educational institution trust license plate designed under IC 9-18.5-12 must include the following: (1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle. (2) A background design, an emblem, or colors that designate the license plate as an education license plate. (3) Any other information the bureau considers necessary. [Pre-2016 Revision Citation: 9-18-46.2-3.] As added by P.L.198-2016, SEC.327.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 25. Indiana State Educational Institution Trust License Plates9-18.5-25-3. Eligibility

Sec. 3. A person that is eligible to register a vehicle under this title is eligible to receive a state educational institution trust license plate upon doing the following: (1) Completing an application for a state educational institution trust license plate. (2) Designating the state educational institution trust special group license plate desired. (3) Paying the fees under section 4 of this chapter. [Pre-2016 Revision Citation: 9-18-46.2-4.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 25. Indiana State Educational Institution Trust License Plates9-18.5-25-4. Fees

Sec. 4. The fee for a state educational institution trust license plate is as follows: (1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16. (2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b). [Pre-2016 Revision Citations: 9-18-46.2-5; subdivision (1) formerly 9-29-5-38(a); subdivision (2) formerly 9-29-5-38(a).] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 25. Indiana State Educational Institution Trust License Plates9-18.5-25-5. Special Account Within a Trust Fund for Each State Educational Institution

Sec. 5. (a) This section applies with regard to a state educational institution trust license plate supporting a state educational institution in a year following a year in which at least ten thousand (10,000) of the state educational institution trust license plates are sold or renewed. (b) The treasurer of state shall establish a special account within a trust fund for each state educational institution described in subsection (a). (c) The bureau shall require a person that purchases a state educational institution trust license plate under this section to designate the state educational institution the person chooses to receive the annual fee that the person pays under section 4(2) of this chapter as the corresponding state educational institution designated in section 3 of this chapter. (d) The treasurer of state shall deposit the annual fee collected under section 4(2) of this chapter into a special account within a trust fund for the state educational institution designated by the purchaser in subsection (c). (e) The treasurer of state shall invest the money in the special account not distributed in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the special account. (f) The bureau shall monthly distribute the money from the special account to the state educational institution's authorized alumni association. (g) Money in the special account at the end of a state fiscal year does not revert to the state general fund. [Pre-2016 Revision Citation: 9-18-46.2-6.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 26. Lewis and Clark Expedition License Plates9-18.5-26-1. Design and Issuance

Sec. 1. The bureau shall design and issue a Lewis and Clark expedition license plate. [Pre-2016 Revision Citation: 9-18-47-1.] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.146.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 26. Lewis and Clark Expedition License Plates9-18.5-26-2. Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive a Lewis and Clark expedition license plate under this chapter upon doing the following: (1) Completing an application for a Lewis and Clark expedition license plate. (2) Paying the fees under section 3 of this chapter. [Pre-2016 Revision Citation: 9-18-47-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 26. Lewis and Clark Expedition License Plates9-18.5-26-3. Fees

Sec. 3. (a) The fee for a Lewis and Clark expedition license plate is twenty-five dollars ($25). (b) The fee described in subsection (a) shall be collected by the bureau and deposited in the Lewis and Clark expedition fund established by section 4 of this chapter. [Pre-2016 Revision Citations: 9-18-47-3; subsection (a) formerly 9-29-5-38(a).] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.147.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 26. Lewis and Clark Expedition License Plates9-18.5-26-4. Lewis and Clark Expedition Fund

Sec. 4. (a) The Lewis and Clark expedition fund is established. (b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the fund. Money in the fund is continuously appropriated for the purposes of this section. (c) The bureau shall administer the fund. Expenses of administering the fund shall be paid from money in the fund. (d) The bureau shall distribute at least one (1) time each month the money from the fund to the Lewis and Clark expedition commission established by IC 14-20-15. (e) Money in the fund at the end of a state fiscal year does not revert to the state general fund. [Pre-2016 Revision Citation: 9-18-47-4.] As added by P.L.198-2016, SEC.327. Amended by P.L.118-2022, SEC.16.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 27. Riley Children's Foundation License Plates9-18.5-27-1. Design and Issuance

Sec. 1. The bureau shall design and issue a Riley Children's Foundation license plate as a special group recognition license plate under IC 9-18.5-12. [Pre-2016 Revision Citation: 9-18-48-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 27. Riley Children's Foundation License Plates9-18.5-27-2. Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive a Riley Children's Foundation license plate under this chapter upon doing the following: (1) Completing an application for a Riley Children's Foundation license plate. (2) Paying the fees under section 3 of this chapter. [Pre-2016 Revision Citation: 9-18-48-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 27. Riley Children's Foundation License Plates9-18.5-27-3. Fees

Sec. 3. (a) The fees for a Riley Children's Foundation license plate are as follows: (1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16. (2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b). (b) The annual fee described in subsection (a)(2) shall be collected by the bureau and deposited in the Riley Children's Foundation trust fund established by section 4 of this chapter. [Pre-2016 Revision Citations: 9-18-48-3; subsection (a) formerly 9-29-5-38(a).] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 27. Riley Children's Foundation License Plates9-18.5-27-4. Riley Children's Foundation Trust Fund

Sec. 4. (a) The Riley Children's Foundation trust fund is established. (b) The treasurer of state shall invest the money in the Riley Children's Foundation trust fund not currently needed to meet the obligations of the Riley Children's Foundation trust fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the Riley Children's Foundation trust fund. Money in the fund is continuously appropriated for the purposes of this section. (c) The bureau shall administer the Riley Children's Foundation trust fund. Expenses of administering the Riley Children's Foundation trust fund shall be paid from money in the Riley Children's Foundation trust fund. (d) On June 30 of each year, the bureau shall distribute the money from the Riley Children's Foundation trust fund to the Riley Children's Foundation. (e) Money in the fund at the end of a state fiscal year does not revert to the state general fund. [Pre-2016 Revision Citation: 9-18-48-4.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 28. National Football League Franchised Professional Football Team License Plates9-18.5-28-1. Design and Issuance

Sec. 1. The bureau shall design and issue a National Football League franchised football team license plate for a National Football League franchised football team from which the bureau secures an agreement for the production and sale of license plates. [Pre-2016 Revision Citation: 9-18-49-1.] As added by P.L.198-2016, SEC.327. Amended by P.L.147-2018, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 28. National Football League Franchised Professional Football Team License Plates9-18.5-28-2. License Agreements

Sec. 2. The bureau shall: (1) negotiate for the purpose of entering; or (2) delegate the authority to enter; into license agreements with a professional sports franchise in order to design and issue a National Football League franchised football team license plate authorized under section 1 of this chapter. [Pre-2016 Revision Citation: 9-18-49-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 28. National Football League Franchised Professional Football Team License Plates9-18.5-28-3. Eligibility

Sec. 3. A person that is eligible to register a vehicle under this title is eligible to receive a specified National Football League franchised football team license plate issued under a licensing agreement entered into under section 2 of this chapter with a specified National Football League franchised football team upon doing the following: (1) Completing an application for a specified National Football League franchised football team license plate. (2) Paying the fees under section 4 of this chapter. [Pre-2016 Revision Citation: 9-18-49-3.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 28. National Football League Franchised Professional Football Team License Plates9-18.5-28-4. Fees

Sec. 4. (a) The fees for a National Football League franchised football team license plate are as follows: (1) An annual supplemental fee of ten dollars ($10). The fee shall be distributed as follows: (A) Five dollars ($5) to the commission fund. (B) Five dollars ($5) to the motor vehicle highway account. (2) An annual fee of twenty dollars ($20) for deposit in the capital projects fund established by

section 5 of this chapter. (b) The bureau shall distribute at least one (1) time each month the money from the capital projects fund collected under subsection (a). [Pre-2016 Revision Citations: 9-18-49-4; subdivision (1) formerly 9-29-5-38(d).] As added by P.L.198-2016, SEC.327. Amended by P.L.118-2022, SEC.17.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 28. National Football League Franchised Professional Football Team License Plates9-18.5-28-5. Capital Projects Fund

Sec. 5. (a) The capital projects fund is established. (b) The treasurer of state shall invest the money in the capital projects fund not currently needed to meet the obligations of the capital projects fund in the same manner as other public funds are invested. Money in the fund is continuously appropriated for the purposes of this section. (c) The budget director shall administer the capital projects fund. Expenses of administering the capital projects fund shall be paid from money in the capital projects fund. (d) On: (1) June 30 of every year; or (2) any other date designated by the budget director; an amount designated by the budget director shall be transferred from the fund to the state general fund, a capital improvement board of managers created by IC 36-10-9, or the designee chosen by the budget director under IC 5-1-17-28. (e) Money in the fund at the end of a state fiscal year does not revert to the state general fund. [Pre-2016 Revision Citation: 9-18-49-5.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 28. National Football League Franchised Professional Football Team License Plates9-18.5-28-6. Rules

Sec. 6. The budget agency shall adopt rules under IC 4-22-2 to implement this chapter. [Pre-2016 Revision Citation: 9-18-49-6.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 29. Hoosier Veteran License Plates9-18.5-29-1. Design

Sec. 1. (a) The bureau shall design a Hoosier veteran license plate that includes the following: (1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle. (2) A background design or colors that designate the license plate as a Hoosier veteran license plate. (3) An area on the plate for display of an emblem denoting the branch of service or conflict in which the veteran served. (4) Any other information the bureau considers necessary. (b) The branch of service emblem displayed on a plate described in subsection (a) shall be identical to the appropriate branch of service emblem devised under section 2 of this chapter. [Pre-2016 Revision Citations: 9-18-50-2; 9-18-50-3.] As added by P.L.198-2016, SEC.327. Amended by P.L.24-2019, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 29. Hoosier Veteran License Plates9-18.5-29-2. Design; Consultation With Members of Armed Forces Retiree Organizations

Sec. 2. (a) The bureau shall confer with members of armed forces retiree organizations concerning the design of the: (1) Hoosier veteran license plate; (2) disabled Hoosier veteran license plate; and (3) emblems denoting the branch of service or conflict in which the veteran or disabled veteran served. (b) The emblems used to denote a branch of service for the: (1) disabled Hoosier veteran license plate under (IC 9-18.5-5); and (2) Hoosier veteran license plate (under this chapter); must be identical. [Pre-2016 Revision Citation: 9-18-50-4.] As added by P.L.198-2016, SEC.327. Amended by P.L.24-2019, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 29. Hoosier Veteran License Plates9-18.5-29-3. Eligibility

Sec. 3. (a) An individual who registers a vehicle under this title may apply for and receive a Hoosier veteran license plate for one (1) or more vehicles upon doing the following: (1) Completing an application for a Hoosier veteran license plate. (2) Presenting one (1) of the following to the bureau: (A) A United States Uniformed Services Retiree Identification Card. (B) Proof of discharge. (C) United States military discharge papers. (D) A current armed forces identification card. (E) A physical credential or mobile credential issued to the individual that contains an indication of veteran status under IC 9-24-11-5.5. (3) Paying a fee in an amount of fifteen dollars ($15). (b) The bureau shall distribute at least one (1) time each month the fee described in subsection (a)(3) to the director of veterans' affairs for deposit in the military family relief fund established under IC 10-17-12-8. [Pre-2016 Revision Citations: 9-18-50-6; subsection (a) formerly 9-18-50-7; 9-29-5-38.5(a).] As added by P.L.198-2016, SEC.327. Amended by P.L.118-2022, SEC.18; P.L.211-2023, SEC.25; P.L.141-2024, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 29. Hoosier Veteran License Plates9-18.5-29-4. Application Form for a Hoosier Veteran License Plate; Disclosure of Personal Information

Sec. 4. (a) The application form for a Hoosier veteran license plate must allow the applicant to choose to prohibit the disclosure of personal information to the Indiana department of veterans' affairs. (b) The bureau must inform the applicant that: (1) the Indiana department of veterans' affairs may contact the applicant with information about its activities but may not use the applicant's personal information primarily for fundraising or solicitation purposes; (2) the bureau will not disclose the applicant's personal information to any other person or group; and (3) the Indiana department of veterans' affairs will not disclose the applicant's personal information to any other person or group without the applicant's written consent. (c) Unless the applicant has prohibited

disclosure on the application, the bureau shall disclose personal information included on the application form to the Indiana department of veterans' affairs. (d) If the applicant does not make an affirmative statement against disclosure as described in subsection (c), the bureau shall disclose personal information about the applicant included on the application form only to the Indiana department of veterans' affairs. The bureau may not disclose personal information to any other person. (e) If the Indiana department of veterans' affairs receives personal information from the bureau under subsection (c), the Indiana department of veterans' affairs may: (1) contact the applicant with information about activities of the Indiana department of veterans' affairs; (2) not contact the applicant primarily for fundraising or solicitation purposes; and (3) not disclose the personal information of the applicant to any other person or group without the written consent of the applicant. (f) An affirmative statement against disclosure made by an applicant under subsection (c) is in effect until: (1) the applicant indicates on a subsequent application that the applicant's personal information may be disclosed; or (2) the applicant sends written consent to the bureau to disclose the applicant's personal information. As added by P.L.108-2023, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 3. General Assembly and Other State Officials License Plates9-18.5-3-1. License Plates Issued to Members of the General Assembly and Other State Officials

Sec. 1. (a) License plates shall be issued to the following: (1) Members of the general assembly. (2) Spouses of members of the general assembly. (3) Other state officials who receive special license plates on an annual basis. (b) A license plate issued under this chapter may also be issued to a company or business owned by a person described in subsection (a). [Pre-2016 Revision Citation: 9-18-16-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 30. Support Our Troops License Plates9-18.5-30-1. Design and Issuance

Sec. 1. The bureau shall design and issue a support our troops license plate that includes the following: (1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle. (2) A background design, an emblem, or colors that designate the license plate as a support our troops license plate. (3) Any other information the bureau considers necessary. [Pre-2016 Revision Citations: 9-18-51-1; 9-18-51-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 30. Support Our Troops License Plates9-18.5-30-2. Eligibility; Fee

Sec. 2. A person may receive a support our troops license plate under this chapter upon doing the following: (1) Completing an application for a support our troops license plate. (2) Paying an annual fee of twenty dollars ($20). The bureau shall distribute at least one (1) time each month the fee described in subdivision (2) to the director of veterans' affairs for deposit in the military family relief fund established under IC 10-17-12-8. [Pre-2016 Revision Citations: 9-18-51-4; subdivision (2) formerly 9-18-51-5; 9-29-5-38.5(b).] As added by P.L.198-2016, SEC.327. Amended by P.L.118-2022, SEC.19.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 30. Support Our Troops License Plates9-18.5-30-3. Application Form for a Support Our Troops License Plate; Disclosure of Personal Information

Sec. 3. (a) The application form for a support our troops license plate must allow the applicant to choose to prohibit the disclosure of personal information to the Indiana department of veterans' affairs. (b) The bureau must inform the applicant that: (1) the Indiana department of veterans' affairs may contact the applicant with information about its activities but may not use the applicant's personal information primarily for fundraising or solicitation purposes; (2) the bureau will not disclose the applicant's personal information to any other person or group; and (3) the Indiana department of veterans' affairs will not disclose the applicant's personal information to any other person or group without the applicant's written consent. (c) Unless the applicant has prohibited disclosure on the application, the bureau shall disclose personal information included on the application form to the Indiana department of veterans' affairs. (d) If the applicant does not make an affirmative statement against disclosure as described in subsection (c), the bureau shall disclose personal information about the applicant included on the application form only to the Indiana department of veterans' affairs. The bureau may not disclose personal information to any other person. (e) If the Indiana department of veterans' affairs receives personal information from the bureau under subsection (c), the Indiana department of veterans' affairs may: (1) contact the applicant with information about activities of the Indiana department of veterans' affairs; (2) not contact the applicant primarily for fundraising or solicitation purposes; and (3) not disclose the personal information of the applicant to any other person or group without the written consent of the applicant. (f) An affirmative statement against disclosure made by an applicant under subsection (c) is in effect until: (1) the applicant indicates on a subsequent application that the applicant's personal information may be disclosed; or (2) the applicant sends written consent to the bureau to disclose the applicant's personal information. As added by P.L.108-2023, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 31. Abraham Lincoln's Boyhood Home License Plates9-18.5-31-1. Design

Sec. 1. The bureau shall design and issue an Abraham Lincoln's boyhood home license plate. [Pre-2016 Revision Citation: 9-18-52-1.] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.148.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 31. Abraham Lincoln's Boyhood Home License Plates9-18.5-31-2. Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive an Abraham Lincoln's boyhood home license plate under this chapter upon doing the following: (1) Completing an application for an Abraham Lincoln's boyhood home license plate. (2) Paying the fees under section 6 of this chapter. [Pre-2016 Revision Citation: 9-18-52-2.] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.149.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 31. Abraham Lincoln's Boyhood Home License Plates9-18.5-31-4. Contents

Sec. 4. An Abraham Lincoln's boyhood home license plate must include the following: (1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle. (2) A background design, an emblem, or colors that designate the license plate as an Abraham Lincoln's boyhood home license plate. (3) Any other information the bureau considers necessary. [Pre-2016 Revision Citation: 9-18-52-4.] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.151.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 31. Abraham Lincoln's Boyhood Home License Plates9-18.5-31-6. Fee

Sec. 6. (a) The fee for an Abraham Lincoln's boyhood home license plate is twenty-five dollars ($25). (b) The fee described in subsection (a) shall be collected by the bureau and deposited in the Indiana State Museum Foundation trust fund established by section 7 of this chapter. [Pre-2016 Revision Citations: 9-18-52-7; 9-29-5-34.7.] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.153.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 31. Abraham Lincoln's Boyhood Home License Plates9-18.5-31-7. Indiana State Museum Foundation Trust Fund

Sec. 7. (a) The Indiana State Museum Foundation trust fund is established. (b) The treasurer of state shall invest the money in the Indiana State Museum Foundation trust fund not currently needed to meet the obligations of the Indiana State Museum Foundation trust fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the Indiana State Museum Foundation trust fund. Money in the Indiana State Museum Foundation trust fund is continuously appropriated for the purposes of this section. (c) The bureau shall administer the Indiana State Museum Foundation trust fund. Expenses of administering the Indiana State Museum Foundation trust fund shall be paid from money in the fund. (d) The bureau shall distribute at least one (1) time each month the money from the Indiana State Museum Foundation trust fund to the Indiana State Museum Foundation, Inc. for use concerning the Lincoln collection. (e) Money in the Indiana State Museum Foundation trust fund at the end of a state fiscal year does not revert to the state general fund. [Pre-2016 Revision Citation: 9-18-52-7.5.] As added by P.L.198-2016, SEC.327. Amended by P.L.118-2022, SEC.20.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 33. Indiana Gold Star Family Member License Plates9-18.5-33-1. "Gold Star Family Member"

Sec. 1. As used in this chapter, "Gold Star family member" means: (1) a biological parent; (2) an adoptive parent; (3) a stepparent; (4) a biological child; (5) an adopted child; (6) a stepchild; (7) a sibling by blood; (8) a sibling by half blood; (9) a sibling by adoption; (10) a stepsibling; (11) a grandparent; (12) a great-grandparent; or (13) the spouse; of an individual who has died while serving on active duty, or dies as a result of injuries sustained while serving on active duty, as a member of the armed forces of the United States or the national guard (as defined in IC 10-16-1-13). [Pre-2016 Revision Citation: 9-18-54-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 33. Indiana Gold Star Family Member License Plates9-18.5-33-2. Design and Issuance

Sec. 2. The bureau shall design and issue an Indiana Gold Star family member license plate that includes the following: (1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle. (2) A background design, an emblem, or colors that designate the license plate as an Indiana Gold Star family member license plate. (3) Any other information that the bureau considers necessary. [Pre-2016 Revision Citations: 9-18-54-2; 9-18-54-3.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 33. Indiana Gold Star Family Member License Plates9-18.5-33-3. Eligibility

Sec. 3. An individual who is an Indiana Gold Star family member may receive an Indiana Gold Star family member license plate for one (1) or more vehicles after doing the following: (1) Completing an application for an Indiana Gold Star family member license plate. (2) Providing the bureau with appropriate documentation as defined by the bureau to establish eligibility as an Indiana Gold Star family member. [Pre-2016 Revision Citations: 9-18-54-4; 9-18-54-5.] As added by P.L.198-2016, SEC.327.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 33. Indiana Gold Star Family Member License Plates9-18.5-33-4. No Additional Fee

Sec. 4. There is no additional fee for an Indiana Gold Star family member license plate. [Pre-2016 Revision Citations: 9-18-54-6; 9-29-5-38.6.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 34. Historic Vehicles9-18.5-34-1. Applicability

Sec. 1. This chapter applies after December 31, 2016. As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 34. Historic Vehicles9-18.5-34-2. Design and Issuance; Display; No Fee

Sec. 2. (a) The bureau shall design and issue a license plate that designates a vehicle as a historic vehicle. (b) A license plate issued under this section may be displayed on the following vehicles: (1) A collector vehicle registered under IC 9-18.1-5-5. (2) Any other vehicle that is: (A) registered under IC 9-18-12 (before its expiration) or IC 9-18.1; and (B) at least twenty-five (25) years old. (c) There is no fee for a license plate issued under this section. [Pre-2016 Revision Citations: subsection (c) formerly 9-29-5-28; 9-29-5-32.5(b).] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.155.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 34. Historic Vehicles9-18.5-34-3. Display of Authentic Model Year License Plate; Fee

Sec. 3. (a) A person that: (1) registers a collector vehicle under IC 9-18.1-5-5; and (2) wishes to display on the collector vehicle an authentic license plate from the model year of the collector vehicle under section 4 of this chapter; must pay the required fee under subsection (b). (b) The fee to display an authentic license plate under subsection (a) is thirty-seven dollars ($37). The fee shall be distributed as follows: (1) Fifty cents ($0.50) to the state motor vehicle technology fund. (2) Six dollars and fifty cents ($6.50) to the motor vehicle highway account. (3) Thirty dollars ($30) to the commission fund. [Pre-2016 Revision Citations: 9-18-12-1(c); subsection (b) formerly 9-29-5-32.5.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 34. Historic Vehicles9-18.5-34-4. Registration of Collector Vehicle; Display of Authentic Model Year License Plate

Sec. 4. (a) A person that registers a collector vehicle under IC 9-18.1-5-5 may: (1) furnish; and (2) display on the collector vehicle; an Indiana license plate from the model year of the collector vehicle. (b) A license plate furnished and displayed under this section must be an authentic license plate from the model year of the collector vehicle. (c) Before a license plate is mounted on a collector vehicle under this section, the license plate must be inspected by the bureau to determine whether the license plate: (1) complies with this section; (2) is in suitable condition to be displayed; and (3) bears a unique plate number at the time of the registration of the collector vehicle. The bureau shall authorize the display of a restored or refurbished authentic license plate, but may prohibit the display of an authentic license plate under this section if the authentic license plate is not in conformance with this subsection. (d) If an Indiana license plate from the model year of the collector vehicle is displayed on a collector vehicle under this chapter, the current certificate of registration of the collector vehicle shall be: (1) kept at all times in the collector vehicle; and (2) made available for inspection upon the demand of a law enforcement officer. Notwithstanding IC 9-18.1-4-2(b), this subsection is not satisfied by keeping a reproduction of the certificate of registration in the collector vehicle or making a reproduction of the certificate of registration available for inspection. [Pre-2016 Revision Citation: 9-18-12-2.5.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 34. Historic Vehicles9-18.5-34-5. Renewal

Effective 1-1-2025. Sec. 5. (a) The bureau may not require a person, at the time of the renewal of: (1) a registration for a collector vehicle under IC 9-18.1-5-5; (2) a historic vehicle license plate under section 2 of this chapter; and (3) an authentic license plate under section 3 of this chapter; to appear in person to affirm that the collector vehicle meets the requirements of IC 9-13-2-28.4. (b) The bureau may require a person to appear in person for an initial inspection to determine the authenticity of an Indiana license plate from the model year of a collector vehicle under section 4(c) of this chapter. As added by P.L.141-2024, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 35. Armed Forces Expeditionary Medal License Plate9-18.5-35-1. Armed Forces Expeditionary Medal License Plate; Design

Sec. 1. The bureau shall design an Armed Forces Expeditionary Medal license plate that includes the following: (1) A basic design for the plate with consecutive numbers or letters, or both, to properly identify the vehicle. (2) A background design, an emblem, or colors that designate the license plate as an Armed Forces Expeditionary Medal license plate. (3) An area on the plate for display of an emblem denoting the Armed Forces Expeditionary Medal. (4) Any other information the bureau considers necessary. As added by P.L.29-2021, SEC.5.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 35. Armed Forces Expeditionary Medal License Plate9-18.5-35-2. Armed Forces Expeditionary License Plate; Design; Confer With Members of Armed Forces Retiree Organizations

Sec. 2. The bureau shall confer with members of armed forces retiree organizations concerning the design of the: (1) Armed Forces Expeditionary Medal license plate; and (2) emblem used to denote the Armed Forces Expeditionary Medal. As added by P.L.29-2021, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 35. Armed Forces Expeditionary Medal License Plate9-18.5-35-3. Application

Sec. 3. (a) An individual who registers a vehicle under this title may apply for and receive an Armed Forces Expeditionary Medal license plate for one (1) or more vehicles upon doing the following: (1) Completing an application for an Armed Forces Expeditionary Medal license plate. (2) Presenting one (1) of the following to the bureau that shows the individual has been awarded the Armed Forces Expeditionary Medal: (A) A DD 214 or DD 215 record. (B) United States military discharge papers. (C) A current armed forces identification card. (D) Digital verification through the United States Department of Defense. (3) Paying a fee in the amount of fifteen dollars ($15). (b) The bureau shall distribute the fee described in subsection (a)(3) to the director of veterans' affairs for deposit in the military family relief fund established under IC 10-17-12-8. As added by P.L.29-2021, SEC.5. Amended by P.L.141-2024, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 35. Armed Forces Expeditionary Medal License Plate9-18.5-35-4. Application Form for an Armed Forces Expeditionary Medal License Plate; Disclosure of Personal Information

Sec. 4. (a) The application form for an Armed Forces Expeditionary Medal license plate must allow the applicant to choose to prohibit the disclosure of personal information to the Indiana department of veterans' affairs. (b) The bureau must inform the applicant that: (1) the Indiana department of veterans' affairs may contact the applicant with information about its activities but may not use the applicant's personal information primarily for fundraising or solicitation purposes; (2) the bureau will not disclose the applicant's personal information to any other person or group; and (3) the Indiana department of veterans' affairs will not disclose the applicant's personal information to any other person or group without the applicant's written consent. (c) Unless the applicant has prohibited disclosure on the application, the bureau shall disclose personal information included on the application form to the Indiana department of veterans' affairs. (d) If the applicant does not make an affirmative statement against disclosure as described in subsection (c), the bureau shall disclose personal information about the applicant included on the application form only to the Indiana department of veterans' affairs. The bureau may not disclose personal information to any other person. (e) If the Indiana department of veterans' affairs receives personal information from the bureau under subsection (c), the Indiana department of veterans' affairs may: (1) contact the applicant with information about activities of the Indiana department of veterans' affairs; (2) not contact the applicant primarily for fundraising or solicitation purposes; and (3) not disclose the personal information of the applicant to any other person or group without the written consent of the applicant. (f) An affirmative statement against disclosure made by an applicant under subsection (c) is in effect until: (1) the applicant indicates on a subsequent application that the applicant's personal information may be disclosed; or (2) the applicant sends written consent to the bureau to disclose the applicant's personal information. As added by P.L.108-2023, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 36. Semiquincentennial License Plate9-18.5-36-1. Design

Effective 1-1-2025. Sec. 1. The bureau shall design and issue a semiquincentennial license plate. As added by P.L.154-2024, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 36. Semiquincentennial License Plate9-18.5-36-2. Issuance

Effective 1-1-2025. Sec. 2. A semiquincentennial license plate shall be available for issuance through December 31, 2026. As added by P.L.154-2024, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 36. Semiquincentennial License Plate9-18.5-36-3. Eligibility

Effective 1-1-2025. Sec. 3. A person that is eligible to register a vehicle under this title is eligible to receive a semiquincentennial license plate under this chapter upon doing the following: (1) Completing an application for a semiquincentennial license plate. (2) Paying the fee under section 5 of this chapter. As added by P.L.154-2024, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 36. Semiquincentennial License Plate9-18.5-36-4. Contents

Effective 1-1-2025. Sec. 4. A semiquincentennial license plate must include the following: (1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle. (2) A background design, an emblem, or colors that designate the license plate as a semiquincentennial license plate. (3) Any other information the bureau considers necessary. As added by P.L.154-2024, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 36. Semiquincentennial License Plate9-18.5-36-5. Fee

Effective 1-1-2025. Sec. 5. (a) The fee for a semiquincentennial license plate is twenty-five dollars ($25). (b) The fee described in subsection (a) shall be collected by the bureau and deposited in the semiquincentennial trust fund established by section 6 of this chapter. As added by P.L.154-2024, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 36. Semiquincentennial License Plate9-18.5-36-6. Semiquincentennial Trust Fund

Effective 1-1-2025. Sec. 6. (a) The semiquincentennial trust fund is established. (b) The treasurer of state shall invest the money in the semiquincentennial trust fund not currently needed to meet the obligations of the semiquincentennial trust fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the semiquincentennial trust fund. Money in the semiquincentennial trust fund is continuously appropriated for the purposes of this section. (c) The bureau shall administer the semiquincentennial trust fund. Expenses of administering the semiquincentennial trust fund shall be paid from money in the trust fund. (d) The bureau shall distribute at least one (1) time each month the money from the semiquincentennial trust fund to the semiquincentennial commission established under IC 4-23-34. Money transferred to the semiquincentennial commission shall be used only for the duties of the commission under IC 4-23-34-10. (e) Money in the semiquincentennial trust fund at the end of a state fiscal year does not revert to the state general fund. As added by P.L.154-2024, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 4. Prisoner of War License Plates9-18.5-4-1. Prisoner of War License Plate

Sec. 1. (a) Except as provided in subsection (b), the bureau shall issue license plates for a vehicle that designate the vehicle as being owned or leased by a former prisoner of war. (b) The bureau may issue one (1) or more former prisoner of war license plates to the surviving spouse of a former prisoner of war. [Pre-2016 Revision Citation: 9-18-17-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 4. Prisoner of War License Plates9-18.5-4-2. Contents of Prisoner of War License Plate

Sec. 2. A former prisoner of war license plate must display the following: (1) An identification number. (2) The legend "Ex-POW". (3) Any other information and design selected by the bureau. [Pre-2016 Revision Citation: 9-18-17-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 4. Prisoner of War License Plates9-18.5-4-3. Vehicles Eligible to Display Prisoner of War License Plate

Sec. 3. A former prisoner of war license plate may only be: (1) assigned to; and (2) displayed on; a vehicle registered under IC 9-18 (before its expiration) or IC 9-18.1. [Pre-2016 Revision Citation: 9-18-17-3.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 4. Prisoner of War License Plates9-18.5-4-4. Vehicle Displaying Prisoner of War License Plate Exempt From Parking Fees and Certain Penalties

Sec. 4. (a) An individual who has been issued under this chapter a license plate designating the individual's vehicle as being owned or leased by a former prisoner of war may not be: (1) charged a fee for parking the vehicle displaying the license plate in a metered space; or (2) assessed a penalty for parking the vehicle displaying the license plate in a metered space for longer than the time permitted. (b) This section does not authorize parking of a vehicle in a parking place during a time when parking in the space is prohibited if the prohibition is: (1) posted; and (2) authorized: (A) by ordinance in a city or town; or (B) by order of the Indiana department of transportation. (c) An individual other than the owner or lessee of a vehicle displaying a former prisoner of war license plate authorized by this chapter is not entitled to the parking privileges established by this section. [Pre-2016 Revision Citation: 9-18-17-4.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 4. Prisoner of War License Plates9-18.5-4-5. Exemption From Registration Fees; Service Charge

Sec. 5. (a) A vehicle for a which a license plate is issued under section 1 of this chapter is exempt from the applicable registration fee for the vehicle under IC 9-18 (before its expiration), IC 9-29-5 (before its repeal), or IC 9-18.1-5. (b) A vehicle described in subsection (a) is subject to a service charge as follows: (1) For a license plate issued before January 1, 2017, five dollars and seventy-five cents ($5.75). The service charge shall be distributed as follows: (A) Twenty-five cents ($0.25) to the state construction fund. (B) Fifty cents ($0.50) to the state motor vehicle technology fund. (C) One dollar and twenty-five cents ($1.25) to the

integrated public safety communications fund. (D) Three dollars and seventy-five cents ($3.75) to the commission fund. (2) For a license plate issued after December 31, 2016, five dollars ($5). The service charge shall be distributed as follows: (A) Twenty-five cents ($0.25) to the state construction fund. (B) Fifty cents ($0.50) to the state motor vehicle technology fund. (C) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (D) Three dollars ($3) to the commission fund. [Pre-2016 Revision Citations: 9-18-17-5; subsection (b) formerly 9-29-5-38(c).] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.134; P.L.108-2019, SEC.185.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 5. Disabled Hoosier Veteran License Plates9-18.5-5-1.5. Application Form for a Disabled Hoosier Veteran License Plate; Disclosure of Personal Information

Sec. 1.5. (a) The application form for a disabled Hoosier veteran license plate must allow the applicant to choose to prohibit the disclosure of personal information to the Indiana department of veterans' affairs. (b) The bureau must inform the applicant that: (1) the Indiana department of veterans' affairs may contact the applicant with information about its activities but may not use the applicant's personal information primarily for fundraising or solicitation purposes; (2) the bureau will not disclose the applicant's personal information to any other person or group; and (3) the Indiana department of veterans' affairs will not disclose the applicant's personal information to any other person or group without the applicant's written consent. (c) Unless the applicant has prohibited disclosure on the application, the bureau shall disclose personal information included on the application form to the Indiana department of veterans' affairs. (d) If the applicant does not make an affirmative statement against disclosure as described in subsection (c), the bureau shall disclose personal information about the applicant included on the application form only to the Indiana department of veterans' affairs. The bureau may not disclose personal information to any other person. (e) If the Indiana department of veterans' affairs receives personal information from the bureau under subsection (c), the Indiana department of veterans' affairs may: (1) contact the applicant with information about activities of the Indiana department of veterans' affairs; (2) not contact the applicant primarily for fundraising or solicitation purposes; and (3) not disclose the personal information of the applicant to any other person or group without the written consent of the applicant. (f) An affirmative statement against disclosure made by an applicant under subsection (c) is in effect until: (1) the applicant indicates on a subsequent application that the applicant's personal information may be disclosed; or (2) the applicant sends written consent to the bureau to disclose the applicant's personal information. As added by P.L.108-2023, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 5. Disabled Hoosier Veteran License Plates9-18.5-5-1. Conditions for Application and Display of Disabled Hoosier Veteran License Plate

Sec. 1. (a) An individual may apply for, receive, and display a disabled Hoosier veteran license plate on the individual's vehicle for private and personal use if the individual, as the result of having served in the armed forces of the United States, has: (1) lost sight in both eyes or suffered permanent impairment of vision in both eyes to the extent of being eligible for service connected compensation for the loss; (2) suffered the loss of one (1) or both feet or the permanent loss of use of one (1) or both feet; (3) suffered the loss of one (1) or both hands or the permanent loss of use of one (1) or both hands; (4) a United States Department of Veterans Affairs disability rating for a physical condition that precludes the individual from walking without pain or difficulty; or (5) been rated by the United States Department of Veterans Affairs as being at least fifty percent (50%) disabled and is receiving service related compensation from the United States Department of Veterans Affairs. At least sixty percent (60%) of the disability rating under this subdivision must be attributable to a mobility disability. (b) An application for a disabled Hoosier veteran license plate must be accompanied by a certificate from the: (1) United States Department of Veterans Affairs; or (2) appropriate branch of the armed forces of the United States; confirming the eligibility of the individual submitting the application for the disabled Hoosier veteran license plate. [Pre-2016 Revision Citation: 9-18-18-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 5. Disabled Hoosier Veteran License Plates9-18.5-5-2. Qualifying Vehicle Exempt From Parking Fees and Certain Penalties

Sec. 2. (a) An individual qualifying under section 1 of this chapter or issued a permanent parking placard under IC 9-18.5-8-4(a)(3) may not be: (1) charged a fee for parking in a metered space; or (2) assessed a penalty for parking in a metered space for longer than the time permitted. (b) This section does not authorize parking of a vehicle in a parking space during a time when parking in the space is prohibited if the prohibition is: (1) posted; and (2) authorized: (A) by ordinances in cities and towns; or (B) by order of the Indiana department of transportation. (c) The following are not entitled to the parking privileges authorized by this section: (1) An individual other than the owner of the vehicle displaying a disabled Hoosier veteran license plate authorized by this chapter. (2) Except when the individual is transporting an individual qualified under IC 9-18.5-8-4(a)(3), an individual other than an individual qualified under IC 9-18.5-8-4(a)(3) and displaying on a vehicle a permanent parking placard issued to an individual qualified under IC 9-18.5-8-4(a)(3). [Pre-2016 Revision Citation: 9-18-18-2.] As added by P.L.198-2016, SEC.327. Amended by P.L.18-2019, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 5. Disabled Hoosier Veteran License Plates9-18.5-5-3. Design and Administration of Disabled Hoosier Veteran License Plate

Sec. 3. Subject to section 5 of this chapter, the bureau: (1) may design and issue disabled Hoosier veteran license plates to implement this chapter; and (2) shall administer this chapter relating to proper certification for a person applying for a disabled Hoosier veteran license plate. [Pre-2016 Revision Citation: 9-18-18-3.] As added by P.L.198-2016, SEC.327. Amended by P.L.24-2019, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 5. Disabled Hoosier Veteran License Plates9-18.5-5-4. Vehicles Eligible to Display Disabled Hoosier Veteran License Plate

Sec. 4. The disabled Hoosier veteran license plates authorized under this chapter shall be issued by the bureau for any classification of vehicle required to be registered under Indiana law, but the license plate may not be used for commercial vehicles. [Pre-2016 Revision Citation: 9-18-18-5.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 5. Disabled Hoosier Veteran License Plates9-18.5-5-5. Content of Disabled Hoosier Veteran License Plate

Sec. 5. (a) A disabled Hoosier veteran license plate must contain the following: (1) Identification numerals with consecutive numbers or letters, or both, to properly identify the vehicle. (2) The words "Disabled Hoosier Veteran" at the bottom of the license plate. (3) A depiction of a wheelchair to indicate the disabled status of the veteran. (4) The display of an emblem denoting the branch of service in which the veteran served. (5) Any other information the bureau considers necessary. (b) The branch of service emblem displayed on a plate described in subsection (a) shall be identical to the appropriate branch of service emblem devised under IC 9-18.5-29-2. (c) Except as provided in subsection (a), the disabled Hoosier veteran license plate must be identical to the Hoosier veteran license plate described in IC 9-18.5-29-1. [Pre-2016 Revision Citation: 9-18-18-7.] As added by P.L.198-2016, SEC.327. Amended by P.L.24-2019, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 5. Disabled Hoosier Veteran License Plates9-18.5-5-6. Disabled Hoosier Veteran License Plate Exempt From Fees

Sec. 6. There is no additional fee for a disabled Hoosier veteran license plate issued under this chapter. As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 6. Purple Heart License Plates9-18.5-6-1. Purple Heart License Plate; Design; Violation

Sec. 1. (a) The bureau shall design a license plate that will designate a vehicle as being registered to: (1) an individual; or (2) the surviving spouse (who has not remarried) of an individual; who has been awarded a Purple Heart decoration. (b) Upon proper application, the bureau may modify a license plate designed under subsection (a)(1) to designate a vehicle as being registered to an individual who is: (1) described in subsection (a)(1); and (2) eligible to be issued: (A) a placard under IC 9-14-5 (before its repeal) or IC 9-18.5-8; or (B) a person with a disability registration plate under IC 9-18.5-8. An individual described in subsection (a)(2) is not eligible to receive a modified license plate under this subsection. (c) An individual who: (1) knowingly; or (2) intentionally; falsely professes to have the qualifications to obtain a license plate under subsection (b) commits a Class C misdemeanor. (d) An individual who owns a vehicle bearing a license plate issued under subsection (b) and knows that the individual is not entitled to a license plate issued under subsection (b) commits a Class C misdemeanor. [Pre-2016 Revision Citation: 9-18-19-1.] As added by P.L.198-2016, SEC.327. Amended by P.L.29-2021, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 6. Purple Heart License Plates9-18.5-6-2.5. Application Form for a Purple Heart License Plate; Disclosure of Personal Information

Sec. 2.5. (a) The application form for a Purple Heart license plate must allow the applicant to choose to prohibit the disclosure of personal information to the Indiana department of veterans' affairs. (b) The bureau must inform the applicant that: (1) the Indiana department of veterans' affairs may contact the applicant with information about its activities but may not use the applicant's personal information primarily for fundraising or solicitation purposes; (2) the bureau will not disclose the applicant's personal information to any other person or group; and (3) the Indiana department of veterans' affairs will not disclose the applicant's personal information to any other person or group without the applicant's written consent. (c) Unless the applicant has prohibited disclosure on the application, the bureau shall disclose personal information included on the application form to the Indiana department of veterans' affairs. (d) If the applicant does not make an affirmative statement against disclosure as described in subsection (c), the bureau shall disclose personal information about the applicant included on the application form only to the Indiana department of veterans' affairs. The bureau may not disclose personal information to any other person. (e) If the Indiana department of veterans' affairs receives personal information from the bureau under subsection (c), the Indiana department of veterans' affairs may: (1) contact the applicant with information about activities of the Indiana department of veterans' affairs; (2) not contact the applicant primarily for fundraising or solicitation purposes; and (3) not disclose the personal information of the applicant to any other person or group without the written consent of the applicant. (f) An affirmative statement against disclosure made by an applicant under subsection (c) is in effect until: (1) the applicant indicates on a subsequent application that the applicant's personal information may be disclosed; or (2) the applicant sends written consent to the bureau to disclose the applicant's

personal information. As added by P.L.108-2023, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 6. Purple Heart License Plates9-18.5-6-2. Application

Sec. 2. An Indiana resident who: (1) is a recipient of; or (2) is the surviving spouse (who has not remarried) of a recipient of; a Purple Heart decoration may apply for and receive one (1) or more Purple Heart plates. [Pre-2016 Revision Citation: 9-18-19-2.] As added by P.L.198-2016, SEC.327. Amended by P.L.29-2021, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 6. Purple Heart License Plates9-18.5-6-3. Vehicle Displaying Purple Heart License Plate Exempt From Parking Fees and Certain Penalties

Sec. 3. (a) An individual who qualifies for a Purple Heart license plate under section 1 of this chapter may not be charged the following: (1) A fee for parking the individual's vehicle displaying the license plate issued under section 1 of this chapter in a metered space. (2) A penalty for parking the individual's vehicle displaying the license plate issued under section 1 of this chapter in a metered space for longer than the time permitted. (b) This section does not authorize parking of a vehicle in places where parking is not allowed at any time or at a specified time if the prohibition is posted and authorized by ordinances in cities and towns or by order of the Indiana department of transportation. (c) An individual other than the owner of the vehicle displaying a Purple Heart license plate authorized by this chapter is not entitled to the parking privileges authorized by this section. [Pre-2016 Revision Citation: 9-18-19-2.5.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 6. Purple Heart License Plates9-18.5-6-4. Display of Purple Heart License Plate

Sec. 4. A Purple Heart license plate must be displayed on a vehicle registered by an individual described in section 2 of this chapter. [Pre-2016 Revision Citation: 9-18-19-3.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 7. Indiana National Guard License Plates9-18.5-7-1. National Guard License Plate

Sec. 1. The bureau shall design and issue a vehicle license plate under IC 9-18.5-12 that will designate a vehicle as being registered under IC 9-18 (before its expiration) or IC 9-18.1 by a current or former member of the National Guard. [Pre-2016 Revision Citation: 9-18-20-1.] As added by P.L.198-2016, SEC.327. Amended by P.L.79-2020, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 7. Indiana National Guard License Plates9-18.5-7-2. Contents of National Guard License Plate

Sec. 2. A National Guard license plate must display the following: (1) An identification number. (2) Any other information and design selected by the bureau. [Pre-2016 Revision Citation: 9-18-20-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 7. Indiana National Guard License Plates9-18.5-7-3. Application

Sec. 3. (a) An Indiana resident who is a current or former member of the Army or Air National Guard may apply for and receive one (1) or more license plates under this chapter. (b) An individual applying for a National Guard license plate under this chapter as a current member of the National Guard must demonstrate the individual's status as a current member of the Army or Air National Guard by presenting the following with the individual's application: (1) A current United States armed forces identification card. (2) A letter signed by the individual's commanding officer identifying the individual as a current active member. (c) An individual applying for a National Guard license plate under this chapter as a former member of the National Guard must present with the individual's application a copy of the individual's: (1) National Guard Bureau Form 22 or 22A showing the individual received an honorable or general under honorable conditions discharge; or (2) National Guard Bureau Form 23D or 23E showing the individual as retired; as proof of the individual's status as a former member of the Army or Air National Guard. [Pre-2016 Revision Citation: 9-18-20-3.] As added by P.L.198-2016, SEC.327. Amended by P.L.79-2020, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 7. Indiana National Guard License Plates9-18.5-7-4. Display of National Guard License Plate

Sec. 4. A National Guard license plate must be displayed on a vehicle legally registered under IC 9-18 (before its expiration) or IC 9-18.1 by the individual described in section 3 of this chapter. [Pre-2016 Revision Citation: 9-18-20-4.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 8. License Plates for Persons With Disabilities9-18.5-8-1. License Plate for Persons With Disabilities

Sec. 1. The bureau shall issue a license plate for a person with a disability that designates a vehicle as a vehicle that is regularly used to transport a person who: (1) has been issued a permanent parking placard under IC 9-14-5 (before its repeal) or section 4 of this

chapter; or (2) is eligible to receive, but has not been issued, a permanent parking placard under section 4 of this chapter. [Pre-2016 Revision Citation: 9-18-22-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 8. License Plates for Persons With Disabilities9-18.5-8-2. Design and Content of License Plate or Placard for Persons With Disabilities

Sec. 2. (a) Except as provided under subsection (b), the bureau shall design a license plate and placard for display in or on a vehicle used to transport a person with a disability. A license plate or placard must bear the following: (1) The official international wheelchair symbol, a reasonable facsimile of the international wheelchair symbol, or another symbol selected by the bureau to designate the vehicle as being used to transport a person with a disability. (2) An expiration date. (b) The bureau shall design a placard for display in or on a vehicle used to transport a person identified under section 4(a)(3) of this chapter that will designate the placard as being issued to a person who is eligible under section 4(a)(3) of this chapter. A placard under this subsection shall not bear an expiration date. A placard under this subsection must be gold in color with blue lettering and contain the words "Disabled Hoosier Veteran". [Pre-2016 Revision Citations: 9-14-5-3; 9-18-22-2.] As added by P.L.198-2016, SEC.327. Amended by P.L.18-2019, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 8. License Plates for Persons With Disabilities9-18.5-8-3. False Profession of Qualifications for License Plate for Persons With Disabilities; Violation

Sec. 3. (a) A person that knowingly and falsely professes to have the qualifications to obtain a license plate for a person with a disability under this chapter commits a Class C misdemeanor. (b) A person that owns a vehicle bearing a license plate for a person with a disability when the person knows the person is not entitled to the license plate for a person with a disability under this chapter commits a Class C misdemeanor. (c) A person that knowingly and falsely professes to have the qualifications to obtain a placard under section 4 of this chapter commits a Class C misdemeanor. [Pre-2016 Revision Citations: 9-18-22-6; subsection (c) formerly 9-14-5-9.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 8. License Plates for Persons With Disabilities9-18.5-8-4. Permanent Parking Placard

Sec. 4. (a) The bureau shall issue a permanent parking placard to an individual: (1) who is certified by a health care provider listed in subsection (b) as having: (A) a permanent physical disability that requires the use of a wheelchair, a walker, braces, or crutches; (B) permanently lost the use of one (1) or both legs; or (C) a permanent and severe restriction in mobility due to a pulmonary or cardiovascular disability, an arthritic condition, or an orthopedic or neurological impairment; (2) who is certified to be permanently: (A) blind (as defined in IC 12-7-2-21(2)); or (B) visually impaired (as defined in IC 12-7-2-198); by an optometrist or ophthalmologist who has a valid unrestricted license to practice optometry or ophthalmology in Indiana; or (3) who: (A) has been issued; or (B) is otherwise eligible to receive; a disabled Hoosier veteran license plate under IC 9-18.5-5 and requests a permanent parking placard. The certification must be provided in a manner and form prescribed by the bureau. (b) A certification required under subsection (a)(1) may be provided by the following: (1) A physician having a valid and unrestricted license to practice medicine. (2) A physician who is a commissioned medical officer of: (A) the armed forces of the United States; or (B) the United States Public Health Service. (3) A physician who is a medical officer of the United States Department of Veterans Affairs. (4) A chiropractor with a valid and unrestricted license under IC 25-10-1. (5) A podiatrist with a valid and unrestricted license under IC 25-29-1. (6) An advanced practice registered nurse with a valid and unrestricted license under IC 25-23. (7) A physician assistant with a valid and unrestricted license under IC 25-27.5. (c) A permanent placard issued under this section remains in effect until: (1) a health care provider listed in subsection (b); or (2) an optometrist or ophthalmologist that has a valid unrestricted license to practice optometry or ophthalmology in Indiana; certifies that the recipient's disability is no longer considered to be permanent. [Pre-2016 Revision Citations: 9-14-5-1; subsection (a) formerly 9-14-5-1(1); 9-14-5-2; subsection (c) formerly 9-14-5-4(a).] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.135; P.L.96-2018, SEC.1; P.L.129-2018, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 8. License Plates for Persons With Disabilities9-18.5-8-5. Temporary Parking Placard

Sec. 5. (a) The bureau shall issue a temporary placard to an individual who is certified by: (1) a health care provider listed in section 4(b) of this chapter as having: (A) a temporary physical disability that requires the temporary use of a wheelchair, a walker, braces, or crutches; (B) temporarily lost the use of one (1) or both legs; or (C) a temporary and severe restriction in mobility due to a pulmonary or cardiovascular disability, an arthritic condition, or an orthopedic or neurological impairment; or (2) an optometrist or ophthalmologist who has a valid unrestricted license to practice optometry or ophthalmology in Indiana to be temporarily: (A) blind (as defined in IC 12-7-2-21(2)); or (B) visually impaired (as defined in IC 12-7-2-198). (b) A certification under this section must: (1) be in a manner and form prescribed by the bureau; and (2) state the expected duration, including an end date, of the condition on which the certification is based. (c) A temporary placard issued under this section expires on the earlier of the following: (1) One (1) year after the date on which the placard is issued. (2) The end date set forth in the certification under subsection (b). [Pre-2016 Revision Citations: subsection (a) formerly 9-14-5-1(1); subsection (b) formerly 9-14-5-2; subsection (c) formerly 9-14-5-4(b).] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.136.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 8. License Plates for Persons With Disabilities9-18.5-8-6. Placard Issued to Entity Authorized to Provide Transportation for Persons With Disabilities; Expiration

Sec. 6. (a) The bureau shall issue a placard to any corporation, limited liability company, partnership, unincorporated association, or any legal successor of a corporation, limited liability company, partnership, or unincorporated association, that is authorized by the state or a political subdivision to operate programs, including the provision of transportation, or facilities for individuals with disabilities. (b) A placard issued under subsection (a) expires on the earlier of the following: (1) January 1 of the fourth year after the year in which the placard is issued. (2) The date on which the corporation, limited liability company, partnership, or unincorporated association ceases to operate programs or facilities for individuals with disabilities. [Pre-2016 Revision Citations: 9-14-5-1(2); subsection (b) formerly 9-14-5-5.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 8. License Plates for Persons With Disabilities9-18.5-8-7. Duplicate Placard; Fee for Original or Duplicate Temporary Parking Placard

Sec. 7. (a) If a placard issued under this chapter is lost, stolen, damaged, or destroyed, the bureau shall issue a duplicate placard upon application by the person to whom the placard was issued. (b) There is no fee to issue an original or a duplicate placard under section 4 of this chapter. (c) The fee to issue an original or a duplicate placard under section 5 of this chapter is five dollars ($5). The fee shall be deposited in the commission fund. (d) There is no additional fee for a license plate issued under this chapter. [Pre-2016 Revision Citations: subsection (b) formerly 9-14-5-8(b); subsection (c) formerly 9-14-5-8(a); subsection (d) formerly 9-29-5-35.] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.137.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 9. Amateur Radio Operator License Plates9-18.5-9-1. Eligibility

Sec. 1. The bureau shall issue a license plate to a person that: (1) is an Indiana resident; and (2) holds an unrevoked and unexpired official amateur radio station and operator's license issued by the Federal Communications Commission; upon receiving an application accompanied by proof of ownership of the amateur radio station and operator's license. [Pre-2016 Revision Citation: 9-18-23-1.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 9. Amateur Radio Operator License Plates9-18.5-9-2. Plate Design

Sec. 2. (a) The bureau shall design and issue amateur radio operator license plates as needed to administer this chapter. (b) A license plate issued under this chapter shall be imprinted with the official amateur radio call letters assigned to the applicant by the Federal Communications Commission. [Pre-2016 Revision Citation: 9-18-23-2.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 9. Amateur Radio Operator License Plates9-18.5-9-3. Motorcycle Ineligible to Display Plate

Sec. 3. A license plate designed under section 2 of this chapter may not be displayed on a motorcycle. [Pre-2016 Revision Citation: 9-18-23-3.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 9. Amateur Radio Operator License Plates9-18.5-9-4. Applicant Liable for Excise Taxes and Registration Fees

Sec. 4. This chapter does not exempt an applicant from the vehicle excise tax under IC 6-6-5 or any fee or requirement for registration under this title. [Pre-2016 Revision Citation: 9-18-23-4.] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.138.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 9. Amateur Radio Operator License Plates9-18.5-9-5. Semipermanent Issuance

Sec. 5. The bureau shall issue a license plate under this chapter on a semipermanent basis. [Pre-2016 Revision Citation: 9-18-23-6.] As added by P.L.198-2016, SEC.327.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 18.5. Distinctive License PlatesChapter 9. Amateur Radio Operator License Plates9-18.5-9-6. Fee

Sec. 6. (a) The fee for a license plate issued under this chapter is eight dollars ($8). (b) A fee collected under subsection (a) shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (4) Five dollars ($5) to the commission fund. (5) Any remaining amount to the motor vehicle highway account. [Pre-2016 Revision Citation: 9-29-5-36.] As added by P.L.198-2016, SEC.327. Amended by P.L.256-2017, SEC.139; P.L.108-2019, SEC.186.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 1. General Provisions and Exemptions9-19-1-1. Application of Article Generally

Sec. 1. (a) Except as provided in subsection (b) and as otherwise provided in this chapter, this article does not apply to the following with respect to equipment on vehicles: (1) Implements of agriculture designed to be operated primarily in a farm field or on farm premises. (2) Road machinery. (3) Road rollers. (4) Farm tractors. (5) Vehicle chassis that: (A) are a part of a vehicle manufacturer's work in process; and (B) are driven under this subdivision only for a distance of less than one (1) mile. (6) Golf carts and off-road vehicles when operated in accordance with an ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a). (b) A farm type dry or liquid fertilizer tank trailer or spreader that is drawn or towed on a highway by a motor vehicle other than a farm tractor at a speed greater than thirty (30) miles per hour is considered a trailer for equipment requirement purposes and all equipment requirements concerning trailers apply. [Pre-1991 Recodification Citations: 9-8-6-2(c); 9-8-6-2(d).] As added by P.L.2-1991, SEC.7. Amended by P.L.98-1991, SEC.1; P.L.210-2005, SEC.27; P.L.150-2009, SEC.7; P.L.182-2009(ss), SEC.289; P.L.259-2013, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 1. General Provisions and Exemptions9-19-1-2. Application of Chapter and Ic 9-19-4-3, Ic 9-19-4-4, and Ic 9-19-5-7; Exceptions to Equipment Requirements; Notice; Permits

Sec. 2. (a) Except as provided in subsections (b) and (c), sections 4 through 5 of this chapter and IC 9-19-4-3, IC 9-19-4-4, and IC 9-19-5-7 do not apply to vehicles: (1) while engaged in the construction of highways; and (2) when the movement of the vehicles is confined wholly to highways or roads or sections of highways or roads that are under construction and not yet open to unlimited public use. (b) If the authority having jurisdiction over the construction of the public highway gives written notice to the owner or operator of a vehicle that the vehicle may not be operated in violation of sections 4 through 5 of this chapter and IC 9-19-4-3, IC 9-19-4-4, and IC 9-19-5-7 without a permit issued by the authority, the owner or operator must obtain a permit from the authority before the vehicle is operated within the highway construction area. (c) If written notice is given under subsection (b) and a permit is not obtained by the owner or operator, sections 4 through 5 of this chapter and IC 9-19-4-3, IC 9-19-4-4, and IC 9-19-5-7 apply to the owner's or operator's vehicle while engaged in the construction of a public highway. (d) The written notice that this section requires from the authority having jurisdiction to the owner or operator may be in the form of any one (1) of the following documents: (1) A letter. (2) A specifications document. (3) A contract document. (4) A written agreement. (5) A written document that pertains to the construction work being performed by the owner or operator. [Pre-1991 Recodification Citation: 9-8-1-19 part.] As added by P.L.2-1991, SEC.7. Amended by P.L.12-1991, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 1. General Provisions and Exemptions9-19-1-3. Exceptions to Applicability of Chapter

Sec. 3. Sections 4 through 5 of this chapter and IC 9-19-4-3, IC 9-19-4-4, and IC 9-19-5-7: (1) do not apply to: (A) machinery or equipment used in highway construction or maintenance by the Indiana department of transportation, counties, or municipalities; (B) farm drainage machinery; (C) implements of agriculture when used during farming operations or when constructed so that they can be moved without material damage to the highways; or (D) firefighting apparatus owned or operated by a political subdivision or a volunteer fire department (as defined in IC 36-8-12-2); and (2) do not limit the width or height of farm vehicles when loaded with farm products. [Pre-1991 Recodification Citation: 9-8-1-19.9(a) part.] As added by P.L.2-1991, SEC.7. Amended by P.L.81-1991, SEC.6; P.L.1-1999, SEC.29; P.L.210-2005, SEC.28.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 1. General Provisions and Exemptions9-19-1-4. Operation of Noncomplying Vehicle

Sec. 4. Except as otherwise provided in this article, a person may not operate or move upon a highway a vehicle or combination of vehicles that are not constructed or equipped in compliance with this article. [Pre-1991 Recodification Citation: 9-8-1-1 part.] As added by P.L.2-1991, SEC.7. Amended by P.L.198-2016, SEC.328.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 1. General Provisions and Exemptions9-19-1-5. Owner Operating or Permitting Operation of Noncomplying Vehicle

Sec. 5. Except as otherwise provided in this article, an owner of a vehicle may not cause or knowingly permit to be operated or moved upon a highway a vehicle or combination of vehicles that is not constructed or equipped in compliance with this article. [Pre-1991 Recodification Citation: 9-8-1-1 part.] As added by P.L.2-1991, SEC.7. Amended by P.L.198-2016, SEC.329.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 1. General Provisions and Exemptions9-19-1-6. United States Department of Transportation Regulations; Classification of Violations

Sec. 6. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that: (1) contains parts and accessories; and (2) is equipped; as required under regulations of the United States Department of Transportation. (b) A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citations: 9-8-6-2(a); 9-8-1-22.] As added by

P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 1. General Provisions and Exemptions9-19-1-7. Interstate Compacts and Agreements; Equipment Violations Convictions and Citations

Sec. 7. The following are subject to IC 9-28: (1) A: (A) conviction for a crime; or (B) judgment for an offense or ordinance violation; under this article related to the use or operation of a motor vehicle. (2) The issuance of a citation (as defined in IC 9-28-2-1) under this article. [Pre-1991 Recodification Citation: New.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 10.5. Inflatable Restraint Systems9-19-10.5-0.2. "Airbag"

Sec. 0.2. As used in this chapter, "airbag" means a motor vehicle inflatable occupant restraint system component that is part of a supplemental restraint system. As added by P.L.120-2020, SEC.21.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 10.5. Inflatable Restraint Systems9-19-10.5-0.4. "Counterfeit Supplemental Restraint System Component"

Sec. 0.4. As used in this chapter, "counterfeit supplemental restraint system component" means: (1) a replacement airbag; or (2) any other replacement supplemental restraint system component; that displays a mark identical to, or substantially similar to, the genuine mark of a motor vehicle manufacturer or a supplier of parts to the manufacturer of a motor vehicle without authorization from that manufacturer or supplier, respectively. As added by P.L.120-2020, SEC.22.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 10.5. Inflatable Restraint Systems9-19-10.5-0.8. "Nonfunctional Airbag"

Sec. 0.8. As used in this chapter, "nonfunctional airbag" means a replacement airbag that is described by any of the following criteria: (1) The airbag was previously deployed or damaged. (2) The airbag has a fault that is detected by the vehicle's diagnostic system when the installation procedure is completed. (3) The airbag includes a part or an object, including a supplemental restraint system component, that is installed in a motor vehicle to mislead the owner or operator of the motor vehicle into believing that a functional airbag has been installed. (4) The airbag is subject to the prohibitions of 49 U.S.C. 30120(j). As added by P.L.120-2020, SEC.23.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 10.5. Inflatable Restraint Systems9-19-10.5-1. "Supplemental Restraint System"

Sec. 1. (a) As used in this chapter, "supplemental restraint system" means a passive inflatable motor vehicle occupant crash protection system designed for use in conjunction with a seat belt assembly as defined in 49 CFR 571.209. (b) The term includes one (1) or more airbags and all components required to ensure that an airbag works as designed by the vehicle manufacturer including both of the following: (1) Each airbag operates as necessary in the event of a crash. (2) Each airbag is designed in accordance with federal motor vehicle safety standards for the specific make, model, and year of the motor vehicle in which it is or will be installed. As added by P.L.248-2003, SEC.3 and P.L.265-2003, SEC.3. Amended by P.L.120-2020, SEC.24.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 10.5. Inflatable Restraint Systems9-19-10.5-2. Manufacture, Import, Install, Reinstall, Distribute, or Sale of Component; Penalty

Sec. 2. (a) A person may not knowingly or intentionally manufacture, import, install, reinstall, distribute, sell, or offer for sale a component intended to replace a supplemental restraint system component in a motor vehicle, if any of the following apply to the component: (1) The component is a counterfeit supplemental restraint system component. (2) The component is a nonfunctional airbag. (3) The component causes a motor vehicle to fail to comply with Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208) for the respective make, model, and year of the motor vehicle in question. (b) For purposes of this section, an installation or reinstallation is considered to not have occurred until the vehicle is returned to the customer who requested the work be performed or when ownership of the vehicle is intended to be transferred. (c) A person who knowingly or intentionally violates this section commits a Class A misdemeanor. However, the offense is a Level 6 felony if a person in a motor vehicle is injured or dies as a result of the violation of subsection (a). As added by P.L.248-2003, SEC.3 and P.L.265-2003, SEC.3. Amended by P.L.217-2014, SEC.38; P.L.120-2020, SEC.25.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 10.5. Inflatable Restraint Systems9-19-10.5-3. Sale, Lease, Trade, or Transfer of Motor Vehicle With Object in Place of Complying Supplemental Restraint System; Penalty

Sec. 3. (a) A person may not knowingly or intentionally sell, lease, trade, or transfer a motor vehicle to an Indiana resident in which is installed, as part of the motor vehicle's supplemental restraint system, any of the following: (1) A counterfeit supplemental restraint system component. (2) A nonfunctional airbag. (3) A component that is not designed in accordance with federal motor vehicle safety standards for the specific make, model, and year of the motor vehicle in which it is installed. (b) A person who

knowingly or intentionally violates this section commits a Level 6 felony. As added by P.L.248-2003, SEC.3 and P.L.265-2003, SEC.3. Amended by P.L.217-2014, SEC.39; P.L.120-2020, SEC.26.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 10. Passenger Restraint Systems9-19-10-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The amendments made to section 7 of this chapter by P.L.121-1993 apply to a product liability action that arises after June 30, 1993. As added by P.L.220-2011, SEC.213.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 10. Passenger Restraint Systems9-19-10-1. Application of Chapter

Sec. 1. This chapter does not apply to an occupant of a motor vehicle who meets any of the following conditions: (1) For medical reasons should not wear safety belts, provided the occupant has written documentation of the medical reasons from a physician. (2) Is a child required to be restrained by a child restraint system under IC 9-19-11. (3) Is traveling in a commercial or a United States Postal Service vehicle that makes frequent stops for the purpose of pickup or delivery of goods or services. (4) Is a rural carrier of the United States Postal Service and is operating a vehicle while serving a rural postal route. (5) Is a newspaper motor route carrier or newspaper bundle hauler who stops to make deliveries from a vehicle. (6) Is a driver examiner designated and appointed by the bureau and is conducting an examination of an applicant for a permit or license under IC 9-24-10. (7) Is an occupant of a farm truck being used on a farm in connection with agricultural pursuits that are usual and normal to the farming operation. (8) Is an occupant of a motor vehicle participating in a parade. (9) Is an occupant of the living quarters area of a recreational vehicle. (10) Is an occupant of the treatment area of an ambulance (as defined in IC 16-18-2-13). (11) Is an occupant of the sleeping area of a tractor. (12) Is an occupant other than the operator of a vehicle described in IC 9-20-11-1(1). (13) Is an occupant other than the operator of a truck on a construction site. (14) Is a passenger other than the operator in a cab of a recovery vehicle who is being transported in the cab because the vehicle of the passenger is being towed by the recovery vehicle. (15) Is an occupant other than the operator of a motor vehicle being used by a public utility in an emergency as set forth in IC 9-20-6-5. [Pre-1991 Recodification Citation: 9-8-14-2.] As added by P.L.2-1991, SEC.7. Amended by P.L.67-2004, SEC.2; P.L.214-2007, SEC.6; P.L.216-2014, SEC.49; P.L.198-2016, SEC.334.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 10. Passenger Restraint Systems9-19-10-2. Use of Safety Belt by Motor Vehicle Occupants; Safety Belt Standards

Sec. 2. Each occupant of a motor vehicle equipped with a safety belt that: (1) meets the standards stated in the Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208); and (2) is standard equipment installed by the manufacturer; shall have a safety belt properly fastened about the occupant's body at all times when the vehicle is in forward motion. [Pre-1991 Recodification Citation: 9-8-14-1 part.] As added by P.L.2-1991, SEC.7. Amended by P.L.214-2007, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 10. Passenger Restraint Systems9-19-10-3.1. Stopping, Inspecting, or Detaining Vehicle; Checkpoints

Sec. 3.1. (a) Except as provided in subsection (b), a vehicle may be stopped to determine compliance with this chapter. However, a vehicle, the contents of a vehicle, the driver of a vehicle, or a passenger in a vehicle may not be inspected, searched, or detained solely because of a violation of this chapter. (b) A law enforcement agency may not use a safety belt checkpoint to detect and issue a citation for a person's failure to comply with this chapter. As added by P.L.214-2007, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 10. Passenger Restraint Systems9-19-10-5. Retail Sales, Leases, Trades, and Transfers

Sec. 5. A person may not buy, sell, lease, trade, or transfer from or to Indiana residents at retail an automobile that is manufactured or assembled, commencing with the 1964 models, unless the automobile is equipped with safety belts installed for use in the front seat. [Pre-1991 Recodification Citation: 9-8-7-1.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 10. Passenger Restraint Systems9-19-10-7. Failure to Comply; Fault; Liability of Insurer; Mitigation of Damages

Sec. 7. (a) Failure to comply with section 1, 2, or 3.1(a) of this chapter does not constitute fault under IC 34-51-2 and does not limit the liability of an insurer. (b) This subsection applies to a cause of action accruing before July 1, 2024. Evidence of a failure to comply with this chapter may be admitted in a civil action as to mitigation of damages in a product liability action involving a motor vehicle restraint or supplemental restraint system. The defendant in such an action has the burden of proving noncompliance with this chapter and that compliance with this chapter would have reduced injuries, and the extent of the reduction. (c) This subsection applies to a cause of action accruing after June 30, 2024. For a plaintiff who was at least fifteen (15) years of age or older at the time the cause of action accrued, evidence of a failure to comply with this chapter may be admitted in any civil action as to mitigation of damages. The defendant in such an action has the burden of proving noncompliance with this chapter and that compliance with this chapter would have reduced injuries. [Pre-1991 Recodification Citation: 9-8-14-5.] As added by P.L.2-1991, SEC.7. Amended by

P.L.121-1993, SEC.1; P.L.1-1998, SEC.95; P.L.214-2007, SEC.9; P.L.262-2013, SEC.102; P.L.49-2024, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 10. Passenger Restraint Systems9-19-10-8. Failure of Front Seat Occupant to Use Belt; Violation; Classification; Assessment of Points

Sec. 8. (a) A person who: (1) is at least sixteen (16) years of age; and (2) violates section 2 of this chapter; commits a Class D infraction. (b) The bureau may not assess points under the point system for Class D infractions under this section. [Pre-1991 Recodification Citation: 9-8-14-6.] As added by P.L.2-1991, SEC.7. Amended by P.L.57-1998, SEC.3; P.L.116-1998, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 10. Passenger Restraint Systems9-19-10-9. Retail Transfer of Vehicle; Violation; Classification

Sec. 9. A person who violates section 5 of this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-7-3.] As added by P.L.2-1991, SEC.7. Amended by P.L.262-2013, SEC.103.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 11. Passenger Restraint Systems for Children9-19-11-1. Application of Chapter

Sec. 1. This chapter does not apply to a person who operates any of the following vehicles: (1) A school bus. (2) A special purpose bus. (3) A taxicab. (4) A medical services vehicle. (5) A bus, motorcycle, motor driven cycle, passenger motor vehicle or truck that was originally manufactured without a safety belt as a part of the standard equipment installed by the manufacturer at each designated seating position, before the requirement of the installation of safety belts in the motor vehicle according to the standards stated in the Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208). (6) A motor vehicle that is owned or leased by a governmental unit and is being used in the performance of official law enforcement duties. (7) A motor vehicle that is being used in an emergency. (8) A motor vehicle that is funeral equipment used in the operation of funeral services when used in: (A) a funeral procession; (B) the return trip to a funeral home (as defined in IC 25-15-2-15); or (C) both the funeral procession and return trip. (9) This subdivision applies only while a TNC driver is providing a prearranged ride to a TNC rider. A motor vehicle used by a TNC driver to provide prearranged rides (as defined in IC 8-2.1-17-13.5). [Pre-1991 Recodification Citation: 9-8-13-4; Pre-2016 Revision Citation: subdivision (4) formerly 9-13-2-3(b).] As added by P.L.2-1991, SEC.7. Amended by P.L.67-2004, SEC.3; P.L.24-2006, SEC.3; P.L.175-2015, SEC.11; P.L.198-2016, SEC.335; P.L.164-2018, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 11. Passenger Restraint Systems for Children9-19-11-10. Violation; No Assessment of Points

Sec. 10. The bureau may not assess points under the point system for a violation of this chapter. As added by P.L.67-2004, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 11. Passenger Restraint Systems for Children9-19-11-11. Violation; Not Basis for Habitual Offender Determination

Sec. 11. A violation of this chapter may not be included in a determination of habitual violator status under IC 9-30-10-4. As added by P.L.67-2004, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 11. Passenger Restraint Systems for Children9-19-11-2. Child Less Than Eight Years of Age; Child Restraint System; Penalty; Medical Exceptions; Child Restraint System Account

Sec. 2. (a) A person who operates a motor vehicle in which there is a child less than eight (8) years of age who is not properly fastened and restrained according to the child restraint system manufacturer's instructions by a child restraint system commits a Class D infraction. A person may not be found to have violated this subsection if the person carries a certificate from a physician, physician's assistant, or advanced practice registered nurse stating that it would be impractical to require that a child be fastened and restrained by a child restraint system because of: (1) a physical condition, including physical deformity; or (2) a medical condition; of the child and presents the certificate to the police officer or the court. (b) Notwithstanding IC 34-28-5-5(c), funds collected as judgments for violations under this section shall be deposited in the child restraint system account established by section 9 of this chapter. [Pre-1991 Recodification Citation: 9-8-13-2.] As added by P.L.2-1991, SEC.7. Amended by P.L.57-1998, SEC.4; P.L.116-1998, SEC.4; P.L.67-2004, SEC.4; P.L.2-2005, SEC.33; P.L.146-2009, SEC.3; P.L.129-2018, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 11. Passenger Restraint Systems for Children9-19-11-3.6. Safety Belt Standards; Child Between Eight and 16 Years of Age; Child Restraint System or Safety Belt

Sec. 3.6. (a) A person who operates a motor vehicle in which there is a child and that is equipped with a safety belt meeting the standards stated in the Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208) commits a Class D infraction if: (1) the child is at least eight (8) years of age but less than sixteen (16) years of age; and (2) the child is not properly fastened and restrained according to the child restraint system manufacturer's instructions by a: (A) child restraint system; or (B) safety belt. (b) Notwithstanding IC 34-28-5-5(c), funds collected as judgments for violations under this section shall be deposited in the child

restraint system account established by section 9 of this chapter. As added by P.L.67-2004, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 11. Passenger Restraint Systems for Children9-19-11-3.7. Exception; Child Over 40 Pounds; Lap Safety Belt

Sec. 3.7. Notwithstanding sections 2 and 3.6 of this chapter, a person may operate a motor vehicle in which there is a child who weighs more than forty (40) pounds and who is properly restrained and fastened by a lap safety belt if: (1) the motor vehicle is not equipped with lap and shoulder safety belts; or (2) not including the operator's seat and the front passenger seat: (A) the motor vehicle is equipped with one (1) or more lap and shoulder safety belts; and (B) all the lap and shoulder safety belts are being used to properly restrain other children who are less than sixteen (16) years of age. As added by P.L.67-2004, SEC.8. Amended by P.L.146-2009, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 11. Passenger Restraint Systems for Children9-19-11-4. Designation of Violations as Being Within Authority of Violations Clerk

Sec. 4. Notwithstanding IC 34-28-5-9(1), a court may not designate violations of this chapter as being within the authority of the violations clerk. [Pre-1991 Recodification Citation: 9-8-13-5.] As added by P.L.2-1991, SEC.7. Amended by P.L.1-1998, SEC.96.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 11. Passenger Restraint Systems for Children9-19-11-5. Enforcement Proceedings; Acquisition by Violator of Restraint System; Costs; Money Judgments

Sec. 5. If at a proceeding to enforce section 2 of this chapter the court finds that the person: (1) has violated this chapter; and (2) possesses or has acquired a child restraint system; the court shall enter judgment against the person. However, notwithstanding IC 34-28-5-4, the person is not liable for any costs or monetary judgment if the person has no previous judgments of violation of this chapter against the person. [Pre-1991 Recodification Citation: 9-8-13-6.] As added by P.L.2-1991, SEC.7. Amended by P.L.1-1998, SEC.97; P.L.67-2004, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 11. Passenger Restraint Systems for Children9-19-11-6. Enforcement Proceedings; Absence of Possession by Violator of Restraint System; Costs; Money Judgments

Sec. 6. (a) If at a proceeding to enforce section 2 of this chapter the court finds that the person: (1) has violated this chapter; and (2) does not possess or has not acquired a child restraint system; the court shall enter judgment against the person and shall order the person to provide proof of possession or acquisition within thirty (30) days. (b) Notwithstanding IC 34-28-5-4, if the person: (1) complies with a court order under this section; and (2) has no previous judgments of violation of this chapter against the person; the person is not liable for any costs or a monetary judgment. [Pre-1991 Recodification Citation: 9-8-13-7.] As added by P.L.2-1991, SEC.7. Amended by P.L.1-1998, SEC.98; P.L.67-2004, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 11. Passenger Restraint Systems for Children9-19-11-7. Forwarding to Bureau of Motor Vehicles Certified Abstract of Record of Judgment

Sec. 7. A court shall forward to the bureau of motor vehicles a certified abstract of the record of judgment of any person in the court for a violation of this chapter in the manner provided by IC 9-25-6. [Pre-1991 Recodification Citation: 9-8-13-8.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 11. Passenger Restraint Systems for Children9-19-11-8.5. Failure to Comply; Mitigation of Damages

Sec. 8.5. In a civil action seeking to recover damages for personal injuries or death experienced by a plaintiff who: (1) was in a motor vehicle that was manufactured after September 1, 1986, and equipped with at least one (1) inflatable restraint system; and (2) was fifteen (15) years of age or older at the time the cause of action accrued; evidence that the motor vehicle was not operating in compliance with section 2 or 3.6 of this chapter may be admitted as proof of failure to mitigate damages. As added by P.L.49-2024, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 11. Passenger Restraint Systems for Children9-19-11-9. Child Restraint System Account

Sec. 9. (a) The child restraint system account is established within the state general fund to make grants under subsection (d). (b) The account consists of the following: (1) Funds collected as judgments for violations under this chapter. (2) Appropriations to the account from the general assembly. (3) Grants, gifts, and donations intended for deposit in the account. (4) Interest that accrues from money in the account. (c) The account shall be administered by the criminal justice institute. (d) The criminal justice institute shall use money in the account to make grants to entities specified in IC 5-2-6-10 to: (1) purchase child restraint systems; and (2) distribute the child restraint systems: (A) without charge; or (B) for a minimal charge; to persons who are not otherwise able to afford to purchase child restraint systems. The criminal justice institute shall adopt rules under IC 4-22-2 to implement this section. (e) Money in the account is appropriated continuously to the criminal justice institute for the purposes stated in subsection (a). (f)

The expenses of administering the account shall be paid from money in the account. (g) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account. (h) Money in the account at the end of a state fiscal year does not revert to the state general fund. As added by P.L.67-2004, SEC.11. Amended by P.L.23-2020, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 12. Rear View Mirrors9-19-12-1. Safety Requirements

Sec. 1. A motor vehicle that is constructed or loaded so as to obstruct the driver's view to the rear from the driver's position must be equipped with a mirror located so as to reflect to the driver a view of the highway for a distance of at least two hundred (200) feet to the rear of the vehicle. [Pre-1991 Recodification Citation: 9-8-6-37.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 12. Rear View Mirrors9-19-12-2. United States Department of Transportation Regulations; Classification of Violations

Sec. 2. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that: (1) contain parts and accessories; and (2) is equipped; as required under regulations of the United States Department of Transportation. (b) A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-6-2(a) part.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 13. School Bus Design and Equipment9-19-13-1. State School Bus Committee Rules; Contracts for Pupil Transportation; School District Officers and Employees

Sec. 1. The state school bus committee established by IC 20-27-3-1 shall adopt and enforce rules under IC 4-22-2 not inconsistent with this chapter to govern the design and operation of all school buses used for the transportation of school children when owned and operated by a school corporation or privately owned and operated under contract with an Indiana school corporation. The rules must by reference be made a part of such a contract with a school corporation. Each school corporation, officer and employee of the school corporation, and person employed under contract by a school district is subject to those rules. [Pre-1991 Recodification Citation: 9-4-1-124(b) part.] As added by P.L.2-1991, SEC.7. Amended by P.L.1-2005, SEC.101.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 13. School Bus Design and Equipment9-19-13-2. Misconduct of School Corporation Officers or Employees

Sec. 2. An officer or employee of a school corporation who: (1) violates any of the rules, including those required by IC 20-27-3-6.5, adopted by the state school bus committee concerning the design and operation of school buses; or (2) fails to include an obligation to comply with those rules in a contract executed by the officer or employee on behalf of a school corporation; is guilty of misconduct and subject to removal from office or employment. [Pre-1991 Recodification Citation: 9-4-1-124(c) part.] As added by P.L.2-1991, SEC.7. Amended by P.L.192-2013, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 13. School Bus Design and Equipment9-19-13-3. Failure by Contract Operators to Comply With Rules; Breach of Contract

Sec. 3. A person operating a school bus under contract with a school corporation who fails to comply with any of the rules, including those required by IC 20-27-3-6.5, adopted by the state school bus committee concerning the design and operation of school buses is guilty of breach of contract. The contract may be canceled after notice and hearing by responsible officers of the school corporation. [Pre-1991 Recodification Citation: 9-4-1-124(c) part.] As added by P.L.2-1991, SEC.7. Amended by P.L.192-2013, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 13. School Bus Design and Equipment9-19-13-4.5. Red Lamps; Prohibited Vehicles

Sec. 4.5. (a) Except for a vehicle utilized in a funeral procession, a vehicle that is not described by section 4 of this chapter may not display a red lamp. (b) Except as provided in subsection (c), a person who: (1) purchases or otherwise acquires a vehicle with equipment described by section 4 of this chapter; and (2) is not authorized to display a red lamp upon the vehicle; shall immediately remove the red lamp from the vehicle. (c) A person who: (1) purchases or otherwise acquires a vehicle with equipment described by section 4 of this chapter; and (2) uses the vehicle as a church bus; is not required to remove the red lamp from the vehicle if the person renders the red lamp inoperable. As added by P.L.99-1991, SEC.1. Amended by P.L.70-2009, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 13. School Bus Design and Equipment9-19-13-4. Equipment Required

Sec. 4. A bus used to transport school children must be equipped as follows: (1) At least two (2) signal lamps mounted as high and as widely spaced laterally as practicable, capable of displaying the front two (2) alternately flashing red lights located at the same level, and having sufficient intensity to be visible at five hundred (500) feet in normal sunlight. (2) As required by the state school

bus committee under IC 20-27-3-4. (3) As required by IC 20-27-9. [Pre-1991 Recodification Citation: 9-8-6-20(b).] As added by P.L.2-1991, SEC.7. Amended by P.L.1-2005, SEC.102; P.L.144-2019, SEC.1; P.L.116-2020, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 13. School Bus Design and Equipment9-19-13-5. United States Department of Transportation Regulations; Classification of Violations

Sec. 5. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that: (1) contains parts and accessories; and (2) is equipped; as required under regulations of the United States Department of Transportation. (b) A person who violates section 4(1) of this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-6-2(a) part.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 14.5. Special Equipment for Private Emergency Vehicles9-19-14.5-0.5. "Chaplain"

Sec. 0.5. As used in this chapter, "chaplain" means an individual who is appointed or officially designated to serve, with or without compensation, as a chaplain of either of the following: (1) A full-time police department of a municipality (as defined by IC 36-1-2-11). (2) A full-time fire department of a municipality (as defined by IC 36-1-2-11). As added by P.L.22-2013, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 14.5. Special Equipment for Private Emergency Vehicles9-19-14.5-1.5. Display of Green and White Lights on Public Safety Chaplain's Vehicle

Sec. 1.5. (a) A chaplain may display flashing green and white lights on a privately owned motor vehicle of the chaplain while serving the duties of the department en route to the scene of an emergency. (b) If a motor vehicle displays lights for use under subsection (a), the motor vehicle must be equipped with either of the following: (1) At least two (2) signal lamps capable of displaying a green beam and a white beam that meet the following requirements: (A) The signal lamps are mounted as high and as widely spaced laterally as practicable or mounted in a manner that will make the lights visible to oncoming traffic one hundred eighty (180) degrees around the front of the vehicle. (B) The signal lamps are capable of displaying to the front alternately flashing green and white lights. (C) The signal lamp capable of displaying the green beam is located on the driver's side of the vehicle and the signal lamp capable of displaying the white beam is located on the passenger's side of the vehicle. (2) One (1) signal lamp that is capable of displaying a green beam and a white beam in a manner that will make the light visible to oncoming traffic one hundred eighty (180) degrees in front of the vehicle. (c) In order for a chaplain to display green and white lights on a private motor vehicle, the chaplain must: (1) secure a written permit from the executive (as defined in IC 36-1-2-5) of the municipality in which the chaplain serves to use the green and white lights; and (2) carry the permit at all times when the green and white lights are displayed. (d) A permittee of the owner of a motor vehicle lawfully equipped with green and white lights as set forth in subsection (b) may operate the motor vehicle only if the green and white lights are not illuminated. (e) This section does not grant a motor vehicle displaying green and white lights the right-of-way under IC 9-21-8-35 or an exemption from traffic rules under IC 9-21-1-8. A driver of a motor vehicle displaying green and white lights shall obey all traffic rules. (f) This section may not be construed to include a motor vehicle: (1) displaying green and white lights; and (2) driven by a chaplain as an authorized emergency vehicle (as defined by IC 9-13-2-6). As added by P.L.22-2013, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 14.5. Special Equipment for Private Emergency Vehicles9-19-14.5-1. Display of Green Lights on Privately Owned Vehicles in Line of Duty

Sec. 1. A privately owned vehicle belonging to a licensed paramedic, certified advanced emergency medical technician, certified emergency medical technician, certified emergency medical service driver, or certified emergency medical responder while traveling in the line of duty in connection with emergency medical services activities may display flashing or revolving green lights, subject to the following restrictions and conditions: (1) The lights may not have a light source less than fifty (50) candlepower. (2) All lights must be prominently displayed on the top of the vehicle. (3) Not more than two (2) green lights may be displayed on a vehicle, and each light must be of the flashing or revolving type and visible at three hundred sixty (360) degrees. (4) The lights must consist of: (A) a lamp with a green lens; or (B) a green light emitting diode (LED). However, the revolving lights may contain multiple bulbs. (5) The green lights may not be a part of the regular head lamps displayed on the vehicle. (6) For a person to be authorized under this chapter to display a flashing or revolving green light on the person's vehicle, the person must first secure a written permit from the executive director of the department of homeland security to use the light. The permit must be carried by the person when the light is displayed. [Pre-1993 Title 16 Recodification Citation: 16-1-39-13.5(a).] As added by P.L.2-1993, SEC.66. Amended by P.L.205-2003, SEC.2; P.L.236-2003, SEC.3; P.L.97-2004, SEC.38; P.L.1-2006, SEC.162; P.L.138-2009, SEC.1; P.L.77-2012, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 14.5. Special Equipment for Private Emergency Vehicles9-19-14.5-2. Unlawful Display of Green or Green and White Lights; Violations

Sec. 2. (a) Except as provided in section 1 of this chapter, a person who displays on any public or private motor vehicle at any time flashing or revolving green lights of any size or shape commits a Class C infraction. (b) Except as provided in section 1.5 of this chapter, a person who displays on any public or private motor vehicle at any time flashing green and white lights of any size or

shape commits a Class C infraction. [Pre-1993 Title 16 Recodification Citation: 16-1-39-13.5(b).] As added by P.L.2-1993, SEC.66. Amended by P.L.236-2003, SEC.4; P.L.22-2013, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 14.5. Special Equipment for Private Emergency Vehicles9-19-14.5-3. Operation of Vehicle When Green or Green and White Lights Illuminated

Sec. 3. (a) This chapter does not prohibit the operation of a vehicle lawfully equipped with a flashing or revolving green light from being operated as any other vehicle when the green light is not illuminated. (b) This chapter does not prohibit the operation of a motor vehicle lawfully equipped with flashing green and white lights from being operated as any other motor vehicle when the green and white lights are not illuminated. [Pre-1993 Title 16 Recodification Citation: 16-1-39-13.5(c).] As added by P.L.2-1993, SEC.66. Amended by P.L.236-2003, SEC.5; P.L.22-2013, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 14. Special Equipment for Emergency Vehicles9-19-14-1. Siren, Exhaust Whistle, or Bell

Sec. 1. An authorized emergency vehicle must, in addition to any other equipment and distinctive markings required by this article, be equipped with a siren, exhaust whistle, or bell capable of giving an audible signal. [Pre-1991 Recodification Citation: 9-8-6-20(a).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 14. Special Equipment for Emergency Vehicles9-19-14-2. Signal Lamps; Visibility

Sec. 2. Except as provided in section 5 of this chapter, an authorized emergency vehicle must, in addition to other equipment required by this article, be equipped with signal lamps that are capable of displaying flashing, rotating, or oscillating beams of red or red and white light. The lights must be visible to oncoming traffic one hundred eighty (180) degrees around the front of the vehicle. [Pre-1991 Recodification Citation: 9-8-6-20(d).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 14. Special Equipment for Emergency Vehicles9-19-14-3. Audibility Requirements for Sirens, Whistles, and Bells; Use of Siren

Sec. 3. An authorized emergency vehicle may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than five hundred (500) feet and of a type approved by the state police department. The siren may not be used except when the vehicle is operated as follows: (1) In response to an emergency call. (2) In the immediate pursuit of an actual or suspected violation of the law. In this case, the driver of the vehicle shall sound the vehicle's siren when reasonably necessary to warn pedestrians and other drivers of the vehicle's approach. [Pre-1991 Recodification Citation: 9-8-6-35(d).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 14. Special Equipment for Emergency Vehicles9-19-14-4. Right-of-Way; Violation

Sec. 4. (a) The use of signal equipment described in this chapter imposes upon a driver of another vehicle the duty to yield right-of-way and stop as prescribed in IC 9-21-8-35. (b) A driver who fails to yield right-of-way to and stop as prescribed in IC 9-21-8-35 for an emergency vehicle operating in an official capacity commits a Class C infraction. However, the violation is a Level 6 felony if the person's failure to comply as described in this subsection results in serious bodily injury, catastrophic injury, or death to any person operating, occupying, or affiliated with an emergency vehicle operating in an official capacity. [Pre-1991 Recodification Citation: 9-8-6-20(c).] As added by P.L.2-1991, SEC.7. Amended by P.L.188-2015, SEC.59; P.L.116-2020, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 14. Special Equipment for Emergency Vehicles9-19-14-5.5. Red and White, Red and Blue, Red, or Amber Lights; Violation

Sec. 5.5. (a) Except for a: (1) vehicle utilized in a funeral procession; or (2) funeral escort vehicle bearing markings as described in IC 9-21-13-0.7; a vehicle that is not described by sections 2 or 5 of this chapter may not display a red and white lamp or a red and blue lamp. (b) A person who: (1) possesses a vehicle with equipment described by sections 2 or 5 of this chapter; and (2) is not authorized to display a red and white or red and blue lamp upon the vehicle; shall immediately remove the red and white or red and blue lamp from the vehicle. (c) A funeral escort vehicle, other than an authorized emergency vehicle used in a funeral procession or as a funeral escort vehicle, may display only red and white, red, or amber lights. (d) Except as provided in subsection (e), a person who fails to comply with subsection (b) or (c) commits a Class C misdemeanor. (e) Subsection (d) does not apply to a person who owns or operates a vehicle or combination of vehicles that: (1) contains parts and accessories; and (2) is equipped; as required under regulations of the United States Department of Transportation. As added by P.L.99-1991, SEC.2. Amended by P.L.80-2012, SEC.2; P.L.188-2015, SEC.60.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 14. Special Equipment for Emergency Vehicles9-19-14-5. Police Vehicles Used as Emergency Vehicles

Sec. 5. A police vehicle, when used as an authorized emergency vehicle, must be equipped with either of the following: (1) At least

two (2) signal lamps capable of displaying a red beam and a blue beam that meet the following requirements: (A) The signal lamps are mounted as high and as widely spaced laterally as practicable or mounted in a manner that will make the lights visible to oncoming traffic one hundred eighty (180) degrees around the front of the vehicle. (B) The signal lamps are capable of displaying to the front alternately flashing red and blue lights. (C) The signal lamp capable of displaying the red beam is located on the driver's side of the vehicle and the signal lamp capable of displaying the blue beam is located on the passenger's side of the vehicle. (2) One (1) signal lamp that is capable of displaying a red beam and a blue beam in a manner that will make the light visible to oncoming traffic one hundred eighty (180) degrees in front of the vehicle. [Pre-1991 Recodification Citation: 9-8-6-20(e).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 15. Special Equipment for Transporting Explosives9-19-15-1. Emergency Warning Signals

Sec. 1. A person may not operate a motor vehicle for the transportation of explosives unless the motor vehicle is equipped with the equipment required under IC 9-19-5-6(d). [Pre-1991 Recodification Citation: 9-8-6-41(b) part.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 15. Special Equipment for Transporting Explosives9-19-15-2. Compliance With Chapter; Federal Regulation

Sec. 2. A person operating a vehicle transporting an explosive as a cargo or part of a cargo upon a highway shall comply with this chapter. This chapter does not apply to a vehicle transporting an interstate shipment or shipments that is otherwise in compliance with the regulations of the Interstate Commerce Commission or other federal agency governing the transportation of explosives and other dangerous articles, including requirements for placarding. [Pre-1991 Recodification Citation: 9-8-6-43(a) part.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 15. Special Equipment for Transporting Explosives9-19-15-3. Placarding and Danger Flags

Sec. 3. A vehicle transporting explosives must meet one (1) of the following requirements: (1) Be marked or placarded on each side and the rear with the word "explosives" in letters not less than eight (8) inches high. (2) Have displayed on the rear of the vehicle a red flag not less than twenty-four (24) inches square marked with the word "danger" in white letters six (6) inches high. [Pre-1991 Recodification Citation: 9-8-6-43(a) part.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 15. Special Equipment for Transporting Explosives9-19-15-4. Fire Extinguishers

Sec. 4. A vehicle transporting explosives must be equipped with not less than two (2) fire extinguishers, filled and ready for immediate use and placed at a convenient point on the vehicle. [Pre-1991 Recodification Citation: 9-8-6-43(b) part.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 15. Special Equipment for Transporting Explosives9-19-15-5. United States Department of Transportation Regulations; Classification of Violations

Sec. 5. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that: (1) contains parts and accessories; and (2) is equipped; as required under regulations of the United States Department of Transportation. (b) A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-6-2(a).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 17. Television Sets9-19-17-1. Television Screen Visible to Driver

Sec. 1. A person may not: (1) own a motor vehicle; or (2) operate upon a highway a motor vehicle; that has a television set installed so that the screen of the television set can be seen by a person sitting in the driver's seat. [Pre-1991 Recodification Citation: 9-8-8-1 part.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 17. Television Sets9-19-17-2. Classification of Violations

Sec. 2. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-8-1 part.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 18. Tires9-19-18-1. Solid Rubber Tires

Sec. 1. A solid tire made of rubber on a vehicle must have rubber on the tire's entire traction surface at least one (1) inch thick above the edge of the flange of the entire periphery. [Pre-1991 Recodification Citation: 9-8-6-39(a).] As added by P.L.2-1991, SEC.7.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 18. Tires9-19-18-2. Metal Tires

Sec. 2. A person may not operate or move on a highway a motor vehicle, trailer, or semitrailer having a metal tire in contact with the roadway. [Pre-1991 Recodification Citation: 9-8-6-39(b).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 18. Tires9-19-18-3. Protuberances on Tires

Sec. 3. (a) Except as provided in subsections (b) through (e), a tire on a vehicle moved on a highway may not have on the tire's periphery a block, stud, flange, cleat, or spike or any other protuberance of any material other than rubber that projects beyond the tread of the traction surface of the tire. (b) Implements of agriculture may use tires having protuberances that will not injure the highway. (c) Tire chains of reasonable proportions may be used upon a vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid. (d) From October 1 to the following May 1, a vehicle may use tires in which have been inserted ice grips or tire studs, including retractable tire studs, that: (1) are of wear-resisting material; (2) are installed in a manner that provides resiliency upon contact with the road; (3) have projections that do not exceed three thirty-seconds (3/32) of an inch beyond the tread of the traction surface of the tire; and (4) are constructed to prevent any appreciable damage to the road surface. (e) Notwithstanding subsection (d), a vehicle may be equipped year-round with tires that have retractable tire studs if the tire studs remain retracted from May 2 to September 30 of each year. [Pre-1991 Recodification Citation: 9-8-6-39(c).] As added by P.L.2-1991, SEC.7. Amended by P.L.210-2005, SEC.30; P.L.35-2008, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 18. Tires9-19-18-4. Special Permits

Sec. 4. The Indiana department of transportation and local authorities in their respective jurisdictions may in their discretion issue special permits authorizing the operation upon a highway of: (1) traction engines; (2) tractors having movable tracks with transverse corrugations upon the periphery of movable tracks; or (3) farm tractors or implements of agriculture designed to be operated primarily in a farm field or on farm premises; the operation of which upon a highway would otherwise be prohibited under this chapter. [Pre-1991 Recodification Citation: 9-8-6-39(d).] As added by P.L.2-1991, SEC.7. Amended by P.L.210-2005, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 18. Tires9-19-18-5. United States Department of Transportation Regulations; Classification of Violations

Sec. 5. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that: (1) contains parts and accessories; and (2) is equipped; as required under regulations of the United States Department of Transportation. (b) A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-6-2(a).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 19. Windows and Windshield Wipers9-19-19-1. Safety Glazing Materials Defined

Sec. 1. As used in this chapter, "safety glazing materials" means glazing materials constructed, treated, or combined with other materials to reduce substantially, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects from exterior sources or by the safety glazing materials when the materials are cracked or broken. [Pre-1991 Recodification Citation: 9-8-6-40(b) part.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 19. Windows and Windshield Wipers9-19-19-2. Front Windshield

Sec. 2. A motor vehicle, except a motorcycle or a motor driven cycle, required to be registered with the bureau must be equipped with a front windshield. [Pre-1991 Recodification Citation: 9-8-6-38(a).] As added by P.L.2-1991, SEC.7. Amended by P.L.221-2014, SEC.37.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 19. Windows and Windshield Wipers9-19-19-3. Decals, Signs, Posters, Sunscreens, or Other Nontransparent Material

Sec. 3. (a) This section does not apply to the display of a decal required by the United States Department of Defense on the following: (1) A military vehicle. (2) A motor vehicle owned by a person in the service of the armed forces of the United States. (3) A motor vehicle owned by a person employed by the armed forces of the United States. (4) A motor vehicle authorized to display the decal by the military police of the armed forces of the United States. (b) A person may not drive a motor vehicle with a sign, poster, sunscreening material, or other nontransparent material upon the front windshield, side wings, or side or rear windows of the vehicle that obstructs the driver's clear view of the highway or an intersecting highway. However, signs, posters, or other nontransparent material not larger than four (4) inches square may be placed upon the front windshield, side wings, or side or rear windows in the lower corner farthest removed from the driver's position. [Pre-1991 Recodification Citation: 9-8-6-38(b).] As added by P.L.2-1991, SEC.7.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 19. Windows and Windshield Wipers9-19-19-4. Tinting, Glazing, or Sunscreening Vehicle Windows

Sec. 4. (a) This section does not apply to a manufacturer's tinting or glazing of motor vehicle windows or windshields that is otherwise in compliance with or permitted by FMVSS205 as promulgated in 49 CFR 571.205. Proof from the manufacturer, supplier, or installer that the tinting or glazing is in compliance with or permitted by FMVSS205 must be carried in the vehicle. (b) This section does not apply to the driver of a vehicle: (1) that is owned by an individual required for medical reasons to be shielded from the direct rays of the sun; or (2) in which an individual required for medical reasons to be shielded from the direct rays of the sun is a habitual passenger. The medical reasons must be attested to by a physician or optometrist licensed to practice in Indiana, and the physician's or optometrist's certification of that condition must be carried in the vehicle. The physician's or optometrist's certificate must be renewed annually. (c) A person may not drive a motor vehicle that has a: (1) windshield; (2) side wing; (3) side window that is part of a front door; or (4) rear back window; that is covered by or treated with sunscreening material or is tinted with material that has a total solar reflectance of visible light of more than twenty-five percent (25%) as measured on the nonfilm side and light transmittance of less than thirty percent (30%) in the visible light range. (d) Any treatment allowed under subsection (c) for a windshield may: (1) be applied only to the uppermost part of the windshield; and (2) extend no further than the AS-1 line. (e) A person may not tint or otherwise cover or treat with sunscreening the parts of a vehicle described in subsection (c) or (d) so that operation of the vehicle after the tinting or sunscreening is performed is a violation of subsection (c) or (d). However, it is not a violation of this chapter if this work is performed for a person who submits a physician's or optometrist's statement as described in subsection (b) to the person who is to perform the work. (f) A vehicle may be stopped to determine compliance with this section. However, a vehicle, the contents of a vehicle, the driver of a vehicle, or a passenger in a vehicle may not be inspected, searched, or detained solely because of a violation of this section. [Pre-1991 Recodification Citation: 9-8-6-38(e); (f); (g).] As added by P.L.2-1991, SEC.7. Amended by P.L.128-1995, SEC.1; P.L.12-2003, SEC.1; P.L.217-2014, SEC.42; P.L.164-2018, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 19. Windows and Windshield Wipers9-19-19-5. Sale or Registration of New Vehicles Not Equipped With Approved Safety Glazing; Application of Section

Sec. 5. (a) This section applies to all passenger-type motor vehicles, including passenger buses and school buses. With respect to trucks, including truck-tractors, the requirements for safety glazing material in this section apply to all glazing material used in doors, windows, and windshields in the driver's compartment of a vehicle. (b) A person may not sell a new motor vehicle and a new motor vehicle may not be registered unless the vehicle is equipped with safety glazing material of a type approved by the director of traffic safety wherever glazing material is used in doors, windows, and windshields. [Pre-1991 Recodification Citation: 9-8-6-40(a) part.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 19. Windows and Windshield Wipers9-19-19-6. Windshield Wipers

Sec. 6. (a) The windshield on a motor vehicle must be equipped with a device for cleaning rain, snow, or other moisture from the windshield. The device must be constructed to be controlled or operated by the driver of the vehicle. (b) A windshield wiper upon a motor vehicle must be maintained in good working order. [Pre-1991 Recodification Citation: 9-8-6-38(c); (d).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 19. Windows and Windshield Wipers9-19-19-7. United States Department of Transportation Regulations; Classification of Violations

Sec. 7. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that: (1) contains parts and accessories; and (2) is equipped; as required under regulations of the United States Department of Transportation. (b) Except as provided in section 8 of this chapter, a person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-6-2(a).] As added by P.L.2-1991, SEC.7. Amended by P.L.12-2003, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 19. Windows and Windshield Wipers9-19-19-8. Action of Tinting or Applying Sunscreening So Vehicle Occupants Not Easily Identified; Classification of Offense

Sec. 8. A person who violates section 4(e) of this chapter commits a Class A infraction. As added by P.L.12-2003, SEC.3. Amended by P.L.164-2018, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 2. Air Conditioning9-19-2-1. Manufacture, Installation and Maintenance; Safety Requirements

Sec. 1. Air conditioning equipment shall be manufactured, installed, and maintained with due regard for the safety of the occupants of the vehicle and the public and may not contain a refrigerant that is toxic to individuals or that is flammable, unless the refrigerant is included in the list published by the United States Environmental Protection Agency as a safe alternative motor vehicle air

conditioning substitute for chlorofluorocarbon-12 under 42 U.S.C. 7671k(c). [Pre-1991 Recodification Citation: 9-8-6-44(b).] As added by P.L.2-1991, SEC.7. Amended by P.L.54-2009, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 2. Air Conditioning9-19-2-2. Selling or Equipping Vehicle With Noncomplying Equipment

Sec. 2. A person may not: (1) have for sale; (2) offer for sale; or (3) sell or equip; a motor vehicle with air conditioning equipment unless the equipment complies with this chapter. [Pre-1991 Recodification Citation: 9-8-6-44(c).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 2. Air Conditioning9-19-2-3. Operation of Vehicle With Noncomplying Equipment

Sec. 3. A person may not operate on a highway a motor vehicle equipped with air conditioning equipment unless the air conditioning equipment complies with this chapter. [Pre-1991 Recodification Citation: 9-8-6-44(d).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 2. Air Conditioning9-19-2-4. United States Department of Transportation Regulations; Classification of Violations

Sec. 4. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that: (1) contains parts and accessories; and (2) is equipped; as required under regulations of the United States Department of Transportation. (b) A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-6-2(a).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 20. Motor Vehicles Used for Government Funded Transportation of Passengers9-19-20-1. Application of Chapter

Sec. 1. (a) Except as provided by subsection (b), this chapter applies to a motor vehicle that is used to provide transportation of passengers by a profit or nonprofit corporation if the corporation receives revenue for the transportation service from federal, state, or local governments. (b) This section does not apply to the following: (1) A motor vehicle that is manufactured to transport less than six (6) passengers. (2) A private bus (as defined in IC 9-13-2-133(a)). [Pre-1992 Title 12 Revision Citation: 12-1-7-17.5(a).] As added by P.L.2-1992, SEC.86.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 20. Motor Vehicles Used for Government Funded Transportation of Passengers9-19-20-2. Inspection by State Police Department

Sec. 2. (a) The state police department may inspect a vehicle subject to this chapter. (b) In the inspection, the department may determine the existence and condition of the following: (1) The vehicle's brakes. (2) The vehicle's lights as follows: (A) Headlamps. (B) Taillamps. (C) Brake lights. (D) Clearance lights. (E) Turn signals. (3) The vehicle's steering and suspension. (4) The vehicle's exhaust systems. (5) The vehicle's body in general. (6) The vehicle's tires. [Pre-1992 Title 12 Revision Citation: 12-1-7-17.5(b).] As added by P.L.2-1992, SEC.86.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 20. Motor Vehicles Used for Government Funded Transportation of Passengers9-19-20-3. Rules

Sec. 3. The state police superintendent shall adopt rules under IC 4-22-2 to prescribe safety requirements for the construction and equipment of motor vehicles subject to this chapter. [Pre-1992 Title 12 Revision Citation: 12-1-7-17.5(c).] As added by P.L.2-1992, SEC.86.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 20. Motor Vehicles Used for Government Funded Transportation of Passengers9-19-20-4. Vehicles Meeting Safety Requirements; Certificate

Sec. 4. If the inspection under section 2 of this chapter reveals that a vehicle meets the safety requirements prescribed under this chapter, the inspecting officer shall issue to the owner of the vehicle a certificate stating that the vehicle was inspected and met the prescribed safety requirements. [Pre-1992 Title 12 Revision Citation: 12-1-7-17.5(d).] As added by P.L.2-1992, SEC.86.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 21. Special Equipment for Municipal Waste Collection and Transportation Vehicles9-19-21-1. Applicability of Chapter

Sec. 1. This chapter applies to a municipal waste collection and transportation vehicle that is: (1) purchased after June 30, 1993; and (2) used to collect municipal solid waste from residences. As added by P.L.114-1993, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 21. Special Equipment for Municipal Waste Collection and Transportation Vehicles9-19-21-2. Yellow Strobe Light Equipment

Sec. 2. A municipal waste collection and transportation vehicle must be equipped with a yellow strobe light that meets Society of Automotive Engineers (SAE) standards. As added by P.L.114-1993, SEC.2.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 21. Special Equipment for Municipal Waste Collection and Transportation Vehicles9-19-21-3. Lighting Capabilities of Strobe

Sec. 3. The strobe light required under section 2 of this chapter must have a candlepower of at least two million (2,000,000) on a horizontal plane and be capable of producing not less than eighty (80) double flashes during one (1) minute, or must meet the photometric requirements for class one 360 degree gaseous discharge warning lamps as prescribed by Society of Automotive Engineers (SAE) standards. As added by P.L.114-1993, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 21. Special Equipment for Municipal Waste Collection and Transportation Vehicles9-19-21-4. Required Use and Display of Strobe Light

Sec. 4. The strobe light required under section 2 of this chapter must be used whenever the municipal waste collection and transportation vehicle is making frequent stops to collect municipal solid waste. As added by P.L.114-1993, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 22. Inspection of Equipment for Private Buses9-19-22-1. Application

Sec. 1. This chapter applies to a private bus that is: (1) designed or used to transport more than fifteen (15) passengers, including the driver; and (2) registered or reregistered with the bureau after December 31, 2015. As added by P.L.160-2014, SEC.2. Amended by P.L.164-2018, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 22. Inspection of Equipment for Private Buses9-19-22-2. "Program"

Sec. 2. As used in this chapter, "program" refers to a program to inspect private buses established under section 3 of this chapter. As added by P.L.160-2014, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 22. Inspection of Equipment for Private Buses9-19-22-3. Inspection Program; Fee

Sec. 3. (a) The superintendent of the state police department shall establish a program to inspect private buses under this chapter. The superintendent may, but is not required to, adopt rules under IC 4-22-2 to establish the program. (b) A program established under subsection (a) must do the following: (1) Identify categories of individuals who may conduct an inspection under the program. (2) Prescribe safety requirements for the construction and equipment of private buses subject to this chapter, including requiring a determination of the existence and condition of a private bus's: (A) brakes; (B) lights; (C) steering and suspension; (D) exhaust systems; (E) body; and (F) tires. (3) If an inspection under the program reveals that a private bus meets the safety requirements prescribed under subdivision (2), require the individual who inspected the private bus to issue to the owner of the private bus a certificate stating that the private bus was inspected and met the prescribed safety requirements. (c) A program established under subsection (a) may impose a fee for conducting an inspection and issuing a certificate. The fee: (1) may be sufficient to defray; and (2) may not exceed; actual inspection and administrative costs. As added by P.L.160-2014, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 22. Inspection of Equipment for Private Buses9-19-22-4. Compliance of Federal Inspection With Program

Sec. 4. An inspection that complies with 49 CFR Part 396 satisfies the requirements of this chapter. As added by P.L.160-2014, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 22. Inspection of Equipment for Private Buses9-19-22-5. State Police Not Required to Conduct Inspections

Sec. 5. This chapter does not require the state police department to inspect private buses under this chapter. As added by P.L.160-2014, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 3. Brakes9-19-3-1. Safety Requirements; Means of Applying Brakes

Sec. 1. (a) Subject to section 4 of this chapter, a motor vehicle, when operated upon a highway, must be equipped with brakes adequate to control the movement of and to stop and hold the vehicle. (b) A motor vehicle other than a motorcycle or motor driven cycle must be equipped with brakes that include two (2) separate means of applying the brakes, each of which means must apply the brakes to at least two (2) wheels. If these two (2) separate means of applying the brakes are connected in any way, the means must be constructed so that failure of one (1) part of the operating mechanism does not leave the motor vehicle without brakes on at least two (2) wheels. [Pre-1991 Recodification Citation: 9-8-6-32(1).] As added by P.L.2-1991, SEC.7. Amended by P.L.221-2014, SEC.24.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 3. Brakes9-19-3-10. United States Department of Transportation Regulations; Classification of Violations

Sec. 10. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that: (1) contains parts and accessories; and (2) is equipped; as required under regulations of the United States Department of Transportation. (b) A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-6-2(a).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 3. Brakes9-19-3-2. Motorcycles

Sec. 2. Subject to section 4 of this chapter, a motorcycle and a motor driven cycle, when operated upon a highway, must be equipped with at least one (1) brake, which may be operated by hand or foot. [Pre-1991 Recodification Citation: 9-8-6-32(2).] As added by P.L.2-1991, SEC.7. Amended by P.L.221-2014, SEC.25.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 3. Brakes9-19-3-3. Trailers and Semitrailers of Gross Weight of 3,000 Pounds or More

Sec. 3. Subject to section 4 of this chapter, a trailer or semitrailer of a gross weight of at least three thousand (3,000) pounds, when operated upon a highway, must be equipped with brakes adequate to control the movement of and to stop and to hold the vehicle. The brakes must be designed so that the driver of the towing motor vehicle can apply the brakes from the cab, and must be designed and connected so that the brakes will be automatically applied in an accidental breakaway of the towed vehicle. [Pre-1991 Recodification Citation: 9-8-6-32(3).] As added by P.L.2-1991, SEC.7. Amended by P.L.221-2014, SEC.26.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 3. Brakes9-19-3-4. New Vehicle Requirements; Exceptions

Sec. 4. (a) Except as provided in subsections (b) through (c), a new motor vehicle, trailer, or semitrailer sold in Indiana and operated upon the highways must be equipped with service brakes upon all wheels of the vehicle. (b) A semitrailer or trailer of less than three thousand (3,000) pounds gross weight is not required to be equipped with brakes. (c) A truck or truck-tractor having at least three (3) axles is not required to have service brakes on the front wheels. If a truck or truck-tractor is equipped with at least two (2) steerable axles, the wheels of one (1) steerable axle are not required to have service brakes although the truck or truck-tractor must be capable of complying with the performance requirements of sections 7 through 8 of this chapter. [Pre-1991 Recodification Citation: 9-8-6-32(4).] As added by P.L.2-1991, SEC.7. Amended by P.L.81-1991, SEC.7; P.L.221-2014, SEC.27; P.L.164-2018, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 3. Brakes9-19-3-5. Mechanical Connection From Operating Lever to Brake Shoes or Bands

Sec. 5. One (1) of the two (2) means of brake operation under section 1 of this chapter must consist of a mechanical connection from the operating lever to the brake shoes or bands. The brake must be capable of holding the vehicle or a combination of vehicles stationary under any condition of loading on any upgrade or downgrade upon which the vehicle is operated. [Pre-1991 Recodification Citation: 9-8-6-32(5).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 3. Brakes9-19-3-6. Brake Shoes; Service and Hand Operation

Sec. 6. The brake shoes operating within or upon the drums on the vehicle wheels of a motor vehicle may be used for both service and hand operation. [Pre-1991 Recodification Citation: 9-8-6-32(6).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 3. Brakes9-19-3-7. Deceleration and Stopping Distance Requirements

Sec. 7. A motor vehicle or combination of vehicles, at all times and under all conditions of loading, must, upon application of the service (foot) brake, be capable of decelerating and developing a braking force equivalent to the deceleration according to the minimum requirements set forth in this section and must be capable of stopping within the distances set forth in the following table: Equivalent braking force Deceleration in percentage Stopping in feet per of vehicle distance second per or combination in feet second weight Passenger vehicles, not including buses 25 17 53.0% Single-unit vehicles with a manufacturer's gross vehicle weight rating of less than 10,000 pounds 30 14 43.5% Single-unit, 2-axle vehicles with a manufacturer's gross vehicle weight rating of 10,000 or more pounds 40 14 43.5% All other vehicles and combinations with a manufacturer's gross vehicle weight rating of 10,000 or more pounds 50 14 43.5% [Pre-1991 Recodification Citation: 9-8-6-33 part.] As added by P.L.2-1991, SEC.7. Amended by P.L.42-2011, SEC.24.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 3. Brakes9-19-3-8. Determination of Compliance With Deceleration and Stopping Distance Requirements

Sec. 8. Compliance with standards set forth in section 7 of this chapter must be determined by one (1) of the following: (1) Actual road tests conducted on a substantially level (not to exceed a plus or minus one per cent (1%) grade), dry, smooth, hard-surfaced road that is free from loose material, and with stopping distance measured from the actual instant braking controls are moved and from an initial speed of twenty (20) miles per hour. (2) Suitable mechanical tests in a testing lane that recreates the same conditions. (3) A combination of the methods described in subdivisions (1) through (2). [Pre-1991 Recodification Citation: 9-8-6-33 part.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 3. Brakes9-19-3-9. Maintenance and Adjustment

Sec. 9. All brakes must be maintained in good working order and must be adjusted so as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle. [Pre-1991 Recodification Citation: 9-8-6-34.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 4. Bumpers9-19-4-1. Passenger Cars Originally Equipped With Bumpers; Bumper Height

Sec. 1. When operated upon a highway, a motor vehicle registered as a passenger car that was originally equipped with bumpers as standard equipment must be so equipped. The bumper height may not vary more than three (3) inches from the original manufactured bumper height for the vehicle. [Pre-1991 Recodification Citation: 9-8-6-37.5(a).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 4. Bumpers9-19-4-2. Trucks With Declared Gross Weight of Not More Than 11,000 Pounds

Sec. 2. When operated upon a highway, a motor vehicle registered as a truck with a declared gross weight of not more than eleven thousand (11,000) pounds must be equipped with bumpers of substantial construction on the extreme front and the extreme rear of the vehicle. The height of the front and rear bumpers may not exceed thirty (30) inches when measured from level pavement to the bottom of the bumper. [Pre-1991 Recodification Citation: 9-8-6-37.5(b).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 4. Bumpers9-19-4-3. Frame or Body 60 Inches Beyond Rear Axle and 42 Inches Above Roadway

Sec. 3. A vehicle with a frame or body that extends more than sixty (60) inches beyond the rear of the rear axle and is more than forty-two (42) inches above the roadway may not be operated on a highway unless the vehicle is equipped with a bumper on the extreme rear of the frame or body. The bumper must extend downward from the rear of the frame or body to within thirty (30) inches of the roadway and must be of substantial construction. [Pre-1991 Recodification Citation: 9-8-1-3.] As added by P.L.2-1991, SEC.7. Amended by P.L.198-2016, SEC.330.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 4. Bumpers9-19-4-4. United States Department of Transportation Regulations; Classification of Violations

Sec. 4. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that: (1) contains parts and accessories; and (2) is equipped; as required under regulations of the United States Department of Transportation. (b) A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citations: 9-8-1-22 part; 9-8-6-2(a) part.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 5. Horns and Emergency Warning Signals9-19-5-1. Necessity of Horn; Audibility

Sec. 1. A motor vehicle, when operated upon a highway, must be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet. However, a horn or other warning device may not emit an unreasonably loud or harsh sound or a whistle. [Pre-1991 Recodification Citation: 9-8-6-35(a) part.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 5. Horns and Emergency Warning Signals9-19-5-2. Use of Horn During Operation of Vehicle

Sec. 2. The driver of a motor vehicle shall, when reasonably necessary to ensure safe operation, give audible warning with the horn on the motor vehicle but may not otherwise use the horn when upon a highway. [Pre-1991 Recodification Citation: 9-8-6-35(a) part.] As added by P.L.2-1991, SEC.7.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 5. Horns and Emergency Warning Signals9-19-5-3. Equipping Vehicle With Sirens, Whistles, or Bells; Exemption

Sec. 3. (a) Except as provided in subsection (b): (1) a vehicle may not be equipped with; and (2) a person may not use upon a vehicle; a siren, whistle, or bell. (b) An authorized emergency vehicle may be equipped with a siren, whistle, or bell that is capable of emitting sound audible under normal conditions from a distance of not less than five hundred (500) feet and of a type approved by the department. A siren authorized under this section may not be used except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violation of the law. The person who drives a vehicle equipped with a siren under this section shall sound the siren when reasonably necessary to warn pedestrians and other persons who are driving vehicles of the approach of the authorized vehicle. [Pre-1991 Recodification Citation: 9-8-6-35(b); (d).] As added by P.L.2-1991, SEC.7. Amended by P.L.1-1991, SEC.85.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 5. Horns and Emergency Warning Signals9-19-5-5. Theft Alarms

Sec. 5. A commercial vehicle may be equipped with a theft alarm signal device that cannot be used by the driver as an ordinary warning signal. [Pre-1991 Recodification Citation: 9-8-6-35(c).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 5. Horns and Emergency Warning Signals9-19-5-6. Emergency Warning Signals

Sec. 6. (a) A person may not operate a motor truck, passenger bus, or truck-tractor upon a highway outside the corporate limits of a municipality from a half hour after sunset to a half hour before sunrise unless the vehicle carries the following equipment: (1) At least three (3): (A) flares (liquid-burning pot torches); (B) red electric lanterns; or (C) portable red emergency reflectors; each of which must be capable of being seen and distinguished at a distance of not less than six hundred (600) feet under normal atmospheric conditions at nighttime. (2) At least three (3) red-burning fuses unless red electric lanterns or red portable emergency reflectors are carried. (3) At least two (2) red-cloth flags, not less than twelve (12) inches square, with standards to support the flags. (b) A flare (liquid-burning pot torch), fusee, electric lantern, or cloth warning flag may not be used to comply with this section unless the equipment has been submitted to and approved by the director of traffic safety. (c) A portable reflector unit may not be used to comply with this section unless the unit: (1) is designed and constructed to include two (2) reflecting elements, one (1) above the other, each of which must be capable of reflecting red light clearly visible from all distances within six hundred (600) feet to one hundred (100) feet under normal atmospheric conditions at night when directly in front of lawful upper beams of head lamps; and (2) has been submitted to and approved by the director of traffic safety. (d) A person may not operate at the time and under conditions stated in subsection (a) a: (1) motor vehicle used for the transportation of explosives; or (2) cargo tank truck used for the transportation of flammable liquids or compressed gases; unless three (3) red electric lanterns or three (3) portable red emergency reflectors are carried in the vehicle that meet the requirements of subsection (a). A person may not carry in such a vehicle a flare, fusee, or signal produced by flame. [Pre-1991 Recodification Citation: 9-8-6-41.] As added by P.L.2-1991, SEC.7. Amended by P.L.212-2014, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 5. Horns and Emergency Warning Signals9-19-5-7. United States Department of Transportation Regulations; Classification of Violations

Sec. 7. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that: (1) contains parts and accessories; and (2) is equipped; as required under regulations of the United States Department of Transportation. (b) A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-6-2(a) part.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-1.5. "Operating Crew Member"

Sec. 1.5. As used in this chapter, "operating crew member" has the meaning set forth in IC 8-9-12-2. As added by P.L.183-2005, SEC.3. Amended by P.L.1-2007, SEC.85.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-10. Clearance and Marker Lamps and Reflectors; Illumination and Visibility

Sec. 10. (a) A reflector upon a vehicle referred to in section 7 of this chapter must be of the size and characteristics and maintained so as to be readily visible at nighttime from all distances within six hundred (600) feet to one hundred (100) feet from the vehicle when directly in front of the lawful upper beams of head lamps. A reflector required to be mounted on the side of a vehicle must reflect the required color of light to the sides, and a reflector mounted on the rear must reflect a red color to the rear. (b) A front or rear clearance lamp must be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required under IC 9-21-7-2 at a distance of five hundred (500) feet from the front and rear, respectively, of the vehicle. (c) A side

marker lamp must be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required under IC 9-21-7-2 at a distance of five hundred (500) feet from the side of the vehicle on which the side marker lamps are mounted. [Pre-1991 Recodification Citation: 9-8-6-13.] As added by P.L.2-1991, SEC.7. Amended by P.L.1-1991, SEC.90.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-11.3. Implements of Husbandry and Farm Tractors; Required Equipment When Manufactured After June 30, 2006, and Operated on a Highway

Sec. 11.3. (a) This section applies to the following items manufactured after June 30, 2006, when operated on a highway: (1) An implement of husbandry. (2) A farm tractor. (b) An implement of husbandry or a farm tractor listed in subsection (a) must be equipped with: (1) head lamps; (2) tail lamps; (3) work lamps; (4) warning lamps; (5) extremity lamps; (6) turn indicators; (7) rear reflectors; (8) front and rear conspicuity material; and (9) front, rear, and side retroreflective material; that comply with the standards contained in the American Society of Agricultural Engineers (ASAE) Standard S279.11 DEC01 or any subsequent standards developed by ASAE at the time the vehicle was manufactured. As added by P.L.148-2005, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-11. Farm Equipment and Tractors Manufactured Before July 1, 2006

Sec. 11. (a) This section does not apply to: (1) an implement of husbandry; or (2) a farm tractor; manufactured after June 30, 2006. (b) A farm tractor and a self-propelled farm equipment unit or an implement of agriculture designed to be operated primarily in a farm field or on farm premises, if operated on a highway and not equipped with an electric lighting system, must at all times required by IC 9-21-7-2 be equipped with the following: (1) At least one (1) lamp displaying a white light visible from a distance of not less than five hundred (500) feet to the front of the vehicle. (2) At least one (1) lamp displaying a red light visible from a distance of not less than five hundred (500) feet to the rear of the vehicle. (3) Two (2) red reflectors visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps. The lights required by this subsection must be positioned so that one (1) lamp showing to the front and one (1) lamp or reflector showing to the rear will indicate the furthest projection of the tractor, unit, or implement on the side of the road used in passing the vehicle. (c) A combination of farm tractor and towed unit of farm equipment or implement of agriculture designed to be operated primarily in a farm field or on farm premises, if operated on a highway and not equipped with an electric lighting system, must at all times required by IC 9-21-7-2 be equipped with two (2) red reflectors that meet the following requirements: (1) Are visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps. (2) Are mounted in a manner so as to indicate as nearly as practicable the extreme left and right rear projections of the towed unit or implement on the highway. (d) A farm tractor and a self-propelled unit of farm equipment or an implement of agriculture designed to be operated primarily in a farm field or on farm premises, if operated on a highway and equipped with an electric lighting system, must at all times required by IC 9-21-7-2 be equipped with the following: (1) Two (2) single-beam or multiple-beam head lamps meeting the requirements of section 20 or 21 of this chapter or IC 9-21-7-9. (2) Two (2) red lamps visible from a distance of not less than five hundred (500) feet to the rear, or in the alternative one (1) red lamp visible from a distance of not less than five hundred (500) feet to the rear and two (2) red reflectors visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps. The red lamps or reflectors must be mounted in the rear of the farm tractor or self-propelled implement of agriculture so as to indicate as nearly as practicable the extreme left and right projections of the vehicle on the highways. (e) A combination of farm tractor and towed farm equipment or towed implement of agriculture designed to be operated primarily in a farm field or on farm premises, if operated on a highway and equipped with an electric lighting system, must at all times required by IC 9-21-7-2 be equipped as follows: (1) The farm tractor element of each combination must be equipped with two (2) single-beam or multiple-beam head lamps meeting the requirements of section 20 or 21 of this chapter or IC 9-21-7-9. (2) The towed unit of farm equipment or implement of agriculture element of each combination must be equipped with the following: (A) Two (2) red lamps visible from a distance of not less than five hundred (500) feet to the rear, or as an alternative one (1) red lamp visible from a distance of not less than five hundred (500) feet to the rear. (B) Two (2) red reflectors visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps. The red lamps or reflectors must be located so as to indicate as nearly as practicable the extreme left and right rear projections of the towed unit or implement on the highway. (3) A combination of farm tractor and towed farm equipment or towed implement of agriculture equipped with an electric lighting system must be equipped with the following: (A) A lamp displaying a white or an amber light, or any shade of color between white and amber visible from a distance of not less than five hundred (500) feet to the front. (B) A lamp displaying a red light visible from a distance of not less than five hundred (500) feet to the rear. The lamps must be installed or capable of being positioned so as to indicate to the front and rear the furthest projection of that combination on the side of the road used by other vehicles in passing that combination. (f) A farm tractor, a self-propelled farm equipment unit, or an implement of agriculture must not display blinding field or flood lights when operated on a highway. (g) All rear lighting requirements may be satisfied by having a vehicle with flashing lights immediately trail farm equipment in accordance with IC 9-21-7-11. [Pre-1991 Recodification Citation: 9-8-6-17.] As added by P.L.2-1991, SEC.7. Amended by P.L.1-1991, SEC.91; P.L.127-1995, SEC.1; P.L.148-2005, SEC.1; P.L.210-2005, SEC.29; P.L.1-2006, SEC.161.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-12. Rear Reflectors; Vehicles Not Otherwise Specifically Required to Have Lamps or Lighting Devices

Sec. 12. (a) This section does not apply to: (1) an implement of husbandry; or (2) a farm tractor; manufactured after June 30, 2006. (b) A vehicle, including an animal-drawn vehicle and a vehicle referred to in IC 9-19-1-1 not specifically required by this article to be equipped with lamps or other lighting devices, must at all times required by IC 9-21-7-2 be equipped with at least two (2) red reflectors visible from distances of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps. [Pre-1991 Recodification Citation: 9-8-6-18.] As added by P.L.2-1991, SEC.7. Amended by P.L.1-1991, SEC.92; P.L.148-2005, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-13. Spot Lamps

Sec. 13. A motor vehicle may be equipped with not more than two (2) spot lamps. A lighted spot lamp must be aimed and used when approaching another vehicle so that no part of the high intensity part of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle or more than one hundred (100) feet ahead of the vehicle. [Pre-1991 Recodification Citation: 9-8-6-19(a).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-14. Fog Lamps

Sec. 14. A motor vehicle may be equipped with not more than two (2) fog lamps mounted on the front at a height not less than twelve (12) inches and not more than thirty (30) inches above the level surface upon which the vehicle stands. The fog lamps must be aimed so that when the vehicle is not loaded, none of the high-intensity part of the light to the left of the center of the vehicle will at a distance of twenty-five (25) feet ahead project higher than a level of four (4) inches below the level of the center of the lamp from which the light comes. Lighted fog lamps meeting these requirements may be used with lower head lamp beams as specified in section 20(2) of this chapter. [Pre-1991 Recodification Citation: 9-8-6-19(b).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-15. Auxiliary Passing Lamps

Sec. 15. A motor vehicle may be equipped with not more than one (1) auxiliary passing lamp mounted on the front at a height not less than twenty-four (24) inches and not more than forty-two (42) inches above the level surface upon which the vehicle stands. Section 20 of this chapter applies to any combination of head lamps and auxiliary passing lamp. [Pre-1991 Recodification Citation: 9-8-6-19(c).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-16. Auxiliary Driving Lamps

Sec. 16. A motor vehicle may be equipped with not more than one (1) auxiliary driving lamp mounted on the front at a height not less than sixteen (16) inches and not more than forty-two (42) inches above the level surface upon which the vehicle stands. Section 20 of this chapter applies to any combination of head lamps and auxiliary driving lamp. [Pre-1991 Recodification Citation: 9-8-6-19(d).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-17. Stop Lamps and Turn Signals; Color, Visibility, and Operation; Lighting Device Colors

Sec. 17. (a) A motor vehicle may be equipped, and when required under this chapter must be equipped, with a stop lamp or lamps on the rear of the vehicle that: (1) displays only a red light, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight; (2) will be actuated upon application of the service (foot) brake; and (3) may be incorporated with at least one (1) other rear lamp. (b) A motor vehicle may be equipped and when required under this chapter must be equipped with lamps or mechanical signal devices showing to the front and rear for the purpose of indicating an intention to turn either to the right or left. If lamps are used for this purpose, the lamps showing to the front must be located on the same level and as widely spaced laterally as practicable and when in use must display only a white or an amber light, or any shade of color between white and amber, visible from a distance of not less than one hundred (100) feet to the front in normal sunlight. The lamps showing to the rear must be located at the same level and as widely spaced laterally as practicable and when in use must display only a red or an amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight. When actuated the lamps must indicate the intended direction of turning by flashing the lights showing to the front and rear on the side toward which the turn is made. If mechanical signal devices are used for this purpose, the devices must be self-illuminated when in use at the times required by IC 9-21-7-2. (c) A stop lamp or signal lamp or device may not project a glaring light. (d) A lighting device mounted on the rear of the vehicle may not display any color other than red except as follows: (1) A signal lamp or device must be red or amber or any shade of color between red and amber. (2) The light illuminating the license plate

must be white. (3) The light emitted by a back-up lamp must be white or amber. [Pre-1991 Recodification Citation: 9-8-6-21.] As added by P.L.2-1991, SEC.7. Amended by P.L.1-1991, SEC.93; P.L.164-2018, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-18. Fender Lamps; Running-Board Courtesy Lamps; Back-Up Lamps

Sec. 18. (a) A motor vehicle may be equipped with not more than two (2) side cowl or fender lamps that emit an amber or a white light without glare. (b) A motor vehicle may be equipped with not more than one (1) running-board courtesy lamp on each side that emits a white or an amber light without glare. (c) A motor vehicle may be equipped with not more than two (2) back-up lamps either separately or in combination with other lamps. However, a back-up lamp must not be lighted when the motor vehicle is in forward motion. [Pre-1991 Recodification Citation: 9-8-6-22(a-c).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-19. Flashing Warning Lights

Sec. 19. (a) A vehicle may be equipped with lamps that may be used for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking, or passing. The vehicles, when so equipped, may display the warning in addition to any other warning signals required by this article. (b) A lamp used to display a warning to the front must be mounted at the same level and as widely spaced laterally as practicable, and must display simultaneously flashing white or amber lights or any shade of color between white and amber. (c) A lamp used to display a warning to the rear must be mounted at the same level and as widely spaced laterally as practicable, and must show simultaneously flashing amber or red lights or any shade of color between red and amber. (d) A warning light must be visible from a distance of not less than five hundred (500) feet under normal atmospheric conditions at night. (e) A motor vehicle used to transport operating crew members may display a lamp placed on the top of the motor vehicle with simultaneously flashing yellow or amber lights that must be visible as set forth in subsection (d). [Pre-1991 Recodification Citation: 9-8-6-22(d).] As added by P.L.2-1991, SEC.7. Amended by P.L.183-2005, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-2. Application of Illumination and Visibility Requirements; Measurement of Mounted Height of Lamps

Sec. 2. (a) The requirements in this chapter setting forth the distance from which certain lamps and devices are required to render objects visible or within which the lamps or devices are required to be visible apply: (1) during the times stated in IC 9-21-7-2; (2) with respect to a vehicle without load; and (3) when upon a straight, level, unlighted highway under normal atmospheric conditions; unless a different time or condition is expressly stated. (b) The mounted heights of lamps or devices required in this chapter are measured from the center of the lamp or device to the level ground upon which the vehicle stands when the vehicle is without a load. [Pre-1991 Recodification Citation: 9-8-6-4.] As added by P.L.2-1991, SEC.7. Amended by P.L.1-1991, SEC.88.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-20. Multiple-Beam Road Lighting Equipment

Sec. 20. Except as otherwise provided in this chapter, the head lamps, the auxiliary driving lamp, the auxiliary passing lamp, or a combination of these lamps on motor vehicles, other than motorcycles or motor driven cycles, must be arranged so that the driver may select between distributions of light projected to different elevations. The lamps may, in addition, be arranged so that the selection can be made automatically, subject to the following limitations: (1) There must be an uppermost distribution of light, or composite beam, aimed and of an intensity to reveal persons and vehicles at a distance of at least three hundred fifty (350) feet ahead for all conditions of loading. (2) There must be a lowermost distribution of light, or composite beam, aimed and of an intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead. On a straight level road, under any condition of loading, none of the high-intensity part of the beam may be directed to strike the eyes of an approaching driver. (3) A new motor vehicle, other than a motorcycle or motor driven cycle, registered in Indiana after January 1, 1956, that has multiple-beam road lighting equipment must be equipped with a beam indicator that must be lighted whenever the uppermost distribution of light from the head lamps is in use. The beam indicator must not otherwise be lighted. The beam indicator must be designed and located so that when lighted the indicator is readily visible without glare to the driver of the vehicle so equipped. [Pre-1991 Recodification Citation: 9-8-6-23.] As added by P.L.2-1991, SEC.7. Amended by P.L.221-2014, SEC.32.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-21. Single-Beam Road Lighting Equipment

Sec. 21. Head lamps arranged to provide a single distribution of light are permitted on motor vehicles manufactured and sold before March 9, 1956, instead of the multiple-beam road-lighting equipment specified in this chapter, if the single distribution of light meets the following requirements: (1) The head lamps must be aimed so that when the vehicle is not loaded none of the high-intensity part of the light will: (A) at a distance of twenty-five (25) feet ahead, project higher than a level of five (5) inches below the level of the center of the lamp from which light comes; and (B) at a distance of seventy-five (75) feet ahead, project higher than forty-two (42) inches above the level on which the vehicle stands. (2) The intensity must be sufficient to reveal persons

and vehicles at a distance of at least two hundred (200) feet. [Pre-1991 Recodification Citation: 9-8-6-25.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-22. Motorcycles; Head Lamps

Sec. 22. (a) The head lamp or head lamps upon a motorcycle or motor driven cycle may be of the single-beam or multiple-beam type. (b) A head lamp on a motorcycle or motor driven cycle must be of sufficient intensity to reveal a person or a vehicle at a distance of not less than: (1) one hundred (100) feet when the motorcycle or motor driven cycle is operated at a speed of less than twenty-five (25) miles per hour; (2) two hundred (200) feet when the motorcycle or motor driven cycle is operated at a speed of at least twenty-five (25) miles per hour; and (3) for a motorcycle, three hundred (300) feet when the motorcycle is operated at a speed of at least thirty-five (35) miles per hour. (c) If a motorcycle or motor driven cycle is equipped with a multiple beam head lamp, the upper beam must meet the minimum requirements set forth in this section and must not exceed the limitations set forth in section 20(1) of this chapter and the lowermost distribution of light as set forth in section 20(2) of this chapter. (d) If a motorcycle or motor driven cycle is equipped with a single beam lamp, the lamp must be aimed so that when the vehicle is loaded none of the high-intensity part of the light will, at a distance of twenty-five (25) feet ahead, project higher than the level of the center of the lamp from which the light comes. [Pre-1991 Recodification Citation: 9-8-6-26.] As added by P.L.2-1991, SEC.7. Amended by P.L.221-2014, SEC.33; P.L.111-2021, SEC.25.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-23. Standards and Specifications

Sec. 23. (a) The Indiana department of transportation shall adopt standards and specifications applicable to: (1) head lamps; (2) clearance lamps; (3) identification lamps; and (4) other lamps; on snow removal equipment when operated on highways instead of the lamps otherwise required on motor vehicles by this chapter. (b) The standards and specifications adopted under subsection (a) may permit the use of flashing lights for purposes of identification on snow removal equipment when in service upon the highways. (c) The standards and specifications for lamps referred to in this section must correlate with and, so far as possible, conform with those approved by the American Association of State Highway Officials. (d) A person may not operate snow-removal equipment on a highway unless the lamps on the equipment comply with and are lighted when and as required by the standards and specifications adopted under this section. [Pre-1991 Recodification Citation: 9-8-6-31.] As added by P.L.2-1991, SEC.7. Amended by P.L.198-2016, SEC.331.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-24. United States Department of Transportation Regulations; Classification of Violations

Sec. 24. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that: (1) contains parts and accessories; and (2) is equipped; as required under regulations of the United States Department of Transportation. (b) A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-6-2(a) part.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-3. Number, Location, Height, and Color of Head Lamps

Sec. 3. (a) A motor vehicle other than a motorcycle or motor driven cycle must be equipped with at least two (2) head lamps, with at least one (1) of the head lamps on each side of the front of the motor vehicle. The head lamps must comply with this chapter. (b) Except as provided in subsection (c), a motorcycle and motor driven cycle must be equipped with at least one (1) and not more than two (2) head lamps that comply with this chapter. (c) A motorcycle manufactured before January 1, 1956, is not required to be equipped with a head lamp if the motorcycle is not operated at the times when lighted head lamps and other illuminating devices are required under IC 9-21-7-2. (d) A head lamp equipped on a motor vehicle as described in subsection (a), including a motorcycle and motor driven cycle, must be located at a height measured from the center of the head lamp of not less than twenty-four (24) inches and not more than fifty-four (54) inches to be measured as set forth in section 2(b) of this chapter. (e) A head lamp required by this section must display white or amber light. [Pre-1991 Recodification Citation: 9-8-6-5.] As added by P.L.2-1991, SEC.7. Amended by P.L.63-1994, SEC.2; P.L.221-2014, SEC.28; P.L.164-2018, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-4. Tail Lamps

Sec. 4. (a) Except as otherwise provided in this section: (1) a motor vehicle, trailer, semitrailer, and pole trailer; and (2) any other vehicle that is drawn at the end of a train of vehicles; must be equipped with at least one (1) tail lamp mounted on the rear that when lighted as required in this chapter, emits a red light plainly visible from a distance of five hundred (500) feet to the rear. (b) Only the tail lamp on the rear-most vehicle of a train of vehicles is required to be seen from the distance specified. (c) Excluding a truck-tractor semitrailer-semitrailer combination equipped with a B-train assembly (as defined in IC 9-13-2-13) governed by section 7 of this chapter, truck-tractor, motorcycle, or motor driven cycle: (1) a motor vehicle, trailer, semitrailer, and pole trailer; and (2)

any other vehicle drawn at the end of a train of vehicles; that is registered in Indiana and manufactured or assembled after January 1, 1956, must be equipped with at least two (2) tail lamps mounted on the rear that, when lighted, complies with this section. (d) A tail lamp upon a vehicle shall be located at a height of not less than twenty (20) inches and not more than seventy-two (72) inches. (e) Either a tail lamp or a separate lamp must be placed and constructed so as to illuminate the rear registration plate with a white light and make the plate clearly legible from a distance of fifty (50) feet to the rear. A tail lamp or tail lamps, together with a separate lamp for illuminating the rear registration plate, must be wired so as to be lighted whenever the head lamps or auxiliary driving lamps are lighted. [Pre-1991 Recodification Citation: 9-8-6-6.] As added by P.L.2-1991, SEC.7. Amended by P.L.34-2010, SEC.2; P.L.221-2014, SEC.29.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-5. New Vehicles; Rear Reflectors

Sec. 5. (a) Except as provided in subsections (b) through (d), a new motor vehicle sold and operated upon a highway, other than a truck-tractor, must carry on the rear, either as a part of the tail lamps or separately, two (2) red reflectors. (b) Except as provided in subsection (c), a motorcycle and motor driven cycle must carry at least one (1) reflector meeting the requirements of this section. (c) A motorcycle manufactured before January 1, 1956, is not required to carry a reflector under this section if the motorcycle is not operated at the times when lighted head lamps and other illuminating devices are required under IC 9-21-7-2. (d) A vehicle of the type listed in section 7 of this chapter must be equipped with reflectors as required in those sections applicable to those vehicles. (e) A reflector must be mounted on a vehicle at a height not less than twenty (20) inches and not more than sixty (60) inches as measured in the manner set forth in section 2(b) of this chapter. Except as otherwise provided, a reflector must be of the size and characteristics and mounted so as to be visible at night from all distances within three hundred fifty (350) feet to one hundred (100) feet from the vehicle when directly in front of lawful upper beams of head lamps. [Pre-1991 Recodification Citation: 9-8-6-7.] As added by P.L.2-1991, SEC.7. Amended by P.L.63-1994, SEC.3; P.L.221-2014, SEC.30.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-6. Selling or Operating Vehicles Without Turn Signals or Stoplights

Sec. 6. (a) This subsection does not apply to a motorcycle, motor vehicle manufactured before January 1, 1956, or motor driven cycle. A person may not: (1) sell; or (2) drive on the highways; in Indiana a motor vehicle unless the vehicle is equipped with at least two (2) stoplights meeting the requirements of section 17 of this chapter. (b) Except as provided in subsection (c), a person may not: (1) sell; or (2) drive on highways; in Indiana a motorcycle, motor vehicle manufactured before January 1, 1956, or motor driven cycle unless the vehicle is equipped with at least one (1) stoplight meeting the requirements of section 17 of this chapter. (c) A motorcycle manufactured before January 1, 1956, is not required to be equipped with a stoplight under subsection (b) if the motorcycle is not operated at the times when lighted head lamps and other illuminating devices are required under IC 9-21-7-2. (d) This subsection does not apply to a motorcycle or motor driven cycle. A person may not: (1) sell; (2) offer for sale; or (3) operate on the highways; a motor vehicle, trailer, or semitrailer registered in Indiana and manufactured or assembled after January 1, 1956, unless the vehicle is equipped with mechanical or electrical turn signals meeting the requirements of section 17 of this chapter. [Pre-1991 Recodification Citation: 9-8-6-8.] As added by P.L.2-1991, SEC.7. Amended by P.L.63-1994, SEC.4; P.L.221-2014, SEC.31; P.L.164-2018, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-7. Buses, Trucks, Truck-Tractors, Trailers, and Semitrailers

Sec. 7. In addition to other equipment required in this chapter, the following vehicles must be equipped as follows, under the conditions stated in IC 9-21-7-2(b): (1) On a bus or truck the following: (A) On the rear, two (2) reflectors, one (1) at each side. (B) On the rear, one (1) stoplight. (2) On a bus or truck that is at least eighty (80) inches in overall width, in addition to the requirements in subdivision (1), the following: (A) On the front, two (2) clearance lamps, one (1) at each side. (B) On the rear, two (2) clearance lamps, one (1) at each side. (C) On each side, two (2) side marker lamps, one (1) at or near the front end and one (1) at or near the rear. (D) On each side, two (2) reflectors, one (1) at or near the front and one (1) at or near the rear. (3) On a truck-tractor, the following: (A) On the front, two (2) clearance lamps, one (1) at each side. (B) On the rear, one (1) stoplight. (4) On a trailer or semitrailer having a gross weight greater than three thousand (3,000) pounds, the following: (A) On the front, two (2) clearance lamps, one (1) at each side. (B) On each side, two (2) side marker lamps, one (1) at or near the front and one (1) at or near the rear. (C) On each side, two (2) reflectors, one (1) at or near the front and one (1) at or near the rear. (D) On the rear, two (2) clearance lamps, one (1) at each side. (E) On the rear, two (2) reflectors, one (1) at each side. (F) On the rear, one (1) stoplight. (5) On a pole trailer greater than three thousand (3,000) pounds gross weight, the following: (A) On each side, one (1) side marker lamp and one (1) clearance lamp, which may be in combination, to show to the front, side, and rear. (B) On the rear of the pole trailer or load, two (2) reflectors, one (1) at each side. (6) On a trailer, semitrailer, or pole trailer weighing not more than three thousand (3,000) pounds gross weight, the following: (A) On the rear, two (2) reflectors, one (1) on each side. (B) If a trailer or semitrailer is loaded or is of the dimensions that obscure the stoplight on the towing vehicle, one (1) stoplight. (7) On a truck-tractor semitrailer-semitrailer combination equipped with a B-train assembly (as defined in IC 9-13-2-13), the assembly must have at least the following: (A) On the rear, two (2) reflectors. (B) On the rear, one (1) operable tail lamp. (C) On the rear, one (1) operable brake lamp. [Pre-1991 Recodification Citation: 9-8-6-10.] As added by P.L.2-1991, SEC.7. Amended by P.L.1-1991, SEC.89.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-8. Clearance and Marker Lamps and Reflectors; Color Displayed or Reflected

Sec. 8. (a) A front clearance lamp, marker lamp, and reflector mounted on the front or on the side near the front of a vehicle must display or reflect an amber color. (b) A rear clearance lamp, marker lamp, and reflector mounted on the rear or on the sides near the rear of a vehicle must display or reflect a red color. (c) A reflector mounted on the rear of a vehicle must display or reflect a red color. [Pre-1991 Recodification Citation: 9-8-6-11.] As added by P.L.2-1991, SEC.7. Amended by P.L.164-2018, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 6. Lights, Reflectors, and Turn Signals9-19-6-9. Clearance and Marker Lamps; Height and Location

Sec. 9. (a) A reflector required by section 7 of this chapter must be mounted at a height not less than twenty-four (24) inches and not more than sixty (60) inches above the ground on which the vehicle stands. However, if the highest part of the permanent structure of the vehicle is less than twenty-four (24) inches, the reflector must be mounted as high as that part of the permanent structure will permit. The rear reflectors on a pole trailer may be mounted on each side of the bolster or load. A required red reflector on the rear of a vehicle may be incorporated with the tail lamp, but the reflector must meet all the other reflector requirements of this chapter. (b) A clearance lamp must be mounted on the permanent structure of a vehicle in such a manner as to indicate the vehicle's extreme width and as near the top of the vehicle as practicable. A clearance lamp and side marker lamp may be mounted in combination, provided illumination is given as required in this chapter with reference to both lamps. [Pre-1991 Recodification Citation: 9-8-6-12.] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 7. Motorcycle Equipment9-19-7-1. Minors; Protective Headgear and Face Shields; Exception for Autocycles

Sec. 1. (a) This section does not apply to an individual who is operating or riding in an autocycle. (b) An individual less than eighteen (18) years of age who is operating or riding on a motorcycle or motor driven cycle on the streets or highways shall do the following: (1) Wear a helmet that meets the standards established by the United States Department of Transportation under 49 CFR 571.218 as in effect January 1, 1979. (2) Wear protective glasses, goggles, or transparent face shields. [Pre-1991 Recodification Citation: 9-8-9-3.1 part.] As added by P.L.2-1991, SEC.7. Amended by P.L.221-2014, SEC.34; P.L.82-2015, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 7. Motorcycle Equipment9-19-7-2.5. Rear View Mirrors; Speedometers; Turn Signals

Sec. 2.5. A motorcycle or motor driven cycle manufactured before January 1, 1956, is not required to be equipped with the following devices: (1) A rear view mirror. (2) A speedometer. (3) Mechanical or electric turn signals. As added by P.L.63-1994, SEC.5. Amended by P.L.221-2014, SEC.36.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 7. Motorcycle Equipment9-19-7-2.7. Antilock Brakes

Sec. 2.7. An autocycle manufactured before July 1, 2015, is not required to be equipped with antilock brakes. As added by P.L.256-2017, SEC.156.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 7. Motorcycle Equipment9-19-7-2. Brakes; Footrests; Lamps and Reflectors; Exception for Autocycles

Sec. 2. (a) Except as provided in subsections (b) and (c), a motorcycle or motor driven cycle operated on the streets or highways by an Indiana resident must meet the following requirements: (1) Be equipped with brakes in good working order on both front and rear wheels. (2) Be equipped with footrests or pegs for both operator and passenger. (3) Be equipped with lamps and reflectors meeting the standards of the United States Department of Transportation. (b) A motorcycle or motor driven cycle manufactured before January 1, 1956, is not required to be equipped with lamps and other illuminating devices under subsection (a) if the motorcycle or motor driven cycle is not operated at the times when lighted head lamps and other illuminating devices are required under IC 9-21-7-2. (c) An autocycle is not required to be equipped with footrests or pegs under subsection (a). [Pre-1991 Recodification Citation: 9-8-9-4.] As added by P.L.2-1991, SEC.7. Amended by P.L.1-1992, SEC.49; P.L.63-1994, SEC.1; P.L.2-2010, SEC.1; P.L.87-2010, SEC.28; P.L.221-2014, SEC.35; P.L.82-2015, SEC.4; P.L.198-2016, SEC.332.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 7. Motorcycle Equipment9-19-7-3. Classification of Violations

Sec. 3. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-9-7 part.] As added by P.L.2-1991, SEC.7.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 8. Mufflers and Noise Limits9-19-8-0.5. Catalytic Converter; When Not Required as Equipment

Sec. 0.5. A motor vehicle that is at least twenty-five (25) years old is not required to have a catalytic converter installed as equipment on the motor vehicle unless a catalytic converter on the motor vehicle is required by rules adopted under IC 13-17-5. As added by P.L.262-2013, SEC.99.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 8. Mufflers and Noise Limits9-19-8-1. Application of Chapter

Sec. 1. This chapter applies to every motor vehicle, except a vehicle that is at least twenty-five (25) years old. [Pre-1991 Recodification Citation: 9-8-6-36.6(a).] As added by P.L.2-1991, SEC.7. Amended by P.L.198-2016, SEC.333.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 8. Mufflers and Noise Limits9-19-8-2. Muffler Leaks, Alteration, or Deterioration

Sec. 2. A motor vehicle must be equipped with a muffler free from the following visually discernible conditions: (1) Exhaust gas leaks. (2) Alteration of muffler elements. (3) Deterioration of muffler elements. [Pre-1991 Recodification Citation: 9-8-6-36.6(b).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 8. Mufflers and Noise Limits9-19-8-3. Operation of Muffler or Noise Dissipative Device

Sec. 3. A motor vehicle must be equipped with a muffler or other noise dissipative device that meets the following conditions: (1) Is in good working order. (2) Is in constant operation to prevent excessive noise. [Pre-1991 Recodification Citation: 9-8-6-36.6(c).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 8. Mufflers and Noise Limits9-19-8-4. Muffler Cutouts and Bypasses

Sec. 4. A motor vehicle may not be equipped with any of the following: (1) A muffler cutout. (2) A bypass. (3) Any similar device. [Pre-1991 Recodification Citation: 9-8-6-36.6(d).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 8. Mufflers and Noise Limits9-19-8-5. Excessive Fumes or Smoke

Sec. 5. The engine and power mechanism of a motor vehicle must be equipped and adjusted so as to prevent the escape of excessive fumes or smoke. [Pre-1991 Recodification Citation: 9-8-6-36.6(e).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 8. Mufflers and Noise Limits9-19-8-6. United States Department of Transportation Regulations; Classification of Violations

Sec. 6. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that: (1) contains parts and accessories; and (2) is equipped; as required under regulations of the United States Department of Transportation. (b) A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-6-2(a).] As added by P.L.2-1991, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 9. Odometers9-19-9-4. Service, Repair, or Replacement of Odometer

Sec. 4. (a) This chapter does not prohibit the service, repair, or replacement of an odometer if the mileage indicated on the odometer remains the same as before the service, repair, or replacement. (b) If the odometer is incapable of registering the same mileage as before the service, repair, or replacement, the odometer shall be adjusted to read zero (0) and a notice in writing shall be attached to the left door frame of the vehicle by the owner or the owner's agent specifying the mileage before repair or replacement of the odometer and the date on which the odometer was repaired or replaced. [Pre-1991 Recodification Citation: 9-10-6-4.] As added by P.L.2-1991, SEC.7. Amended by P.L.217-2014, SEC.35.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 9. Odometers9-19-9-6. Corporate Directors, Officers, or Agents; Criminal Liability

Sec. 6. An individual director, officer, or agent of a corporation who authorizes, orders, or performs any of the acts or practices prohibited by this chapter is subject to criminal liability in accordance with IC 35-41-2-4. [Pre-1991 Recodification Citation: 9-10-6-6.] As added by P.L.2-1991, SEC.7.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 19. Motor Vehicle EquipmentChapter 9. Odometers9-19-9-7. Deceptive Acts; Civil Penalties; Recovery by Attorney General

Sec. 7. A person who violates 49 U.S.C. 32709 (as in effect January 1, 1995) commits a deceptive act and is subject to a civil penalty of not more than one thousand five hundred dollars ($1,500) for each violation in addition to other remedies available under this chapter and IC 24-5-0.5. The attorney general, acting in the name of the state, has the exclusive right to petition for recovery of such a penalty, and the penalty may be recovered only in an action brought under IC 24-5-0.5-4(c). [Pre-1991 Recodification Citation: 9-10-6-7.] As added by P.L.2-1991, SEC.7. Amended by P.L.54-2009, SEC.4; P.L.217-2014, SEC.37.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 1. General9-20-1-1. Operation of Vehicles Exceeding Size and Weight Limitations; Prohibition

Sec. 1. Except as otherwise provided in this article, a person, including a transport operator, may not operate or move upon a highway a vehicle or combination of vehicles of a size or weight exceeding the limitations provided in this article. [Pre-1991 Recodification Citations: 9-1-4-18 part; 9-8-1-1 part.] As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.336.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 1. General9-20-1-2. Owners of Motor Vehicles; Causing or Permitting Operation of Vehicles Exceeding Size and Weight Limitations; Prohibition

Sec. 2. Except as otherwise provided in this article, a person, as defined in IC 9-13-2-124, that is an owner of: (1) a vehicle; (2) a carrier; (3) a shipper; or (4) another party; may not cause or knowingly permit to be operated or moved upon a highway a vehicle or combination of vehicles of a size or weight exceeding the limitations provided in this article. [Pre-1991 Recodification Citation: 9-8-1-1 part.] As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.337; P.L.154-2017, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 1. General9-20-1-3. Local Authorities; Adoption of Ordinances; Erection of Signs; Department of Transportation; Weight Restrictions

Sec. 3. (a) This subsection does not apply to any highway or street in the state highway system. Except as provided in subsection (e), local authorities, with respect to highways under their jurisdiction, may by ordinance: (1) prohibit the operation of vehicles upon any highway; or (2) impose restrictions as to the weight of vehicles to be operated upon any highway; for a total period not to exceed ninety (90) days in any one (1) year, whenever any highway by reason of deterioration, rain, snow, or other climatic conditions will be seriously damaged or destroyed without the regulation of vehicles. (b) A local authority adopting an ordinance under subsection (a) shall erect or cause to be erected and maintained signs specifying the terms of the ordinance at each end of that part of any highway affected by the ordinance and at intersecting highways. The ordinance may not be enforced until the signs are erected and maintained. (c) Except as provided in subsection (e), local authorities with respect to highways under their jurisdiction, except highways in the state highway system and state maintained routes through cities and towns, may by ordinance do the following: (1) Prohibit the operation of trucks or other commercial vehicles. (2) Impose limitations as to the weight, size, or use of those vehicles on designated highways. The prohibitions and limitations must be designated by appropriate signs placed on the highways. (d) The Indiana department of transportation has the same authority granted to local authorities in subsections (a) and (c) to determine by executive order and to impose restrictions as to weight, size, and use of vehicles operated upon a highway in the state highway system, including state maintained routes through cities and towns. These restrictions may not be enforced until signs giving notice of the restrictions are erected upon the highway or part of the highway affected by the order. (e) The commissioner of the Indiana department of transportation may designate an order adopted under subsection (d) as a rule and adopt the order as a rule under IC 4-22-2. (f) A local authority may not, in an ordinance passed under subsection (a) or (c), prohibit the operation of buses that are not more than forty-five (45) feet in length on any segment of the primary system (as defined in IC 8-23-1-33) that was in existence on June 1, 1991. [Pre-1991 Recodification Citation: 9-4-1-125(a) part; (b) part; (c) part; (d) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.100-1991, SEC.1; P.L.122-1993, SEC.1; P.L.140-2013, SEC.10; P.L.93-2024, SEC.92.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 1. General9-20-1-4. Violation of Restrictions; Class C Infraction; Point System

Sec. 4. A person who violates this chapter commits a Class C infraction. The bureau may not assess points under the point system for a Class C infraction under this chapter. [Pre-1991 Recodification Citation: 9-4-1-125(d) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.154-2017, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 1. General9-20-1-5. Rules Concerning Fee Structures for Permits

Sec. 5. The Indiana department of transportation shall adopt rules under IC 4-22-2 for the: (1) issuance, fee structure, and enforcement of permits for overweight divisible loads; (2) fee structure of permits for loads on extra heavy duty highways; and (3) fee structure of permits for overweight loads. [Pre-2016 Revision Citation: 9-29-6-13(a).] As added by P.L.198-2016, SEC.338. Amended by P.L.93-2024, SEC.93.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 10. Special Restrictions Concerning Farm Vehicles and Machinery9-20-10-1. Farm Tractors; Trailers in Tow; Restrictions

Sec. 1. A farm tractor may draw not more than two (2) wagons or farm implements upon a highway. The wagons or implements must conform with all other laws respecting the use of highways. [Pre-1991 Recodification Citation: 9-8-1-2(c).] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 10. Special Restrictions Concerning Farm Vehicles and Machinery9-20-10-2. Farm Wagons; Trailers in Tow; Exemption

Sec. 2. (a) A farm wagon (as defined in IC 9-13-2-60(1)) is not subject to IC 9-20-9-8 with regard to trailers in tow. (b) A farm wagon (as defined in IC 9-13-2-60(2)) may not be used to tow a trailer. [Pre-1991 Recodification Citation: 9-8-12-2 part.] As added by P.L.2-1991, SEC.8. Amended by P.L.150-2009, SEC.9; P.L.256-2017, SEC.158.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 11. Special Restrictions Concerning Garbage Trucks9-20-11-1. Application of Chapter

Sec. 1. This chapter applies to a truck, a truck-trailer combination, or a truck-wagon combination that is either: (1) a municipal waste collection and transportation vehicle: (A) specially designed and equipped with a self-compactor or detachable container; (B) used exclusively for garbage, refuse, or recycling operations; and (C) laden with garbage, refuse, or recyclables; or (2) a disposal plant transporting vehicle certified under IC 15-17-11 that is laden with dead animals or animal parts. [Pre-1991 Recodification Citation: 9-8-1-12(e) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.79-1991, SEC.3; P.L.129-1995, SEC.1; P.L.157-2001, SEC.1; P.L.2-2008, SEC.27.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 11. Special Restrictions Concerning Garbage Trucks9-20-11-2. Weight Limitations

Sec. 2. A vehicle described in section 1 of this chapter may transmit to the surface of a highway, except an interstate highway, a gross weight of not more than: (1) twenty-four thousand (24,000) pounds upon a single axle; and (2) forty-two thousand (42,000) pounds upon a tandem axle group. [Pre-1991 Recodification Citation: 9-8-1-12(e) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.157-2001, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 11. Special Restrictions Concerning Garbage Trucks9-20-11-3. Axle Limitations

Sec. 3. When unladen, a vehicle described in section 1 of this chapter must comply with the axle limitations applicable to all other trucks. [Pre-1991 Recodification Citation: 9-8-1-12(e) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.157-2001, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 11. Special Restrictions Concerning Garbage Trucks9-20-11-4. Wheel Weight Limitations; Compliance Requirements

Sec. 4. This chapter does not exempt a vehicle described in section 1 of this chapter, laden or unladen, from the limitations on wheel weights imposed by IC 9-20-4-1(c). [Pre-1991 Recodification Citation: 9-8-1-12(e) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.157-2001, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 11. Special Restrictions Concerning Garbage Trucks9-20-11-5. Length Limitations

Sec. 5. In addition to the limits and requirements set forth in sections 2 through 4 of this chapter, the maximum length of a: (1) truck-trailer combination; or (2) truck-wagon combination; and its load, used in intrastate transportation, designed and utilized as set forth in section 1(1)(A) and 1(1)(B) of this chapter, is sixty-eight (68) feet. As added by P.L.157-2001, SEC.5 and P.L.216-2001, SEC.1. Amended by P.L.1-2002, SEC.41.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 12. Special Restrictions Concerning Mobile Homes9-20-12-1. Axle Restrictions

Sec. 1. The distance between mobile home axle centers manufactured after September 30, 1955, may not be less than thirty-four (34) inches. [Pre-1991 Recodification Citation: 9-8-1-9.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 13. Special Restrictions Concerning Semitrailers9-20-13-1. Maximum Length Limitations; Truck-Tractor-Semitrailer-Semitrailer Combinations

Sec. 1. Notwithstanding IC 9-20-1-1 through IC 9-20-1-2, and except for length exclusive devices in accordance with 23 CFR 658.13, the following are the maximum limitations on length of a truck-tractor-semitrailer-semitrailer combination: (1) The maximum length of each semitrailer unit operating in a truck-tractor-semitrailer-semitrailer combination is twenty-eight (28) feet,

six (6) inches. (2) A maximum length limit is not imposed on a truck-tractor-semitrailer-semitrailer combination. [Pre-1991 Recodification Citation: 9-8-1-2.2(c).] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 13. Special Restrictions Concerning Semitrailers9-20-13-2. Maximum Length Limitation; Truck-Tractor, Semitrailer, Truck-Tractor-Semitrailer, or Truck-Tractor-Semitrailer-Trailer Combinations

Sec. 2. (a) Notwithstanding IC 9-20-3 and IC 9-20-9, and except for length exclusive devices in accordance with 23 CFR 658.13, the following are the maximum limitations on length of a truck-tractor, semitrailer, truck-tractor-semitrailer combination, or truck-tractor-semitrailer-trailer combination: (1) The maximum length of the semitrailer unit operating in a truck-tractor-semitrailer combination is fifty-three (53) feet, including the vehicle and the load. (2) The maximum length of the semitrailer unit or trailer operating in a truck-tractor-semitrailer-trailer combination is twenty-eight (28) feet, six (6) inches. (3) A maximum overall length limit is not imposed on a truck-tractor-semitrailer or truck-tractor-semitrailer-trailer combination. (4) The maximum length of a maxi-cube vehicle combination is sixty-five (65) feet, and the maximum length of the separable cargo carrying unit is thirty-four (34) feet. (5) If the combination is used exclusively or primarily in connection with motorsports: (A) the maximum distance between the kingpin and the rearmost axle of the semitrailer operating in the combination is forty-six (46) feet; and (B) the maximum length of the semitrailer is fifty-seven (57) feet. (b) This section does not prohibit the transportation of a motor vehicle or watercraft on part of a truck-tractor. [Pre-1991 Recodification Citation: 9-8-1-2(e) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.216-2001, SEC.2; P.L.12-2013, SEC.3; P.L.164-2020, SEC.39.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 13. Special Restrictions Concerning Semitrailers9-20-13-3. Width or Length Exclusive Devices; Prohibition on Use

Sec. 3. A width or length exclusive device described in IC 9-20-3, IC 9-20-9, or section 2 of this chapter must not be designed or used to support cargo. [Pre-1991 Recodification Citation: 9-8-1-2(g).] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 13. Special Restrictions Concerning Semitrailers9-20-13-4. Semitrailers in Excess of 48 Feet, 6 Inches; Restrictions on Operation

Sec. 4. Notwithstanding section 2 of this chapter, a semitrailer longer than forty-eight (48) feet, six (6) inches, may be operated on a highway designated as part of the state highway system under IC 8-23-4 only if the distance between the kingpin and the rearmost axle of the semitrailer is not more than: (1) forty-six (46) feet, if the semitrailer is used exclusively or primarily in connection with motorsports; or (2) for all other semitrailers, forty-three (43) feet. [Pre-1991 Recodification Citation: 9-8-1-2(f).] As added by P.L.2-1991, SEC.8. Amended by P.L.157-2001, SEC.6; P.L.12-2013, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 14. Special Restrictions Concerning Tractor-Mobile Home Rigs and Required Permits9-20-14-0.5. "Person"

Sec. 0.5. As used in this chapter, "person" means: (1) a mobile home or sectionalized building transport company; (2) a mobile home or sectionalized building manufacturer; (3) a mobile home or sectionalized building dealer; or (4) a mobile home or sectionalized building owner. As added by P.L.198-2016, SEC.349.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 14. Special Restrictions Concerning Tractor-Mobile Home Rigs and Required Permits9-20-14-1. Permit Requirement

Sec. 1. Except as otherwise provided in section 4 of this chapter, a person may not operate a tractor-mobile home rig on a highway unless the person has a permit to operate the rig from: (1) the Indiana department of transportation; or (2) an agency or a political subdivision of the state designated by the Indiana department of transportation to issue permits. [Pre-1991 Recodification Citation: 9-8-1-7.] As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.350.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 14. Special Restrictions Concerning Tractor-Mobile Home Rigs and Required Permits9-20-14-2. Conditions for Granting Permits; Local Authorities; Jurisdiction; Fees

Sec. 2. (a) The Indiana department of transportation or any agency or political subdivision of the state designated by the Indiana Department of Transportation shall grant a permit to operate a tractor-mobile home rig on a highway to a person upon the following conditions and upon the rules that the Indiana Department of Transportation prescribes: (1) The tractor-mobile home rig must be operated in a manner that will not impede traffic or increase the hazard to traffic. (2) The tractor-mobile home rig may be operated only on days other than Sunday and the legal holidays that the Indiana department of transportation prescribes. The tractor-mobile home rig may be operated between one-half (1/2) hour before sunrise and one-half (1/2) hour after sunset on any weekday, and between one-half (1/2) hour before sunrise and noon on Saturday. (3) The tractor-mobile home rig may be operated only over the roads or highways in the state highway system, including, except to the extent provided in section 5 of this chapter, the routes designated as federal highways and the state maintained routes through cities and towns. The tractor-mobile home rig may not extend past the center line of those roads and highways. (4) The person to whom the permit is granted shall present satisfactory

evidence of the person's financial responsibility, as provided in IC 9-25, to the granting authority. (5) If in use as a towing vehicle component of a tractor-mobile home rig, the towing vehicle for which the permit is granted must have a wheelbase of not less than one hundred twenty (120) inches. (6) A permit granted for the towing vehicle component of a tractor-mobile home rig may be suspended or revoked by the Indiana department of transportation for violation of any of the conditions of the permit set forth in this section. (7) The towing vehicle may be operated only over the roads or highways approved by the authority granting the permits. (b) Except as provided in section 5 of this chapter, this section does not prevent a local authority with respect to highways and roads under the authority's jurisdiction from granting permission to operate a tractor-mobile home rig on roads and highways under the authority's jurisdiction that are not highways in the state highway system or state maintained routes through cities and towns. (c) Except as provided in subsections (d) and (e), the fee for a person that is not a mobile home or sectionalized building retail dealer to move a tractor-mobile home rig under this section is ten dollars ($10) per trip. (d) Notwithstanding subsection (c), a person that is not a mobile home or sectionalized building retail dealer may purchase a quarterly permit for unlimited trips during the quarter to move a tractor-mobile home rig under this section. The fee for a quarterly permit is two hundred fifty dollars ($250). (e) Notwithstanding subsection (c), a person that is not a mobile home or sectionalized building retail dealer may purchase an annual permit for unlimited trips during the year to move a tractor-mobile home rig under this section. The fee for an annual permit is one thousand dollars ($1,000). (f) The fee for a person that is a mobile home or sectionalized building retail dealer to move tractor-mobile home rigs under this section is forty dollars ($40). The fee shall be paid annually. [Pre-1991 Recodification Citation: 9-8-1-8; Pre-2016 Revision Citations: 9-29-6-7; subsection (f) formerly 9-29-6-8.] As added by P.L.2-1991, SEC.8. Amended by P.L.125-1993, SEC.1; P.L.119-1995, SEC.4; P.L.198-2016, SEC.351.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 14. Special Restrictions Concerning Tractor-Mobile Home Rigs and Required Permits9-20-14-3. General Permits; Special Permits

Sec. 3. (a) An authority granting permits to operate tractor-mobile home rigs shall grant permits of two (2) general classes, as follows: (1) General permits, for the operation of tractor-mobile home rigs by a person, except a mobile home or sectionalized building owner, in the ordinary course of the person's business. (2) Special permits, for the operation of a tractor-mobile home rig by a mobile home or sectionalized building owner for the express purpose of moving mobile homes or sectionalized buildings. (b) General permits shall be issued annually. One (1) permit shall be issued for each towing vehicle to be used as a component of a tractor-mobile home rig. The holder of a general permit may make, during the period of the permit, any number of mobile home or sectionalized building movements with the towing vehicle component of the tractor-mobile home rig for which the permit was granted. (c) Special permits shall be limited to the particular movement of the mobile home or sectionalized building for which the special permit is issued. A person purchasing a mobile home or sectionalized building, but who does not have a legal title to the mobile home or sectionalized building, is considered the owner of the mobile home or sectionalized building for the purposes of this chapter if the person has a contract with the seller or the seller's assignee. However, such a person shall present to the granting authority a statement by the holder of the legal title to the mobile home or sectionalized building granting permission for the movement of the mobile home or sectionalized building. [Pre-1991 Recodification Citation: 9-8-1-10.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 14. Special Restrictions Concerning Tractor-Mobile Home Rigs and Required Permits9-20-14-4. Size and Weight Limitations

Sec. 4. A person may operate a vehicle towing a mobile home that has: (1) a combined overall length not greater than sixty (60) feet; (2) a width not greater than ninety-six (96) inches; and (3) a height not greater than thirteen (13) feet, six (6) inches; without having to obtain a permit under this chapter. [Pre-1991 Recodification Citation: 9-8-1-6(1) part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 14. Special Restrictions Concerning Tractor-Mobile Home Rigs and Required Permits9-20-14-5. Interstate Highways; Federal Funds

Sec. 5. This chapter does not apply to interstate highways to the extent that the application of this chapter to those highways would cause the state to be deprived of any federal funds for highway purposes. [Pre-1991 Recodification Citation: 9-8-1-11.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 14. Special Restrictions Concerning Tractor-Mobile Home Rigs and Required Permits9-20-14-6. Quarterly or Annual Permit

Sec. 6. (a) This section applies to a person that purchases a quarterly or an annual permit under section 2 of this chapter to move a tractor-mobile home rig. (b) A person described in subsection (a) shall use only the permissible routes for moving a tractor-mobile home rig. The person must check the daily detour and restriction bulletin before choosing a route to travel. If the person moves a tractor-mobile home rig on a route that is restricted or prohibited, the person's quarterly or annual permit may be revoked. (c) If a person's quarterly or annual permit is revoked under subsection (b), the person may not obtain a new quarterly or annual permit for a period of ninety (90) days. The person may move a tractor-mobile home rig under a single trip permit until the person is eligible to obtain a new quarterly or annual permit. As added by P.L.217-2003, SEC.3. Amended by P.L.198-2016, SEC.352.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 15. Special Restrictions Concerning Special Tractor-Mobile Home Rigs and Required Permits9-20-15-0.5. "Person"

Sec. 0.5. As used in this chapter, "person" means: (1) a mobile home or sectionalized building transport company; (2) a mobile home or sectionalized building manufacturer; (3) a mobile home or sectionalized building dealer; or (4) a mobile home or sectionalized building owner. As added by P.L.198-2016, SEC.353.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 15. Special Restrictions Concerning Special Tractor-Mobile Home Rigs and Required Permits9-20-15-1. Permit Requirement; Fee

Sec. 1. (a) A person may not operate a special tractor-mobile home rig on a highway unless the person first secures a permit to operate the rig from: (1) the Indiana department of transportation; or (2) an agency or a political subdivision of the state designated by the department to issue the permits. (b) Except as provided in subsections (c) and (d), the fee for a person to move a special tractor-mobile home rig under subsection (a) is eighteen dollars ($18) per trip. (c) Notwithstanding subsection (b), a person may purchase a quarterly permit for unlimited trips during the quarter to move a special tractor-mobile home rig under subsection (a). The fee for a quarterly permit is five hundred dollars ($500). (d) Notwithstanding subsection (b), a person may purchase an annual permit for unlimited trips during the year to move a special tractor-mobile home rig under subsection (a). The fee for an annual permit is two thousand dollars ($2,000). [Pre-1991 Recodification Citation: 9-8-1.6-2; Pre-2016 Revision Citation: 9-29-6-9.] As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.354.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 15. Special Restrictions Concerning Special Tractor-Mobile Home Rigs and Required Permits9-20-15-2.1. Transport From Manufacturing Facility to Storage Lot; Fee

Sec. 2.1. (a) Notwithstanding IC 9-20-14 or this chapter, a manufacturer of mobile homes or an agent of a manufacturer of mobile homes may transport a tractor-mobile home rig of any size permitted under IC 9-20-14 or this chapter from the manufacturing facility to a storage lot if: (1) before transporting a tractor-mobile home rig the manufacturer or agent: (A) receives a permit from the motor carrier service division of the department of state revenue; and (B) complies with the requirements of IC 9-20-14-2; and (2) the distance between the manufacturing facility and the storage lot is less than fifteen (15) miles. (b) The fee for an annual permit to move tractor-mobile home rigs under subsection (a) is forty dollars ($40) for each three (3) mile increment that a tractor-mobile home rig is transported up to a maximum of fifteen (15) miles. A fee imposed under this section may not exceed two hundred dollars ($200). [Pre-2016 Revision Citation: subsection (b) formerly 9-29-6-12.] As added by P.L.82-1999, SEC.1. Amended by P.L.198-2016, SEC.356.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 15. Special Restrictions Concerning Special Tractor-Mobile Home Rigs and Required Permits9-20-15-2. Conditions for Granting Permit; Local Authorities; Jurisdiction

Sec. 2. (a) The Indiana department of transportation may grant a permit to operate a special tractor-mobile home rig on a highway to a person upon the following conditions and in accordance with the rules that the department prescribes: (1) The special tractor-mobile home rig must be operated in a manner that will not unduly impede traffic or increase the hazard to traffic. (2) The special tractor-mobile home rig may be operated only over the highways in the state highway system, including, except as provided in section 5 of this chapter, the routes designated as federal highways and the state maintained routes through cities and towns. However, the special tractor-mobile home rig may not extend over the lines delineating highway lanes into another lane except when passing. (3) The special tractor-mobile home rig may be operated on the roads and highways only after sunrise and before sunset. However, the Indiana Department of Transportation may restrict hours of operation in first and second class cities if the department determines that rush hour traffic would cause an undue hazard to the motoring public. (4) The special tractor-mobile home rig may be operated only on days other than Sunday and the legal holidays that the Indiana Department of Transportation designates. The special tractor-mobile home rig may be operated between one-half (1/2) hour before sunrise and one-half (1/2) hour after sunset on any weekday and between one-half (1/2) hour before sunrise and noon on Saturday. (5) The special tractor-mobile home rig may be accompanied by a distinctively marked escort vehicle. (6) The operator of the special tractor-mobile home rig must be at least eighteen (18) years of age. (7) The low beam headlights of the towing vehicle for which the permit is granted must be on while the vehicle is in use as a towing vehicle component of a special tractor-mobile home rig. (8) The special tractor-mobile home rig may not be operated closer than one thousand (1,000) feet to any other special tractor-mobile home rig traveling in the same direction. (9) Whenever there may be a clear roadway ahead of the special tractor-mobile home rig and more than three (3) vehicles immediately behind the tractor-mobile home rig, the operator of a special tractor-mobile home rig shall pull over to the right of the traveled portion of the road or highway at the first opportunity to do so safely, so as to allow following vehicles to pass. (10) The special tractor-mobile home rig may not be operated at a speed in excess of fifty-five (55) miles per hour on roads and highways, other than divided highways of at least four (4) lanes, except as otherwise provided by law. (11) The special tractor-mobile home rig may not be operated as follows: (A) During the existence of hazardous weather conditions causing visibility to be less than five hundred (500) feet. (B) During times when the steady wind velocity exceeds twenty-five (25) miles per hour. (C) At other times and

under other conditions that the Indiana Department of Transportation by rule or emergency notice prescribes. (12) The person to whom the permit is granted shall present satisfactory evidence of the person's financial responsibility as provided in IC 9-25 to the granting authority. (13) When in use as a towing vehicle component of a special tractor-mobile home rig, the towing vehicle for which the permit is granted must have an overall length of not less than twelve (12) feet. (14) A permit granted for the towing vehicle component of a special tractor-mobile home rig may be suspended or revoked by the Indiana Department of Transportation for violation of any of the conditions of the permit set forth in this section or for violation of a rule or notice as provided for in this chapter. (15) The special tractor-mobile home rig may be operated only over roads or highways approved by the authority granting the permits. (16) The rules pertaining to special tractor-mobile home rigs do not apply to other vehicles. (b) This section may not be construed to prevent a local authority with respect to highways and roads under the authority's jurisdiction from granting permission to operate a special tractor-mobile home rig on roads and highways under the authority's jurisdiction that are not highways in the state highway system or state maintained routes through cities and towns. [Pre-1991 Recodification Citation: 9-8-1.6-3.] As added by P.L.2-1991, SEC.8. Amended by P.L.125-1993, SEC.2; P.L.119-1995, SEC.5; P.L.217-2003, SEC.4; P.L.198-2016, SEC.355.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 15. Special Restrictions Concerning Special Tractor-Mobile Home Rigs and Required Permits9-20-15-3. Special Tractor-Mobile Home Rigs Subject to Permit Provisions; Escort Vehicles

Sec. 3. A special tractor-mobile home rig that is: (1) more than thirteen (13) feet, six (6) inches, in height, but less than fourteen (14) feet, six (6) inches, in height; and (2) not wider than one hundred forty-eight (148) inches at the base; is subject to section 2 of this chapter. However, the rig is not subject to the requirement of an escort vehicle as specified in section 2(a)5 of this chapter. [Pre-1991 Recodification Citation: 9-8-1.6-3.5.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 15. Special Restrictions Concerning Special Tractor-Mobile Home Rigs and Required Permits9-20-15-4. "Individual Owner"; General Permits; Special Permits

Sec. 4. (a) As used in this section, "individual owner" means the owner of a mobile home or sectionalized building who bought the mobile home or sectionalized building for the owner's personal or business use and not for immediate resale. (b) The Indiana department of transportation shall grant permits to operate special tractor-mobile home rigs of two (2) general classes as follows: (1) General permits, for the operation of a special tractor-mobile home rig by a person, except an individual owner, in the ordinary course of the person's business. (2) Special permits, for the operation of a special tractor-mobile home rig for an individual owner for the express purpose of moving mobile homes or sectionalized buildings by a qualified mover. (c) General permits shall be issued annually. One (1) permit shall be issued for each towing vehicle to be used as a component of a special tractor-mobile home rig. The holder of a general permit may make, during the period of the permit, any number of mobile home or sectionalized building movements with the towing vehicle component of the special tractor-mobile home rig for which the permit was granted. However, the Indiana department of transportation may adopt rules requiring the obtaining of a movement authorization for each movement. (d) A special permit is limited to the particular movement of the mobile home or sectionalized building for which the special permit is issued. A person purchasing a mobile home or sectionalized building, but who does not have a legal title to the mobile home or sectionalized building, is considered the owner of the mobile home or sectionalized building for the purposes of this chapter if the person has a contract with the seller or the seller's assignee. However, the person shall present to the granting authority a statement by the holder of the legal title to the mobile home or sectionalized building granting permission for the movement of the mobile home or sectionalized building. [Pre-1991 Recodification Citations: 9-8-1.6-1 part; 9-8-1.6-4.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 15. Special Restrictions Concerning Special Tractor-Mobile Home Rigs and Required Permits9-20-15-5. Interstate Highways; Federal Funds

Sec. 5. This chapter does not apply to interstate highways to the extent that the application of this chapter to those highways would cause the state to be deprived of any federal funds for highway purposes. [Pre-1991 Recodification Citation: 9-8-1.6-5.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 15. Special Restrictions Concerning Special Tractor-Mobile Home Rigs and Required Permits9-20-15-6. "Extra Wide Manufactured Home Rig"

Sec. 6. (a) As used in this section, "extra wide manufactured home rig" means any combination of a manufactured home or sectionalized building and a towing vehicle having all of the following dimensions: (1) Some part of the combination with a width greater than one hundred seventy-two (172) inches but not greater than one hundred ninety-two (192) inches. (2) The: (A) manufactured home part of the combination, including the hitch; or (B) sectionalized building part of the combination, including the hitch; with a length that does not exceed eighty-five (85) feet. (3) The tractor part of the combination with a length not less than twelve (12) feet. (4) None of the combination with a height greater than fourteen (14) feet six (6) inches. (b) The Indiana department of transportation may adopt rules under IC 4-22-2 to implement a permit system regulating the transportation of extra wide manufactured home rigs. (c) Rules adopted by the Indiana department of transportation under this section must address the following: (1) The competitive nature of Indiana's manufactured housing industry. (2) The safety of persons who use the highways.

(d) If the Indiana department of transportation adopts rules under this section to issue permits for extra wide manufactured home rigs, the fee for a permit is thirty dollars ($30). [Pre-2016 Revision Citation: subsection (d) formerly 9-29-6-11.] As added by P.L.95-1991, SEC.4. Amended by P.L.93-1997, SEC.11; P.L.217-2003, SEC.5; P.L.198-2016, SEC.357.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 15. Special Restrictions Concerning Special Tractor-Mobile Home Rigs and Required Permits9-20-15-7. Quarterly or Annual Permit

Sec. 7. (a) This section applies to a person that purchases a quarterly or an annual permit under section 1 of this chapter to move a special tractor-mobile home rig. (b) A person described in subsection (a) shall use only the permissible routes for moving a special tractor-mobile home rig. The person must check the daily detour and restriction bulletin before choosing a route to travel. If the person moves a special tractor-mobile home rig on a route that is restricted or prohibited, the person's quarterly or annual permit may be revoked. (c) If a person's quarterly or annual permit is revoked under subsection (b), the person may not obtain a new quarterly or annual permit for a period of ninety (90) days. The person may move a special tractor-mobile home rig under a single trip permit until the person is eligible to obtain a new quarterly or annual permit. As added by P.L.217-2003, SEC.6. Amended by P.L.198-2016, SEC.358.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 16. Study of Indiana Roads9-20-16-1. Report on Condition of Indiana Roads

Sec. 1. Before August 1 of each year, the Civil Engineering School at Purdue University shall report in an electronic format under IC 5-14-6 to the interim study committee on roads and transportation the results of a continuing study of the condition of Indiana's roads and streets as the condition may be affected by trucks and tractor-semitrailer combinations. [Pre-1991 Recodification Citation: 9-8-1-24.] As added by P.L.2-1991, SEC.8. Amended by P.L.28-2004, SEC.77; P.L.16-2014, SEC.6; P.L.53-2014, SEC.95.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 17. Weigh Stations and Weight Checks9-20-17-1. State Police; Average Number of Checks per Week

Sec. 1. The state police department shall make at least an average of twenty-five (25) weight checks per week for each patrolman of the department. The department may utilize the services of civilian employees in accomplishing the weight checks. [Pre-1991 Recodification Citation: 9-8-1-23.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 17. Weigh Stations and Weight Checks9-20-17-2. Heavy Commercial Truck Traffic; Permanent Stations; Staffing; Portable Scales

Sec. 2. To the degree possible, all permanent weigh stations must be staffed during the hours of heavy commercial truck traffic. Enforcement crews shall operate portable scales frequently enough to discourage heavy truck traffic on Indiana secondary highways. [Pre-1991 Recodification Citations: 9-8-1-13(i); 9-8-1-14.1.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 17. Weigh Stations and Weight Checks9-20-17-3. Enforcement Procedures

Sec. 3. (a) A police officer who has reason to believe that a vehicle or the load on a vehicle is unlawful may do the following: (1) Stop, measure, and weigh the vehicle or load on a highway by means of portable or stationary scales. (2) Require the vehicle to be driven to the nearest scales if the nearest scales are within five (5) miles. However, a vehicle carrying a load of asphalt or concrete in the plastic stage may not be required to be driven more than two (2) miles to the nearest scales. (b) If an officer finds that a vehicle is loaded in violation of this article, the officer may cause the excess load to be removed from the vehicle. Material or goods that are removed shall be removed and cared for at the risk of the person who owns or operates the vehicle. [Pre-1991 Recodification Citation: 9-8-1-17 part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 17. Weigh Stations and Weight Checks9-20-17-4. Equipment Necessary for Enforcement; Purchase; Costs

Sec. 4. (a) Scales and other equipment necessary for the proper enforcement of this article may be purchased by the authority having charge of the maintenance of the highways on which the scales are or equipment is to be used. (b) The cost of scales and equipment described under subsection (a) shall be charged to the maintenance of the highway on which the scale or equipment is used. [Pre-1991 Recodification Citation: 9-8-1-13.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-1. Venue

Sec. 1. For the purposes of this chapter, the operation of a vehicle or combination of vehicles in violation of a limitation in IC 9-20-4, IC 9-20-5, or IC 9-20-11 is a continuing offense and the venue for prosecution lies in a county in which the unlawful operation occurred. However, a conviction or acquittal in one (1) county bars a prosecution in another county. [Pre-1991 Recodification Citation: 9-8-1-13(a).] As added by P.L.2-1991, SEC.8.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-10. Maintenance Personnel; Assistance in Enforcement; Powers and Duties; Compensation

Sec. 10. (a) The department of transportation may deputize and appoint the department's regularly employed maintenance personnel to assist in the enforcement of this article. (b) Maintenance personnel delegated and appointed under this section shall report to the proper officers any violations of this article for prosecution by the proper officers. (c) For the purpose of enforcing this article, an employee who is designated: (1) has the power of a police officer anywhere in Indiana; (2) must subscribe an oath; and (3) must furnish a bond of one thousand dollars ($1,000): (A) for faithful performance of the employee's duties as a special officer running to the state; and (B) approved and filed in the office of the secretary of state. (d) An employee described under this section may not receive additional salary or wages due to the employee's services under this section. [Pre-1991 Recodification Citation: 9-8-1-17 part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-11. Damage to Highways and Bridges; Liability; Civil Action

Sec. 11. (a) A person who owns or operates a vehicle, an object, or a contrivance unlawfully operated or moved on a highway or bridge is jointly and severally responsible for all damages to the highway or bridge as a result of a violation of this article. (b) The: (1) attorney general on behalf of the state, for state highways; and (2) proper legal officer on behalf of the county, township, or municipality affected; shall bring a civil action against the person involved to recover the damages sustained. (c) All funds recovered shall be credited to the proper highway fund to be used for the reimbursement of the cost of repairing the damaged highways and bridges. [Pre-1991 Recodification Citation: 9-8-1-18.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-12.5. Points Assessed in Violation of Weight Limitation; Denial, Suspension, or Revocation of a License

Sec. 12.5. (a) Points assessed by the bureau against a person for a violation after December 31, 2015, of a weight limitation in IC 9-20-4, IC 9-20-5, IC 9-20-11, or IC 9-20-7-1 are void. (b) The denial, suspension, or revocation of a driver's license (issued under IC 9-24-3) or a chauffeur's or public passenger chauffeur's license by the bureau that is based on the total or partial accumulation of points described in subsection (a) is void. As added by P.L.256-2017, SEC.159. Amended by P.L.111-2021, SEC.26.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-12. Violation of Article; Class C Infraction; Violation of Weight Limitations; Class B Infraction; Defenses; Suspension; Funds; Disbursement; Point System

Sec. 12. (a) Except as provided in subsection (b), a person who violates this article commits a Class C infraction. (b) A violation of a weight limitation in IC 9-20-4, IC 9-20-5, IC 9-20-11, or IC 9-20-7-1 is: (1) a Class B infraction if the total of all excesses of weight under those limitations is more than five thousand (5,000) pounds but not more than ten thousand (10,000) pounds; and (2) a Class A infraction if the total of all excesses of weight under those limitations is more than ten thousand (10,000) pounds. (c) This subsection does not apply to violations that occur on an interstate highway. It is a defense to a charge of violating a weight limitation in IC 9-20-4, IC 9-20-5, or IC 9-20-11 that the total of all excesses of weight under those limitations is less than one thousand (1,000) pounds. (d) The court may suspend the registration of a vehicle used in violating this article for not more than ninety (90) days. (e) Upon the conviction of a person for a violation of a law regarding the weight limit of vehicles operated upon a highway, the court may recommend suspension of the person's current chauffeur's license if the violation was committed knowingly. (f) Notwithstanding IC 34-28-5-4, funds collected as judgments, except for costs, for violations under subsection (a) or (b) shall be deposited in the state highway fund. (g) The bureau may not assess points under the point system for a violation of a weight limitation in IC 9-20-4, IC 9-20-5, IC 9-20-11, or IC 9-20-7-1. [Pre-1991 Recodification Citations: 9-1-4-53(c) part; 9-8-1-22 part; 9-8-1.6-6 part; 9-8-12-6 part.] As added by P.L.2-1991, SEC.8. Amended by P.L.122-1993, SEC.6; P.L.1-1998, SEC.99; P.L.154-2017, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-13. Special Tractor-Mobile Home Rig Moving Violations; Extra Wide Manufactured Home Rig Rules Violations; Penalties

Sec. 13. (a) A person who operates a special tractor-mobile home rig who violates IC 9-20-15 is considered to be committing a moving violation and is subject to the penalties provided under rules adopted under IC 9-25. (b) A person (as defined in IC 9-20-15-0.5) or an individual owner who violates a rule adopted under IC 9-20-15-6 commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-1.6-6 part.] As added by P.L.2-1991, SEC.8. Amended by P.L.95-1991, SEC.5; P.L.198-2016, SEC.359.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-14.5. Civil Penalties

Sec. 14.5. (a) The civil penalties imposed under this section are in addition to the other civil penalties that may be imposed under IC 8 and IC 9. Notwithstanding section 12 of this chapter, a civil penalty imposed under this section: (1) is imposed on the carrier transporting the vehicle or load; (2) shall be deposited in the motor carrier regulation fund established by IC 8-2.1-23-1; (3) is in addition to any fees or fines imposed by a court; and (4) is assessed and determined by the department of state revenue in accordance with the procedures in IC 6-8.1-5-1. (b) A carrier transporting vehicles or loads under a permit issued under this article that is violated with respect to this article subjects the carrier to a civil penalty of not more than one thousand dollars ($1,000) for the first violation and not more than one thousand five hundred dollars ($1,500) for each subsequent violation. (c) A carrier that transports vehicles or loads subject to this article and fails to obtain a permit required under this article is subject to a civil penalty of not more than five thousand dollars ($5,000) for each violation described in an Indiana state police vehicle examination report. (d) A carrier that transports vehicles or loads subject to this article in excess of the legal weight or dimensional limits and for which no permit is available to allow for such excess weight or dimension is subject to a civil penalty for each issued Indiana state police vehicle examination report as follows: (1) The department of state revenue may assess a civil penalty of five hundred dollars ($500) for a violation when a vehicle or load is in excess of the dimensional limits. (2) The department of state revenue may assess a civil penalty of: (A) five hundred dollars ($500) for a violation when the total excess weight is at least one thousand (1,000) pounds and less than five thousand (5,000) pounds; (B) one thousand dollars ($1,000) for a violation when the total excess weight is at least five thousand (5,000) pounds and less than ten thousand (10,000) pounds; or (C) five thousand dollars ($5,000) for a violation when the total excess weight is at least ten thousand (10,000) pounds. (e) The department of state revenue may not assess a penalty under this section after more than one (1) year has passed from the date the department is notified of a violation described under subsection (b), (c), or (d). (f) A carrier against whom a civil penalty is imposed under this section may protest the civil penalty and request an administrative hearing. If a carrier protests a civil penalty, the department of state revenue shall allow the carrier an opportunity to present information as to why the civil penalty should not be assessed or reduced pursuant to a defense provided under section 7 of this chapter. (g) The department of state revenue's notice of proposed assessment under IC 6-8.1-5-1 is presumptively valid. (h) The department shall adopt rules under IC 4-22-2 regarding the assessment of civil penalties in accordance with this section. As added by P.L.129-2001, SEC.31. Amended by P.L.176-2006, SEC.12; P.L.45-2011, SEC.5; P.L.218-2017, SEC.90; P.L.127-2021, SEC.4; P.L.179-2021, SEC.5; P.L.130-2023, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-14. Loads Not Securely Fastened; Class C Infraction

Sec. 14. (a) This section does not apply to a vehicle that has sides that extend above the load unless the load is not safely secured. (b) A person who operates or permits the operation of a vehicle: (1) on which: (A) logs, lumber, pipe, poles, tanks, boilers, or similar objects are carried and not securely fastened by: (i) metal chains; (ii) wire cables; (iii) steel strapping; or (iv) logistic webbing of synthetic fibers; identified as to strength and equipped with compatible hardware, that are of sufficient strength to hold the load in place under ordinary traffic or road conditions; and (B) a load or part of a load more than ten (10) feet in length is not fastened by at least three (3) of the devices listed under subdivision (1), one (1) of which must be near each end and the other at the approximate center of the load; and (2) on a public street or highway; commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-3-1.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-15. Enforcement of Size and Weight Restrictions; Cooperation Among Departments

Sec. 15. The Indiana state police board, the state police department, and the Indiana department of transportation shall cooperate in enforcement of Indiana laws relating to the height, width, length, gross weights, and load weights of vehicles or combinations of vehicles, with or without motive power, being operated, drawn, driven, moved, or transported on or over highways. [Pre-1991 Recodification Citation: 9-8-4-1.] As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.360.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-16. Interstate Compacts and Agreements; Violations Subject to Ic 9-28

Sec. 16. The following are subject to IC 9-28: (1) A: (A) conviction for a crime; or (B) judgment for an offense or ordinance violation; under this article related to the use or operation of a motor vehicle. (2) The issuance of a citation (as defined in IC 9-28-2-1) under this article. [Pre-1991 Recodification Citation: New.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-3. Detention of Vehicles; Bond; Impoundment of Property

Sec. 3. (a) If a person is apprehended operating or causing to be operated a vehicle or combination of vehicles on a highway with a weight in excess of a limitation under IC 9-20-4, IC 9-20-5, or IC 9-20-11, the vehicle or combination of vehicles shall be detained until the weight of the vehicle or combination of vehicles is reduced or distributed to comply with the limitation. (b) While a vehicle or combination of vehicles is detained, the vehicle or combination of vehicles shall be kept in the custody of the apprehending officer and shall be moved only as directed by the officer or by direction of a court. (c) A person who is apprehended may post a bond in a court. If a bond is posted and the weight is reduced to within the lawful limits, the vehicle or combination of vehicles shall

be released by order of the court. (d) If a bond is not posted, the court may have the apprehending officer impound the property until a bond is posted or until all fines and costs are paid or stayed. [Pre-1991 Recodification Citations: 9-8-1-13(b) part; 9-8-1-13(c) part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-4. Movement of Vehicle Following Impoundment; Class a Infraction

Sec. 4. A person who moves a vehicle or combination of vehicles after the vehicle or combination of vehicles is impounded commits a Class A infraction. [Pre-1991 Recodification Citation: 9-8-1-13(c) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.217-2014, SEC.43.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-5. Impoundment of Cargo

Sec. 5. This chapter does not authorize the impounding of a part of the cargo of an impounded vehicle or combination of vehicles. [Pre-1991 Recodification Citation: 9-8-1-13(c) part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-6. Notification of Location of Cargo to Shipper

Sec. 6. The driver of an impounded vehicle or combination of vehicles shall notify the shipper or a person having a monetary interest in the cargo or vehicle or combination of vehicles of the location of the cargo. The impounding officer shall give the driver reasonable opportunity to make the notification. [Pre-1991 Recodification Citation: 9-8-1-13(c) part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-7. Criminal Liability; Defenses; Knowledge of Violation; Fine; Payment; Sale of Property

Sec. 7. (a) A court shall determine the extent of liability of the driver, carrier, shipper, or other party shown to be liable. (b) The department of state revenue shall determine the extent of the civil penalties assessed under section 14.5 of this chapter. (c) It is a criminal or civil defense if a party can show that the party: (1) could not reasonably have known the actual weight of the load involved; (2) had no access to or control of the loading of an overweighted load; (3) reasonably relied upon the representation of another party regarding the validity, scope, or allowable weight of a permit issued to the other party under this article; or (4) received written confirmation from a carrier that the carrier: (A) had a valid permit for the load; or (B) was not required to have a permit for the load. (d) If a person who is an owner, a driver, a carrier or a shipper specifically or directly orders or assigns a particular shipment to be loaded: (1) the person shall be considered to have had control of the loading within the meaning of this section; and (2) a showing of knowledge of the overweighted load affixes liability to the person. (e) The person who has loaded a shipment has control of the loading within the meaning of this section and a showing of knowledge of the overweighted load affixes liability to the person if the person is self-employed. If the person loading a shipment is not self-employed, then liability affixes to the person's employer jointly and severally with the driver of an overweight vehicle. (f) If a court determines that the owner of a vehicle or combination of vehicles involved in a case is jointly or severally liable, the owner shall be given ninety (90) days to pay the liability assessed by the court. During the ninety (90) days the court may continue the impounding of the equipment until all fines and costs are paid. If the fines and costs are not paid within the ninety (90) days after the court determination, the court may order the property sold to pay the fines and costs. (g) The court shall determine the liabilities, rights, and remedies of all of the parties involved. [Pre-1991 Recodification Citations: 9-8-1-13(d); 9-8-1-13(e).] As added by P.L.2-1991, SEC.8. Amended by P.L.54-2009, SEC.5; P.L.127-2021, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-8. Order for Sale of Property; Procedure; Expenses; Bill of Sale; Certificate of Title; Liens

Sec. 8. (a) An order for sale may do the following: (1) Include an apportionment of fines and costs among the parties. (2) Establish a civil right of recovery by the owner of the property to be sold against any other parties the court also finds liable for apportioned shares. (b) The procedure for the sale is the same as though the property was abandoned, and the impounding officer shall initiate the action necessary for the sale of the impounded property under the laws concerning the sale of abandoned vehicles. (c) Expenses that are incurred in the storage and selling of a vehicle or combination of vehicles shall be deducted from the proceeds received from the sale, and any amount remaining shall be forwarded to the owner by registered mail to the address to which original notice was given. (d) A person conducting a sale may give a bill of sale to a purchaser. The bureau may issue a certificate of title based on the bill of sale. (e) A sale under this chapter is subject to liens of record or recorded on the title and to mechanic's possessory liens. [Pre-1991 Recodification Citation: 9-8-1-13(f); (g); (h).] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 18. Penalties and Enforcement9-20-18-9. Penalties Based on Number of Convictions; Certified Copy of Judgment; Notice to Appear Before Department of Revenue; Proceedings; Suspension

Sec. 9. (a) A person who owns a motor vehicle and is convicted the following number of times is subject to the following penalties: (1) For five (5) times in a year of violating IC 9-20-4-1(a), suspension for five (5) days from the use of the highways, and if subject to the jurisdiction of the department of state revenue, the person's permit, registration, certificate, or certificate of authority issued by the department shall be suspended for the same period of time on receipt by the department of certified copies of the five (5) convictions. The suspension of the permit, registration, certificate, or certificate of authority runs concurrently. (2) For ten (10) times in a year of violating IC 9-20-4-1(a), suspension for ten (10) days from the use of the highways and the person's permit, registration, certificate, or certificate of authority issued by the department of state revenue under IC 8-2.1 shall be suspended for the same period of time upon receipt by the department of certified copies of the ten (10) convictions. The suspension of the permit, registration, certificate, or certificate of authority runs concurrently. (3) For fifteen (15) times in a year of violating IC 9-20-4-1(a), suspension for thirty (30) days from the use of the highways and the person's permit, registration, certificate, or certificate of authority issued by the department of state revenue under IC 8-2.1 shall be suspended for the same period of time upon receipt by the department of certified copies of the fifteen (15) convictions. The suspension of the permit, registration, certificate, or certificate of authority runs concurrently. (4) For more than fifteen (15) times in a year of violating IC 9-20-4-1(a), for each additional five (5) convictions in excess of fifteen (15), suspension for five (5) days from the use of the highways and the person's permit, registration, certificate, or certificate of authority issued by the department of state revenue under IC 8-2.1 shall be suspended for the same period of time upon receipt by the department of certified copies of the additional convictions. The suspension of the permit, registration, certificate, or certificate of authority runs concurrently. (b) A court shall immediately, upon conviction of a person who owns or operates a motor vehicle of violating IC 9-20-4-1(a), send the bureau of the department of state revenue a certified copy of the judgment of the court setting forth the following: (1) The name of the person who owns the vehicle. (2) The date of the violation. (3) The amount of fine levied. The bureau shall keep a record of all convictions in the bureau's office. (c) After the number of convictions has been certified to the bureau of the department of state revenue, the bureau shall send by certified mail to the person against whom the convictions have accumulated a notice to appear before the department of state revenue for the following purposes: (1) To show cause why a suspension should not be assessed. (2) To advise the person of a date on which the department will conduct the hearing. The date must not be less than twenty (20) days from the date of the sending of the certified letter. The department shall conduct the proceeding in accordance with IC 8-2.1. (d) If after the proceeding the department of state revenue finds that the permit, registration, certificate, or certificate of authority should be suspended, the department shall do the following: (1) Issue an order within thirty (30) days from the date of the conclusion of the proceeding. (2) Serve upon the person a certified copy of the order of suspension by certified mail. If the department finds that a suspension is not justified, the department shall serve an order upon the person affected. All rights of appeal from the orders of the department are subject to appeal as provided by IC 8-2.1. (e) If a private carrier not under the jurisdiction of the department of state revenue is convicted under this article, the court shall immediately certify the convictions to the bureau. The bureau shall keep a record of the convictions in the same manner as provided for the department of state revenue. (f) After the number of convictions on a person operating as a private carrier not under the jurisdiction of the department of state revenue has been certified to the bureau, the bureau shall send by certified mail to the person a notice to appear before the department to show cause why the person should not have the suspensions assessed. All provisions for the notice of the citation proceedings, together with the rights of compelling the attendance of witnesses, swearing of witnesses, taking testimony of witnesses, and of issuing an order, are the same before the bureau for private carriers as are provided before the department for public carriers, but the procedure to govern the hearings is the same as other similar hearings. [Pre-1991 Recodification Citation: 9-8-1-14.1.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 2. Exemptions9-20-2-1. Application of Article; Exceptions to Size and Weight Requirements; Notice; Permits

Sec. 1. (a) Except as provided in subsections (b) and (c), this article does not apply to a vehicle: (1) while engaged in the construction of highways; and (2) when the movement of the vehicle is confined wholly to highways or roads or sections of highways or roads that are under construction and not yet open to unlimited public use. (b) If the authority having jurisdiction over the construction of the public highway gives written notice to the owner or operator of a vehicle that the vehicle may not be operated in violation of this article without a permit issued by the authority, the owner or operator must obtain a permit from the authority before the vehicle is operated within the highway construction area. (c) If written notice is given under subsection (b) and a permit is not obtained by the owner or operator, this article applies to the owner's or operator's vehicle while engaged in the construction of a public highway. (d) The written notice that this section requires from the authority having jurisdiction to the owner or operator may be in the form of any one (1) of the following documents: (1) A letter. (2) A specifications document. (3) A contract document. (4) A written agreement. (5) A written document that pertains to the construction work being performed by the owner or operator. [Pre-1991 Recodification Citation: 9-8-1-19.] As added by P.L.2-1991, SEC.8. Amended by P.L.12-1991, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 2. Exemptions9-20-2-2. "Farm Vehicle Loaded With a Farm Product" Defined; Application of Article

Sec. 2. (a) As used in this section, "farm vehicle loaded with a farm product" includes a truck hauling unprocessed leaf tobacco. (b) Except for interstate highway travel, this article does not apply to the following: (1) Machinery or equipment used in highway construction or maintenance by the Indiana department of transportation, counties, or municipalities. (2) Implements of agriculture when used during farming operations or when constructed so that the implements can be moved without material damage to the

highways. (3) Farm drainage machinery. (c) This article does not apply to firefighting apparatus owned or operated by a political subdivision or volunteer fire department (as defined in IC 36-8-12-2). (d) Except for interstate highway travel, this article does not limit the width or height of a farm vehicle loaded with a farm product. [Pre-1991 Recodification Citation: 9-8-1-19.9(a) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.81-1991, SEC.8; P.L.64-1994, SEC.1; P.L.1-1999, SEC.30; P.L.210-2005, SEC.32; P.L.25-2007, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 2. Exemptions9-20-2-3. Disabled Vehicles; Exemption

Sec. 3. The movement of a disabled vehicle or combination of vehicles for a distance that does not exceed fifty (50) highway miles by a registered recovery vehicle or by a vehicle described in IC 9-18.1-6-5 is exempt from the dimension and weight limits under this article. [Pre-1991 Recodification Citation: 9-8-1-12.5(c) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.257-2017, SEC.30.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 3. General Size Restrictions9-20-3-1. Vehicle and Load Restrictions

Sec. 1. Except as otherwise provided by law, the maximum limitations on width, length, and height of vehicles imposed by this chapter apply to the vehicle and load. [Pre-1991 Recodification Citation: 9-8-1-2(a) part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 3. General Size Restrictions9-20-3-2. Maximum Width Limitations; Exemptions

Sec. 2. (a) The maximum width limitation, except width exclusive devices in accordance with 23 CFR 658.15 or United States Public Law 98-17, is eight (8) feet, six (6) inches. (b) The width limits in subsection (a) do not apply to the following: (1) Machinery or equipment used in utility construction or maintenance if the violation is the result of oversize tires. (2) A recreational vehicle with appurtenances that make the vehicle wider than the maximum width limitation described in subsection (a), if: (A) the appurtenances do not extend beyond the width of the manufacturer installed exterior rear view mirrors of the recreational vehicle or the motor vehicle providing motive power; and (B) the manufacturer installed exterior rear view mirrors extend to only the distance necessary to afford the required field of view for the vehicle. [Pre-1991 Recodification Citations: 9-8-1-2(a) part; 9-8-1-19.7.] As added by P.L.2-1991, SEC.8. Amended by P.L.79-2000, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 3. General Size Restrictions9-20-3-3. Maximum Height Limitations

Sec. 3. (a) A vehicle may not exceed a total maximum height of thirteen (13) feet, six (6) inches. (b) The height limitations in subsection (a) do not require a clearance of that height and do not relieve the owners of vehicles not exceeding the limitations from liability for damage. [Pre-1991 Recodification Citation: 9-8-1-2(a) part; (b).] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 3. General Size Restrictions9-20-3-4. Maximum Length Limitations

Sec. 4. A single vehicle operated under the vehicle's own motive power may not exceed a length of forty (40) feet, except length exclusive devices in accordance with 23 CFR 658.13. However: (1) a recreational vehicle may not exceed forty-five (45) feet; (2) a vehicle used by railroad companies to transport steel rails in connection with a railroad construction, reconstruction, or maintenance project may not exceed forty (40) feet; (3) a bus is subject to IC 9-20-8-2; and (4) a single vehicle equipped with permanently installed specialized equipment used for lifting, reaching, pumping, or spraying is allowed an additional five (5) feet for overhang of the equipment. An allowable overhang may not be used to transport cargo. [Pre-1991 Recodification Citations: 9-8-1-2(a) part; 9-8-1-2.1 part.] As added by P.L.2-1991, SEC.8. Amended by P.L.91-1991, SEC.3; P.L.79-2000, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 3. General Size Restrictions9-20-3-5. Width of Load; Limitations

Sec. 5. A vehicle may not carry a load extending beyond the line of fenders on the left side of the vehicle or extending more than six (6) inches beyond the line of the fenders on the right side of the vehicle. [Pre-1991 Recodification Citation: 9-8-1-2(a) part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 3. General Size Restrictions9-20-3-6. Administration by Department of State Revenue

Sec. 6. The department of state revenue shall administer this chapter. As added by P.L.61-1996, SEC.21.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 4. General Weight Restrictions9-20-4-0.5. "Aggregate"

Sec. 0.5. As used in this chapter, "aggregate" has the meaning set forth in IC 9-13-2-1.8. As added by P.L.130-2023, SEC.2.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 4. General Weight Restrictions9-20-4-1. Maximum Weight Restrictions; Enforcement of Limits

Sec. 1. (a) Except as provided in subsections (b) and (c), a person may not operate or cause to be operated upon a highway a vehicle or combination of vehicles having weight in excess of one (1) or more of the following limitations: (1) The total gross weight, with load, in pounds of any vehicle or combination of vehicles may not exceed an overall gross weight on a group of two (2) or more consecutive axles produced by application of the following formula: W = 500 { [(LN) ÷ (N-1)] + 12N + 36 } where W equals the overall gross weight on any group of two (2) or more consecutive axles to the nearest five hundred (500) pounds, L equals the distance in feet between the extreme of any group of two (2) or more consecutive axles, and N equals the number of axles in the group under consideration, except that two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, providing the overall distance between the first and last axles of the consecutive sets of tandem axles is thirty-six (36) feet or more. The overall gross weight limit, calculated under this subdivision, may not exceed eighty thousand (80,000) pounds. (2) The weight concentrated on the roadway surface from any tandem axle group may not exceed the following: (A) Thirty-four thousand (34,000) pounds total weight. (B) Twenty thousand (20,000) pounds on an individual axle in a tandem group. (3) A vehicle may not have a maximum wheel weight, unladen or with load, in excess of eight hundred (800) pounds per inch width of tire, measured between the flanges of the rim or an axle weight in excess of twenty thousand (20,000) pounds. (b) The enforcement of weight limits under this section is subject to the following: (1) It is lawful to operate within the scope of a permit, under weight limitations established by the Indiana department of transportation and in effect on July 1, 1956, as provided in IC 9-20-6. (2) It is lawful to operate or cause to be operated a vehicle or combination of vehicles on a heavy duty highway or an extra heavy duty highway designated by the Indiana department of transportation if operated within the imposed limitations. (3) Subsection (a) does not apply to any highway, road, street, or bridge for which a lesser weight limit is imposed by local authorities under IC 9-20-1-3 or IC 9-20-7-2. However, the local authority may by appropriate action establish and designate a county or city highway, road, or street or part of a highway, road, or street as a heavy duty highway subject to the weight limitations established under IC 9-20-5. (4) Vehicles operated on toll road facilities are subject to rules of weight adopted for toll road facilities by the Indiana department of transportation under IC 8-15-2 and are not subject to subsection (a) when operated on a toll road facility. (5) For purposes of a heavy duty vehicle that is equipped with an auxiliary power unit, the weight limitations provided in subsection (a) are increased by four hundred (400) pounds. (6) For purposes of a vehicle that uses natural gas as a motor fuel, the weight limitations provided in subsection (a) are increased by two thousand (2,000) pounds. (c) The greater of the weight limits imposed under subsection (a) or this subsection applies to vehicles operated upon a highway. The weight limits in effect on January 4, 1975, for any highway that is not designated as a heavy duty highway under IC 9-20-5 are the following: (1) The total gross weight, with load, in pounds of a vehicle or combination of vehicles may not exceed seventy-three thousand two hundred eighty (73,280) pounds. (2) The total weight concentrated on the roadway surface from a tandem axle group may not exceed sixteen thousand (16,000) pounds for each axle of a tandem assembly. (3) A vehicle may not have a maximum wheel weight, unladen or with load, in excess of eight hundred (800) pounds per inch width of tire, measured between the flanges of the rim, or an axle weight greater than eighteen thousand (18,000) pounds. (d) For purposes of this section, "auxiliary power unit" means an integrated system that: (1) provides heat, air conditioning, engine warming, or electricity to components on a heavy duty vehicle; and (2) is certified by the administrator of the United States Environmental Protection Agency under 40 CFR 89 as meeting applicable emission standards. (e) For purposes of this section, "heavy duty vehicle" means a vehicle that: (1) has a gross vehicle weight rating greater than eight thousand five hundred (8,500) pounds; and (2) is powered by a diesel engine. [Pre-1991 Recodification Citation: 9-8-1-12(a); (b); (c); Pre-2016 Revision Citations: subsection (d) formerly 9-13-2-10.2; subsection (e) formerly 9-13-2-72.5.] As added by P.L.2-1991, SEC.8. Amended by P.L.65-2010, SEC.3; P.L.277-2013, SEC.16; P.L.5-2015, SEC.25; P.L.198-2016, SEC.339.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 4. General Weight Restrictions9-20-4-2. Transportation of Farm Commodities and Logs, Wood Chips, Bark, Sawdust and Aggregate

Sec. 2. (a) Section 1 of this chapter relating to vehicle weight, section 3 of this chapter assessing a penalty for transporting a load in excess of the registered limit of the load for the transporting vehicle, and section 3 of this chapter prohibiting a person from moving a transported vehicle with an excess load until a penalty is paid do not apply to a vehicle or combination of vehicles that transports: (1) farm commodities from the place of production to the first point of delivery where the commodities are weighed if the weight of the vehicle with load or combination of vehicles with load does not exceed the gross weight limit by more than ten percent (10%); (2) logs, wood chips, bark, and sawdust if the weight of the vehicle with load does not exceed either: (A) the gross weight limit; or (B) the axle weight limit; by more than ten percent (10%); or (3) aggregate, if the weight of the vehicle with load does not exceed: (A) the gross weight limit; and (B) the axle weight limit by more than ten percent (10%). (b) A person who transports vehicles or loads and exceeds an exemption in subsection (a) is subject to permit requirements under this article. (c) The exemptions in subsection (a) do not apply to the following: (1) Weight limits imposed for bridges or sections of highways under IC 9-20-1-3. (2) A vehicle operated on any part of an interstate highway. [Pre-1991 Recodification Citation: 9-8-1-19.8 part.] As added by P.L.2-1991, SEC.8. Amended by P.L.100-1991, SEC.2; P.L.215-2014, SEC.4; P.L.5-2015, SEC.26; P.L.13-2015, SEC.7; P.L.127-2021, SEC.1; P.L.130-2023, SEC.3.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 4. General Weight Restrictions9-20-4-3. Violation of Load Limitations; Registered Weight of Vehicle; Assessment of Penalty; Class C Infraction

Sec. 3. (a) The gross weight declared by an applicant in an application for registration under this title determines and fixes the limit of the load, including the unladen weight of the vehicle or combination of vehicles fully equipped for service, that may be transported by a vehicle or combination of vehicles on the highways for the period for which the registration or license is granted. Except as provided in subsection (b), the transportation of a load on a registered and licensed vehicle or combination of vehicles in excess of the limit fixed in the application for registration subjects the person violating a provision of this title to the penalty provisions in this title or to the revocation of the license for the vehicle, or both. (b) Because of the various types of scales used and the variance in scale weights, a penalty may not be assessed if the actual scale weight of a vehicle or combination of vehicles with load does not exceed one and one-half percent (1 1/2%) of the registered weight of the vehicle or combination of vehicles, including load. (c) A person who violates this section commits a Class C infraction. In addition, the person shall pay the difference between the fee paid for registration of the vehicle and the fee for the registration of the vehicle plus a maximum load of a weight equal to the excess load being transported. Until the fee is paid, the person transporting the excess load is not permitted to move the transporting vehicle. [Pre-1991 Recodification Citation: 9-1-4-41(e) part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 4. General Weight Restrictions9-20-4-4. Administration by Department of State Revenue

Sec. 4. The department of state revenue shall administer this chapter. As added by P.L.61-1996, SEC.22.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 5. Heavy Duty Highways and Extra Heavy Duty Highways9-20-5-1. Establishment and Designation of Heavy Duty and Extra Heavy Duty Highways; Removal of Designation; Publication of Map

Sec. 1. (a) The Indiana department of transportation may adopt rules under IC 4-22-2 to do the following: (1) Establish and designate a highway as a heavy duty highway. (2) Remove the designation of a highway or part of a highway as a heavy duty highway. (b) The Indiana department of transportation shall adopt rules under IC 4-22-2 to do the following: (1) Establish and designate a highway as an extra heavy duty highway. (2) Remove the designation of a highway or part of a highway as an extra heavy duty highway. (c) Rules described in subsection (b)(1) must do the following: (1) Designate the highways listed in section 4 of this chapter (before its expiration) as extra heavy duty highways. (2) Establish maximum size and weight limits for vehicles operated with a special weight permit on an extra heavy duty highway as set forth in section 5 of this chapter (before its expiration). (d) The Indiana department of transportation shall periodically publish a map showing all highways designated by the department at the time as heavy duty or extra heavy duty highways. [Pre-1991 Recodification Citation: 9-8-1-12(d) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.66-2012, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 5. Heavy Duty Highways and Extra Heavy Duty Highways9-20-5-2. Maximum Weight Limitations; Heavy Duty Highways

Sec. 2. Whenever the Indiana department of transportation designates a heavy duty highway, the department shall also fix the maximum weights of vehicles that may be transported on the highway. The maximum weights may not exceed the following limitations: (1) A vehicle may not have a maximum wheel weight, unladen or with load, in excess of eight hundred (800) pounds per inch width of tire, measured between the flanges of the rim, or an axle weight in excess of twenty-two thousand four hundred (22,400) pounds. (2) The total weight concentrated on the roadway surface from any tandem axle group may not exceed eighteen thousand (18,000) pounds for each axle of the assembly. (3) The total gross weight, with load, in pounds of a vehicle or combination of vehicles may not exceed eighty thousand (80,000) pounds. [Pre-1991 Recodification Citation: 9-8-1-12(d) part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 5. Heavy Duty Highways and Extra Heavy Duty Highways9-20-5-3. Designation of Heavy Duty Highways; Conditions

Sec. 3. The Indiana department of transportation may not designate a highway as a heavy duty highway unless the department finds that the highway is: (1) so constructed and can be so maintained; or (2) in such condition; that the use of the highway as a heavy duty highway will not materially decrease or contribute materially to the decrease of the ordinary useful life of the highway. [Pre-1991 Recodification Citation: 9-8-1-12(d) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.340.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 5. Heavy Duty Highways and Extra Heavy Duty Highways9-20-5-4. Extra Heavy Duty Highways; Listing; Expiration

Sec. 4. (a) In addition to the highways established and designated as heavy duty highways under section 1 of this chapter, the following highways are designated as extra heavy duty highways: (1) Highway 41, from 129th Street in Hammond to Highway 312.

(2) Highway 312, from Highway 41 to State Road 912. (3) Highway 912, from Riley Road in East Chicago to the U.S. 20 interchange. (4) Highway 20, from Clark Road in Gary to Highway 39. (5) Highway 12, from one-fourth (1/4) mile west of the Midwest Steel entrance to Highway 249. (6) Highway 249, from Highway 12 to Highway 20. (7) Highway 12, from one and one-half (1 1/2) miles east of the Bethlehem Steel entrance to Highway 149. (8) Highway 149, from Highway 12 to a point thirty-six hundredths (.36) of a mile south of Highway 20. (9) Highway 39, from Highway 20 to the Michigan state line. (10) Highway 20, from Highway 39 to Highway 2. (11) Highway 2, from Highway 20 to Highway 31. (12) Highway 31, from the Michigan state line to Highway 23. (13) Highway 23, from Highway 31 to Olive Street in South Bend. (14) Highway 35, from South Motts Parkway thirty-four hundredths (.34) of a mile southeast to the point where Highway 35 intersects with the overpass for Highway 20/Highway 212. (15) State Road 249 from U.S. 12 to the point where State Road 249 intersects with Nelson Drive at the Port of Indiana. (16) State Road 912 from the 15th Avenue and 169th Street interchange one and six hundredths (1.06) miles north to the U.S. 20 interchange. (17) U.S. 20 from the State Road 912 interchange three and seventeen hundredths (3.17) miles east to U.S. 12. (18) U.S. 6 from the Ohio state line to State Road 9. (19) U.S. 30 from Allen County/Whitley County Line Road (also known as County Road 800 East) to State Road 9. (20) State Road 9 from U.S. 30 to U.S. 6. (21) State Road 39 from Interstate 80 to U.S. 20. (22) State Road 3 north from U.S. 6 to U.S. 20, U.S. 20 west from State Road 3 to State Road 9, State Road 9 north from U.S. 20 to the Michigan state line. However, the total gross weight, with load, of a vehicle or combination of vehicles operated with a special weight permit on these highways may not exceed ninety thousand (90,000) pounds. (23) Highway 912, at an intersection approximately thirty hundredths (.30) of a mile southwest of the intersection of Dickey Road and Riley Road in East Chicago. The total gross weight, with load, of a vehicle or combination of vehicles operated with a special weight permit on this highway may not exceed two hundred sixty-four thousand (264,000) pounds. (b) This section expires on the later of the following dates: (1) The date on which rules described in section 1(c)(1) of this chapter are finally adopted. (2) December 31, 2014. [Pre-1991 Recodification Citation: 9-8-1-12(g).] As added by P.L.2-1991, SEC.8. Amended by P.L.12-1991, SEC.4; P.L.123-1993, SEC.1; P.L.124-1993, SEC.1; P.L.119-1995, SEC.2; P.L.45-1999, SEC.1; P.L.79-2000, SEC.3; P.L.147-2002, SEC.2; P.L.10-2004, SEC.1; P.L.17-2006, SEC.1; P.L.134-2007, SEC.1; P.L.120-2011, SEC.1; P.L.66-2012, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 5. Heavy Duty Highways and Extra Heavy Duty Highways9-20-5-5. Maximum Size and Weight Limitations; Extra Heavy Duty Highways; Expiration

Sec. 5. (a) Except as provided in subsection (b), the maximum size and weight limits for vehicles operated with a special weight permit on an extra heavy duty highway are as follows: (1) A vehicle may not have a maximum wheel weight, unladen or with load, in excess of eight hundred (800) pounds per inch width of tire, measured between the flanges of the rim. (2) A single axle weight may not exceed eighteen thousand (18,000) pounds. (3) An axle in an axle combination may not exceed thirteen thousand (13,000) pounds per axle, with the exception of one (1) tandem group that may weigh sixteen thousand (16,000) pounds per axle or a total of thirty-two thousand (32,000) pounds. (4) Except as provided in section 4(a)(22) of this chapter, the total gross weight, with load, of any vehicle or combination of vehicles may not exceed one hundred thirty-four thousand (134,000) pounds. (5) Axle spacings may not be less than three (3) feet, six (6) inches, between each axle in an axle combination. (6) Axle spacings may not be less than eight (8) feet between each axle or axle combination. (b) A vehicle operated in accordance with section 4(a)(23) of this chapter may not have a: (1) maximum wheel weight, unladen or with load, in excess of one thousand six hundred fifty (1,650) pounds per inch width of tire, measured between the flanges of the rim; or (2) single axle weight that exceeds sixty-five thousand (65,000) pounds. (c) This section expires on the later of the following dates: (1) The date on which rules described in section 1(c)(2) of this chapter are finally adopted. (2) December 31, 2014. [Pre-1991 Recodification Citation: 9-8-1-12(h).] As added by P.L.2-1991, SEC.8. Amended by P.L.134-2007, SEC.2; P.L.120-2011, SEC.2; P.L.66-2012, SEC.3; P.L.13-2013, SEC.35.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 5. Heavy Duty Highways and Extra Heavy Duty Highways9-20-5-6. Safety Procedures; Implementation

Sec. 6. The Indiana department of transportation shall implement procedures that, in cooperation with the state police department and local police departments, enhance the safety of citizens along and near extra heavy duty highways listed in section 4 of this chapter (before its expiration) or described in rules adopted by the Indiana department of transportation under section 1 of this chapter. [Pre-1991 Recodification Citation: 9-8-1-12(j).] As added by P.L.2-1991, SEC.8. Amended by P.L.66-2012, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 5. Heavy Duty Highways and Extra Heavy Duty Highways9-20-5-7. Special Weight Permits; Extra Heavy Duty Highways; Fee; Additional Permit Fee

Sec. 7. (a) The owner or operator of a vehicle or combination of vehicles having a total gross weight in excess of eighty thousand (80,000) pounds but less than two hundred sixty-four thousand (264,000) pounds must: (1) obtain a special weight registration permit; (2) register annually and pay annually a registration fee to the department of state revenue; and (3) install an approved automated vehicle identifier in each vehicle operating with a special weight permit; to travel on an extra heavy duty highway. (b) The fee for an annual registration under subsection (a) is twenty-five dollars ($25). The fee imposed under this section must be deposited in the motor carrier regulation fund established under IC 8-2.1-23. (c) The department of state revenue may impose an additional permit fee in an amount that may not exceed one dollar ($1) on each trip permitted for a vehicle registered under subsection (a). This additional fee is for the use and maintenance of an automated vehicle identifier. The fee imposed under this section must be deposited in the motor carrier regulation fund established under IC 8-2.1-23. [Pre-1991 Recodification Citation:

9-8-1-12(i) part; Pre-2016 Revision Citation: 9-29-6-1.5.] As added by P.L.2-1991, SEC.8. Amended by P.L.122-1993, SEC.2; P.L.129-2001, SEC.30; P.L.120-2011, SEC.3; P.L.198-2016, SEC.341.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 5. Heavy Duty Highways and Extra Heavy Duty Highways9-20-5-8. Conditions Under Which Permits Not to Be Issued

Sec. 8. The Indiana department of transportation may not issue a permit under this chapter for the operation of a vehicle if any of the following conditions apply: (1) The owner or operator of the vehicle has not complied with IC 8-2.1-24. (2) The owner or operator of the vehicle has not provided the Indiana department of transportation with the owner's or operator's Social Security number or federal identification number. (3) The owner or operator of the vehicle has not registered the vehicle with the bureau, if the vehicle is required to be registered under IC 9-18 (before its expiration) or IC 9-18.1. (4) The owner or operator of the vehicle has not provided the department of state revenue full payment for a permit prior to transporting vehicles or loads subject to this article. As added by P.L.122-1993, SEC.3. Amended by P.L.110-1995, SEC.30; P.L.257-2017, SEC.31; P.L.127-2021, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-1. Application of Chapter

Sec. 1. (a) This chapter applies to the issuance of the following permits: (1) A permit for the transportation of oversized or overweight vehicles and loads under section 2 or 2.2 of this chapter. (2) A toll road gate permit under section 3 of this chapter. (3) An emergency permit issued under section 4 of this chapter. (4) A permit for oversized semitrailers or trailers used with semitrailers under section 6 of this chapter. (b) IC 9-20-2-1 applies to the issuance of a permit to operate machinery or equipment for the construction of highways. (c) IC 9-20-9 applies to the issuance of a special towing permit for the operation of a combination of vehicles on a highway. (d) IC 9-20-14 applies to the issuance of the following permits: (1) A general permit for the operation of a tractor-mobile home rig. (2) A special permit for the operation of a tractor-mobile home rig. (e) IC 9-20-15 applies to the issuance of the following permits: (1) A general permit for the operation of a special tractor-mobile home rig. (2) A special permit for the operation of a special tractor-mobile home rig. [Pre-1991 Recodification Citation: New.] As added by P.L.2-1991, SEC.8. Amended by P.L.196-2017, SEC.2; P.L.179-2021, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-10. Damages to Highway; Proof of Ability to Satisfy; Bond or Security

Sec. 10. Before a permit is issued under this article, an applicant must satisfy the officer or body issuing the permit of the applicant's responsibility to respond in damages for damage to the highway or bridge or furnish satisfactory bond or other security to the satisfaction of the issuing officer or body. [Pre-1991 Recodification Citation: 9-8-1-16(f).] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-11. Inspection of Permits; Violations of Terms and Conditions; Liability for Damages to Highway; Additional Registration and Licensing

Sec. 11. (a) A permit issued under this chapter shall: (1) be carried in or on the vehicle or other object to which the permit refers; and (2) be open to inspection by a police officer. (b) A person may not violate the terms or conditions of a special permit. (c) The issuance of a special permit under this chapter: (1) does not relieve the responsibility for damages to a highway imposed by this article; and (2) does not, for: (A) the use of a vehicle already registered and licensed; (B) the use of a vehicle not subject to registration and licensing under IC 9-18 (before its expiration), IC 9-18.1, or IC 9-18.5; or (C) the moving of objects other than vehicles under the special permit; require further registration and licensing to authorize the issuance of the special permit. [Pre-1991 Recodification Citation: 9-8-1-16(l).] As added by P.L.2-1991, SEC.8. Amended by P.L.257-2017, SEC.32.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-12. Conditions Under Which Permits May Not Be Issued

Sec. 12. The Indiana department of transportation may not issue a permit under this chapter for the operation of a vehicle if any of the following conditions apply: (1) The owner or operator of the vehicle has not complied with IC 8-2.1-24. (2) The owner or operator of the vehicle has not provided the Indiana department of transportation with the owner's or operator's Social Security number or federal identification number. (3) The owner or operator of the vehicle has not registered the vehicle with the bureau, if the vehicle is required to be registered under IC 9-18 (before its expiration) or IC 9-18.1. As added by P.L.122-1993, SEC.4. Amended by P.L.110-1995, SEC.31; P.L.257-2017, SEC.33.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-13. Fee for Special Permit

Sec. 13. (a) The fees for a special permit issued under this chapter to exceed the legal length, width, or height limit for vehicles, loaded or unloaded, are as follows: (1) A permit not subject to subdivision (2) or (3), twenty dollars ($20). (2) A permit issued to exceed ninety-five (95) feet overall length, one hundred forty-eight (148) inches overall width, or the height limit, thirty dollars ($30). (3) The ninety (90) day permit issued under this chapter, one hundred dollars ($100). (4) The one (1) year permit issued under

this chapter, four hundred five dollars ($405). (b) Whenever a permit is issued by the Indiana department of transportation under this chapter, the Indiana department of transportation shall fix the fee to be paid. Upon payment of the fee, the Indiana department of transportation shall validate the permit. The revenue from the fee shall be credited to the state highway fund. [Pre-2016 Revision Citations: 9-29-6-2; subsection (b) formerly 9-29-6-10(a).] As added by P.L.198-2016, SEC.345.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-14. Local Commercial Motor Vehicle Ordinances

Sec. 14. Except as authorized by this chapter or otherwise expressly authorized by statute, a local authority may not adopt or enforce an ordinance that requires an operator of a commercial motor vehicle to obtain a permit from the local authority to operate the commercial motor vehicle within the jurisdiction of the local authority. As added by P.L.196-2017, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-2.1. Transportation of Bulk Milk and Items Belonging to an Electric Cooperative; Special Permit; Conditions; Limitations

Sec. 2.1. (a) As used in this section, "electric cooperative" means an entity that is organized under IC 8-1-13. (b) As used in this section, "equivalent single axle load" means the known quantifiable and standardized amount of damage to highway pavement structures equivalent to one (1) pass of a single eighteen thousand (18,000) pound dual tire axle, with all four (4) tires on the axle inflated to one hundred ten (110) pounds per square inch. (c) The Indiana department of transportation or local authority that: (1) has jurisdiction over a highway or street; and (2) is responsible for the repair and maintenance of the highway or street; may, upon proper application in writing and upon good cause shown, grant a permit for transporting bulk milk or material, products, or equipment belonging to an electric cooperative that are necessary for the installation or maintenance of facilities owned or operated by the electric cooperative which allows for transportation of loads of up to one hundred thousand (100,000) pounds. (d) If the department of transportation grants a permit under subsection (c) to an applicant whose total equivalent single axle load calculation is equal to or less than 2.40 equivalent single axle load credit, the department of transportation shall issue the permit annually. (e) If the department of transportation grants a permit under subsection (c) to an applicant whose total equivalent single axle load calculation is greater than 2.40 equivalent single axle load credit, the department of transportation may issue the permit pursuant to section 2 of this chapter. (f) The fee for an annual permit issued under subsection (d) is twenty dollars ($20). As added by P.L.54-2018, SEC.2. Amended by P.L.110-2019, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-2.2. Overweight Divisible Loads Permitted Under Certain Circumstances; Procedures; Requirements; Reports

Sec. 2.2. (a) This section applies to overweight divisible loads (as defined in IC 9-13-2-120.7). (b) As used in this section, "equivalent single axle load" means the known quantifiable and standardized amount of damage to highway pavement structures equivalent to one (1) pass of a single eighteen thousand (18,000) pound dual tire axle, with all four (4) tires on the axle inflated to one hundred ten (110) pounds per square inch. (c) A permit issued under this section does not apply to a highway under a local authority's jurisdiction. (d) Subject to subsection (e), the Indiana department of transportation may, upon proper application in writing, grant a permit for transporting overweight vehicles and overweight divisible loads carrying resources on a highway in the state highway system, including state maintained routes through cities and towns. (e) A permit granted under this section may be used only on designated highways within the state highway system, avoiding highways under a local authority's jurisdiction. (f) A permit issued under this section may designate the route to be traversed and may contain any other restrictions or conditions required for the safe movement of the vehicle. If the department designates a route, a deviation from that route constitutes a violation subject to a civil penalty under IC 9-20-18-14.5. (g) A permit issued under this section is limited to a gross vehicle weight of more than eighty thousand (80,000) pounds, but not more than one hundred twenty thousand (120,000) pounds. (h) Not later than October 1, 2021, the Indiana department of transportation shall recalculate and apply permit fees for annual and trip permits granted under this section based on the Joint Transportation Research Program publication No. FHWA/IN/JTRP-2014/14. The Indiana department of transportation shall consider the impact of overweight divisible loads on roads and highways in recalculating permit fees under this subsection. (i) Except as provided in subsection (k), the Indiana department of transportation may not issue more than eight thousand five hundred (8,500) single trip permits annually for applicants with a total equivalent single axle load calculation of more than 2.40 equivalent single axle load credit. (j) A trip permit limit set under subsection (i) and a permit weight limit set under subsection (g) do not include overweight divisible load permits obtained by shippers and carriers that obtained permits before January 1, 2021. (k) The Indiana department of transportation may temporarily increase the number of permits issued under subsection (i) by order of the commissioner in response to an emergency or changes in market conditions as defined by rules adopted under subsection (m). (l) The Indiana department of transportation may limit the number of permits issued under subsection (i) to an individual applicant. (m) The Indiana department of transportation shall adopt rules under IC 4-22-2 for the issuance, administration, fee structure, calculation of equivalent single axle load values, and enforcement of a permit under this section due to lack of transportation options for certain resources, supply chain interruptions, or supply dock backlogs. (n) The Indiana department of transportation may suspend overweight divisible load permitting if the department observes an unusual increase in: (1) infrastructure damage on a permitted route; or (2) the number of accidents associated with overweight divisible loads. (o) Not later

than July 1, 2023, the Indiana department of transportation shall submit a report to the legislative council and to the interim study committee on roads and transportation established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6 regarding: (1) the fee structure and recommended changes to the fee structure for permits issued under this section; and (2) the impact of overweight divisible loads on roads and highways. (p) Beginning July 1, 2022, the Indiana department of transportation shall, before July 1 of each year, submit a report to the legislative council and to the interim study committee on roads and transportation established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6 regarding the market fluctuation in the number of overweight divisible load permits issued during the previous year. (q) Beginning July 1, 2022, the Indiana state police department shall, before July 1 of each year, submit a report to the legislative council and to the interim study committee on roads and transportation established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6 regarding the number of accidents involving applicants permitted for overweight divisible loads. The report must include at least the following: (1) The number of accidents that resulted in property damage. (2) The number of accidents that resulted in personal injury. As added by P.L.179-2021, SEC.3. Amended by P.L.93-2024, SEC.94.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-2.5. Local Authority to Grant Permits for Transporting Overweight Divisible Loads

Sec. 2.5. (a) A local authority that: (1) has jurisdiction over a state highway, an interstate highway, or a local street; and (2) is responsible for the repair and maintenance of the state highway, interstate highway, or local street; may, upon proper application in writing and upon good cause shown, grant a permit for transporting overweight divisible loads on or over roads or streets under the control of a local authority. (b) If a local authority grants a permit under subsection (a), the local authority may designate a route for the permit. A deviation from that route constitutes a violation subject to a civil penalty under IC 9-20-18-14.5. As added by P.L.135-2013, SEC.5. Amended by P.L.179-2021, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-2. Transportation of Heavy Vehicles or Loads Not Conforming to This Article; Special Permit; Conditions; Limitations

Sec. 2. (a) The Indiana department of transportation or local authority that: (1) has jurisdiction over a highway or street; and (2) is responsible for the repair and maintenance of the highway or street; may, upon proper application in writing and upon good cause shown, grant a permit for transporting heavy vehicles and loads or other objects not conforming to this article, including a vehicle transporting an ocean going container, if the department or authority finds that other traffic will not be seriously affected and the highway or bridge will not be seriously damaged. (b) The permit granted under subsection (a) must authorize the operation of a tractor-semitrailer and load that: (1) exceeds the maximum length limitation under this chapter; and (2) is subject to regulation under this chapter; from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset. (c) A permit may be issued under this section for the following: (1) A single trip. (2) A definite time not exceeding thirty (30) days. (3) A ninety (90) day period. (4) A one (1) year period. (d) This subsection applies to the transportation of ocean going containers that: (1) have been sealed at the place of origin and have not been opened except by an agent of the federal government that may inspect the contents; and (2) are being transported to or from a distribution facility. The total gross weight, with load of a vehicle or combination of vehicles transporting an ocean going container may not exceed ninety-five thousand (95,000) pounds. A permit issued under this section must be issued on an annual basis. A permit issued under this subsection may not impose a limit on the number of movements generated by the applicant or operator of a vehicle granted a permit under this subsection. [Pre-1991 Recodification Citation: 9-8-1-16(a); (b).] As added by P.L.2-1991, SEC.8. Amended by P.L.119-1995, SEC.3; P.L.36-2006, SEC.1; P.L.134-2007, SEC.3; P.L.3-2008, SEC.77; P.L.182-2009(ss), SEC.290.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-3. Annual Toll Road Gate Permit; Issuance; Limitations; Fee

Sec. 3. (a) An annual toll road gate permit also may be issued by the Indiana department of transportation to a commercial motor vehicle for the pulling of a combination unit that meets the size and weight standards for Indiana toll roads, prescribed by the Indiana department of transportation. The annual permit may not be issued for a distance greater than fifteen (15) total miles to or from a gate of the toll road and is valid only when used in conjunction with toll road travel. (b) The fee for an annual toll road gate permit issued under subsection (a) in conjunction with travel on the Indiana toll road is twenty dollars ($20). [Pre-1991 Recodification Citation: 9-8-1-16(c); Pre-2016 Revision Citation: subsection (b) formerly 9-29-6-4.] As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.342.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-4. Maximum Vehicle Weight; Emergency Permit; Issuance; Conditions; Regulation of Movement

Sec. 4. (a) Notwithstanding IC 9-20-4 and subject to subsection (b), the maximum vehicle weight for an authorized emergency vehicle operated on a highway shall not be less than: (1) twenty-four thousand (24,000) pounds on a single steering axle; (2) thirty-three thousand five hundred (33,500) pounds on a single drive axle; (3) sixty-two thousand (62,000) pounds on a tandem axle; or (4) fifty-two thousand (52,000) pounds on a tandem rear drive steer axle. (b) The maximum gross vehicle weight of an authorized emergency vehicle operated on a highway is eighty-six thousand (86,000) pounds. (c) The Indiana department of transportation or

an agency or a political subdivision authorized by this article to grant permits to operate tractor-mobile home rigs or permits for transporting heavy or oversize vehicles, loads, or other objects not conforming to this article may issue emergency permits to operate in or through Indiana without regard to IC 9-20-14-2 to a person during the period that the following conditions exist: (1) A state of disaster emergency has been declared by the governor under IC 10-14-3-12. (2) A state of emergency has been declared by the federal government for an area outside Indiana. (3) The granting of emergency permits reasonably can be expected to provide relief of the conditions causing the declaration of the state of emergency. (d) The Indiana department of transportation, an agency, or a political subdivision shall regulate movements by emergency permits to avoid undue hazards. [Pre-1991 Recodification Citation: 9-8-1-20.2.] As added by P.L.2-1991, SEC.8. Amended by P.L.2-2003, SEC.39; P.L.196-2017, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-5. Public Utility Facilities; Transportation of Materials Reasonably Necessary to Restore Facility; Reporting Requirements; Fees

Sec. 5. (a) If a breakdown or threatened breakdown of electric, gas, water, or telephone public utility facilities occurs in Indiana, the public utility whose services to the public are or may be affected may in the emergency, without securing a permit, transport over highways or streets heavy vehicles and loads or other objects not conforming to this article if it is reasonably necessary to do so to restore utility service at the earliest practicable time or to prevent the interruption of utility service. The public utility shall, not later than the second succeeding day that is not a Sunday or holiday, report the fact of the transportation to the public authority from whom a permit would otherwise have been required. (b) The public utility shall pay to the public authority an amount equal to the fee that would have been due for a permit under this article. The making of the report and payment of the fee satisfies all requirements of this chapter concerning the securing of a permit for the trip required by the emergency. [Pre-1991 Recodification Citation: 9-8-1-16(d) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.343.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-6. Oversized Semitrailers, Trailers, and Recreational Vehicles; Transportation From Manufacturer to Buyer; Route Designation; Issuance; Term; Limitations; Fee

Sec. 6. (a) The Indiana department of transportation or local unit authorized to issue permits under this chapter may issue permits for transporting: (1) semitrailers or trailers designed to be used with semitrailers that exceed the width and length limitations imposed under this article; and (2) recreational vehicles that exceed the maximum width limitation set forth in IC 9-20-3-2; from the manufacturing facility to the person taking title to the vehicle, including any other destination in the marketing cycle. (b) A permit issued under this section may designate the route to be traversed and may contain any other restrictions or conditions required for the safe movement of the vehicle. (c) A permit issued to the manufacturer under this section must be applied for and reissued annually after the permit's initial issuance. (d) A limit is not imposed on the number of movements generated by a manufacturer that is issued an annual permit under this section. (e) The fee for an annual permit issued under this section is two hundred dollars ($200). The fee may be paid in quarterly installments. [Pre-1991 Recodification Citation: 9-8-1-25; Pre-2016 Revision Citation: subsection (e) formerly 9-29-6-5.] As added by P.L.2-1991, SEC.8. Amended by P.L.79-2000, SEC.4; P.L.198-2016, SEC.344.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-8. Permit; Route Designation; Safety Restrictions

Sec. 8. A permit issued under this article may designate the route to be traversed and contain any other restrictions or conditions necessary for the proper protection of the traffic, highway, or bridge. [Pre-1991 Recodification Citation: 9-8-1-16(d) part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 6. Special and Emergency Permits9-20-6-9. Violation of Permit Regulations; Permit Not Construed as Defense to Holder

Sec. 9. A permit issued under this article may not be construed as protection to or as a defense by a holder of a permit if the restrictions and rules to which the permit is subject are violated. [Pre-1991 Recodification Citation: 9-8-1-16(e).] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 7. Special Restrictions Concerning Bridges, Causeways, and Viaducts9-20-7-1. Operation of Vehicles Over Bridges; Prohibitions

Sec. 1. A vehicle may not be operated or moved over a bridge, causeway, or viaduct on a highway if the weight of the vehicle is greater than the maximum load that can be carried with safety to the bridge, causeway, or viaduct. [Pre-1991 Recodification Citation: 9-8-1-15(a) part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 7. Special Restrictions Concerning Bridges, Causeways, and Viaducts9-20-7-2. Repair and Maintenances of Bridges; Reduction of Weight Allowed

Sec. 2. The Indiana department of transportation or local authority, when charged with the repair or maintenance of a bridge, causeway, or viaduct, may reduce the gross load weight allowed on the structure below the maximum load prescribed in IC 9-20-4-1

and IC 9-20-5 if the authority determines that the maximum load is greater than the bridge, causeway, or viaduct can sustain without serious damage or with safety to the vehicle. [Pre-1991 Recodification Citation: 9-8-1-15(a) part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 7. Special Restrictions Concerning Bridges, Causeways, and Viaducts9-20-7-3. Orders, Resolutions, and Ordinances; Content; Effect; Posting of Signs

Sec. 3. The order, resolution, or ordinance shall fix the gross weight allowed in percentage or maximum load prescribed in IC 9-20-4-1 and IC 9-20-5. An order, a resolution, or an ordinance does not take effect until signs indicating the gross weight allowed on a bridge, causeway, or viaduct are posted in a conspicuous place at each end of the structure to which the order, resolution, or ordinance applies. The signs must be legible from a distance of fifty (50) feet and must be maintained during the time the reduction is in force. [Pre-1991 Recodification Citation: 9-8-1-15(a) part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 7. Special Restrictions Concerning Bridges, Causeways, and Viaducts9-20-7-4. Vehicle Weight in Excess of Weight Allowed on Bridge; Prohibition on Movement

Sec. 4. A vehicle may not be moved over a bridge, causeway, or viaduct when the vehicle's gross weight is greater than the gross weight allowed on the bridge, causeway, or viaduct. [Pre-1991 Recodification Citation: 9-8-1-15(a) part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 7. Special Restrictions Concerning Bridges, Causeways, and Viaducts9-20-7-5. Administrative Rule Provisions; Inapplication to Restrictions Local in Nature

Sec. 5. IC 4-22-2 does not apply to a restriction or traffic control determination under this chapter that is by order of the Indiana department of transportation and entirely local in nature, applying to at least one (1) described bridge, causeway, or viaduct. [Pre-1991 Recodification Citation: 9-8-1-15(b).] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 8. Special Restrictions Concerning Buses and School Buses9-20-8-1. Buses in Excess of Eight Feet Wide; Operation; Limitations

Sec. 1. (a) This section applies to a motor vehicle designed and used to carry more than seven (7) persons, operated either: (1) wholly within the boundaries of cities and towns; or (2) between contiguous cities and towns; located in counties having a population of at least one hundred sixty thousand (160,000). (b) If federal statutes and regulations permit the operation of passenger buses of widths greater than eight (8) feet on an interstate highway, the Indiana department of transportation may, by adopting rules consistent with the federal statute or regulation, permit the operation of passenger buses of a total outside width, exclusive of safety equipment, of not more than eight (8) feet, six (6) inches, on a highway. [Pre-1991 Recodification Citation: 9-8-2-1.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 8. Special Restrictions Concerning Buses and School Buses9-20-8-2. Maximum Length Limitations

Sec. 2. The maximum length limitations for buses are as follows: (1) For an articulating bus used for public transportation purposes, sixty-five (65) feet. (2) For a school bus, forty-two (42) feet. (3) For all others, forty-five (45) feet. [Pre-1991 Recodification Citations: 9-8-1-2(a) part; 9-8-2.5-2.] As added by P.L.2-1991, SEC.8. Amended by P.L.122-1993, SEC.5; P.L.110-1995, SEC.32; P.L.114-2007, SEC.1; P.L.198-2016, SEC.346.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 9. Special Restrictions Concerning Combined Vehicles and Towing Permits9-20-9-1. "Drive Away or Tow Away" Defined; Combinations of Two Vehicles; Length Limitations; Exemptions

Sec. 1. (a) As used in this section, "drive away or tow away" means the delivery service performed by a transport operator by which motor vehicles in transit are delivered by driving singly or in combination by the towbar, saddlemount, or fullmount methods or any lawful combination of those methods, including coupling equipment or where a truck or tractor draws or tows a semitrailer or trailer in transit. (b) A combination of two (2) vehicles coupled together, including load, may not exceed a total length of sixty (60) feet, except for the following: (1) A combination of two (2) vehicles coupled together that are especially constructed to transport other vehicles or boats. This exception includes any combination of a truck, tractor, semitrailer, and trailer if the combination is used exclusively or primarily in connection with motorsports. (2) A combination of two (2) vehicles coupled together being transported in a drive away or tow away service. (3) A pole trailer owned by or operated for a public utility (as defined in IC 8-1-2-1), while the pole trailer is being used in connection with the utility services of the public utility. (4) Trailers used in transporting oil field equipment or pipe for the transmission of oil or gas. [Pre-1991 Recodification Citations: 9-1-4-18 part; 9-8-1-2(a) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.12-2013, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 9. Special Restrictions Concerning Combined Vehicles and Towing Permits9-20-9-10. Combinations of Vehicles Exceeding Dimensional and Weight

Restrictions; Conditions for Operation; Fee

Sec. 10. (a) Instead of complying with the requirements of section 9 of this chapter, a special towing permit allowing the operation of a combination of vehicles on a highway may be granted by the Indiana department of transportation or local authorities having jurisdiction over a highway or street and responsible for the repair and maintenance of the highway or street. (b) A permit may be granted under this section upon good cause shown if the Indiana department of transportation or local authority finds the public interest will be served, considering public safety and the protection of public and private property. (c) A permit issued under this section may designate the route to be traversed by the combination of vehicles and may contain other restrictions or conditions considered necessary by the Indiana department of transportation or local authority granting the permit. (d) The Indiana department of transportation may allow a vehicle or load permitted in accordance with IC 9-20-6-2 to tow a light passenger vehicle with a manufacturer designed seating capacity of not more than ten (10) passengers including the driver. However, the light passenger vehicle may not cause the combination to exceed the maximum allowable size and weight limitations set forth in IC 9-20-4 and this chapter. (e) The fee for a special towing permit issued under this chapter is ten dollars ($10). The fee must be paid not later than thirty (30) days after the permit was issued. [Pre-1991 Recodification Citation: 9-8-1-12.5(b) part; Pre-2016 Revision Citation: subsection (e) formerly 9-29-6-6.] As added by P.L.2-1991, SEC.8. Amended by P.L.93-1997, SEC.10; P.L.198-2016, SEC.348.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 9. Special Restrictions Concerning Combined Vehicles and Towing Permits9-20-9-11. Combinations of Vehicles Traveling Less Than 50 Miles; Exemption From Permit

Sec. 11. The movement of a disabled vehicle or combination of vehicles for a distance that does not exceed fifty (50) highway miles by a registered recovery vehicle or by a vehicle described in IC 9-18.1-6-5 is exempt from the requirements for permits under this chapter. [Pre-1991 Recodification Citation: 9-8-1-12.5(c) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.257-2017, SEC.34.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 9. Special Restrictions Concerning Combined Vehicles and Towing Permits9-20-9-2. Combinations of Three or More Coupled Vehicles; Length Limitations

Sec. 2. A combination of three (3) or more vehicles coupled together, including load, may not exceed a total length of sixty-five (65) feet. [Pre-1991 Recodification Citation: 9-8-1-2(a) part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 9. Special Restrictions Concerning Combined Vehicles and Towing Permits9-20-9-3. Transport of Vehicles or Boats by Tow Bar, Saddle Mount, or Full Mount Methods; Maximum Length

Sec. 3. Any number of vehicles in a combination coupled together: (1) that are especially constructed to transport other vehicles or boats; and (2) by the tow bar, saddle mount, or full mount methods; may not exceed a total length of seventy-five (75) feet. [Pre-1991 Recodification Citation: 9-8-1-2(a) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.91-1991, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 9. Special Restrictions Concerning Combined Vehicles and Towing Permits9-20-9-4. Hauling of Vehicles or Parts of Vehicles

Sec. 4. This chapter does not prohibit the hauling of other vehicles or parts of vehicles in transit. [Pre-1991 Recodification Citation: 9-8-1-2(a) part.] As added by P.L.2-1991, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 9. Special Restrictions Concerning Combined Vehicles and Towing Permits9-20-9-5. Loads on Vehicles or Combinations of Vehicles; Length Limitations

Sec. 5. A load on a vehicle or combination of vehicles may not extend more than: (1) four (4) feet beyond the front bumper; and (2) six (6) feet beyond the rear; of a combination of vehicles especially constructed to transport other vehicles or boats. This limit is in addition to any other length limit set forth in this article. [Pre-1991 Recodification Citation: 9-8-1-2(a) part.] As added by P.L.2-1991, SEC.8. Amended by P.L.196-2017, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 9. Special Restrictions Concerning Combined Vehicles and Towing Permits9-20-9-6. Transport of Vehicles or Boats by Stinger-Steered Vehicle; Length Limitations

Sec. 6. Notwithstanding IC 9-20-1, and except for length exclusive devices in accordance with 23 CFR 658.13, the maximum length of a combination of two (2) coupled vehicles that is: (1) especially constructed to transport other vehicles or boats; and (2) a stinger-steered vehicle; is eighty (80) feet. [Pre-1991 Recodification Citation: 9-8-1-2.3(b).] As added by P.L.2-1991, SEC.8. Amended by P.L.196-2017, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 9. Special Restrictions Concerning Combined Vehicles and Towing Permits9-20-9-7. Transportation of Loads Consisting of Equipment Designed to Convert Trucks Into Vehicles Equipped With Living Quarters; Width Limitations

Sec. 7. Notwithstanding IC 9-20-3, a motor vehicle designed and used for hauling other motor vehicles may transport loads consisting of equipment designed to convert trucks, the weight of which does not exceed eleven thousand (11,000) pounds, into vehicles equipped with living quarters for persons traveling upon the highways. However, the transporting motor vehicle, including load, may not exceed a total maximum width of eight (8) feet, six (6) inches. [Pre-1991 Recodification Citation: 9-8-1-2(d).] As added by P.L.2-1991, SEC.8. Amended by P.L.1-1993, SEC.55.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 9. Special Restrictions Concerning Combined Vehicles and Towing Permits9-20-9-8. Draw Bar or Other Couplers; Length Limitations; Safety Devices; Compliance Requirements

Sec. 8. (a) This section does not apply to farm wagons (as defined in IC 9-13-2-60(1)). However, a farm wagon (as defined in IC 9-13-2-60(2)) that is operated on a highway may not be used to tow another vehicle. (b) The draw bar or other connection between any two (2) vehicles, one (1) of which is towing or drawing the other upon a highway, may not exceed fifteen (15) feet in length from one (1) vehicle to the other. (c) Each trailer and semitrailer hauled by a motor propelled vehicle must be attached to the vehicle and to each other with the forms of coupling devices that will prevent the trailer or semitrailer from being deflected more than six (6) inches from the path of the towing vehicle or to each other, by suitable safety chains or devices, one (1) on each side of the coupling and at the extreme outer edge of the vehicle. Each chain or device and connection used must be of sufficient strength to haul the trailer when loaded. (d) A vehicle, including a combination of vehicles engaged in interstate commerce, and any safety equipment on the vehicle, including safety chains, cables, or other devices, that is otherwise in compliance with: (1) the United States Department of Transportation Federal Highway Administration motor carrier safety regulations; (2) the motor vehicle safety standards of the National Highway Safety Bureau of the United States Department of Transportation; or (3) the successor of either or both of those agencies; is considered to be in compliance with this section. [Pre-1991 Recodification Citations: 9-8-1-5; 9-8-12-2 part.] As added by P.L.2-1991, SEC.8. Amended by P.L.150-2009, SEC.8; P.L.256-2017, SEC.157.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 20. Size and Weight RegulationChapter 9. Special Restrictions Concerning Combined Vehicles and Towing Permits9-20-9-9. Combinations of Vehicles Exceeding Dimensional and Weight Restrictions; Conditions for Operation

Sec. 9. A combination of vehicles, including a towing vehicle and a disabled vehicle or combination of disabled vehicles, that exceeds the dimensional and weight restrictions imposed by this article may be operated on a highway upon the following conditions and in accordance with the rules that the Indiana department of transportation prescribes: (1) The towing vehicle must be: (A) specifically designed for such operations; (B) equipped with amber flashing lights; and (C) capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles if the systems are operational. (2) Subject to subdivision (3), the disabled vehicle or combination of disabled vehicles may not exceed the dimensional or weight restrictions imposed by this article unless a permit for operation in excess of those restrictions has been granted to the disabled vehicle or combination of disabled vehicles under this article. (3) However, an owner or operator of a towing vehicle that is transporting a disabled vehicle or combination of disabled vehicles from the place where the vehicle became disabled to the nearest appropriate repair facility and has a gross vehicle weight that is equal to or exceeds the gross vehicle weight of the disabled vehicle or combination of disabled vehicles is not subject to the penalties imposed by IC 9-20-18-1 through IC 9-20-18-10 and IC 9-20-18-12 if: (A) the disabled vehicle or combination of disabled vehicles exceeds the dimensional or weight restrictions imposed by IC 9-20-3 or IC 9-20-4; and (B) a permit for the excess has not been granted. [Pre-1991 Recodification Citation: 9-8-1-12.5(a).] As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.347; P.L.196-2017, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 1. Application9-21-1-0.5. "Lawful Intervention Technique"

Sec. 0.5. As used in this chapter, "lawful intervention technique" means a method by which a pursuing motor vehicle causes, or attempts to cause, a fleeing motor vehicle to stop. The term includes a precision immobilization technique (PIT) maneuver. As added by P.L.145-2009, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 1. Application9-21-1-1. Application of Article

Sec. 1. Except as provided in sections 2, 3, and 3.3 of this chapter, this article applies throughout Indiana. [Pre-1991 Recodification Citation: 9-4-1-27(a).] As added by P.L.2-1991, SEC.9. Amended by P.L.150-2009, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 1. Application9-21-1-10. Animals; Vehicles Drawn by Animals

Sec. 10. A person who rides an animal or drives an animal drawing a vehicle upon a roadway is: (1) subject to the provisions of this article applicable to the person who drives a vehicle; and (2) is not subject to the provisions of this article that by their nature have no application. [Pre-1991 Recodification Citation: 9-4-1-26.] As added by P.L.2-1991, SEC.9.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 1. Application9-21-1-11. Interstate Compacts and Agreements; Application to Crimes and Offenses Under This Article

Sec. 11. The following are subject to IC 9-28: (1) A: (A) conviction for a crime; or (B) judgment for an offense or ordinance violation; under this article related to the use or operation of a motor vehicle. (2) The issuance of a citation (as defined in IC 9-28-2-1) under this article. [Pre-1991 Recodification Citation: New.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 1. Application9-21-1-2. Local Authorities; Adoption of Additional Regulations; Conflict of Law; Fines; Disbursement

Sec. 2. (a) Except as provided in section 3.5 of this chapter, a local authority may adopt by ordinance additional traffic regulations with respect to highways under the authority's jurisdiction. An ordinance adopted under this subsection may not conflict with or duplicate a statute. (b) After a request has been made at a public meeting or by certified mail to the legislative body (as defined in IC 36-1-2-9) from the property owner, a local authority may adopt by ordinance additional traffic regulations with respect to a private road within the authority's jurisdiction. The ordinance: (1) must require a contractual agreement between the local authority and property owner of the private road setting forth the terms and responsibilities of the additional traffic regulations; (2) must require the contractual agreement required under subdivision (1) to be recorded after passage of the ordinance in the office of the recorder of the county in which the private road is located; and (3) may not conflict with or duplicate state law. (c) A fine assessed for a violation of a traffic ordinance adopted by a local authority may be deposited into the general fund of the appropriate political subdivision. [Pre-1991 Recodification Citation: 9-4-1-27(a); (b).] As added by P.L.2-1991, SEC.9. Amended by P.L.128-2002, SEC.1; P.L.143-2002, SEC.5; P.L.1-2003, SEC.50.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 1. Application9-21-1-3.3. Ordinances Regarding Use of Golf Carts on Highway

Sec. 3.3. (a) A city, county, or town may adopt by ordinance traffic regulations concerning the use of golf carts or off-road vehicles, or both on a highway under the jurisdiction of the city, county, or town. An ordinance adopted under this subsection may not: (1) conflict with or duplicate another state law; or (2) conflict with a driver's licensing requirement of another provision of the Indiana Code. (b) A fine assessed for a violation of a traffic ordinance adopted by a city, county, or town under this section shall be deposited into the general fund of the city, county, or town. (c) Notwithstanding subsection (a), an ordinance adopted by a county under this section: (1) may allow an operator of a golf cart or off-road vehicle to cross a highway in the state highway system, at right angles, in order to travel from one (1) highway under the jurisdiction of the county to another highway under the jurisdiction of the county when the operation can be done safely; and (2) must set a limit as to the number of passengers (other than the operator) that may be permitted on a golf cart or off-road vehicle. (d) A violation of an ordinance adopted under this section that is committed on a state highway by the operator of a golf cart or off-road vehicle is considered to be an ordinance violation. As added by P.L.150-2009, SEC.12. Amended by P.L.182-2009(ss), SEC.292; P.L.60-2012, SEC.1; P.L.259-2013, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 1. Application9-21-1-3.5. Local Authority; Prohibition Against or Restriction on Use of Electric Foot Scooter or Electric Personal Assistive Mobility Device

Sec. 3.5. A local authority may not adopt by ordinance any prohibition against or restriction on the use of an electric foot scooter or electric personal assistive mobility device operated on a path set aside for the exclusive use of bicycles as set forth in IC 9-21-11-1(b). As added by P.L.143-2002, SEC.6. Amended by P.L.142-2019, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 1. Application9-21-1-3. Powers of Local Authorities; Effective Date of Ordinances

Sec. 3. (a) A local authority, with respect to private roads and highways under the authority's jurisdiction, in accordance with sections 2 and 3.3(a) of this chapter, and within the reasonable exercise of the police power, may do the following: (1) Regulate the standing or parking of vehicles and electric foot scooters. (2) Regulate traffic by means of police officers or traffic control signals. (3) Regulate or prohibit processions or assemblages on the highways. (4) Designate a highway as a one-way highway and require that all vehicles operated on the highway be moved in one (1) specific direction. (5) Regulate the speed of vehicles in public parks. (6) Designate a highway as a through highway and require that all vehicles stop before entering or crossing the highway. (7) Designate an intersection as a stop intersection and require all vehicles to stop at one (1) or more entrances to the intersection. (8) Restrict the use of highways as authorized in IC 9-21-4-7. (9) Regulate the operation of bicycles and electric foot scooters and require the registration and licensing of bicycles and electric foot scooters, including the requirement of a registration fee. (10) Regulate or prohibit the turning of vehicles at intersections. (11) Alter the prima facie speed limits authorized under IC 9-21-5. (12) Adopt other traffic regulations specifically authorized by this article. (13) Adopt traffic regulations governing traffic control on public school grounds when requested by the governing body of the school corporations. (14) Regulate or prohibit the operation of low speed vehicles, golf carts, or off-road vehicles on highways in accordance with section 3.3(a) of this chapter. (b) An ordinance or regulation adopted under subsection (a)(4), (a)(5), (a)(6), (a)(7), (a)(8), (a)(10), (a)(11), (a)(12), (a)(13), or (a)(14), is effective

when signs giving notice of the local traffic regulations are posted upon or at the entrances to the highway or part of the highway that is affected. [Pre-1991 Recodification Citation: 9-4-1-28(a); (c).] As added by P.L.2-1991, SEC.9. Amended by P.L.128-2002, SEC.2; P.L.21-2003, SEC.6; P.L.150-2009, SEC.11; P.L.182-2009(ss), SEC.291; P.L.259-2013, SEC.15; P.L.142-2019, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 1. Application9-21-1-4. Posting of Signs on State Highways by Local Authorities; Conditions; Prohibitions

Sec. 4. (a) Notwithstanding IC 8-23-20, IC 9-21-5, and section 5 of this chapter, a city or town may, by ordinance, authorize and pay for signs to be erected along the routes of state highways if the following conditions are met: (1) The sign is an information sign stating only that a famous person is or was a resident of that city or town. (2) The sign conforms to the manual on traffic control devices standards for historical signs. (3) A copy of the sign ordinance is sent to the bureau of the Indiana department of transportation. (b) The commissioner of the Indiana department of transportation may, within sixty (60) days after the effective date of an ordinance adopted under subsection (a), prohibit the erection of or cause removal of the sign if the bureau finds that the sign: (1) creates a traffic hazard; or (2) expresses a commercial or partisan political message. [Pre-1991 Recodification Citation: 9-4-1-28(d); (e).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 1. Application9-21-1-5. Local Control of State Highways; Enforcement Powers

Sec. 5. Local control of the routes of state highways in cities and towns includes only the power of enforcement of this article and of the regulations passed by the Indiana department of transportation. [Pre-1991 Recodification Citation: 9-4-1-28(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 1. Application9-21-1-6. Drivers of Vehicles; Application of Chapter

Sec. 6. Except as provided in sections 7 and 8 of this chapter, this article applies to the drivers of vehicles owned or operated by the United States, this state, or a political subdivision of the state. [Pre-1991 Recodification Citation: 9-4-1-25(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 1. Application9-21-1-7. Highway Construction Vehicles; Application of Article

Sec. 7. Unless specifically made applicable, this article does not apply to a person, team, motor vehicle, and other equipment actually engaged in work on the surface of a highway. This article applies to a person and vehicle when traveling to or from work on the surface of a highway. [Pre-1991 Recodification Citation: 9-4-1-25(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 1. Application9-21-1-8. Emergency Vehicles

Sec. 8. (a) This section applies to the person who drives an authorized emergency vehicle when: (1) responding to an emergency call; (2) in the pursuit of an actual or suspected violator of the law; or (3) responding to, but not upon returning from, a fire alarm. (b) The person who drives an authorized emergency vehicle may do the following: (1) Park or stand, notwithstanding other provisions of this article. (2) Proceed past a red or stop signal or stop sign, but only after slowing down as necessary for safe operation. (3) Exceed the maximum speed limits if the person who drives the vehicle does not endanger life or property. (4) Disregard regulations governing direction of movement or turning in specified directions. (5) Execute a lawful intervention technique if the person has completed a training course that instructs participants in the proper execution of lawful intervention techniques. (c) This section applies to an authorized emergency vehicle only when the vehicle is using audible or visual signals as required by law. An authorized emergency vehicle operated as a police vehicle is not required to be equipped with or display red and blue lights visible from in front of the vehicle. (d) This section does not do the following: (1) Relieve the person who drives an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons. (2) Protect the person who drives an authorized emergency vehicle from the consequences of the person's reckless disregard for the safety of others. [Pre-1991 Recodification Citation: 9-4-1-25(c); (d); (e); (f).] As added by P.L.2-1991, SEC.9. Amended by P.L.145-2009, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 1. Application9-21-1-9. Private Roads

Sec. 9. Except when a different place is specifically referred to, this article applies to the operation of vehicles upon highways and private roads of a residential subdivision, regardless of who maintains them. [Pre-1991 Recodification Citation: 9-4-1-22.] As added by P.L.2-1991, SEC.9. Amended by P.L.128-2002, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 10. Motorcycles9-21-10-1. Passengers; Number; Seating Restrictions

Sec. 1. (a) In addition to the person who operates a motorcycle, one (1) person may be carried on the motorcycle. A passenger may be carried only on a firmly attached and regular seat designed for passenger use. (b) A passenger may not be carried on a motor driven cycle. [Pre-1991 Recodification Citation: 9-8-9-2(a).] As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.44;

P.L.111-2021, SEC.27.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 10. Motorcycles9-21-10-10. Renting or Furnishing a Motorcycle to Unlicensed Driver

Sec. 10. A person may not rent, lease, or furnish a motorcycle to another person for use on the streets and highways who is not regularly licensed to operate a motor vehicle by the state in which the other person is a resident. [Pre-1991 Recodification Citation: 9-8-9-5.] As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.52; P.L.111-2021, SEC.30.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 10. Motorcycles9-21-10-11. Authorizing Use of Motorcycle by Unlicensed Driver

Sec. 11. A person to whom a motorcycle is rented, leased, or furnished may not rent, sublease, or otherwise authorize the use of the motorcycle on the streets and highways to a person who is not licensed to operate a vehicle in Indiana. [Pre-1991 Recodification Citation: 9-8-9-5(a).] As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.53; P.L.111-2021, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 10. Motorcycles9-21-10-12. Renting, Leasing, or Furnishing Unsafe Motorcycle or Motor Driven Cycle

Sec. 12. A person may not rent, lease, or furnish a motorcycle or motor driven cycle that is not in safe operating condition. [Pre-1991 Recodification Citation: 9-8-9-5(b).] As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.54.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 10. Motorcycles9-21-10-13. Violations; Class C Infraction

Sec. 13. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-9-7.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 10. Motorcycles9-21-10-2. Passengers; Interference With Operation and Control; Obstruction of View

Sec. 2. A passenger may not be carried on a motorcycle in a position that interferes with the operation or control of the motorcycle or the view of the person who operates the motorcycle. [Pre-1991 Recodification Citation: 9-8-9-2(b).] As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.45; P.L.111-2021, SEC.28.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 10. Motorcycles9-21-10-3. Packages, Bundles, or Other Articles Preventing Proper Use of Handlebars or Steering Wheel

Sec. 3. A person who operates a motorcycle or motor driven cycle may not carry a package, bundle, or other article that prevents the person from keeping both hands on the handlebars or steering wheel. [Pre-1991 Recodification Citation: 9-8-9-2(c).] As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.46; P.L.82-2015, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 10. Motorcycles9-21-10-4. Seating Restrictions

Sec. 4. (a) Except as provided in subsection (b), a person may not drive, operate, or ride as a passenger on a motorcycle in a position other than astride the seat or saddle provided. (b) A person may not drive, operate, or ride as a passenger in an autocycle in a position other than on a seat. [Pre-1991 Recodification Citation: 9-8-9-2(d).] As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.47; P.L.82-2015, SEC.7; P.L.111-2021, SEC.29.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 10. Motorcycles9-21-10-5. Headlamps; Illumination During Operation

Sec. 5. Headlamps shall be illuminated at all times when a motorcycle or motor driven cycle is in operation. [Pre-1991 Recodification Citation: 9-8-9-2(e).] As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.48.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 10. Motorcycles9-21-10-6. Traffic Lanes; Restrictions on Use

Sec. 6. A motorcycle is entitled to the full use of a traffic lane and a vehicle may not be driven or operated in a manner that deprives another vehicle of the full use of a traffic lane. Motorcycles, other than autocycles, may, with the consent of both persons who operate the motorcycles, be operated with not more than two (2) abreast in a single traffic lane. [Pre-1991 Recodification Citation: 9-8-9-2(f).] As added by P.L.2-1991, SEC.9. Amended by P.L.82-2015, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 10. Motorcycles9-21-10-7. Applicability of Traffic Regulations

Sec. 7. (a) Subject to subsection (b), all traffic regulations and all rights and duties inured from the traffic regulations that apply to a

person who drives or operates a motor vehicle apply to a person who operates a motorcycle or motor driven cycle except the following: (1) Regulations that expressly do not apply to motorcycles or motor driven cycles. (2) Regulations that by their nature have no application. (b) IC 9-21-3-7(b)(3)(D) applies to the operation of a motorcycle. [Pre-1991 Recodification Citation: 9-8-9-2(g).] As added by P.L.2-1991, SEC.9. Amended by P.L.206-2014, SEC.2; P.L.221-2014, SEC.49.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 10. Motorcycles9-21-10-8. Motor Driven Cycles Prohibited From Operation on Highways

Sec. 8. A motor driven cycle may not be operated on an interstate highway. [Pre-1991 Recodification Citation: 9-8-9-2(h).] As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.50.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11.5. Personal Delivery Devices9-21-11.5-0.5. Applicability

Sec. 0.5. This chapter does not apply to portions of state routes, U.S. routes, and interstate highways comprising the state highway system located in a municipality. As added by P.L.15-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11.5. Personal Delivery Devices9-21-11.5-1. "Agent"

Sec. 1. As used in this chapter, "agent" refers to a person who is charged with the responsibility of navigating and operating a personal delivery device. The term does not include the following: (1) A person who requests or receives the services of a personal delivery device for the purpose of transporting property. (2) A person who only arranges for and dispatches the requested services of a personal delivery device. As added by P.L.15-2021, SEC.1. Amended by P.L.9-2022, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11.5. Personal Delivery Devices9-21-11.5-10. Access Requirements

Sec. 10. A political subdivision may not be required to: (1) install additional traffic signs or signals; (2) make improvements or extensions to infrastructure; or (3) pay for improvements to infrastructure; for the purpose of accommodating or providing increased access for personal delivery devices. As added by P.L.15-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11.5. Personal Delivery Devices9-21-11.5-11. Ordinances and Resolutions; Design, Manufacture, Maintenance, Certification, Licensing, Registration, Taxation, Assessment, Insurance; Types of Property

Sec. 11. A political subdivision may not enact or enforce an ordinance or resolution relating to any of the following: (1) The design, manufacture, maintenance, certification, licensing, registration, taxation, assessment, or insurance of a personal delivery device. (2) The types of property that may be transported by a personal delivery device. As added by P.L.15-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11.5. Personal Delivery Devices9-21-11.5-2. "Personal Delivery Device"

Sec. 2. As used in this chapter, "personal delivery device" means a powered device that satisfies the following: (1) The device is operated primarily on sidewalks and crosswalks. (2) The device is intended primarily for the transport of property on public rights-of-way. (3) The weight of the device is not greater than five hundred (500) pounds, excluding cargo. (4) The device is capable of navigating with or without the active control or monitoring of an individual. As added by P.L.15-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11.5. Personal Delivery Devices9-21-11.5-3. "Personal Delivery Device Operator"

Sec. 3. As used in this chapter, "personal delivery device operator" means a person or the person's agent who exercises physical control or monitoring over the navigation system and operation of a personal delivery device. As added by P.L.15-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11.5. Personal Delivery Devices9-21-11.5-4. Operation

Sec. 4. A personal delivery device may operate in Indiana on any sidewalk, crosswalk, road, or street of any county or municipality in Indiana. As added by P.L.15-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11.5. Personal Delivery Devices9-21-11.5-5. Personal Delivery Device Requirements

Sec. 5. A personal delivery device must satisfy all of the following: (1) The personal delivery device must include a unique identifying device number. (2) The personal delivery device must include a means of identifying the personal delivery device operator. (3) The personal delivery device must not unreasonably interfere with motor vehicles or traffic. (4) The personal delivery device must not block public rights- of-way. (5) The personal delivery device must obey all traffic and pedestrian control signals and

devices. (6) The personal delivery device may not operate on a sidewalk or crosswalk at a speed that is greater than ten (10) miles per hour. (7) The personal delivery device must be equipped with a system that enables the personal delivery device to come to a controlled stop. (8) If the personal delivery device is being operated between sunset and sunrise, it must be equipped with lighting on both its front and rear that is visible in clear weather from a distance of at least five hundred (500) feet to its front and rear. (9) The personal delivery device shall not be used for the transportation of hazardous material regulated under the Hazardous Materials Transportation Act (49 U.S.C. 5103) and is required to be placarded under 49 CFR Part 172, Subpart F. As added by P.L.15-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11.5. Personal Delivery Devices9-21-11.5-6. Sidewalk or Crosswalk Operation

Sec. 6. A personal delivery device operating on a sidewalk or crosswalk shall have all the rights and responsibilities applicable to a pedestrian under the same circumstances. As added by P.L.15-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11.5. Personal Delivery Devices9-21-11.5-7. Exemptions

Sec. 7. A personal delivery device is exempt from motor vehicle licensing and registration requirements under Indiana law. As added by P.L.15-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11.5. Personal Delivery Devices9-21-11.5-8. Liability Coverage

Sec. 8. A personal delivery device operator shall maintain an insurance policy that provides general liability coverage of at least one hundred thousand dollars ($100,000) for damages arising from the combined operations of personal delivery devices under a personal delivery device operator's control. As added by P.L.15-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11.5. Personal Delivery Devices9-21-11.5-9. Restrictions

Sec. 9. A political subdivision may adopt by ordinance or resolution restrictions on personal delivery devices. A political subdivision shall: (1) hold a public meeting before enacting an ordinance or resolution to restrict personal delivery devices; and (2) notify all companies determined to be affected by the ordinance or resolution restricting personal delivery devices. As added by P.L.15-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11. Bicycles, Motorized Bicycles, and Electric Foot Scooters9-21-11-1. Parents and Guardians; Authorizing or Permitting Violation of Chapter; Bicycles and Electric Foot Scooters; Application of Chapter

Sec. 1. (a) The parent of a child and the guardian of a protected person may not authorize or knowingly permit the child or protected person to violate this chapter. (b) Subject to the exceptions stated, the provisions of this chapter applicable to bicycles or electric foot scooters apply whenever a bicycle or an electric foot scooter is operated upon a highway or a path set aside for the exclusive use of bicycles and electric foot scooters. [Pre-1991 Recodification Citation: 9-4-1-93.] As added by P.L.2-1991, SEC.9. Amended by P.L.142-2019, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11. Bicycles, Motorized Bicycles, and Electric Foot Scooters9-21-11-10. Brakes

Sec. 10. A bicycle must be equipped with a brake that will enable the person who operates the bicycle to make the braked wheels skid on dry, level, clean pavement. [Pre-1991 Recodification Citation: 9-4-1-100(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11. Bicycles, Motorized Bicycles, and Electric Foot Scooters9-21-11-11. Highways; Regulations and Requirements

Sec. 11. A person who operates a bicycle upon a highway shall observe the regulations and requirements of this article. [Pre-1991 Recodification Citation: 9-4-1-101.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11. Bicycles, Motorized Bicycles, and Electric Foot Scooters9-21-11-12. Motorcycles; Prohibitions on Operation; Conditions

Sec. 12. A motor driven cycle may not be operated under any of the following conditions: (1) By an individual less than fifteen (15) years of age. (2) By an individual who does not have: (A) an unexpired identification card with a motor driven cycle endorsement issued to the individual by the bureau under IC 9-24-16; (B) a valid driver's license; or (C) a valid learner's permit. (3) On an interstate highway or a sidewalk. (4) At a speed greater than thirty-five (35) miles per hour. (5) The vehicle has not been registered as a motor driven cycle. [Pre-1991 Recodification Citation: 9-4-1-61.1.] As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.56; P.L.198-2016, SEC.366; P.L.111-2021, SEC.33.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11. Bicycles, Motorized Bicycles, and Electric Foot Scooters9-21-11-13.1. Electric Bicycles; Rights and Duties; Exemption From Certain Statutes; Required Equipment and Features; Restrictions on Use

Sec. 13.1. (a) An electric bicycle is not a motor vehicle (as defined in IC 9-13-2-105). (b) Except as otherwise provided in this section, an operator of an electric bicycle is: (1) subject to all of the duties; and (2) entitled to all of the rights and privileges; of a bicycle operator. (c) Except as otherwise provided in this section, an electric bicycle shall be regulated as a bicycle. (d) The operator of an electric bicycle is not subject to: (1) IC 9-24 (driver's licenses); or (2) IC 9-25 (financial responsibility). (e) An electric bicycle is not subject to: (1) IC 9-17 (certificates of title); (2) IC 9-18.1 (motor vehicle registration); or (3) IC 14-16-1 (off-road vehicles). (f) On and after January 1, 2020, a manufacturer or distributor of an electric bicycle shall affix a permanent and conspicuous label to each electric bicycle. Each label described under this subsection shall prominently display the following information: (1) The class level of the electric bicycle. (2) The top assisted speed of the electric bicycle. (3) The rated wattage of the electric bicycle's electric motor. (g) If a modification to an electric bicycle results in any alteration to the: (1) top assisted speed of the electric bicycle; or (2) engagement of the electric bicycle's electric motor; the label described in subsection (f) shall be replaced with a subsequent label that accurately reflects the class level, top assisted speed, and rated wattage of the modified electric bicycle. (h) All electric bicycles shall comply with the bicycle equipment and manufacturing requirements adopted by the United States Consumer Product Safety Commission (16 CFR 1512). (i) All electric bicycles shall be equipped with an electric motor that disengages or ceases to provide assistance when the operator: (1) stops pedaling; or (2) applies brakes. (j) Subject to subsection (k), and except as provided in subsection (l), an electric bicycle may be operated wherever bicycles are permitted to travel. (k) The lawful operation of an electric bicycle is subject to the following provisions: (1) Unless otherwise specified by a statute, rule, or local ordinance, a Class 1 or Class 2 electric bicycle may be operated on any bicycle path or multipurpose path where bicycles are permitted. (2) A Class 3 electric bicycle may not be operated on a bicycle path or multipurpose path unless one (1) or more of the following conditions apply: (A) The bicycle path or multipurpose path is within or adjacent to a highway or roadway. (B) A local authority or state agency with jurisdiction over the bicycle path or multipurpose path authorizes the use of a Class 3 electric bicycle on the bicycle path or multipurpose path. (3) A person less than fifteen (15) years of age may not operate a Class 3 electric bicycle. (4) A person less than fifteen (15) years of age may ride as a passenger on a Class 3 electric bicycle if the Class 3 electric bicycle is designed to accommodate a passenger. (5) A properly fitted and fastened bicycle helmet that meets the most recent and applicable standards issued by the United States Consumer Product Safety Commission or the American Society for Testing and Materials must be worn by any person who operates or rides as a passenger on a Class 3 electric bicycle and is less than eighteen (18) years of age. (l) Subsection (k) shall not apply to a path or trail designated as nonmotorized if the following conditions are met: (1) The bicycle path or trail has a natural surface tread. (2) The bicycle path or trail was made by clearing and grading the native soil. (3) No surfacing materials have been added to the bicycle path or trail. A local authority or state agency may regulate the use of electric bicycles or any class of electric bicycle on a bicycle path or trail described under this subsection. As added by P.L.206-2019, SEC.11. Amended by P.L.156-2020, SEC.45.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11. Bicycles, Motorized Bicycles, and Electric Foot Scooters9-21-11-13.6. Electric Foot Scooter; Rights and Duties; Operation; Equipment; Parking

Sec. 13.6. (a) A person operating an electric foot scooter has all the rights and duties under this chapter that are applicable to a person riding a bicycle, except the following: (1) Special regulations of this chapter. (2) Those provisions of this chapter that by their nature have no application, including section 3 of this chapter. (b) An electric foot scooter operated on a highway from one-half (1/2) hour after sunset until one-half (1/2) hour before sunrise must be equipped with the following: (1) A lamp on the front exhibiting a white light visible from a distance of at least five hundred (500) feet to the front. (2) A lamp on the rear exhibiting a red light visible from a distance of five hundred (500) feet to the rear or a red reflector visible from a distance of five hundred (500) feet to the rear. (c) An electric foot scooter must be equipped with a brake that will enable the person who operates the electric foot scooter to make the braked wheels skid on dry, level, clean pavement. (d) Except as provided in subsection (e), an electric foot scooter may be parked on a sidewalk in a way that does not impede the normal or reasonable movement of pedestrians or vehicle traffic. (e) A local authority may prohibit the parking of an electric foot scooter on a sidewalk if the local authority provides an adequate alternative parking location in a public right-of-way that is proximate to the prohibited area. (f) Subject to any ordinance, rule, or regulation adopted by a local authority to the contrary, an electric foot scooter may be operated where a bicycle may be operated. (g) Notwithstanding any other law or provision, an electric foot scooter may not be operated on an interstate highway. As added by P.L.142-2019, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11. Bicycles, Motorized Bicycles, and Electric Foot Scooters9-21-11-14. Violations; Class C Infraction

Sec. 14. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-127.1(b).] As added by P.L.2-1991, SEC.9.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11. Bicycles, Motorized Bicycles, and Electric Foot Scooters9-21-11-2. Roadways; Rights and Duties

Sec. 2. A person riding a bicycle or operating a motor driven cycle upon a roadway has all the rights and duties under this article that are applicable to a person who drives a vehicle, except the following: (1) Special regulations of this article. (2) Those provisions of this article that by their nature have no application. [Pre-1991 Recodification Citation: 9-4-1-94.] As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.55; P.L.111-2021, SEC.32.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11. Bicycles, Motorized Bicycles, and Electric Foot Scooters9-21-11-3. Operation; Seats; Passengers

Sec. 3. (a) A person propelling a bicycle may not: (1) ride other than upon the permanent and regular seat attached to the bicycle; or (2) carry any other person upon the bicycle who is not seated upon a firmly attached and regular seat on the bicycle. (b) A person may not ride upon a bicycle unless seated under this section. [Pre-1991 Recodification Citation: 9-4-1-95(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11. Bicycles, Motorized Bicycles, and Electric Foot Scooters9-21-11-4. Number of Passengers

Sec. 4. A bicycle may not be used to carry more persons at one (1) time than the number for which the bicycle is designed and equipped. [Pre-1991 Recodification Citation: 9-4-1-95(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11. Bicycles, Motorized Bicycles, and Electric Foot Scooters9-21-11-6. Lane Use Restrictions; Riding Two Abreast

Sec. 6. A person riding a bicycle upon a roadway may not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. [Pre-1991 Recodification Citation: 9-4-1-97.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11. Bicycles, Motorized Bicycles, and Electric Foot Scooters9-21-11-7. Packages, Bundles, or Other Articles Preventing Proper Use of Handlebars

Sec. 7. A person who rides a bicycle may not carry a package, a bundle, or an article that prevents the person from keeping both hands upon the handlebars. [Pre-1991 Recodification Citation: 9-4-1-98.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11. Bicycles, Motorized Bicycles, and Electric Foot Scooters9-21-11-8. Use of Siren or Whistle Prohibited

Sec. 8. A bicycle may not be equipped with and a person may not use upon a bicycle a siren or whistle. [Pre-1991 Recodification Citation: 9-4-1-99.] As added by P.L.2-1991, SEC.9. Amended by P.L.198-2016, SEC.365.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 11. Bicycles, Motorized Bicycles, and Electric Foot Scooters9-21-11-9. Lamps and Reflectors

Sec. 9. A bicycle operated on a highway from one-half (1/2) hour after sunset until one-half (1/2) hour before sunrise must be equipped with the following: (1) A lamp on the front exhibiting a white light visible from a distance of at least five hundred (500) feet to the front. (2) A lamp on the rear exhibiting a red light visible from a distance of five hundred (500) feet to the rear or a red reflector visible from a distance of five hundred (500) feet to the rear. [Pre-1991 Recodification Citation: 9-4-1-100(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-1. Arm Signal Device Extended; Duty; Penalty; License Suspension; Presumption

Sec. 1. (a) A person who drives a vehicle that: (1) meets or overtakes from any direction a school bus stopped on a roadway or a private road and is not stopped before reaching the school bus when the arm signal device specified in IC 9-21-12-13 is in the device's extended position; or (2) proceeds before the arm signal device is no longer extended; commits a Class A infraction. (b) In addition to any other penalty imposed under this section, the court may suspend the person's driving privileges: (1) for ninety (90) days; or (2) if the person has committed at least one (1) previous offense under this section or IC 9-21-8-52(b), for one (1) year. (c) This section is applicable only if the school bus is in substantial compliance with the markings required by the state school bus committee. (d) There is a rebuttable presumption that the owner of the vehicle involved in the violation of this section committed the violation. This presumption does not apply to the owner of a vehicle involved in the violation of this section if the owner routinely engages in the business of renting the vehicle for periods of thirty (30) days or less. [Pre-1991 Recodification Citation: 9-4-1-123(a); (b). Pre-2007 Recodification Citation: 20-9.1-5-14.] As added by P.L.2-1991, SEC.9. Amended by P.L.127-1993, SEC.2; P.L.1-2005, SEC.104; P.L.217-2014, SEC.52; P.L.144-2019, SEC.3.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-10. Violation of Provisions Relating to Design and Operation of School Buses; Breach of Contract

Sec. 10. A person who violates section 4 of this chapter commits breach of contract. [Pre-1991 Recodification Citation: 9-4-1-124(c).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-13. School Bus; Arm Signal Device; Exception

Sec. 13. (a) Except: (1) as provided in subsection (b); or (2) when a school bus is stopped at an intersection or another place where traffic is controlled by a traffic control device or a police officer; whenever a school bus is stopped on a roadway or a private road to load or unload a student, the driver shall use an arm signal device, which must be extended while the bus is stopped. (b) The governing body of a public school may authorize a school bus driver to load or unload a student at a location off the roadway that the governing body designates as a special school bus loading area. The driver is not required to extend the arm signal device when loading or unloading a student in the designated area. (c) A school bus driver who knowingly or intentionally violates subsection (a) commits a Class C misdemeanor. [Pre-2005 Elementary and Secondary Education Recodification Citation: 20-9.1-5-14.] As added by P.L.1-2005, SEC.27. Amended by P.L.217-2014, SEC.60; P.L.144-2019, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-14. School Bus; Directional Signal

Sec. 14. Before a driver changes the direction of a school bus, the driver shall use a directional signal to indicate the change at least one hundred (100) feet before the driver turns. A school bus driver who knowingly or intentionally violates this section commits a Class C misdemeanor. [Pre-2005 Elementary and Secondary Education Recodification Citation: 20-9.1-5-15.] As added by P.L.1-2005, SEC.28. Amended by P.L.217-2014, SEC.61.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-15.5. School Bus; Daytime Running Lights

Sec. 15.5. Whenever a school bus is in operation and transporting passengers, the driver of a school bus shall have the daytime running lights illuminated at all times. As added by P.L.144-2019, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-15. School Bus; Flashing Lights

Sec. 15. (a) The driver of a school bus shall use flashing lights as prescribed by the state school bus committee to give adequate warning that the school bus is stopped or about to stop on the roadway or the private road to load or unload a student. (b) A school bus driver who knowingly or intentionally violates subsection (a) commits a Class C misdemeanor. [Pre-2005 Elementary and Secondary Education Recodification Citation: 20-9.1-5-16.] As added by P.L.1-2005, SEC.29. Amended by P.L.217-2014, SEC.62; P.L.144-2019, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-16. Forward Area of School Bus Off Limits to Children

Sec. 16. (a) When a school bus is in motion, students are prohibited from occupying any space forward of a vertical plane drawn through the rear of the driver's seat and perpendicular to the longitudinal axis of the bus. Every school bus must: (1) be marked with a line or otherwise equipped in order to indicate the prohibited area to students; and (2) have clearly posted, at or near the front of the bus, a sign stating that it is a violation of Indiana law for a school bus to be operated with any students occupying the prohibited area. (b) A school bus driver who knowingly or intentionally violates this section commits a Class C misdemeanor. [Pre-2005 Elementary and Secondary Education Recodification Citation: 20-9.1-5-17.] As added by P.L.1-2005, SEC.30. Amended by P.L.217-2014, SEC.63.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-18. School Bus and Special Purpose Bus; Obstruction of Emergency Exits and Doors; Driver Penalties; Employer Penalties

Sec. 18. (a) Whenever a school bus or special purpose bus is transporting passengers, the school bus or special purpose bus emergency escape exits, doors, emergency exit windows, roof exits, and service doors must be free of any obstruction that: (1) inhibits or obstructs an exit; or (2) renders the means of exit hazardous. (b) A driver who knowingly operates a school bus or special purpose bus in violation of subsection (a) commits a Class C misdemeanor. (c) A person who knowingly directs a driver to operate a school bus or special purpose bus in violation of subsection (a) commits a Class C misdemeanor. As added by P.L.107-2006, SEC.5. Amended by P.L.113-2014, SEC.28; P.L.217-2014, SEC.65; P.L.109-2015, SEC.28.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-19. School Bus and Special Purpose Bus; End of Trip Inspection

Sec. 19. (a) A person who operates a school bus or a special purpose bus shall visually inspect each seat within the interior of the school bus or special purpose bus at the end of a trip during which students or passengers are transported to determine that no student or passenger has remained on the school bus or special purpose bus. (b) The visual inspection required under subsection (a) must be conducted: (1) at the conclusion of each trip during which students or passengers are transported; and (2) before the operator exits the school bus or special purpose bus. (c) A student or passenger is considered to have been left on a school bus or special purpose bus if: (1) the operator has reached the end of a trip during which students or passengers are transported and exited the school bus or special purpose bus; and (2) the student or passenger remains inside the school bus or special purpose bus. (d) A school bus or special purpose bus owner shall report all instances of a student or passenger being left on the school bus or special purpose bus to the superintendent or the superintendent's designee immediately after the incident occurred. (e) The superintendent or the superintendent's designee shall report all instances of a student or passenger being left on the school bus or special purpose bus to the department of education not later than five (5) working days after the incident occurred. As added by P.L.39-2009, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-20.5. Presentation of School Bus Route to Governing Body

Sec. 20.5. (a) As used in this section, "elementary school": (1) has the meaning set forth in IC 20-18-2-4; and (2) includes public elementary schools and state accredited nonpublic elementary schools that voluntarily become accredited under IC 20-31-4.1. (b) As used in this section, "governing body" has the meaning set forth in IC 20-18-2-5. (c) If a school bus driver must load or unload an elementary school student at a location that requires the student to cross a roadway that is a U.S. route or state route as described in section 20(a)(1) of this chapter, the superintendent or the superintendent's designee shall present the school bus route described in this subsection to the governing body for approval. As added by P.L.144-2019, SEC.8. Amended by P.L.92-2020, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-20. School Bus; Loading and Unloading Students

Sec. 20. (a) Except as provided in subsection (b), when a school bus is operated on a: (1) U.S. route or state route, the driver may not load or unload a student at a location that requires the student to cross a roadway unless no other safe alternatives are available; and (2) street or highway other than a U.S. route or state route, the driver shall load and unload a student as close to the right-hand curb or edge of the roadway as practicable. (b) Subsection (a)(1) does not apply to a location on a U.S. route or state route that is within the boundary of a city or town. As added by P.L.144-2019, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-21. Petitioning County Council or Township Board; Reimbursement for Certain Equipment; Documentation

Sec. 21. (a) As used in this section, "qualified school district" refers to: (1) a school corporation (as defined in IC 20-18-2-16(a)); (2) a charter school (as defined in IC 20-24-1-4); or (3) a nonpublic school with at least one (1) employee. (b) A qualified school district may purchase, install, and operate equipment described in 575 IAC 1-9-14. If a qualified school district purchases or uses equipment described in 575 IAC 1-9-14 to enforce section 1 of this chapter, the qualified school district, with the approval of the governing body (or the equivalent for a charter school or nonpublic school with at least one (1) employee), may petition the county council or a township board (in a county having a consolidated city) to receive funding for reimbursement only in an amount sufficient to pay in full for equipment described in 575 IAC 1-9-14. Once the cost of the equipment described in 575 IAC 1-9-14 has been paid in full, the qualified school district may no longer receive funds from the county or, if applicable, the township, for this purpose. A qualified school district shall provide documentation to the county council or, if applicable, the township board, necessary for the county council or township board to determine the amount of the total cost for equipment described in 575 IAC 1-9-14. As added by P.L.144-2019, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-3. Divided Highways; Vehicles Approaching School Bus; Duty to Use Caution

Sec. 3. On a highway divided into two (2) or more roadways by: (1) leaving an intervening space that is unimproved and not intended for vehicular travel; (2) a physical barrier; or (3) a dividing section constructed to impede vehicular traffic; and if the school bus is on the opposite side of the traffic barrier, the person who drives an approaching vehicle need not stop and may proceed with due caution for the safety of children boarding or leaving the school bus. [Pre-1991 Recodification Citation: 9-4-1-124(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-4. Design and Operation of School Buses; Rules; Adoption

Sec. 4. (a) The state school bus committee established by IC 20-27-3-1 shall adopt and enforce rules that are consistent with this chapter to govern the design and operation of all school buses used for the transportation of school children that are: (1) owned and operated by a school corporation; or (2) privately owned and operated under contract with a school corporation; in Indiana. Rules adopted under this section shall by reference be made a part of a contract between a private school bus company and a school corporation. (b) Each school corporation, the school corporation's officers and employees, and every person employed under contract by a school district is subject to the rules adopted under this section. [Pre-1991 Recodification Citation: 9-4-1-124(b).] As added by P.L.2-1991, SEC.9. Amended by P.L.1-2005, SEC.105.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-5. Railroad Crossings; Duty to Stop

Sec. 5. (a) This section does not apply to the following: (1) A street railway grade crossing within a business or residence district. (2) Abandoned or unused railroad grade crossings that are: (A) designated by the Indiana department of transportation under IC 8-6-15-2; and (B) marked with a "tracks out of service" sign that complies with the requirements of IC 8-6-15-3. (b) A person who drives: (1) a motor vehicle, not including a school or private bus, carrying passengers for hire; (2) a school or private bus that is carrying passengers; or (3) a vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo; shall, before crossing at grade a track of a railroad, stop the vehicle not more than fifty (50) feet and not less than fifteen (15) feet from the nearest rail of the railroad. (c) While stopped in accordance with subsection (b), the person shall do the following: (1) Listen through an open window or door. (2) Look in both directions along the track for an approaching train or other on-track equipment and for signals indicating the approach of a train or other on-track equipment. (3) Not proceed until the person can proceed safely. After stopping, the person shall cross only in a gear of the vehicle so there will be no necessity for changing gears while traversing the crossing. The person who drives the vehicle may not shift gears while crossing the track or tracks. (d) If a police officer or traffic control signal directs traffic to proceed at a railroad crossing, the person who drives a vehicle subject to this section shall proceed in accordance with the instructions of the police officer or traffic control signal. (e) Except as provided in subsection (f), a person who violates this section commits a Class C infraction. (f) A person who knowingly or intentionally violates subsection (b)(2) commits a Class B misdemeanor. [Pre-1991 Recodification Citation: 9-4-1-108.] As added by P.L.2-1991, SEC.9. Amended by P.L.119-1995, SEC.7; P.L.87-2003, SEC.2; P.L.8-2010, SEC.6; P.L.217-2014, SEC.54.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-7. Fire Apparatus Responding to Alarm; Following or Driving Into Same Block; Prohibited Vehicles

Sec. 7. (a) A person who drives a vehicle that is not on official business for the state, a unit of government, a fire department, including a volunteer fire department, a law enforcement agency, or an emergency ambulance service may not do any of the following: (1) Follow any fire apparatus traveling in response to a fire alarm at a distance closer than five hundred (500) feet. (2) Drive into or park a vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (b) A person who violates this section commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-120.] As added by P.L.2-1991, SEC.9. Amended by P.L.217-2014, SEC.56.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 12. School Buses; Fire and Emergency Vehicles9-21-12-8. Violation of Duty to Stop at Railroad Crossings; Fine; Suspension of Driving Privileges

Sec. 8. A person who is convicted of a violation of section 5 of this chapter shall, in addition to the fine and costs that are assessed against the person, have the person's driving privileges suspended for a period of not less than sixty (60) days. [Pre-1991 Recodification Citation: 9-4-1-108(d).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 13. Funeral Processions9-21-13-0.7. Markings for Funeral Escort Vehicle

Sec. 0.7. (a) Except as provided in subsection (b), a funeral escort vehicle must be clearly marked with the words "funeral escort" on both the right and left sides of the vehicle in letters that are at least five (5) inches in height. (b) A motorcycle that is a funeral escort vehicle must be clearly marked with the words "funeral escort" on both the right and left sides of the vehicle in letters that are at least two (2) inches in height. (c) A funeral escort vehicle may not bear: (1) markings similar to the markings used by a law enforcement agency of the state or the federal government; (2) words, emblems, seals, or other insignia that could cause a reasonable person to confuse the funeral escort vehicle with a police vehicle; or (3) the words "sheriff", "police", "deputy", "marshal", "agent", "patrolman", "officer", or another word that could cause a reasonable person to confuse the operator of the funeral escort vehicle with a law enforcement officer. As added by P.L.80-2012, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 13. Funeral Processions9-21-13-1. Right-of-Way at Intersections; Conditions; Exceptions

Sec. 1. (a) A vehicle with lighted headlights in a funeral procession has the right-of-way at an intersection and may proceed through the intersection if the procession is headed by a lead or funeral escort vehicle displaying alternately flashing red and white, flashing red, or flashing amber lights or an authorized emergency vehicle, except if either of the following conditions exist: (1) When the

right-of-way is required by an authorized emergency vehicle giving an audible signal. (2) When the vehicles in procession are directed otherwise by a police officer. (b) Before assuming the right-of-way, a person who drives a vehicle in the funeral procession must exercise due caution with regard to crossing traffic. [Pre-1991 Recodification Citation: 9-4-1.5-1.] As added by P.L.2-1991, SEC.9. Amended by P.L.236-2003, SEC.8; P.L.80-2012, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 13. Funeral Processions9-21-13-2. Driving Between Vehicles of a Funeral Procession; Prohibition; Exceptions

Sec. 2. A person who drives a vehicle that is not in a funeral procession may not drive the vehicle between the vehicles of the funeral procession, except when: (1) authorized to do so by a traffic officer; or (2) the vehicle is an authorized emergency vehicle giving audible signal by siren. [Pre-1991 Recodification Citation: 9-4-1.5-2.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 13. Funeral Processions9-21-13-3. Formation of Procession and Lighting Headlights for Purpose of Securing Right-of-Way; Prohibition

Sec. 3. A person who drives a vehicle that is not a part of a funeral procession may not join the procession or form a procession and have headlights lighted for the purpose of securing the right-of-way granted by this chapter to funeral processions. [Pre-1991 Recodification Citation: 9-4-1.5-3.] As added by P.L.2-1991, SEC.9. Amended by P.L.236-2003, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 13. Funeral Processions9-21-13-4.5. Funeral Procession; Duty to Exercise Due Caution; Required Lights

Sec. 4.5. (a) A person operating a vehicle in a funeral procession: (1) must exercise due caution while in the funeral procession; and (2) must follow the preceding vehicle in the funeral procession as closely as is practical and safe. (b) A vehicle that is part of a funeral procession: (1) must have its headlights and taillights illuminated; and (2) may display flashing amber lights. (c) The operator of: (1) a vehicle immediately following the lead vehicle in a funeral procession; and (2) the last vehicle in the funeral procession; may illuminate the vehicle's hazard warning lights while in the funeral procession. As added by P.L.236-2003, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 13. Funeral Processions9-21-13-4. Lead and Escort Vehicles; Flashing Lights; Restrictions on Use

Sec. 4. (a) The lead and funeral escort vehicles in a funeral procession may be equipped with flashing amber lights that may be used only when the vehicles are used in a funeral procession. (b) Notwithstanding any other provisions in this article that govern emergency vehicles, the lead and funeral escort vehicles in a funeral procession may be equipped with flashing red lights that may be used only when the vehicles are used in a funeral procession. The flashing red lights may only be used to gain the right-of-way at intersections and to protect a funeral procession while crossing an intersection. [Pre-1991 Recodification Citation: 9-4-1.5-4(a); (b).] As added by P.L.2-1991, SEC.9. Amended by P.L.236-2003, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 13. Funeral Processions9-21-13-5. Vehicle in Procession; Pennants, Flags, or Windshield Stickers; Lights

Sec. 5. A vehicle that is a part of a funeral procession may use: (1) funeral pennants or flags; (2) windshield stickers; or (3) an amber light as described in section 4.5(b) of this chapter; to identify the vehicle as a part of the procession. [Pre-1991 Recodification Citation: 9-4-1.5-4(c).] As added by P.L.2-1991, SEC.9. Amended by P.L.236-2003, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 13. Funeral Processions9-21-13-6. Passing of Funeral Processions; Multiple Lane Highways

Sec. 6. A person who drives a vehicle may pass a funeral procession on the procession's left side on a multiple lane highway if the passing can be done safely. [Pre-1991 Recodification Citation: 9-4-1.5-5.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 13. Funeral Processions9-21-13-7. Violations; Class C Infraction

Sec. 7. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1.5-6.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 14. Marching Bands9-21-14-1. Application of Chapter

Sec. 1. This chapter applies to an officially recognized performing organization, including bands, dance units, drill teams, color guards, flag corps, or rifle squads of the following: (1) A public school. (2) A private school. (3) A state supported college or university. (4) A private college or university located in Indiana accredited by a recognized regional accrediting agency. [Pre-1991 Recodification Citation: 9-4-1.6-2.] As added by P.L.2-1991, SEC.9.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 14. Marching Bands9-21-14-2. Marching Band Procession

Sec. 2. As used in this chapter, "marching band procession" means an officially recognized performing organization, including a band, dance unit, drill team, color guard, flag corps, or rifle squad performing together or separately on a local road or street. [Pre-1991 Recodification Citation: 9-4-1.6-1.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 14. Marching Bands9-21-14-3. Right-of-Way; Requirements; Exceptions

Sec. 3. (a) A marching band procession has the right-of-way on a local road or street and at an intersection and may proceed on the local road or street and through the intersection if the procession is headed by a person wearing a fluorescent jacket or a lead or escort vehicle displaying a revolving amber light with three hundred sixty (360) degree visibility, except under either of the following conditions: (1) When the right-of-way is required by an authorized emergency vehicle. (2) When the procession is directed otherwise by a police officer. (b) A vehicle on the local road or street at the time the marching band procession is proceeding must pull over on the local road or street and yield the right-of-way until the procession has passed the vehicle. (c) A pedestrian may not physically interfere with a marching band procession or the individuals in the procession. (d) Before assuming the right-of-way, the marching band procession must exercise due caution with regard to crossing traffic. [Pre-1991 Recodification Citation: 9-4-1.6-3.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 14. Marching Bands9-21-14-4. Driving Between Vehicles of Marching Band Procession; Authorization

Sec. 4. A person who drives a vehicle that is not in a marching band procession may not drive the vehicle between the vehicles of the marching band procession, except when: (1) authorized to do so by a traffic officer; or (2) the vehicle is an authorized emergency vehicle. [Pre-1991 Recodification Citation: 9-4-1.6-4.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 14. Marching Bands9-21-14-5. Formation of Procession for Purpose of Securing Right-of-Way; Prohibition

Sec. 5. A pedestrian and a person who drives a vehicle that is not a part of a marching band procession may not form a procession for the purpose of securing the right-of-way granted by this section to marching band processions. [Pre-1991 Recodification Citation: 9-4-1.6-5.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 14. Marching Bands9-21-14-6. Lead and Escort Vehicles; Flashing Amber Lights

Sec. 6. The lead and escort vehicles in a marching band procession may be equipped with flashing amber lights. The revolving amber lights may be used to gain the right-of-way on a local road or street and at intersections and to protect a marching band procession while crossing an intersection. [Pre-1991 Recodification Citation: 9-4-1.6-6.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 14. Marching Bands9-21-14-7. Ordinances Regulating Band Processions

Sec. 7. Local units of government with jurisdiction over local roads and streets may adopt ordinances regulating marching band processions. [Pre-1991 Recodification Citation: 9-4-1.6-7.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 14. Marching Bands9-21-14-8. Violations; Class C Infraction

Sec. 8. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1.6-8.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 15. Disabled Vehicles9-21-15-1. Application of Chapter

Sec. 1. This chapter applies to the following vehicles: (1) A motor truck. (2) A passenger bus. (3) A truck tractor. (4) A trailer. (5) A semitrailer. (6) A pole trailer. [Pre-1991 Recodification Citation: 9-8-6-42(a) part.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 15. Disabled Vehicles9-21-15-2. Traveled Portion of Highway or Shoulder During Time When Lights Are Required; Warning Devices; Requirements

Sec. 2. Except as provided in section 6 of this chapter, whenever a vehicle is disabled upon the traveled portion of a highway or the shoulder of a highway outside of a municipality at a time when lighted lamps are required on vehicles, the person who drives the vehicle shall display the following warning devices upon the highway during the time the vehicle is disabled on the highway: (1) A

lighted fusee, a lighted red electric lantern, or a portable red emergency reflector must be immediately placed at the traffic side of the vehicle in the direction of the nearest approaching traffic. (2) As soon as possible within the burning period of a fusee (fifteen (15) minutes), the person shall place three (3) liquid-burning flares (pot torches), three (3) lighted red electric lanterns, or three (3) portable red emergency reflectors on the traveled part of the highway in the following order: (A) One (1) device approximately one hundred (100) feet from the disabled vehicle in the center of the lane occupied by the vehicle and toward traffic approaching in that lane. (B) One (1) device approximately one hundred (100) feet in the opposite direction from the disabled vehicle and in the center of the traffic lane occupied by the vehicle. (C) One (1) device at the traffic side of the disabled vehicle not less than ten (10) feet behind and not more than ten (10) feet in front of the vehicle in the direction of the nearest approaching traffic. If a lighted red electric lantern or a red portable emergency reflector has been placed at the traffic side of the vehicle under subdivision (1), the lantern or reflector may be used for this purpose. [Pre-1991 Recodification Citation: 9-8-6-42(a) part.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 15. Disabled Vehicles9-21-15-3. Vehicle Within 500 Feet of a Curve, Hillcrest, or Other Obstruction; Warning Signals; Requirements

Sec. 3. If a vehicle is disabled within five hundred (500) feet of a curve, hillcrest, or other obstruction to view, the warning signal in that direction shall be placed to afford ample warning to other users of the highway. The warning signal may not be placed less than five hundred (500) feet from the disabled vehicle. [Pre-1991 Recodification Citation: 9-8-6-43(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 15. Disabled Vehicles9-21-15-4. Divided Highways During Time When Lights Are Required; Warning Devices; Requirements

Sec. 4. Whenever a vehicle is disabled upon a roadway of a divided highway during the time that lights are required, the warning devices prescribed in sections 2 and 6 of this chapter shall be placed as follows: (1) One (1) device at a distance of approximately two hundred (200) feet from the vehicle in the center of the lane occupied by the stopped vehicle and in the direction of traffic approaching in that lane. (2) One (1) device at a distance of approximately one hundred (100) feet from the vehicle, in the center of the lane occupied by the vehicle and in the direction of traffic approaching that lane. (3) One (1) device at the traffic side of the vehicle and approximately ten (10) feet from the vehicle in the direction of the nearest approaching traffic. [Pre-1991 Recodification Citation: 9-8-6-43(c).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 15. Disabled Vehicles9-21-15-5. Traveled Portion of Highway or Shoulder During Time When Lights Are Not Required; Warning Devices; Requirements

Sec. 5. Whenever a vehicle is disabled upon the traveled part of the highway or the shoulder of the highway outside of a municipality at a time when the display of fusees, flares, red electric lanterns, or portable red emergency reflectors is not required under this chapter, the person who drives the vehicle shall display two (2) red flags upon the roadway in the lane of traffic occupied by the disabled vehicle as follows: (1) One (1) flag at a distance of approximately one hundred (100) feet in advance of the vehicle. (2) One (1) flag at a distance of approximately one hundred (100) feet to the rear of the vehicle. [Pre-1991 Recodification Citation: 9-8-6-43(d).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 15. Disabled Vehicles9-21-15-6. Vehicles Used in Transportation of Flammable Materials or Vehicles Using Such Materials as Fuel; Warning Devices; Requirements; Prohibited Devices

Sec. 6. (a) This section applies to the following: (1) A motor vehicle used in the transportation of explosives. (2) A cargo truck used for the transportation of a flammable liquid or compressed flammable gas. (3) A motor vehicle that uses compressed gas as a fuel. (b) Whenever a motor vehicle is disabled upon a highway at a time or place described in section 2 of this chapter, the person who drives the vehicle shall immediately display the following warning devices: (1) One (1) red electric lantern or portable red emergency reflector placed on the roadway at the traffic side of the vehicle. (2) One (1) red electric lantern or portable red reflector placed approximately one hundred (100) feet to the front and one (1) placed approximately one hundred (100) feet to the rear of the disabled vehicle in the center of the traffic lane occupied by the vehicle. (c) A flare, fusee, or signal produced by flame may not be used as a warning device for a disabled vehicle under this section. [Pre-1991 Recodification Citation: 9-8-6-43(e).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 15. Disabled Vehicles9-21-15-7. Warning Devices; Rules and Regulations; Law Governing

Sec. 7. A flare, fusee, red electric lantern, portable red emergency reflector, and flag to be displayed under this chapter must conform with the requirements of IC 9-19. [Pre-1991 Recodification Citation: 9-8-6-43(f).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 15. Disabled Vehicles9-21-15-8. Violations; Class C Infraction

Sec. 8. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-6-45.] As added by

P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 16. Parking9-21-16-1. Stopping or Parking a Vehicle Upon a Highway; Restrictions; Exceptions

Sec. 1. (a) This section does not apply to a person who drives a vehicle that is disabled while on the paved, improved, or main traveled part of a highway in a manner and to the extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle on the highway. (b) A person may not stop, park, or leave standing an attended or unattended vehicle upon the paved or main traveled part of a highway outside of a business or residence district, if it is practicable to stop, park, or leave the vehicle off the highway. [Pre-1991 Recodification Citation: 9-4-1-112(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 16. Parking9-21-16-2. Unobstructed Passage of Vehicles and Clear View of Stopped Vehicle

Sec. 2. A person who stops, parks, or leaves a vehicle shall leave a sufficient unobstructed width of the roadway opposite the vehicle for the free passage of other vehicles and a clear view of the stopped vehicle from a distance of two hundred (200) feet in each direction upon the highway. [Pre-1991 Recodification Citation: 9-4-1-112(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 16. Parking9-21-16-3. Removal of Vehicle From Traveled Portion of Highway

Sec. 3. Whenever a police officer finds a vehicle standing upon a highway in violation of this chapter, the officer may require the person driving the vehicle or other person in charge of the vehicle to move the vehicle to a position off the paved, improved, or main traveled part of the highway. If: (1) a person directed by an officer fails or refuses to move the vehicle; or (2) the vehicle is unattended; the officer may provide for the removal of the vehicle to the nearest available garage or other place of safety. [Pre-1991 Recodification Citation: 9-4-1-113(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 16. Parking9-21-16-4. Obstruction of a Bridge, Causeway, or Tunnel; Removal of Vehicle

Sec. 4. Whenever a police officer finds a vehicle unattended upon a bridge or causeway or in a tunnel where the vehicle constitutes an obstruction to traffic, the officer may provide for the removal of the vehicle to the nearest available garage or other place of safety. [Pre-1991 Recodification Citation: 9-4-1-113(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 16. Parking9-21-16-5.5. Stopping or Parking in Fire Lane; Local Ordinances; Complaints; Summons; Volunteers

Sec. 5.5. (a) This section applies to a fire lane that is located on property that is privately or publicly owned. (b) A person may not stop, stand, or park a vehicle in a fire lane. (c) A fire lane must be marked with the words "No Parking Fire Lane" in white letters and a stripe of at least four (4) inches in width, in conformance with the Indiana Manual on Uniform Traffic Control Devices. The words and stripe must be placed twelve (12) feet from the sidewalk, curb, or building. The words "No Parking Fire Lane" must be positioned between the stripe and the sidewalk, curb, or building. (d) This section does not prohibit a county, city, or town from adopting and enforcing an ordinance that regulates stopping, standing, and parking motor vehicles in a fire lane. (e) An ordinance adopted under subsection (d) may not conflict with this section. (f) A law enforcement agency authorized to enforce: (1) subsection (b); or (2) an ordinance adopted under subsection (d); may appoint volunteers to issue complaints and summonses for violations of subsection (b) or an ordinance adopted under subsection (d). (g) To issue complaints and summonses, a volunteer appointed under subsection (f) must: (1) be at least twenty-one (21) years of age; (2) complete a course of instruction concerning the enforcement of this chapter that is conducted by the appointing law enforcement agency; (3) after successfully completing the course of instruction, obtain a certificate from the executive authority of the appointing law enforcement agency; and (4) satisfy any other qualifications established by the law enforcement agency. (h) The executive authority of a law enforcement agency that appoints volunteers under subsection (f) shall file a copy of each certificate issued under subsection (g)(3) with the prosecuting attorney having jurisdiction over the area served by the law enforcement agency. (i) A complaint and summons issued by a volunteer appointed under subsection (f) has the same force and effect as a complaint and summons issued by a law enforcement officer for the same violation. (j) A volunteer appointed under subsection (f) does not have powers of a law enforcement officer, except those powers granted under this section. (k) The executive authority of a law enforcement authority that appoints a volunteer under subsection (f) may, at any time, revoke the certificate issued to the volunteer under subsection (g)(3). If a certificate is revoked under this subsection: (1) the executive authority shall notify the prosecuting attorney with whom the certificate was filed under subsection (h) of the revocation; and (2) the volunteer's powers under this section terminate immediately upon the revocation. (l) A volunteer appointed under subsection (f) may not issue a complaint and summons upon private property unless the law enforcement agency that appointed the volunteer first receives permission from the property owner or the property manager. (m) A property owner is not liable for property damage or personal injury resulting from the actions of a volunteer appointed under subsection (f) issuing a complaint and summons. As added by P.L.59-1993, SEC.3. Amended by P.L.8-2003, SEC.2.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 16. Parking9-21-16-5.7. Complaints; Summons; Forms

Sec. 5.7. A person enforcing this chapter may issue a complaint and summons for a violation of section 5.5(b) of this chapter or an ordinance adopted under section 5.5(d) of this chapter on a form other than the forms described in IC 9-30-3-6. However, the complaint must comply with the Indiana Rules of Trial Procedure. As added by P.L.8-2003, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 16. Parking9-21-16-5. Avoiding Conflict With Traffic or Law Enforcement Officers; Directions of Police Officers or Traffic Control Devices

Sec. 5. A person may not stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or to avoid conflict with law or the directions of a police officer or traffic control device, in any of the following places: (1) On a sidewalk. (2) In front of a public or private driveway. (3) Within an intersection. (4) Within fifteen (15) feet of a fire hydrant. (5) On a crosswalk. (6) Within twenty (20) feet of a crosswalk at an intersection. (7) Within thirty (30) feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway. (8) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings. (9) Within fifty (50) feet of the nearest rail of a railroad crossing. (10) Within twenty (20) feet of the driveway entrance to a fire station and, on the side of a street opposite the entrance to a fire station, within seventy-five (75) feet of the entrance (when properly sign posted). (11) Alongside or opposite a street excavation or obstruction if stopping, standing, or parking would obstruct traffic. (12) On the roadway side of a vehicle stopped or parked at the edge or curb of a street. (13) Upon a bridge or other elevated structure upon a highway or within a highway tunnel. (14) At any place where official signs prohibit stopping. [Pre-1991 Recodification Citation: 9-4-1-114(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 16. Parking9-21-16-6. Movement of Vehicle by Nonowner

Sec. 6. A person may not move a vehicle not owned by the person into a prohibited area or away from a curb to a distance that is unlawful. [Pre-1991 Recodification Citation: 9-4-1-114(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 16. Parking9-21-16-7. Parallel Parking; Roadways With Adjacent Curbs; Regulations; Motorcycles

Sec. 7. (a) Except as provided in subsection (b) and except where angle parking is permitted by local ordinance for streets under local control and by order of the Indiana department of transportation on streets and highways in the state highway system, including routes through cities and towns, a vehicle stopped or parked upon a roadway where there is an adjacent curb must be stopped or parked with the right-hand wheels of the vehicle parallel with and within twelve (12) inches of the right-hand curb. (b) This subsection does not apply to an autocycle. A motorcycle stopped or parked upon a roadway where there is an adjacent curb may be stopped or parked with the rear wheel of the motorcycle to the curb and with the front tire facing the flow of traffic. [Pre-1991 Recodification Citation: 9-4-1-115(a).] As added by P.L.2-1991, SEC.9. Amended by P.L.60-1998, SEC.1; P.L.82-2015, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 16. Parking9-21-16-8. Signs Prohibiting or Restricting Stopping, Standing, or Parking; Posting

Sec. 8. The Indiana department of transportation may, with respect to highways under the department's jurisdiction, place signs prohibiting or restricting the stopping, standing, or parking of vehicles on a highway where an engineering investigation has revealed the need for a restriction. The signs must be official signs. A person may not stop, stand, or park a vehicle in violation of the restrictions stated on the signs. [Pre-1991 Recodification Citation: 9-4-1-115(b)5.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 16. Parking9-21-16-9. Violations; Class C Infraction

Sec. 9. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-127.1(b) part.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-1. Traffic and Pedestrian Control Signals

Sec. 1. (a) Pedestrians are subject to traffic and pedestrian control signals under this chapter. (b) At all places that are not marked with pedestrian control signals, pedestrians are accorded the privileges and subject to the restrictions of this article. [Pre-1991 Recodification Citation: 9-4-1-86(c); (d).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-10. Diagonal Crossing at Intersections

Sec. 10. A pedestrian may not cross a roadway intersection diagonally unless authorized by official traffic control devices. When authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to diagonal crossing movements. [Pre-1991 Recodification Citation: 9-4-1-88(d).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-11. Crosswalks; Movement Along Right Half

Sec. 11. Pedestrians shall move, whenever practicable, upon the right half of crosswalks. [Pre-1991 Recodification Citation: 9-4-1-90(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-12. Sidewalk Available; Prohibition on Walking Along or Upon Roadway

Sec. 12. If a sidewalk is provided and the sidewalk's use is practicable, a pedestrian may not walk along and upon an adjacent roadway. [Pre-1991 Recodification Citation: 9-4-1-90(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-13. Sidewalk Unavailable; Use of Shoulder

Sec. 13. If a sidewalk is not available, a pedestrian walking along and upon a highway shall walk only on a shoulder, as far as practicable from the edge of the roadway. [Pre-1991 Recodification Citation: 9-4-1-90(c).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-14. Sidewalk or Shoulder Unavailable; Use of Outside Edge of Roadway

Sec. 14. If neither a sidewalk nor a shoulder is available, a pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of the roadway. If the roadway is two-way, the pedestrian shall walk only on the left side of the roadway. [Pre-1991 Recodification Citation: 9-4-1-90(d).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-15. Yield of Right-of-Way to All Vehicles on Roadway

Sec. 15. Except as otherwise provided in this chapter, a pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway. [Pre-1991 Recodification Citation: 9-4-1-90(e).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-16. Solicitation of Rides; Restrictions; Emergency

Sec. 16. A person may not stand in a roadway for the purpose of soliciting a ride from a person who drives a vehicle unless the person soliciting a ride is faced with an emergency on the roadway, in which case the person may secure a ride to obtain assistance. [Pre-1991 Recodification Citation: 9-4-1-91(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-17. Solicitation of Employment or Business on Highway; Prohibition

Sec. 17. A person may not stand on a highway for the purpose of soliciting employment or business from the occupant of a vehicle. [Pre-1991 Recodification Citation: 9-4-1-91(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-18. Soliciting the Watching or Guarding of a Vehicle; Prohibition

Sec. 18. A person may not stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of a vehicle that is parked or about to be parked on a street or highway. [Pre-1991 Recodification Citation: 9-4-1-91(c).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-19. Driving Through Safety Zones and Across Sidewalks; Restrictions; Right-of-Way

Sec. 19. (a) A vehicle may not at any time be driven through or within a safety zone. (b) A person who drives a vehicle crossing a sidewalk shall yield the right-of-way to a pedestrian and all other traffic on the sidewalk. [Pre-1991 Recodification Citation: 9-4-1-91.1.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-2. "Walk" and "Don't Walk" Signals

Sec. 2. Whenever special pedestrian control signals exhibiting the words "walk" or "don't walk" are in place, the signals must indicate as follows: (1) Flashing or steady "walk" means a pedestrian facing the signal may proceed across the roadway in the direction of the signal and a person who drives a vehicle shall yield the right-of-way to the pedestrian. (2) Steady "don't walk"

means a pedestrian may not start to cross the roadway in the direction of the signal. A pedestrian who has partially completed crossing on the "walk" signal shall proceed to a sidewalk or safety island while the "don't walk" signal is showing. (3) Flashing "don't walk" means a pedestrian may not start to cross the roadway in the direction of the signal. A pedestrian who has already started to cross on the "walk" signal shall proceed to a sidewalk or safety island. If a countdown pedestrian signal indication is also shown, a pedestrian may cross if the pedestrian is able to proceed to the sidewalk or safety island by the time the steady "don't walk" signal is shown, and a person who drives a vehicle shall yield the right-of-way to the pedestrian. [Pre-1991 Recodification Citation: 9-4-1-36.] As added by P.L.2-1991, SEC.9. Amended by P.L.8-2010, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-20. Emergency or Police Vehicles; Use of Audible and Visual Signals; Yield of Right-of-Way

Sec. 20. (a) Upon the immediate approach of: (1) an authorized emergency vehicle making use of an audible signal and visual signals; or (2) a police vehicle properly and lawfully making use of an audible signal only; a pedestrian shall yield the right-of-way to the authorized emergency vehicle. (b) This section does not relieve the person who drives an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway or from the duty to exercise due care to avoid colliding with a pedestrian. [Pre-1991 Recodification Citation: 9-4-1-91.2.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-21. Blind Pedestrians; Yield of Right-of-Way

Sec. 21. A person who drives a vehicle shall yield the right-of-way to a blind pedestrian carrying a clearly visible white cane or accompanied by a guide dog. [Pre-1991 Recodification Citation: 9-4-1-91.3.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-22. Bridges; Entering or Remaining Beyond Signal or Gate

Sec. 22. A pedestrian may not enter or remain upon a bridge or an approach to a bridge beyond the bridge signal, gate, or barrier after a bridge operation signal indication has been given. [Pre-1991 Recodification Citation: 9-4-1-91.4(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-23. Railroad Crossings; Passing Beyond Gate or Barrier in Operation

Sec. 23. A pedestrian may not pass through, around, over, or under a crossing gate or barrier at a railroad grade crossing or bridge while the gate or barrier is closed or is being opened or closed. [Pre-1991 Recodification Citation: 9-4-1-91.4(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-24. Violations; Class C Infraction

Sec. 24. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-127.1(b) part.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-3. Duty to Obey Traffic Control Device; Exception

Sec. 3. A pedestrian shall obey the instructions of an official traffic control device specifically applicable to the pedestrian, unless otherwise directed by a police officer. [Pre-1991 Recodification Citation: 9-4-1-86(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-4. Crosswalks; Local Authorities; Designation by Ordinance

Sec. 4. A local authority: (1) may, by ordinance, prohibit pedestrians from crossing a roadway in a business district or a designated highway except in a crosswalk, which may be established by the ordinance; and (2) shall mark the crosswalks in a manner conforming to the uniform system of traffic control devices created under IC 9-21-3. [Pre-1991 Recodification Citation: 9-4-1-86(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-5. Walking or Running Into the Path of a Vehicle; Prohibition

Sec. 5. A pedestrian may not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close as to constitute an immediate hazard. [Pre-1991 Recodification Citation: 9-4-1-87(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-6. Overtaking and Passing a Vehicle Stopped at a Crosswalk; Prohibition

Sec. 6. Whenever a vehicle is stopped at a marked crosswalk or at an unmarked crosswalk at an intersection to permit a pedestrian to

cross the roadway, a person who drives another vehicle approaching from the rear may not overtake and pass the stopped vehicle. [Pre-1991 Recodification Citation: 9-4-1-87(d).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-7. Crossing Roadway at Point Not Marked as a Crosswalk; Yield of Right-of-Way to Traffic

Sec. 7. A pedestrian crossing a roadway at a point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway. [Pre-1991 Recodification Citation: 9-4-1-88(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-8. Pedestrian Tunnel or Overhead Crossing; Yield of Right-of-Way to Traffic

Sec. 8. A pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway. [Pre-1991 Recodification Citation: 9-4-1-88(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 17. Pedestrians9-21-17-9. Marked Crosswalks; Adjacent Intersections; Duty to Obey

Sec. 9. Between adjacent intersections at which traffic control signals are in operation, pedestrians may not cross at any place except in a marked crosswalk. [Pre-1991 Recodification Citation: 9-4-1-88(c).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-1. Application of Chapter

Sec. 1. This chapter applies to privately owned real property on which the public is invited to travel for business or residential purposes. [Pre-1991 Recodification Citation: 9-4-1-29.1(a).] As added by P.L.2-1991, SEC.9. Amended by P.L.38-2016, SEC.1; P.L.135-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-10. Yield Signs Installed After July 1, 1990; Requirements

Sec. 10. A yield sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements: (1) The face of the sign must have a red border band and a white interior with the word "yield" in red inside the border band. (2) The sign must be a downward pointing equilateral triangle. [Pre-1991 Recodification Citation: 9-4-1-29.1(c).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-11. Do Not Enter Signs Installed After July 1, 1990; Requirements

Sec. 11. A do not enter sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements: (1) The face of the sign must have a white background with a red circle containing the words "do not enter" in white letters with a horizontal white bar. (2) The sign must be a square. [Pre-1991 Recodification Citation: 9-4-1-29.1(d).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-12. Wrong Way Signs Installed After July 1, 1990; Requirements

Sec. 12. A wrong way sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements: (1) The face of the sign must have a red background with a white border containing the words "wrong way" in white letters. (2) The sign must be a rectangle. [Pre-1991 Recodification Citation: 9-4-1-29.1(e).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-13. Pedestrian Crossing Signs Installed After July 1, 1990; Requirements

Sec. 13. A pedestrian crossing sign that is installed after July 1, 1990, to control the movement of vehicular and pedestrian traffic in an area subject to this chapter must meet the following requirements: (1) The face of the sign must have a white background with black legend and a black border. (2) The sign must be either rectangular or square. [Pre-1991 Recodification Citation: 9-4-1-29.1(f).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-14. Owners of Property; Regulation of Property Use; Powers

Sec. 14. Except as provided in sections 9 through 13 of this chapter, nothing in this chapter may be construed to prevent the owner of real property used by the public for purposes of vehicular travel by permission of the owner and not as a matter of right from: (1)

prohibiting the property's use; (2) requiring other, different, or additional conditions than those specified in this chapter; or (3) otherwise regulating the property's use as determined best to the owner. [Pre-1991 Recodification Citation: 9-4-1-29.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-15. Violations; Class C Infraction

Sec. 15. A person who installs a sign that violates section 9, 10, 11, 12, or 13 of this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-29.1(g).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-2. "Private Business Property" or "Shopping Center" Defined

Sec. 2. As used in this chapter, "private business property" or "shopping center" may be defined by ordinance of the unit entering into a contract under this chapter. [Pre-1991 Recodification Citation: 9-4-14-1(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-3. Unit

Sec. 3. As used in this chapter, "unit" means a county, city, or town. [Pre-1991 Recodification Citation: 9-4-14-1(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-4.3. Residential Complex Traffic Ordinances; Requirements for Adoption and Enforcement

Sec. 4.3. (a) As used in this section, "electronic traffic ticket" has the meaning set forth in IC 9-30-3-2.5. (b) As used in this section, "legislative body" has the meaning set forth in IC 36-1-2-9. (c) As used in this section, "moving traffic ordinance" refers to an ordinance regulating the operation of a motor vehicle only while the motor vehicle is in motion. (d) As used in this section, "residential complex traffic ordinance" refers to an ordinance adopted under subsection (e). (e) A unit may enforce a residential complex traffic ordinance on the property of a residential complex if all the following conditions are met: (1) The unit's legislative body adopts the ordinance under this section. (2) The owner of the residential complex requests in writing from the unit's executive that the unit enforce the residential complex traffic ordinance adopted under subdivision (1) on the property of the residential complex. (3) The owner of the residential complex enters into an enforcement contract with the unit. (f) A residential complex traffic ordinance must satisfy the following: (1) The ordinance must be a moving traffic ordinance. (2) The ordinance may not duplicate or conflict with Indiana law that is otherwise enforceable on the property of a residential complex. (3) The ordinance must be reasonably consistent with other ordinances adopted by the unit. (4) The ordinance must require the owner of the residential complex to enter into an enforcement contract with the unit as provided in subsection (h). (5) If the unit's law enforcement agency (as defined in IC 35-47-15-2) issues electronic traffic tickets, the ordinance must require the unit's law enforcement agency to issue an electronic traffic ticket for a violation of the unit's ordinance on the property of a residential complex. (g) A residential complex traffic ordinance may do the following: (1) Incorporate by reference other moving traffic ordinances of the unit if those other ordinances do not conflict with this section. (2) Define the term "residential complex" for purposes of the ordinance. (3) Require the unit's executive to report to the legislative body regarding enforcement contracts entered into with the unit and any other information required by the legislative body regarding the residential complex traffic ordinance. (h) An enforcement contract must satisfy the following: (1) The contract must require the owner of the residential complex to install signs notifying residents of and visitors to the residential complex of the relevant provisions of the residential complex traffic ordinance. Signs installed under this subdivision must: (A) be placed in a sufficient number of locations to clearly mark where the relevant provisions of the ordinance apply; and (B) follow sign standards as prescribed in rules promulgated by the department of transportation. A sign placed at the entrance to the residential complex does not satisfy this subdivision. (2) The unit may not charge the owner of the residential complex a fee for enforcing the residential complex traffic ordinance on the property of the residential complex. (3) Enforcement of the residential complex traffic ordinance in the residential complex may not begin until both of the following have occurred: (A) The enforcement contract is signed by the unit and the residential complex. (B) The residential complex has complied with subdivision (1), as determined by the unit. (i) If the owner of a residential complex enters into an enforcement contract with a unit, then neither the owner nor the residential complex is subject to or incurs any liability, sanction, or adverse legal consequence for any loss or injury resulting from the manner in which the unit's law enforcement agency discharged its duties under the enforcement contract. (j) Neither a residential complex nor its owner is subject to or incurs any liability, sanction, or adverse legal consequence for the owner's decision not to enter into an enforcement contract with a unit. The failure to enter into an enforcement contract with a unit is not admissible in any legal proceeding brought against a residential complex or its owner. As added by P.L.135-2021, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-4. Contract to Empower Unit to Regulate Parking and Traffic by Ordinance

Sec. 4. A unit and the owner or lessee of a shopping center or private business property located within the unit may contract to empower the unit to regulate by ordinance the parking of vehicles and the traffic at the shopping center or private business property,

subject to approval by the fiscal body of the unit by ordinance. [Pre-1991 Recodification Citation: 9-4-14-1(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-5. Contracts; Provisions

Sec. 5. A contract entered into under section 4 of this chapter may provide for the following: (1) The erection by the unit of the stop signs, flashing signals, or yield signs at specified locations in a parking area and the adoption of appropriate regulations, or the designation of an intersection in the parking area as a stop intersection or as a yield intersection and the ordering of signs or signals at one (1) or more entrances to that intersection. (2) The prohibition or regulation of the turning of vehicles or specified types of vehicles at intersections or other designated locations in the parking areas. (3) The regulation of a crossing of a roadway in the parking area by pedestrians. (4) The designation of a separate roadway in the parking area for one-way traffic. (5) The establishment and regulation of loading zones. (6) The prohibition, regulation, restriction, or limitation of the stopping, standing, or parking of vehicles in specified areas of the parking area. (7) The designation of safety zones in the parking area and fire lanes. (8) The removal and storage of vehicles parked or abandoned in the parking area during snowstorms, floods, fires, or other public emergencies, or found unattended in the parking area where the vehicles constitute an obstruction to traffic, or where stopping, standing, or parking is prohibited, and for the payment of reasonable charges for the removal and storage by the person who owns or operates the vehicle. (9) The cost of planning, installation, maintenance, and enforcement of parking and traffic regulations to be paid by the unit, by the property owner or lessee, or for a percentage of that cost to be shared by both the unit and the property owner or lessee. (10) The installation of parking meters on the shopping center or private business property parking area. The contract may establish whether the expense of installing those parking meters and maintenance of the parking meters is that of the unit or that of the shopping center or private business property owner or lessee, and whether any money obtained from those parking meters belongs to the unit or to the shopping center or private business property owner or lessee. (11) Additional reasonable regulations with respect to traffic and parking in a parking area as local conditions may require for the safety and convenience of the public or of the users of the parking area. [Pre-1991 Recodification Citation: 9-4-14-1(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-6. Contract Period; Restrictions on Length

Sec. 6. A contract entered into between a unit and a shopping center or private business property owner under this chapter may not exceed twenty (20) years. A lessee of a shopping center or private business property may not enter into a contract under this chapter for a longer period of time than the length of the lease. [Pre-1991 Recodification Citation: 9-4-14-1(c).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-7. Recording Contract; Effect of Regulations; Posting of Notice

Sec. 7. A contract entered into between a unit and a shopping center or private business property owner or lessee under this chapter shall be recorded with the county recorder in the county in which the unit is located. No regulation made under the contract may take effect until three (3) days after the contract is recorded. Signs shall be posted within the shopping center or private business property not later than three (3) days after the contract is recorded stating that shopping center or private business property parking and traffic regulations are enforceable by local law enforcement officials. [Pre-1991 Recodification Citation: 9-4-14-1(d).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-8. Violations of Parking and Traffic Regulations; Punishment; Adoption

Sec. 8. The unit may adopt an ordinance providing for punishment of violations of the parking and traffic regulations in effect at a shopping center or private business property under the contract. [Pre-1991 Recodification Citation: 9-4-14-1(e).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 18. Regulation of Traffic on Private Property9-21-18-9. Stop Signs Installed After July 1, 1990; Requirements

Sec. 9. A stop sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements: (1) The face of the sign must have a red background with white letters and a white border. (2) The sign must be an octagon. (3) The sign must measure at least twenty-four (24) inches wide and twenty-four (24) inches high. [Pre-1991 Recodification Citation: 9-4-1-29.1(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 19. Entrances to State Highways From Private Property9-21-19-1. Permit Requirements

Sec. 1. A person may not: (1) construct a private entrance, driveway, or approach connecting with a highway in the state highway system or the state maintained route through a city or town; or (2) cut or remove a curb along a highway; without a written permit

from the Indiana department of transportation. The action must be in accordance with the rules and requirements of the department. [Pre-1991 Recodification Citation: 9-4-1-119(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 19. Entrances to State Highways From Private Property9-21-19-2. Rules and Requirements for Entrances; Adoption

Sec. 2. The Indiana department of transportation shall adopt rules and requirements for private entrances, driveways, and approaches necessary to provide for drainage of the highway, preservation of the highway, and the safety and convenience of traffic on the highway. [Pre-1991 Recodification Citation: 9-4-1-119(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 19. Entrances to State Highways From Private Property9-21-19-3. Structures Connected to Entrances; Minimum Distance From Highway; Requirements

Sec. 3. The rules and requirements adopted under section 2 of this chapter may include the minimum distance that gasoline pumps, buildings, and other structures to which private entrances, driveways, or approaches make a connection may be placed next to the property line of the state highway or next to the outside edge of sidewalks along routes through incorporated cities and towns. [Pre-1991 Recodification Citation: 9-4-1-119(c).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 19. Entrances to State Highways From Private Property9-21-19-4. Supervision of Work by Department of Transportation; Construction Expenses

Sec. 4. All work on private entrances, driveways, and approaches shall be done under the supervision and to the satisfaction of the Indiana department of transportation. The entire expense of constructing private entrances, driveways, and approaches shall be paid by the person to whom a permit is given. [Pre-1991 Recodification Citation: 9-4-1-119(d).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 19. Entrances to State Highways From Private Property9-21-19-5. Bond or Cash Deposit

Sec. 5. The Indiana department of transportation may require, before granting a permit, that a sufficient bond be given or cash deposit be made with the Indiana department of transportation to ensure the carrying out of the terms of the permit. The bond or deposit shall be returned when the requirements of the permit have been met. [Pre-1991 Recodification Citation: 9-4-1-119(e).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 19. Entrances to State Highways From Private Property9-21-19-6. Maintenance and Repair of Entrances; Removal of Entrances at Owner's Expense

Sec. 6. The owners or occupants of property abutting a state highway shall maintain and keep in repair all private entrances, driveways, and approaches. Private entrances, driveways, and approaches may not be constructed or maintained in a manner that obstructs or interferes with the highway, traffic, or a drain or ditch that has been constructed on or that serves the highway. An owner or occupant of abutting property shall remove private entrances, driveways, and approaches at the owner's expense when requested to do so by the Indiana department of transportation. [Pre-1991 Recodification Citation: 9-4-1-119(f).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 19. Entrances to State Highways From Private Property9-21-19-7. Construction or Reconstruction of State Highways; Inclusion of Construction of Public and Existing Private Approaches and Drainage Structures in Improvement; Location of Drives; Duties of Owner

Sec. 7. When a highway in the state highway system or the state maintained route through a city or town is constructed or reconstructed, the construction of all public road approaches and existing private approaches, together with the drainage structures required for the road's protection, shall be included as a part of the improvement of the highway or state maintained route. The Indiana department of transportation may require the changing of the location of existing drives, in the interest of safety to the motoring public, when the highway is constructed or reconstructed. The owner or occupant of the abutting property shall make a change in location under the direction of the Indiana department of transportation. Upon the completion of the highway, the owners or occupants of adjoining lands shall keep in repair all private entrances, driveways, and approaches from highways. [Pre-1991 Recodification Citation: 9-4-1-119(g).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 19. Entrances to State Highways From Private Property9-21-19-8. Violations; Class C Infraction

Sec. 8. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-119(h).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 2. Indiana Manual on Uniform Traffic Control Devices for Streets and Highways9-21-2-1.3. Expiration of Rule Adopted Under Section 1 of This Chapter

Sec. 1.3. A rule adopted under section 1 of this chapter, before its amendment by P.L.36-2008, expires on the date on which the

commissioner of the Indiana department of transportation issues an order under section 1 of this chapter, as amended by P.L.36-2008. As added by P.L.220-2011, SEC.215.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 2. Indiana Manual on Uniform Traffic Control Devices for Streets and Highways9-21-2-1. Creation

Sec. 1. The Indiana department of transportation shall adopt the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways by order of the commissioner of the Indiana department of transportation with a letter of concurrence from the Federal Highway Administration. [Pre-1991 Recodification Citations: 9-4-1-30 part; 9-4-1-125(f) part.] As added by P.L.2-1991, SEC.9. Amended by P.L.36-2008, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 2. Indiana Manual on Uniform Traffic Control Devices for Streets and Highways9-21-2-2. Conformance With Other State and Federally Approved Manuals

Sec. 2. The Indiana Manual on Uniform Traffic Control Devices for Streets and Highways must substantially conform with the Manual on Uniform Traffic Control Devices for Streets and Highways, 1961 Edition, and the Manual for Signing and Pavement Marking for the National System for Interstate and Defense Highways, 1962 Edition, and all other manuals and revisions to the manuals that have the approval of the Federal Highway Administrator. [Pre-1991 Recodification Citations: 9-4-1-30 part; 9-4-2-1 part.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 2. Indiana Manual on Uniform Traffic Control Devices for Streets and Highways9-21-2-3. Revisions to Manual; Approval by Department of Transportation

Sec. 3. All manuals (including revisions to the manuals) described in section 2 of this chapter may be considered to become a part of the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways if the following conditions exist: (1) The Indiana department of transportation concurs in the revisions. (2) The Indiana department of transportation adopts the manuals (including revisions) by order of the commissioner of the Indiana department of transportation. [Pre-1991 Recodification Citations: 9-4-1-30 part; 9-4-2-1 part.] As added by P.L.2-1991, SEC.9. Amended by P.L.36-2008, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 2. Indiana Manual on Uniform Traffic Control Devices for Streets and Highways9-21-2-4. Adoption of Control Devices Where Federal Standards Are Silent

Sec. 4. The Indiana department of transportation may add control devices to the state manual in those areas where the federal standards are silent. [Pre-1991 Recodification Citation: 9-4-2-1 part.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 20. Designation of Authorized Emergency Vehicles9-21-20-1. Emergency Vehicle; Designation; Prohibited Vehicles

Sec. 1. (a) The Indiana department of transportation may designate as an authorized emergency vehicle a vehicle: (1) other than an ambulance that is owned by a person other than a hospital; and (2) that is used in emergency service. (b) The Indiana department of transportation may designate and authorize other emergency vehicles under the rules the department prescribes. [Pre-1991 Recodification Citation: 9-4-1-2(d) part.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 20. Designation of Authorized Emergency Vehicles9-21-20-2. Vehicles Not Affiliated With a Hospital, Law Enforcement Agency, or Fire Department; Prohibition on Withholding Approval

Sec. 2. The Indiana emergency medical services commission may not withhold approval of a motor vehicle as an authorized emergency vehicle because the motor vehicle is not affiliated with a hospital, law enforcement agency, or fire department. [Pre-1991 Recodification Citation: 9-4-1-2(d) part.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 20. Designation of Authorized Emergency Vehicles9-21-20-3. Department of Correction; Department Vehicles; Policies and Procedures

Sec. 3. The department of correction shall establish policies and procedures for the designation of departmental vehicles as authorized emergency vehicles. [Pre-1991 Recodification Citation: 9-4-1-2(d) part.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 22. Vehicle Platoons9-21-22-1. Participation in a Vehicle Platoon; Conditions

Sec. 1. A person may operate a motor vehicle as part of a vehicle platoon on the streets and highways of Indiana if: (1) the person is authorized under Indiana law to operate a motor vehicle on the streets or highways of Indiana; (2) the motor vehicle is authorized under Indiana law to be operated on the streets or highways of Indiana; (3) the motor vehicle is properly equipped with necessary systems for participation in a vehicle platoon; and (4) the leader of the vehicle platoon is authorized under this chapter to lead the vehicle platoon. As added by P.L.185-2018, SEC.42.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 22. Vehicle Platoons9-21-22-2. Leading a Vehicle Platoon; Conditions

Sec. 2. A person may lead a vehicle platoon in Indiana if: (1) the person or the organization with which the person is associated has filed a plan for general vehicle platoon operations with the Indiana department of transportation; (2) the Indiana department of transportation has not rejected the plan for general vehicle platoon operations in Indiana; and (3) the person leads the vehicle platoon in accordance with the plan for general vehicle platoon operations in Indiana. As added by P.L.185-2018, SEC.42. Amended by P.L.178-2019, SEC.44.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 22. Vehicle Platoons9-21-22-3. Plan for General Vehicle Platoon Operations; Submission; Actions

Sec. 3. If the Indiana department of transportation receives a plan for general vehicle platoon operations in Indiana, the Indiana department of transportation may approve the plan, do nothing, or reject the plan. The Indiana department of transportation may reject the plan only on or before the thirtieth day after the date on which the Indiana department of transportation receives the plan. As added by P.L.185-2018, SEC.42. Amended by P.L.178-2019, SEC.45.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-1. "Authority"

Sec. 1. As used in this chapter, "authority" refers to the Indiana finance authority. As added by P.L.47-2006, SEC.45.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-10. Rules Concerning Automated Traffic Law Enforcement Systems at Facilities Other Than Private Toll Facilities

Sec. 10. (a) The department or the authority may adopt and enforce rules concerning: (1) the placement and use of automated traffic law enforcement systems to enforce collection of user fees; (2) required notification in the form of a citation to the owner of a vehicle used in the commission of a moving violation under section 9 of this chapter; (3) the process for notification, collection, and enforcement of unpaid amounts; (4) the amount of fines, charges, and assessments for toll violations; (5) the use of or contracting with a collection agency to recover amounts unpaid by violators who are not subject to IC 9-18.1-3-7(a), including authorization in the contract for collection services for the collection agency to impose on and collect from the violator an additional collection fee; and (6) other matters relating to automated traffic law enforcement systems that the department or the authority considers appropriate. (b) A rule adopted under subsection (a)(2) must establish: (1) a deadline for the department, authority, or operator, as applicable, to issue a citation to an owner of a vehicle used in the commission of a moving violation under section 9 of this chapter; and (2) a deadline, not to exceed thirty (30) days following receipt of the citation as determined under section 12(2) of this chapter, for the owner to pay a fine, charge, or other assessment for the toll violation. (c) The department or the authority shall establish a process by which the department, authority, or operator, as applicable, shall notify the bureau of an owner's failure to pay a fine, charge, or other assessment for a toll violation following the expiration of the deadline described in subsection (b)(2). (d) This section does not apply with respect to a private toll facility. As added by P.L.47-2006, SEC.45. Amended by P.L.163-2011, SEC.21; P.L.152-2015, SEC.8; P.L.257-2017, SEC.36.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-11. Advance Warning Signs

Sec. 11. (a) Before enforcing a rule adopted under section 10 of this chapter, the department, the authority, or an operator must install advance warning signs along the tollways, toll roads, or qualifying projects proceeding to the location at which an automated traffic law enforcement system is located. (b) Before imposing or collecting a toll or fee under section 14 of this chapter, an operator must install advance warning signs along the private toll facility proceeding to the location at which an automated traffic law enforcement system is located. As added by P.L.47-2006, SEC.45. Amended by P.L.152-2015, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-12. Enforcement of Toll Violations

Sec. 12. In the enforcement of a toll violation, including the collection of fees: (1) proof that the motor vehicle was driven or towed through the toll collection or private toll facility without payment of the proper toll or user fee may be shown by a video recording, a photograph, an electronic recording, or other appropriate evidence, including evidence obtained by an automated traffic law enforcement system; (2) it is presumed that any notice of nonpayment was received on the fifth day after the date of mailing; and (3) a computer record of the department, the authority, or the operator regarding the registered owner of the vehicle is prima facie evidence of its contents and that the toll violator was the registered owner of the vehicle at the time of the underlying event of nonpayment. As added by P.L.47-2006, SEC.45. Amended by P.L.152-2015, SEC.10.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-13. Seizure of Transponders

Sec. 13. (a) For purposes of this section, "transponder" means a device, placed on or within a motor vehicle, that is capable of transmitting information used to assess or collect tolls. A transponder is "insufficiently funded" when there are no remaining funds in the account in connection with which the transponder was issued. (b) Any police officer of Indiana may seize a stolen or insufficiently funded transponder and return it to the department, the authority, or an operator, except that an insufficiently funded transponder may not be seized from the holder of an account sooner than the thirtieth day after the date the department, the authority, or an operator has sent a notice of delinquency to the holder of the account. (c) The department or the authority may enter into an agreement with one (1) or more persons to market and sell transponders for use on tollways, toll roads, or qualifying projects. (d) The department, the authority, or an operator may charge reasonable fees for initiating, administering, and maintaining electronic toll collection customer accounts. (e) Electronic toll collection customer account information, including contact and payment information and trip data, is confidential and not subject to disclosure under IC 5-14-3. A contract for the acquisition, construction, maintenance, or operation of a tollway, toll road, or qualifying project must ensure the confidentiality of all electronic toll collection customer account information. As added by P.L.47-2006, SEC.45.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-14. Powers of Operator of Private Toll Facility

Sec. 14. (a) The operator of a private toll facility may do the following: (1) Fix, revise, charge, and collect tolls for the use of a private toll facility by any person, partnership, association, limited liability company, or corporation desiring the use of any part of the private toll facility, including the right of way adjoining the paved portion of the private toll facility. For purposes of this subdivision, the use of a private toll facility includes the placement of telephone, telegraph, electric, or power lines on any part of the private toll facility. (2) Fix the terms, conditions, and rates of charge for use of the private toll facility, including fees for nonpayment of required tolls. However, a fee imposed for nonpayment of a required toll may not exceed fifty dollars ($50) for each unpaid toll. (3) Collect tolls and fees through manual or nonmanual methods, including automated traffic law enforcement systems, automatic vehicle identification systems, electronic toll collection systems, global positioning systems, and photo or video based toll collection or toll collection enforcement systems. (b) The operator of a private toll facility may not impose a fee under subsection (a)(2) for nonpayment of a required toll until the operator has provided notice of the unpaid toll to the toll violator in accordance with notice requirements published on the Internet web site of the private toll facility. The operator shall include with the notice of the unpaid toll a summary of the notice requirements published on the Internet web site of the private toll facility. As added by P.L.152-2015, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-15. Agreement Between Operator and Bureau

Sec. 15. (a) The operator of a private toll facility may enter into an agreement with the bureau to obtain information under IC 9-14-12 necessary to enforce violations of section 9.1 of this chapter, including information regarding the registered owner of a vehicle operated in violation of section 9.1 of this chapter. (b) The bureau may use any reciprocal arrangement that applies to the bureau to obtain information for purposes of subsection (a). (c) An operator may use information provided under this section only for the purposes of this section. (d) The operator of a private toll facility shall inform the bureau of the operator's process to notify the bureau of an owner's failure to pay a fine, charge, fee, or other assessment for a toll violation following the expiration of the deadline for payment of the fine, charge, fee, or other assessment as set forth in the operator's notice requirements published on the Internet web site of the private toll facility under section 14(b) of this chapter. As added by P.L.152-2015, SEC.12. Amended by P.L.198-2016, SEC.362.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-2. "Automated Traffic Law Enforcement System"

Sec. 2. As used in this chapter, "automated traffic law enforcement system" means a device that: (1) has one (1) or more motor vehicle sensors; and (2) is capable of producing a photographically recorded image of a motor vehicle, including an image of the vehicle's front or rear license plate, as the vehicle proceeds through a tollgate, toll zone, or other area on a tollway, qualifying project, private toll facility, or toll road that is marked as required by the department, the authority, or an operator as a place where a person using the tollway, qualifying project, private toll facility, or toll road must pay a toll. As added by P.L.47-2006, SEC.45. Amended by P.L.152-2015, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-3.5. "Fee"

Sec. 3.5. As used in this chapter, "fee" means an amount assessed or imposed under: (1) rules adopted under section 10(a)(4) of this chapter; or (2) section 14(a)(2) of this chapter; with respect to a toll violation. As added by P.L.152-2015, SEC.3.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-3. "Department"

Sec. 3. As used in this chapter, "department" refers to the Indiana department of transportation. As added by P.L.47-2006, SEC.45.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-4. "Operator"

Sec. 4. As used in this chapter, "operator" means: (1) with respect to a tollway, qualifying project, or toll road, an operator (as defined in IC 8-15.5-2-5 or IC 8-15.7-2-11); or (2) with respect to a private toll facility, a private entity that owns or operates the private toll facility. As added by P.L.47-2006, SEC.45. Amended by P.L.152-2015, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-5.5. "Private Toll Facility"

Sec. 5.5. As used in this chapter, "private toll facility" means any new or existing highway, street, motorway, road, or bridge owned or operated by a private entity, including all tunnels, overpasses, underpasses, interchanges, entrance plazas, approaches, tollhouses, service stations, and administration, storage, and other buildings and facilities necessary or desirable for the operation of the private toll facility, together with all property, rights, easements, and interests which may be acquired by the private entity for the construction or operation of the facility. "Private toll facility" includes any subsequent improvement, betterment, enlargement, extension, or reconstruction of an existing private toll facility. As added by P.L.152-2015, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-5. "Owner"

Sec. 5. As used in this chapter, "owner" means a person in whose name a motor vehicle is registered under: (1) IC 9-18 (before its expiration) or IC 9-18.1; (2) the laws of another state; (3) the laws of a foreign country; or (4) the International Registration Plan. As added by P.L.47-2006, SEC.45. Amended by P.L.257-2017, SEC.35.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-6. "Qualifying Project"

Sec. 6. As used in this chapter, "qualifying project" has the meaning set forth in IC 8-15.7-2-16. As added by P.L.47-2006, SEC.45.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-7.5. "Toll Violation"

Sec. 7.5. As used in this chapter, "toll violation" refers to the failure to pay a toll or user fee required under section 9 or 9.1 of this chapter. As added by P.L.152-2015, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-7. "Toll Road"

Sec. 7. As used in this chapter, "toll road" has the meaning set forth for "toll road project" in IC 8-15-2-4(4). As added by P.L.47-2006, SEC.45.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-8. "Tollway"

Sec. 8. As used in this chapter, "tollway" has the meaning set forth in IC 8-15-3-7. As added by P.L.47-2006, SEC.45.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-9.1. Payment of Toll or User Fee on Private Toll Facility

Sec. 9.1. The owner of a motor vehicle, other than an authorized emergency vehicle, that is driven or towed through or on a private toll facility shall pay the proper toll or user fee. As added by P.L.152-2015, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3.5. Automated Traffic Law Enforcement System9-21-3.5-9. Payment of Toll by Owner Required

Sec. 9. (a) The owner of a motor vehicle, other than an authorized emergency vehicle, that is driven or towed through a toll collection facility on a toll road, tollway, or qualifying project shall pay the proper toll or user fee. (b) A person who violates subsection (a) commits a moving violation, a Class C infraction. As added by P.L.47-2006, SEC.45. Amended by P.L.163-2011, SEC.20.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3. Traffic Control Signals9-21-3-0.3. "Bicycle Traffic Control Signal"

Sec. 0.3. As used in this chapter, "bicycle traffic control signal" means a traffic control signal with green, red, and yellow bicycle stenciled lenses that is used to direct bicycle traffic on a roadway. As added by P.L.60-2023, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3. Traffic Control Signals9-21-3-0.5. "Pedestrian Hybrid Beacon"

Sec. 0.5. As used in this chapter, "pedestrian hybrid beacon" means a traffic control signal used to warn and control traffic in order to assist pedestrians in crossing a roadway at a crosswalk distinctly indicated for pedestrian crossing by lines or other markings. As added by P.L.43-2011, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3. Traffic Control Signals9-21-3-1. Standards and Specifications

Sec. 1. Each traffic control signal on a street or highway within Indiana must conform with the standards, specifications, and warrants set forth in the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways. [Pre-1991 Recodification Citation: 9-4-3.1-1.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3. Traffic Control Signals9-21-3-11. Violations; Class C Infraction; Class a Infraction if Bodily Injury

Sec. 11. A person who violates section 7, 8, 8.5, or 9 of this chapter commits a Class C infraction. However, a person who violates section 7, 8, 8.5, or 9 of this chapter in a manner that results in bodily injury to a person commits a Class A infraction. [Pre-1991 Recodification Citation: 9-4-1-127.1(b) part.] As added by P.L.2-1991, SEC.9. Amended by P.L.113-2014, SEC.20; P.L.217-2014, SEC.45; P.L.110-2020, SEC.1; P.L.60-2023, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3. Traffic Control Signals9-21-3-2. Installation; Traffic Engineering Studies; Vicinity of Schools; Special Hearing

Sec. 2. (a) Each traffic signal installation on a street or highway within Indiana must comply with the installation guidelines set forth in the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways. (b) The Indiana department of transportation shall adopt rules under IC 4-22-2 to establish a procedure for approving the installation of traffic control signals under this chapter. The rules must include the following: (1) A procedure that requires a traffic engineering study that verifies that the installation of a traffic control signal at a particular location is necessary. (2) A procedure that does not require a traffic engineering study that verifies that the installation of a traffic control signal at a particular location is necessary. (c) If: (1) the proposed installation is in the immediate vicinity of a school; and (2) the installation does not meet the requirements of this section; the governmental unit responsible for the control of traffic at the location shall grant a special hearing on the question to a person who has properly petitioned for the installation of a traffic signal. [Pre-1991 Recodification Citation: 9-4-3.1-2.] As added by P.L.2-1991, SEC.9. Amended by P.L.196-2017, SEC.8; P.L.93-2024, SEC.95.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3. Traffic Control Signals9-21-3-3. Removal of Nonconforming Signals

Sec. 3. Each traffic signal upon a highway that does not conform to this chapter shall be removed by the governmental agency having jurisdiction over the highway. [Pre-1991 Recodification Citation: 9-4-3.1-3.] As added by P.L.2-1991, SEC.9. Amended by P.L.198-2016, SEC.361.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3. Traffic Control Signals9-21-3-4. Department of Transportation; Duties

Sec. 4. The Indiana department of transportation is responsible for the control of all traffic signals on the state highway system. [Pre-1991 Recodification Citation: 9-4-3.1-4 part.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3. Traffic Control Signals9-21-3-5. Property of Department of Transportation

Sec. 5. A traffic signal installation on a state route is the property of the Indiana department of transportation. [Pre-1991 Recodification Citation: 9-4-3.1-5.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3. Traffic Control Signals9-21-3-6. Public or Private Agencies; Erection of Signs; Written Permission

Sec. 6. (a) Except as provided in subsection (b), a public or private agency may not erect a traffic control device on a state

maintained highway without the written permission of the Indiana department of transportation. (b) This subsection applies to the installation of traffic signals on a state highway in a city or town. The Indiana department of transportation shall: (1) install any signal that meets the standards, specifications, and warrants set forth in the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways; or (2) grant written permission to a city or town to erect the signal if it is not possible for the state immediately to install the signal. [Pre-1991 Recodification Citation: 9-4-3.1-4 part.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3. Traffic Control Signals9-21-3-7. Signals Exhibiting Colored Lights or Arrows; Requirements; Explanation of Colors

Sec. 7. (a) Whenever traffic is controlled by traffic control signals exhibiting different colored lights or colored lighted arrows successively, one (1) at a time or in combination, only the colors green, red, or yellow may be used, except for special pedestrian signals under IC 9-21-18. (b) The lights indicate and apply to drivers of vehicles and pedestrians as follows: (1) Green indication means the following: (A) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left, unless a sign at the place prohibits either turn. (B) Vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent sidewalk at the time the signal is exhibited. (C) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by the green arrow or other movement permitted by other indications shown at the same time. (D) Vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection. (E) Unless otherwise directed by a pedestrian control signal, pedestrians facing a green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within a marked or unmarked crosswalk. (2) Steady yellow indication means the following: (A) Vehicular traffic facing a steady circular yellow or yellow arrow signal is warned that the related green movement is being terminated and that a red indication will be exhibited immediately thereafter. (B) A pedestrian facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian control signal, is advised that there is insufficient time to cross the roadway before a red indication is shown, and a pedestrian may not start to cross the roadway at that time. (3) Steady red indication means the following: (A) Except as provided in clauses (B) and (D), vehicular traffic facing a steady circular red or red arrow signal shall stop at a clearly marked stop line. However, if there is no clearly marked stop line, vehicular traffic shall stop before entering the crosswalk on the near side of the intersection. If there is no crosswalk, vehicular traffic shall stop before entering the intersection and shall remain standing until an indication to proceed is shown. (B) Except when a sign is in place prohibiting a turn described in this clause, vehicular traffic facing a steady red signal, after coming to a complete stop, may cautiously enter the intersection to do the following: (i) Make a right turn. (ii) Make a left turn if turning from the left lane or a designated left-turn lane of a one-way street into another one-way street with the flow of traffic. Vehicular traffic making a turn described in this clause shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic using the intersection. (C) Unless otherwise directed by a pedestrian control signal pedestrians facing a steady circular red or red arrow signal may not enter the roadway. (D) This clause does not apply to the operation of an autocycle or a bicycle directed by a bicycle traffic control signal under section 8.5 of this chapter. If the operator of a motorcycle, motor driven cycle, or bicycle approaches an intersection that is controlled by a traffic control signal, the operator may proceed through the intersection on a steady red signal only if the operator: (i) comes to a complete stop at the intersection for at least one hundred twenty (120) seconds; and (ii) exercises due caution as provided by law, otherwise treats the traffic control signal as a stop sign, and determines that it is safe to proceed. (4) No indication or conflicting indications means the following: (A) Except as provided in clause (C), vehicular traffic facing an intersection having a signal that displays no indication or conflicting indications, where no other control is present, shall stop before entering the intersection. (B) After stopping, vehicular traffic may proceed with caution through the intersection and shall yield the right-of-way to traffic within the intersection or approaching so closely as to constitute an immediate hazard. (C) Vehicular traffic entering an intersection or crosswalk facing a pedestrian hybrid beacon may proceed without stopping if no indication is displayed on the pedestrian hybrid beacon. (5) This subdivision applies to traffic control signals located at a place other than an intersection. A stop required under this subdivision must be made at the signal, except when the signal is supplemented by a sign or pavement marking indicating where the stop must be made. (c) A consolidated city may not adopt an ordinance requiring the installation of a sign prohibiting a turn described in subsection (b)(3)(B). [Pre-1991 Recodification Citation: 9-4-1-35.] As added by P.L.2-1991, SEC.9. Amended by P.L.8-2010, SEC.2; P.L.43-2011, SEC.3; P.L.206-2014, SEC.1; P.L.82-2015, SEC.5; P.L.149-2015, SEC.55; P.L.60-2023, SEC.5; P.L.211-2023, SEC.26.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3. Traffic Control Signals9-21-3-8.5. Bicycle Traffic Control Signals; Explanation of Colors

Sec. 8.5. (a) Whenever traffic is controlled by a bicycle traffic control signal exhibiting different colored lights, one (1) at a time or in combination, only the colors green, red, or yellow may be used. (b) The lights of a bicycle traffic control signal indicate and apply to a person who operates a bicycle as follows: (1) Green indication means the following: (A) Bicycle traffic facing a green bicycle traffic control signal may proceed straight through or turn right or left, unless a sign at the place prohibits either turn. (B) Bicycle traffic, including a bicycle turning right or left, shall yield the right-of-way to other bicycles, vehicles, and pedestrians lawfully within the intersection or an adjacent sidewalk at the time the bicycle traffic control signal is exhibited. (C) Bicycle traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection. (2) Steady yellow indication means bicycle traffic facing a steady yellow bicycle traffic control signal is warned that the related green

movement is being terminated and that a red indication will be exhibited immediately thereafter. (3) Steady red indication means the following: (A) Except as provided in clauses (B) and (C), bicycle traffic facing a steady red bicycle traffic control signal shall stop at a clearly marked stop line. However, if there is no clearly marked stop line, bicycle traffic shall stop before entering the crosswalk on the near side of the intersection. If there is no crosswalk, bicycle traffic shall stop before entering the intersection and shall remain standing until an indication to proceed is shown. (B) Except when a sign is in place prohibiting a turn described in this clause, bicycle traffic facing a steady red bicycle traffic control signal, after coming to a complete stop, may cautiously enter the intersection to do the following: (i) Make a right turn. (ii) Make a left turn if turning from the left lane or a designated left-turn lane of a one-way street into another one-way street with the flow of traffic. Bicycle traffic making a turn described in this clause shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other bicycle traffic using the intersection. (C) If a person who operates a bicycle approaches an intersection that is controlled by a bicycle traffic control signal, the person may proceed through the intersection on a red bicycle traffic control signal only if the person: (i) comes to a complete stop at the intersection for at least one hundred twenty (120) seconds; and (ii) exercises due caution as provided by law, otherwise treats the bicycle traffic control signal as a stop sign, and determines that it is safe to proceed. (4) No indication or conflicting indications means the following: (A) Except as provided in clause (C), bicycle traffic facing an intersection having a bicycle traffic control signal that displays no indication or conflicting indications, where no other control is present, shall stop before entering the intersection. (B) After stopping, bicycle traffic may proceed with caution through the intersection and shall yield the right-of-way to traffic that is: (i) within the intersection; or (ii) approaching so closely as to constitute an immediate hazard. (C) Bicycle traffic entering an intersection or crosswalk facing a pedestrian hybrid beacon may proceed without stopping if no indication is displayed on the pedestrian hybrid beacon. (5) This subdivision applies to a bicycle traffic control signal located at a place other than an intersection. A stop required by this subdivision must be made at the bicycle traffic control signal, except when the bicycle traffic control signal is supplemented by a sign or pavement marking indicating where the stop must be made. (c) Except for a railroad grade crossing, whenever an illuminated flashing red or yellow light is used in a bicycle traffic control signal or with a traffic sign, bicycle traffic shall obey the bicycle traffic control signal in the following manner: (1) Flashing red (stop signal) means the following: (A) When a red lens is illuminated by rapid intermittent flashes, a person who operates a bicycle shall stop at a clearly marked stop line before entering the crosswalk on the near side of the intersection. (B) If no line exists, the person shall stop at the point nearest the intersecting roadway where the person has a view of approaching traffic on the intersecting roadway before entering the roadway. (C) The right to proceed is subject to the rules applicable after making a stop at a stop sign. (2) Except as provided in subdivision (3), flashing yellow (caution signal) means that when a yellow lens is illuminated with rapid intermittent flashes, a person who operates a bicycle may proceed through the intersection or past the signal only with caution. (3) When a yellow lens is illuminated with rapid intermittent flashes, a person who operates a bicycle may turn only after yielding to oncoming traffic. As added by P.L.60-2023, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3. Traffic Control Signals9-21-3-8. Red or Yellow Flashing Signals

Sec. 8. (a) This section does not apply at railroad grade crossings. (b) Whenever an illuminated flashing red or yellow light is used in a traffic signal or with a traffic sign, vehicular traffic shall obey the signal in the following manner: (1) Flashing red (stop signal) means the following: (A) When a red lens is illuminated by rapid intermittent flashes, a person who drives a vehicle shall stop at a clearly marked stop line before entering the crosswalk on the near side of the intersection. (B) If no line exists, the person shall stop at the point nearest the intersecting roadway where the person has a view of approaching traffic on the intersecting roadway before entering the roadway. (C) The right to proceed is subject to the rules applicable after making a stop at a stop sign. (2) Except as provided in subdivision (3), flashing yellow (caution signal) means that when a yellow lens is illuminated with rapid intermittent flashes, a person who drives a vehicle may proceed through the intersection or past the signal only with caution. (3) When a yellow lens with an arrow is illuminated with rapid intermittent flashes, a person who operates a vehicle may turn only after yielding to oncoming traffic. [Pre-1991 Recodification Citation: 9-4-1-37.] As added by P.L.2-1991, SEC.9. Amended by P.L.43-2011, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 3. Traffic Control Signals9-21-3-9. Individual Lane Use Control Signals

Sec. 9. When lane use control signals are placed over individual lanes, the signals apply to vehicular traffic as follows: (1) Green indication (downward green arrows) means vehicular traffic may travel in any lane over which a green signal is shown. (2) Steady yellow indication (yellow X symbol) means vehicular traffic is warned that a lane control change is being made. (3) Steady red indication (red X symbol) means vehicular traffic may not enter or travel in a lane over which a red signal is shown. (4) Flashing yellow indication (yellow X symbol) means vehicular traffic may use the lane only for the purpose of approaching and making a left turn. [Pre-1991 Recodification Citation: 9-4-1-37.1.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-1. Signing, Marking, and Erection; Guidelines

Sec. 1. A governmental agency in Indiana that is responsible for the signing, marking, and erection of traffic control devices on streets and highways within Indiana shall follow the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways. [Pre-1991 Recodification Citation: 9-4-2-1 part.] As added by P.L.2-1991, SEC.9.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-11. Through Highways; Stop or Yield Intersections; Designation; Erection of Signs

Sec. 11. The Indiana department of transportation, with reference to state highways and highway routes through cities, and local authorities, with reference to other highways under their jurisdiction, may, upon an engineering and traffic investigation, designate: (1) through highways and erect stop or yield signs at specified entrances to the highways; or (2) an intersection as a stop or yield intersection and erect stop or yield signs at one (1) or more entrances to the intersection. [Pre-1991 Recodification Citation: 9-4-1-110(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-12. No Passing Zones and Narrow Bridges on State Highways; Designation; Erection of Signs

Sec. 12. (a) The Indiana department of transportation may determine by an engineering and traffic investigation those parts of a state highway where overtaking and passing or driving to the left of the roadway would be especially hazardous and may, by appropriate signs or marks on the roadway, indicate the beginning and end of the zones. (b) The Indiana department of transportation may determine that a bridge, a culvert, or an approach to a bridge or culvert on a state highway does not have sufficient clear roadway width to safely permit the passing of two (2) vehicles. A bridge or culvert described in this subsection shall be designated a one-lane bridge or a narrow bridge. [Pre-1991 Recodification Citation: 9-4-1-70(a); (b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-13. No Passing Zones; Designation by Local Authorities; Erection of Signs

Sec. 13. A local unit that has responsibility for roads and streets may determine by an engineering and traffic investigation those parts of a road or street, including bridges, under the unit's jurisdiction where overtaking and passing or driving to the left of the roadway would be especially hazardous. Upon making that determination, the local unit may, by ordinance, designate no-passing zones by appropriate signs or marks on the roadway. [Pre-1991 Recodification Citation: 9-4-1-70(c).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-14. One-Way Highways and Streets; Designation; Erection of Signs

Sec. 14. The Indiana department of transportation may designate a highway or separate roadway under the department's jurisdiction for one-way traffic and shall erect appropriate signs giving notice of the designation. [Pre-1991 Recodification Citation: 9-4-1-71.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-16. Stopping at Railroad Crossings; Procedure

Sec. 16. When a stop sign is erected at a railroad crossing, the driver of a vehicle shall stop within fifty (50) feet but not less than ten (10) feet from the nearest track of the grade crossing and shall proceed only upon exercising due care. [Pre-1991 Recodification Citation: 9-4-1-107(d).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-17. Preferential Right-of-Way at Intersections; Signs

Sec. 17. Whenever traffic at an intersection is controlled by signs, preferential right-of-way may be indicated by stop signs or yield signs under this chapter. [Pre-1991 Recodification Citation: 9-4-1-34.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-18. Operation of Motor Vehicle; Obeyance of Markings or Signs

Sec. 18. A person who drives a vehicle must obey the markings or signs posted under this chapter. [Pre-1991 Recodification Citation: 9-4-1-70(d); 9-4-1-110(c).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-19. Violations; Class C Infraction

Sec. 19. A person who violates section 4, 5, 6, 16, 17, or 18 of this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-127.1(b) part.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-2. Placement and Maintenance; Department of Transportation; Local Authorities; Unnecessary Signals; Removal

Sec. 2. (a) The Indiana department of transportation shall place and, except as otherwise provided in this section and IC 8-23-2-15, maintain traffic control devices conforming to the state manual and specifications upon all state highways, including the state

maintained routes through a city or town, as necessary to indicate and to carry out this article or to regulate, warn, or guide traffic. (b) A local authority may not place or maintain a traffic control device upon a highway in the state highway system or the state maintained routes through a city or town until the authority has received written permission from the Indiana department of transportation. (c) If the department determines, upon the basis of an engineering and traffic investigation, that any traffic control signal is not necessary for the safe, convenient, economical, and orderly movement of traffic, the signal shall be removed by the Indiana department of transportation and be returned to the authority responsible for the signal's erection. If the Indiana department of transportation determines, based on an engineering and traffic investigation, that a traffic control signal now in place is necessary for the safe, convenient, economical, and orderly movement of traffic, the signal must remain in place, and the Indiana department of transportation shall affix a tag or seal to the signal showing that the signal has been approved by the Indiana department of transportation. [Pre-1991 Recodification Citation: 9-4-1-31(a); (b).] As added by P.L.2-1991, SEC.9. Amended by P.L.217-2014, SEC.46.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-20. Highway Worksites; Signage

Sec. 20. (a) For purposes of this section, "highway worksite" has the meaning set forth in IC 8-23-2-15. (b) The Indiana department of transportation shall design and manufacture or have manufactured signs that inform vehicle operators of the offenses and penalties under: (1) IC 8-23-32; (2) IC 9-21-5-11; and (3) IC 9-21-8-56. (c) A sign described in subsection (b) shall be posted at a reasonable distance before a highway worksite by: (1) the Indiana department of transportation; (2) a political subdivision; or (3) a contractor of the: (A) Indiana department of transportation; or (B) political subdivision; that is working at the highway worksite. A sign that is posted before a highway worksite must be posted in accordance with the Indiana Manual on Uniform Traffic Control Devices or the Indiana Work Site Traffic Control Manual. As added by P.L.40-2007, SEC.1. Amended by P.L.120-2023, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-3. Local Authorities; Jurisdiction; Duties; Traffic Calming Devices

Sec. 3. (a) As used in this section, "traffic calming device" means a device erected to slow traffic on residential streets, including the following: (1) traffic circles; (2) curb extensions; (3) neck downs; (4) diagonal diverters; (5) truncated diagonal diverters; or (6) chicanes. (b) A local authority shall place and maintain traffic control devices upon highways under the authority's jurisdiction, not including state highways, the authority considers necessary to indicate and to carry out this article or local traffic ordinances or to regulate, warn, or guide traffic. All traffic control devices, except traffic calming devices, erected under this section after June 30, 1939, must conform to the Indiana manual on uniform traffic control devices for streets and highways, ("the state manual") and design specifications. However, the design and use of traffic calming devices shall conform to generally accepted engineering principles of road design, and shall not affect the requirements of the state manual and design specifications as regards any other traffic control device, as used in this chapter. [Pre-1991 Recodification Citation: 9-4-1-32.] As added by P.L.2-1991, SEC.9. Amended by P.L.93-1996, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-4. Unauthorized Traffic Control Devices; Prohibition

Sec. 4. A person may not place, maintain, or display upon or in view of a highway an unauthorized sign, signal, marking, or device that: (1) purports to be, is an imitation of, or resembles an official traffic control device or a railroad sign or signal; (2) attempts to direct the movement of traffic; or (3) hides from view or interferes with the effectiveness of an official traffic control device or a railroad sign or signal. [Pre-1991 Recodification Citation: 9-4-1-38(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-5. Commercial Advertising; Placement on Traffic Control Devices; Prohibition; Exceptions; Tourist Attraction Signage; Lights Maintained on Private Property; Restrictions

Sec. 5. (a) Except as provided in subsection (b), a person may not place or maintain upon a highway a traffic sign or signal bearing commercial advertising. A public authority may not permit the placement of a traffic sign or signal that bears a commercial message. (b) Under criteria to be jointly established by the Indiana department of transportation and the office of tourism development (before July 1, 2020) or the Indiana destination development corporation (after June 30, 2020), the Indiana department of transportation may authorize the posting of any of the following: (1) Limited tourist attraction signage. (2) Business signs on specific information panels on the interstate system of highways and other freeways. All costs of manufacturing, installation, and maintenance to the Indiana department of transportation for a business sign posted under this subsection shall be paid by the business. (c) Criteria established under subsection (b) for tourist attraction signage must include a category for a tourist attraction that: (1) is a trademarked destination brand; and (2) encompasses buildings, structures, sites, or other facilities that are: (A) listed on the National Register of Historic Places established under 16 U.S.C. 470 et seq.; or (B) listed on the register of Indiana historic sites and historic structures established under IC 14-21-1; regardless of the distance of the tourist attraction from the highway on which the tourist attraction signage is placed. (d) Criteria established under subsection (b) for tourist attraction signage must include a category for a tourist attraction that is an establishment issued a brewer's permit under IC 7.1-3-2-2(b). (e) A person may not place,

maintain, or display a flashing, a rotating, or an alternating light, beacon, or other lighted device that: (1) is visible from a highway; and (2) may be mistaken for or confused with a traffic control device or for an authorized warning device on an emergency vehicle. (f) This section does not prohibit the erection, upon private property adjacent to highways, of signs giving useful directional information and of a type that cannot be mistaken for official signs. [Pre-1991 Recodification Citation: 9-4-1-38(a).] As added by P.L.2-1991, SEC.9. Amended by P.L.229-2005, SEC.8; P.L.30-2007, SEC.1; P.L.94-2008, SEC.59; P.L.79-2015, SEC.15; P.L.78-2019, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-6. Advertising Signs, Signals, and Devices; Placement on or Over Roadway; Prohibition; Removal

Sec. 6. (a) A person may not place, maintain, or display an advertising sign, signal, or device on or over the roadway of a highway. (b) A person may not place, maintain, or display an advertising sign, signal, or device on a highway in a city between the curb and sidewalk. If the curb and sidewalk join, a person may not place, maintain, or display on the sidewalk an advertising sign, signal, or device closer than ten (10) feet from the curb line. Overhanging signs may not overhang the curb. (c) A person may not place, maintain, or display an advertising sign or device of any character within one hundred (100) feet of a highway outside the corporate limits of an incorporated city or town that obstructs the view of: (1) the highway; or (2) an intersecting highway, street, alley, or private driveway; of a person traveling the highway for a distance of five hundred (500) feet or less from the sign or device as the person approaches the highway or intersecting highway. (d) A person may not place, maintain, or display an advertising sign or a device of a permanent or semipermanent character on a highway right-of-way. (e) Each sign, signal, or marking prohibited under this section is declared to be a public nuisance. The authority having jurisdiction over the highway may remove or cause to be removed the prohibited sign, signal, or marking without notice. [Pre-1991 Recodification Citation: 9-4-1-38(b); (c); (d); (e); (f).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-7. Designation or Determination of the Location Of, Necessity For, and Extent of Traffic Control Devices; Order of Department of Transportation; Violation; Trial; Certification of Order; Permits

Sec. 7. (a) Whenever, under this article, the Indiana department of transportation designates or determines the location of, necessity for, and extent of: (1) traffic control devices; (2) state speed limits, other than maximum limits; (3) speed limits on elevated structures; (4) no passing zones; (5) one-way roadways; (6) certain lanes for slow moving traffic; (7) course of turning movements at intersections; (8) dangerous railroad crossings requiring stops; (9) through highways and stop intersections; (10) angle parking; or (11) restrictions on the use of highways for certain periods or for certain vehicles, including low speed vehicles; the designation or determination shall be by order of the commissioner of the Indiana department of transportation and shall, except for subdivision (1), be evidenced by official signs or markings under this article. The commissioner of the Indiana department of transportation may designate an order adopted under this subsection as a rule and adopt the order as a rule under IC 4-22-2. (b) At a trial of a person charged with a violation of the restrictions imposed by subsection (a) and in all civil actions, oral evidence of the location and content of the signs or markings is prima facie evidence of the adoption and application of the restriction by the Indiana department of transportation and the validity of the adoption and application of the restriction. The Indiana department of transportation shall, upon request by a party in an action at law, furnish, under the seal of the Indiana department of transportation, a certification of the order establishing the restriction in question. A certification under this subsection shall be accepted by any court as conclusive proof of the designation or determination by the commissioner of the Indiana department of transportation. Certified copies shall be furnished without cost to the parties to a court action involving the restriction upon request. (c) Whenever, under this article, a permit or permission of the Indiana department of transportation is required, the permit must be in writing and under the seal of the Indiana department of transportation. [Pre-1991 Recodification Citation: 9-4-1-125(e).] As added by P.L.2-1991, SEC.9. Amended by P.L.21-2003, SEC.7; P.L.140-2013, SEC.11; P.L.93-2024, SEC.96.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-8. Rules of Statewide Application Not Evidenced by Official Signs and Not Authorized by This Article; Adoption; Use of Administrative Rules

Sec. 8. The rules for construction of private drives and controlling the cutting of curbs in cities and any other rules of statewide application that are: (1) not evidenced by official signs or markings; (2) made by the Indiana department of transportation; and (3) not authorized by this article but authorized by other statutes; shall be adopted under IC 4-22-2. [Pre-1991 Recodification Citation: 9-4-1-125(f) part.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 4. Traffic Control Devices9-21-4-9. Administrative Rules; Adoption of Rules of Statewide Application; Exceptions

Sec. 9. (a) Except as provided in subsections (b) and (c), all rules of statewide application shall be adopted under IC 4-22-2. (b) Traffic regulations carrying a penalty for violation and requiring the use of signs or markers to make them effective need not be adopted under IC 4-22-2. (c) Traffic regulations, except maximum speed limits and worksite speed limits, shall be officially adopted by order of the Indiana department of transportation. [Pre-1991 Recodification Citation: 9-4-1-125(g).] As added by P.L.2-1991,

SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 5. Speed Limits9-21-5-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The amendments made to section 11 of this chapter by P.L.40-2007 apply to civil judgments entered for infractions committed after June 30, 2007. As added by P.L.220-2011, SEC.216.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 5. Speed Limits9-21-5-1. General Restrictions; Violation

Sec. 1. (a) A person may not drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions, having regard to the actual and potential hazards then existing. Speed shall be restricted as necessary to avoid colliding with a person, vehicle, or other conveyance on, near, or entering a highway in compliance with legal requirements and with the duty of all persons to use due care. (b) A person who drives at a speed greater than is reasonable and prudent for the given weather or road conditions commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-57(a).] As added by P.L.2-1991, SEC.9. Amended by P.L.188-2015, SEC.62.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 5. Speed Limits9-21-5-10. Bridges and Elevated Structures; Maximum Speed; Safety Investigation; Posting of Signs; Violations; Conclusive Evidence; Violation

Sec. 10. (a) A person may not drive a vehicle over a bridge or other elevated structure constituting a part of a highway at a speed that is greater than the maximum speed that can be maintained with safety to the bridge or structure, when the structure is signposted as provided in this section. (b) The Indiana department of transportation may conduct an investigation of a bridge or other elevated structure constituting a part of a highway. If the Indiana department of transportation finds that the structure cannot with safety to the structure withstand vehicles traveling at the speed otherwise permissible under this chapter, the Indiana department of transportation shall determine and declare the maximum speed of vehicles that the structure can withstand. The Indiana department of transportation shall cause or permit suitable signs stating the maximum speed to be erected and maintained at a distance of one hundred (100) feet or as near as practicable before each end of the structure. (c) Upon the trial of a person charged with a violation of this section, proof of the determination of the maximum speed by the Indiana department of transportation and the existence of signs erected under subsection (b) constitutes conclusive evidence of the maximum speed that can be maintained with safety to the bridge or structure. (d) A person who exceeds the speed limit sign posted on a bridge or other elevated structure under this section commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-60.] As added by P.L.2-1991, SEC.9. Amended by P.L.188-2015, SEC.70.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 5. Speed Limits9-21-5-11. Temporary Maximum Speed Limits; Worksite Speed Limits; Violation; Penalties

Sec. 11. (a) Subject to subsection (b), the Indiana department of transportation, the Indiana finance authority, or a local authority may establish temporary maximum speed limits in their respective jurisdictions and in the vicinity of a worksite without conducting an engineering study and investigation required under this article. The establishing authority shall post signs notifying the traveling public of the temporary maximum speed limits established under this section. (b) Worksite speed limits set under this section must be at least ten (10) miles per hour below the maximum established speed limit. (c) A worksite speed limit set under this section may be enforced as follows: (1) If workers are present in the immediate vicinity of the worksite. (2) If workers are not present in the immediate vicinity of the worksite, the establishing authority determines that the safety of the traveling public requires enforcement of the worksite speed limit. (3) In the case of a worksite speed limit enforced through a worksite speed control system under IC 8-23-32, if the worksite speed control system indicates that the operator of a motor vehicle has exceeded the worksite speed limit set under this section by at least eleven (11) miles per hour. (d) This subsection does not apply to a person whose violation of a worksite speed limit is detected and enforced through a worksite speed control system under IC 8-23-32. Notwithstanding IC 34-28-5-4(b), a judgment for the infraction of violating a speed limit set under this section must be entered as follows: (1) If the person has not previously committed the infraction of violating a speed limit set under this section, a judgment for a Class B infraction and a fine of at least three hundred dollars ($300) shall be imposed. (2) If the person has committed one (1) infraction of violating a speed limit set under this section in the previous three (3) years, a judgment for a Class B infraction and a fine of at least five hundred dollars ($500) shall be imposed. (3) If the person has committed two (2) or more infractions of violating a speed limit set under this section in the previous three (3) years, a judgment for a Class B infraction and a fine of one thousand dollars ($1,000) shall be imposed. (e) This subsection does not apply to a person whose violation of a worksite speed limit is detected and enforced through a worksite speed control system under IC 8-23-32. Notwithstanding IC 34-28-5-5(c), the funds collected as judgments for the infraction of violating a speed limit set under this section shall be transferred to the Indiana department of transportation to pay the costs of hiring off duty police officers to perform the duties described in IC 8-23-2-15(b). (f) This subsection does not apply to a person whose violation of a worksite speed limit is detected and enforced through a worksite speed control system under IC 8-23-32. If judgment has been imposed for committing two (2) infractions under this section within one (1) year, an additional penalty of the suspension of the driving privileges of the person who committed the infractions may be imposed by the court imposing the sentence for the

second violation. If the court suspends a person's driving privileges under this subsection, the court shall issue an order to the bureau: (1) stating that judgment against the person has been entered for committing the infraction of exceeding a worksite speed limit under this section for the second time in one (1) year; and (2) ordering the suspension of the person's driving privileges by the bureau under IC 9-30-13-9. The suspension of a person's driving privileges under this section is in addition to any other penalties imposed under this section and any fee imposed under IC 33-37-5-14. (g) In the case of a worksite speed limit enforced through a worksite speed control system, a civil penalty shall be assessed under IC 8-23-32. [Pre-1991 Recodification Citation: 9-4-1-60.1.] As added by P.L.2-1991, SEC.9. Amended by P.L.116-2001, SEC.1; P.L.235-2005, SEC.125; P.L.40-2007, SEC.2; P.L.66-2011, SEC.1; P.L.188-2015, SEC.71; P.L.41-2016, SEC.1; P.L.120-2023, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 5. Speed Limits9-21-5-12. Maximum Speeds Greater or Less Than What Is Reasonably Safe; Declaration of New Limit; Variable Limits Based on Certain Factors; Violation

Sec. 12. (a) Except as provided in subsection (d), whenever the Indiana department of transportation determines on the basis of an engineering and traffic investigation that a maximum speed set forth in this chapter is greater or less than is reasonable or safe under the conditions found to exist at an intersection or other place or on part of the state highway system, the Indiana department of transportation may determine and declare a reasonable and safe maximum limit at the intersection or on the part of the state highway system. The differing limit is effective when appropriate signs giving notice of the limit are erected. (b) A maximum speed limit under this section may be declared to be effective at all times or at times indicated on the signs. Differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds. The differing limits are effective when posted on appropriate fixed or variable signs. (c) A person who exceeds a speed limit established under this section commits a Class C infraction. (d) The Indiana department of transportation may decrease the speed limit on a highway in its jurisdiction with a functional classification of minor collector or local road in an urban district to twenty (20) miles per hour without an engineering and traffic investigation. [Pre-1991 Recodification Citation: 9-4-1-61.] As added by P.L.2-1991, SEC.9. Amended by P.L.164-2018, SEC.14; P.L.49-2024, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 5. Speed Limits9-21-5-14. Maximum Speed of School Buses and Special Purpose Buses; Violation

Sec. 14. (a) A person may not operate a school bus or a special purpose bus at a speed greater than: (1) sixty (60) miles per hour on a federal or state highway; or (2) forty (40) miles per hour on a county or township highway. (b) If the posted speed limit is lower than the absolute limits set in this section or if the absolute limits do not apply, the maximum lawful speed of a bus is the posted speed limit. (c) A person who knowingly or intentionally exceeds a speed limit set forth in subsection (a) or (b) commits a Class C misdemeanor. [Pre-2005 Elementary and Secondary Education Recodification Citation: 20-9.1-5-10.] As added by P.L.1-2005, SEC.24. Amended by P.L.107-2006, SEC.2; P.L.114-2007, SEC.2; P.L.188-2015, SEC.73.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 5. Speed Limits9-21-5-2. Maximum Speed Limits; Violation

Sec. 2. (a) Except when a special hazard exists that requires lower speed for compliance with section 1 of this chapter, the slower speed limit specified in this section or established as authorized by section 3 of this chapter is the maximum lawful speed. A person may not drive a vehicle on a highway at a speed in excess of the following maximum limits: (1) Thirty (30) miles per hour in an urban district. (2) Fifty-five (55) miles per hour, except as provided in subdivisions (1), (3), (4), (5), (6), and (7). (3) Seventy (70) miles per hour on a highway on the national system of interstate and defense highways located outside of an urbanized area (as defined in 23 U.S.C. 101) with a population of at least fifty thousand (50,000), except as provided in subdivision (4). (4) Sixty-five (65) miles per hour for a vehicle (other than a bus) having a declared gross weight greater than twenty-six thousand (26,000) pounds on a highway on the national system of interstate and defense highways located outside an urbanized area (as defined in 23 U.S.C. 101) with a population of at least fifty thousand (50,000). (5) Sixty-five (65) miles per hour on: (A) U.S. 20 from the intersection of U.S. 20 and County Road 17 in Elkhart County to the intersection of U.S. 20 and U.S. 31 in St. Joseph County; (B) U.S. 31 from the intersection of U.S. 31 and U.S. 20 in St. Joseph County to the boundary line between Indiana and Michigan; and (C) a highway classified by the Indiana department of transportation as an INDOT Freeway. (6) On a highway that is the responsibility of the Indiana finance authority established by IC 5-1.2-3: (A) seventy (70) miles per hour for: (i) a motor vehicle having a declared gross weight of not more than twenty-six thousand (26,000) pounds; or (ii) a bus; or (B) sixty-five (65) miles per hour for a motor vehicle having a declared gross weight greater than twenty-six thousand (26,000) pounds. (7) Sixty (60) miles per hour on a highway that: (A) is not designated as a part of the national system of interstate and defense highways; (B) has four (4) or more lanes; (C) is divided into two (2) or more roadways by: (i) an intervening space that is unimproved and not intended for vehicular travel; (ii) a physical barrier; or (iii) a dividing section constructed to impede vehicular traffic; and (D) is located outside an urbanized area (as defined in 23 U.S.C. 101) with a population of at least fifty thousand (50,000). (8) Fifteen (15) miles per hour in an alley. (b) A person who violates subsection (a) commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-57(b).] As added by P.L.2-1991, SEC.9. Amended by P.L.92-1991, SEC.2; P.L.1-1993, SEC.56; P.L.151-2005, SEC.2; P.L.1-2006, SEC.163; P.L.188-2015, SEC.63; P.L.189-2018, SEC.104.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 5. Speed Limits9-21-5-3. Alteration of Maximum Speed Limits; Authorities; Procedures

Sec. 3. The maximum speed limits set forth in section 2 of this chapter may be altered as follows: (1) By local jurisdictions under section 6 of this chapter. (2) By the Indiana department of transportation under section 12 of this chapter. (3) For the purposes of speed limits on a highway on the national system of interstate and defense highways, by order of the commissioner of the Indiana department of transportation to conform to any federal regulation concerning state speed limit laws. (4) In worksites, by all jurisdictions under section 11 of this chapter. [Pre-1991 Recodification Citation: 9-4-1-57(c).] As added by P.L.2-1991, SEC.9. Amended by P.L.235-2005, SEC.124; P.L.151-2005, SEC.3; P.L.1-2006, SEC.164.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 5. Speed Limits9-21-5-4. Reduction of Speed; Conditions Where Required; Violation

Sec. 4. (a) The driver of each vehicle shall, consistent with section 1 of this chapter, drive at an appropriate reduced speed as follows: (1) When approaching and crossing an intersection or railway grade crossing. (2) When approaching and going around a curve. (3) When approaching a hill crest. (4) When traveling upon a narrow or winding roadway. (5) When special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions. (b) A person who fails to drive at a reduced speed as required under subsection (a) commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-57(d).] As added by P.L.2-1991, SEC.9. Amended by P.L.188-2015, SEC.64.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 5. Speed Limits9-21-5-5. Oversized Vehicles; Violation

Sec. 5. (a) In addition to the other limitations in this chapter, and in any oversize vehicle permit issued under IC 9-20, a vehicle that exceeds: (1) a width of ten (10) feet, six (6) inches; (2) a height of thirteen (13) feet, six (6) inches; or (3) a length of eighty-five (85) feet; may not be operated at a speed greater than fifty-five (55) miles per hour. (b) A person who operates a vehicle to which subsection (a) applies at a speed greater than fifty-five (55) miles per hour commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-57(e).] As added by P.L.2-1991, SEC.9. Amended by P.L.85-1997, SEC.2; P.L.217-2003, SEC.7; P.L.188-2015, SEC.65.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 5. Speed Limits9-21-5-6. Speed Limits Greater or Lesser Than Reasonable; Alteration by Local Authority; Engineering and Traffic Investigations; Validity of Speed Limits; Conditions; Violation

Sec. 6. (a) Except as provided in subsections (e) and (f), whenever a local authority in the authority's jurisdiction determines that the maximum speed permitted under this chapter is greater or less than reasonable and safe under the conditions found to exist on a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit on the highway. The maximum limit declared under this section may do any of the following: (1) Decrease the limit within urban districts, but not to less than twenty (20) miles per hour. (2) Increase the limit within an urban district, but not to more than fifty-five (55) miles per hour during daytime and fifty (50) miles per hour during nighttime. (3) Decrease the limit outside an urban district, but not to less than thirty (30) miles per hour. (4) Decrease the limit in an alley, but to not less than five (5) miles per hour. (5) Increase the limit in an alley, but to not more than twenty (20) miles per hour. The local authority must perform an engineering and traffic investigation before a determination may be made to change a speed limit under subdivision (2), (3), (4), or (5) or before the speed limit on a highway with a functional classification of arterial or major collector within an urban district may be decreased to less than twenty-five (25) miles per hour under subdivision (1). An engineering and traffic investigation is not required to decrease the speed limit to twenty (20) miles per hour on a highway with a functional classification of minor collector or local road in an urban district. (b) Except as provided in subsection (f), a local authority in the authority's jurisdiction shall determine by an engineering and traffic investigation the proper maximum speed for all local streets and shall declare a reasonable and safe maximum speed permitted under this chapter for an urban district. However, an engineering and traffic study is not required to be performed for the local streets in an urban district under this subsection if the local authority determines that the proper maximum speed in the urban district is not less than twenty-five (25) miles per hour. (c) An altered limit established under this section is effective at all times or during hours of darkness or at other times as may be determined when appropriate signs giving notice of the altered limit are erected on the street or highway. (d) Except as provided in this subsection, a local authority may not alter a speed limit on a highway or extension of a highway in the state highway system. A city or town may establish speed limits on state highways upon which a school is located. However, a speed limit established under this subsection is valid only if the following conditions exist: (1) The limit is not less than twenty (20) miles per hour. (2) The limit is imposed only in the immediate vicinity of the school. (3) Children are present. (4) The speed zone is properly signed. There must be: (A) a sign located: (i) where the reduced speed zone begins; or (ii) as near as practical to the point where the reduced speed zone begins; indicating the reduced speed limit; and (B) a sign located at the end of the reduced speed zone indicating: (i) the speed limit for the section of highway that follows; or (ii) the end of the reduced speed zone. (5) The Indiana department of transportation has been notified of the limit imposed by certified mail. (e) A local authority may decrease a limit on a street to not less than fifteen (15) miles per hour if the following conditions exist: (1) The street is located within a park or

playground established under IC 36-10. (2) The: (A) board established under IC 36-10-3; (B) board established under IC 36-10-4; or (C) park authority established under IC 36-10-5; requests the local authority to decrease the limit. (3) The speed zone is properly signed. (f) A city, town, or county may establish speed limits on a street or highway upon which a school is located if the street or highway is under the jurisdiction of the city, town, or county, respectively. However, a speed limit established under this subsection is valid only if the following conditions exist: (1) The limit is not less than twenty (20) miles per hour. (2) The limit is imposed only in the immediate vicinity of the school. (3) Children are present. (4) The speed zone is properly signed. There must be: (A) a sign located where the reduced speed zone begins or as near as practical to the point where the reduced speed zone begins indicating the reduced speed limit and a sign located at the end of the reduced speed zone indicating the end of the reduced speed zone; and (B) if the school operates on a twelve (12) month schedule, a sign indicating that the school is an all year school. (g) Except as provided in subsection (h), a person who exceeds a speed limit established by a local authority under this section commits a Class C infraction. (h) A person who exceeds a speed limit that is established under subsection (d) or (f) commits a Class B infraction. [Pre-1991 Recodification Citation: 9-4-1-58.] As added by P.L.2-1991, SEC.9. Amended by P.L.92-1991, SEC.3; P.L.1-1992, SEC.50; P.L.126-1993, SEC.1; P.L.169-2006, SEC.32; P.L.138-2009, SEC.2; P.L.52-2011, SEC.1; P.L.29-2015, SEC.1; P.L.188-2015, SEC.66; P.L.164-2018, SEC.12; P.L.49-2024, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 5. Speed Limits9-21-5-7. Reduction of Speed; Impeding Normal and Reasonable Movement; Right-of-Way to Other Vehicles; Violation

Sec. 7. (a) A person may not drive a motor vehicle at a slow speed that impedes or blocks the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with the law. A person who is driving: (1) on a roadway that has not more than one (1) lane of traffic in each direction; and (2) at a slow speed so that three (3) or more other vehicles are blocked and cannot pass on the left around the vehicle; shall give right-of-way to the other vehicles by pulling off to the right of the right lane at the earliest reasonable opportunity and allowing the blocked vehicles to pass. (b) A person who fails to give right-of-way as required by subsection (a) commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-59(a).] As added by P.L.2-1991, SEC.9. Amended by P.L.188-2015, SEC.67.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 5. Speed Limits9-21-5-8.5. Low Speed Vehicles; Violation

Sec. 8.5. (a) A person may not operate a low speed vehicle on a highway that has a speed limit in excess of thirty-five (35) miles per hour. (b) A person who operates a low speed vehicle on a highway that has a speed limit in excess of thirty-five (35) miles per hour commits a Class C infraction. As added by P.L.21-2003, SEC.8. Amended by P.L.221-2014, SEC.38; P.L.188-2015, SEC.68.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 5. Speed Limits9-21-5-8. Minimum Speed Limits; Violation

Sec. 8. (a) Whenever the Indiana department of transportation within the department's jurisdiction or a local authority within the authority's jurisdiction determines, based on an engineering and traffic investigation, that slow speeds on a part of a highway consistently impede the normal and reasonable movement of traffic, the Indiana department of transportation or local authority may determine and declare a minimum speed limit below which a person may not drive a vehicle except when necessary for safe operation or in compliance with law. A limit determined under this subsection and declared by appropriate resolution, regulation, or ordinance becomes effective when appropriate sign or signals giving notice of the limit of speed are erected along the affected part of a highway. (b) A person who fails to maintain a minimum speed limit established under this section commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-59(b).] As added by P.L.2-1991, SEC.9. Amended by P.L.164-2018, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 5. Speed Limits9-21-5-9. Vehicles Traveling at Reduced Speeds; Use of Right Lane; Prohibited Operation in Left Most Lane; Violation

Sec. 9. (a) A vehicle that travels at a speed less than the established maximum shall travel in the right lanes to provide for better flow of traffic on the interstate highways. (b) This subsection applies to the operation of a vehicle: (1) on a roadway that has two (2) or more lanes of traffic in each direction; and (2) in the left most lane, other than a lane designated for high occupancy vehicles. Except as provided in subsection (c), a person who knows, or should reasonably know, that another vehicle is overtaking from the rear the vehicle that the person is operating may not continue to operate the vehicle in the left most lane. (c) Subsection (b) does not apply: (1) when traffic conditions or congestion make it necessary to operate a vehicle in the left most lane; (2) when inclement weather, obstructions, or hazards make it necessary to operate a vehicle in the left most lane; (3) when compliance with a law, a regulation, an ordinance, or a traffic control device makes it necessary to operate a vehicle in the left most lane; (4) when exiting a roadway or turning to the left; (5) when paying a toll or user fee at a toll collection facility; (6) to an authorized emergency vehicle operated in the course of duty; or (7) to vehicles operated or used in the course of highway maintenance or construction. (d) A person who violates this section commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-59(c).] As added by P.L.2-1991, SEC.9. Amended by P.L.188-2015, SEC.69.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 6. Speed Contests9-21-6-1. Speed Contests; Prohibition

Sec. 1. A person may not engage in a motor vehicle speed contest on a highway or street. [Pre-1991 Recodification Citation: 9-4-6-2.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 6. Speed Contests9-21-6-2. Obstruction of Highways or Streets

Sec. 2. A person may not obstruct or place a barricade or an obstacle across a highway or street: (1) to facilitate or aid; or (2) as an incident to; a motor vehicle speed contest. [Pre-1991 Recodification Citation: 9-4-6-3.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 6. Speed Contests9-21-6-3. Violations; Class B Misdemeanor; Exceptions to Penalty

Sec. 3. A person who violates this chapter commits a Class B misdemeanor, except as provided in IC 9-21-8-56(d), IC 9-21-8-56(f), IC 9-21-8-56(g), and IC 9-21-8-56(h). [Pre-1991 Recodification Citations: 9-4-6-2; 9-4-6-3.] As added by P.L.2-1991, SEC.9. Amended by P.L.40-2007, SEC.3; P.L.3-2008, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 7. Vehicle Equipment9-21-7-1. Good Working Order and Adjustment; Safe Mechanical Condition

Sec. 1. A person may not drive or move on a highway a: (1) motor vehicle; (2) trailer; (3) semitrailer; (4) pole trailer; or (5) combination of a motor vehicle, trailer, semitrailer, or pole trailer; unless the equipment upon the vehicle is in good working order and adjustment, as required in this article, and the vehicle is in a safe mechanical condition that does not endanger the person who drives the vehicle, another occupant of the vehicle, or a person upon the highway. [Pre-1991 Recodification Citation: 9-4-1-126.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 7. Vehicle Equipment9-21-7-10. Lights Visible From Front of Vehicle; Prohibition

Sec. 10. (a) Except as provided in subsection (b), a person may not drive or move a vehicle or equipment upon a highway with a lamp or device on the vehicle or equipment displaying light other than white or amber visible from directly in front of the center of the vehicle or equipment. (b) This section does not apply to a vehicle required or authorized under this title to display: (1) a blue; (2) a green; (3) a red; (4) a red and white; or (5) a red and blue; light that is visible from the front of the vehicle. [Pre-1991 Recodification Citation: 9-8-6-29(b).] As added by P.L.2-1991, SEC.9. Amended by P.L.99-1991, SEC.3; P.L.164-2018, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 7. Vehicle Equipment9-21-7-11. Flashing Lights

Sec. 11. (a) Except as provided in subsection (b), a vehicle may not display flashing lights. (b) Flashing lights may be displayed on a vehicle as follows: (1) On an authorized emergency vehicle. (2) On a school bus. (3) On snow-removal equipment. (4) As a means of indicating a right or left turn. (5) As a means of indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking, or passing. (6) On a vehicle used in a funeral procession. [Pre-1991 Recodification Citation: 9-8-6-29(c).] As added by P.L.2-1991, SEC.9. Amended by P.L.80-2012, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 7. Vehicle Equipment9-21-7-13. Violation; Class C Infraction

Sec. 13. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citations: 9-4-1-127.1(b) part; 9-8-6-45.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 7. Vehicle Equipment9-21-7-2. Lights; Time for Display; Exception

Sec. 2. (a) Except as provided in subsection (b) and section 8 of this chapter, each vehicle upon a highway: (1) between the time from sunset to sunrise; and (2) at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of five hundred (500) feet ahead; must display lighted head lamps and other illuminating devices as required for different classes of vehicles under this chapter. (b) All lamp equipment required for vehicles described in IC 9-19-6, including each tail lamp required by law, shall be lighted at the times mentioned in subsection (a), except that clearance and sidemarker lamps are not required to be lighted on a vehicle when the vehicle is operated within a municipality if there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet. [Pre-1991 Recodification Citations: 9-8-6-3; 9-8-6-9 part.] As added by P.L.2-1991, SEC.9. Amended by P.L.1-1991, SEC.94; P.L.34-2010, SEC.3; P.L.198-2016, SEC.363.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 7. Vehicle Equipment9-21-7-3. Lights; Requirements and Restrictions

Sec. 3. (a) This section does not apply to a motorcycle or motor driven cycle. (b) A motor vehicle must display at least two (2)

lighted lamps, one (1) on each side at the front of the motor vehicle. (c) Whenever a motor vehicle equipped with head lamps required under subsection (b) is also equipped with: (1) auxiliary lamps; (2) a spot lamp; or (3) any other lamp on the front of the motor vehicle projecting a beam of intensity greater than three hundred (300) candlepower; not more than a total of four (4) lamps described in this subsection on the front of a vehicle may be lighted at one (1) time when upon a highway. (d) Passenger buses, trucks, truck tractors, and certain trailers, semitrailers, and pole trailers must display clearance and marker lamps, reflectors, and stop lights as required under this title when operated upon a highway. Except as provided in subsection (e), all lamp equipment required on vehicles described in this subsection shall be lighted at the times specified in section 2 of this chapter. (e) Clearance and sidemarker lamps are not required to be lighted on a vehicle described in subsection (d) when the vehicle is operated within a municipality where there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet. [Pre-1991 Recodification Citations: 9-8-6-9; 9-8-6-28.] As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.39.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 7. Vehicle Equipment9-21-7-4. High Intensity Beams

Sec. 4. (a) This section does not apply to head lamps, spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle warning lamps, and school bus warning lamps. (b) A lighted lamp or illuminating device upon a motor vehicle that projects a beam of light of an intensity greater than three hundred (300) candlepower shall be directed so that no part of the high intensity part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five (75) feet from the vehicle. [Pre-1991 Recodification Citation: 9-8-6-29(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 7. Vehicle Equipment9-21-7-5. Lights; Distribution of Beam; Direction; Illumination of Objects; Reduction of Glare

Sec. 5. (a) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent to a roadway during the times specified in section 2 of this chapter, the person who drives the motor vehicle shall use a distribution of light or composite beam directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle. (b) Whenever a person who drives a vehicle described in subsection (a) approaches an oncoming vehicle within five hundred (500) feet, the person shall use a distribution of light or composite beam aimed so that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light or composite beam specified in IC 9-19-6-20 is considered to avoid glare at all times, regardless of road contour and loading. (c) Except when overtaking and passing another vehicle, whenever the person who drives a vehicle described in subsection (a) follows another vehicle within two hundred (200) feet to the rear of the other vehicle, the person shall use a distribution of light permissible under this title other than the uppermost distribution of light specified in IC 9-19-6-20. [Pre-1991 Recodification Citation: 9-8-6-24.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 7. Vehicle Equipment9-21-7-6. Combinations of Vehicles; Operation; Lights; Clearance Lamps

Sec. 6. (a) Whenever motor and other vehicles are operated in combination during the time that lights are required under section 2 of this chapter, the person who drives the vehicles operated in combination is not required to light any lamp (except tail lamps) that, because of the lamp's location on a vehicle of the combination, would be obscured by another vehicle of the combination. (b) Lighted clearance lamps shall be displayed on the front of the foremost vehicle of the combination described in subsection (a) required to have clearance lamps. All lights required on the rear of the rearmost vehicle of a combination shall be lighted. [Pre-1991 Recodification Citation: 9-8-6-14.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 7. Vehicle Equipment9-21-7-7. Loads Extending Beyond Body of Vehicle; Display of Red Light and Flag

Sec. 7. (a) This subsection applies during the times specified in section 2 of this chapter. Whenever the load upon a vehicle extends to the rear four (4) feet or more beyond the bed or body of the vehicle, there shall be displayed at the extreme rear end of the load a red light or lantern plainly visible from a distance of at least five hundred (500) feet to the sides and rear. The red light or lantern required under this section is in addition to the red rear light required upon every vehicle. Clearance lights or reflectors on vehicles that are being transported may be used to delineate the extension of the load in lieu of other lights required in this section. (b) This subsection applies during all times not specified in section 2 of this chapter. A vehicle described in subsection (a) shall display at the extreme rear end of the vehicle's load a red flag or cloth not less than twelve (12) inches square, displayed in a manner in which the entire area is of the flag or cloth visible to the person who drives a vehicle approaching from the rear. [Pre-1991 Recodification Citation: 9-8-6-15.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 7. Vehicle Equipment9-21-7-8. Parked Vehicles; Lights; Requirements; Exempted Vehicles

Sec. 8. (a) This section applies to a vehicle that is parked or stopped upon a roadway or shoulder adjacent to a roadway between thirty (30) minutes after sunset and thirty (30) minutes before sunrise. (b) If there is sufficient light to reveal a person or object

within a distance of five hundred (500) feet upon the street or highway upon which the vehicle is parked, no lights need be displayed upon the parked vehicle. (c) This subsection does not apply to a motor driven cycle. This subsection applies whether a vehicle parked or stopped is attended or unattended. If there is not sufficient light to reveal a person or object within a distance of five hundred (500) feet upon the highway upon which the vehicle is parked or stopped, the vehicle parked or stopped shall be equipped with one (1) or more lamps that meet the following requirements: (1) At least one (1) lamp must display a white or amber light visible from a distance of five hundred (500) feet to the front of the vehicle. (2) The lamp described in subdivision (1) or at least one (1) other lamp must display a red light visible from a distance of five hundred (500) feet to the rear of the vehicle. (3) The lamp or lamps described in subdivisions (1) and (2) shall be installed as near as practicable on the side of the vehicle that is closest to passing traffic. (d) Lighted head lamps upon a parked vehicle must be depressed or dimmed. [Pre-1991 Recodification Citation: 9-8-6-16.] As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.40.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 7. Vehicle Equipment9-21-7-9. Head Lamps

Sec. 9. A motor vehicle may be operated under the conditions specified in section 2 of this chapter when equipped with two (2) lighted lamps upon the front of the motor vehicle capable of revealing persons and objects seventy-five (75) feet ahead instead of the lamps required under section 3 of this chapter. A vehicle equipped under this section may not be operated at a speed in excess of twenty (20) miles per hour. [Pre-1991 Recodification Citation: 9-8-6-27.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-0.5. Definitions

Sec. 0.5. The following definitions apply throughout this chapter: (1) "Solid waste hauler" means a vehicle in which solid waste or recyclable materials are transported to a: (A) transfer station for further transport to a final disposal facility; (B) final disposal facility; or (C) materials recovery facility. (2) "Vehicle platoon" means a group of motor vehicles that are traveling in a unified manner under electronic coordination at speeds and following distances that are faster and closer than would be reasonable and prudent without electronic coordination. As added by P.L.185-2011, SEC.3. Amended by P.L.185-2018, SEC.38; P.L.100-2020, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-1. Failure to Comply With Lawful Order or Law Enforcement Officer

Sec. 1. It is unlawful for a person to knowingly fail to comply with a lawful order or direction of a law enforcement officer invested by law with authority to direct, control, or regulate traffic. [Pre-1991 Recodification Citation: 9-4-1-24.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-10.5. Right-of-Way in a Roundabout

Sec. 10.5. (a) When approaching or driving through a roundabout, a person driving a vehicle shall yield the right-of-way to the driver of a vehicle with a total length of at least forty (40) feet or a total width of at least ten (10) feet that is driving through the roundabout at the same time or so closely as to present an immediate hazard, and shall slow down or stop if necessary to yield. However, this subsection does not require a person who is driving a vehicle through a roundabout to yield the right-of-way to the driver of a vehicle with a total length of at least forty (40) feet or a total width of at least ten (10) feet that is approaching the roundabout. (b) If two (2) vehicles each having a total length of at least forty (40) feet or a total width of at least ten (10) feet approach or drive through a roundabout at the same time or so closely as to present an immediate hazard, the driver on the right shall yield the right-of-way to the driver on the left, and shall slow down or stop if necessary to yield. As added by P.L.11-2017, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-10. Roundabouts

Sec. 10. A vehicle passing around a roundabout shall be driven only to the right of the roundabout's central island. [Pre-1991 Recodification Citation: 9-4-1-71(c).] As added by P.L.2-1991, SEC.9. Amended by P.L.11-2017, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-11.5. Roadways Divided Into Two or More Clearly Marked Lanes; Rules

Sec. 11.5. Whenever a roadway has been divided into two (2) or more clearly marked lanes for traffic, a vehicle: (1) shall be driven as nearly as practicable entirely between the lines marking the single lane; and (2) may not be moved from the lane until the person who drives the vehicle has first ascertained that the movement can be made with safety. As added by P.L.164-2018, SEC.17.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-11. Roadways Divided Into Three or More Clearly Marked Lanes; Rules

Sec. 11. Whenever a roadway has been divided into three (3) or more clearly marked lanes for traffic, the following rules apply: (1) Upon a roadway that is divided into three (3) lanes, a vehicle may not be driven in the center lane except under any of the following conditions: (A) When overtaking and passing another vehicle where the roadway is clearly visible and the center lane is clear of

traffic within a safe distance. (B) In preparation for a left turn. (C) Where the center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted to give notice of the allocation. (2) Official signs may be erected directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction. A person who drives a vehicle shall obey the directions of each sign. [Pre-1991 Recodification Citation: 9-4-1-72.] As added by P.L.2-1991, SEC.9. Amended by P.L.164-2018, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-12. Interstate Highways; Lane Use Restrictions for Trucks

Sec. 12. Except when passing a slower vehicle, entering or leaving a highway, or where a special hazard exists that requires, for safety reasons, the use of an alternate lane, a person may not operate a truck, truck tractor, road tractor, trailer, semitrailer, or pole trailer on an interstate highway in any lane except the far right lane. [Pre-1991 Recodification Citation: 9-4-1-59(d).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-13. Interstate Highways Consisting of at Least Three Lanes; Lane Use Restrictions for Trucks

Sec. 13. Except when entering or leaving a highway or where a special hazard exists that requires, for safety reasons, the use of an alternate lane, a person may not operate a truck, truck tractor, road tractor, trailer, semitrailer, or pole trailer on an interstate highway consisting of at least three (3) lanes in one (1) direction in any lane other than the two (2) far right lanes. [Pre-1991 Recodification Citation: 9-4-1-59(e).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-14. Following Other Vehicles; Distance Restrictions

Sec. 14. (a) This section does not apply to a person who drives a motor vehicle in a vehicle platoon with respect to another motor vehicle in the same vehicle platoon. (b) A person who drives a motor vehicle may not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of both vehicles, the time interval between vehicles, and the condition of the highway. [Pre-1991 Recodification Citation: 9-4-1-73(a).] As added by P.L.2-1991, SEC.9. Amended by P.L.185-2018, SEC.39.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-15. Trucks and Tractor-Trailers; Following Other Trucks; Distance Restrictions

Sec. 15. (a) This section does not apply to a person who drives a motor vehicle in a vehicle platoon with respect to another motor vehicle in the same vehicle platoon. (b) Except when overtaking and passing, a person who drives a motor truck, motor truck drawing another vehicle, or tractor-trailer combination, when traveling upon a roadway outside of a business or residence district or upon a roadway that is a part of the interstate highway system, whether within or without a business or residence district, may not follow within three hundred (300) feet of another motor truck, motor truck drawing another vehicle, or a tractor-trailer combination. [Pre-1991 Recodification Citation: 9-4-1-73(b).] As added by P.L.2-1991, SEC.9. Amended by P.L.185-2018, SEC.40.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-16. Caravans and Motorcades; Distance Between Vehicles; Exceptions

Sec. 16. (a) This section does not apply to the following: (1) Funeral or marching band processions. (2) A person who drives a motor vehicle in a vehicle platoon with respect to another motor vehicle in the same vehicle platoon. (b) Motor vehicles being driven upon a roadway outside of a business or residence district in a caravan or motorcade, whether or not towing other vehicles, must be operated to allow sufficient space between each vehicle or combination of vehicles to enable another vehicle to enter and occupy the space without danger. [Pre-1991 Recodification Citation: 9-4-1-73(c).] As added by P.L.2-1991, SEC.9. Amended by P.L.185-2018, SEC.41.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-17. Divided Highways; Restrictions

Sec. 17. Whenever a highway has been divided into two (2) roadways by: (1) leaving an intervening space; (2) a physical barrier; or (3) a clearly indicated dividing section constructed to impede vehicular traffic; a vehicle shall be driven only upon the right-hand roadway. A vehicle may not be driven over, across, or within a dividing space, barrier, or section, except through an opening in the physical barrier, dividing section, or space or at a crossover or an intersection established by public authority. [Pre-1991 Recodification Citation: 9-4-1-74(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-18. Limited Access Facilities; Entrance and Exit to and From

Sec. 18. A person may not drive a vehicle onto or from a limited access facility except at entrances and exits that are established by the public authority in control of the roadway. [Pre-1991 Recodification Citation: 9-4-1-74(b).] As added by P.L.2-1991, SEC.9.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-19. Freeways and Interstate Highways; Entrance and Exit to and From; Special Crossovers; "U" Turns

Sec. 19. A person may not drive a vehicle onto or from a freeway or the interstate highway system except at entrances and exits that are established by the public authority in control of the highway. Whenever special crossovers between the main roadways of a freeway or the interstate highway system are provided for emergency vehicles or maintenance equipment only, the freeway or interstate highway system shall be posted prohibiting "U" turns. A person who drives a vehicle, except an emergency vehicle or maintenance equipment, may not use the crossovers or make a "U" turn anywhere on the freeway or interstate highway system. [Pre-1991 Recodification Citation: 9-4-1-74(c).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-2. Roadways; Use of Right Half; Exceptions; Traveling at Reduced Speeds

Sec. 2. (a) Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway except as follows: (1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing overtaking and passing. (2) When the right half of a roadway is closed to traffic under construction or repair. (3) Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable to a roadway divided into three (3) marked lanes. (4) Upon a roadway designated and signposted for one-way traffic. (b) Upon all roadways, a vehicle proceeding at less than the normal speed of traffic at the time and place under the conditions then existing shall be driven: (1) in the right-hand lane then available for traffic; or (2) as close as practicable to the right-hand curb or edge of the roadway; except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway. (c) Upon all roadways, a motor driven cycle shall be driven as close as practicable to the right-hand curb or edge of the roadway except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway. [Pre-1991 Recodification Citation: 9-4-1-63.] As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.41.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-20. Pedestrians, Bicycles, and Other Nonmotorized Traffic; Prohibition on Use of Highways

Sec. 20. The Indiana department of transportation may by resolution or order entered in its minutes, and local authorities may by ordinance, with respect to any freeway or interstate highway system under their respective jurisdictions, prohibit the use of a highway by pedestrians, bicycles, or other nonmotorized traffic or by a person operating a motor driven cycle. The Indiana department of transportation or the local authority adopting a prohibiting regulation shall erect and maintain official signs on the freeway or interstate highway system on which the regulations are applicable. If signs are erected, a person may not disobey the restrictions stated on the signs. [Pre-1991 Recodification Citation: 9-4-1-74(d).] As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.42.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-21. Intersections; Right and Left Turns

Sec. 21. (a) A person who drives a vehicle intending to turn at an intersection must do the following: (1) Make both the approach for a right turn and a right turn as close as practical to the right-hand curb or edge of the roadway. (2) Make an approach for a left turn in that part of the right half of the roadway nearest the center line of the roadway. After entering the intersection, the person who drives a vehicle must make the left turn so as to leave the intersection to the right of the center line of the roadway being entered. (3) Make an approach for a left turn from a two-way street into a one-way street in that part of the right half of the roadway nearest the center line of the roadway and pass to the right of the center line where the center line enters the intersection. (4) Make a left turn from a one-way street into a two-way street by passing to the right of the center line of the street being entered upon leaving the intersection. (5) Where both streets or roadways are one way, make both the approach for a left turn and a left turn as close as practicable to the left-hand curb or edge of the roadway. (b) The Indiana department of transportation and local authorities in their respective jurisdictions may cause markers, buttons, or signs to be placed within or adjacent to intersections requiring and directing that a different course from that specified in this section be traveled by vehicles turning at an intersection. When markers, buttons, or signs are placed under this subsection, a person who drives a vehicle may not turn the vehicle at an intersection other than as directed and required by the markers, buttons, or signs. [Pre-1991 Recodification Citation: 9-4-1-75.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-22. Grades; Proceeding in Opposite Direction on Approach to Crest

Sec. 22. A vehicle may not be turned so as to proceed in the opposite direction upon any curve, or upon the approach to, or near the crest of a grade, where the vehicle cannot be seen by the person who drives any other vehicle approaching from either direction within seven hundred fifty (750) feet. [Pre-1991 Recodification Citation: 9-4-1-76.] As added by P.L.2-1991, SEC.9.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-23. Starting a Vehicle That Is Stopped, Standing, or Parked

Sec. 23. A person may not start a vehicle that is stopped, standing, or parked until the movement can be made with reasonable safety. [Pre-1991 Recodification Citation: 9-4-1-77.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-24. Slowing Down, Turning From a Direct Course, and Changing Lanes; Performance With Reasonable Safety; Signal

Sec. 24. (a) A person may not: (1) slow down or stop a vehicle; (2) turn a vehicle from a direct course upon a highway; or (3) change from one (1) traffic lane to another; unless the movement can be made with reasonable safety. (b) Before making a movement described in this section, a person shall provide notice of the person's intention by giving: (1) a clearly audible horn signal if any pedestrian may be affected by the movement; and (2) an appropriate stop or turn signal in the manner provided in sections 27 through 28 of this chapter. [Pre-1991 Recodification Citation: 9-4-1-78(a).] As added by P.L.2-1991, SEC.9. Amended by P.L.118-2022, SEC.22.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-26. Stopping or Sudden Decrease in Speed; Signal

Sec. 26. A person may not stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal to a person who drives a vehicle immediately to the rear when there is opportunity to give a signal. [Pre-1991 Recodification Citation: 9-4-1-78(c).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-27. Stop or Turn Signals; Hand or Arm Signals; Signal Lamps; Exception for Farm Equipment; Highway Travel

Sec. 27. (a) Except as provided in subsection (b), a stop or turn signal required under this chapter may be given by means of the hand and arm or by a signal lamp or lamps or mechanical signal device. (b) This subsection does not apply to farm tractors and implements of agriculture designed to be operated primarily in a farm field or on farm premises. A motor vehicle in use on a highway must be equipped with and a required signal shall be given by a signal lamp or lamps or mechanical signal device when either of the following conditions exist: (1) The distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of the motor vehicle exceeds twenty-four (24) inches. (2) The distance from the center of the top of the steering post to the rear limit of the body or load of the motor vehicle exceeds fourteen (14) feet. This measurement applies to a single vehicle and a combination of vehicles. [Pre-1991 Recodification Citation: 9-4-1-79.] As added by P.L.2-1991, SEC.9. Amended by P.L.210-2005, SEC.33.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-28. Hand and Arm Signals; Left Turn; Right Turn; Decrease in Speed

Sec. 28. All signals required under this chapter may be given by hand and arm. A signal given under this section shall be given from the left side of the vehicle in the following manner: (1) A left turn is indicated by extending the hand and arm horizontally. (2) A right turn is indicated by extending the hand and arm upward. (3) A stop or decreased speed is indicated by extending the hand and arm downward. [Pre-1991 Recodification Citation: 9-4-1-80.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-29. Intersections; Vehicles Approaching From Different Highways; Yield of Right-of-Way

Sec. 29. Except when approaching through highways and areas in which signs are posted giving other instructions, when two (2) vehicles approach or enter an intersection from different highways at approximately the same time, the person who drives the vehicle on the left shall yield the right-of-way to the vehicle on the right. [Pre-1991 Recodification Citation: 9-4-1-81.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-3. Lane Use Restrictions

Sec. 3. (a) The Indiana department of transportation may adopt rules to restrict the operation of a truck to a certain lane or lanes of a state maintained highway and to a certain lane or lanes of a street of a city or town that is a part of the state highway system and is maintained by the state. (b) The Indiana department of transportation may post a state highway or a city or town street that is a part of the state highway system with appropriate directional signs and signals. [Pre-1991 Recodification Citation: 9-4-1-64.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-30. Intersections; Vehicles Approaching From Opposite Directions; Yield of Right-of-Way

Sec. 30. A person who drives a vehicle within an intersection intending to turn to the left shall yield the right-of-way to a vehicle approaching from the opposite direction that is within the intersection or so close to the intersection as to constitute an immediate hazard. After yielding and giving a signal as required by this chapter, the person who drives the vehicle may make the left turn, and the persons who drive other vehicles approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn. [Pre-1991 Recodification Citation: 9-4-1-82.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-31. Entrance to Through Highways; Stopping; Yield of Right-of-Way

Sec. 31. (a) A person who drives a vehicle shall do the following: (1) Stop as required under this article at the entrance to a through highway. (2) Yield the right-of-way to other vehicles that have entered the intersection from the through highway or that are approaching so closely on the through highway as to constitute an immediate hazard. (b) After yielding as described in subsection (a)(2), the person who drives a vehicle may proceed and persons who drive other vehicles approaching the intersection on the through highway shall yield the right-of-way to the vehicle proceeding into or across the through highway. [Pre-1991 Recodification Citation: 9-4-1-83(a).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-32. Stop Signs at Intersections; Duty to Obey

Sec. 32. A person who drives a vehicle shall stop at an intersection where a stop sign is erected at one (1) or more entrances to a through highway that are not a part of the through highway and proceed cautiously, yielding to vehicles that are not required to stop. [Pre-1991 Recodification Citation: 9-4-1-83(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-33. Yield Signs; Collision With Pedestrian or Vehicle

Sec. 33. (a) A person who drives a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions or stop if necessary. The person shall yield the right-of-way to a pedestrian legally crossing the roadway and to a vehicle in the intersection or approaching on another highway so closely as to present an immediate hazard. After yielding, the person may proceed, and all other vehicles approaching the intersection shall yield to the vehicle proceeding. (b) If a person who drives a vehicle is involved in a collision with a pedestrian in a crosswalk or a vehicle in the intersection after driving past a yield sign without stopping, the collision is considered prima facie evidence of the person's failure to yield the right-of-way. [Pre-1991 Recodification Citation: 9-4-1-83(c).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-34. Entrance to Highway From Private Road or Driveway; Yield of Right-of-Way

Sec. 34. A person who drives a vehicle that is about to enter or cross a highway from a private road or driveway shall yield the right-of-way to all vehicles approaching on the highway. [Pre-1991 Recodification Citation: 9-4-1-84.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-35. Vehicles Displaying Flashing Lights; Yield Right-of-Way; Violation

Sec. 35. (a) Upon the immediate approach of an authorized emergency vehicle, when the person who drives the authorized emergency vehicle is giving audible signal by siren or displaying alternately flashing red, red and white, or red and blue lights, a person who drives another vehicle shall do the following unless otherwise directed by a law enforcement officer: (1) Yield the right-of-way. (2) Immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the highway clear of any intersection. (3) Stop and remain in the position until the authorized emergency vehicle has passed. (b) Upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is giving a signal by displaying alternately flashing red, red and white, or red and blue lights, a person who drives an approaching vehicle shall: (1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or (2) proceeding with due caution, reduce the speed of the vehicle to a speed at least ten (10) miles per hour less than the posted speed limit, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe. A person who violates this subsection commits a Class A infraction. However, the violation is a Level 6 felony if the person's failure to comply with this subsection results in serious bodily injury, catastrophic injury, or death to any person operating, occupying, or affiliated with an authorized emergency vehicle described in this subsection. (c) Upon approaching a stationary recovery vehicle, a stationary utility service vehicle (as defined in IC 8-1-8.3-5), a stationary solid waste hauler, a stationary road, street, or highway maintenance vehicle, or a stationary survey or construction vehicle, when the vehicle is giving a signal by displaying alternately flashing amber lights, a person who drives an approaching vehicle shall: (1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the recovery vehicle, utility service vehicle, solid waste hauler, or road, street, or highway maintenance vehicle, if possible with due regard to safety and

traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or (2) proceeding with due caution, reduce the speed of the vehicle to a speed at least ten (10) miles per hour less than the posted speed limit, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe. A person who violates this subsection commits a Class B infraction. (d) This subsection does not apply to a vehicle approaching another vehicle that is described in subsection (b) or (c) or a vehicle approaching a school bus when the arm signal device specified in IC 9-21-12-13 is in the device's extended position. Upon approaching a disabled stationary vehicle with flashing hazard warning signals, a person who drives an approaching vehicle shall: (1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the disabled stationary vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or (2) proceeding with due caution, reduce the speed of the vehicle to a speed at least ten (10) miles per hour less than the posted speed limit maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe. A person who violates this subsection commits a Class B infraction. (e) This section does not operate to relieve the person who drives a vehicle described under this section from the duty to operate the vehicle with due regard for the safety of all persons using the highway. [Pre-1991 Recodification Citation: 9-4-1-85.] As added by P.L.2-1991, SEC.9. Amended by P.L.18-1999, SEC.1; P.L.39-2000, SEC.7; P.L.1-2001, SEC.6; P.L.14-2010, SEC.1; P.L.188-2015, SEC.75; P.L.256-2017, SEC.160; P.L.116-2020, SEC.3; P.L.211-2023, SEC.27.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-36. Traffic Control Signals Not in Operation

Sec. 36. Except as provided in IC 9-21-17-8 and IC 9-21-3-7(b)(4)(C), when traffic control signals are not in place or not in operation, a person who drives a vehicle shall yield the right-of-way, slowing down or stopping if necessary to yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching closely from the opposite half of the roadway. [Pre-1991 Recodification Citation: 9-4-1-87(a); (c).] As added by P.L.2-1991, SEC.9. Amended by P.L.43-2011, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-37. Pedestrians and Children; Due Care; Caution

Sec. 37. Notwithstanding other provisions of this article or a local ordinance, a person who drives a vehicle shall do the following: (1) Exercise due care to avoid colliding with a pedestrian or a person propelling a human powered vehicle, giving an audible signal when necessary. (2) Exercise proper caution upon observing a child or an obviously confused, incapacitated, or intoxicated person. [Pre-1991 Recodification Citation: 9-4-1-89.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-38. Safety Zones

Sec. 38. A vehicle may not be driven through or within a safety zone. [Pre-1991 Recodification Citation: 9-4-1-105.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-39. Railroad Grade Crossings

Sec. 39. Whenever a person who drives a vehicle approaches a railroad grade crossing, the person shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest track of the railroad and may not proceed until the person can do so safely under the following circumstances: (1) When a clearly visible electric or mechanical signal device gives warning of the immediate approach of a train or other on-track equipment. (2) When a crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a train or other on-track equipment. (3) When a railroad train or other on-track equipment approaching within one thousand five hundred (1,500) feet of a highway crossing emits an audible signal and because of speed or nearness to the crossing is an immediate hazard. (4) When an approaching train or other on-track equipment is plainly visible and is in hazardous proximity to the crossing. [Pre-1991 Recodification Citation: 9-4-1-106.] As added by P.L.2-1991, SEC.9. Amended by P.L.119-1995, SEC.6; P.L.8-2010, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-4. Vehicles Proceeding in Opposite Directions; Single Lane Roadways; Passing

Sec. 4. The persons who drive vehicles proceeding in opposite directions shall pass each other to the right. Upon roadways having width for not more than one (1) lane of traffic in each direction, each person who drives a vehicle subject to this section shall give to the other person who drives a vehicle at least one-half (1/2) of the main traveled part of the roadway as nearly as possible. [Pre-1991 Recodification Citation: 9-4-1-65.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-40. Heavy Equipment or Structures; Railroad Grade Crossings; Notice; Procedure

Sec. 40. (a) A person may not operate or move a caterpillar tractor, steam shovel, derrick, roller, or any equipment or structure

weighing more than ten (10) tons and having a normal operating speed of not more than six (6) miles per hour or a vertical body or load clearance of less than nine (9) inches above the level surface of a roadway upon or across tracks at a railroad grade crossing without first complying with this section. (b) Notice of an intended crossing under this section shall be given to a superintendent of the railroad, and a reasonable time shall be given to the railroad to provide proper protection at the crossing. (c) Before making a crossing under this section, the person operating or moving a vehicle or equipment described in subsection (a) shall first stop the vehicle or equipment not less than ten (10) feet and not more than fifty (50) feet from the nearest rail or the railway. While stopped, the person shall listen and look in both directions along the track for an approaching train or other on-track equipment and for signals indicating the approach of a train or other on-track equipment. The person shall not proceed until the crossing can be made safely. (d) A crossing may not be made when warning is given by automatic signal, crossing gates, a flagman, or otherwise of the immediate approach of a railroad train or other on-track equipment. [Pre-1991 Recodification Citation: 9-4-1-109.] As added by P.L.2-1991, SEC.9. Amended by P.L.8-2010, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-41.5. Vehicle Entering School Crossing Zone; Obeyance of Instructions

Sec. 41.5. (a) A person who drives a vehicle shall obey the instructions of a school crossing guard to stop the vehicle before entering a school crossing zone. (b) Whenever a person who drives a vehicle approaches a school crossing zone, the person shall exercise extraordinary caution to secure the safety of children in the school crossing zone. As added by P.L.116-1993, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-41.7. Duty of Vehicle Operator to Obey Instructions of Railroad Flagman

Sec. 41.7. (a) For purposes of this section, "railroad flagman" means a person who furnishes flag protection as prescribed by rules of the carrier. (b) A person who operates a vehicle shall obey the instructions of a railroad flagman to stop the vehicle before approaching a location in which a train or other on-track equipment is or may be located. As added by P.L.8-2010, SEC.5. Amended by P.L.50-2011, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-41. Traffic Control Devices; Obeyance of Instructions; Highway Worksites; Extraordinary Care; Safety Controls

Sec. 41. (a) A person who drives a vehicle may not disobey the instructions of an official traffic control device placed in accordance with this article unless otherwise directed by a police officer. (b) When a traffic control device or flagman is utilized at a worksite on a highway for traffic control, a person who drives a vehicle shall exercise extraordinary care to secure the mutual safety of all persons and vehicles at the worksite. (c) All traffic shall observe and obey traffic control devices including signals, signs, and warnings, and all directions, signs, or warning devices that may be given or displayed by a police officer or flagman to safely control traffic movement at a worksite and promote safety at a worksite. [Pre-1991 Recodification Citation: 9-4-1-33.] As added by P.L.2-1991, SEC.9. Amended by P.L.113-2014, SEC.21; P.L.217-2014, SEC.47.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-42. Sidewalks; Approaching From an Alley, Driveway, or Building

Sec. 42. A person who drives a vehicle within a business or residence district that is emerging from an alley, a driveway, or a building shall stop the vehicle immediately before driving onto a sidewalk or into the sidewalk area extending across an alleyway or a private driveway. [Pre-1991 Recodification Citation: 9-4-1-111.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-43. Loaded Vehicles; Passengers; Obstruction of View; Interference With Control of Vehicle

Sec. 43. (a) A person may not drive a vehicle when any of the following conditions exist: (1) The vehicle: (A) is loaded in a manner; or (B) has more than three (3) persons in the front seat; so as to obstruct the view of the person who drives the vehicle to the front or sides of the vehicle. (2) The vehicle: (A) is loaded in a manner; or (B) has more than three (3) persons in the front seat; so as to interfere with the person's control over the driving mechanism of the vehicle. (b) A passenger in a vehicle may not do the following: (1) Ride in a position that interferes with the view ahead or to the sides of the person who drives the vehicle. (2) Interfere with the person's control over the driving mechanism of the vehicle. [Pre-1991 Recodification Citation: 9-4-1-117.] As added by P.L.2-1991, SEC.9. Amended by P.L.1-1991, SEC.96; P.L.113-2014, SEC.22; P.L.217-2014, SEC.48.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-44.5. Compression Release Engine Brakes

Sec. 44.5. (a) As used in this section, "compression release engine brake" means a hydraulically operated device that converts a power producing diesel engine into a power absorbing retarding mechanism. (b) A person who drives a motor vehicle equipped with compression release engine brakes on the Indiana toll road in a county having a population of more than one hundred seventy thousand (170,000) and less than one hundred seventy-four thousand (174,000) may not use the motor vehicle's compression release engine brakes instead of the service brake system, except in the case of failure of the service brake system. (c) This subsection does

not apply to a motor vehicle that has compression release engine brakes with a factory installed muffler or an equivalent after market muffler. A person may not drive a motor vehicle equipped with compression release engine brakes unless the motor vehicle is equipped with a muffler in good working condition so that excessive noise is prevented. As added by P.L.23-2001, SEC.2. Amended by P.L.1-2002, SEC.42; P.L.119-2012, SEC.104; P.L.168-2015, SEC.1; P.L.104-2022, SEC.76.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-44. Coasting in Neutral When Traveling Upon a Down Grade; Prohibition

Sec. 44. (a) A person who drives a motor vehicle may not coast with the gears of the vehicle in neutral when traveling upon a down grade. (b) A person who drives a commercial motor vehicle may not coast with the clutch disengaged when traveling upon a down grade. [Pre-1991 Recodification Citation: 9-4-1-117.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-45. Farm Wagons; Interstate and State Highways; Prohibitions

Sec. 45. (a) A farm wagon may not be operated on an interstate highway. (b) In addition to the prohibition set forth in subsection (a), a farm wagon (as defined in IC 9-13-2-60(2)) may not be operated on a highway designated as a part of the state highway system under IC 8-23-4-2, except that a farm wagon may cross a state highway, other than a limited access highway, at right angles for the purpose of getting from one (1) farm field to another when the operation can be done safely. The operator shall bring the farm wagon to a complete stop before proceeding across the state highway and shall yield the right-of-way to all traffic. [Pre-1991 Recodification Citation: 9-8-12-5.] As added by P.L.2-1991, SEC.9. Amended by P.L.150-2009, SEC.13; P.L.256-2017, SEC.161.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-46. Implements of Agriculture on Interstate Highways

Sec. 46. A person may not drive or operate: (1) an implement of agriculture designed to be operated primarily in a farm field or on farm premises; (2) a piece of special machinery; or (3) a mini-truck; upon any part of an interstate highway. [Pre-1991 Recodification Citation: 9-8-1-20.1.] As added by P.L.2-1991, SEC.9. Amended by P.L.210-2005, SEC.34; P.L.180-2015, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-47. Vehicles That Must Be Operated to Avoid Damage to Highways or Interference With Traffic

Sec. 47. (a) The following vehicles must be moved or operated so as to avoid any material damage to the highway or unreasonable interference with other highway traffic: (1) Machinery or equipment used in highway construction or maintenance by the Indiana department of transportation, counties, or municipalities. (2) Farm drainage machinery. (3) Implements of agriculture. (4) Firefighting apparatus owned or operated by a political subdivision or a volunteer fire department (as defined in IC 36-8-12-2). (5) Farm vehicles loaded with farm products. (b) For purposes of this section, interference with other highway traffic is considered unreasonable if the interference occurs for more than ten (10) consecutive minutes. This subsection does not apply to a vehicle in subsection (a)(1) or (a)(4). [Pre-1991 Recodification Citation: 9-8-1-19.9(b).] As added by P.L.2-1991, SEC.9. Amended by P.L.1-1999, SEC.31; P.L.210-2005, SEC.35; P.L.118-2022, SEC.24.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-48. Vehicles With Contents Escaping; Prohibition From Operation; Exceptions

Sec. 48. A vehicle, except: (1) a vehicle containing poultry or livestock being transported to market; or (2) a highway maintenance vehicle engaged in spreading sand or deicing chemicals; may not be driven or moved on a highway if the vehicle's contents are dripping, sifting, leaking, or otherwise escaping from the vehicle. [Pre-1991 Recodification Citation: 9-8-1-2(a)(8).] As added by P.L.2-1991, SEC.9. Amended by P.L.79-1991, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-49. Violations; Class C Infraction; Class a Infraction if Bodily Injury; Exceptions

Sec. 49. (a) Except as provided in subsection (b) or as provided in sections 35, 50, 52, 55, 56, and 58 of this chapter, a person who violates this chapter commits a Class C infraction. (b) Except as provided in sections 35, 50, 52, 55, 56, 58, and 59 of this chapter, a person who violates this chapter in a manner that results in bodily injury to a person commits a Class A infraction. [Pre-1991 Recodification Citations: 9-4-1-127.1(b) part; 9-8-12-6.] As added by P.L.2-1991, SEC.9. Amended by P.L.18-1999, SEC.2; P.L.40-2007, SEC.4; P.L.65-2010, SEC.4; P.L.188-2015, SEC.76; P.L.110-2020, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-5. Overtaking and Passing; Limitations; Exceptions

Sec. 5. The following rules govern the overtaking and passing of vehicles proceeding in the same direction, subject to the limitations, exceptions, and special rules stated: (1) A person who drives a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left of the other vehicle at a safe distance and may not again drive to the right side of the roadway until safely clear of the overtaken vehicle. (2) Except when overtaking and passing on the right is permitted, a person who drives an

overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and may not increase the speed of the overtaken vehicle until completely passed by the overtaking vehicle. (3) The operator of a vehicle overtaking a bicycle or electric bicycle shall: (A) allow at least three (3) feet of clearance between the vehicle and the bicycle; and (B) not return the vehicle to the vehicle's original lane of travel until the vehicle is safely clear of the bicycle. (4) The operator of a vehicle may pass a bicycle or electric bicycle traveling in the same direction in a no passing zone when it is safe to do so, if the operator of the overtaking motor vehicle complies with subdivisions (1) and (3). [Pre-1991 Recodification Citation: 9-4-1-66.] As added by P.L.2-1991, SEC.9. Amended by P.L.206-2019, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-50. Reckless Operation of a Tractor-Trailer Combination; Class B Misdemeanor

Sec. 50. A person who operates a tractor-trailer combination in a reckless or deliberate attempt to: (1) endanger the safety or property of others; or (2) block the proper flow of traffic; commits a Class B misdemeanor. [Pre-1991 Recodification Citation: 9-4-1-73(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-51. Blinding Lights; Failure to Dim

Sec. 51. A person may not: (1) operate a vehicle; and (2) fail to dim bright or blinding lights when meeting another vehicle or pedestrian. [Pre-1991 Recodification Citation: 9-4-1-56.2.] As added by P.L.2-1991, SEC.9. Amended by P.L.110-2020, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-52. Reckless Driving; Passing a School Bus With Extended Stop Arm; Penalty; License Suspension

Sec. 52. (a) A person who operates a vehicle and who recklessly: (1) drives at such an unreasonably high rate of speed or at such an unreasonably low rate of speed under the circumstances as to: (A) endanger the safety or the property of others; or (B) block the proper flow of traffic; (2) passes another vehicle from the rear while on a slope or on a curve where vision is obstructed for a distance of less than five hundred (500) feet ahead; (3) drives in and out of a line of traffic, except as otherwise permitted; or (4) speeds up or refuses to give one-half (1/2) of the roadway to a driver overtaking and desiring to pass; commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if it causes bodily injury to a person. (b) A person who operates a vehicle and who recklessly passes a school bus stopped on a roadway or a private road when the arm signal device specified in IC 9-21-12-13 is in the device's extended position commits a Class A misdemeanor. However, the offense is a Level 6 felony if it causes bodily injury to a person, and a Level 5 felony if it causes the death of a person. (c) If an offense under subsection (a) results in damage to the property of another person, it is a Class B misdemeanor and the court may recommend the suspension of the current driving license of the person convicted of the offense described in subsection (a) for a fixed period of not more than one (1) year. (d) If an offense under subsection (a) causes bodily injury to a person, the court may recommend the suspension of the driving privileges of the person convicted of the offense described in this subsection for a fixed period of not more than one (1) year. (e) In addition to any other penalty imposed under subsection (b), the court may suspend the person's driving privileges: (1) for ninety (90) days; or (2) if the person has committed at least one (1) previous offense under this section or IC 9-21-12-1, for one (1) year. [Pre-1991 Recodification Citation: 9-4-1-56.1.] As added by P.L.2-1991, SEC.9. Amended by P.L.127-1993, SEC.1; P.L.1-2005, SEC.103; P.L.70-2009, SEC.3; P.L.217-2014, SEC.49; P.L.188-2015, SEC.77; P.L.198-2016, SEC.364; P.L.144-2019, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-53. Speed Violations; Complaint or Affidavit; Summons, Warrant, or Notice; Contents; Negligence

Sec. 53. (a) In every charge of violation of a speed regulation under this article, the complaint or affidavit and the summons, warrant, or notice to appear must specify the following: (1) The speed at which the defendant is alleged to have driven. (2) The prima facie or fixed speed applicable within the district or at the location. (b) The provisions of this article declaring or providing for fixed and prima facie speed limitations may not be construed to relieve the plaintiff in a civil action from the burden of proving negligence on the part of the defendant as the proximate cause of the damage alleged. [Pre-1991 Recodification Citation: 9-4-1-62.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-55. Aggressive Driving

Sec. 55. (a) This section does not apply to a law enforcement official engaged in the law enforcement official's official duties. (b) For purposes of this section, a person engages in aggressive driving if, during one (1) episode of continuous driving of a vehicle, the person does or commits at least three (3) of the following: (1) Following a vehicle too closely in violation of IC 9-21-8-14. (2) Unsafe operation of a vehicle in violation of IC 9-21-8-24. (3) Overtaking another vehicle on the right by driving off the roadway in violation of IC 9-21-8-6. (4) Unsafe stopping or slowing a vehicle in violation of IC 9-21-8-26. (5) Unnecessary sounding of the horn in violation of IC 9-19-5-2. (6) Failure to yield in violation of IC 9-21-8-29 through IC 9-21-8-34. (7) Failure to obey a traffic control device in violation of IC 9-21-8-41. (8) Driving at an unsafe speed in violation of IC 9-21-5. (9) Repeatedly flashing the vehicle's headlights. (c) A person who, with the intent to harass or intimidate a person in another vehicle, knowingly or intentionally

engages in aggressive driving commits aggressive driving, a Class A misdemeanor, except as provided in IC 9-21-8-56(d), IC 9-21-8-56(f), IC 9-21-8-56(g), and IC 9-21-8-56(h). As added by P.L.75-2006, SEC.2. Amended by P.L.40-2007, SEC.5; P.L.170-2023, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-56. Highway Worksites; Penalties for Violations

Sec. 56. (a) For purposes of this section, "highway worksite" has the meaning set forth in IC 8-23-2-15. (b) Except as provided in subsections (f) through (h), a person who recklessly operates a vehicle in the immediate vicinity of a highway worksite when workers are present commits a Class A misdemeanor. (c) Except as provided in subsections (f) through (h), a person who knowingly or intentionally operates a motor vehicle in the immediate vicinity of a highway worksite when workers are present with the intent to: (1) damage traffic control devices; or (2) inflict bodily injury on a worker; commits a Class A misdemeanor. (d) Except as provided in subsections (f) through (h), a person who knowingly, intentionally, or recklessly engages in: (1) aggressive driving, as defined in section 55 of this chapter; or (2) a speed contest, as prohibited under IC 9-21-6-1; in the immediate vicinity of a highway worksite when workers are present commits a Class A misdemeanor. (e) Except as provided in subsections (f) through (h), a person who recklessly fails to obey a traffic control device or flagman, as prohibited under section 41 of this chapter, in the immediate vicinity of a highway worksite when workers are present commits a Class A misdemeanor. (f) An offense under subsection (b), (c), (d), or (e) is a Level 6 felony if the person who commits the offense: (1) has a prior unrelated conviction under this section in the previous five (5) years; or (2) is operating the vehicle in violation of IC 9-30-5-1 or IC 9-30-5-2. (g) An offense under subsection (b), (c), (d), or (e) is a Level 6 felony if the offense results in bodily injury to a worker in the worksite. (h) An offense under subsection (b), (c), (d), or (e) is a Level 5 felony if the offense results in the death of a worker in the worksite. (i) A person who knowingly, intentionally, or recklessly engages in an act described in section 55(b)(1), 55(b)(2), 55(b)(3), 55(b)(4), 55(b)(5), or 55(b)(6) of this chapter in the immediate vicinity of a highway worksite when workers are present commits a Class B infraction. Notwithstanding IC 34-28-5-5(c), the funds collected as judgments for an infraction under this subsection shall be transferred to the Indiana department of transportation to pay the costs of hiring off duty police officers to perform the duties described in IC 8-23-2-15(b). As added by P.L.40-2007, SEC.6. Amended by P.L.66-2011, SEC.2; P.L.158-2013, SEC.148; P.L.217-2014, SEC.50; P.L.120-2023, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-57. Operation of Golf Cart on Highway

Sec. 57. A golf cart or off-road vehicle may not be operated on a highway except in accordance with: (1) an ordinance adopted under IC 9-21-1-3(a)(14) and IC 9-21-1-3.3(a) authorizing the operation of a golf cart or an off-road vehicle on the highway; or (2) IC 14-16-1-20 authorizing an off-road vehicle to operate on a highway. As added by P.L.182-2009(ss), SEC.293. Amended by P.L.259-2013, SEC.17.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-58. Intrastate Carriers of Metal Coils; Certification

Sec. 58. (a) This section applies only to intrastate carriers of metal coils. (b) 49 CFR 393.120 is adopted as Indiana law. (c) A motor carrier (as defined in IC 8-2.1-17-10) may not initiate or terminate the commercial transport within Indiana by commercial motor vehicle of one (1) or more metal coils that, individually or grouped together, weigh at least two thousand two hundred sixty-eight (2,268) kilograms (five thousand (5,000) pounds), as provided in 49 CFR 393.120, unless the operator of the commercial motor vehicle transporting the metal coil or coils is certified in proper load securement as provided in 49 CFR 393.120. (d) An operator of a commercial motor vehicle may not initiate or terminate the commercial transport within Indiana by the commercial motor vehicle of one (1) or more metal coils that, individually or grouped together, weigh at least two thousand two hundred sixty-eight (2,268) kilograms (five thousand (5,000) pounds), as provided in 49 CFR 393.120, unless the operator of the commercial motor vehicle transporting the metal coil or coils is certified in proper load securement as provided in 49 CFR 393.120. (e) The department of revenue shall adopt and enforce rules under IC 4-22-2 concerning the certification in proper load securement (as provided in 49 CFR 393.120) of operators of commercial motor vehicles engaged in the commercial transport of one (1) or more metal coils, as provided in 49 CFR 393.120. The rules adopted under this subsection must recognize metal coil shipping certificates issued by other states. (f) A person who knowingly or intentionally violates subsection (c) or (d) commits a Class A misdemeanor. As added by P.L.65-2010, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-59. Use of Telecommunications Device While Operating a Moving Motor Vehicle

Sec. 59. (a) Except as provided in subsections (b) and (c), a person may not hold or use a telecommunications device while operating a moving motor vehicle. (b) A telecommunications device described in IC 9-13-2-177.3(a)(1) may be used in conjunction with hands free or voice operated technology. (c) A telecommunications device may be used or held to call 911 to report a bona fide emergency. (d) A police officer may not, without the consent of the person: (1) confiscate a telecommunications device for the purpose of determining compliance with this section; (2) confiscate a telecommunications device and retain it as evidence pending

trial for a violation of this section; or (3) extract or otherwise download information from a telecommunications device for a violation of this section unless: (A) the police officer has probable cause to believe that the telecommunications device has been used in the commission of a crime; (B) the information is extracted or otherwise downloaded under a valid search warrant; or (C) otherwise authorized by law. (e) The bureau may not assess points under the point system for a violation of this section occurring before July 1, 2021. As added by P.L.185-2011, SEC.4. Amended by P.L.191-2014, SEC.1; P.L.100-2020, SEC.3; P.L.141-2024, SEC.17.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-6. Overtaking and Passing on the Right; Conditions

Sec. 6. (a) A person who drives a vehicle may overtake and pass upon the right of another vehicle only under the following conditions: (1) When the vehicle overtaken is making or about to make a left turn. (2) Upon a roadway with unobstructed pavement of sufficient width for two (2) or more lanes of vehicles moving lawfully in the direction being traveled by the overtaking vehicle. (b) A person who drives a vehicle may overtake and pass another vehicle upon the right only under conditions that permit overtaking upon the right in safety. Overtaking upon the right may not be made by driving off the roadway. [Pre-1991 Recodification Citation: 9-4-1-67.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-7.5. Overtaking and Passing; Worksite No Passing Zones

Sec. 7.5. (a) This section applies to a worksite: (1) upon a highway divided into two (2) or more marked lanes for traffic moving in the same direction; and (2) for which vehicles are instructed to merge from one (1) lane into another lane by an appropriate sign. (b) A person who drives a vehicle may not pass another vehicle that is in the lane into which traffic is directed to merge within the posted no passing zone established by the Indiana department of transportation. As added by P.L.75-1999, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-7. Overtaking and Passing on the Left; Conditions

Sec. 7. A vehicle may not be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless the left side of the roadway is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit the overtaking and passing to be completely made without interfering with the safe operation of a vehicle approaching from the opposite direction or a vehicle overtaken. The overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred (100) feet of a vehicle approaching from the opposite direction. [Pre-1991 Recodification Citation: 9-4-1-68.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-8. Driving to the Left Side of the Roadway; Conditions

Sec. 8. (a) This section does not apply to a one-way roadway. (b) A vehicle may not be driven to the left side of the roadway under the following conditions: (1) When approaching the crest of a grade or upon a curve in the highway where the view of the person who drives the vehicle is obstructed within a distance that creates a hazard if another vehicle might approach from the opposite direction. (2) When approaching within one hundred (100) feet of or traversing an intersection or a railroad grade crossing. (3) When the view is obstructed upon approaching within one hundred (100) feet of a bridge, viaduct, or tunnel. [Pre-1991 Recodification Citation: 9-4-1-69.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 8. Vehicle Operation9-21-8-9. One-Way Streets

Sec. 9. A vehicle shall be driven upon a roadway designated and signposted for one-way traffic only in the direction designated. [Pre-1991 Recodification Citation: 9-4-1-71(b).] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 9. Slow Moving Vehicles9-21-9-0.5. Applicability

Sec. 0.5. (a) This chapter does not apply to the following: (1) An electric personal assistive mobility device. (2) A low speed vehicle. (3) Except as provided in subsection (b), a golf cart or off-road vehicle. (4) A motor driven cycle. (5) An electric foot scooter. (b) An ordinance adopted in accordance with IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a) may require a golf cart or off-road vehicle to display a slow moving vehicle emblem in accordance with section 3 of this chapter or a red or amber flashing lamp in accordance with section 4 of this chapter. A fine assessed for a violation of an ordinance under this section shall be deposited in the general fund of the city, county, or town. As added by P.L.143-2002, SEC.7. Amended by P.L.21-2003, SEC.9; P.L.150-2009, SEC.14; P.L.60-2012, SEC.2; P.L.259-2013, SEC.18; P.L.221-2014, SEC.43; P.L.142-2019, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 9. Slow Moving Vehicles9-21-9-1. Application of Chapter

Sec. 1. This chapter applies to a vehicle that is: (1) pulled; (2) towed; (3) self-propelled; or (4) animal-drawn; that is not under ordinary circumstances moved, operated, or driven at a speed greater than twenty-five (25) miles per hour. [Pre-1991 Recodification Citation: 9-8-10-2.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 9. Slow Moving Vehicles9-21-9-2. Slow Moving Vehicle Emblem; Display

Sec. 2. Whenever a vehicle is moved, operated, or driven on a highway that is open for vehicular travel, the vehicle shall display a triangular slow moving vehicle emblem mounted as near as is practicable to the center of mass and at an approximate height of not less than three (3) and not more than five (5) feet from level ground or pavement surface. The emblem shall be mounted so as to be entirely visible from the rear, day or night. The emblem and the emblem's position of mounting on the vehicle must meet the specifications established by rules adopted by the Indiana criminal justice institute. [Pre-1991 Recodification Citation: 9-8-10-2.] As added by P.L.2-1991, SEC.9. Amended by P.L.39-1993, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 9. Slow Moving Vehicles9-21-9-3. Slow Moving Vehicle Emblem; Restrictions on Use

Sec. 3. The use of the slow moving vehicle emblem described in section 2 of this chapter is restricted to the slow moving vehicles described in section 1 of this chapter. The use of the emblem on any other type of vehicle or stationary object on or along a highway is prohibited. [Pre-1991 Recodification Citation: 9-8-10-3.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 9. Slow Moving Vehicles9-21-9-4. Flashing Lamps; Requirements

Sec. 4. When a slow moving vehicle described in section 1 of this chapter is moved, operated, or driven on a highway at a time or under circumstances during which the use of lighted lamps on vehicles is required under this article, the slow moving vehicle must display, in addition to the slow moving vehicle emblem, a red or an amber flashing lamp mounted at a height as low as practicable that is visible from a distance of not less than five hundred (500) feet to the rear. The red or amber flashing lamp may be used at times other than when lighted lamps are required. A double-faced flashing lamp may be used, displaying amber light to the front and red or amber light to the rear. [Pre-1991 Recodification Citation: 9-8-10-4.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 9. Slow Moving Vehicles9-21-9-5. Design, Materials, and Mounting of Emblems; Adoption of Rules; Considerations

Sec. 5. (a) The Indiana criminal justice institute shall adopt rules under IC 4-22-2 establishing standards and specifications for the design, materials, and mounting of a standard slow moving vehicle emblem for the uniform identification of slow moving vehicles. (b) In adopting rules under subsection (a), the Indiana criminal justice institute shall substantially adhere to the current recommendations of the American Society of Agricultural Engineers, the American National Standards Institute, and the Society of Automotive Engineers so that the slow moving vehicle emblem may be more universally recognizable and of adequate quality. (c) The Indiana criminal justice institute shall adopt revisions to the standards and specifications adopted as required under subsection (a) as amendments are made to the recommendations of the American Society of Agricultural Engineers, the American National Standards Institute, and the Society of Automotive Engineers regarding the slow moving vehicle emblem. [Pre-1991 Recodification Citation: 9-8-10-5.] As added by P.L.2-1991, SEC.9. Amended by P.L.39-1993, SEC.7; P.L.148-2005, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 9. Slow Moving Vehicles9-21-9-6. Red Flags

Sec. 6. This chapter may not be construed to prohibit the use of red flags in addition to the slow moving vehicle emblem on slow moving vehicles. [Pre-1991 Recodification Citation: 9-8-10-6.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 21. Traffic RegulationChapter 9. Slow Moving Vehicles9-21-9-7. Violations; Class C Infraction

Sec. 7. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-8-10-7.] As added by P.L.2-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.5. Abandoned Mobile Homes9-22-1.5-1.3. Exception

Sec. 1.3. This chapter does not apply to a mobile home that is located in a mobile home community (as defined in IC 16-41-27-5). As added by P.L.71-2015, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.5. Abandoned Mobile Homes9-22-1.5-1.5. "Abandoned"

Sec. 1.5. For purposes of this chapter, a mobile home is considered "abandoned" if three (3) or more of the conditions set forth in IC 32-30-10.6-5(a) exist with respect to the mobile home. As added by P.L.71-2015, SEC.4.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.5. Abandoned Mobile Homes9-22-1.5-1. "Mobile Home"

Sec. 1. As used in this chapter, "mobile home" means a nonself-propelled vehicle designed for occupancy as a dwelling or sleeping place. As added by P.L.108-2001, SEC.5. Amended by P.L.256-2017, SEC.163.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.5. Abandoned Mobile Homes9-22-1.5-2. Private Landowner May Sell or Salvage Mobile Home

Sec. 2. A private landowner who finds a mobile home that the person believes to be abandoned on real estate the person owns or controls, including rental property, may sell or salvage the mobile home if it was built at least fifteen (15) years ago and has been left without permission on the landowner's real estate for at least sixty (60) days. The sixty (60) day period begins on the day the landowner sends notice under section 3 of this chapter to the owner of the mobile home. As added by P.L.108-2001, SEC.5. Amended by P.L.262-2013, SEC.107; P.L.71-2015, SEC.5; P.L.198-2016, SEC.371.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.5. Abandoned Mobile Homes9-22-1.5-3. Notice of Proposed Sale or Salvage of Mobile Home to Owner by Landowner

Sec. 3. (a) A landowner shall send notice of a mobile home described in section 2 of this chapter as follows: (1) To the owner of the mobile home at the last known address of the owner as shown by: (A) the records of the bureau; or (B) if the unique serial number or special identification number assigned to the mobile home is removed or otherwise illegible, the records of the assessor of the county in which the mobile home is located. If the landowner is unable to determine the address of the mobile home owner, the landowner may serve the mobile home owner by posting the notice on the mobile home. (2) To: (A) a lienholder with a perfected security interest in the mobile home; or (B) any other person known to claim an interest in the mobile home; as shown by the records of the bureau. Notice under this subsection must include a description of the mobile home, the location of the mobile home, and a conspicuous statement that the mobile home is on the landowner's real estate without the owner's permission. If the owner of a mobile home changes the owner's address from that maintained in the records of the bureau, the owner shall immediately notify the landowner of the new address. (b) A landowner may provide notice under subsection (a) by the following methods: (1) Certified mail, return receipt requested. (2) Personal delivery. (3) Electronic service under IC 9-22-1-19. (c) If, before the sixty (60) day period described in section 2 of this chapter expires, the mobile home owner requests by certified mail, return receipt requested, additional time to remove the mobile home, the period described in section 2 of this chapter shall be extended by an additional thirty (30) days. The mobile home owner may only request one (1) thirty (30) day extension of time. As added by P.L.108-2001, SEC.5. Amended by P.L.262-2013, SEC.108; P.L.71-2015, SEC.6; P.L.198-2016, SEC.372.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.5. Abandoned Mobile Homes9-22-1.5-4. Landowner May Hold Auction

Sec. 4. The landowner shall: (1) request that a search be performed in the records of the bureau or the county assessor, in accordance with section 3(a)(1) of this chapter, for the name and address of the owner of the mobile home and the name and address of any person holding a lien or security interest on the mobile home; (2) after receiving the results of the search required by subdivision (1), give notice by certified mail, return receipt requested, or in person, to: (A) the last known address of the owner of the mobile home; (B) any lien holder with a perfected security interest in the mobile home; (C) all other persons known to claim an interest in the mobile home; and (D) the county treasurer of the county in which the mobile home is located. The notice must include a description of the mobile home, the location of the mobile home, a demand that the owner remove the mobile home within a specified time not less than ten (10) days after receipt of the notice, and a conspicuous statement that unless the mobile home is removed within that time, the mobile home will be advertised for sale and offered for sale by auction at a specified time and place; (3) advertise that the mobile home will be offered for sale at public auction. The advertisement of sale must be published once a week for two (2) consecutive weeks in a newspaper of general circulation in the county where the mobile home has been left without permission. The advertisement must include a description of the mobile home, the name of the owner of the mobile home, if ascertainable, and the time and place of the sale. The sale must take place at least fifteen (15) days after the first publication. If there is no newspaper of general circulation where the sale is to be held, the advertisement must be posted at least ten (10) days before the sale in not less than six (6) conspicuous places in the neighborhood of the proposed sale; (4) provide a reasonable time before the sale for prospective purchasers to examine the mobile home; (5) sell the mobile home to the highest bidder, if any; and (6) immediately after the auction, execute an affidavit of sale or disposal on a form prescribed by the bureau stating: (A) that the requirements of this section have been met; (B) the length of time that the mobile home was left on the real estate without permission; (C) any expenses incurred by the landowner, including the expenses of the sale; (D) the name and address of the purchaser of the mobile home at the auction, if any; and (E) the amount of the winning bid, if any. If the auction produces no purchaser, the landowner shall note that fact on the affidavit. The landowner shall list the landowner or any donee as the purchaser on the affidavit of sale or disposal. As added by P.L.108-2001, SEC.5. Amended by P.L.125-2012, SEC.126; P.L.71-2015, SEC.7; P.L.198-2016, SEC.373.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.5. Abandoned Mobile Homes9-22-1.5-5. Results of Auction

Sec. 5. (a) Upon payment of the bid price by the purchaser, the landowner shall provide the purchaser with the affidavit of sale or disposal described in this chapter. (b) If the auction produces a purchaser, notwithstanding IC 6-1.1-23, the landowner shall distribute the amount of the bid price received from the purchaser in the following order of priority: (1) Reasonable attorney's fees incurred by the landowner for the sale of the mobile home. (2) Amounts owed to creditors known to have a lien or security interest on the mobile home, according to the priorities of the creditors' respective security interests. (3) Delinquent taxes, including any associated penalties, interest, or collection expenses, that are attributable to the mobile home as of the date of sale. If the amount of the bid price received from the purchaser exceeds the sum of the items described in subdivisions (1) through (3), the landowner may retain the remaining amount. (c) If the auction produces no purchaser, the mobile home becomes the property of the landowner, and the landowner shall note that fact on the affidavit of sale or disposal. (d) If the landowner wishes to donate the mobile home to any willing donee, a landowner who has obtained ownership of a mobile home under this section may transfer ownership to a willing donee by listing the donee as the purchaser on the affidavit of sale or disposal. (e) If the auction produces no purchaser and the landowner does not intend to sell or transfer the mobile home to another person, the landowner may, without further administrative application, dismantle the unit for salvage or disposal. (f) A landowner or willing donee who obtains ownership of a mobile home under this section has the same right of ownership as a purchaser who was the highest bidder at auction. (g) Within thirty (30) days after the auction is held, the landowner shall submit the following to the county treasurer: (1) A copy of the affidavit of sale or disposal. (2) The amount, if any, to be distributed under subsection (b)(3), if the auction produced a purchaser. As added by P.L.108-2001, SEC.5. Amended by P.L.71-2015, SEC.8; P.L.198-2016, SEC.374.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.5. Abandoned Mobile Homes9-22-1.5-6. Affidavit of Sale or Disposal

Sec. 6. The affidavit of sale or disposal under this chapter constitutes proof of ownership and right to have the mobile home titled in the purchaser's, landowner's, or donee's name under section 7 of this chapter. As added by P.L.108-2001, SEC.5. Amended by P.L.198-2016, SEC.375.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.5. Abandoned Mobile Homes9-22-1.5-7. Certificate of Title

Sec. 7. After the purchaser, landowner, or donee: (1) presents the bureau with the affidavit of sale; (2) completes an application for title under IC 9-17 with any other information the bureau requires; and (3) pays any applicable fee; the bureau shall issue to the purchaser, landowner, or donee a certificate of title to the mobile home. As added by P.L.108-2001, SEC.5. Amended by P.L.262-2013, SEC.109; P.L.198-2016, SEC.376.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.7. Abandoned Manufactured Homes in Mobile Home Communities9-22-1.7-1. Applicability

Sec. 1. This chapter applies to a manufactured home that is located in a mobile home community (as defined in IC 16-41-27-5). As added by P.L.198-2016, SEC.377.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.7. Abandoned Manufactured Homes in Mobile Home Communities9-22-1.7-2. "Manufactured Home"

Sec. 2. As used in this chapter, "manufactured home" means either of the following: (1) A nonself-propelled vehicle designed for occupancy as a dwelling or sleeping place. (2) A dwelling, including the equipment sold as a part of the dwelling, that: (A) is factory assembled; (B) is transportable; (C) is intended for year-round occupancy; (D) is designed for transportation on its own chassis; and (E) was manufactured before the effective date of the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.). As added by P.L.198-2016, SEC.377.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.7. Abandoned Manufactured Homes in Mobile Home Communities9-22-1.7-3. Landowner May Sell or Salvage Manufactured Home

Sec. 3. A landowner who finds a manufactured home that the landowner believes to be abandoned on property the landowner owns or controls, including: (1) a mobile home community (as defined in IC 16-41-27-5); or (2) rental property; may sell or salvage the manufactured home if the manufactured home has been left without permission on the landowner's property for at least thirty (30) days. The thirty (30) day period begins on the day the landowner sends notice under section 4 of this chapter to the manufactured home owner. As added by P.L.198-2016, SEC.377.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.7. Abandoned Manufactured Homes in Mobile Home Communities9-22-1.7-4. Notice of Proposed Sale or Salvage by Landowner

Sec. 4. (a) A landowner shall send notice of a manufactured home described in section 3 of this chapter as follows: (1) To the manufactured home owner at the last known address of the manufactured home owner as shown by the records of the bureau. However, if the landowner is unable to determine the address of the manufactured home owner, the landowner may serve the manufactured home owner by posting notice on the manufactured home. (2) To: (A) a lienholder with a perfected security interest in the manufactured home; or (B) any other person known to claim an interest in the manufactured home; as shown by the records of the bureau. Notice under this section must include a description of the manufactured home and a conspicuous statement that the manufactured home is on the landowner's property without the landowner's permission. If the manufactured home owner changes the manufactured home owner's address from that maintained in the records of the bureau, the manufactured home owner shall immediately notify the landowner of the new address. (b) A landowner may provide notice under subsection (a) by the following methods: (1) Certified mail, return receipt requested. (2) Personal delivery. (3) Electronic service under IC 9-22-1-19. (4) Posting of the notice on the manufactured home, if the landowner is unable to determine the manufactured home owner's address. (c) If, before the thirty (30) day period described in section 3 of this chapter expires, the manufactured home owner requests by certified mail, return receipt requested, additional time to remove the manufactured home, the period described in section 3 of this chapter shall be extended by an additional thirty (30) days. The manufactured home owner may request only one (1) thirty (30) day extension of time. As added by P.L.198-2016, SEC.377.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.7. Abandoned Manufactured Homes in Mobile Home Communities9-22-1.7-5. Search for Owner; Notice; Advertisement of Auction

Sec. 5. A landowner shall do the following: (1) Request that a search be performed in the records of the bureau for the name and address of the manufactured home owner and the name and address of any person holding a lien or security interest on the manufactured home. (2) After receiving the results of the search required by subdivision (1) and after the expiration of the thirty (30) day period described in sections 3 and 4 of this chapter, give notice to all the following: (A) The manufactured home owner: (i) by certified mail, return receipt requested, to the last known address of the manufactured home owner; or (ii) in person to the manufactured home owner; or (iii) if the landowner is unable to determine the manufactured home owner's address or provide notice to the manufactured home owner in person, the landowner may satisfy the notice requirement under this subdivision by posting of the notice to the manufactured home owner on the manufactured home. (B) Any lien holder (other than the landowner) with a perfected security interest in the manufactured home either by certified mail, return receipt requested, or in person. (C) All other persons known to claim an interest in the manufactured home either by certified mail, return receipt requested, or in person. (D) The county treasurer of the county in which the manufactured home is located, by certified mail, return receipt requested, or in person. The notice must include a description of the manufactured home, a demand that the owner remove the manufactured home within a specified time not less than ten (10) days after receipt of the notice, a conspicuous statement that unless the manufactured home is removed within that time, the manufactured home will be advertised for sale by auction at a specified time and place, and a conspicuous statement that, in the case of a sale by auction of the manufactured home, a person or lienholder other than the county treasurer that fails to appear at the auction, or otherwise participate in the auction, waives any right the person may have as a lien holder in the manufactured home and any other rights that the person may have regarding the sale of the manufactured home. In addition, the notice must include a statement that, if the manufactured home is removed before the auction takes place, all statutory liens against the manufactured home under IC 16-41-27-29 and all debts owed to the landowner that are associated with the placement of the manufactured home on the landowner's property must be paid. (3) After the expiration of the ten (10) day period in subdivision (2), advertise that the manufactured home will be offered for sale at public auction in conformity with IC 26-1-2-328 and IC 26-1-7-210. The advertisement of sale must be published once each week for two (2) consecutive weeks in a newspaper of general circulation in the county where the manufactured home has been left without permission. The advertisement must include a description of the manufactured home, the name of the owner of the manufactured home, if ascertainable, and the time and place of the sale. The sale must take place at least fifteen (15) days after the first publication. If there is no newspaper of general circulation in the county where the sale is to be held, the advertisement must be posted at least ten (10) days before the sale in not less than six (6) conspicuous places in the neighborhood of the proposed sale. (4) Provide a reasonable time before the sale for prospective purchasers to examine the manufactured home. (5) Sell the manufactured home to the highest bidder, if any. (6) Immediately after the auction, execute an affidavit of sale of disposal on a form prescribed by the bureau stating: (A) that the requirements of this section have been met; (B) the length of time that the manufactured home was left on the property without permission; (C) any expenses incurred by the landowner, including the expenses of the sale and any lien of the landowner; (D) the name and address of the purchaser of the manufactured home at the auction, if any; and (E) the amount of the winning bid, if any. If the manufactured home is not purchased by a bidder at the auction, the landowner shall note that fact on the affidavit and shall list the landowner, or any donee, as the purchaser on the affidavit of sale or disposal. As added by P.L.198-2016, SEC.377.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.7. Abandoned Manufactured Homes in Mobile Home Communities9-22-1.7-6. Results of Auction

Sec. 6. (a) Upon payment of the bid price by the purchaser, the landowner shall provide the purchaser with the affidavit of sale or disposal described in this chapter. (b) If the manufactured home is not purchased by a bidder at the auction, the manufactured home becomes the property of the landowner, and the landowner shall note that fact on the affidavit of sale or disposal. (c) If the landowner wishes to donate the manufactured home to any willing donee, a landowner who has obtained ownership of a

manufactured home under this section may transfer ownership to a willing donee by listing the donee as the purchaser on the affidavit of sale or disposal. (d) If the manufactured home is not purchased by a bidder at the auction and the landowner does not intend to sell or transfer the manufactured home to another person, the landowner may, upon submitting an affidavit of sale or disposal to the bureau, dismantle the manufactured home for salvage or disposal, or transport the manufactured home to a licensed solid waste landfill. (e) A landowner or willing donee who obtains ownership of a manufactured home under this section has the same right of ownership as a purchaser who was the highest bidder at auction. (f) If the manufactured home is purchased by a bidder at the auction under this chapter, the landowner shall distribute the amount of the bid price received from the purchaser in the following order of priority: (1) Reasonable attorney's fees incurred by the landowner for the sale of the manufactured home. (2) Amounts owed to persons known to have a lien or security interest on the manufactured home, including any lien or secured amounts due the landowner under IC 16-41-27-29, and according to the priority of the creditor's secured interest in the manufactured home. (3) Delinquent property taxes that were assessed on the manufactured home and that were due and payable at the time of the sale of the manufactured home at auction, including any special assessments, interest, penalties, judgments, and costs that are attributable to the delinquent property taxes. If the amount of the bid price received from the purchaser exceeds the sum of the items described in subdivisions (1) through (3), the landowner may retain the remaining amount. As added by P.L.198-2016, SEC.377.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.7. Abandoned Manufactured Homes in Mobile Home Communities9-22-1.7-7. Affidavit of Sale or Disposal

Sec. 7. The affidavit of sale or disposal under this chapter constitutes proof of ownership and right to have the manufactured home titled in the purchaser's, landowner's, or donee's name under IC 9-17-6-12. As added by P.L.198-2016, SEC.377.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1.7. Abandoned Manufactured Homes in Mobile Home Communities9-22-1.7-8. Waiver of Liens; Certificate of Title

Sec. 8. (a) All liens and security interests of any person or entity, other than the county treasurer, that fails to appear or otherwise participate in the auction under this chapter are waived and are void as of the date of the sale of the manufactured home at the auction. (b) After the purchaser, landowner, or donee: (1) presents the bureau with the affidavit of sale or disposal; (2) completes an application for title with any other information the bureau requires; (3) pays any applicable fee; and (4) provides evidence of the payment of any delinquent property taxes and any associated interest and penalties as provided under section 6(f)(3) of this chapter; the bureau shall issue to the purchaser, landowner, or donee a certificate of title to the manufactured home. As added by P.L.198-2016, SEC.377.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-0.3. Placement of Notice Tags for Abandoned Vehicles; Required Information on Notice Tag; Towing Service Recovery of Costs

Sec. 0.3. (a) This section applies to an abandoned vehicle: (1) that was towed by a towing service from private property before May 2, 2001; (2) that is in possession of a towing service company on May 2, 2001; (3) that could have been removed from private property under sections 15 and 16 of this chapter, both as amended by P.L.108-2001, if P.L.108-2001 were in effect at the time that the towing service removed the abandoned vehicle from the private property; and (4) for which the towing service has not received payment for the towing charges accruing from removal of the vehicle from private property. (b) The towing service may post the notice tag required by section 15 of this chapter, as amended by P.L.108-2001, on a picture of the abandoned vehicle and place the notice tag and picture in a prominent place on the private property from which the abandoned vehicle was towed for the time required by section 15 of this chapter, as amended by P.L.108-2001. The name and address on the notice tag may be the name and address of the owner of the private property or the name and address of the towing service. The notice tag must state the address where the vehicle is located. Compliance with this subsection shall be treated as compliance with section 15 of this chapter, as amended by P.L.108-2001. (c) A towing service may recover costs incidental to the removal and storage of an abandoned vehicle that accrued before May 2, 2001, to the same extent as if the costs were accrued after May 2, 2001. As added by P.L.220-2011, SEC.218.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-1. Application of Chapter

Sec. 1. This chapter does not apply to the following: (1) A vehicle in operable condition specifically adapted or constructed for operation on privately owned raceways. (2) A vehicle stored as the property of a member of the armed forces of the United States who is on active duty assignment. (3) A vehicle located on a vehicle sale lot. (4) A vehicle located upon property licensed or zoned as an automobile scrapyard. (5) An antique vehicle registered and licensed under IC 9-18-12 (before its expiration), a historic vehicle licensed under IC 9-18.5-34, or a military vehicle registered under IC 9-18.1-8. (6) A golf cart. (7) An off-road vehicle. [Pre-1991 Recodification Citation: 9-9-1.1-15.] As added by P.L.2-1991, SEC.10. Amended by P.L.108-2001, SEC.2; P.L.150-2009, SEC.15; P.L.259-2013, SEC.19; P.L.256-2017, SEC.162.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-11. Tagging Abandoned Vehicle or Parts

Sec. 11. An officer who finds or is notified of a vehicle or parts believed to be abandoned shall attach in a prominent place a notice tag containing the following information: (1) The date, time, officer's name, public agency, and address and telephone number to contact for information. (2) That the vehicle or parts are considered abandoned. (3) That the vehicle or parts will be removed after: (A) twenty-four (24) hours, if the vehicle is located on or within the right-of-way of an interstate highway or any highway that is designated as part of the state highway system under IC 8-23-4; or (B) seventy-two (72) hours, for any other vehicle. (4) That the person who owns the vehicle will be held responsible for all costs incidental to the removal, storage, and disposal of the vehicle. (5) That the person who owns the vehicle may avoid costs by removal of the vehicle or parts within: (A) twenty-four (24) hours, if the vehicle is located on or within the right-of-way of an interstate highway or any highway that is designated as part of the state highway system under IC 8-23-4; or (B) seventy-two (72) hours, for any other vehicle. [Pre-1991 Recodification Citation: 9-9-1.1-5(a).] As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.5; P.L.131-2008, SEC.47; P.L.54-2009, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-12. Officer's Abandoned Vehicle Report; Photographs

Sec. 12. If a vehicle or a part tagged under section 11 of this chapter is not removed within the applicable period, the officer shall prepare a written abandoned vehicle report of the vehicle or parts, including information on the condition and missing parts. Photographs may be taken to describe the condition of the vehicle or parts. [Pre-1991 Recodification Citation: 9-9-1.1-5(b).] As added by P.L.2-1991, SEC.10. Amended by P.L.131-2008, SEC.48; P.L.125-2012, SEC.119.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-13. Disposal of Vehicle or Parts; Retention of Records and Photographs by Bureau

Sec. 13. (a) If the vehicle is a junk vehicle and the market value of an abandoned vehicle or parts is less than: (1) one thousand dollars ($1,000); or (2) in a municipality that has adopted an ordinance under subsection (b), the amount established by the ordinance; the towing service shall immediately transfer the vehicle to a storage yard. A copy of the abandoned vehicle report and photographs, if applicable, relating to the abandoned vehicle shall be provided to the storage yard. A towing service or storage yard may dispose of an abandoned vehicle not less than thirty (30) days after the date on which the towing service removed the abandoned vehicle. A city, county, or town that operates a storage yard under IC 36-9-30-3 may dispose of an abandoned vehicle to an automobile scrapyard or an automotive salvage recycler upon removal of the abandoned vehicle. The public agency or storage yard disposing of the vehicle shall retain the original records and photographs for at least two (2) years. If the vehicle is demolished, a copy of the abandoned vehicle report shall be forwarded to the bureau by the automobile scrap yard after the vehicle has been demolished. (b) The legislative body of a municipality (as defined in IC 36-1-2-11) may adopt an ordinance that establishes the market value below which an officer may dispose of a vehicle or parts under subsection (a). However, the market value established by the ordinance may not be more than seven hundred fifty dollars ($750). (c) When the bureau receives the report described in subsection (a), the bureau shall note the status of the vehicle in the records of the bureau. [Pre-1991 Recodification Citation: 9-9-1.1-5(c).] As added by P.L.2-1991, SEC.10. Amended by P.L.92-1997, SEC.2; P.L.104-2005, SEC.4; P.L.191-2007, SEC.11; P.L.125-2012, SEC.120.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-14. Duties of Tagging Officer; Towing and Storage of Vehicle or Parts

Sec. 14. (a) If in the opinion of the officer the market value of the abandoned vehicle or parts is at least: (1) one thousand dollars ($1,000); or (2) in a municipality that has adopted an ordinance under section 13(b) of this chapter, the amount established by the ordinance; the officer, before placing a notice tag on the vehicle or parts, shall make a reasonable effort to ascertain the person who owns the vehicle or parts or who may be in control of the vehicle or parts. (b) After seventy-two (72) hours, the officer shall require the vehicle or parts to be towed to a storage yard or towing service. [Pre-1991 Recodification Citation: 9-9-1.1-5(d).] As added by P.L.2-1991, SEC.10. Amended by P.L.92-1997, SEC.3; P.L.104-2005, SEC.5; P.L.125-2012, SEC.121.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-15. Discovery of Vehicle Abandoned on Private Property

Sec. 15. (a) A person who finds a vehicle believed to be abandoned on private property that the person owns or controls, including rental property, may: (1) obtain the assistance of an officer under section 18 of this chapter to have the vehicle removed; or (2) personally arrange for the removal of the vehicle by complying with subsection (b) and section 16 of this chapter. (b) If the person wishes to personally arrange for the removal of the vehicle, the person shall attach in a prominent place a notice tag containing the following information: (1) The date, time, name, and address of the person who owns or controls the private property and a telephone number to contact for information. (2) That the vehicle is considered abandoned. (3) That the vehicle will be removed after twenty-four (24) hours. (4) That the person who owns the vehicle will be held responsible for all costs incidental to the removal, storage, and disposal of the vehicle. (5) That the person who owns the vehicle may avoid costs by removal of the vehicle or parts within twenty-four (24) hours. [Pre-1991 Recodification Citation: 9-9-1.1-5.5(a); (b).] As added by P.L.2-1991, SEC.10. Amended by P.L.130-1995, SEC.1; P.L.108-2001, SEC.3; P.L.54-2009, SEC.7.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-16. Towing Vehicle From Private Property

Sec. 16. (a) If after twenty-four (24) hours the person who owns a vehicle believed to be abandoned on private property has not removed the vehicle from the private property, the person who owns or controls the private property on which the vehicle is believed to be abandoned may have the vehicle towed from the private property. (b) Notwithstanding subsection (a), in an emergency situation a vehicle believed to be abandoned on private property may be removed immediately. As used in this subsection, "emergency situation" means that the presence of the vehicle believed to be abandoned interferes physically with the conduct of normal business operations of the person who owns or controls the private property or poses a threat to the safety or security of persons or property, or both. [Pre-1991 Recodification Citation: 9-9-1.1-5.5(c).] As added by P.L.2-1991, SEC.10. Amended by P.L.130-1995, SEC.2; P.L.108-2001, SEC.4; P.L.104-2005, SEC.6; P.L.191-2007, SEC.12; P.L.54-2009, SEC.8; P.L.262-2013, SEC.105.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-17. Notice to Bureau Given by Service Towing Vehicle From Rental Property

Sec. 17. A towing service that tows a vehicle under section 16 of this chapter shall give notice to the public agency that the abandoned vehicle is in the possession of the towing service. [Pre-1991 Recodification Citation: 9-9-1.1-5.5(d).] As added by P.L.2-1991, SEC.10. Amended by P.L.191-2007, SEC.13; P.L.125-2012, SEC.122.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-18. Complaint by Person Owning or Controlling Private Property

Sec. 18. Upon complaint of a person who owns or controls private property that a vehicle has been left on the property for at least forty-eight (48) hours without the consent of the person who owns or controls the property, an officer shall follow the procedures set forth in sections 11 through 14 of this chapter. [Pre-1991 Recodification Citation: 9-9-1.1-10.] As added by P.L.2-1991, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-19. National Data Base Search; Notification; Storage Costs

Sec. 19. (a) Within three (3) business days after removal of a vehicle to a storage yard or towing service under section 13, 14, 16, or 31 of this chapter or IC 9-22-6, the public agency or towing service shall conduct a search of the National Motor Vehicle Title Information System or an equivalent and commonly available data base to attempt to obtain the last state of record of the vehicle in order to attempt to ascertain the name and address of the person who owns or holds a lien on the vehicle. (b) A public agency or towing service that obtains the name and address of the owner of or lienholder on a vehicle shall, not later than three (3) business days after obtaining the name and address, notify the owner of the vehicle and any lienholder on the vehicle, as indicated by the certificate of title or discovered by a search under subsection (a), of the following: (1) The name, address, and telephone number of the public agency or towing service. (2) That storage charges are being accrued and the vehicle is subject to sale if the vehicle is not claimed and the charges are not paid. (3) The earliest possible date and location of the public sale or auction. The notice must be made by certified mail or a certificate of mailing or by means of an electronic service approved by the bureau. Notwithstanding section 4 of this chapter, a public agency or towing service that fails to notify the owner of or lienholder on the vehicle as set forth in this subsection may not collect additional storage costs incurred after the date of receipt of the name and address obtained. [Pre-1991 Recodification Citation: 9-9-1.1-6(a).] As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.6; P.L.78-2003, SEC.1; P.L.104-2005, SEC.7; P.L.191-2007, SEC.14; P.L.125-2012, SEC.123; P.L.62-2014, SEC.2; P.L.157-2017, SEC.3; P.L.281-2019, SEC.2; P.L.118-2022, SEC.25.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-2. "Officer"

Sec. 2. As used in this chapter, "officer" means the following: (1) A regular member of the state police department. (2) A regular member of a city or town police department. (3) A town marshal or town marshal deputy. (4) A conservancy district marshal or deputy conservancy district marshal. (5) A regular member of the county police force. (6) An individual of an agency designated by ordinance of the fiscal body. [Pre-1991 Recodification Citation: 9-9-1.1-2 part.] As added by P.L.2-1991, SEC.10. Amended by P.L.122-2023, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-21.5. Liens on Vehicles; Public Sale or Auction; Civil Damages

Sec. 21.5. (a) A person that provides towing services for a vehicle: (1) at the request of a person on whose property an abandoned vehicle is located; or (2) in accordance with this chapter; has a lien on the vehicle for the reasonable value of the charges for the towing services and other related costs in accordance with IC 9-22-6. (b) Subject to subsection (c), a person that obtains a lien for an abandoned vehicle under this section must comply with sections 16, 17, 19, and 23 of this chapter. After the requirements of this

subsection have been met, a vehicle may be sold at public sale or public auction. (c) If the vehicle is determined in a commercially reasonable manner to have a fair market value of more than three thousand five hundred dollars ($3,500) by the person that obtains a lien for the abandoned vehicle, the lienholder shall comply with: (1) section 16 of this chapter; (2) section 17 of this chapter; (3) section 19 of this chapter; and (4) IC 9-22-6. After the requirements of this subsection have been met, a vehicle may be sold at public auction. (d) A person that violates subsection (b) or (c) is liable for civil damages to any person that suffers harm because of the violation. As added by P.L.125-2012, SEC.124. Amended by P.L.262-2013, SEC.106; P.L.198-2016, SEC.369; P.L.157-2017, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-21. Means of Vehicle Identification Not Available; Disposal Without Notice

Sec. 21. If a vehicle or parts are in such a condition that vehicle identification numbers or other means of identification are not available to determine the person who owns or holds a lien on the vehicle, the vehicle may be disposed of without notice. [Pre-1991 Recodification Citation: 9-9-1.1-7(a).] As added by P.L.2-1991, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-23. Public Sale by Unit or Holder of Mechanic's Lien; Notice

Sec. 23. (a) This section applies to a unit or holder of a mechanic's lien under this chapter, including a towing service, city, town, or county. (b) Except as provided in subsection (c), if the person who owns or holds a lien upon a vehicle does not appear within twenty (20) days after the mailing of a notice or the notification made by electronic service under section 19 of this chapter, the holder of a mechanic's lien may sell the vehicle or parts by either of the following methods: (1) The holder of a mechanic's lien may sell the vehicle or parts to the highest bidder at a public sale or public auction. Notice of the sale or auction shall be given under IC 5-3-1, except that only one (1) insertion in an appropriate publication one (1) week before the public sale or auction is required. (2) The unit may sell the vehicle or part as unclaimed property under IC 36-1-11. The twenty (20) day period for the property to remain unclaimed is sufficient for a sale under this subdivision. (c) This subsection applies to a consolidated city or county containing a consolidated city. If the person who owns or holds a lien upon a vehicle does not appear within fifteen (15) days after the mailing of a notice or the notification made by electronic service under section 19 of this chapter, the holder of a mechanic's lien may sell the vehicle or parts by either of the following methods: (1) The holder of a mechanic's lien may sell the vehicle or parts to the highest bidder at a public sale. Notice of the sale shall be given under IC 5-3-1, except that only one (1) newspaper insertion one (1) week before the public sale is required. (2) The unit may sell the vehicle or part as unclaimed property under IC 36-1-11. The fifteen (15) day period for the property to remain unclaimed is sufficient for a sale under this subdivision. [Pre-1991 Recodification Citation: 9-9-1.1-7(b) part.] As added by P.L.2-1991, SEC.10. Amended by P.L.92-1997, SEC.6; P.L.191-2007, SEC.15; P.L.125-2012, SEC.125; P.L.147-2016, SEC.6; P.L.157-2017, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-24. Purchasers at Public Sales; Bill of Sale; Fees; Roadworthiness of Vehicle

Sec. 24. A person that purchases a vehicle under section 23 of this chapter shall be furnished a bill of sale for each abandoned vehicle sold by the public agency upon paying the fee for a bill of sale imposed by the public agency. The fee may not exceed six dollars ($6) for each bill of sale. A person that purchases a vehicle under section 23 of this chapter must: (1) present evidence from a law enforcement agency that the vehicle purchased is roadworthy, if applicable; and (2) comply with the applicable requirements under IC 9-17; to obtain a certificate of title for the vehicle. [Pre-1991 Recodification Citation: 9-9-1.1-8; Pre-2016 Revision Citation: 9-29-7-1.] As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.7; P.L.191-2007, SEC.16; P.L.198-2016, SEC.370.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-25. Payment of Removal, Storage, and Disposition Costs; Cost Limits

Sec. 25. The costs for removal and storage of an abandoned vehicle or parts not claimed by the person who owns or holds a lien on a vehicle shall be paid from the abandoned vehicle account established under section 30 of this chapter. The charge payable by the person who owns or holds a lien on a vehicle for towing, storing, or removing an abandoned vehicle or parts may not exceed the limits established by ordinance adopted under section 30 of this chapter. [Pre-1991 Recodification Citation: 9-9-1.1-12.] As added by P.L.2-1991, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-26. Sale Proceeds Credited Against Removal, Storage, and Disposition Costs

Sec. 26. The proceeds of sale of an abandoned vehicle or parts under section 23 of this chapter shall be credited against the costs of the removal, storage, and disposal of the vehicle. [Pre-1991 Recodification Citation: 9-9-1.1-13.] As added by P.L.2-1991, SEC.10. Amended by P.L.191-2007, SEC.17.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-27. Sales by City, County, or Town; Deposit of Proceeds; Payment of Public Agency Costs; Appropriations

Sec. 27. (a) This section applies to sales of abandoned vehicles or parts by a city, county, or town. (b) The proceeds from the sale of abandoned vehicles or parts, including: (1) charges for bills of sale; and (2) money received from persons who own or hold liens on vehicles for the cost of removal or storage of vehicles; shall be deposited in the city's, county's, or town's abandoned vehicle fund by the fiscal officer of the city, county, or town. (c) The costs incurred by a public agency in administering this chapter shall be paid from the abandoned vehicle fund. (d) The fiscal body shall annually appropriate sufficient money to the fund to carry out this chapter. Money remaining in the fund at the end of a year remains in the fund and does not revert to the general fund. (e) Notwithstanding subsection (d), the fiscal body of a consolidated city may transfer money from the fund. [Pre-1991 Recodification Citation: 9-9-1.1-14(a).] As added by P.L.2-1991, SEC.10. Amended by P.L.85-1995, SEC.39; P.L.191-2007, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-3.5. "Storage Yard"

Sec. 3.5. As used in this chapter, "storage yard" means a storage facility or a towing service used for the removal and storage of abandoned vehicles or parts. As added by P.L.104-2005, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-3. "Public Agency"

Sec. 3. As used in this chapter, "public agency" means a local or state agency given the responsibility by statute or ordinance for the removal, storage, and disposal of abandoned vehicles. [Pre-1991 Recodification Citation: 9-9-1.1-2 part.] As added by P.L.2-1991, SEC.10. Amended by P.L.191-2007, SEC.6; P.L.157-2017, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-30. Fiscal Body Procedures Established by Ordinance; Abandoned Vehicle Fund

Sec. 30. (a) The fiscal body shall, by ordinance, establish procedures to carry out this chapter, including the following: (1) The charges allowed for towing and storage of abandoned vehicles, which shall be filed with the bureau. (2) The means of disposition of vehicles. (b) The fiscal body shall establish an abandoned vehicle fund for the purposes of this chapter. [Pre-1991 Recodification Citation: 9-9-1.1-16(b).] As added by P.L.2-1991, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-31. Public Agencies; Personnel, Property, and Towing Contracts; Fiscal Body Ordinances

Sec. 31. To facilitate the removal of abandoned vehicles or parts, a public agency may: (1) employ personnel; (2) acquire equipment, property, and facilities; and (3) enter into towing contracts; for the removal, storage, and disposition of abandoned vehicles and parts. The fiscal body may, by ordinance, establish procedures to carry out this section. [Pre-1991 Recodification Citation: 9-9-1.1-9.] As added by P.L.2-1991, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-32. Liability for Loss or Damage to Vehicle or Vehicle Parts

Sec. 32. The following are not liable for loss or damage to a vehicle or parts occurring during the removal or storage of a vehicle or parts under this chapter: (1) A person who owns, leases, or occupies property from which an abandoned vehicle or its contents or parts are removed. (2) A public agency. (3) A towing service. (4) An automobile scrapyard. (5) A storage yard. (6) An agent of a person or entity listed in subdivisions (1) through (5). [Pre-1991 Recodification Citation: 9-9-1.1-11.] As added by P.L.2-1991, SEC.10. Amended by P.L.104-2005, SEC.8; P.L.54-2009, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-4. Responsibility and Liability of Owner of Abandoned Vehicle or Parts; Limitation of Costs for Storage

Sec. 4. (a) Except as provided in subsection (d), the owner of an abandoned vehicle or parts is: (1) responsible for the abandonment; and (2) liable for all of the costs incidental to the removal, storage, and disposal; of the vehicle or the parts under this chapter. (b) Except as provided in subsection (c), the costs for storage of an abandoned vehicle may not exceed two thousand dollars ($2,000). (c) The costs for storage of an abandoned vehicle with a length of at least thirty (30) feet may not exceed two thousand five hundred dollars ($2,500). (d) If an abandoned vehicle is sold by a person who removed, towed, or stored the vehicle, the person who previously owned the vehicle is not responsible for storage fees. (e) If an abandoned vehicle is sold by a person who removed, towed, or stored the vehicle, and proceeds from the sale of the vehicle covered the removal, towing, sale disposal, and storage expenses, any remaining proceeds from the sale of the vehicle shall be returned as described in this chapter or IC 9-22-6, whichever is applicable. [Pre-1991 Recodification Citation: 9-9-1.1-3.] As added by P.L.2-1991, SEC.10. Amended by P.L.104-2005, SEC.3; P.L.191-2007, SEC.7; P.L.125-2012, SEC.113; P.L.157-2017, SEC.2; P.L.127-2021, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-5. Discovery of Possession by Person Other Than Vehicle Owner

Sec. 5. When an officer discovers a vehicle in the possession of a person other than the owner of the vehicle and the person cannot

establish the right to possession of the vehicle, the vehicle shall be taken to and stored in a suitable place determined by the officer. [Pre-1991 Recodification Citation: 9-9-1.1-4(a) part.] As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.114; P.L.262-2013, SEC.104.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-7. Inability to Determine Ownership; Declaring Vehicle Abandoned

Sec. 7. If: (1) the owner or lienholder under section 8 of this chapter does not appear and pay all costs; or (2) the owner of a vehicle cannot be determined by a search conducted under section 19 of this chapter; the vehicle is considered abandoned and must be disposed of under this chapter. [Pre-1991 Recodification Citation: 9-9-1.1-4(b).] As added by P.L.2-1991, SEC.10. Amended by P.L.191-2007, SEC.9; P.L.125-2012, SEC.116.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 1. Abandoned Vehicles9-22-1-8. Release to Owner or Lienholder of Stored Vehicle; Required Notification; Fees; Payments; Business Hours

Sec. 8. (a) Subject to subsection (b), if the properly identified person who owns or holds a lien on a vehicle appears at the site of storage before disposal of the vehicle or parts and pays all costs relating to a tow, the storage of the vehicle, and all allowable fees, as applicable, the vehicle or parts shall be released. (b) A towing service or storage yard may charge an inspection fee to an owner, a lienholder, or an insurance company representative to inspect a vehicle or retrieve items from the vehicle. A fee under this subsection must be refunded if the costs relating to a tow, the storage of the vehicle, and all allowable fees, as applicable, are paid under subsection (a). (c) A towing service or storage yard must accept payment made by any of the following means from a person seeking to release a vehicle under this section: (1) Cash. (2) Certified check. (3) Insurance check. (4) Money order. A towing service or storage facility may elect to accept payment by means of a credit card or debit card. (d) Upon receiving payment of all costs relating to a tow, the storage of a vehicle, and all allowable fees, as applicable, a towing service or storage yard shall provide to the person making payment an itemized receipt that includes the information set forth in IC 24-14-5, to the extent the information is known or available. (e) A towing service or storage yard must be open for business and accessible by telephone during regular office hours. A towing service or storage yard must provide a telephone number that is available on a twenty-four (24) hour basis to receive calls and messages from callers, including calls made outside of regular office hours. All calls made to a towing service or storage yard must be returned within twenty-four (24) hours from the time received. However, if adverse weather, an act of God, or an emergency situation over which the towing service or storage yard has no control prevents the towing service or storage yard from returning calls within twenty-four (24) hours, the towing service or storage yard shall return all calls received as quickly as possible. (f) A towing service or storage yard shall, if required, notify the appropriate public agency of all releases under this section. The notification must include: (1) the name and address of: (A) the person that owns or holds a lien on the vehicle; and (B) the insurance company that insures the vehicle, if the vehicle was released to a representative of the insurance company; (2) the signature of the individual to whom the vehicle was released; (3) a description of the vehicle or parts; (4) costs paid; and (5) the date of release. [Pre-1991 Recodification Citation: 9-9-1.1-4(c) part.] As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.117; P.L.281-2019, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 2. Unauthorized Storage of Motor Vehicles9-22-2-1. Application of Chapter

Sec. 1. This chapter applies to a motor vehicle that is: (1) subject to registration under IC 9-18 (before its expiration) or IC 9-18.1; and (2) stored, parked, or left in a garage, trailer park, or other storage or parking lot for more than fifteen (15) days. [Pre-1991 Recodification Citation: 9-9-3-1 part.] As added by P.L.2-1991, SEC.10. Amended by P.L.257-2017, SEC.37.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 2. Unauthorized Storage of Motor Vehicles9-22-2-2. Exception to Application of Chapter

Sec. 2. This chapter does not apply to a motor vehicle described in section 1 of this chapter if: (1) the person who owns the motor vehicle is personally known to the person who owns the property on which the motor vehicle is stored or parked; and (2) the person who owns the motor vehicle has made arrangements for the continuous storage or parking of the motor vehicle on the property. [Pre-1991 Recodification Citation: 9-9-3-1 part.] As added by P.L.2-1991, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 2. Unauthorized Storage of Motor Vehicles9-22-2-3. Notice by Owner or Operator of Property That Vehicle Has Been Left on Property; Report

Sec. 3. The person who owns or operates property on which a motor vehicle described in section 1 of this chapter has been left shall immediately give notice to an officer by filing a written report on forms prepared by the officer containing a description of the motor vehicle. [Pre-1991 Recodification Citation: 9-9-3-1 part.] As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 2. Unauthorized Storage of Motor Vehicles9-22-2-4. Report; Contents

Sec. 4. The report required under section 3 of this chapter must include the following information about the motor vehicle: (1) The license plate number. (2) The make. (3) The vehicle identification number. [Pre-1991 Recodification Citation: 9-9-3-1 part.] As added by P.L.2-1991, SEC.10. Amended by P.L.198-2016, SEC.378.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 2. Unauthorized Storage of Motor Vehicles9-22-2-5. Failure to File Report; Storage Charges

Sec. 5. If the report required under section 3 of this chapter is not filed with an officer, the person who owns or operates the property may not charge for the storage of the motor vehicle for a period of more than fifteen (15) days. [Pre-1991 Recodification Citation: 9-9-3-2.] As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-1. Guidelines for Applicability of Chapter

Sec. 1. The bureau shall establish guidelines for determining the applicability of model year effective dates for each year. [Pre-1991 Recodification Citation: 9-1-3.6-6.] As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.2; P.L.125-2012, SEC.127; P.L.198-2016, SEC.380.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-10. Duplicate Certificate of Salvage Title; Fee

Sec. 10. (a) If a certificate of salvage title is lost, mutilated, or destroyed or becomes illegible, the person that owns the vehicle or the legal representative or legal successor in interest of the person that owns the vehicle for which the certificate of salvage title was issued, as shown by the records of the bureau, shall apply for a duplicate certificate of salvage title. (b) A person described in subsection (a) may obtain a duplicate certificate of salvage title when the person furnishes information concerning the loss, mutilation, destruction, or illegibility satisfactory to the bureau and pays a salvage title fee of four dollars ($4). The fee shall be deposited in the motor vehicle highway account. (c) Upon the issuance of a duplicate certificate of salvage title, the most recent certificate of salvage title issued is considered void by the bureau. (d) A certificate of salvage title issued under this section must have prominently recorded on the title the words "DUPLICATE SALVAGE TITLE". (e) If the lost, mutilated, destroyed, or illegible certificate of salvage title contained the notation "FLOOD DAMAGED", the duplicate certificate of salvage title must have prominently recorded on the title the words "FLOOD DAMAGED". [Pre-1991 Recodification Citation: 9-1-3.6-3; Pre-2016 Revision Citation: subsection (b) formerly 9-29-7-2.3(a).] As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.8; P.L.125-2012, SEC.131; P.L.198-2016, SEC.394; P.L.27-2018, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-15. Rebuilt Salvage Motor Vehicles; Issuance of Certificate of Title; Inspection Fee

Sec. 15. (a) If a salvage vehicle is rebuilt for operation upon the highways and ownership is evidenced by a certificate of salvage title, the person that owns the vehicle shall apply to the bureau for a certificate of title with a rebuilt designation. The bureau shall issue a certificate of title under IC 9-17 with a rebuilt designation, subject to the following conditions: (1) A state police officer inspects the vehicle and verifies proof of ownership of major component parts used and the source of the major component parts. (2) The person that owns the vehicle submits, on a form prescribed by the bureau, a properly executed affidavit from the person that restored the motor vehicle. The affidavit must: (A) include the name, identification number, and source of all component parts that were included in the restoration of the vehicle; and (B) be attached to the certificate of salvage title. (3) The person that owns the vehicle surrenders the certificate of salvage title. A condition under this subsection is in addition to any requirements under IC 9-17. (b) Except as provided in subsection (c), a certificate of title issued under this section must conspicuously bear the designation: (1) "REBUILT VEHICLE" if the vehicle is not a flood damaged vehicle; or (2) "REBUILT FLOOD DAMAGED VEHICLE" if the vehicle is a flood damaged vehicle. (c) An insurance company authorized to do business in Indiana may obtain a certificate of title that does not bear the rebuilt designation if the company submits to the bureau, in the form and manner the bureau requires, satisfactory evidence that the damage, if any, to a recovered stolen vehicle did not meet the criteria set forth in section 3 of this chapter. (d) A person that knowingly or intentionally violates this section commits a Class A infraction. (e) A police officer having jurisdiction in Indiana who makes an inspection under this section may charge a fee subject to the following conditions: (1) The fee must be established by an ordinance adopted by the unit (as defined in IC 36-1-2-23) that employs the police officer. (2) The fee may not exceed five dollars ($5). (3) Revenue generated by the fee shall be deposited in the following manner: (A) A special vehicle inspection fund if the police officer making the inspection is a member of the county sheriff's department. (B) A local law enforcement continuing education fund established by IC 5-2-8-2 if the police officer making the inspection is: (i) a member of a city or town police department; (ii) a town marshal; (iii) a town marshal deputy; (iv) a conservancy district marshal; or (v) a deputy conservancy district marshal. [Pre-1991 Recodification Citation: 9-1-3.6-9(a); Pre-2016 Revision Citations: 9-22-3-16; subsection (a) formerly 9-22-3-8(a).] As added by P.L.2-1991, SEC.10. Amended by P.L.198-2016, SEC.396; P.L.147-2018, SEC.14; P.L.122-2023, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-17. Rebuilt Vehicle or Rebuilt Flood Damaged Vehicle Designation on Certificates of Title Issued by Other

Jurisdictions; Designation on New or Subsequent Certificates of Title

Sec. 17. (a) Except as provided in subsection (b), whenever a certificate of title is issued for a vehicle that was previously titled in another state or jurisdiction and the certificate of title from the other state or jurisdiction contains a "REBUILT", "RECONDITIONED", "DISTRESSED VEHICLE", or similar designation, a new and subsequent certificate of title must conspicuously bear the designation "REBUILT VEHICLE". (b) Whenever a certificate of title is issued for a vehicle described in subsection (a) that was previously titled in another state or jurisdiction and the certificate of title from the other state or jurisdiction contains a designation that indicates that the vehicle is a flood damaged vehicle, a new and subsequent certificate of title must conspicuously bear the designation "FLOOD DAMAGED VEHICLE". [Pre-1991 Recodification Citation: 9-1-3.6-9(c) part.] As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.10; P.L.125-2012, SEC.137; P.L.262-2013, SEC.112.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-18.5. Rebuilt Vehicles; Sales, Exchange, Transfer; Violation

Sec. 18.5. (a) A person may not sell, exchange, or transfer a rebuilt vehicle without disclosing in writing to the purchaser, customer, or transferee before consummating the sale, exchange, or transfer, the fact that the vehicle is a rebuilt vehicle if the person knows or should reasonably know the vehicle is a rebuilt vehicle. (b) A person that knowingly or intentionally sells, exchanges, or transfers a rebuilt vehicle without disclosing in writing under subsection (a) the fact that the vehicle is a rebuilt vehicle commits a Class A misdemeanor. As added by P.L.125-2012, SEC.139. Amended by P.L.188-2015, SEC.82; P.L.198-2016, SEC.398.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-18. Vehicles Designated as Junk or Similar Designation

Sec. 18. A vehicle that has been designated "JUNK", "DISMANTLED", "SCRAP", "DESTROYED", or any similar designation in another state or jurisdiction shall not be titled in Indiana. [Pre-1991 Recodification Citation: 9-1-3.6-9(c) part.] As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.138.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-2.5. "Flood Damaged Vehicle"

Sec. 2.5. (a) As used in this chapter, "flood damaged vehicle" means a passenger motor vehicle that satisfies either of the following: (1) The vehicle has been acquired by an insurance company as part of a damage settlement due to water damage. (2) The vehicle has been submerged in water to the point that rising water has reached over the door sill, has entered the passenger or trunk compartment, and has exposed any electrical, computerized, or mechanical component to water. (b) The term does not include a passenger motor vehicle that an inspection conducted by an insurance adjuster or estimator, a motor vehicle repairer, or a dealer licensed under IC 9-32 determines: (1) has no electrical, computerized, or mechanical components that were damaged by water; or (2) has one (1) or more electrical, computerized, or mechanical components that were damaged by water and all such damaged components have been repaired or replaced. As added by P.L.59-1998, SEC.3. Amended by P.L.258-1999, SEC.1; P.L.198-2016, SEC.382.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-2. "Fair Market Value"

Sec. 2. As used in this chapter, "fair market value" means: (1) the average trade-in value found in the National Automobile Dealers Association (NADA) Official Used Car Guide, vehicle valuations determined by CCC Information Services, Inc. (CCC), or valuations determined by such other authorities as are approved by the bureau; or (2) the fair market value determined by the bureau upon request. [Pre-1991 Recodification Citation: 9-1-3.6-1(i) part.] As added by P.L.2-1991, SEC.10. Amended by P.L.198-2016, SEC.381.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-25. Releasing or Providing Evidence or Information; Immunity From Civil and Criminal Liability

Sec. 25. In the absence of fraud or bad faith, a person who releases or provides evidence or information under this chapter to any of the following is immune from civil or criminal liability for providing that evidence or information: (1) The superintendent of the state police or the superintendent's designee. (2) The attorney general or the attorney general's designee. (3) The city police chief or the city police chief's designee. (4) The county sheriff or the county sheriff's designee. (5) The prosecuting attorney or the prosecuting attorney's designee responsible for prosecutions in the county that has jurisdiction of the auto theft. [Pre-1991 Recodification Citation: 9-1-3.6-13.] As added by P.L.2-1991, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-3. Certificate of Salvage Title Required; Violation

Sec. 3. (a) A certificate of salvage title is required for a vehicle that is manufactured within the last seven (7) model years and meets any of the following criteria: (1) An insurance company has determined that it is economically impractical to repair the wrecked, destroyed, or damaged vehicle and has made an agreed settlement with the insured or claimant. (2) If the owner of the vehicle: (A) is

a business that insures its own vehicles; or (B) acquired the vehicle after the vehicle was wrecked, destroyed, or damaged; the cost of repairing the wrecked, destroyed, or damaged vehicle exceeds seventy percent (70%) of the fair market value immediately before the vehicle was wrecked, destroyed, or damaged. (3) The vehicle is a flood damaged vehicle. (b) The bureau may issue a salvage title to a vehicle that is subject to IC 9-17 upon the request of the owner of the vehicle. (c) A person that knowingly or intentionally fails to apply for a salvage title as required by subsection (a) commits a Class A infraction. [Pre-1991 Recodification Citation: 9-1-3.6-4(b) part; Pre-2016 Revision Citation: 9-22-3-1.] As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.4; P.L.110-2006, SEC.1; P.L.188-2015, SEC.79; P.L.198-2016, SEC.383.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-31. Sale or Offer to Sell Manufacturer's Identification Plate or Serial Plate Removed From Vehicle That Is Total Loss or Salvage; Classification of Offense

Sec. 31. A person that knowingly or intentionally possesses, buys, sells, exchanges, gives away, or offers to buy, sell, exchange or give away a manufacturer's identification plate or serial plate that has been removed from a vehicle that is a total loss or salvage commits a Level 6 felony. [Pre-1991 Recodification Citation: 9-1-3.6-11(a).] As added by P.L.2-1991, SEC.10. Amended by P.L.158-2013, SEC.149; P.L.217-2014, SEC.68; P.L.198-2016, SEC.403.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-32. Nontitle State Certificates of Title or Ownership Papers; Violations; Classification of Offense

Sec. 32. A person that knowingly possesses, buys, sells, exchanges, gives away, or offers to buy, sell, exchange, or give away a certificate of title or ownership papers from a nontitle state of a vehicle that is a total loss or salvage commits a Level 6 felony. [Pre-1991 Recodification Citation: 9-1-3.6-11(b).] As added by P.L.2-1991, SEC.10. Amended by P.L.158-2013, SEC.150; P.L.198-2016, SEC.404.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-36. Civil Remedies for Violations; Actual Damages; Treble Damages; Costs and Attorney's Fees

Sec. 36. A person aggrieved by a violation of this chapter may recover the actual damages sustained, together with costs and reasonable attorney's fees. In the court's discretion the court may increase the award of damages to: (1) an amount not to exceed three (3) times the actual damages sustained; or (2) two thousand five hundred dollars ($2,500); whichever is greater. [Pre-1991 Recodification Citation: 9-1-3.6-17.] As added by P.L.2-1991, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-37. Violations as Deceptive Acts; Action by Attorney General; Remedies and Penalties

Sec. 37. A person who violates this chapter (other than section 4 of this chapter) commits a deceptive act that is actionable by the attorney general and is subject to the remedies and penalties under IC 24-5-0.5. [Pre-1991 Recodification Citation: 9-1-3.6-17.] As added by P.L.2-1991, SEC.10. Amended by P.L.110-2006, SEC.3; P.L.109-2015, SEC.29; P.L.198-2016, SEC.405.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-4.1. Assignment of Certificate of Title by Lienholder to Insurance Company; Certificate of Salvage Title; Fee; Violation

Sec. 4.1. (a) This section applies to a vehicle: (1) for which an insurance company has made and paid an agreed settlement; and (2) that meets at least one (1) of the criteria set forth in section 3 of this chapter. (b) A person that owns or holds a lien upon a vehicle described in subsection (a) shall assign the certificate of title to the insurance company described in subsection (a) not more than thirty (30) days after the date of settlement. (c) The insurance company shall: (1) apply to the bureau within forty-five (45) days after receipt of the certificate of title for a certificate of salvage title for each vehicle subject to this chapter; and (2) surrender the certificate of title or other proof of ownership to the bureau and pay a salvage title fee of four dollars ($4). The fee shall be deposited in the motor vehicle highway account. (d) After the bureau has received the items set forth in subsection (c)(2), the bureau shall issue a certificate of salvage title for a vehicle to: (1) the owner, if the owner retains possession of the vehicle as part of an agreed settlement with an insurance company for the vehicle; or (2) the insurance company, if the owner does not retain possession. (e) Except as provided in section 4.4 of this chapter, a person that violates this section commits a Class D infraction. [Pre-2016 Revision Citations: 9-22-3-11; 9-29-7-2.3(a); subsection (c) formerly 9-29-7-2.3(a).] As added by P.L.198-2016, SEC.385.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-4.2. Self-Insured Entity; Certificate of Salvage Title; Fee

Sec. 4.2. (a) A self-insured entity that owns a vehicle that meets at least one (1) of the criteria set forth in section 3 of this chapter shall apply to the bureau within forty-five (45) days after the date of loss for a certificate of salvage title in the name of the self-insured entity's name. (b) Any other person acquiring a wrecked or damaged vehicle that meets at least one (1) of the criteria set forth in section 3 of this chapter, which acquisition is not evidenced by a certificate of salvage title, shall apply to the bureau within forty-five (45) days after acquiring the vehicle for a certificate of salvage title. (c) The bureau shall issue a certificate of salvage title

as proof of ownership for a salvage vehicle when the acquiring person does the following: (1) Makes a proper application in the manner and form prescribed by the bureau. (2) Pays a salvage title fee of four dollars ($4). The fee shall be deposited in the motor vehicle highway account. (3) Surrenders the vehicle's original certificate of title or other proof of ownership as determined by the bureau. (d) Except as provided in section 4.4 of this chapter, a person that violates this section commits a Class D infraction. [Pre-2016 Revision Citations: 9-29-7-2.3(b); subsection (d) formerly 9-22-3-11(f).] As added by P.L.198-2016, SEC.386.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-4.3. Delinquent Certificate of Salvage Title; Administrative Penalty

Sec. 4.3. (a) The bureau shall collect an administrative penalty of ten dollars ($10) if: (1) a purchaser or transferee of a salvage vehicle fails to apply for a certificate of salvage title or a transfer of title, by assignment, not later than forty-five (45) days after the salvage vehicle is purchased or otherwise acquired; or (2) the owner of a salvage vehicle retains possession of the salvage vehicle and the owner fails to apply for a certificate of salvage title not later than forty-five (45) days after the settlement of loss with the insurance company. The fee shall be deposited in the motor vehicle highway account. (b) Except as provided in section 4.4 of this chapter, a person that violates this section commits a Class D infraction. As added by P.L.198-2016, SEC.387.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-4.4. "Other Proof of Ownership"; Fraudulent Document or Affidavit; Violation

Sec. 4.4. (a) For purposes of sections 4.1, 4.2, and 4.3 of this chapter, "other proof of ownership" with respect to a vehicle includes the following items that contain the electronic signature of the owner without notarization: (1) A document granting an insurance company a limited power of attorney. (2) An affidavit transferring title to an insurance company. (3) Another document authorizing an insurance company to assign ownership of the motor vehicle. (b) A person that violates section 4.1, 4.2, or 4.3 of this chapter by knowingly or intentionally submitting a fraudulent document or affidavit described in subsection (a) commits a Class A infraction. As added by P.L.198-2016, SEC.388.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-5. Certificate of Salvage Title; Contents

Sec. 5. A certificate of salvage title issued under this chapter must contain the following information: (1) The same vehicle information as a certificate of title issued by the bureau. (2) The notation "SALVAGE TITLE" prominently recorded on the title. (3) If the motor vehicle is a flood damaged vehicle, the notation "FLOOD DAMAGED" prominently recorded on the title. [Pre-1991 Recodification Citation: 9-1-3.6-2(b) part.] As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.5; P.L.6-2012, SEC.66; P.L.125-2012, SEC.129; P.L.198-2016, SEC.389; P.L.27-2018, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 3. Salvage Motor Vehicles9-22-3-6. Certificate of Salvage Title; Assignment by Owner of Salvage Vehicle

Sec. 6. A certificate of salvage title issued under this chapter may be assigned by the person who owns the salvage vehicle to another buyer. [Pre-1991 Recodification Citation: 9-1-3.6-2(b) part.] As added by P.L.2-1991, SEC.10. Amended by P.L.198-2016, SEC.390.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 5. Scrapping Motor Vehicles9-22-5-1.1. Sale, Giving Away Of, or Disposing of Vehicle for Scrap Metal With Certificate of Title; No Certificate of Authority Required

Sec. 1.1. A person that owns and has a certificate of title for a vehicle may sell, give away, or dispose of the vehicle for scrap metal without applying for a certificate of authority under this chapter. The person must sign and surrender the certificate of title to the automotive salvage recycler to dispose of the vehicle. As added by P.L.262-2013, SEC.113. Amended by P.L.198-2016, SEC.406.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 5. Scrapping Motor Vehicles9-22-5-10. Certificate of Title Not Issued After Delivery to Bureau of Certificate of Authority

Sec. 10. After a certificate of authority required under this chapter has been delivered to the bureau by an automotive salvage recycler, a certificate of title may not be issued for the vehicle that is described in the certificate of authority. The vehicle shall be noted in the records of the bureau as "junk". [Pre-1991 Recodification Citation: 9-9-2-4(d).] As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.150; P.L.198-2016, SEC.411.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 5. Scrapping Motor Vehicles9-22-5-12. Sales for Scrap Metal by Owners of Vehicles

Sec. 12. The person who: (1) owns a vehicle described in this chapter; and (2) sells the vehicle; may retain the proceeds of the sale for the person's use and benefit. [Pre-1991 Recodification Citation: 9-9-2-5 part.] As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.152; P.L.262-2013, SEC.115.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 5. Scrapping Motor Vehicles9-22-5-13. Sales by Persons Other Than Owners; Proceeds; Payment to Circuit Court Clerk; Claim by Vehicle Owner; Escheat to State General Fund

Sec. 13. (a) A person not described in section 12 of this chapter that sells a vehicle under this chapter may retain from the proceeds of sale the cost of publication of notice and the cost of preserving the vehicle during the period of the vehicle's abandonment. The person shall pay the remaining balance of the proceeds of the sale to the circuit court clerk of the county in which the vehicle is located. (b) At any time within ten (10) years after the money is paid to the clerk, the person that owns the vehicle sold under this chapter may make a claim with the clerk for the sale proceeds deposited with the clerk. If ownership of the proceeds is established to the satisfaction of the clerk, the clerk shall pay the proceeds to the person that owns the vehicle. (c) If a claim for the proceeds of the sale of a vehicle under subsection (b) is not made within ten (10) years, claims for the proceeds are barred. The clerk shall notify the attorney general and upon demand pay the proceeds to the attorney general. The attorney general shall turn the proceeds over to the treasurer of state. The proceeds vest in and escheat to the state general fund. [Pre-1991 Recodification Citation: 9-9-2-5 part.] As added by P.L.2-1991, SEC.10. Amended by P.L.246-2005, SEC.87; P.L.125-2012, SEC.153; P.L.198-2016, SEC.412.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 5. Scrapping Motor Vehicles9-22-5-18. Sale, Giving, or Disposing of Vehicle to Automobile Salvage Recycler; Documents Required; Penalty

Sec. 18. (a) This section does not apply to a vehicle that is acquired according to the requirements set forth in IC 9-32-9-29. (b) Before a person sells a vehicle to, gives a vehicle to, or disposes of a vehicle with an automotive salvage recycler, the person shall give the automotive salvage recycler: (1) a certificate of authority for the vehicle that: (A) is issued by the bureau under this chapter; and (B) authorizes the scrapping or dismantling of the vehicle; or (2) a certificate of title for the vehicle issued by the bureau under IC 9-17-3. (c) A person that knowingly or intentionally violates this section commits a Class C misdemeanor. As added by P.L.224-2013, SEC.1. Amended by P.L.217-2014, SEC.70; P.L.198-2016, SEC.413; P.L.103-2024, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 5. Scrapping Motor Vehicles9-22-5-2. Application for Authority to Dispose of Vehicle for Scrap Metal

Sec. 2. (a) A person: (1) upon whose property or in whose possession is found an abandoned vehicle; or (2) that owns a vehicle that has a title that is faulty, lost, or destroyed; may apply in accordance with this chapter for authority to sell, give away, or dispose of the vehicle to an automotive salvage recycler for scrap metal. (b) An automotive salvage recycler or an agent of an automotive salvage recycler that purchases a motor vehicle under IC 9-32-9-29 may apply on behalf of the seller in accordance with this chapter for authority to sell, give away, or dispose of the vehicle. [Pre-1991 Recodification Citation: 9-9-2-1(a).] As added by P.L.2-1991, SEC.10. Amended by P.L.8-1993, SEC.173; P.L.125-2012, SEC.142; P.L.198-2016, SEC.407; P.L.103-2024, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 5. Scrapping Motor Vehicles9-22-5-3. Application Filed With Bureau; Contents; Fee; Certificate of Authority; Contents

Sec. 3. (a) The application required under section 2 of this chapter shall be made in a manner prescribed by the bureau and filed with the bureau. (b) The application required by section 2 of this chapter must include the following: (1) The name and address of the applicant. (2) The year, make, model, and vehicle identification number of the vehicle, if ascertainable, together with any other identifying features. (3) A concise statement of the facts surrounding the abandonment of the vehicle, that the title of the vehicle is faulty, lost, or destroyed, or the reasons for disposal of the vehicle. (4) An affidavit executed by the applicant stating that the facts alleged in the application are true and that no material fact has been withheld. (c) The bureau shall issue a certificate of authority if: (1) the bureau determines that the application satisfies the requirements of this chapter; and (2) the applicant pays a fee of four dollars ($4) for each certificate of authority. The fee under subdivision (2) shall be deposited in the motor vehicle highway account. (d) The bureau shall process an electronic application for a certificate of authority not more than five (5) business days after the submission of the application if the application meets the requirements under section 2 of this chapter or under this section. (e) A certificate of authority issued under this chapter must contain the following information: (1) The name and address of the person that filed the application required under section 2 of this chapter. (2) The year, make, model, and vehicle identification number, if ascertainable, together with any other identifying features of the vehicle that has been authorized to be sold for scrap metal. [Pre-1991 Recodification Citation: 9-9-2-2(a); Pre-2016 Revision Citations: subsection (b) formerly 9-22-5-4; subsection (d) formerly 9-22-5-8.] As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.143; P.L.198-2016, SEC.408; P.L.118-2022, SEC.26.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 6. Mechanic's Liens for Vehicles9-22-6-0.5. "Vehicle"

Sec. 0.5. For purposes of this chapter, the term "vehicle" does not include a watercraft. As added by P.L.164-2020, SEC.40.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 6. Mechanic's Liens for Vehicles9-22-6-1. Storing, Furnishing of Supplies For, Providing Towing Services For, or Repairing Vehicles

Sec. 1. (a) A person engaged in the business of storing, furnishing supplies for, providing towing services for, or repairing vehicles shall obtain the name and address of the owner of a vehicle that is left in the custody of the person for storage, furnishing of supplies, or repairs at the time the vehicle is left. (b) The person described in subsection (a) shall record in a book the following information concerning the vehicle described in subsection (a): (1) The name and address of the owner of the vehicle. (2) The license number of the vehicle. (3) The date on which the vehicle was left. (c) The book shall be provided and kept by the person and must be open for inspection by an authorized police officer of the state, a city, or a town or by the county sheriff. (d) If a vehicle is stored by the week or by the month, only one (1) entry on the book is required for the time during which the vehicle is stored. (e) A person that violates this section commits a Class A infraction. As added by P.L.125-2012, SEC.158. Amended by P.L.262-2013, SEC.116; P.L.217-2014, SEC.73; P.L.198-2016, SEC.415.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 22. Abandoned, Salvaged, and Scrap VehiclesChapter 6. Mechanic's Liens for Vehicles9-22-6-2. Lien for Labor On, Materials For, Storage Of, Towing Of, or Repair of Vehicles

Sec. 2. (a) A person that performs labor, furnishes materials or storage, or does repair work on a vehicle at the request of the owner of the vehicle has a mechanic's lien on the vehicle for the reasonable value of the charges for the labor, materials, storage, or repairs. (b) A person that provides towing services for a vehicle at the request of the owner of the vehicle has a mechanic's lien on the vehicle for the reasonable value of the charges for the towing services and other related costs. (c) A person that has a mechanic's lien on a vehicle under subsection (a) or (b) may advertise the vehicle for sale if the person followed the procedures described in IC 9-22-1-19 and if: (1) the charges made under subsection (a) or (b) are not paid; and (2) the vehicle is not claimed; within thirty (30) days after the date on which the vehicle is left in or comes into the possession of the person for repairs, storage, towing, or the furnishing of materials. The vehicle may not be sold until the later of fifteen (15) days after the date the advertisement required by subsection (d) has been placed or fifteen (15) days after notice required by subsection (e) has been sent. (d) Before a vehicle may be sold under subsection (c) or under IC 9-22-1-21.5, an advertisement must be placed in a newspaper that is printed in English and of general circulation in the city or town in which the lienholder's place of business is located. If the lienholder is located outside the corporate limits of a city or a town, the advertisement must be placed in a newspaper of general circulation in the county in which the place of business of the lienholder is located. The advertisement must contain at least the following information: (1) A description of the vehicle, including make, year, and manufacturer's identification number. (2) The amount of the unpaid charges. (3) The time, place, and date of the sale. (e) In addition to the advertisement required under subsection (d), the person that holds the mechanic's lien under this section or under IC 9-22-1-21.5(c) must notify the owner of the vehicle and any other person that holds a lien of record, as indicated on the certificate of title of the vehicle or discovered as a result of the search described in IC 9-22-1-19, by certified mail, return receipt requested, at the last known address of the owner or person, as applicable, that the vehicle will be sold at public auction on a specified date to satisfy the mechanic's lien imposed by this section. If the person who holds the mechanic's lien has proof that the notice was mailed to the owner of the vehicle and any person who holds a lien of record in accordance with this subsection, actual receipt of the notice is not required. (f) A person that holds a mechanic's lien of record on a vehicle subject to sale under this section or under IC 9-22-1-21.5 may pay the storage, repair, towing, or service charges due. If the person that holds the mechanic's lien of record elects to pay the charges due, the person is entitled to possession of the vehicle and becomes the holder of the mechanic's lien imposed by this section. (g) If the person that owns a vehicle or the lienholder of a vehicle subject to sale under this section or under IC 9-22-1-21.5 does not claim the vehicle and satisfy the mechanic's lien on the vehicle, the vehicle may be sold at public sale or public auction to the highest and best bidder. A person that holds a mechanic's lien under this section may purchase a vehicle subject to sale under this section. (h) A person that holds a mechanic's lien under this section or under IC 9-22-1-21.5 may deduct and retain the amount of the mechanic's lien, the sale disposal costs, and the cost of the advertisement required under subsection (d) from the purchase price received for a vehicle sold under this section. After deducting from the purchase price the amount of the mechanic's lien, the sale disposal costs, and the cost of the advertisement, the person shall pay the surplus of the purchase price to the person that holds the first lien of record, as indicated on the certificate of title, of the vehicle. If there is no lien of record, the person shall pay the surplus of the purchase price to the owner of the vehicle, if the owner's address or whereabouts are known. If the address or whereabouts are not known and there is no lien of record, the surplus of the purchase price shall be sent to: (1) the abandoned vehicle fund of the city, county, or town from which the vehicle was towed, for vehicles subject to IC 9-22-1; or (2) the clerk of courts, for all other vehicles, in the jurisdiction in which the business of the person that holds the mechanic's lien is located, for the use and benefit of the owner of the vehicle. (i) The person that holds the first lien of record may deduct and retain the amount of the lien of record from the surplus purchase price transferred to the person under subsection (h). After deducting the amount of the lien of record from the surplus purchase price transferred to the person under subsection (h), the person that holds the first lien of record shall pay any remaining surplus to the owner of the vehicle, if the owner's address or whereabouts are known. If the address or whereabouts of the owner of the vehicle are not known, the surplus of the purchase price shall be sent to: (1) the abandoned vehicle fund of the city, county, or town from which the vehicle was towed, for vehicles subject to IC 9-22-1; or (2) the clerk of the courts for all other vehicles, in the jurisdiction in which the business of the person that holds the mechanic's lien is located, for the use and benefit of the owner of the vehicle. (j) A person that holds a mechanic's lien under this section shall execute and deliver to the purchaser of a vehicle under this section or under IC 9-22-1-21.5 a sales certificate in the form designated by the bureau, setting forth the following information: (1) The facts of the sale. (2) The vehicle identification number. (3) The certificate of title if available. (4) A certification from the newspaper showing that the advertisement was made as required under subsection (d). (5) Any other information that the bureau requires. Whenever the bureau

receives from the purchaser an application for certificate of title accompanied by these items, the bureau shall issue a certificate of title for the vehicle under IC 9-17. (k) A person that violates this section commits a Class A infraction. As added by P.L.125-2012, SEC.158. Amended by P.L.217-2014, SEC.74; P.L.198-2016, SEC.416; P.L.157-2017, SEC.6; P.L.118-2022, SEC.27.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 1. Individuals Required to Obtain a License or Permit9-24-1-1. License Required; Violation

Sec. 1. (a) Except as provided in section 7 of this chapter, an individual must have a valid: (1) driver's license; or (2) permit; including any necessary endorsements, issued to the individual by the bureau in the form of a physical credential to operate upon a highway the type of motor vehicle for which the driver's license, endorsement, or permit was issued. (b) An individual must have: (1) an unexpired identification card with a motor driven cycle endorsement issued to the individual by the bureau under IC 9-24-16; (2) a valid driver's license; or (3) a valid learner's permit; issued in the form of a physical credential to operate a motor driven cycle upon a highway. (c) An individual who violates this section commits a Class C infraction. [Pre-1991 Recodification Citations: 9-1-4-26(a); Part new.] As added by P.L.2-1991, SEC.12. Amended by P.L.156-2006, SEC.3; P.L.109-2011, SEC.5; P.L.125-2012, SEC.159; P.L.221-2014, SEC.58; P.L.188-2015, SEC.90; P.L.198-2016, SEC.417; P.L.111-2021, SEC.34; P.L.211-2023, SEC.28.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 1. Individuals Required to Obtain a License or Permit9-24-1-7. Exempt Operators

Sec. 7. (a) Section 1 of this chapter does not apply to the following individuals: (1) An individual in the service of the armed forces of the United States while operating an official motor vehicle in that service. (2) An individual who is at least sixteen (16) years and one hundred eighty (180) days of age, while operating: (A) road construction or maintenance machinery; (B) a ditch digging apparatus; (C) a well drilling apparatus; or (D) a concrete mixer; that is being temporarily drawn, moved, or propelled on a highway. (3) A nonresident who: (A) is: (i) at least sixteen (16) years and one hundred eighty (180) days of age; or (ii) employed in Indiana; (B) has in the nonresident's immediate possession a valid driver's license that was issued to the nonresident in the nonresident's home state or country; and (C) is legally present in the United States; while operating on a highway the type of motor vehicle for which the driver's license was issued, subject to the restrictions imposed by the home state or country of the individual's residence. (4) A new Indiana resident who: (A) possesses a valid driver's license issued by the state or country of the individual's former residence; and (B) is legally present in the United States; for a period of sixty (60) days after becoming an Indiana resident, and subject to the restrictions imposed by the state or country of the individual's former residence while operating upon a highway the type of motor vehicle for which the driver's license was issued. (5) An individual while operating a farm wagon that is being temporarily drawn, moved, or propelled on a public highway. However, to operate the farm wagon on a highway, other than to temporarily draw, move, or propel it, the individual must be at least fifteen (15) years of age. (6) An individual who does not hold a driver's license or permit and is authorized to operate a golf cart or an off-road vehicle on the highways of a county, city, or town in accordance with an ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a). (b) An ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a) must require that an individual who operates a golf cart or off-road vehicle in the city, county, or town: (1) hold a driver's license; or (2) be at least sixteen (16) years and one hundred eighty (180) days of age and hold: (A) an identification card issued under IC 9-24-16; or (B) a photo exempt identification card issued under IC 9-24-16.5. [Pre-1991 Recodification Citation: 9-1-4-27.] As added by P.L.2-1991, SEC.12. Amended by P.L.128-1993, SEC.1; P.L.210-2005, SEC.38; P.L.150-2009, SEC.18; P.L.87-2010, SEC.29; P.L.60-2012, SEC.3; P.L.125-2012, SEC.165; P.L.85-2013, SEC.23; P.L.259-2013, SEC.21; P.L.198-2016, SEC.422; P.L.256-2017, SEC.164; P.L.211-2023, SEC.29.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 10. Examination for License or Permit9-24-10-1. Examination Required

Sec. 1. An individual who applies under this chapter for a permit or driver's license and who is required by this chapter to take an examination shall: (1) appear before a member of the bureau or commission; or (2) appear before an instructor having an endorsement under IC 9-27-6-8; and be examined concerning the applicant's qualifications and ability to operate a motor vehicle upon a highway. [Pre-1991 Recodification Citation: 9-1-4-34.1(a).] As added by P.L.2-1991, SEC.12. Amended by P.L.145-2011, SEC.18; P.L.85-2013, SEC.38; P.L.198-2016, SEC.471; P.L.256-2017, SEC.173.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 10. Examination for License or Permit9-24-10-4.5. Driver Training Schools; Administering Driving Skills Tests

Sec. 4.5. (a) A driver training school (as defined in IC 9-27-6-3) may offer to administer a driving skills test (as defined in 140 IAC 4-1.1-1) to an individual who holds a valid learner's permit. (b) This section expires June 30, 2030. As added by P.L.211-2023, SEC.39.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 10. Examination for License or Permit9-24-10-4. Examination Components; No Civil or Criminal Liability for Certain Reports Made Concerning Fitness of Applicant to Operate a Motor Vehicle

Sec. 4. (a) Except as provided in subsection (c), an examination for a learner's permit or driver's license must include the following:

(1) A test of the following of the applicant: (A) Eyesight. (B) Ability to read and understand highway signs regulating, warning, and directing traffic. (C) Knowledge of Indiana traffic laws, including IC 9-26-1-1.5 and IC 9-21-12-1. (2) An actual demonstration of the applicant's skill in exercising ordinary and reasonable control in the operation of a motor vehicle under the type of permit or driver's license applied for. (b) The examination may include further physical and mental examination that the bureau finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon a highway. The applicant must provide the motor vehicle used in the examination. An autocycle may not be used as the motor vehicle provided for the examination. (c) The bureau may waive: (1) the testing required under subsection (a)(1)(A) if the applicant provides evidence from a licensed ophthalmologist or licensed optometrist that the applicant's vision is fit to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property; (2) the actual demonstration required under subsection (a)(2) for an individual who has passed: (A) a driver's education class and a skills test given by a driver training school; (B) a driver education program given by an entity licensed under IC 9-27; or (C) a skills assessment conducted by a third party approved by the bureau; (3) the testing, other than eyesight testing under subsection (a)(1)(A), of an applicant who has passed: (A) an examination concerning: (i) subsection (a)(1)(B); and (ii) subsection (a)(1)(C); and (B) a skills test; given by a driver training school or an entity licensed under IC 9-27; and (4) the testing, other than the eyesight testing described in subsection (a)(1)(A), of an applicant who: (A) is at least eighteen (18) years of age; (B) was previously a nonresident but now qualifies as an Indiana resident at the time of application; and (C) holds a valid driver's license, excluding a learner's permit or its equivalent, from the applicant's state of prior residence. (d) The following are not civilly or criminally liable for a report made in good faith to the bureau, commission, or driver licensing medical advisory board concerning the fitness of the applicant to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property: (1) An instructor having a license under IC 9-27-6-8. (2) A licensed ophthalmologist or licensed optometrist. [Pre-1991 Recodification Citation: 9-1-4-34.1(c) part.] As added by P.L.2-1991, SEC.12. Amended by P.L.93-1997, SEC.13; P.L.126-2008, SEC.2; P.L.145-2011, SEC.20; P.L.125-2012, SEC.205; P.L.85-2013, SEC.39; P.L.82-2015, SEC.11; P.L.149-2015, SEC.67; P.L.198-2016, SEC.474; P.L.147-2018, SEC.17; P.L.144-2019, SEC.10; P.L.178-2019, SEC.47; P.L.211-2019, SEC.8; P.L.111-2021, SEC.59.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 10. Examination for License or Permit9-24-10-5. Uniform Rules and Requirements

Sec. 5. The bureau shall make available, for the mandatory use of individuals conducting the examinations, the rules and requirements that must be uniformly and impartially followed in making the examinations. [Pre-1991 Recodification Citation: 9-1-4-34.1(d).] As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.206.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 10. Examination for License or Permit9-24-10-6. Examinations and Investigations

Sec. 6. (a) The bureau, before issuing an initial or a renewal driver's license, permit, or endorsement, may require an applicant to submit to an examination, an investigation, or both an examination and investigation, under section 7 of this chapter. The bureau may cause the examination or investigation to be made whenever it appears from: (1) the face of the application; (2) the apparent physical or mental condition of the applicant; (3) the records of the bureau; or (4) any information that has come to the attention of the bureau; that the applicant does not apparently possess the physical, mental, or other qualifications to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property. (b) Upon the conclusion of all examinations or investigations under this section, the bureau shall take appropriate action and may: (1) refuse to issue or reissue the driver's license, permit, endorsement, or driving privileges; (2) suspend or revoke the driver's license, permit, endorsement, or driving privileges; (3) issue restricted driving privileges subject to restrictions the bureau considers necessary in the interest of public safety; or (4) permit the applicant to retain or obtain the driver's license, permit, endorsement, or driving privileges. [Pre-1991 Recodification Citation: 9-1-4-34.1(e).] As added by P.L.2-1991, SEC.12. Amended by P.L.85-2013, SEC.40; P.L.198-2016, SEC.475; P.L.111-2021, SEC.60.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 10. Examination for License or Permit9-24-10-7.5. Physician, Optometrist, or Advanced Practice Nurse Immunity

Sec. 7.5. A physician licensed to practice medicine under IC 25-22.5, an optometrist licensed to practice optometry under IC 25-24, or an advanced practice registered nurse licensed under IC 25-23 who has personally examined the patient not more than thirty (30) days before making a report concerning the patient's fitness to operate a motor vehicle is not civilly or criminally liable for a report made in good faith to the: (1) bureau; (2) commission; or (3) driver licensing medical advisory board; concerning the fitness of a patient of the physician, optometrist, or advanced practice registered nurse to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property. As added by P.L.210-2005, SEC.41. Amended by P.L.129-2018, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 10. Examination for License or Permit9-24-10-7. Incompetent or Unfit Drivers; Examinations and Investigations; Bureau Actions

Sec. 7. (a) If the bureau has good cause to believe that a licensed driver is: (1) incompetent; or (2) otherwise unfit to operate a motor vehicle; the bureau may, upon written notice of at least five (5) days, require the licensed driver to submit to an examination, an

investigation of the driver's continued fitness to operate a motor vehicle safely, including requesting medical information from the driver or the driver's health care sources, or both an examination and an investigation. (b) Upon the conclusion of all examinations and investigations of a driver under this section, the bureau: (1) shall take appropriate action; and (2) may: (A) suspend or revoke the driver's license or driving privileges of the licensed driver; (B) permit the licensed driver to retain the driver's license or driving privileges of the licensed driver; or (C) issue restricted driving privileges subject to restrictions the bureau considers necessary in the interest of public safety. (c) If a licensed driver refuses or neglects to submit to an examination or investigation under this section, the bureau may suspend or revoke the driver's license or driving privileges of the licensed driver. The bureau may not suspend or revoke the driver's license or driving privileges of the licensed driver until a reasonable investigation of the driver's continued fitness to operate a motor vehicle safely has been made by the bureau. [Pre-1991 Recodification Citation: 9-1-4-34.1(f).] As added by P.L.2-1991, SEC.12. Amended by P.L.210-2005, SEC.40; P.L.85-2013, SEC.41; P.L.198-2016, SEC.476; P.L.111-2021, SEC.61.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 10. Examination for License or Permit9-24-10-8. Violations

Sec. 8. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-1-4-53(c) part.] As added by P.L.2-1991, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 11. Issuance of License or Permit9-24-11-1. Conditions

Sec. 1. The bureau shall issue a permit or driver's license to every applicant who meets the following conditions: (1) Qualifies as required. (2) Makes the proper application. (3) Pays the required fee. (4) Passes the required examinations. [Pre-1991 Recodification Citations: 9-1-4-33(j); 9-1-4-37(a).] As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.207; P.L.198-2016, SEC.477.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 11. Issuance of License or Permit9-24-11-10. Court Recommendation for Suspension Following Conviction; Failure to Take Prescribed Medication

Sec. 10. (a) In addition to any other penalty imposed for a conviction under section 8(b) of this chapter, the court may recommend that the individual's driving privileges be suspended for a fixed period of not more than two (2) years and the court may also order specialized driving privileges under IC 9-30-16. (b) The court shall specify: (1) the length of the fixed period of suspension; and (2) the date the fixed period of suspension begins; whenever the court issues an order under subsection (a). As added by P.L.208-2003, SEC.12. Amended by P.L.125-2012, SEC.209; P.L.85-2013, SEC.47; P.L.217-2014, SEC.85; P.L.198-2016, SEC.488.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 11. Issuance of License or Permit9-24-11-12. Additional Fee

Sec. 12. (a) The bureau may impose an additional fee of twenty-five dollars ($25) if the bureau processes an application for a physical credential under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund. (b) A fee imposed under this section is in addition to any other fee imposed under this chapter. As added by P.L.111-2021, SEC.63. Amended by P.L.211-2023, SEC.42.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 11. Issuance of License or Permit9-24-11-2. Manner of Issuance

Sec. 2. The bureau may issue all permits and driver's licenses required by law for the operation of a motor vehicle in a manner the bureau considers necessary and prudent. [Pre-1991 Recodification Citation: 9-1-4-37(e).] As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.478.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 11. Issuance of License or Permit9-24-11-3.5. Operation of Vehicle During Probationary Period

Sec. 3.5. (a) This section applies: (1) to an individual who is less than twenty-one (21) years of age; and (2) during the one hundred eighty (180) day period after the individual is issued a driver's license under this article. (b) An individual may not operate a motor vehicle: (1) from 10 p.m. until 5 a.m. of the following morning, unless the individual is: (A) participating in, going to, or returning from: (i) lawful employment; (ii) a school sanctioned activity; or (iii) a religious event; or (B) accompanied in the front seat of the motor vehicle by a licensed driver with valid driving privileges who is: (i) at least twenty-five (25) years of age; or (ii) if the licensed driver is the individual's spouse, at least twenty-one (21) years of age; or (2) in which there are passengers, unless: (A) each passenger in the motor vehicle is: (i) a child or stepchild of the individual; (ii) a sibling of the individual, including step or half siblings; (iii) the spouse of the individual; (iv) a parent or legal guardian of the individual; (v) a grandparent of the individual; or (vi) any combination of individuals described in items (i) through (v); or (B) the individual is accompanied in the front seat of the motor vehicle by a licensed driver with valid driving privileges who is: (i) at least twenty-five (25) years of age; or (ii) if the licensed driver is the individual's spouse, at least twenty-one (21) years of age. [Pre-2016 Revision Citation: 9-24-11-3.3.] As added by P.L.198-2016, SEC.480. Amended by P.L.147-2018, SEC.18.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 11. Issuance of License or Permit9-24-11-3.6. Certain Operations by Individual Less Than 18 Years of Age Prohibited

Sec. 3.6. (a) This section applies to an individual who is less than eighteen (18) years of age. (b) An individual may not operate at any time: (1) a medical services vehicle; or (2) a vehicle transporting passengers for hire. (c) Except as provided in subsection (d), an individual may not operate a motor vehicle during the following periods: (1) Between 1 a.m. and 5 a.m. on a Saturday or Sunday. (2) After 11 p.m. on Sunday, Monday, Tuesday, Wednesday, or Thursday. (3) Before 5 a.m. on Monday, Tuesday, Wednesday, Thursday, or Friday. (d) An individual may operate a motor vehicle during a period described in subsection (c) if the individual is: (1) participating in, going to, or returning from: (A) lawful employment; (B) a school sanctioned activity; or (C) a religious event; or (2) accompanied in the front seat of the motor vehicle by a licensed driver with valid driving privileges who is: (A) at least twenty-five (25) years of age; or (B) if the licensed driver is the individual's spouse, at least twenty-one (21) years of age. [Pre-2016 Revision Citations: 9-24-1-4; 9-24-5-1; 9-24-11-3.3.] As added by P.L.198-2016, SEC.481.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 11. Issuance of License or Permit9-24-11-3.7. Operation of Motor Vehicle by Individual Less Than 21 Years of Age While Using a Telecommunications Device Prohibited

Sec. 3.7. An individual who is less than twenty-one (21) years of age may not operate a motor vehicle while using a telecommunications device, unless the individual is using the telecommunications device to make a 911 emergency call. [Pre-2016 Revision Citation: 9-24-11-3.3.] As added by P.L.198-2016, SEC.482.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 11. Issuance of License or Permit9-24-11-4. Only One License or Identification Card at the Same Time; Exception; Violation

Sec. 4. (a) Except as provided in subsection (d), an individual may not hold or possess more than one (1) physical credential at a time. (b) An individual may not hold or possess: (1) a physical credential; and (2) a driver's license or identification card issued by a government authority that issues driver's licenses and identification cards from another state, territory, federal district, commonwealth, or possession of the United States. (c) An individual shall destroy or surrender to the bureau any and all physical credentials that would cause the individual to violate subsection (a) or (b). (d) An individual may hold both a physical credential and a mobile credential issued under this article at the same time. (e) An individual who violates this section commits a Class C infraction. [Pre-1991 Recodification Citation: 9-1-4-26(a) part; Pre-2016 Revision Citation: subsection (c) formerly 9-24-3-4.] As added by P.L.2-1991, SEC.12. Amended by P.L.184-2007, SEC.37; P.L.85-2013, SEC.43; P.L.217-2014, SEC.83; P.L.149-2015, SEC.68; P.L.188-2015, SEC.94; P.L.197-2015, SEC.5; P.L.198-2016, SEC.483; P.L.178-2019, SEC.48; P.L.120-2020, SEC.27; P.L.211-2023, SEC.40.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 11. Issuance of License or Permit9-24-11-5.5. Indication of Veteran Status, Surviving Spouse of a Veteran Status, or Medical Condition

Sec. 5.5. (a) If an individual has: (1) indicated on the application for a driver's license or learner's permit that the individual is a veteran and wishes to have an indication of the individual's veteran status appear on the driver's license or learner's permit; and (2) provided proof of discharge at the time of application of the individual's veteran status; an indication of the individual's veteran status shall be shown on the driver's license or learner's permit. (b) If an individual has: (1) indicated on the individual's application for a driver's license or learner's permit that the applicant: (A) is a surviving spouse of a veteran; and (B) wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the driver's license or learner's permit; and (2) provided the documentation necessary to verify that the applicant was married, at the time of the decedent's death, to a veteran; an indication of the individual's status as a surviving spouse of a veteran shall be shown on the driver's license or learner's permit. (c) If an individual submits information concerning the individual's medical condition in conjunction with the individual's application for a driver's license or learner's permit, the bureau shall place an identifying symbol in a prominent location on a driver's license or learner's permit to indicate that the individual has a medical condition of note. The bureau shall include information on the individual's driver's license or learner's permit that briefly describes the individual's medical condition. The information must be notated in a manner that alerts an individual reading the driver's license or learner's permit to the existence of the medical condition. The individual submitting the information concerning the medical condition is responsible for its accuracy. [Pre-2016 Revision Citations: 9-24-11-5.5; subsection (b) formerly 9-24-11-5(e).] As added by P.L.118-2011, SEC.4. Amended by P.L.6-2012, SEC.69; P.L.85-2013, SEC.45; P.L.2-2014, SEC.41; P.L.77-2015, SEC.2; P.L.198-2016, SEC.485; P.L.65-2017, SEC.2; P.L.178-2019, SEC.50; P.L.120-2020, SEC.29; P.L.141-2024, SEC.26.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 11. Issuance of License or Permit9-24-11-5. Permit and License Contents; Acceptance for Federal Purposes; Temporary Status; Address Confidentiality Program Participants

Sec. 5. (a) Except as provided in subsection (d), a learner's permit or driver's license issued under this article must contain the following information: (1) The full legal name of the permittee or licensee. (2) The date of birth of the permittee or licensee. (3) The

address of the principal residence of the permittee or licensee. (4) The hair color and eye color of the permittee or licensee. (5) The date of issue and expiration date of the permit or license. (6) The gender of the permittee or licensee. (7) The unique identifying number of the permit or license. (8) The weight of the permittee or licensee. (9) The height of the permittee or licensee. (10) A reproduction of the signature of the permittee or licensee. (11) If the permittee or licensee is less than eighteen (18) years of age at the time of issuance, the dates, notated prominently, on which the permittee or licensee will become: (A) eighteen (18) years of age; and (B) twenty-one (21) years of age. (12) If the permittee or licensee is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date, notated prominently, on which the permittee or licensee will become twenty-one (21) years of age. (13) Except as provided in subsection (b), a digital photograph of the permittee or licensee. (b) The bureau may provide for the omission of a photograph or computerized image from any driver's license or learner's permit issued in the form of a physical credential if there is good cause for the omission. However, a driver's license or learner's permit issued without a digital photograph may not be issued in the form of a mobile credential and must include a statement that indicates that the driver's license or learner's permit issued without a digital photograph may not be accepted by a federal agency for federal identification or any other federal purpose. (c) A driver's license or learner's permit issued to an individual who has temporary lawful status as indicated by: (1) a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States; (2) a pending application for asylum in the United States; (3) a pending or approved application for temporary protected status in the United States; (4) having an approved deferred action status; or (5) a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States; must be clearly identified as a temporary driver's license or learner's permit. A temporary driver's license or learner's permit issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the licensee's or permittee's temporary status has been extended. (d) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence. [Pre-1991 Recodification Citation: 9-1-4-37(b); (f); (g); Pre-2016 Revision Citations: subsection (b) formerly 9-24-11-5(c); 9-24-11-5(f).] As added by P.L.2-1991, SEC.12. Amended by P.L.39-2000, SEC.11; P.L.42-2001, SEC.1; P.L.176-2001, SEC.13; P.L.1-2002, SEC.45; P.L.34-2003, SEC.2; P.L.86-2005, SEC.1; P.L.123-2005, SEC.3; P.L.37-2006, SEC.1; P.L.184-2007, SEC.38; P.L.76-2009, SEC.5; P.L.162-2009, SEC.3; P.L.1-2010, SEC.48; P.L.109-2011, SEC.9; P.L.85-2013, SEC.44; P.L.216-2014, SEC.52; P.L.149-2015, SEC.69; P.L.198-2016, SEC.484; P.L.86-2018, SEC.148; P.L.178-2019, SEC.49; P.L.120-2020, SEC.28; P.L.211-2023, SEC.41; P.L.141-2024, SEC.25.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 11. Issuance of License or Permit9-24-11-7. Restrictions

Sec. 7. The bureau, when issuing a permit or driver's license, may, whenever good cause appears, impose restrictions suitable to the licensee's or permittee's driving ability with respect to the type of or special mechanical control devices required on a motor vehicle that the licensee operates. The bureau may impose other restrictions applicable to the licensee or permittee that the bureau determines are appropriate to assure the safe operation of a motor vehicle by the licensee or permittee, including a requirement to take prescribed medication. When the restrictions are imposed, the bureau may issue either a special restricted license or shall set forth the restrictions upon the usual license form. [Pre-1991 Recodification Citation: 9-1-4-37(c).] As added by P.L.2-1991, SEC.12. Amended by P.L.208-2003, SEC.10; P.L.198-2016, SEC.486.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 11. Issuance of License or Permit9-24-11-8. Violations; License Suspension

Sec. 8. (a) Except as provided in subsections (b) and (c), an individual who violates this chapter commits a Class C infraction. (b) An individual who: (1) has been issued a permit or driver's license on which there is a notated restriction as provided under section 7 of this chapter; and (2) operates a motor vehicle in violation of the restriction; commits a Class C infraction. (c) An individual who causes serious bodily injury to or the death of another individual when operating a motor vehicle after knowingly or intentionally failing to take prescribed medication, the taking of which was a condition of the issuance of the restricted driver's license under section 7 of this chapter, commits a Class A misdemeanor. However, the offense is a Level 6 felony if, within the five (5) years preceding the commission of the offense, the individual had a prior unrelated conviction under this subsection. (d) An individual who violates subsection (c) commits a separate offense for each individual whose serious bodily injury or death is caused by the violation of subsection (c). (e) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 51 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021). [Pre-1991 Recodification Citations: 9-1-4-53(c) part; 9-1-4-37(d).] As added by P.L.2-1991, SEC.12. Amended by P.L.208-2003, SEC.11; P.L.158-2013, SEC.153; P.L.217-2014, SEC.84; P.L.188-2015, SEC.95; P.L.198-2016, SEC.487; P.L.178-2019, SEC.51; P.L.120-2020, SEC.30.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 11. Issuance of License or Permit9-24-11-9. Individuals With Medical Condition Causing Appearance of Intoxication

Sec. 9. (a) This section applies to an individual who has an existing medical condition that causes the individual to appear intoxicated. (b) A driver's license or permit (issued under IC 9-24-3), or a chauffeur's or a public passenger chauffeur's permit or license, issued to an individual under this section must bear a restriction on the permit or license. (c) An individual who wishes to

have a driver's license or permit (issued under IC 9-24-3), or a chauffeur's or a public passenger chauffeur's permit or license, issued under this section must provide a verified certificate from a physician licensed to practice in Indiana attesting to the individual's medical condition. The physician's certificate must be: (1) provided to the bureau at the time the individual applies for the permit or license under this section; (2) carried in any vehicle that the individual operates; and (3) renewed each time the individual's license is renewed. As added by P.L.134-1995, SEC.1. Amended by P.L.125-2012, SEC.208; P.L.85-2013, SEC.46; P.L.111-2021, SEC.62.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 12. Expiration and Renewal9-24-12-0.5. Permits; Expiration

Sec. 0.5. (a) A learner's permit issued in the form of a physical credential expires two (2) years after the date of issuance. (b) A motorcycle permit expires one (1) year after the date of issuance. A motorcycle permit may be renewed one (1) time for a period of one (1) year. An individual who does not obtain a motorcycle endorsement under IC 9-24-8.5 before the expiration of the renewed motorcycle permit may not reapply for a new motorcycle permit for a period of one (1) year after the date of expiration of the renewed motorcycle permit. (c) A commercial learner's permit expires one hundred eighty (180) days after the date of issuance. The bureau may issue not more than three (3) commercial learner's permits to an individual within a twenty-four (24) month period. (d) The fee to renew a permit that expires under this section is the applicable fee to issue the permit under this article. [Pre-2016 Revision Citation: subsection (b) formerly 9-24-8-3(c).] As added by P.L.101-2009, SEC.10. Amended by P.L.198-2016, SEC.489; P.L.211-2023, SEC.43.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 12. Expiration and Renewal9-24-12-1. Driver's License; Expiration

Sec. 1. (a) Except as provided in sections 10 and 11 of this chapter, a driver's license issued in the form of a physical credential to an applicant who is at least seventy-five (75) years of age expires at midnight of the birthday of the holder that occurs three (3) years following the date of issuance. (b) Except as provided in subsections (a) and (c) and sections 10 and 11 of this chapter, a driver's license issued in the form of a physical credential under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance. (c) A driver's license issued in the form of a physical credential to an individual who is less than twenty-one (21) years of age expires at midnight of the date thirty (30) days after the twenty-first birthday of the holder. However, if the individual complies with IC 9-24-9-2.5, the driver's license expires: (1) at midnight one (1) year after issuance if there is no expiration date on the authorization granted to the individual to remain in the United States; or (2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following: (A) At midnight of the date the authorization to remain in the United States expires. (B) At midnight of the date thirty (30) days after the twenty-first birthday of the holder. [Pre-1991 Recodification Citation: 9-1-4-38(a) part; Pre-2016 Revision Citation: subsection (d) formerly 9-24-12-1(e).] As added by P.L.2-1991, SEC.12. Amended by P.L.62-1996, SEC.11; P.L.210-2005, SEC.42; P.L.41-2006, SEC.3; P.L.156-2006, SEC.12; P.L.184-2007, SEC.39; P.L.101-2009, SEC.11; P.L.87-2010, SEC.30; P.L.103-2012, SEC.1; P.L.150-2015, SEC.5; P.L.198-2016, SEC.490; P.L.156-2020, SEC.47; P.L.111-2021, SEC.64; P.L.211-2023, SEC.44; P.L.141-2024, SEC.27.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 12. Expiration and Renewal9-24-12-10. Driver at Least 85 Years of Age; Renewal

Sec. 10. Except as provided in section 11 of this chapter, a driver's license issued to or renewed by a driver who is at least eighty-five (85) years of age expires at midnight of the birthday of the holder that occurs two (2) years following the date of issuance. As added by P.L.210-2005, SEC.46. Amended by P.L.41-2006, SEC.7; P.L.109-2011, SEC.13; P.L.85-2013, SEC.52; P.L.198-2016, SEC.496.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 12. Expiration and Renewal9-24-12-11. Expiration of Licenses Under Certain Conditions

Sec. 11. (a) This section applies to a driver's license other than a commercial driver's license. (b) If the birthday of a holder on which the holder's driver's license would otherwise expire falls on: (1) Sunday; (2) a legal holiday (as set forth in IC 1-1-9-1); or (3) a weekday when all license branches in the county of residence of the holder are closed; the driver's license of the holder does not expire until midnight of the first day after the birthday on which a license branch is open for business in the county of residence of the holder. (c) A driver's license issued to an applicant who complies with IC 9-24-9-2.5 expires: (1) at midnight one (1) year after issuance if there is no expiration date on the authorization granted to the individual to remain in the United States; or (2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following: (A) At midnight of the date the authorization of the holder to have lawful status as a permanent resident or conditional resident alien of the United States expires. (B) At midnight of the birthday of the holder that occurs six (6) years after the date of issuance. (d) A driver's license expires upon the bureau receiving notice of the death of the holder. [Pre-2016 Revision Citation: subsection (c) formerly 9-24-12-12(b).] As added by P.L.41-2006, SEC.8. Amended by P.L.109-2011, SEC.14; P.L.149-2015, SEC.70; P.L.198-2016, SEC.497; P.L.211-2023, SEC.47; P.L.141-2024, SEC.30.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 12. Expiration and Renewal9-24-12-13. Failure to Renew Driver's License; Administrative Penalty

Sec. 13. An individual who fails to renew the individual's driver's license on or before the driver's license expiration date shall pay to the bureau an administrative penalty as follows: (1) Before January 1, 2017, an administrative penalty of five dollars ($5). (2) After December 31, 2016, an administrative penalty of six dollars ($6). An administrative penalty shall be deposited in the commission fund. As added by P.L.198-2016, SEC.499.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 12. Expiration and Renewal9-24-12-4. Renewal Applications; Filing Requirements for Certain Individuals

Sec. 4. (a) Except as provided in subsections (c) and (d), the application for renewal of: (1) a driver's license; (2) a chauffeur's license (before the expiration of IC 9-24-4 on July 1, 2024); (3) a public passenger chauffeur's license (before the expiration of IC 9-24-5 on July 1, 2022); (4) an identification card; or (5) a photo exempt identification card; under this article may be filed not more than twenty-four (24) months before the expiration date of the license, identification card, or photo exempt identification card held by the applicant. (b) Except as provided in subsections (c) and (d), an application for the renewal of a learner's permit issued under this article may be filed not more than thirty (30) days before the expiration of the learner's permit. (c) When the applicant complies with IC 9-24-9-2.5, an application for renewal of a driver's license in subsection (a)(1), (a)(2), or (a)(3) may be filed not more than one (1) month before the expiration date of the license held by the applicant. (d) When the applicant complies with IC 9-24-16-3.5, an application for renewal of an identification card under subsection (a)(4) may be filed not more than one (1) month before the expiration date of the identification card held by the applicant. [Pre-1991 Recodification Citation: 9-1-4-38(d).] As added by P.L.2-1991, SEC.12. Amended by P.L.176-2001, SEC.14; P.L.1-2002, SEC.46; P.L.184-2007, SEC.42; P.L.76-2009, SEC.6; P.L.162-2009, SEC.4; P.L.109-2011, SEC.10; P.L.2-2014, SEC.42; P.L.197-2015, SEC.6; P.L.198-2016, SEC.493; P.L.147-2018, SEC.19; P.L.111-2021, SEC.65; P.L.211-2023, SEC.45; P.L.141-2024, SEC.28.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 12. Expiration and Renewal9-24-12-5. Renewal Requirements; Fees

Sec. 5. (a) Except as provided in subsection (b), and subject to subsection (d), an individual applying for renewal of a driver's license in the form of a physical credential (issued under IC 9-24-3), or a chauffeur's or a public passenger chauffeur's license, including any endorsements in effect with respect to the license, must apply in person at a license branch and do the following: (1) Pass an eyesight examination. (2) Pass a written examination if: (A) the applicant has at least six (6) active points on the applicant's driving record maintained by the bureau; (B) the applicant has not reached the applicant's twenty-first birthday and has active points on the applicant's driving record maintained by the bureau; or (C) the applicant is in possession of a driver's license that is expired beyond one hundred eighty (180) days. (b) The holder of a driver's license in the form of a physical credential (issued under IC 9-24-3), a chauffeur's or a public passenger chauffeur's license, or a learner's permit issued in the form of a physical credential under IC 9-24-7 may renew the license, including any endorsements in effect with respect to the license, by mail or by electronic service, subject to the following conditions: (1) A valid computerized image of the individual must exist within the records of the bureau. (2) The previous renewal of the individual's driver's license (issued under IC 9-24-3), chauffeur's or public passenger chauffeur's license, or a learner's permit issued under IC 9-24-7 must not have been by mail or by electronic service. (3) The application for or previous renewal of the individual's license or permit must have included a test of the individual's eyesight approved by the bureau. (4) If the individual were applying for the license or permit renewal in person at a license branch, the individual would not be required under subsection (a)(2) to submit to a written examination. (5) The individual must be a citizen of the United States, as shown in the records of the bureau. (6) There must not have been any change in the: (A) address; or (B) name; of the individual since the issuance or previous renewal of the individual's driver's license (issued under IC 9-24-3), chauffeur's or public passenger chauffeur's license, or a learner's permit issued under IC 9-24-7. (7) The driver's license (issued under IC 9-24-3), chauffeur's or public passenger chauffeur's license, or a learner's permit issued under IC 9-24-7 of the individual must not be: (A) suspended; or (B) expired more than one hundred eighty (180) days; at the time of the application for renewal. (8) If the individual is seventy-five (75) years of age or older at the time of the application for renewal, the individual must provide proof, on a form approved by the bureau, that the individual has passed an eyesight examination within thirty (30) days prior to the renewal application. (c) An individual applying for the renewal of a driver's license issued in the form of a physical credential (issued under IC 9-24-3), a chauffeur's license or a public passenger chauffeur's license, or a learner's permit issued in the form of a physical credential under IC 9-24-7, including any endorsements in effect with respect to the license, must apply in person at a license branch under subsection (a) if the individual is not entitled to apply by mail or by electronic service under subsection (b). (d) The bureau may not issue or renew a chauffeur's or a public passenger chauffeur's license after December 31, 2016. If a holder of a chauffeur's or a public passenger chauffeur's license applies after December 31, 2016, for renewal of the chauffeur's or public passenger chauffeur's license, the bureau shall issue to the holder a driver's license under IC 9-24-3 with a for-hire endorsement if the holder: (1) applies in a form and manner prescribed by the bureau; and (2) satisfies the requirements for renewal of a driver's license issued under IC 9-24-3, including the fee and examination requirements under this section. (e) An individual applying for the renewal of a driver's license issued in the form of a physical credential under IC 9-24-3 shall pay the following applicable fee: (1) If the individual is less than seventy-five (75) years of age, seventeen dollars and fifty cents ($17.50). The fee shall be distributed as follows: (A) Fifty cents ($0.50) to the state motor vehicle technology fund. (B) Two dollars ($2) to the crossroads 2000 fund. (C) Four dollars and fifty cents ($4.50) to the motor vehicle highway account. (D) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (E) Nine dollars and twenty-five cents ($9.25) to the commission fund. (2) If the individual is at least seventy-five (75) years of age and

less than eighty-five (85) years of age, eleven dollars ($11). The fee shall be distributed as follows: (A) Fifty cents ($0.50) to the state motor vehicle technology fund. (B) One dollar and fifty cents ($1.50) to the crossroads 2000 fund. (C) Three dollars ($3) to the motor vehicle highway account. (D) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (E) Four dollars and seventy-five cents ($4.75) to the commission fund. (3) If the individual is at least eighty-five (85) years of age, seven dollars ($7). The fee shall be distributed as follows: (A) Fifty cents ($0.50) to the state motor vehicle technology fund. (B) One dollar ($1) to the crossroads 2000 fund. (C) Two dollars ($2) to the motor vehicle highway account. (D) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (E) Two dollars and twenty-five cents ($2.25) to the commission fund. A fee paid under this subsection after December 31, 2016, includes the renewal of any endorsements that are in effect with respect to the driver's license issued in the form of a physical credential under IC 9-24-3 at the time of renewal. [Pre-1991 Recodification Citation: 9-1-4-34.1(g); Pre-2016 Revision Citations: 9-29-9-2.1; subsection (f) formerly 9-29-9-4; subsection (g) formerly 9-29-9-5.] As added by P.L.2-1991, SEC.12. Amended by P.L.176-2001, SEC.15; P.L.210-2005, SEC.44; P.L.156-2006, SEC.14; P.L.76-2009, SEC.2; P.L.162-2009, SEC.5; P.L.87-2010, SEC.31; P.L.109-2011, SEC.11; P.L.125-2012, SEC.212; P.L.85-2013, SEC.50; P.L.198-2016, SEC.494; P.L.256-2017, SEC.174; P.L.178-2019, SEC.52; P.L.111-2021, SEC.66; P.L.211-2023, SEC.46.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 12. Expiration and Renewal9-24-12-6. Individuals Temporarily Residing Outside Indiana; Renewal

Sec. 6. (a) When the Indiana driver's license of an individual who is temporarily residing outside Indiana because of service in the armed forces of the United States has expired, the driver's license remains valid for ninety (90) days following the individual's discharge from service in the armed forces or postdeployment in the armed forces. To obtain a renewed driver's license, the individual must do the following: (1) Apply for a renewal of the driver's license during the ninety (90) day period following the individual's discharge or postdeployment in the armed forces. (2) Show proof of discharge from service in the armed forces or status as postdeployment in the armed forces to the bureau when applying for the renewal. An individual who held a commercial driver's license that expired during the individual's service in the armed forces may renew the commercial driver's license as if the commercial driver's license had not expired but had remained valid during the period of service in the armed forces of the United States. (b) When the Indiana driver's license of an individual who is temporarily residing outside Indiana because of the service of a spouse, parent, or guardian in the armed forces of the United States has expired, the driver's license remains valid for ninety (90) days following the discharge from service in the armed forces or end of deployment in the armed forces of the individual's spouse, parent, or guardian. To obtain a renewed driver's license, the individual must do the following: (1) Apply for a renewal of the driver's license during the ninety (90) day period following the discharge from or end of deployment in the armed forces of the individual's spouse, parent, or guardian. (2) Show to the bureau proof of discharge or end of deployment in the armed forces of the individual's spouse, parent, or guardian when applying for the renewal. [Pre-1991 Recodification Citation: 9-1-4-28.] As added by P.L.2-1991, SEC.12. Amended by P.L.184-2007, SEC.43; P.L.76-2009, SEC.7; P.L.85-2013, SEC.51; P.L.141-2024, SEC.29.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 12. Expiration and Renewal9-24-12-7. Expiration of Endorsements

Sec. 7. (a) An endorsement added to a driver's license remains in effect for the same term as the driver's license being endorsed and is subject to renewal at and after the expiration of the driver's license in accordance with this chapter. (b) After December 31, 2016, there is no fee to renew an endorsement that is in effect with respect to a driver's license. [Pre-1991 Recodification Citations: 9-1-4-33.1(f); 9-1-4-33.3(d); 9-1-4-38(a) part.] As added by P.L.2-1991, SEC.12. Amended by P.L.62-1996, SEC.14; P.L.210-2005, SEC.45; P.L.41-2006, SEC.6; P.L.156-2006, SEC.15; P.L.184-2007, SEC.44; P.L.109-2011, SEC.12; P.L.221-2014, SEC.65; P.L.198-2016, SEC.495.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 13. Rights and Duties of Licensees and Permittees9-24-13-1. Statewide Privileges; Local Licenses Not Required

Sec. 1. An individual holding a driver's license issued under this article may exercise the privilege granted by the driver's license upon all highways and is not required to obtain any other driver's license to exercise the privilege by a county, municipal, or local board or by any body having authority to adopt local police regulations. [Pre-1991 Recodification Citation: 9-1-4-26(e).] As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.500.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 13. Rights and Duties of Licensees and Permittees9-24-13-3. Possession and Display of Licenses and Permits; Mobile Credentials

Sec. 3. (a) An individual holding a permit or driver's license issued in the form of a physical credential under this article must have the permit or driver's license in the form of the physical credential in the individual's immediate possession when driving or operating a motor vehicle. The individual shall display the driver's license or permit in the form of a physical credential upon demand of a court or a police officer authorized by law to enforce motor vehicle rules. (b) If the permit or driver's license is a mobile credential, a court or a police officer authorized by law to enforce motor vehicle rules may not, without the consent of the person: (1) confiscate a telecommunications device for the purpose of determining compliance with this section; (2) confiscate a

telecommunications device and retain it as evidence pending trial for a violation of this section; or (3) extract or otherwise download information from a telecommunications device for a violation of this section unless: (A) the court or police officer has probable cause to believe the telecommunications device has been used in the commission of a crime; (B) the information is extracted or otherwise downloaded under a valid search warrant; or (C) otherwise authorized by law. (c) The transmission of data from a mobile credential shall not serve as consent or authorization for the court, a police officer, or any other person to search, view, or access any data or application on the telecommunications device other than the mobile credential. If a person presents the person's telecommunications device to the court, a police officer, or any other person for the purposes of sharing data from the person's mobile credential, the court, police officer, or person receiving the data from the mobile credential shall not handle the telecommunications device in order to view the mobile credential and to verify the identity of the person. [Pre-1991 Recodification Citation: 9-1-4-40(b).] As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.501; P.L.178-2019, SEC.53; P.L.120-2020, SEC.31; P.L.211-2023, SEC.48.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 13. Rights and Duties of Licensees and Permittees9-24-13-4. Application for Amended License or Permit Due to Change in Residence or Name

Sec. 4. If: (1) an individual holding a driver's license or permit issued in the form of a physical credential under this article changes the address shown on the driver's license or permit application; or (2) the name of a licensee or permittee is changed by marriage or otherwise; the licensee or permittee shall make application for an amended driver's license or permit issued in the form of a physical credential under IC 9-24-9 containing the correct information within thirty (30) days of the change. For fee purposes, the application shall be treated as a replacement license under IC 9-24-14-1. [Pre-1991 Recodification Citation: 9-1-4-36(b) part.] As added by P.L.2-1991, SEC.12. Amended by P.L.39-2000, SEC.12; P.L.184-2007, SEC.46; P.L.109-2011, SEC.16; P.L.198-2016, SEC.502; P.L.256-2017, SEC.175; P.L.211-2023, SEC.49.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 13. Rights and Duties of Licensees and Permittees9-24-13-5. Violations

Sec. 5. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-1-4-53(c) part.] As added by P.L.2-1991, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 13. Rights and Duties of Licensees and Permittees9-24-13-6. Validity of Licenses and Permits; Burden of Proof; Production of Evidence

Sec. 6. (a) Subject to subsection (b), in a proceeding to enforce section 3 of this chapter, the burden is on the defendant to prove by a preponderance of the evidence that the defendant had been issued a driver's license or permit that was valid at the time of the alleged violation. (b) An individual may not be convicted of violating section 3 of this chapter if the individual, within five (5) days from the time of apprehension, produces to the apprehending officer or headquarters of the apprehending officer satisfactory evidence of a permit or driver's license issued to the individual that was valid at the time of the individual's apprehension. [Pre-1991 Recodification Citation: 9-1-4-40(c).] As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.503.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 14. Replacement License9-24-14-1. Fees

Sec. 1. If a permit or driver's license issued in the form of a physical credential under this article is lost or destroyed, and as provided in section 3.5 of this chapter, the individual to whom the permit or driver's license was issued may obtain a replacement if the individual pays a fee as follows: (1) For a replacement permit or driver's license, other than a commercial driver's license, issued before January 1, 2017, ten dollars and fifty cents ($10.50). The fee shall be distributed as follows: (A) Fifty cents ($0.50) to the state motor vehicle technology fund. (B) One dollar and fifty cents ($1.50) to the crossroads 2000 fund. (C) One dollar and fifty cents ($1.50) to the motor vehicle highway account. (D) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (E) Five dollars and seventy-five cents ($5.75) to the commission fund. (2) For a replacement commercial driver's license issued before January 1, 2017, five dollars and fifty cents ($5.50). The fee shall be distributed as follows: (A) Fifty cents ($0.50) to the state motor vehicle technology fund. (B) One dollar ($1) to the crossroads 2000 fund. (C) One dollar and fifty cents ($1.50) to the motor vehicle highway account. (D) Two dollars and fifty cents ($2.50) to the commission fund. (3) For a replacement permit or driver's license issued after December 31, 2016, nine dollars ($9). The fee shall be distributed as follows: (A) Twenty-five cents ($0.25) to the motor vehicle highway account. (B) Fifty cents ($0.50) to the state motor vehicle technology fund. (C) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (D) Two dollars ($2) to the crossroads 2000 fund. (E) Five dollars ($5) to the commission fund. [Pre-1991 Recodification Citation: 9-1-4-39; Pre-2016 Revision Citation: 9-29-9-2.5.] As added by P.L.2-1991, SEC.12. Amended by P.L.87-2010, SEC.32; P.L.125-2012, SEC.213; P.L.198-2016, SEC.504; P.L.256-2017, SEC.176; P.L.211-2023, SEC.50.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 14. Replacement License9-24-14-3.5. Replacement License or Permit by Electronic Service

Sec. 3.5. (a) If a valid computerized image or digital photograph of an individual exists within the records of the bureau, an individual may apply for a replacement driver's license or learner's permit issued in the form of a physical credential by electronic

service. (b) An individual may apply by electronic service for the individual's driver's license or learner's permit to be converted into an identification card for a nondriver. (c) An individual must apply in person at a license branch if the individual is not entitled to apply by mail or by electronic service. As added by P.L.87-2010, SEC.33. Amended by P.L.109-2011, SEC.17; P.L.198-2016, SEC.505; P.L.111-2021, SEC.67; P.L.118-2022, SEC.29; P.L.211-2023, SEC.51; P.L.141-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 14. Replacement License9-24-14-4. Violations

Sec. 4. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-1-4-53(c) part.] As added by P.L.2-1991, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16.5. Photo Exempt Identification Cards9-24-16.5-1. Bureau to Issue Photo Exempt Identification Cards

Sec. 1. The bureau shall issue a photo exempt identification card to an individual who meets the following conditions: (1) Makes an application. (2) Is an Indiana resident. (3) Has provided valid documentary evidence to the bureau of the lawful status in the United States of the individual, as required by section 2(a)(10) of this chapter. As added by P.L.197-2015, SEC.9. Amended by P.L.198-2016, SEC.515.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16.5. Photo Exempt Identification Cards9-24-16.5-10. False Use of Photo Exempt Identification Card; Penalty

Sec. 10. A person who: (1) knowingly permits the use of a photo exempt identification card issued under this chapter by a person other than the person to whom the card was issued; (2) knowingly displays or represents as the person's own photo exempt identification card issued under this chapter a photo exempt identification card that was not issued to the person displaying the card or representing that the card is the person's card; (3) knowingly or intentionally does not surrender, upon demand of the proper official, a photo exempt identification card issued under this chapter that has become invalid or expired; or (4) knowingly sells, offers to sell, buys, possesses, or offers a false photo exempt identification card that could reasonably be mistaken for a valid photo exempt identification card required by this chapter to be issued by the bureau but that has not been issued by the bureau; commits a Class B misdemeanor. As added by P.L.197-2015, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16.5. Photo Exempt Identification Cards9-24-16.5-11. Forging of Photo Exempt Identification Card; Penalty

Sec. 11. A person who forges or reproduces a photo exempt identification card issued under this chapter: (1) with intent to use the photo exempt identification card; or (2) with intent that the photo exempt identification card may be used by another person; commits a Class B misdemeanor. As added by P.L.197-2015, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16.5. Photo Exempt Identification Cards9-24-16.5-12. Commissioner and Employees or Agents of the Bureau Not Civilly Responsible for Validity of Information on Photo Exempt Identification Card

Sec. 12. The commissioner and the employees or agents of the bureau are not civilly responsible for the validity of information contained on a photo exempt identification card issued under this chapter. The bureau may adopt rules under IC 4-22-2 to place an appropriate disclaimer on a photo exempt identification card. As added by P.L.197-2015, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16.5. Photo Exempt Identification Cards9-24-16.5-13. Retailer or Employee; Immunity From Civil Liability After Accepting Photo Exempt Identification Card

Sec. 13. Except for gross misconduct, if a retailer, or an employee of a retailer, in good faith accepts a photo exempt identification card issued under this chapter as proof of identification for purposes of a retail transaction, the retailer or employee is immune from any civil liability that may occur as a result of the acceptance. As added by P.L.197-2015, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16.5. Photo Exempt Identification Cards9-24-16.5-14. Fee

Sec. 14. (a) The fee to issue, renew, replace, or amend a photo exempt identification card issued before January 1, 2017, is as follows: (1) To an individual who is less than sixty-five (65) years of age, eleven dollars and fifty cents ($11.50). The fee shall be distributed as follows: (A) Fifty cents ($0.50) to the state motor vehicle technology fund. (B) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (C) Two dollars and seventy-five cents ($2.75) to the motor vehicle highway account. (D) Seven dollars ($7) to the commission fund. (2) To an individual who is at least sixty-five (65) years of age or to an individual with a physical disability who is not entitled to obtain a driver's license, nine dollars ($9). The fee shall be distributed as follows: (A) Fifty cents ($0.50) to the state motor vehicle technology fund. (B) One dollar and fifty cents ($1.50) to the motor vehicle highway account. (C) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (D) Five dollars and seventy-five cents ($5.75) to the commission fund. (b) The fee to issue, renew, replace, or amend a photo exempt identification card issued after December 31, 2016, is nine dollars ($9). The fee shall be distributed as follows: (1)

Twenty-five cents ($0.25) to the motor vehicle highway account. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (4) Two dollars ($2) to the crossroads 2000 fund. (5) Five dollars ($5) to the commission fund. As added by P.L.198-2016, SEC.518. Amended by P.L.256-2017, SEC.180.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16.5. Photo Exempt Identification Cards9-24-16.5-15. Additional Fee

Sec. 15. (a) The bureau may impose an additional fee of twenty-five dollars ($25) if the bureau processes an application for a physical credential under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund. (b) A fee imposed under this section is in addition to any other fee imposed under this chapter. As added by P.L.111-2021, SEC.75. Amended by P.L.211-2023, SEC.60.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16.5. Photo Exempt Identification Cards9-24-16.5-2. Required Information for Application for Photo Exempt Identification Card

Sec. 2. (a) An application for a photo exempt identification card issued under this chapter must require the following information concerning an applicant: (1) The full legal name of the applicant. (2) The applicant's date of birth. (3) The gender of the applicant. (4) The applicant's height, weight, hair color, and eye color. (5) The principal address and mailing address of the applicant. (6) A: (A) valid Social Security number; (B) verification of the applicant's ineligibility to be issued a Social Security number; or (C) statement from the applicant in which the applicant swears or affirms that the applicant has a sincerely held religious belief against the issuance of a Social Security number to the applicant and a copy of Form 4029 from the United States Internal Revenue Service concerning the applicant. (7) A digital image of the applicant. (8) A statement: (A) from the applicant in which the applicant swears or affirms that the applicant has a sincerely held religious belief against the taking of a photograph of the applicant; and (B) from a member of the clergy of the religious organization of which the applicant is a member regarding the prohibition of photography of members of the religious organization. (9) The signature of the applicant. (10) Valid documentary evidence that the applicant is a citizen or national of the United States. The bureau shall maintain records of the information provided under this subdivision. (b) The image required under subsection (a)(7) is a confidential public record in accordance with IC 5-14-3-4(a) and IC 9-14-13-2. (c) The bureau may invalidate a photo exempt identification card that the bureau believes to have been issued as a result of fraudulent documentation. (d) The bureau: (1) shall adopt rules under IC 4-22-2 to establish a procedure to verify an applicant's identity; and (2) may adopt rules to establish a procedure to temporarily invalidate a photo exempt identification card that the bureau believes to have been issued based on fraudulent documentation. As added by P.L.197-2015, SEC.9. Amended by P.L.198-2016, SEC.516.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16.5. Photo Exempt Identification Cards9-24-16.5-3. Information Required on Photo Exempt Identification Card

Sec. 3. (a) A photo exempt identification card must have the same dimensions and shape as a driver's license and an identification card issued under IC 9-24-16, but the photo exempt identification card must have markings sufficient to distinguish the card from a driver's license or an identification card. (b) The front side of a photo exempt identification card must contain the following information about the individual to whom the card is being issued: (1) Full legal name. (2) The address of the principal residence. (3) Date of birth. (4) Date of issue and date of expiration. (5) Unique identification number. (6) Gender. (7) Weight. (8) Height. (9) Color of eyes and hair. (10) A reproduction of the signature of the individual identified. (11) If the individual is less than eighteen (18) years of age at the time of issuance, the dates on which the individual will become: (A) eighteen (18) years of age; and (B) twenty-one (21) years of age. (12) If the individual is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the individual will become twenty-one (21) years of age. (c) The front side of a photo exempt identification card may not bear an image of the holder of the photo exempt identification card. (d) The information contained on the photo exempt identification card as required by subsection (b)(11) or (b)(12) for an individual who is less than twenty-one (21) years of age at the time of issuance must be printed prominently on the photo exempt identification card. As added by P.L.197-2015, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16.5. Photo Exempt Identification Cards9-24-16.5-4. Photo Exempt Identification Card Not Accepted by Federal Agency

Sec. 4. A photo exempt identification card must include a statement on the card that indicates that the photo exempt identification card may not be accepted by any federal agency for federal identification or any other federal purpose. As added by P.L.197-2015, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16.5. Photo Exempt Identification Cards9-24-16.5-5. Photo Exempt Identification Card; Expiration; Renewal

Sec. 5. (a) A photo exempt identification card expires at midnight on the birth date of the holder that occurs six (6) years following the date of issuance. (b) An application for renewal of a photo exempt identification card may be made not more than twenty-four (24) months before the expiration date of the card. (c) A renewed photo exempt identification card is valid on the birth date of the

holder and remains valid for six (6) years. (d) A photo exempt identification card may not be renewed if the holder was issued a driver's license or an identification card after the last issuance of a photo exempt identification card. (e) An application for the renewal of a photo exempt identification card may not be made by mail or by electronic service. As added by P.L.197-2015, SEC.9. Amended by P.L.147-2018, SEC.21.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16.5. Photo Exempt Identification Cards9-24-16.5-6. Photo Exempt Identification Card; Amended Card; Replacement Card

Sec. 6. (a) The bureau shall issue: (1) an amended photo exempt identification card if any information contained on the photo exempt identification card becomes invalid or obsolete; or (2) a replacement photo exempt identification card if the card is lost, stolen, damaged, or destroyed. (b) If information on a photo exempt identification card becomes invalid or obsolete, the holder shall, within thirty (30) days after the card becomes invalid or obsolete, apply for an amended card containing correct information. (c) If a photo exempt identification card is lost, stolen, damaged, or destroyed, the holder may apply for a replacement card. (d) An application for an amended or replacement photo exempt identification card may not be made by mail or by electronic service. As added by P.L.197-2015, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16.5. Photo Exempt Identification Cards9-24-16.5-8. Photo Exempt Identification Card; Not to Be Used by Operator of Motor Vehicle

Sec. 8. Except as provided in IC 9-24-1-7(b), a photo exempt identification card issued under this chapter may not be used to identify the individual who holds the photo exempt identification card as the operator of a motor vehicle. As added by P.L.197-2015, SEC.9. Amended by P.L.256-2017, SEC.179.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16.5. Photo Exempt Identification Cards9-24-16.5-9. Photo Exempt Identification Card and Identification Card May Not Be Held at the Same Time

Sec. 9. (a) An individual may not hold a photo exempt identification card and an identification card issued under IC 9-24-16 at the same time. (b) An individual who violates this section commits a Class C infraction. As added by P.L.197-2015, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-0.5. Chapter Not Applicable to Photo Exempt Identification Cards

Sec. 0.5. This chapter does not apply to photo exempt identification cards. As added by P.L.197-2015, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-1. Issuance; Conditions; Documentary Evidence of Lawful Status

Sec. 1. The bureau shall issue an identification card in the form of a physical credential to an individual who meets the following conditions: (1) Makes an application. (2) Is an Indiana resident. (3) Has presented valid documentary evidence to the bureau of the individual's lawful status in the United States, as required by section 3.5 of this chapter. [Pre-1991 Recodification Citation: 9-5-3.1-1(a).] As added by P.L.2-1991, SEC.12. Amended by P.L.127-1993, SEC.4; P.L.184-2007, SEC.47; P.L.198-2016, SEC.508; P.L.211-2023, SEC.52; P.L.141-2024, SEC.32.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-10. Adoption of Rules; Fees

Sec. 10. (a) The bureau may: (1) adopt rules under IC 4-22-2, including rules to: (A) verify an applicant's identity, lawful status, and residence; and (B) invalidate on a temporary basis a license or permit that was issued based on fraudulent documentation; and (2) prescribe all forms necessary; to implement this chapter. (b) The bureau may not impose a fee for the issuance of: (1) an original; (2) a renewal of an; (3) a replacement; or (4) an amended; identification card to an individual described in subsection (c). For purposes of this subsection, the amendment of an identification card includes the addition of a motor driven cycle endorsement to the identification card. (c) An identification card must be issued without the payment of a fee or charge to an individual who does not have a valid Indiana driver's license if the individual: (1) will be at least eighteen (18) years of age and eligible to vote in the next general, municipal, or special election; (2) is: (A) at least sixteen (16) years of age; and (B) under the care and supervision of the department of child services; or (3) represents, pursuant to IC 31-36-3-4(b), a homeless youth (as defined in IC 31-36-3-4) and presents a fee and consent waiver affidavit described in IC 31-36-3-4(c). (d) The fee to issue, renew, replace, or amend an identification card issued before January 1, 2017, is as follows: (1) To an individual who is less than sixty-five (65) years of age, eleven dollars and fifty cents ($11.50). The fee shall be distributed as follows: (A) Fifty cents ($0.50) to the state motor vehicle technology fund. (B) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (C) Two dollars and seventy-five cents ($2.75) to the motor vehicle highway account. (D) Seven dollars ($7) to the commission fund. (2) To an individual who is at least sixty-five (65) years of age or to an individual with a physical disability who is not entitled to obtain a driver's license, nine dollars ($9). The fee shall be distributed as follows: (A) Fifty cents ($0.50) to the state motor vehicle technology fund. (B) One dollar and fifty cents ($1.50) to the motor vehicle highway account. (C) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (D) Five dollars and seventy-five cents ($5.75) to the commission fund.

(e) The fee to issue, renew, replace, or amend an identification card issued after December 31, 2016, is nine dollars ($9). The fee shall be distributed as follows: (1) Twenty-five cents ($0.25) to the motor vehicle highway account. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (4) Two dollars ($2) to the crossroads 2000 fund. (5) Five dollars ($5) to the commission fund. [Pre-1991 Recodification Citation: 9-5-3.1-10; Pre-2016 Revision Citation: subsection (b) formerly 9-29-9-15.] As added by P.L.2-1991, SEC.12. Amended by P.L.109-2005, SEC.15; P.L.109-2011, SEC.26; P.L.125-2012, SEC.231; P.L.85-2013, SEC.61; P.L.221-2014, SEC.70; P.L.149-2015, SEC.71; P.L.198-2016, SEC.513; P.L.116-2017, SEC.7; P.L.256-2017, SEC.177; P.L.155-2019, SEC.4; P.L.111-2021, SEC.73.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-11.4. Identification Card Acceptability for Purposes of Identification

Sec. 11.4. A person, a business, a financial institution, or an organization that accepts a driver's license issued under this article as identification of the person who holds the license shall accept an identification card issued under this chapter as identification of the person who holds the card. As added by P.L.81-1991, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-11.6. Identification Card Use to Identify Holder as Operator of Motor Vehicle

Sec. 11.6. Except as provided in IC 9-24-1-7(b), an identification card issued under this chapter may not be used to identify the person who holds the identification card as the operator of a motor vehicle. As added by P.L.81-1991, SEC.10. Amended by P.L.256-2017, SEC.178.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-11. Civil Responsibility; Disclaimer

Sec. 11. The commissioner and the employees or agents of the bureau are not civilly responsible for the validity of information contained on an identification card issued under this chapter. The bureau may adopt rules to place an appropriate disclaimer on an identification card. [Pre-1991 Recodification Citation: 9-5-3.1-11.] As added by P.L.2-1991, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-12.5. Inauthentic Cards; Use of False Information

Sec. 12.5. (a) A person who knowingly sells, offers to sell, buys, produces, forges, counterfeits, or offers a false identification card that could reasonably be mistaken for a valid identification card required by this chapter to be issued by the bureau but that has not been issued by the bureau commits a Class B misdemeanor. (b) A person who: (1) knowingly or intentionally uses false information in an application: (A) for an identification card issued under this chapter; or (B) for a renewal, amendment, or replacement of an identification card issued under this chapter; or (2) knowingly or intentionally makes a false statement or otherwise commits fraud in an application for an identification card issued under this chapter; commits application fraud, a Level 6 felony. As added by P.L.217-2014, SEC.89.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-12. Misuse of Card

Sec. 12. A person who: (1) knowingly permits the use of an identification card issued under this chapter by a person other than the person to whom the card was issued; (2) knowingly displays or represents as the person's own identification card issued under this chapter an identification card that was not issued to the person displaying the card; or (3) does not surrender, upon demand of the proper official, an identification card issued under this chapter that has become invalid or expired; commits a Class C misdemeanor. [Pre-1991 Recodification Citation: 9-5-3.1-6(c).] As added by P.L.2-1991, SEC.12. Amended by P.L.98-1996, SEC.1; P.L.106-2006, SEC.1; P.L.109-2011, SEC.27; P.L.158-2013, SEC.155; P.L.217-2014, SEC.88.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-15. Additional Fee

Sec. 15. (a) The bureau may impose an additional fee of twenty-five dollars ($25) if the bureau processes an application for a physical credential under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund. (b) A fee imposed under this section is in addition to any other fee imposed under this chapter. As added by P.L.111-2021, SEC.74. Amended by P.L.211-2023, SEC.59.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-2. Contents of Application; Conditions; Required Information; Veteran or Surviving Spouse of a Veteran Status; Address Confidentiality Program Participants

Sec. 2. (a) Except for an application for a minor applicant, an application for an identification card to be issued under this chapter in the form of a physical credential must contain the following questions: (1) "Have you served in the armed forces of the United

States?". (2) "Are you the surviving spouse of someone who served in the armed forces of the United States or their reserves, in the National Guard, or in the Indiana National Guard?". (b) In addition to the questions set forth in subsection (a), an application for an identification card issued under this chapter in the form of a physical credential must require the following information concerning an applicant: (1) The full legal name of the applicant. (2) The applicant's date of birth. (3) The gender of the applicant. (4) The applicant's height, weight, hair color, and eye color. (5) The principal address and mailing address of the applicant. (6) A: (A) valid Social Security number; or (B) verification of an applicant's: (i) ineligibility to be issued a Social Security number; (ii) identity; and (iii) lawful status. (7) A digital photograph of the applicant. (8) The signature of the applicant showing the applicant's legal name as it will appear on the identification card issued in the form of a physical credential. (9) If the applicant is also applying for a motor driven cycle endorsement, verification that the applicant has satisfactorily completed the test required under section 3.6 of this chapter. (c) The bureau may invalidate an identification card issued in the form of a physical credential that the bureau believes to have been issued as a result of fraudulent documentation. (d) The bureau: (1) shall adopt rules under IC 4-22-2 to establish a procedure to verify an applicant's identity and lawful status; and (2) may adopt rules to establish a procedure to temporarily invalidate an identification card issued in the form of a physical credential that it believes to have been issued based on fraudulent documentation. (e) For purposes of subsection (b), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the individual's principal address and mailing address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's principal address and mailing address. (f) In addition to the information required under subsection (b), an application for an identification card to be issued under this chapter in the form of a physical credential must enable the applicant to indicate that the applicant is a veteran and wishes to have an indication of the applicant's veteran status appear on the identification card issued in the form of a physical credential. An applicant who wishes to have an indication of the applicant's veteran status appear on the identification card issued in the form of a physical credential must: (1) indicate on the application that the applicant: (A) is a veteran; and (B) wishes to have an indication of the applicant's veteran status appear on the identification card; and (2) provide proof of discharge at the time of application of the applicant's veteran status. (g) In addition to the information required under subsection (b), an application for an identification card to be issued under this chapter in the form of a physical credential must enable the applicant to indicate that the applicant is a surviving spouse of a veteran and wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the identification card issued in the form of a physical credential. An applicant who wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the identification card issued in the form of a physical credential must: (1) indicate on the application that the applicant: (A) is the surviving spouse of a veteran of the armed forces of the United States; and (B) wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the identification card issued in the form of a physical credential; and (2) provide the documentation necessary to verify that the applicant was married, at the time of the decedent's death, to a veteran. (h) The bureau shall keep in a data base and share the information submitted under subsections (a) and (g) at least annually with the Indiana department of veterans' affairs. The information submitted under subsections (a) and (g) may be used by the Indiana department of veterans' affairs to develop outreach programs for veterans and their families. (i) The application for an identification card to be issued under this chapter in the form of a physical credential must indicate that an applicant has the option whether or not to answer the questions set forth in subsection (a). [Pre-1991 Recodification Citation: 9-5-3.1-1(b).] As added by P.L.2-1991, SEC.12. Amended by P.L.39-2000, SEC.14; P.L.184-2007, SEC.48; P.L.118-2011, SEC.5; P.L.125-2012, SEC.226; P.L.85-2013, SEC.59; P.L.221-2014, SEC.67; P.L.77-2015, SEC.3; P.L.198-2016, SEC.510; P.L.65-2017, SEC.3; P.L.82-2019, SEC.2; P.L.111-2021, SEC.69; P.L.211-2023, SEC.53; P.L.141-2024, SEC.33.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-3.5. Documentary Evidence of Lawful Status and Social Security Number

Sec. 3.5. In addition to the information required for the applicant for an identification card under section 3 of this chapter, the bureau shall require an applicant to present to the bureau: (1) valid documentary evidence that the applicant has: (A) lawful status; or (B) a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States; and (2) evidence of the Social Security number of the applicant. If federal law prohibits the issuance of a Social Security number to the applicant, the applicant must provide verification of the applicant's ineligibility to be issued a Social Security number. As added by P.L.184-2007, SEC.50. Amended by P.L.76-2009, SEC.10; P.L.162-2009, SEC.8; P.L.211-2023, SEC.55; P.L.141-2024, SEC.35.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-3.6. Motor Driven Cycle Endorsement; Knowledge Test; Accommodation for Individuals With Disabilities

Sec. 3.6. The bureau shall develop and implement a test to determine whether an applicant for a motor driven cycle endorsement demonstrates the necessary knowledge of traffic control devices to operate a motor driven cycle upon a highway. Upon the request of an individual with a disability, or of a representative of an individual with a disability, the bureau shall make available to the individual a test that: (1) complies with this section; and (2) accommodates the individual's disability. As added by P.L.221-2014, SEC.69. Amended by P.L.111-2021, SEC.71.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-3. Appearance and Contents; Medical Condition Designation; Veteran or Surviving Spouse of a Veteran Status; Temporary Identification Cards; Address Confidentiality Program Participants

Sec. 3. (a) An identification card: (1) issued in the form of a physical credential must have the same dimensions and shape as a driver's license; and (2) in the form of a mobile credential must contain the same data contained in a driver's license; but the card must have markings sufficient to distinguish the card from a driver's license. (b) Except as provided in subsection (g), the front side of an identification card issued in the form of a physical credential must contain the expiration date of the identification card and the following information about the individual to whom the card is being issued: (1) Full legal name. (2) The address of the principal residence. (3) Date of birth. (4) Date of issue and date of expiration. (5) Unique identification number. (6) Gender. (7) Weight. (8) Height. (9) Color of eyes and hair. (10) Reproduction of the signature of the individual identified. (11) Whether the individual is blind (as defined in IC 12-7-2-21(1)). (12) If the individual is less than eighteen (18) years of age at the time of issuance, the dates on which the individual will become: (A) eighteen (18) years of age; and (B) twenty-one (21) years of age. (13) If the individual is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the individual will become twenty-one (21) years of age. (14) Digital photograph of the individual. (c) The information contained on the identification card as required by subsection (b)(12) or (b)(13) for an individual who is less than twenty-one (21) years of age at the time of issuance shall be notated prominently on the identification card issued in the form of a physical credential. (d) If the individual complies with section 2(f) or 2(g) of this chapter, an indication of the individual's veteran status or status as the surviving spouse of a veteran of the armed forces of the United States, as applicable, shall be shown on the identification card issued in the form of a physical credential. (e) If the applicant for an identification card issued in the form of a physical credential submits information to the bureau concerning the applicant's medical condition, the bureau shall place an identifying symbol on the face of the identification card issued in the form of a physical credential to indicate that the applicant has a medical condition of note. The bureau shall include information on the identification card issued in the form of a physical credential that briefly describes the medical condition of the holder of the card issued in the form of a physical credential. The information must be printed in a manner that alerts a person reading the card issued in the form of a physical credential to the existence of the medical condition. The applicant for an identification card issued in the form of a physical credential is responsible for the accuracy of the information concerning the medical condition submitted under this subsection. The bureau shall inform an applicant that submission of information under this subsection is voluntary. (f) An identification card issued by the state to an individual who has temporary lawful status as indicated by: (1) a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States; (2) a pending application for asylum in the United States; (3) a pending or approved application for temporary protected status in the United States; (4) having an approved deferred action status; or (5) a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States; must be issued in the form of a physical credential and clearly identified as a temporary identification card. A temporary identification card issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the holder of the identification card's temporary status has been extended. (g) For purposes of subsection (b), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence. (h) The bureau shall validate an identification card issued in the form of a physical credential for motor driven cycle operation upon a highway by endorsement to an individual who: (1) applies for or has previously been issued an identification card under this chapter; (2) makes the appropriate application for endorsement; and (3) satisfactorily completes the test required under section 3.6 of this chapter. The bureau shall place a designation on the face of the identification card issued in the form of a physical credential to indicate that the individual has received a motor driven cycle endorsement. [Pre-1991 Recodification Citation: 9-5-3.1-2.] As added by P.L.2-1991, SEC.12. Amended by P.L.2-1992, SEC.88; P.L.39-2000, SEC.15; P.L.42-2001, SEC.2; P.L.176-2001, SEC.16; P.L.1-2002, SEC.47; P.L.34-2003, SEC.3; P.L.86-2005, SEC.2; P.L.123-2005, SEC.4; P.L.37-2006, SEC.2; P.L.184-2007, SEC.49; P.L.76-2009, SEC.9; P.L.162-2009, SEC.7; P.L.118-2011, SEC.6; P.L.125-2012, SEC.227; P.L.85-2013, SEC.60; P.L.2-2014, SEC.43; P.L.221-2014, SEC.68; P.L.77-2015, SEC.4; P.L.198-2016, SEC.511; P.L.65-2017, SEC.4; P.L.82-2019, SEC.3; P.L.178-2019, SEC.54; P.L.211-2019, SEC.9; P.L.120-2020, SEC.32; P.L.111-2021, SEC.70; P.L.211-2023, SEC.54; P.L.141-2024, SEC.34.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-4.5. Renewing and Replacing Identification Card by Electronic Service

Sec. 4.5. (a) An individual may apply for a replacement identification card issued in the form of a physical credential under section 9 of this chapter, apply for a replacement identification card issued in the form of a physical credential under section 6 of this chapter, or convert a driver's license or learner's permit into an identification card under IC 9-24-14-3.5 by electronic service. An individual's renewal, amendment, or replacement of, or conversion to, an identification card issued in the form of a physical credential by electronic service is subject to the following conditions: (1) A valid computerized image or digital photograph of the individual must exist within the records of the bureau. (2) The individual must be a citizen of the United States, as shown in the records of the bureau. (3) There must not have been any change in the: (A) legal address; or (B) name; of the individual since the issuance or

previous renewal of the identification card issued in the form of a physical credential of the individual. (4) The identification card issued in the form of a physical credential of the individual must not be expired more than one hundred eighty (180) days at the time of the application for renewal. (b) An individual applying for: (1) the renewal of an identification card; or (2) a replacement identification card; must apply in person if the individual is not entitled to apply by mail or by electronic service under subsection (a). As added by P.L.87-2010, SEC.34. Amended by P.L.109-2011, SEC.22; P.L.125-2012, SEC.229; P.L.198-2016, SEC.512; P.L.111-2021, SEC.72; P.L.211-2023, SEC.57; P.L.141-2024, SEC.36.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-4. Expiration

Sec. 4. (a) Except as provided in subsection (b), an identification card expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance. (b) An identification card issued under this article to an applicant who complies with section 3.5 of this chapter expires: (1) at midnight one (1) year after issuance, if there is no expiration date on the authorization granted to the individual to remain in the United States; or (2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following: (A) At midnight of the date the authorization of the holder to have lawful status as a permanent resident or conditional resident alien of the United States expires. (B) At midnight of the birthday of the holder that occurs six (6) years after the date of issuance. [Pre-1991 Recodification Citation: 9-5-3.1-3 part.] As added by P.L.2-1991, SEC.12. Amended by P.L.210-2005, SEC.47; P.L.184-2007, SEC.51; P.L.76-2009, SEC.11; P.L.162-2009, SEC.9; P.L.125-2012, SEC.228; P.L.211-2023, SEC.56.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-5. Renewal; Expiration of Renewed Identification Card of Individuals With Lawful Status

Sec. 5. (a) An application for renewal of an identification card issued in the form of a physical credential may be made not more than twenty-four (24) months before the expiration date of the card issued in the form of a physical credential. However, when the applicant complies with section 3.5 of this chapter, an application for renewal of an identification card issued in the form of a physical credential may be filed not more than one (1) month before the expiration date of the identification card issued in the form of a physical credential held by the applicant. (b) Except as provided in subsection (d), a renewed card issued in the form of a physical credential is valid on the birth date of the holder and remains valid for six (6) years. (c) Renewal may not be granted if the cardholder was issued a driver's license issued in the form of a physical credential subsequent to the last issuance of an identification card issued in the form of a physical credential. (d) A renewed identification card issued under this article in the form of a physical credential to an applicant who complies with section 3.5 of this chapter expires: (1) at midnight one (1) year after issuance, if there is no expiration date on the authorization granted to the individual to remain in the United States; or (2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following: (A) At midnight of the date the authorization of the holder to have lawful status as a permanent resident or conditional resident alien of the United States expires. (B) At midnight of the birthday of the holder that occurs six (6) years after the date of issuance. (e) An identification card expires upon the bureau receiving notice of the death of the holder. [Pre-1991 Recodification Citation: 9-5-3.1-3 part.] As added by P.L.2-1991, SEC.12. Amended by P.L.176-2001, SEC.17; P.L.210-2005, SEC.48; P.L.184-2007, SEC.52; P.L.76-2009, SEC.12; P.L.162-2009, SEC.10; P.L.87-2010, SEC.35; P.L.125-2012, SEC.230; P.L.147-2018, SEC.20; P.L.211-2023, SEC.58; P.L.141-2024, SEC.37.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-6. Amended or Replacement Identification Card

Sec. 6. The bureau shall issue: (1) an amended identification card if any information contained on the card becomes invalid or obsolete; or (2) a replacement identification card if the card is lost, stolen, damaged, or destroyed. [Pre-1991 Recodification Citation: 9-5-3.1-4.] As added by P.L.2-1991, SEC.12. Amended by P.L.109-2011, SEC.23; P.L.10-2019, SEC.46.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-7. Amended Identification Card Due to Invalid or Obsolete Information

Sec. 7. If information on an identification card becomes invalid or obsolete, the holder shall, within thirty (30) days, apply for an amended card containing correct information. [Pre-1991 Recodification Citation: 9-5-3.1-5(a).] As added by P.L.2-1991, SEC.12. Amended by P.L.109-2011, SEC.24.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 16. Identification Cards for Nondrivers9-24-16-9. Replacement for Destroyed or Damaged Identification Card

Sec. 9. If an identification card is destroyed or damaged, the holder may apply for a replacement card. [Pre-1991 Recodification Citation: 9-5-3.1-5(b).] As added by P.L.2-1991, SEC.12. Amended by P.L.109-2011, SEC.25.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 17.5. Mobile Credentials9-24-17.5-1. Mobile Credential System; Compliance

Sec. 1. (a) The bureau may develop a secure and uniform system to issue mobile credentials that can be accessed electronically through an application on a telecommunications device. (b) The form of a mobile credential issued by the bureau under this chapter must comply with: (1) the standards for implementation of mobile driving licenses set by the International Organization for Standardization and the International Electrotechnical Commission; and (2) the Mobile Driver's License Implementation Guidelines established by the American Association of Motor Vehicle Administrators. As added by P.L.178-2019, SEC.55. Amended by P.L.120-2020, SEC.33; P.L.211-2023, SEC.64.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 17.5. Mobile Credentials9-24-17.5-2. Issuance; Requirements

Sec. 2. (a) In addition to a physical credential issued under this article, upon request by an applicant, the bureau may issue a mobile credential to an individual who satisfies the requirements for application under this article for the following: (1) A driver's license. (2) A learner's permit. (3) An identification card. (4) A commercial driver's license issued under IC 9-24-6.1. (5) A commercial learner's permit issued under IC 9-24-6.1. (b) The bureau may not issue a mobile credential for: (1) a motorcycle learner's permit issued under IC 9-24-8-3; (2) a photo exempt driver's license issued under IC 9-24-11-5(b); or (3) a photo exempt identification card issued under IC 9-24-16.5. As added by P.L.178-2019, SEC.55. Amended by P.L.120-2020, SEC.34; P.L.211-2023, SEC.65; P.L.141-2024, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 17.5. Mobile Credentials9-24-17.5-3. Rules

Sec. 3. (a) The bureau may adopt rules under IC 4-22-2 to administer this chapter, including rules to impose a fee to issue a mobile credential as set forth in IC 9-14-8-3(4). (b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 55 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021). As added by P.L.178-2019, SEC.55. Amended by P.L.120-2020, SEC.35.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 17.5. Mobile Credentials9-24-17.5-4. Third Party Contracts

Sec. 4. (a) The bureau may contract with a third party to carry out this chapter. (b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 55 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021). As added by P.L.178-2019, SEC.55. Amended by P.L.120-2020, SEC.36.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 17.7. Credentials and Vaccination Status and Proof of Immunity9-24-17.7-1. Request for Vaccination or Immunity Status Prohibited

Sec. 1. The bureau shall not request information regarding an individual's vaccination status or proof of immunity when an individual applies for a physical credential or a mobile credential under this article. As added by P.L.111-2021, SEC.76. Amended by P.L.211-2023, SEC.66.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 17.7. Credentials and Vaccination Status and Proof of Immunity9-24-17.7-2. Collection of Data and Credential Indication Prohibited

Sec. 2. The bureau shall not collect, keep in a data base, place an indication on a physical credential or a mobile credential, or share information regarding an individual's vaccination status or proof of immunity. As added by P.L.111-2021, SEC.76. Amended by P.L.211-2023, SEC.67.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 17.7. Credentials and Vaccination Status and Proof of Immunity9-24-17.7-3. Data Base Connection; Tracking; Prohibited

Sec. 3. The bureau shall not connect any bureau data base with any data base that tracks an individual's vaccination status or proof of immunity. As added by P.L.111-2021, SEC.76.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 17. Anatomical Gifts9-24-17-1. Forms

Sec. 1. The application form for a physical credential must allow an applicant to acknowledge the making of an anatomical gift under IC 29-2-16.1-4. [Pre-1991 Recodification Citation: 9-1-4-32.5(a).] As added by P.L.2-1991, SEC.12. Amended by P.L.29-2000, SEC.2; P.L.94-2002, SEC.2; P.L.147-2007, SEC.1; P.L.197-2015, SEC.10; P.L.198-2016, SEC.519; P.L.211-2023, SEC.61.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 17. Anatomical Gifts9-24-17-10. Liability; State and Health Care Providers

Sec. 10. The state and any health care provider (as defined by IC 34-18-2-14) are not liable for damages alleged to have occurred as a result of an individual making an anatomical gift under this chapter. As added by P.L.104-1991, SEC.7. Amended by P.L.2-1993, SEC.67; P.L.1-1998, SEC.100; P.L.97-2004, SEC.39.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 17. Anatomical Gifts9-24-17-2. Inquiries; Completion of Form

Sec. 2. (a) The bureau shall inquire of every individual who applies for a physical credential whether the individual desires to make an anatomical gift. (b) If the individual does desire to make an anatomical gift, the bureau shall provide the individual the form by which the individual makes the gift. [Pre-1991 Recodification Citation: 9-1-4-32.5(b).] As added by P.L.2-1991, SEC.12. Amended by P.L.104-1991, SEC.1; P.L.29-2000, SEC.3; P.L.125-2012, SEC.232; P.L.197-2015, SEC.11; P.L.198-2016, SEC.520; P.L.211-2023, SEC.62.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 17. Anatomical Gifts9-24-17-7. Anatomical Gift Cards; Persons Less Than 18 Years of Age

Sec. 7. Before an individual who is less than eighteen (18) years of age may make an anatomical gift, the bureau must obtain and document the consent of the individual required under section 8 of this chapter and the consent of the individual's parent or guardian. As added by P.L.104-1991, SEC.4. Amended by P.L.1-1992, SEC.54; P.L.29-2000, SEC.4; P.L.198-2016, SEC.523.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 17. Anatomical Gifts9-24-17-8. Signature of Donor; Symbol on License or Identification Card

Sec. 8. (a) Each anatomical gift made under this chapter must be made by the donor by acknowledging the making of the anatomical gift by signing the application form for a physical credential under section 1 of this chapter. If the donor cannot sign, the application form may be signed for the donor: (1) at the donor's direction and in the donor's presence; and (2) in the presence of two (2) witnesses who must sign the document in the donor's and each other's presence. (b) The bureau shall place an identifying symbol on the face of the physical credential to indicate that the person to whom the physical credential is issued has acknowledged the making of an anatomical gift on the application form for the physical credential as set forth in subsection (a). (c) Revocation, suspension, cancellation, or expiration of the physical credential does not invalidate the anatomical gift. (d) An anatomical gift is valid if the individual acknowledges the making of the anatomical gift by signing the application form for a physical credential under subsection (a). No other acknowledgment is required to make an anatomical gift. As added by P.L.104-1991, SEC.5. Amended by P.L.1-1992, SEC.55; P.L.135-1995, SEC.1; P.L.126-1995, SEC.2; P.L.29-2000, SEC.5; P.L.94-2002, SEC.3; P.L.125-2012, SEC.234; P.L.197-2015, SEC.12; P.L.198-2016, SEC.524; P.L.211-2023, SEC.63.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 18. General Penalty Provisions9-24-18-0.5. Court Reports of Suspension or Revocation of Driving Privileges

Sec. 0.5. If a court suspends or revokes an individual's driving privileges under this title, the court shall inform the bureau of the action in a format designated by the bureau. As added by P.L.217-2014, SEC.91. Amended by P.L.198-2016, SEC.526.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 18. General Penalty Provisions9-24-18-1. Driving Without a License

Sec. 1. (a) An individual, except an individual exempted under IC 9-24-1-7, who knowingly or intentionally operates a motor vehicle upon a highway and has never received a valid driver's license commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if the individual has a prior unrelated conviction under this section. (b) In a prosecution under this section, the burden is on the defendant to prove by a preponderance of the evidence that the defendant: (1) had been issued a driver's license or permit that was valid; or (2) was operating a motor driven cycle; at the time of the alleged offense. However, it is not a defense under subdivision (2) if the defendant was operating the motor driven cycle in violation of IC 9-21-11-12. [Pre-1991 Recodification Citation: 9-1-4-26.5.] As added by P.L.2-1991, SEC.12. Amended by P.L.100-2010, SEC.3; P.L.125-2012, SEC.235; P.L.85-2013, SEC.62; P.L.217-2014, SEC.92; P.L.221-2014, SEC.71; P.L.198-2016, SEC.527; P.L.111-2021, SEC.77.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 18. General Penalty Provisions9-24-18-10. Interstate Compacts and Agreements; Offenses Subject to Ic 9-28

Sec. 10. The following are subject to IC 9-28: (1) A: (A) conviction for a crime; or (B) judgment for an offense or ordinance violation; under this article related to the use or operation of a motor vehicle. (2) The issuance of a citation (as defined in IC 9-28-2-1) under this article. [Pre-1991 Recodification Citation: New.] As added by P.L.2-1991, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 18. General Penalty Provisions9-24-18-12.2. Bureau Shall Suspend Minor's Driving Privileges Upon Receipt of Court Order; Period of Suspension

Sec. 12.2. Upon receipt of a court order under IC 7.1-5-7-7 (minor consuming or transporting alcohol), the bureau shall suspend the minor's driving privileges for the period ordered by the court. If the court fails to recommend a fixed term of suspension, or recommends a fixed term that is less than the minimum term required by statute, the bureau shall impose the minimum period of suspension required under IC 7.1-5-7. As added by P.L.159-2014, SEC.104.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 18. General Penalty Provisions9-24-18-2. Misuse of Licenses and Permits; Use of False Information; Inauthentic Licenses and Permits

Sec. 2. (a) A person may not do any of the following: (1) Display, cause or allow to be displayed, or possess a driver's license or permit issued under this article knowing that the driver's license or permit is fictitious or has been canceled, revoked, suspended, or altered. (2) Lend to an individual or knowingly permit the use by an individual not entitled to use a driver's license or permit a driver's license or permit issued under this article. (3) Display or represent as the individual's driver's license or permit issued under this article a driver's license or permit not issued to the individual. (4) Fail or refuse to surrender, upon demand of the proper official, a driver's license or permit issued under this article that has been suspended, canceled, or revoked as provided by law. (5) Knowingly sell, offer to sell, buy, possess, or offer as genuine, a driver's license or permit required by this article to be issued by the bureau that has not been issued by the bureau under this article or by the appropriate authority of any other state or country. A person that knowingly or intentionally violates this subsection commits a Class C misdemeanor. (b) An individual who: (1) knowingly or intentionally uses a false or fictitious name or gives a false or fictitious address in an application: (A) for a driver's license or permit issued under this article; or (B) for a renewal, amendment, or replacement of a driver's license or permit issued under this article; or (2) knowingly or intentionally makes a false statement or conceals a material fact or otherwise commits a fraud in an application for a driver's license or permit issued under this article; commits application fraud, a Level 6 felony. [Pre-1991 Recodification Citations: 9-1-4-47; 9-1-4-53(a) part.] As added by P.L.2-1991, SEC.12. Amended by P.L.106-2006, SEC.2; P.L.109-2011, SEC.28; P.L.158-2013, SEC.156; P.L.198-2016, SEC.528.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 18. General Penalty Provisions9-24-18-3. Permitting Unlicensed Individual to Drive

Sec. 3. (a) A person that has a motor vehicle in the person's custody may not cause or knowingly permit an individual to operate the vehicle upon a highway unless the individual holds a valid driver's license or permit under this article for the type of motor vehicle that the individual is operating. (b) A person that violates this section commits a Class C infraction. [Pre-1991 Recodification Citations: 9-1-4-49; 9-1-4-53(c) part.] As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.236; P.L.85-2013, SEC.63; P.L.198-2016, SEC.529.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 18. General Penalty Provisions9-24-18-4. Permitting Unlawful Operation of Vehicle

Sec. 4. (a) A person may not authorize or knowingly permit a motor vehicle owned by the person or under the person's control to be operated by a person who does not have a legal right to do so or in violation of this title. (b) A person who violates this section commits a Class C infraction. [Pre-1991 Recodification Citations: 9-1-4-51; 9-1-4-53(c) part.] As added by P.L.2-1991, SEC.12. Amended by P.L.85-2013, SEC.64.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 18. General Penalty Provisions9-24-18-6. Required Licenses; Enforcement Proceedings; Burden of Proof

Sec. 6. In a proceeding to enforce IC 9-24-1 requiring the operator of a motor vehicle to have a certain type of driver's license, the burden is on the defendant to prove by a preponderance of the evidence that the defendant had been issued the applicable driver's license or permit and that the driver's license was valid at the time of the alleged offense. [Pre-1991 Recodification Citation: 9-1-4-26(f).] As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.530.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 18. General Penalty Provisions9-24-18-7.5. Counterfeiting or False Reproduction of Driver's License

Sec. 7.5. A person that knowingly or intentionally counterfeits or falsely reproduces a driver's license: (1) with intent to use the driver's license; or (2) to permit an individual to use the driver's license; commits a Class B misdemeanor. As added by P.L.188-2015, SEC.96. Amended by P.L.198-2016, SEC.531.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 18. General Penalty Provisions9-24-18-9. Driving Records; Unlicensed Persons

Sec. 9. (a) The bureau may establish a driving record for an Indiana resident who does not hold any type of valid driving license. The driving record shall be established for an unlicensed driver when the bureau receives an abstract of court conviction for the type of conviction that would appear on an official driver's record. (b) If an unlicensed driver applies for and receives any type of driver's license in Indiana, the individual's driving record as an unlicensed driver shall be recorded on the permanent record file. (c) The bureau shall also certify traffic violation convictions on the driving record of an unlicensed driver who subsequently receives an Indiana driver's license. (d) A driving record established under this section must include the following: (1) The individual's convictions for any of the following: (A) A moving traffic violation. (B) Operating a vehicle without financial responsibility in violation of IC 9-25. (2) Any administrative penalty imposed by the bureau. (3) Any suspensions, revocations, or reinstatements of

the individual's driving privileges, license, or permit. (4) If the driving privileges of the individual have been suspended or revoked by the bureau, an entry in the record stating that a notice of suspension or revocation was mailed to the individual by the bureau or sent electronically if the individual has indicated a preference for receiving notices from the bureau electronically, and the date of the mailing or sending of the notice. (5) Any requirement that the individual may operate only a motor vehicle equipped with a certified ignition interlock device. A driving record may not contain voter registration information. [Pre-1991 Recodification Citation: 9-2-1-9.1 part; Pre-2016 Revision Citations: 9-14-3-8; subsection (d) formerly 9-14-3-7.] As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.238; P.L.85-2013, SEC.65; P.L.217-2014, SEC.95; P.L.198-2016, SEC.532; P.L.141-2024, SEC.39.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 19. Penalty Provisions for Operating a Motor Vehicle With Suspended or Revoked Driving Privileges, Licenses, or Permits9-24-19-1. Class a Infraction

Sec. 1. Except as provided in sections 2 and 3 of this chapter, an individual who operates a motor vehicle upon a highway while the individual's driving privileges, driver's license, or permit is suspended or revoked commits a Class A infraction. As added by P.L.32-2000, SEC.1. Amended by P.L.42-2011, SEC.26; P.L.217-2014, SEC.97; P.L.198-2016, SEC.534.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 19. Penalty Provisions for Operating a Motor Vehicle With Suspended or Revoked Driving Privileges, Licenses, or Permits9-24-19-2. Class a Misdemeanor; Commission Within Ten Years of Prior Similar Infraction

Sec. 2. An individual who: (1) knows that the individual's driving privileges, driver's license, or permit is suspended or revoked; and (2) operates a motor vehicle upon a highway less than ten (10) years after the date on which judgment was entered against the individual for a prior unrelated violation of section 1 of this chapter, this section, IC 9-1-4-52 (repealed July 1, 1991), or IC 9-24-18-5(a) (repealed July 1, 2000); commits a Class A misdemeanor. As added by P.L.32-2000, SEC.1. Amended by P.L.6-2012, SEC.70; P.L.33-2012, SEC.1; P.L.198-2016, SEC.535.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 19. Penalty Provisions for Operating a Motor Vehicle With Suspended or Revoked Driving Privileges, Licenses, or Permits9-24-19-3. Operating While Suspended; Penalties

Sec. 3. (a) An individual who operates a motor vehicle upon a highway when: (1) the individual knows that the individual's driving privileges, driver's license, or permit is suspended or revoked; and (2) the individual's suspension or revocation was a result of the individual's conviction of an offense (as defined in IC 35-31.5-2-215); commits a Class A misdemeanor. (b) However, the offense described in subsection (a) is a: (1) Level 6 felony if the operation of the motor vehicle results in bodily injury; or (2) Level 5 felony if the operation of the motor vehicle results in the death or catastrophic injury of another person. (c) A person who commits an offense described in subsection (b) commits a separate offense for each person whose injury or death is caused by the violation of subsection (a). (d) A court may order terms of imprisonment imposed on a person convicted of more than one (1) offense described in subsection (b) to run consecutively. Consecutive terms of imprisonment imposed under this subsection are not subject to the sentencing restrictions set forth in IC 35-50-1-2(c) through IC 35-50-1-2(d). As added by P.L.32-2000, SEC.1. Amended by P.L.114-2012, SEC.21; P.L.217-2014, SEC.98; P.L.198-2016, SEC.536; P.L.184-2019, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 19. Penalty Provisions for Operating a Motor Vehicle With Suspended or Revoked Driving Privileges, Licenses, or Permits9-24-19-7. Burden of Proof of Issuance of License or Permit

Sec. 7. In a prosecution under this chapter, the burden is on the defendant to prove by a preponderance of the evidence that the defendant: (1) had been issued a driver's license or permit that was valid; or (2) was operating a motor driven cycle; at the time of the alleged offense. However, it is not a defense under subdivision (2) if the defendant was operating the motor driven cycle in violation of IC 9-21-11-12. As added by P.L.32-2000, SEC.1. Amended by P.L.85-2013, SEC.68; P.L.221-2014, SEC.72; P.L.111-2021, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 19. Penalty Provisions for Operating a Motor Vehicle With Suspended or Revoked Driving Privileges, Licenses, or Permits9-24-19-8. Rebuttable Presumption of Knowledge of Suspension or Revocation

Sec. 8. Service by the bureau of motor vehicles of a notice or an order suspending or revoking an individual's driving privileges by mailing the notice or order by first class mail to the individual at the last address shown for the individual in the records of the bureau, or by sending the notice or order electronically if the individual has indicated a preference for receiving notices from the bureau electronically, establishes a rebuttable presumption that the individual knows that the individual's driving privileges are suspended or revoked, as applicable. As added by P.L.32-2000, SEC.1. Amended by P.L.198-2016, SEC.537; P.L.147-2018, SEC.22; P.L.141-2024, SEC.40.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2.5. Voter Registration Services and Driver's License Applications9-24-2.5-1. Purpose of Chapter

Sec. 1. This chapter prescribes the procedures to be followed by the commission in processing voter registration applications under 52 U.S.C. 20504, IC 3-7-14, and IC 3-7-26.7. As added by P.L.12-1995, SEC.115. Amended by P.L.120-2009, SEC.12; P.L.128-2015, SEC.222.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2.5. Voter Registration Services and Driver's License Applications9-24-2.5-10. Notice Regarding Elections

Sec. 10. The co-directors of the election division shall notify the commission of the following: (1) The scheduled date of each primary, general, municipal, and special election. (2) The jurisdiction in which the election will be held. (3) The date when registration ceases under IC 3-7-13-10 before each primary, general, municipal, and special election. As added by P.L.12-1995, SEC.115. Amended by P.L.2-1996, SEC.226; P.L.3-1997, SEC.428.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2.5. Voter Registration Services and Driver's License Applications9-24-2.5-11. License Branch Information to Be Provided

Sec. 11. The commission shall provide the co-directors of the election division with a list stating the following: (1) The address and telephone number of each license branch. (2) The name of the manager of the license branch and any employee designated by the manager to be responsible for performing voter registration duties under this chapter. As added by P.L.12-1995, SEC.115. Amended by P.L.2-1996, SEC.227; P.L.3-1997, SEC.429.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2.5. Voter Registration Services and Driver's License Applications9-24-2.5-12. Commission and Secretary of State Agreement to Share Information to Verify Voter Registration Applications

Sec. 12. As required under 52 U.S.C. 21083, the secretary of state (with the consent of the co-directors of the election division) and the commission shall enter into an agreement to match information in the computerized list established under IC 3-7-26.3 with information in the data base of the commission to enable the election division and the commission to verify the accuracy of the information provided on voter registration applications. As added by P.L.209-2003, SEC.198. Amended by P.L.128-2015, SEC.224.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2.5. Voter Registration Services and Driver's License Applications9-24-2.5-13. Commission Agreement With Commissioner of Social Security to Verify Voter Registration Information; Cancellation of Registration of Deceased Voter

Sec. 13. (a) As required under 52 U.S.C. 21083, the commission shall enter into an agreement with the Commissioner of Social Security under 42 U.S.C. 405(r)(8)(A) to verify information set forth on voter registration applications. (b) The information subject to verification under this section is the following: (1) Whether the name (including the first name and any family forename or surname), date of birth (including month, day, and year), and Social Security number of an individual provided to the Commissioner of Social Security match the information contained in the Commissioner's records. (2) Whether the individual is shown in the records of the Commissioner of Social Security as deceased. (c) The agreement under subsection (b) must comply with 52 U.S.C. 21081 and IC 3-7-26.3. (d) If an individual shown in the records of the Commissioner of Social Security is deceased, the county voter registration office shall cancel the individual's registration under IC 3-7-45-4, unless the county voter registration office determines that additional information is necessary to sufficiently document the individual's death. As added by P.L.209-2003, SEC.199. Amended by P.L.128-2015, SEC.225; P.L.169-2015, SEC.164.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2.5. Voter Registration Services and Driver's License Applications9-24-2.5-2. Designated Individual

Sec. 2. The manager of each license branch may designate an employee of the license branch as the individual responsible for performing the voter registration duties of the commission under this chapter at that license branch. The employee designated under this section shall supervise the registration of voters by other employees of the license branch and shall perform any other registration duty required to be performed by the license branch under this chapter. Notwithstanding this designation, any employee of the license branch may perform registration duties in accordance with this chapter. As added by P.L.12-1995, SEC.115.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2.5. Voter Registration Services and Driver's License Applications9-24-2.5-3. Manager Responsible if No Designated Individual

Sec. 3. If the manager does not designate an employee under section 2 of this chapter, the manager is the individual responsible for performing the voter registration duties of the commission under this chapter at that license branch. The manager shall supervise the registration of voters by other employees of the license branch and shall perform any other registration duty required to be performed by the license branch under this chapter. Notwithstanding the designation of the manager under this section, any employee of the license branch may perform registration duties in accordance with this chapter. As added by P.L.12-1995, SEC.115.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2.5. Voter Registration Services and Driver's License Applications9-24-2.5-4. Transmittal of Voter Registration Application Forms

Sec. 4. (a) As required under 52 U.S.C. 20504(e)(1), the manager or designated license branch employee shall transmit an electronic version of the completed voter registration portion of each application for a driver's license or an identification card for nondrivers issued under this article to the county voter registration office of the county in which the individual's residential address (as indicated on the application) is located. (b) The voter registration application shall be transmitted to the county voter registration office in an electronic format and on an expedited basis (as defined by IC 3-5-2-23.2) using the computerized list established under IC 3-7-26.3. As added by P.L.12-1995, SEC.115. Amended by P.L.3-1995, SEC.143; P.L.164-2006, SEC.137; P.L.120-2009, SEC.13; P.L.128-2015, SEC.223; P.L.71-2019, SEC.32.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2.5. Voter Registration Services and Driver's License Applications9-24-2.5-8. County Addresses and Telephone Numbers to Be Provided

Sec. 8. The election division shall provide the commission with a list of the current addresses and telephone numbers of the offices of the county voter registration office in each county. The commission shall promptly forward the list and each revision of the list to each license branch. As added by P.L.12-1995, SEC.115. Amended by P.L.2-1996, SEC.225; P.L.3-1997, SEC.427; P.L.225-2011, SEC.89.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2.5. Voter Registration Services and Driver's License Applications9-24-2.5-9. Confidentiality of Information

Sec. 9. Voter registration information received or maintained under this chapter is confidential. As added by P.L.12-1995, SEC.115.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2. Individuals Prohibited From Obtaining a License or Permit9-24-2-1. Truants, Suspended and Expelled Students, and Dropouts

Sec. 1. (a) The bureau shall suspend the driving privileges or invalidate the learner's permit of an individual who is at least fifteen (15) years of age and less than eighteen (18) years of age and meets any of the following conditions: (1) Is a habitual truant under IC 20-33-2-11. (2) Is under at least a second suspension from school for the school year under IC 20-33-8-14 or IC 20-33-8-15. (3) Is under an expulsion from school under IC 20-33-8-14, IC 20-33-8-15, or IC 20-33-8-16. (4) Is considered a dropout under IC 20-33-2-28.5. (b) At least five (5) days before holding an exit interview under IC 20-33-2-28.5, the school corporation shall give notice by certified mail or personal delivery to the student, the student's parent, or the student's guardian that the student's failure to attend an exit interview under IC 20-33-2-28.5 or return to school if the student does not meet the requirements to withdraw from school under IC 20-33-2-28.5 may result in the revocation or denial of the student's: (1) driver's license or learner's permit; and (2) employment certificate issued under IC 22-2-18 (before its expiration on June 30, 2021). [Pre-1991 Recodification Citation: 9-1-4-29(g).] As added by P.L.2-1991, SEC.12. Amended by P.L.131-1995, SEC.1; P.L.132-1995, SEC.1; P.L.1-2005, SEC.106; P.L.242-2005, SEC.1; P.L.1-2006, SEC.165; P.L.125-2012, SEC.166; P.L.147-2020, SEC.3; P.L.111-2021, SEC.35.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2. Individuals Prohibited From Obtaining a License or Permit9-24-2-2.5. Persons Under Court Orders Concerning Controlled Substance Violations or Criminal Mischief

Sec. 2.5. (a) The bureau shall suspend the driving privileges or invalidate the learner's permit of an individual who is under an order entered by a court under IC 35-43-1-2(d). (b) The bureau shall suspend the driving privileges or invalidate the learner's permit of an individual who is the subject of an order issued under IC 31-37-19-17 (or IC 31-6-4-15.9(f) before its repeal) or IC 35-43-1-2(d). As added by P.L.94-1996, SEC.2. Amended by P.L.1-1997, SEC.40; P.L.3-2008, SEC.79; P.L.125-2012, SEC.168; P.L.76-2016, SEC.3; P.L.198-2016, SEC.423; P.L.257-2017, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2. Individuals Prohibited From Obtaining a License or Permit9-24-2-2. Juveniles Under Court Orders Concerning Controlled Substance Violations

Sec. 2. The bureau shall suspend the driving privileges or invalidate the learner's permit of an individual less than eighteen (18) years of age who is under an order entered by a juvenile court under IC 31-37-19-13 through IC 31-37-19-17 (or IC 31-6-4-15.9(d), IC 31-6-4-15.9(e), or IC 31-6-4-15.9(f) before their repeal). [Pre-1991 Recodification Citation: 9-1-4-29(h).] As added by P.L.2-1991, SEC.12. Amended by P.L.94-1996, SEC.1; P.L.1-1997, SEC.39; P.L.125-2012, SEC.167.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2. Individuals Prohibited From Obtaining a License or Permit9-24-2-3.1. Conditional Driving Privileges; Termination and Renewal; Suspension

Sec. 3.1. (a) If a petitioner named in an order issued under section 3(a)(8) of this chapter has a valid commercial driver's license, the bureau shall not immediately suspend the individual's commercial driving privileges but shall indicate on the individual's driving record that the individual has conditional driving privileges to operate a motor vehicle to and from the individual's place of employment and in the course of the individual's employment. (b) Conditional driving privileges described in subsection (a) are valid for thirty (30) days from the date of the notice sent by the bureau. If the individual obtains an order for conditional driving privileges within the thirty (30) days, the individual may continue to operate a motor vehicle with the conditional driving privileges beyond the thirty (30) day period. (c) If the individual does not obtain an amended order within the thirty (30) day period, the bureau

shall suspend the individual's driving privileges. As added by P.L.133-1995, SEC.2. Amended by P.L.14-2000, SEC.26; P.L.125-2012, SEC.170; P.L.85-2013, SEC.25; P.L.198-2016, SEC.425.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2. Individuals Prohibited From Obtaining a License or Permit9-24-2-3. Individuals to Whom Bureau May Not Issue License or Permit

Sec. 3. (a) The bureau may not issue a driver's license or learner's permit or grant driving privileges to the following individuals: (1) An individual whose driving privileges have been suspended, during the period for which the driving privileges are suspended, or to an individual whose driver's license has been revoked, until the time the bureau is authorized under Indiana law to issue the individual a new driver's license. (2) An individual whose learner's permit has been suspended or revoked until the time the bureau is authorized under Indiana law to issue the individual a new learner's permit. (3) An individual who, in the opinion of the bureau, is afflicted with or suffering from a physical or mental disability or disease that prevents the individual from exercising reasonable and ordinary control over a motor vehicle while operating the motor vehicle on a highway. (4) An individual who is unable to understand highway warnings or direction signs written in the English language. (5) An individual who is required under this article to take an examination unless: (A) the individual successfully passes the examination; or (B) the bureau waives the examination requirement. (6) An individual who is required under IC 9-25 or any other statute to deposit or provide proof of financial responsibility and who has not deposited or provided that proof. (7) An individual when the bureau has good cause to believe that the operation of a motor vehicle on a highway by the individual would be inimical to public safety or welfare. (8) An individual who is the subject of an order issued by: (A) a court under IC 31-16-12-7 (or IC 31-1-11.5-13, IC 31-6-6.1-16, or IC 31-14-12-4 before their repeal); or (B) the Title IV-D agency; ordering that a driver's license or permit not be issued to the individual. (9) An individual who has not presented valid documentary evidence to the bureau of the individual's lawful status in the United States, as required by IC 9-24-9-2.5. (10) An individual who does not otherwise satisfy the requirements of this article. (b) An individual subject to epileptic seizures may not be denied a driver's license or permit under this section if the individual presents a statement from a licensed physician or an advanced practice registered nurse, on a form prescribed by the bureau, that the individual is under medication and is free from seizures while under medication. [Pre-1991 Recodification Citation: 9-1-4-30.] As added by P.L.2-1991, SEC.12. Amended by P.L.125-1995, SEC.9; P.L.133-1995, SEC.1; P.L.2-1996, SEC.224; P.L.1-1997, SEC.41; P.L.184-2007, SEC.33; P.L.125-2012, SEC.169; P.L.207-2013, SEC.7; P.L.85-2013, SEC.24; P.L.207-2013, SEC.8; P.L.2-2014, SEC.39; P.L.198-2016, SEC.424; P.L.118-2022, SEC.28; P.L.211-2023, SEC.30; P.L.141-2024, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2. Individuals Prohibited From Obtaining a License or Permit9-24-2-4. Invalidation and Revalidation of License; Truant, Suspended and Expelled, and Withdrawn Students

Sec. 4. (a) If an individual is at least fifteen (15) years of age and less than eighteen (18) years of age and is a habitual truant, is under a suspension or an expulsion, or has withdrawn from school as described in section 1 of this chapter, the bureau shall, upon notification by an authorized representative of the individual's school corporation, suspend the individual's driving privileges until the earliest of the following: (1) The individual becomes eighteen (18) years of age. (2) One hundred twenty (120) days after the individual is suspended. (3) The suspension, expulsion, or exclusion is reversed after the individual has had a hearing under IC 20-33-8. (b) The bureau shall promptly mail a notice to the individual's last known address, or send the notice electronically if the individual has indicated a preference for receiving notices from the bureau electronically, that states the following: (1) That the individual's driving privileges will be suspended for a specified period commencing five (5) days after the date of the notice. (2) That the individual has the right to appeal the suspension of the driving privileges. (c) If an aggrieved individual believes that: (1) the information provided was technically incorrect; or (2) the bureau committed a technical or procedural error; the aggrieved individual may appeal the invalidation of a driver's license under section 5 of this chapter. (d) If an individual satisfies the conditions for reinstatement of a driver's license under this section, the individual may submit to the bureau for review the necessary information certifying that at least one (1) of the events described in subsection (a) has occurred. (e) Upon reviewing and certifying the information received under subsection (d), the bureau shall reinstate the individual's driving privileges. (f) An individual may not operate a motor vehicle in violation of this section. (g) An individual whose driving privileges are suspended under this section is eligible to apply for specialized driving privileges under IC 9-30-16. (h) The bureau shall reinstate the driving privileges of an individual whose driving privileges were suspended under this section if the individual does the following: (1) Establishes to the satisfaction of the principal of the school where the action occurred that caused the suspension of the driving privileges that the individual has: (A) enrolled in a full-time or part-time program of education; and (B) participated for thirty (30) or more days in the program of education. (2) Submits to the bureau a form developed by the bureau that contains: (A) the verified signature of the principal or the president of the governing body of the school described in subdivision (1); and (B) notification to the bureau that the person has complied with subdivision (1). An individual may appeal the decision of a principal under subdivision (1) to the governing body of the school corporation where the principal's school is located. [Pre-1991 Recodification Citation: 9-1-4-33.4.] As added by P.L.2-1991, SEC.12. Amended by P.L.131-1995, SEC.2; P.L.132-1995, SEC.2; P.L.1-2005, SEC.107; P.L.125-2012, SEC.171; P.L.85-2013, SEC.26; P.L.217-2014, SEC.78; P.L.149-2015, SEC.56; P.L.198-2016, SEC.426; P.L.111-2021, SEC.36; P.L.141-2024, SEC.19.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2. Individuals Prohibited From Obtaining a License or Permit9-24-2-5. Hearings

Sec. 5. (a) An individual whose driving privileges have been suspended under section 4 of this chapter is entitled to a prompt judicial hearing. The individual may file a petition that requests a hearing in a circuit, superior, county, or municipal court in the county where: (1) the individual resides; or (2) the school attended by the individual is located. (b) The petition for review must: (1) be in writing; and (2) be verified by the individual seeking review and: (A) allege specific facts that indicate the suspension or expulsion was improper; or (B) allege that, due to the individual's emancipation or dependents, an undue hardship exists that requires the granting of a restricted driving permit. (c) The hearing conducted by the court under this section shall be limited to the following issues: (1) Whether the school followed proper procedures when suspending or expelling the individual from school, including affording the individual due process under IC 20-33-8. (2) Whether the bureau followed proper procedures in suspending the individual's driving privileges. (d) If the court finds: (1) that the school failed to follow proper procedures when suspending or expelling the individual from school; or (2) that the bureau failed to follow proper procedures in suspending the individual's driving privileges; the court may order the bureau to reinstate the individual's driving privileges. (e) The prosecuting attorney of the county in which a petition has been filed under this section shall represent the state on behalf of the bureau with respect to the petition. A school that is made a party to an action filed under this section is responsible for the school's own representation. (f) In an action under this section, the petitioner has the burden of proof by a preponderance of the evidence. (g) The court's order is a final judgment appealable in the manner of civil actions by either party. The attorney general shall represent the state on behalf of the bureau with respect to the appeal. [Pre-1991 Recodification Citation: 9-1-4-33.5.] As added by P.L.2-1991, SEC.12. Amended by P.L.131-1995, SEC.3; P.L.1-2005, SEC.108; P.L.125-2012, SEC.172; P.L.217-2014, SEC.79; P.L.198-2016, SEC.427.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 2. Individuals Prohibited From Obtaining a License or Permit9-24-2-6. Violations

Sec. 6. An individual who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-1-4-53(c) part.] As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.428.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 3. Driver's License9-24-3-1. Issuance; Conditions; Fee

Sec. 1. (a) Except as otherwise provided in this article, the bureau shall issue a driver's license to an individual who meets the following conditions: (1) Satisfies the age requirements set forth in section 2.5 of this chapter. (2) Makes proper application to the bureau under IC 9-24-9 upon a form prescribed by the bureau. The form must include an attestation concerning the number of hours of supervised driving practice that the individual has completed if the individual is required under section 2.5 of this chapter to complete a certain number of hours of supervised driving practice in order to receive a driver's license. The: (A) parent or guardian of an applicant less than eighteen (18) years of age; or (B) applicant, if the applicant is at least eighteen (18) years of age; shall attest in writing under penalty of perjury to the time logged in practice driving. (3) Satisfactorily passes the examination and tests required for issuance of a driver's license under IC 9-24-10. (4) Except as provided in subsection (e), pays the following applicable fee: (A) For an individual who is less than seventy-five (75) years of age, seventeen dollars and fifty cents ($17.50). (B) For an individual who is at least seventy-five (75) years of age but less than eighty-five (85) years of age, eleven dollars ($11). (C) For an individual who is at least eighty-five (85) years of age, seven dollars ($7). (b) A fee described in subsection (a)(4)(A) shall be distributed as follows: (1) Fifty cents ($0.50) to the state motor vehicle technology fund. (2) Two dollars ($2) to the crossroads 2000 fund. (3) Four dollars and fifty cents ($4.50) to the motor vehicle highway account. (4) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (5) Nine dollars and twenty-five cents ($9.25) to the commission fund. (c) A fee described in subsection (a)(4)(B) shall be distributed as follows: (1) Fifty cents ($0.50) to the state motor vehicle technology fund. (2) One dollar and fifty cents ($1.50) to the crossroads 2000 fund. (3) Three dollars ($3) to the motor vehicle highway account. (4) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (5) Four dollars and seventy-five cents ($4.75) to the commission fund. (d) A fee described in subsection (a)(4)(C) shall be distributed as follows: (1) Fifty cents ($0.50) to the state motor vehicle technology fund. (2) One dollar ($1) to the crossroads 2000 fund. (3) Two dollars ($2) to the motor vehicle highway account. (4) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (5) Two dollars and twenty-five cents ($2.25) to the commission fund. (e) A fee described in subsection (a)(4) may not be charged to an individual who: (1) is under the care and supervision of the department of child services; or (2) represents, pursuant to IC 31-36-3-4(b), a homeless youth (as defined in IC 31-36-3-4) and presents a fee and consent waiver affidavit described in IC 31-36-3-4(c); and meets all other requirements for a driver's license under this article. [Pre-1991 Recodification Citation: New; Pre-2016 Revision Citation: 9-29-9-2.1.] As added by P.L.2-1991, SEC.12. Amended by P.L.101-2009, SEC.3; P.L.145-2011, SEC.11; P.L.125-2012, SEC.173; P.L.198-2016, SEC.429; P.L.116-2017, SEC.1; P.L.256-2017, SEC.165; P.L.155-2019, SEC.1; P.L.111-2021, SEC.37.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 3. Driver's License9-24-3-2.5. Age, Experience, and Examination Requirements

Sec. 2.5. (a) Except as provided in section 3 of this chapter, an individual must satisfy the requirements set forth in one (1) of the following subdivisions to receive a driver's license: (1) The individual meets the following conditions: (A) Is at least sixteen (16) years and ninety (90) days of age. (B) Has held a valid learner's permit for at least one hundred eighty (180) days. (C) Obtains an instructor's certification that the individual has satisfactorily completed an approved driver education course. (D) Passes the required examinations. (E) Completes at least fifty (50) hours of supervised driving practice, of which at least ten (10) hours are nighttime driving, as provided in subsection (b). (2) The individual meets the following conditions: (A) Is at least sixteen (16) years and two hundred seventy (270) days of age. (B) Has held a valid learner's permit for at least one hundred eighty (180) days. (C) Passes the required examinations. (D) Completes at least fifty (50) hours of supervised driving practice, of which at least ten (10) hours are nighttime driving, as provided in subsection (b). (3) The individual meets the following conditions: (A) Is at least sixteen (16) years and one hundred eighty (180) days of age but less than eighteen (18) years of age. (B) Has previously been a nonresident of Indiana, but, at the time of application, qualifies as an Indiana resident. (C) Has held for at least sixty (60) days a valid driver's license, excluding a learner's permit or the equivalent, in the state or a combination of states in which the individual formerly resided. (D) Passes the required examinations. (4) The individual meets the following conditions: (A) Is at least eighteen (18) years of age. (B) Has previously been a nonresident but, at the time of application, qualifies as an Indiana resident. (C) Held a valid driver's license, excluding a learner's permit or the equivalent, from the state or country of prior residence. (D) Passes the required examinations. (5) The individual meets the following conditions: (A) Is at least eighteen (18) years of age. (B) Is a person with a disability. (C) Holds an Indiana learner's permit. (D) Has successfully completed driver rehabilitation training by a certified driver rehabilitation specialist recognized by the bureau. (E) Passes the required examinations. (b) An applicant who is required to complete at least fifty (50) hours of supervised practice driving under subsection (a)(1)(E) or (a)(2)(D) must do the following: (1) If the applicant is less than eighteen (18) years of age, complete the practice driving with: (A) a licensed driver, with valid driving privileges, who is: (i) at least twenty-five (25) years of age; and (ii) related to the applicant by blood, marriage, or legal status; (B) the spouse of the applicant who is: (i) a licensed driver with valid driving privileges; and (ii) at least twenty-one (21) years of age; or (C) an individual with valid driving privileges who: (i) is licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or (ii) is a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program. (2) If the applicant is at least eighteen (18) years of age, complete the driving practice with: (A) a licensed driver, with valid driving privileges, who is at least twenty-five (25) years of age; or (B) the spouse of the applicant who is: (i) a licensed driver with valid driving privileges; and (ii) at least twenty-one (21) years of age. (3) If the applicant is less than eighteen (18) years of age and is under the care and supervision of the department of child services, complete the driving practice with: (A) a licensed driver with valid driving privileges who is: (i) at least twenty-five (25) years of age; and (ii) related to the applicant by blood, marriage, or legal status; (B) a licensed driver with valid driving privileges who is: (i) at least twenty-five (25) years of age; and (ii) approved by the department of child services; or (C) an individual with valid driving privileges who is: (i) licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or (ii) a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program. (4) Submit to the commission under IC 9-24-9-2(c) evidence of the time logged in practice driving. [Pre-2016 Revision Citation: subsection (a) formerly 9-24-7-2.] As added by P.L.101-2009, SEC.5. Amended by P.L.145-2011, SEC.12; P.L.125-2012, SEC.174; P.L.85-2013, SEC.27; P.L.150-2015, SEC.1; P.L.198-2016, SEC.430; P.L.116-2017, SEC.2; P.L.111-2021, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 3. Driver's License9-24-3-3. Age and Experience Requirements; Hardship Waiver

Sec. 3. (a) The bureau may waive: (1) up to six (6) months of the age requirement; (2) any of the experience or practice and driving requirements; or (3) the requirements described in both subdivisions (1) and (2); for an individual making an application for the individual's driver's license due to hardship conditions. (b) The bureau shall adopt rules under IC 4-22-2 to state the conditions under which the requirements may be waived under subsection (a). [Pre-1991 Recodification Citation: 9-1-4-29(f) part.] As added by P.L.2-1991, SEC.12. Amended by P.L.149-2015, SEC.57; P.L.147-2018, SEC.15; P.L.111-2021, SEC.39.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 3. Driver's License9-24-3-4.5. Licenses; Permitted Operations

Sec. 4.5. (a) The holder of a driver's license is entitled to operate a motor vehicle on a highway. A driver's license does not entitle the holder to operate the following: (1) A commercial motor vehicle. (2) A motorcycle, other than an autocycle. (3) A vehicle that is operated for hire. (b) A commercial driver's license or commercial learner's permit is required to operate a commercial motor vehicle. (c) a motorcycle endorsement under IC 9-24-8.5 or a motorcycle learner's permit is required to operate a motorcycle, other than an autocycle. (d) A for-hire endorsement under IC 9-24-8.5 entitles the holder to operate the following: (1) A motor vehicle that is: (A) registered as having a gross weight of at least sixteen thousand (16,000) pounds; and (B) used to transport property for hire. (2) A motor vehicle that is used to transport passengers for hire. (e) The following are not considered transporting for hire: (1) Operating a medical services vehicle. (2) Transporting a recreational vehicle before the first retail sale of the recreational vehicle when: (A) the gross weight of the recreational vehicle is not more than twenty-six thousand (26,000) pounds; or (B) the gross combination weight of the recreational vehicle and towing vehicle is not greater than twenty-six thousand (26,000) pounds, including the gross weight of the towed recreational vehicle, and the weight of the towed recreational vehicle is not greater than ten

thousand (10,000) pounds. (3) Operating a motor vehicle that is: (A) registered as having a gross weight of less than sixteen thousand (16,000) pounds; and (B) used to transport property for hire. As added by P.L.198-2016, SEC.432. Amended by P.L.111-2021, SEC.40.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 3. Driver's License9-24-3-5. Violations

Sec. 5. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-1-4-53(c) part.] As added by P.L.2-1991, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 3. Driver's License9-24-3-6. Additional Fee

Sec. 6. (a) The bureau may impose an additional fee of twenty-five dollars ($25) if the bureau processes an application for a physical credential under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund. (b) A fee imposed under this section is in addition to any other fee imposed under this chapter. As added by P.L.111-2021, SEC.41. Amended by P.L.211-2023, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 4. Chauffeur's License9-24-4-0.5. Expiration; Validity of Chauffeur's Licenses

Sec. 0.5. (a) The bureau may not issue a chauffeur's license after December 31, 2016. (b) Notwithstanding subsection (a), a chauffeur's license issued before January 1, 2017, remains valid, unless otherwise suspended or revoked, until the expiration date printed on the chauffeur's license. (c) This chapter expires July 1, 2024. As added by P.L.198-2016, SEC.433.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 4. Chauffeur's License9-24-4-4.1. Applicability; Driving Privileges

Sec. 4.1. The holder of a valid chauffeur's license is entitled to the same driving privileges as the holder of a driver's license with a for-hire endorsement under IC 9-24-8.5. As added by P.L.198-2016, SEC.438. Amended by P.L.111-2021, SEC.42.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 4. Chauffeur's License9-24-4-7. Additional Fee

Sec. 7. (a) The bureau may impose an additional fee of twenty-five dollars ($25) if the bureau processes an application for a physical credential under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund. (b) A fee imposed under this section is in addition to any other fee imposed under this chapter. As added by P.L.111-2021, SEC.43. Amended by P.L.211-2023, SEC.32.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 6.1. Commercial Driver's License Program9-24-6.1-1. Applicability

Sec. 1. This chapter, including any rules adopted by the bureau to implement this chapter, applies to the following: (1) The holder of a commercial driver's license or commercial learner's permit. (2) The operator of a commercial motor vehicle. (3) A person that employs an operator of a commercial motor vehicle. (4) A person that: (A) educates or trains an individual; or (B) prepares an individual for: (i) an examination given by the bureau; or (ii) testing described in section 5 of this chapter; to operate a commercial motor vehicle as a vocation. (5) A student of a person described in subdivision (4). [Pre-2016 Revision Citations: 9-24-6-5.5; subdivision (4) formerly 9-13-2-188.5.] As added by P.L.198-2016, SEC.452.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 6.1. Commercial Driver's License Program9-24-6.1-10. "Nondomiciled Commercial Driver's License"

Sec. 10. (a) As used in this section, "nondomiciled commercial driver's license" means a commercial driver's license that is issued to an individual who is domiciled: (1) in a foreign country meeting the requirements of 49 CFR 383.23(b)(1); or (2) in another state meeting the requirements of 49 CFR 383.23(b)(2). (b) After December 31, 2017, the bureau shall issue a nondomiciled commercial driver's license in accordance with 49 CFR 383.23 to an individual who: (1) submits a proper application under this article; and (2) meets the requirements of 49 CFR 383.71(f). (c) The bureau may create an application form or other required documents to implement this section. (d) The fee for a nondomiciled commercial driver's license is the same as for a commercial driver's license under section 4 of this chapter. (e) A nondomiciled commercial driver's license is subject to the same restrictions and requirements as a commercial driver's license under this chapter. (f) The bureau may adopt rules under IC 4-22-2 to implement this section. As added by P.L.58-2017, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 6.1. Commercial Driver's License Program9-24-6.1-11. Additional Fee

Sec. 11. (a) The bureau may impose an additional fee of twenty-five dollars ($25) if the bureau processes an application for a physical credential under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund. (b) A fee imposed under this section is in addition to any other fee imposed under this chapter. As

added by P.L.111-2021, SEC.45. Amended by P.L.211-2023, SEC.33.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 6.1. Commercial Driver's License Program9-24-6.1-2.5. Training Regarding Human Trafficking

Sec. 2.5 (a) The bureau shall work in coordination with organizations that have produced instructional videos that provide industry specific training on how to recognize, prevent, and report human trafficking (as defined by IC 5-26.5-1-3.8). (b) The bureau shall require an applicant who is applying for a commercial driver's license for the first time to attest to having watched an instructional video described under subsection (a). As added by P.L.128-2023, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 6.1. Commercial Driver's License Program9-24-6.1-2. Development and Implementation of Program; Rules

Sec. 2. (a) The bureau shall develop and implement a commercial driver's license program to: (1) issue commercial driver's licenses, commercial learner's permits, and related endorsements and restrictions; and (2) regulate persons required to hold a commercial driver's license. (b) Subject to IC 8-2.1-24-18, the program under subsection (a) must include procedures required to comply with 49 CFR 383 through 49 CFR 399. (c) The bureau may adopt rules under IC 4-22-2 to implement this chapter. [Pre-2016 Revision Citations: 9-24-6-2; subsection (a) formerly 9-24-6-2.] As added by P.L.198-2016, SEC.452. Amended by P.L.256-2017, SEC.166; P.L.93-2024, SEC.98.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 6.1. Commercial Driver's License Program9-24-6.1-3. Valid Commercial Driver's License or Commercial Learner's Permit Required to Operate Commercial Motor Vehicle; Violation

Sec. 3. (a) An individual may not operate a commercial motor vehicle unless the individual holds a valid commercial driver's license or commercial learner's permit issued by the bureau or another jurisdiction. (b) An individual who violates this section commits a Class C infraction. [Pre-2016 Revision Citation: subsection (b) formerly 9-24-6-18.] As added by P.L.198-2016, SEC.452.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 6.1. Commercial Driver's License Program9-24-6.1-4. Fees

Sec. 4. (a) The fee for a commercial driver's license issued before January 1, 2017, is thirty-six dollars ($36). The fee shall be distributed as follows: (1) One dollar and fifty cents ($1.50) to the state motor vehicle technology fund. (2) Fifteen dollars ($15) to the motor vehicle highway account. (3) Five dollars ($5) to the integrated public safety communications fund. (4) Fourteen dollars and fifty cents ($14.50) to the commission fund. (b) The fee for a commercial driver's license issued after December 31, 2016, is thirty-five dollars ($35). The fee shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) Two dollars ($2) to the crossroads 2000 fund. (4) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (5) Four dollars and seventy-five cents ($4.75) to the commission fund. (6) Any remaining amount to the motor vehicle highway account. (c) The fee for a commercial learner's permit is seventeen dollars ($17). The fee shall be distributed as follows: (1) Fifty cents ($0.50) to the state motor vehicle technology fund. (2) Two dollars ($2) to the crossroads 2000 fund. (3) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (4) To the commission fund as follows: (A) For a commercial learner's permit issued before January 1, 2017, twelve dollars and seventy-five cents ($12.75). (B) For a commercial learner's permit issued after December 31, 2016, five dollars ($5). (5) To the motor vehicle highway account as follows: (A) For a commercial learner's permit issued before January 1, 2017, fifty cents ($0.50). (B) For a commercial learner's permit issued after December 31, 2016, eight dollars and twenty-five cents ($8.25). (d) The payment of a fee imposed under this section does not relieve the holder of a commercial driver's license or commercial learner's permit of responsibility for the following fees, as applicable: (1) The fee to issue an amended or a replacement license or permit under IC 9-24-14-1. (2) A fee to add or remove an endorsement to a license or permit under subsection (e) or IC 9-24-8.5-3. (3) The administrative penalty for the delinquent renewal of a license under IC 9-24-12-13. (e) The fee to add or remove an endorsement, other than a motorcycle endorsement, to a commercial driver's license or commercial learner's permit is nineteen dollars ($19). The fee shall be distributed as follows: (1) Fifty cents ($0.50) to the state motor vehicle technology fund. (2) One dollar and twenty-five cents ($1.25) to the motor vehicle highway account. (3) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (4) Sixteen dollars ($16) to the commission fund. [Pre-2016 Revision Citations: 9-29-9-16; subsection (b) formerly 9-29-9-17.] As added by P.L.198-2016, SEC.452. Amended by P.L.256-2017, SEC.167; P.L.108-2019, SEC.187.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 6.1. Commercial Driver's License Program9-24-6.1-5. Contracts to Conduct Testing

Sec. 5. The bureau may contract with public and private institutions, agencies, businesses, and organizations to conduct testing required to implement the program. A person that conducts testing under this section may impose, collect, and retain fees for conducting the testing. [Pre-2016 Revision Citation: 9-24-6-5.] As added by P.L.198-2016, SEC.452.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 6.1. Commercial Driver's License Program9-24-6.1-6. Individual With Elevated Alcohol Concentration Operating Commercial Motor Vehicle; Violation

Sec. 6. An individual may not operate a commercial motor vehicle with an alcohol concentration equivalent to at least four-hundredths (0.04) gram but less than eight-hundredths (0.08) gram of alcohol per: (1) one hundred (100) milliliters of the individual's blood; or (2) two hundred ten (210) liters of the individual's breath. An individual who violates this section commits a Class C infraction. [Pre-2016 Revision Citations: 9-24-6-15; 9-24-6-18.] As added by P.L.198-2016, SEC.452.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 6.1. Commercial Driver's License Program9-24-6.1-7. Disqualified Individual Operating Commercial Motor Vehicle; Violation

Sec. 7. An individual who: (1) is: (A) disqualified from operating a commercial motor vehicle by the bureau or the appropriate authority from another jurisdiction; or (B) subject to an out-of-service order; and (2) operates a commercial motor vehicle; commits a Class C misdemeanor. [Pre-2016 Revision Citation: 9-24-6-16.] As added by P.L.198-2016, SEC.452.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 6.1. Commercial Driver's License Program9-24-6.1-8. Authorizing Operation of Commercial Motor Vehicle by Disqualified Individual; Violation

Sec. 8. A person that knowingly allows, requires, permits, or authorizes an individual to operate a commercial motor vehicle during a period in which: (1) the individual is disqualified from operating a commercial motor vehicle by the bureau or the appropriate authority from another jurisdiction; or (2) the individual, the commercial motor vehicle, or the motor carrier operation is subject to an out-of-service order; commits a Class C misdemeanor. [Pre-2016 Revision Citation: 9-24-6-17.] As added by P.L.198-2016, SEC.452.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 6.1. Commercial Driver's License Program9-24-6.1-9. Failure to Comply With Out-of-Service Order; Civil Penalty

Sec. 9. (a) A person that violates or fails to comply with an out-of-service order is subject to a civil penalty in accordance with federal law. (b) A civil penalty assessed under this section: (1) must be collected by the clerk of the court and transferred: (A) to the motor vehicle highway account; or (B) to the bureau for deposit in the motor vehicle highway account; and (2) is a judgment subject to proceedings supplemental by the bureau. [Pre-2016 Revision Citation: 9-24-6-19.] As added by P.L.198-2016, SEC.452.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 7. Learner's Permit9-24-7-1. Issuance; Conditions; Fee

Sec. 1. (a) The bureau shall issue a learner's permit to an individual who satisfies the following conditions: (1) Makes a proper application in the form and manner prescribed by the bureau. (2) Except as provided in subsection (d), pays a fee under subsection (b) or (c), as applicable. (3) If less than eighteen (18) years of age: (A) is not ineligible under IC 9-24-2-1; and (B) provides the bureau with an emergency contact person (as defined by IC 9-26-2-5) who is not the individual who holds the learner's permit to be listed in the Indiana emergency contact data base described in IC 9-26-10-1 for the individual who holds the learner's permit. (4) Has passed a written examination as required under IC 9-24-10. (5) Either: (A) is at least sixteen (16) years of age; or (B) if at least fifteen (15) years of age but less than sixteen (16) years of age, is enrolled in an approved driver education course. (b) The fee for a learner's permit issued before January 1, 2017, is nine dollars and fifty cents ($9.50). The fee shall be distributed as follows: (1) Fifty cents ($0.50) to the motor vehicle highway account. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) Two dollars ($2) to the crossroads 2000 fund. (4) One dollar and seventy-five cents ($1.75) to the integrated public safety communications fund. (5) Four dollars and seventy-five cents ($4.75) to the commission fund. (c) The fee for a learner's permit issued after December 31, 2016, is nine dollars ($9). The fee shall be distributed as follows: (1) Twenty-five cents ($0.25) to the motor vehicle highway account. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) Two dollars ($2) to the crossroads 2000 fund. (4) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (5) Five dollars ($5) to the commission fund. (d) A fee described in subsection (a) may not be charged to an individual who: (1) is under the care and supervision of the department of child services; or (2) represents, pursuant to IC 31-36-3-4(b), a homeless youth (as defined in IC 31-36-3-4) and presents a fee and consent waiver affidavit described in IC 31-36-3-4(c); and meets all other requirements for a learner's permit under IC 9-24. [Pre-1991 Recodification Citations: 9-1-4-29(a) part; 9-1-4-29(d); 9-1-4-33(b); Pre-2016 Revision Citation: 9-29-9-1.] As added by P.L.2-1991, SEC.12. Amended by P.L.101-2009, SEC.6; P.L.145-2011, SEC.15; P.L.125-2012, SEC.196; P.L.198-2016, SEC.454; P.L.116-2017, SEC.3; P.L.256-2017, SEC.168; P.L.155-2019, SEC.2; P.L.174-2023, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 7. Learner's Permit9-24-7-4. Operating Privileges

Sec. 4. (a) A learner's permit authorizes the holder to operate a motor vehicle, except a motorcycle or a commercial motor vehicle, upon a highway under the following conditions: (1) While the holder is participating in practice driving in an approved driver education course and is accompanied in the front seat of the motor vehicle by an individual with valid driving privileges who: (A) is

licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or (B) is a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program. (2) While the holder is participating in practice driving after having commenced an approved driver education course and is accompanied in the front seat of the motor vehicle by an individual with valid driving privileges who is at least: (A) twenty-five (25) years of age and related to the applicant by blood, marriage, or legal status; or (B) if the licensed individual is the holder's spouse, twenty-one (21) years of age. (3) If the holder is not participating in an approved driver education course, and is less than eighteen (18) years of age, the holder may participate in practice driving if accompanied in the front seat of the motor vehicle by an individual who is: (A) a licensed driver, with valid driving privileges, who is: (i) at least twenty-five (25) years of age; and (ii) related to the applicant by blood, marriage, or legal status; (B) the spouse of the applicant who is: (i) a licensed driver with valid driving privileges; and (ii) at least twenty-one (21) years of age; or (C) an individual with valid driving privileges who: (i) is licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); (ii) is a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program; or (iii) is a bureau or commission employee who is conducting a skills examination. (4) If the holder is not participating in an approved driver education course, and is at least eighteen (18) years of age, the holder may participate in practice driving if accompanied in the front seat of the motor vehicle by an individual who is: (A) a licensed driver, with valid driving privileges, who is at least twenty-five (25) years of age; or (B) the spouse of the applicant who is: (i) a licensed driver with valid driving privileges; and (ii) at least twenty-one (21) years of age. (5) If the holder is less than eighteen (18) years of age and is under the care and supervision of the department of child services, the holder may participate in practice driving if accompanied in the front seat of the motor vehicle by an individual who is: (A) a licensed driver with valid driving privileges who is: (i) at least twenty-five (25) years of age; and (ii) related to the applicant by blood, marriage, or legal status; (B) a licensed driver with valid driving privileges who is: (i) at least twenty-five (25) years of age; and (ii) approved by the department of child services; or (C) an individual with valid driving privileges who is: (i) licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or (ii) a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program. (b) A holder of a learner's permit may operate a motor driven cycle. [Pre-1991 Recodification Citation: 9-1-4-33(a).] As added by P.L.2-1991, SEC.12. Amended by P.L.95-1996, SEC.1; P.L.93-1997, SEC.12; P.L.48-2004, SEC.7; P.L.156-2006, SEC.8; P.L.125-2012, SEC.199; P.L.85-2013, SEC.32; P.L.150-2015, SEC.2; P.L.198-2016, SEC.456; P.L.116-2017, SEC.4; P.L.111-2021, SEC.46; P.L.141-2024, SEC.20.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 7. Learner's Permit9-24-7-5. Driver's License Examinations

Sec. 5. A holder of a learner's permit may take the skills examination for a driver's license not later than the expiration date of the learner's permit. A holder who does not pass the skills examination after a third attempt is not eligible to take the examination until two (2) months after the date of the last failed examination. [Pre-1991 Recodification Citation: 9-1-4-33(g).] As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.200; P.L.111-2021, SEC.47.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 7. Learner's Permit9-24-7-6. Violations

Sec. 6. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-1-9-53(c).] As added by P.L.2-1991, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 7. Learner's Permit9-24-7-7. Online Driving Guide and Log

Sec. 7. The bureau shall publish the following: (1) An online driving guide that may be used by the holder of a learner's permit and the parent of the holder of a learner's permit, if applicable. (2) An online log that must be completed to show evidence of the completion of the hours of supervised practice driving required under IC 9-24-3-2.5(a)(1)(E) or IC 9-24-3-2.5(a)(2)(D). As added by P.L.145-2011, SEC.16. Amended by P.L.85-2013, SEC.33.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 7. Learner's Permit9-24-7-8. Additional Fee

Sec. 8. (a) The bureau may impose an additional fee of twenty-five dollars ($25) if the bureau processes an application for a physical credential under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund. (b) A fee imposed under this section is in addition to any other fee imposed under this chapter. As added by P.L.111-2021, SEC.48. Amended by P.L.211-2023, SEC.34.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 8.5. Endorsements9-24-8.5-1. Applicability

Sec. 1. This chapter applies to a driver's license, including a commercial driver's license that is issued or renewed after December 31, 2016. As added by P.L.198-2016, SEC.461. Amended by P.L.111-2021, SEC.50.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 8.5. Endorsements9-24-8.5-2. Licenses Eligible for Endorsement

Sec. 2. (a) A driver's license issued under IC 9-24-3 may include one (1) or more of the following: (1) A motorcycle endorsement under IC 9-24-8-4 (before its expiration) or section 3 of this chapter. (2) A for-hire endorsement under section 5 of this chapter. (b) A commercial driver's license may include one (1) or more of the following: (1) A motorcycle endorsement under IC 9-24-8-4 (before its expiration) or section 3 of this chapter. (2) Except for a hazardous materials endorsement, an endorsement under IC 9-24-6.1, including under any rules adopted under IC 9-24-6.1, if the applicant is at least twenty-one (21) years of age. (3) A hazardous materials endorsement under IC 9-24-6.1, including under any rules adopted under IC 9-24-6.1, if the applicant is at least eighteen (18) years of age. As added by P.L.198-2016, SEC.461. Amended by P.L.111-2021, SEC.51; P.L.141-2024, SEC.21.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 8.5. Endorsements9-24-8.5-3. Motorcycle Endorsement; Conditions; Waivers; Fees

Sec. 3. (a) The bureau shall add a motorcycle endorsement to a driver's license if the holder meets the following conditions: (1) Is at least: (A) sixteen (16) years and ninety (90) days of age and has completed a motorcycle operator safety education course approved by the bureau under IC 9-27-7; or (B) sixteen (16) years and two hundred seventy (270) days of age. (2) Makes a proper application in the form and manner prescribed by the bureau. (3) Has passed a written examination developed by the bureau concerning the safe operation of a motorcycle. (4) Satisfactorily completes an operational skills test at a location approved by the bureau. (5) Pays a fee of nineteen dollars ($19). The fee shall be distributed as follows: (A) Fifty cents ($0.50) to the state motor vehicle technology fund. (B) One dollar and twenty-five cents ($1.25) to the motor vehicle highway account. (C) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (D) Sixteen dollars ($16) to the commission fund. (b) The bureau may waive the testing requirements under subsection (a)(3) and (a)(4) for an individual who satisfactorily completes a motorcycle operator safety course approved by the bureau as set forth in IC 9-27-7. (c) The bureau may waive the operational skills test under subsection (a)(4) for an individual who holds a valid motorcycle endorsement or motorcycle license from any other jurisdiction. (d) An individual who fails the operational skills test under subsection (a)(4) three (3) consecutive times is not eligible to retake the test until two (2) months after the date of the most recent failed test. (e) The fee for a motorcycle operational skills test administered under this chapter is as follows: (1) For tests given by state employees, the fee is five dollars ($5) and shall be deposited in the motor vehicle highway account under IC 8-14-1. (2) For tests given by a contractor approved by the bureau, the fee is: (A) determined under rules adopted by the bureau under IC 4-22-2 to cover the direct costs of administering the test; and (B) paid to the contractor. (f) The bureau may impose an additional fee of twenty-five dollars ($25) if the bureau processes an application for a physical credential under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund. (g) A fee imposed under this section is in addition to any other fee imposed under this chapter. [Pre-2016 Revision Citations: 9-24-8-4; subsection (a) formerly 9-29-9-7.] As added by P.L.198-2016, SEC.461. Amended by P.L.256-2017, SEC.170; P.L.147-2018, SEC.16; P.L.111-2021, SEC.52; P.L.211-2023, SEC.35.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 8.5. Endorsements9-24-8.5-4.5. Landowner Authorization of Use of Property

Sec. 4.5. A landowner who authorizes the use of the landowner's land for purposes of the administration of an operational skills test under section 3 of this chapter is not held civilly liable for injury or death to persons or for damage to property that occurs during the course of testing. As added by P.L.256-2017, SEC.171.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 8.5. Endorsements9-24-8.5-4. Operating Privileges Granted With Motorcycle Endorsement

Sec. 4. (a) In addition to the operating privileges granted to the holder of a driver's license, the holder of a driver's license with a motorcycle endorsement is entitled to operate a motorcycle on a highway. (b) A motorcycle endorsement is not required to operate an autocycle. As added by P.L.198-2016, SEC.461. Amended by P.L.111-2021, SEC.53.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 8.5. Endorsements9-24-8.5-5. For-Hire Endorsement; Conditions; Fees

Sec. 5. (a) The bureau shall add a for-hire endorsement to a driver's license if the holder meets the following conditions: (1) Is at least eighteen (18) years of age. (2) Has held a valid driver's license for more than one (1) year. (3) Makes a proper application in a form and manner prescribed by the bureau. (4) Satisfactorily passes a written test approved by the bureau. (5) Pays a fee of nineteen dollars ($19). The fee shall be distributed as follows: (A) Fifty cents ($0.50) to the state motor vehicle technology fund. (B) One dollar and twenty-five cents ($1.25) to the motor vehicle highway account. (C) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (D) Sixteen dollars ($16) to the commission fund. (b) The bureau may impose an additional fee of twenty-five dollars ($25) if the bureau processes an application for a physical credential under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund. (c) A fee imposed under this section is in addition to any other fee imposed under this chapter. As added by P.L.198-2016, SEC.461. Amended by P.L.256-2017, SEC.172; P.L.111-2021, SEC.54; P.L.211-2023, SEC.36.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 8.5. Endorsements9-24-8.5-6. Operating Privileges Granted With For-Hire Endorsement

Sec. 6. (a) In addition to the operating privileges granted to the holder of a driver's license issued under IC 9-24-3, a driver's license issued under IC 9-24-3 with a for-hire endorsement entitles the holder to operate the following: (1) A motor vehicle that is: (A) registered as having a gross weight of at least sixteen thousand (16,000) pounds but not more than twenty-six thousand (26,000) pounds; and (B) operated for the purpose of transporting property for hire. (2) A motor vehicle that is: (A) designed to transport fewer than sixteen (16) passengers, including the driver; and (B) operated for the purpose of transporting passengers for hire. (b) The holder of a driver's license issued under IC 9-24-3 with a for-hire endorsement is not entitled to operate a commercial motor vehicle. As added by P.L.198-2016, SEC.461. Amended by P.L.111-2021, SEC.55.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 8.5. Endorsements9-24-8.5-7. Employment of For-Hire Operator

Sec. 7. A person may not employ an individual to operate a motor vehicle in a manner for which a for-hire endorsement is required unless the individual holds one (1) of the following: (1) A valid driver's license issued under IC 9-24-3 with a for-hire endorsement. (2) A valid commercial driver's license. (3) A valid chauffeur's license issued under IC 9-24-4 (before its expiration). (4) A valid public passenger chauffeur's license issued under IC 9-24-5 (before its expiration). [Pre-2016 Revision Citations: 9-24-4-5; 9-24-5-5.] As added by P.L.198-2016, SEC.461. Amended by P.L.111-2021, SEC.56.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 8.5. Endorsements9-24-8.5-8. Violation

Sec. 8. A person that violates this chapter commits a Class C infraction. As added by P.L.198-2016, SEC.461.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 8. Motorcycle Learner's Permit9-24-8-0.5. Operator of Autocycle Not Required to Hold Motorcycle Learner's Permit

Sec. 0.5. The operator of an autocycle is not required to hold a motorcycle learner's permit. As added by P.L.82-2015, SEC.10. Amended by P.L.198-2016, SEC.457.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 8. Motorcycle Learner's Permit9-24-8-3. Motorcycle Learner's Permit; Fee

Sec. 3. (a) The bureau shall issue a motorcycle learner's permit to an individual who meets the following conditions: (1) The individual holds a valid driver's license issued under this article. (2) The individual passes a written examination developed by the bureau concerning the safe operation of a motorcycle. (3) The individual makes a proper application in the form and manner prescribed by the bureau. (4) The individual pays the appropriate fee under subsection (c) or (d). (b) A motorcycle learner's permit authorizes the holder to operate a motorcycle upon a highway under the following conditions: (1) The holder wears a helmet that meets the standards described in 49 CFR 571.218 as in effect January 1, 2000. (2) The motorcycle is operated only during the period from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset. (3) The motorcycle does not carry passengers other than the operator. (c) The fee for a motorcycle learner's permit issued before January 1, 2017, is nine dollars and fifty cents ($9.50). The fee shall be distributed as follows: (1) One dollar ($1) to the state motor vehicle technology fund. (2) One dollar ($1) to the motor vehicle highway account. (3) Two dollars ($2) to the crossroads 2000 fund. (4) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (5) Four dollars and twenty-five cents ($4.25) to the commission fund. (d) The fee for a motorcycle learner's permit issued after December 31, 2016, is nine dollars ($9). The fee shall be distributed as follows: (1) Twenty-five cents ($0.25) to the motor vehicle highway account. (2) Fifty cents ($0.50) to the state motor vehicle technology fund. (3) Two dollars ($2) to the crossroads 2000 fund. (4) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund. (5) Five dollars ($5) to the commission fund. (e) The fee for a motorcycle operational skills test administered under this chapter is as follows: (1) For tests given by state employees, the fee is five dollars ($5) and shall be deposited in the motor vehicle highway account under IC 8-14-1. (2) For tests given by a contractor approved by the bureau, the fee is: (A) determined under rules adopted by the bureau under IC 4-22-2 to cover the direct costs of administering the test; and (B) paid to the contractor. [Pre-1991 Recodification Citation: 9-1-4-33.2(b); (c); Pre-2016 Revision Citation: 9-29-9-11.] As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.201; P.L.221-2014, SEC.62; P.L.198-2016, SEC.459; P.L.256-2017, SEC.169; P.L.111-2021, SEC.49.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 8. Motorcycle Learner's Permit9-24-8-5. Violations

Sec. 5. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-1-4-53(c).] As added by P.L.2-1991, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 9. Application for License or Permit9-24-9-1. Forms; Affidavits

Sec. 1. (a) Each application for a permit or driver's license under this chapter must: (1) be made upon the approved form for the application furnished by the bureau; (2) include a signed affidavit in which the applicant swears or affirms that the information set forth in the application by the applicant is correct; and (3) include a voter registration form as provided in IC 3-7-14 and 52 U.S.C.

20504(c)(1). However, an online application does not have to include a voter registration form under subdivision (3). (b) The Indiana election commission may prescribe a voter registration form for use under subsection (a) that is a separate document from the remaining portions of the application described in subsection (a)(1) and (a)(2) if the voter registration form remains a part of the application, as required under 52 U.S.C. 20504(c)(1). [Pre-1991 Recodification Citations: 9-1-4-32(a); 9-1-4-42(d).] As added by P.L.2-1991, SEC.12. Amended by P.L.12-1995, SEC.116; P.L.2-1996, SEC.228; P.L.85-2013, SEC.36; P.L.128-2015, SEC.226; P.L.198-2016, SEC.462.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 9. Application for License or Permit9-24-9-2.3. Contents of Application; Indication of Veteran Status, Surviving Spouse of a Veteran Status, or a Medical Condition

Sec. 2.3. (a) Except for an application for a minor applicant, an application for a driver's license or permit under this chapter must contain the following questions: (1) "Have you served in the armed forces of the United States?". (2) "Are you the surviving spouse of someone who served in the armed forces of the United States or their reserves, in the National Guard, or in the Indiana National Guard?". (b) In addition to the questions set forth in subsection (a), an application for a driver's license or permit to be issued under this article must enable the applicant to indicate the following: (1) The applicant is a veteran and wishes to have an indication of the applicant's veteran status appear on the driver's license or permit. (2) The applicant is the surviving spouse of a veteran of the armed forces of the United States and wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the license or permit. (3) The applicant has a medical condition of note and wishes to have an identifying symbol and a brief description of the medical condition appear on the driver's license or permit. (c) The bureau shall keep in a data base and share the information submitted under subsections (a), (b)(1), and (b)(2) upon request by the Indiana department of veterans' affairs. The information submitted under subsections (a), (b)(1), and (b)(2) may be used by the Indiana department of veterans' affairs to develop outreach programs for veterans and their families. (d) The application for a driver's license or permit under this chapter must indicate that an applicant has the option whether or not to answer the questions set forth in subsection (a). [Pre-2016 Revision Citation: subsection (a) formerly 9-24-9-2(d).] As added by P.L.198-2016, SEC.464. Amended by P.L.65-2017, SEC.1; P.L.82-2019, SEC.1; P.L.141-2024, SEC.23.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 9. Application for License or Permit9-24-9-2.5. Documentary Evidence of Lawful Status

Sec. 2.5. In addition to the information required from the applicant for a driver's license or permit under sections 1 and 2 of this chapter, the bureau shall require an applicant to present to the bureau valid documentary evidence that the applicant has lawful status. As added by P.L.184-2007, SEC.35. Amended by P.L.76-2009, SEC.3; P.L.162-2009, SEC.1; P.L.198-2016, SEC.465; P.L.211-2023, SEC.38; P.L.141-2024, SEC.24.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 9. Application for License or Permit9-24-9-2. Information Required by Application for License or Permit

Sec. 2. (a) Except as provided in subsection (b), each application for a driver's license or permit under this chapter must require the following information: (1) The full legal name of the applicant. (2) The applicant's date of birth. (3) The gender of the applicant. (4) The applicant's height, weight, hair color, and eye color. (5) The address of the applicant. (6) A: (A) valid Social Security number; or (B) verification of an applicant's: (i) ineligibility to be issued a Social Security number; (ii) identity; and (iii) lawful status. (7) Whether the applicant has been subject to fainting spells or seizures. (8) Whether the applicant has been issued a driver's license or has been the holder of a permit, and if so, when and by what jurisdiction. (9) Whether the applicant's driver's license or permit has ever been suspended or revoked, and if so, the date of and the reason for the suspension or revocation. (10) Whether the applicant has been convicted of: (A) a crime punishable as a felony under Indiana motor vehicle law; or (B) any other felony in the commission of which a motor vehicle was used; that has not been expunged by a court. (11) Whether the applicant has a physical or mental disability, and if so, the nature of the disability. (12) The signature of the applicant showing the applicant's legal name as it appears or will appear on the driver's license or permit. (13) A digital photograph of the applicant. (14) Any other information the bureau requires. (b) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the individual's address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's address. (c) In addition to the information required by subsection (a), an applicant who is required to complete at least fifty (50) hours of supervised practice driving under IC 9-24-3-2.5(a)(1)(E) or IC 9-24-3-2.5(a)(2)(D) must submit to the bureau evidence of the time logged in practice driving. [Pre-1991 Recodification Citation: 9-1-4-32(b).] As added by P.L.2-1991, SEC.12. Amended by P.L.39-2000, SEC.10; P.L.138-2001, SEC.1; P.L.176-2001, SEC.12; P.L.1-2002, SEC.44; P.L.123-2005, SEC.2; P.L.184-2007, SEC.34; P.L.145-2011, SEC.17; P.L.118-2011, SEC.3; P.L.6-2012, SEC.68; P.L.125-2012, SEC.203; P.L.85-2013, SEC.37; P.L.77-2015, SEC.1; P.L.149-2015, SEC.65; P.L.198-2016, SEC.463; P.L.178-2019, SEC.46; P.L.211-2023, SEC.37; P.L.141-2024, SEC.22.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 9. Application for License or Permit9-24-9-3. Applications of Minors; Signing and Swearing by Parents, Guardians, Custodians, Employers, or Responsible Individuals

Sec. 3. (a) Except as provided in section 4.1 of this chapter, the application of an individual less than eighteen (18) years of age for a permit or driver's license under this chapter must be signed and sworn to or affirmed by one (1) of the following in order of preference: (1) The parent having custody of the minor applicant or a designee of the custodial parent specified by the custodial parent. (2) The noncustodial parent (as defined in IC 31-9-2-83) of the minor applicant or a designee of the noncustodial parent specified by the noncustodial parent. (3) The guardian having custody of the minor applicant. (4) In the absence of a person described in subdivisions (1) through (3), any other adult who is willing to assume the obligations imposed by the provisions of this chapter. (b) The bureau shall require an individual signing an application under subsection (a) to present a valid form of identification in a manner prescribed by the bureau. [Pre-1991 Recodification Citation: 9-1-4-32(c).] As added by P.L.2-1991, SEC.12. Amended by P.L.156-2006, SEC.10; P.L.198-2016, SEC.466; P.L.116-2017, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 9. Application for License or Permit9-24-9-4.1. Applicants Who Are Homeless or Under the Supervision of the Department of Child Services; Financial Liability

Sec. 4.1. (a) The signature of an individual on a minor's application as described in section 3 of this chapter is not required if the minor applicant: (1) is less than eighteen (18) years of age and is under the care and supervision of the department of child services; or (2) is a homeless youth (as defined in IC 31-36-3-4) who is accompanied by a representative, pursuant to IC 31-36-3-4(b), and presents a fee and consent waiver affidavit described in IC 31-36-3-4(c). (b) A minor applicant described in subsection (a) must provide proof of ownership of a policy of motor vehicle insurance under IC 27-2-11.1-3. The minor applicant is responsible for paying all costs of the policy of motor vehicle insurance and is liable for any damages caused because of the minor applicant's operation of a motor vehicle. A state or local government agency, foster parent, or entity providing services to the minor applicant under a contract or at the direction of a state or local government agency shall not be required to pay any costs associated with the policy of motor vehicle insurance and shall not be held liable for any damages that result from the operation of a motor vehicle owned by the minor applicant. As added by P.L.116-2017, SEC.6. Amended by P.L.155-2019, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 9. Application for License or Permit9-24-9-4. Minor Applicants; Liability of Signers; Expiration of Licenses and Permits

Sec. 4. (a) An individual who signs an application for a permit or driver's license under this chapter agrees to be responsible jointly and severally with the minor applicant for any injury or damage that the minor applicant causes by reason of the operation of a motor vehicle if the minor applicant is liable in damages. (b) An individual who has signed the application of a minor applicant for a permit or driver's license may subsequently file with the bureau a verified written request that the permit or driver's license be expired. The bureau shall expire the permit or driver's license, and the individual who signed the application of the minor applicant shall be relieved from the liability that is imposed under this chapter by reason of having signed the application and that is subsequently incurred by the minor applicant in operating a motor vehicle. (c) When a minor applicant becomes eighteen (18) years of age, the individual who signed the minor's application is relieved from the liability imposed under this chapter and subsequently incurred by the applicant operating a motor vehicle. [Pre-1991 Recodification Citation: 9-1-4-32(d); (e); (f).] As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.467; P.L.111-2021, SEC.57.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 9. Application for License or Permit9-24-9-5.5. Authorization for Registration With Selective Service System

Sec. 5.5. (a) Any male who: (1) applies for issuance or renewal of a driver's license; (2) is less than twenty-six (26) years of age; and (3) is or will be required to register under 50 U.S.C. App. 453(a); may authorize the bureau to register him with the Selective Service System in compliance with the requirements of the federal Military Selective Service Act under 50 U.S.C. App. 451 et seq. (b) The application form for a driver's license or driver's license renewal must include a box that an applicant can check to: (1) identify the applicant as a male who is less than twenty-six (26) years of age; and (2) indicate the applicant's intention to authorize the bureau to submit the necessary information to the Selective Service System to register the applicant with the Selective Service System in compliance with federal law. (c) The application form for a driver's license or driver's license renewal shall contain the following statement beneath the box described in subsection (b): "Failure to register with the Selective Service System in compliance with the requirements of the federal Military Selective Service Act, 50 U.S.C. App. 451 et seq., is a felony and is punishable by up to five (5) years imprisonment and a two hundred fifty thousand dollar ($250,000) fine. Failure to register may also render you ineligible for certain federal benefits, including student financial aid, job training, and United States citizenship for male immigrants. By checking the above box, I am consenting to registration with the Selective Service System. If I am less than eighteen (18) years of age, I understand that I am consenting to registration with the Selective Service System when I become eighteen (18) years of age.". (d) When authorized by the applicant in conformity with this section, the bureau shall forward the necessary registration information provided by the applicant to the Selective Service System in the electronic format or other format approved by the Selective Service System. (e) Failure of an applicant to authorize the bureau to register the applicant with the Selective Service System is not a basis for denying the applicant driving privileges. As added by P.L.62-2007, SEC.1. Amended by P.L.198-2016, SEC.469.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 9. Application for License or Permit9-24-9-5. Minor Applicants; Death of Signers; Replacement; Expiration of Licenses and Permits

Sec. 5. (a) If the individual who signs an application of a minor applicant dies, the minor permittee or licensee shall notify the bureau of the death and obtain a new signer. (b) The bureau, upon: (1) receipt of satisfactory evidence of the death of the individual who signed an application of a minor applicant for a permit or driver's license; and (2) the failure of the minor permittee or licensee to obtain a new signer; shall expire the minor's permit or driver's license and may not issue a new permit or driver's license until the time that a new application is signed and an affidavit described in section 1 of this chapter is made. [Pre-1991 Recodification Citation: 9-1-4-32(g); (h).] As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.468; P.L.111-2021, SEC.58.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 24. Drivers LicensesChapter 9. Application for License or Permit9-24-9-6. Violations

Sec. 6. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-1-4-53(c) part.] As added by P.L.2-1991, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 1. Applicability9-25-1-2. Motor Carriers; Certificates of Exemption

Sec. 2. This article does not apply to a person engaged, under regulation by the department of state revenue, in the business of common carrier of persons or property by motor vehicle. If involved in a reportable motor vehicle accident, a common or contract carrier of persons or property by motor vehicle may be required, in the discretion of the bureau, to file a certificate of exemption on a form the bureau prescribes. [Pre-1991 Recodification Citation: 9-2-1-38.1 part.] As added by P.L.2-1991, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 1. Applicability9-25-1-3. Motor Carriers; Exemption From Certificate of Compliance Filing Requirements

Sec. 3. Notwithstanding the provisions of this article, a driver of a motor vehicle that is: (1) operated by a motor carrier (as defined in IC 8-2.1-17-10); or (2) registered for more than twenty-six thousand (26,000) pounds; is not required to file a certificate of compliance with the bureau. [Pre-1991 Recodification Citation: 9-2-1.5-13.] As added by P.L.2-1991, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 1. Applicability9-25-1-4. Self-Insured Persons; Exemption; Certificate

Sec. 4. The provisions of this article relating to financial responsibility do not apply to a person who has registered a motor vehicle in Indiana if the person obtains a certificate of self-insurance from the bureau under IC 9-25-4-11. [Pre-1991 Recodification Citation: 9-2-1-37(a) part.] As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 1. Applicability9-25-1-5. Post Office Trucks

Sec. 5. This article does not apply to an operator of a government owned post office truck on official assignment. [Pre-1991 Recodification Citation: 9-2-1-37(a) part.] As added by P.L.2-1991, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 1. Applicability9-25-1-6. Nonresidents

Sec. 6. This article applies to a person that is a nonresident under the same conditions as this article applies to an Indiana resident. [Pre-1991 Recodification Citation: 9-2-1-12(b) part.] As added by P.L.2-1991, SEC.13. Amended by P.L.198-2016, SEC.538.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 1. Applicability9-25-1-7. Applicability

Sec. 7. This article does not apply to: (1) off-road vehicles; (2) snowmobiles; (3) motor driven cycles; or (4) electric foot scooters. As added by P.L.259-2013, SEC.22. Amended by P.L.198-2016, SEC.539; P.L.142-2019, SEC.9; P.L.111-2021, SEC.79.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 2. Definitions9-25-2-1.4. "Compliance Response Period"

Sec. 1.4. "Compliance response period", with respect to the occurrence of an event for which a person is required to provide evidence of financial responsibility, means the period: (1) beginning on the date the bureau first issues a request to the person under this article to provide evidence of financial responsibility after the occurrence of the event; and (2) ending on: (A) the fortieth day following the date described in subdivision (1), for a request to provide evidence of financial responsibility issued before July 1, 2017; or (B) the ninetieth day following the date described in subdivision (1), for a request to provide evidence of financial responsibility issued after June 30, 2017. As added by P.L.120-2017, SEC.1.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 2. Definitions9-25-2-1. Application

Sec. 1. The definitions in this chapter apply throughout this article. [Pre-1991 Recodification Citation: New.] As added by P.L.2-1991, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 2. Definitions9-25-2-2. "Insured"

Sec. 2. "Insured" means a person in whose name a motor vehicle liability policy is issued and any other person insured under the terms of the policy. [Pre-1991 Recodification Citation: 9-2-1-2 part.] As added by P.L.2-1991, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 2. Definitions9-25-2-3. "Proof of Financial Responsibility"

Sec. 3. "Proof of financial responsibility" means proof of ability to respond in damages for each motor vehicle registered by a person for liability that arises out of the ownership, maintenance, or use of the motor vehicle in the following amounts: (1) Twenty-five thousand dollars ($25,000) because of bodily injury to or death of any one (1) person. (2) Subject to the limit in subdivision (1), fifty thousand dollars ($50,000) because of bodily injury to or death of two (2) or more persons in any one (1) accident. (3) Before July 1, 2018, ten thousand dollars ($10,000) because of injury to or destruction of property in any one (1) accident. Beginning July 1, 2018, twenty-five thousand dollars ($25,000) because of injury to or destruction of property in any one (1) accident. [Pre-1991 Recodification Citation: 9-2-1-6(b) part.] As added by P.L.2-1991, SEC.13. Amended by P.L.124-2016, SEC.1; P.L.24-2017, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 2. Definitions9-25-2-4. "Public Highway"

Sec. 4. "Public highway" means a street, an alley, a road, a highway, or a thoroughfare in Indiana, including a privately owned business parking lot and drive, that is used by the public or open to use by the public. [Pre-1991 Recodification Citation: 9-2-1-15.] As added by P.L.2-1991, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 3. General Provisions9-25-3-1. Access to Accident Reports

Sec. 1. The bureau shall have access to all reports of motor vehicle accidents filed with the state police department to administer this article. [Pre-1991 Recodification Citation: 9-2-1-34.] As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 3. General Provisions9-25-3-2. Suspension or Revocation of Nonresident Operator's License; Forbidding Operation by Nonresident; Transmission of Records to Other States

Sec. 2. (a) Whenever under Indiana law the bureau may suspend or revoke a driver's license or driving privileges if the operator of a motor vehicle is an Indiana resident, the bureau may suspend or revoke the driver's license or driving privileges of or forbid the operation of a motor vehicle in Indiana by an operator who is a nonresident. (b) Whenever under Indiana law the bureau may suspend or revoke the registration certificate and registration plates of a motor vehicle if the owner of the motor vehicle is an Indiana resident, the bureau may forbid the operation within Indiana of a motor vehicle if the owner of the motor vehicle is a nonresident. (c) The bureau shall transmit to the motor vehicle bureau or state officer performing the functions of a bureau in the state in which a nonresident resides a certified copy of the following: (1) A conviction of, or an administrative action concerning, the nonresident that has resulted in the suspension of the nonresident's driving privilege in Indiana. (2) An unsatisfied judgment rendered against a nonresident that has resulted in the suspension of the nonresident's driving privilege in Indiana. [Pre-1991 Recodification Citation: 9-2-1-12(a); (c).] As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.5; P.L.198-2016, SEC.540.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 3. General Provisions9-25-3-3. Substitution and Acceptance of Other Adequate Proof of Financial Responsibility; Bond Cancellation; Return of Insurance Certificate; Return of Money or Securities

Sec. 3. (a) The bureau shall: (1) cancel a bond; (2) return a certificate of insurance; or (3) direct the treasurer of state to return money or securities to the person entitled to the money or securities; upon the substitution and acceptance of other adequate proof of financial responsibility under this article. (b) The treasurer of state shall return the money or securities requested when directed to return the money or securities under subsection (a). [Pre-1991 Recodification Citation: 9-2-1-26.] As added by P.L.2-1991, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 3. General Provisions9-25-3-4. Proof of Financial Responsibility Failing to Fulfill Purpose; Suspension of Driving Privileges or Motor Vehicle Registration

Sec. 4. Whenever the proof of financial responsibility filed by a person under this article no longer fulfills the purpose for which the

proof was required, the bureau shall require from the person other proof of financial responsibility under this article. If the person does not provide other proof of financial responsibility under this article, the bureau shall suspend the driving privileges or motor vehicle registration, or both, as determined by the bureau, of the person. [Pre-1991 Recodification Citation: 9-2-1-27.] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.243; P.L.59-2013, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 3. General Provisions9-25-3-5. Rules

Sec. 5. The bureau may adopt rules under IC 4-22-2 to establish procedures, conditions, and requirements concerning the filing of proof of financial responsibility necessary to promote and ensure the effective enforcement of this article. [Pre-1991 Recodification Citations: 9-2-1-27; 9-2-1.5-12.] As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 3. General Provisions9-25-3-6. Plaintiffs; Other Processes Provided by Law

Sec. 6. This article may not be construed to prevent the plaintiff in an action at law from relying for security upon the other processes provided by law. [Pre-1991 Recodification Citation: 9-2-1-36.] As added by P.L.2-1991, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 3. General Provisions9-25-3-7. Interstate Agreements and Compacts; Convictions; Judgments for Offenses or Violations and Issuance of Citations

Sec. 7. The following are subject to IC 9-28: (1) A: (A) conviction for a crime; or (B) judgment for an offense or ordinance violation; under this article related to the use or operation of a motor vehicle. (2) The issuance of a citation (as defined in IC 9-28-2-1) under this article. [Pre-1991 Recodification Citation: New.] As added by P.L.2-1991, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 4. Financial Responsibility9-25-4-1. Persons, Generally, Who Must Meet Minimum Standards; Violation; Suspension of Driving Privileges or Vehicle Registration

Sec. 1. (a) This section does not apply to: (1) an electric personal assistive mobility device; (2) an off-road vehicle; or (3) a snowmobile. (b) A person may not: (1) register a motor vehicle; or (2) operate a motor vehicle on a public highway; in Indiana if financial responsibility is not in effect with respect to the motor vehicle under section 4 of this chapter, or the person is not otherwise insured in order to operate the motor vehicle. (c) A person who violates this section is subject to the suspension of the person's current driving privileges or motor vehicle registration, or both, under this article. [Pre-1991 Recodification Citation: 9-2-1.5-4.] As added by P.L.2-1991, SEC.13. Amended by P.L.105-1991, SEC.1; P.L.59-1994, SEC.3; P.L.143-2002, SEC.8; P.L.125-2012, SEC.244; P.L.259-2013, SEC.23.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 4. Financial Responsibility9-25-4-10. Deposits With Treasurer of State as Proof of Financial Responsibility; Grounds for and Amount of Limitations on Execution; Proof of Absence of Unsatisfied Judgments

Sec. 10. (a) A person required to give proof of financial responsibility under this article may give proof of financial responsibility by delivering to the bureau a receipt from the treasurer of state showing a deposit with the treasurer of state of one (1) of the following: (1) Before July 1, 2018, forty thousand dollars ($40,000) in cash or securities that may legally be purchased by savings banks. Beginning July 1, 2018, fifty thousand dollars ($50,000) in cash or securities that may legally be purchased by savings banks. (2) Before July 1, 2018, trust funds with a market value of forty thousand dollars ($40,000). Beginning July 1, 2018, trust funds with a market value of fifty thousand dollars ($50,000). (b) Money and securities deposited under this section are subject to execution to satisfy a judgment under this article within the limits of coverage and subject to the limits on amounts required by this chapter for motor vehicle liability policies. Money and securities deposited under this section are not subject to attachment or execution for a reason not listed under this article. (c) The treasurer of state may not accept a deposit or issue a receipt for a deposit under this section, and the bureau may not accept a receipt for a deposit under this section, unless the person making the deposit provides evidence that there are no unsatisfied judgments against the person making the deposit registered in the office of the circuit court clerk of the county where the person making the deposit resides. [Pre-1991 Recodification Citation: 9-2-1-24.] As added by P.L.2-1991, SEC.13. Amended by P.L.124-2016, SEC.3; P.L.24-2017, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 4. Financial Responsibility9-25-4-11. Certificate of Self-Insurance; Cancellation

Sec. 11. (a) The bureau may, upon the application of a person, issue a certificate of self-insurance when the bureau is satisfied that the person making the application is possessed and will continue to be possessed of the ability to pay a judgment obtained against the person making the application. A certificate may be issued authorizing a person to act as a self-insurer for property damage, bodily injury, or death. (b) After not less than five (5) days notice and a hearing concerning the notice, the department may upon reasonable grounds cancel a certificate of self-insurance. Failure to pay a judgment within thirty (30) days after the judgment becomes final constitutes a reasonable ground for the cancellation of a certificate of self-insurance. (c) The bureau may only issue a certificate of self-insurance under rules adopted to implement this section. [Pre-1991 Recodification Citation: 9-2-1-37(b); (c); (d).]

As added by P.L.2-1991, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 4. Financial Responsibility9-25-4-2. Recovery Vehicle Operators; Duty to Meet Minimum Standards; Registration of Recovery Vehicles; Proof of Financial Responsibility; Retention of Records

Sec. 2. A person who operates a recovery vehicle must meet the minimum standards for financial responsibility that are set forth in section 6 of this chapter. A recovery vehicle may be registered only if proof of financial responsibility in amounts required under this section is produced at the time of registration. The bureau shall retain a record of that proof in the bureau's files. [Pre-1991 Recodification Citation: 9-7-14-7(a).] As added by P.L.2-1991, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 4. Financial Responsibility9-25-4-3. Continuous Maintenance; Verification; Suspension; Third Party Contract

Sec. 3. (a) Financial responsibility in one (1) of the forms required under this chapter must be continuously maintained as long as a motor vehicle is operated on a public highway in Indiana. (b) Except as provided in IC 9-25-9-1, the bureau may, at any time, verify that a person has financial responsibility in effect as required under this article. (c) The bureau shall suspend the driving privileges, motor vehicle registration, or both, of a person who fails to maintain financial responsibility as required under this article. (d) In order to comply with this section, the bureau may contract with a third party to request proof of financial responsibility from a person as required under this article. The third party must comply with the requirements of this article and any rules adopted by the bureau. (e) As to any suspension described in this section: (1) the bureau shall stay the suspension for one hundred and eighty (180) days upon a showing of proof of future financial responsibility by the person who has had the person's driving privileges, motor vehicle registration, or both, suspended; and (2) if the bureau does not receive proof that financial responsibility has lapsed after the period of one hundred and eighty (180) days, the bureau shall terminate the suspension. (f) If the bureau receives notice that financial responsibility has lapsed during the period of one hundred and eighty (180) days under subsection (e), the bureau shall lift the stay of suspension and again suspend the person's driving privileges, motor vehicle registration, or both. [Pre-1991 Recodification Citation: 9-1-4-3.5(b) part.] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.245; P.L.59-2013, SEC.8; P.L.86-2021, SEC.4; P.L.111-2021, SEC.80; P.L.137-2021, SEC.25.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 4. Financial Responsibility9-25-4-4. When Financial Responsibility in Effect; Necessary Provisions in and Approval of Insurance Policies

Sec. 4. (a) For the purposes of this article, financial responsibility is in effect with respect to a motor vehicle if: (1) a motor vehicle liability insurance policy issued with respect to the motor vehicle or operator under IC 9-25-5-7; (2) a bond executed with respect to the motor vehicle under section 7 of this chapter; or (3) the status of the owner or operator of the motor vehicle as a self-insurer, as recognized by the bureau through the issuance of a certificate of self-insurance under section 11 of this chapter; provides the ability to respond in damages for liability arising out of the ownership, maintenance, or use of the motor vehicle in amounts at least equal to those set forth in section 5 or 6 of this chapter. (b) A motor vehicle liability policy under this article must contain the terms, conditions, and provisions required by statute and must be approved by the state insurance commissioner. [Pre-1991 Recodification Citation: 9-2-1.5-2.] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.246.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 4. Financial Responsibility9-25-4-5. Minimum Amounts of Financial Responsibility

Sec. 5. Except as provided in section 6 of this chapter, the minimum amounts of financial responsibility are as follows: (1) Subject to the limit set forth in subdivision (2), twenty-five thousand dollars ($25,000) for bodily injury to or the death of one (1) individual. (2) Fifty thousand dollars ($50,000) for bodily injury to or the death of two (2) or more individuals in any one (1) accident. (3) Before July 1, 2018, ten thousand dollars ($10,000) for damage to or the destruction of property in one (1) accident. Beginning July 1, 2018, twenty-five thousand dollars ($25,000) for damage to or the destruction of property in one (1) accident. [Pre-1991 Recodification Citation: 9-2-1.5-3.] As added by P.L.2-1991, SEC.13. Amended by P.L.124-2016, SEC.2; P.L.24-2017, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 4. Financial Responsibility9-25-4-6. Recovery Vehicles; Minimum Amounts of Financial Responsibility; Violation

Sec. 6. (a) The minimum standards for financial responsibility for a recovery vehicle with a gross vehicle weight rating greater than sixteen thousand (16,000) pounds are a combined single limit of seven hundred fifty thousand dollars ($750,000) for bodily injury and property damage in any one (1) accident or as follows: (1) Subject to the limit set forth in subdivision (2), five hundred thousand dollars ($500,000) for bodily injury to or the death of one (1) individual. (2) One million dollars ($1,000,000) for bodily injury to or the death of two (2) or more individuals in any one (1) accident. (3) One hundred thousand dollars ($100,000) for damage to or the destruction of property in one (1) accident. (b) The minimum standards for financial responsibility for a recovery vehicle with a gross vehicle weight rating equal to or less than sixteen thousand (16,000) pounds are a combined single limit of three hundred thousand dollars ($300,000) for bodily injury and property damage in any one (1) accident or as follows: (1) Subject to the limit set forth in subdivision (2), one hundred thousand dollars ($100,000) for bodily injury to or the death of one (1) individual. (2) Three

hundred thousand dollars ($300,000) for bodily injury to or the death of two (2) or more individuals in any one (1) accident. (3) Fifty thousand dollars ($50,000) for damage to or the destruction of property in one (1) accident. (c) A person that operates a recovery vehicle in violation of this section commits a Class B infraction. [Pre-1991 Recodification Citation: 9-7-14-7.5.] As added by P.L.2-1991, SEC.13. Amended by P.L.198-2016, SEC.541.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 4. Financial Responsibility9-25-4-7. Methods of Proving Financial Responsibility

Sec. 7. (a) Proof of financial responsibility as requested by the bureau: (1) must be in effect on the date of the request; and (2) may be given by any of the following methods: (A) Proof that a policy or policies of operator or motor vehicle liability insurance, as applicable, have been obtained and are in full force and effect. (B) Proof that a bond has been duly executed. (C) Proof that deposit has been made of money or securities. (b) Proof of financial responsibility as requested by a law enforcement officer: (1) must be in effect on the date of the request; and (2) may be provided in a paper or electronic format. For purposes of this subdivision, electronic formats include the display of an electronic image on a telecommunications device. [Pre-1991 Recodification Citation: 9-2-1-16.] As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 4. Financial Responsibility9-25-4-8. Proof of Financial Responsibility

Sec. 8. Proof of financial responsibility meeting the requirements set forth in this article must be filed in a manner prescribed by the bureau by an insurance carrier of the person for whom proof is required. [Pre-1991 Recodification Citation: 9-2-1-17(a).] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.247; P.L.59-2013, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 4. Financial Responsibility9-25-4-9. Bonds as Proof of Financial Responsibility; Notice of Bond Cancellation; Recovery on Claims Arising Before Cancellation

Sec. 9. (a) A person required to give proof of financial responsibility may file with the bureau a bond under this section. The bond shall be executed by the person giving the proof and by a surety company authorized to transact business in Indiana. (b) The bureau may not accept a bond unless the bond is conditioned for payments in amounts and under the same circumstances as would be required in a motor vehicle liability policy furnished by the person giving proof of financial responsibility under this article. (c) A bond filed under this section may not be canceled unless ten (10) days written notice of cancellation is given to the bureau. Cancellation of a bond under this subsection does not prevent recovery on the bond due to a right or cause of action arising before the date of cancellation. [Pre-1991 Recodification Citation: 9-2-1-23.] As added by P.L.2-1991, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 5. Proof of Financial Responsibility9-25-5-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The amendments made to section 4 of this chapter by P.L.75-2001 apply to evidence admitted in any civil proceeding after June 30, 2001, to prove that a motor vehicle liability policy was in effect with respect to a motor vehicle on any date before, on, or after June 30, 2001. As added by P.L.220-2011, SEC.223.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 5. Proof of Financial Responsibility9-25-5-1. Traffic Offense Conviction Requiring Court Appearance; Failure to Prove Financial Responsibility; Suspension of Driving Privileges or Vehicle Registration

Sec. 1. (a) If a person is convicted of a traffic offense that requires a court appearance, the court shall require the person to show proof that financial responsibility was in force on the date of the violation in one (1) of the forms described in IC 9-25-4-4 or in the form of a certificate of self-insurance issued under IC 9-25-4-11. (b) If a person fails to provide proof of financial responsibility as required by this section, the court shall recommend suspension of the person's current driving privileges, motor vehicle registration, or both, until proof of future financial responsibility is filed by the person with the bureau under subsection (d). (c) A suspension under this section is subject to the same provisions concerning procedure for suspension, duration of suspension, and reinstatement applicable to other suspensions under this article. (d) As to any suspension described in this section: (1) the bureau shall stay the suspension for one hundred and eighty (180) days upon a showing of proof of future financial responsibility by the person who has had the person's driving privileges, motor vehicle registration, or both, suspended; and (2) if the bureau does not receive proof that financial responsibility has lapsed after the period of one hundred and eighty (180) days, the bureau shall terminate the suspension. (e) If the bureau receives notice that financial responsibility has lapsed during the period of one hundred and eighty (180) days under subsection (d), the bureau shall lift the stay of suspension and again suspend the person's driving privileges, motor vehicle registration, or both. [Pre-1991 Recodification Citation: 9-2-1.5-5.] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.248; P.L.59-2013, SEC.11; P.L.86-2021, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 5. Proof of Financial Responsibility9-25-5-10. Nonresidents; Proof of Financial Responsibility

Sec. 10. (a) A nonresident must give proof of financial responsibility by having an insurance carrier file a certificate of compliance

with the bureau. (b) A certificate of compliance filed under subsection (a) must conform to this chapter. [Pre-1991 Recodification Citation: 9-2-1-19.] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.256; P.L.59-2013, SEC.17.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 5. Proof of Financial Responsibility9-25-5-2. Receipt by Bureau of Accident Report; Request for Evidence of Financial Responsibility; Time Limit

Sec. 2. (a) Except as provided in subsection (b), not more than forty-five (45) days after the bureau receives a copy of an accident report under IC 9-26, the bureau shall send to each person identified in the report as an operator of a motor vehicle involved in the accident a request for evidence of financial responsibility under section 3 of this chapter, unless the evidence has already been filed with the bureau. The request for evidence of financial responsibility shall be sent to each person identified in the report as an operator of a motor vehicle involved in the accident regardless of fault. (b) The bureau may only send a request for evidence of financial responsibility under subsection (a) if the accident occurred not more than five (5) years prior to the date the bureau receives the copy of an accident report under IC 9-26. [Pre-1991 Recodification Citation: 9-2-1.5-6.] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.249; P.L.111-2021, SEC.81.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 5. Proof of Financial Responsibility9-25-5-3. Request for Evidence of Financial Responsibility; Requirements; Mailing Request

Sec. 3. (a) A request for evidence of financial responsibility must do the following: (1) Direct the person to provide the bureau with evidence that financial responsibility was in effect with respect to the motor vehicle, or the operation of the motor vehicle, operated by the person on the date requested. (2) Instruct the person on how to furnish the bureau with evidence of financial responsibility in compliance with this article. (3) Inform the person that failure to furnish evidence of financial responsibility to the bureau, if not already provided, will result in suspension of the person's current driving privileges or motor vehicle registration, or both, under this article. (b) The bureau shall mail a request for evidence of financial responsibility to a person by first class mail to the mailing address of the person appearing in the records of the bureau or send the request electronically if the person has indicated a preference for receiving requests from the bureau electronically. [Pre-1991 Recodification Citation: 9-2-1.5-7.] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.250; P.L.59-2013, SEC.12; P.L.149-2015, SEC.72; P.L.141-2024, SEC.41.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 5. Proof of Financial Responsibility9-25-5-4. Persons Identified in Accident Reports; Certificate of Compliance

Sec. 4. (a) To avoid suspension of driving privileges or motor vehicle registration suspension, or both, under this article, a person identified under section 2 of this chapter who receives a request for evidence of financial responsibility must ensure that the insurance company of the person provides the bureau with a certificate of compliance indicating that financial responsibility required by IC 9-25-4-1 was in effect with respect to the motor vehicle, or the operation of the motor vehicle, on the date of the accident described in the accident report. It is the responsibility of the person who receives a request for evidence of financial responsibility to ensure that the insurance company of the person has provided a certificate of compliance. (b) Proof that the bureau: (1) did not receive a certificate of compliance during the applicable compliance response period for a person presented with a request for evidence of financial responsibility under section 2 of this chapter; (2) received a certificate of compliance that did not indicate that financial responsibility was in effect with respect to the motor vehicle that the person was operating on the date of the accident described in the accident report; or (3) suspended the driving privileges or motor vehicle registration, or both, under IC 9-25-6-3 after presenting a person with a request for evidence of financial responsibility under section 2 of this chapter; is prima facie evidence in a civil action that the person presented with the request for evidence of financial responsibility did not have an operator's or a motor vehicle liability policy in effect with respect to the motor vehicle that the person was operating on the date of the accident described in the accident report. [Pre-1991 Recodification Citation: 9-2-1.5-8(a).] As added by P.L.2-1991, SEC.13. Amended by P.L.75-2001, SEC.1; P.L.125-2012, SEC.251; P.L.120-2017, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 5. Proof of Financial Responsibility9-25-5-5. Certificate of Compliance; Required Information; Reason for Requesting Information

Sec. 5. (a) A person who receives a request for evidence of financial responsibility under section 3 of this chapter shall ensure that the insurance company of the person set forth in the certificate of compliance provides to the bureau the following information concerning the form of financial responsibility that was in effect on the date in question: (1) If an operator's or a motor vehicle liability policy was in effect, the following: (A) The name of the insurer. (B) The identification number applying to the policy. (C) Dates of coverage of the policy. (D) Confirmation that financial responsibility covering the motor vehicle or operator, as applicable, was in effect on the date in question. (E) Other information requested by the bureau. (2) If a bond was in effect, the following: (A) The name and address of the bond company or surety. (B) The face amount of the bond. (C) Dates the bond was in effect. (D) Other information requested by the bureau. (3) If self-insurance was in effect under IC 9-25-4-11, the following: (A) The date on which the certificate of self-insurance was issued by the bureau. (B) The name of the person to whom the certificate of self-insurance was issued. (C) Other information requested by the bureau. (b) A person who requests information or verification of coverage to complete a certificate of compliance under subsection (a) from: (1) an insurance company; or (2) an insurance producer; is not required to give the company or the producer a reason for requesting the information unless the person has been involved in an

accident. [Pre-1991 Recodification Citation: 9-2-1.5-8(b).] As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.4; P.L.178-2003, SEC.2; P.L.125-2012, SEC.252; P.L.59-2013, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 5. Proof of Financial Responsibility9-25-5-6. Certification of Compliance; Execution

Sec. 6. A certificate of compliance that reports the existence of an insurance policy must be executed by an officer or agent of the insurer. A certificate of compliance that reports the existence of a bond must be executed by an officer of the bond company or surety. [Pre-1991 Recodification Citation: 9-2-1.5-8(c).] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.253.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 5. Proof of Financial Responsibility9-25-5-7. Proof of Financial Responsibility Required to Be Given by Person Other Than Vehicle Owner

Sec. 7. Whenever a person required to give proof of financial responsibility under this article is not the owner of a motor vehicle, the following apply: (1) If the person seeks only to reinstate the person's suspended driver's license or driving privileges, the person is not required to give proof of financial responsibility. (2) If subdivision (1) does not apply, an operator's policy of liability insurance is sufficient proof of financial responsibility. [Pre-1991 Recodification Citation: 9-2-1-18(c).] As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.14; P.L.10-2014, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 5. Proof of Financial Responsibility9-25-5-8. Request That Insurer Issue Certificate; Certificate as Conclusive Evidence of Conforming Policy

Sec. 8. (a) An insurance carrier that has issued a motor vehicle liability policy or policies meeting the requirements of this article shall, upon request of the named insured, file with the bureau an appropriate certificate of compliance that meets the requirements of this article and shows that a policy or policies were in effect on the date requested. (b) The issuance of a certificate of compliance to serve as proof of financial responsibility under this article is conclusive evidence that a motor vehicle liability policy in the certificate of compliance cited conforms to all the requirements of this article. [Pre-1991 Recodification Citation: 9-2-1-21.] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.254; P.L.59-2013, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 5. Proof of Financial Responsibility9-25-5-9. Certificate of Motor Vehicle Liability Policy; Cancellation of Policy; Notice to Bureau

Sec. 9. Whenever an insurance carrier has certified a motor vehicle liability policy under this chapter for the purpose of furnishing evidence of future financial responsibility, the insurance carrier shall give ten (10) days written notice to the bureau before cancellation of the policy. The policy continues in full force and effect until the date of cancellation specified in the notice or until the policy's expiration. [Pre-1991 Recodification Citation: 9-2-1-22.] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.255; P.L.59-2013, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-0.5. Bureau Compliance With Court Orders

Sec. 0.5. If a court orders the suspension of a person's driving privileges, the bureau shall suspend the person's driving privileges in accordance with the court order, even if the court's order conflicts with a previous bureau action. As added by P.L.217-2014, SEC.101.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-1. Certificate of Compliance Received From Person Identified in Accident Report

Sec. 1. (a) If: (1) the bureau receives a certificate of compliance during the applicable compliance response period for a person identified under IC 9-25-5-2; and (2) the certificate of compliance indicates that financial responsibility was in effect with respect to the motor vehicle or the operation of the motor vehicle at the time of the accident described in the accident report; the bureau may not suspend the person's driving privileges. (b) If: (1) the bureau receives a certificate of compliance during the applicable compliance response period from a person presented with a request for evidence of financial responsibility under IC 9-25-9-1; and (2) the certificate of compliance indicates that financial responsibility was in effect with respect to the motor vehicle or the operation of the motor vehicle that the person was operating when the person committed the violation described in the judgment or abstract received by the bureau under IC 9-25-9-1; the bureau may not suspend the person's driving privileges. (c) If: (1) the bureau receives a certificate of compliance during the applicable compliance response period for a person identified under IC 9-25-10 (before its repeal); and (2) the certificate of compliance indicates that financial responsibility was in effect with respect to the motor vehicle or the operation of the motor vehicle for the date requested; the bureau may not suspend the driving privileges of the person. [Pre-1991 Recodification Citation: 9-2-1.5-9(a) part.] As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.5; P.L.125-2012, SEC.257; P.L.59-2013, SEC.18; P.L.120-2017, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-12. Proof of Financial Responsibility Indicating Insured Not Covered When Operating

Vehicle Not Owned by Insured

Sec. 12. Whenever proof of financial responsibility is filed showing that a policy has been issued covering all motor vehicles owned by an insured but not insuring the person when operating a motor vehicle not owned by the person, it is unlawful for the person to operate a motor vehicle not owned by the person or not covered by the certificate. [Pre-1991 Recodification Citation: 9-2-1-18.] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.268.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-13. Nonresidents; Ownership or Operation of Vehicles; Compliance With Article

Sec. 13. A: (1) nonresident may not operate a motor vehicle in Indiana; and (2) motor vehicle owned by the nonresident may not be operated in Indiana; until the nonresident or the owner of the motor vehicle has complied with the requirements of this article with respect to proof of financial responsibility. [Pre-1991 Recodification Citation: 9-2-1-12(b) part.] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.269.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-14. Renewal of Driving Privileges or Registration

Sec. 14. (a) The bureau shall reinstate the driving privileges, motor vehicle registration, or both: (1) after the expiration of the imposed period of suspension if the person has furnished the bureau with proof of future financial responsibility; or (2) if financial responsibility was in effect with respect to a motor vehicle on the date requested but the bureau does not receive a certificate of compliance indicating this fact until after the person's driving privileges are suspended under this article, the person's driving privileges shall be reinstated when the bureau receives the certificate of compliance. (b) Upon receipt of a certificate of compliance under this section, the bureau shall remove from the person's driving record the administrative suspension caused by the failure to notify the bureau that the person had financial responsibility in effect on the date of the violation. [Pre-1991 Recodification Citation: 9-2-1.5-10.] As added by P.L.2-1991, SEC.13. Amended by P.L.105-1991, SEC.3; P.L.1-1992, SEC.57; P.L.94-1997, SEC.4; P.L.117-2001, SEC.2; P.L.210-2005, SEC.49; P.L.125-2012, SEC.270; P.L.59-2013, SEC.23; P.L.86-2021, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-15.1. Petition for Waiver of Reinstatement Fee

Sec. 15.1. (a) An individual who is liable for a reinstatement fee imposed under section 15 of this chapter may file a petition for waiver of part or all of the reinstatement fee in a criminal court of record in the person's county of residence. (b) The clerk of the court shall forward a copy of the petition to the prosecuting attorney of the county and to the bureau. The prosecuting attorney may appear and be heard on the petition. (c) The bureau is not a party in a proceeding under this chapter. (d) Upon its own motion, or upon a petition filed by an individual under this section, a court may waive part or all of a reinstatement fee imposed under section 15 of this chapter if the court finds that: (1) the individual who owes the fee: (A) is indigent; and (B) has presented proof of future financial responsibility; and (2) waiver of part or all of the fee is appropriate in light of the individual's character and the circumstances surrounding the suspension. (e) If a court waives part or all of a reinstatement fee under this section for an individual, the court may impose other reasonable conditions on the individual. (f) If a court waives part or all of a reinstatement fee under this section, the clerk shall forward a copy of the court's order to the bureau. [Pre-2016 Revision Citations: 9-29-10-2; subsection (d) formerly 9-29-10-3.] As added by P.L.198-2016, SEC.544. Amended by P.L.178-2019, SEC.57.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-15.5. Forbearance for Reinstatement Fee

Sec. 15.5. (a) The following definitions apply throughout this section: (1) "Forbearance" means a stay of enforcing payment on reinstatement fees owed by a nonviolent offender. (2) "Job training" means any type of instruction that enables an individual who: (A) is an ex-offender who has completed the individual's criminal sentence; or (B) is serving a term of probation or parole; to acquire vocational skills so the individual is employable or able to seek a higher grade of employment. (3) "Nonviolent offender" means a person who is not convicted of an offense under IC 11-8-8-5. (b) An individual who is liable for reinstatement fees imposed under section 15 of this chapter may have all of the reinstatement fees placed in forbearance if the individual: (1) is a nonviolent offender; (2) has completed the individual's criminal sentence or is serving a term of probation or parole; and (3) is enrolled in job training or maintains consistent employment for at least three (3) years. (c) If an individual: (1) is eligible to have reinstatement fees placed in forbearance; and (2) maintains consistent employment for at least three (3) years; the bureau shall waive the individual's reinstatement fees. (d) The bureau shall adopt rules under IC 4-22-2 to implement this section. As added by P.L.86-2021, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-15. Driving Privileges Reinstatement Fee

Sec. 15. (a) Except as provided in subsection (e), an individual: (1) whose driving privileges are suspended under this article; and (2) who seeks the reinstatement of the driving privileges; must pay a reinstatement fee to the bureau as provided in subsection (b). (b) The reinstatement fee under subsection (a) is as follows: (1) For a first suspension, two hundred fifty dollars ($250). (2) For a second suspension, five hundred dollars ($500). (3) For a third or subsequent suspension, one thousand dollars ($1,000). (c) Each

fee paid under this section or section 15.1 of this chapter shall be deposited in the bureau of motor vehicles commission fund established by IC 9-14-14-1 as follows: (1) Forty-eight percent (48%) of a fee paid after a first suspension. (2) Thirty-nine percent (39%) of a fee paid after a second suspension. (3) Twenty-seven percent (27%) of a fee paid after a third or subsequent suspension. The remaining amount of each fee paid under this section or section 15.1 of this chapter must be deposited in the motor vehicle highway account. (d) If: (1) a person's driving privileges are suspended for registering or operating a vehicle in violation of IC 9-25-4-1; (2) the person is required to pay a fee for the reinstatement of the person's license under this section; and (3) the person later establishes that the person did not register or operate a vehicle in violation of IC 9-25-4-1; the fee paid by the person under this section shall be refunded. (e) An individual who has had a suspension imposed under this article terminated by submitting proof of future financial responsibility under IC 9-25-4-3, IC 9-25-5-1, or section 3(d) of this chapter for the required time period is not required to pay a reinstatement fee under this section in order to have the individual's driving privileges reinstated. [Pre-1991 Recodification Citation: 9-2-1-11(c) part; Pre-2016 Revision Citation: subsection (b) formerly 9-29-10-1.] As added by P.L.2-1991, SEC.13. Amended by P.L.80-2010, SEC.13; P.L.125-2012, SEC.271; P.L.198-2016, SEC.543; P.L.178-2019, SEC.56; P.L.86-2021, SEC.9; P.L.201-2023, SEC.120.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-19.2. False Evidence of Financial Responsibility

Sec. 19.2. The bureau may suspend the driving privileges or registration of a motor vehicle, or both, of a person who provides the bureau with false evidence of financial responsibility under this article. As added by P.L.125-1995, SEC.10. Amended by P.L.125-2012, SEC.276; P.L.59-2013, SEC.25.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-2. Certificate of Compliance Received From Person Identified in Accident Report; False Statements

Sec. 2. (a) If the bureau finds that a statement as to the existence of financial responsibility in a certificate of compliance received for a person identified under IC 9-25 is materially false, the bureau shall take action under subsection (b). (b) Upon finding that the statement referred to in subsection (a) is false, the bureau shall immediately suspend the person's driving privileges or motor vehicle registration, or both, as determined by the bureau, for at least ninety (90) days and not more than one (1) year. [Pre-1991 Recodification Citation: 9-2-1.5-9(a) part.] As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.6; P.L.125-2012, SEC.258; P.L.59-2013, SEC.19.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-3. Certificate of Compliance Not Received From Person Identified in Accident Report; Receipt of Certificate Not Indicating Financial Responsibility in Effect; Suspension of License; Exceptions

Sec. 3. (a) If the bureau: (1) does not receive a certificate of compliance during the applicable compliance response period for a person identified under IC 9-25-5-2; or (2) receives a certificate that does not indicate that financial responsibility was in effect with respect to the motor vehicle operated by the person or operation of the motor vehicle by the person on the date of the accident referred to in IC 9-25-5-2; the bureau shall take action under subsection (d). (b) If the bureau: (1) does not receive a certificate of compliance during the applicable compliance response period for a person presented with a request for evidence of financial responsibility under IC 9-25-9-1; or (2) receives a certificate that does not indicate that financial responsibility was in effect with respect to the motor vehicle or operation of the motor vehicle that the person was operating when the person committed the violation described in the judgment or abstract received by the bureau under IC 9-25-9-1; the bureau shall take action under subsection (d). (c) If the bureau: (1) does not receive a certificate of compliance during the applicable compliance response period for a person presented with a request under IC 9-25-10 (before its repeal); or (2) receives a certificate that does not indicate that financial responsibility was in effect on the date requested; the bureau shall take action under subsection (d). (d) Under the conditions set forth in subsection (a), (b), or (c), the bureau shall immediately suspend the person's driving privileges, motor vehicle registration, or both, until proof of future financial responsibility is filed by the person with the bureau under subsection (g). (e) Except as provided in subsection (f), if subsection (a), (b), or (c) applies to a person, the bureau shall suspend the driving privileges of the person irrespective of the following: (1) The sale or other disposition of the motor vehicle by the owner. (2) The cancellation or expiration of the registration of the motor vehicle. (3) An assertion by the person that the person did not own the motor vehicle and therefore had no control over whether financial responsibility was in effect with respect to the motor vehicle. (f) The bureau shall not suspend the driving privileges of a person to which subsection (a), (b), or (c) applies if the person, through a certificate of compliance or another communication with the bureau, establishes to the satisfaction of the bureau that the motor vehicle that the person was operating when the accident referred to in subsection (a) took place or when the violation referred to in subsection (b) or (c) was committed was: (1) rented from a rental company; (2) shared through a peer to peer vehicle sharing program (as defined in IC 24-4-9.2-4); or (3) owned by the person's employer and operated by the person in the normal course of the person's employment. (g) As to any suspension described in this section: (1) the bureau shall stay the suspension for one hundred and eighty (180) days upon a showing of proof of future financial responsibility by the person who has had the person's driving privileges, motor vehicle registration, or both, suspended; and (2) if the bureau does not receive proof that financial responsibility has lapsed after the period of one hundred and eighty (180) days, the bureau shall terminate the suspension. (h) If the bureau receives notice that financial

responsibility has lapsed during the period of one hundred and eighty (180) days under subsection (g), the bureau shall lift the stay of suspension and again suspend the person's driving privileges, motor vehicle registration, or both. (i) For a suspension that occurs under subsection (a)(1), upon receipt of a request for review under IC 9-33-2-1, the bureau may initiate a new compliance period. [Pre-1991 Recodification Citation: 9-2-1.5-9(b).] As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.7; P.L.268-2003, SEC.31; P.L.125-2012, SEC.259; P.L.59-2013, SEC.20; P.L.188-2015, SEC.97; P.L.120-2017, SEC.4; P.L.253-2019, SEC.1; P.L.86-2021, SEC.6; P.L.72-2024, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-4. Failure to Satisfy Judgment; Suspension of Driving Privileges

Sec. 4. (a) This section does not apply to judgments entered by a court at least seven (7) years after the date of the accident. (b) "Judgment", as used in this section, means a judgment in excess of two hundred dollars ($200) for bodily injury, death, or property damages arising out of the use of a motor vehicle upon a public highway. (c) The bureau shall suspend for a period of not more than seven (7) years from the date of judgment the driving privileges of a person upon receiving a verified report that the person has failed for a period of ninety (90) days to satisfy a judgment. [Pre-1991 Recodification Citation: 9-2-1-6(a); (c).] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.261; P.L.59-2013, SEC.22.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-5. Conditions for Satisfaction of Judgment

Sec. 5. (a) A judgment referred to in this chapter is considered satisfied only when the following conditions are fulfilled as appropriate: (1) Subject to the limit in subdivision (2), twenty-five thousand dollars ($25,000) has been credited upon a judgment rendered in excess of that amount because of bodily injury to or death of one (1) person as the result of one (1) accident. (2) Fifty thousand dollars ($50,000) has been credited upon a judgment rendered in excess of that amount because of bodily injury to or death of two (2) or more persons as the result of any one (1) accident. (3) Before July 1, 2018, ten thousand dollars ($10,000) has been credited upon a judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one (1) accident. Beginning July 1, 2018, twenty-five thousand dollars ($25,000) has been credited upon a judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one (1) accident. (4) The judgment is satisfied by payment accepted by the judgment creditor in full satisfaction of all claims arising from bodily injury, death, or property damage arising from the motor vehicle accident involved in the judgment. (b) A payment made in settlement of a claim because of bodily injury, death, or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section. [Pre-1991 Recodification Citation: 9-2-1-7.] As added by P.L.2-1991, SEC.13. Amended by P.L.124-2016, SEC.4; P.L.24-2017, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-6. Payment of Judgment in Installments; Allowing Driving Privileges and Registration to Judgment Debtor on Consent of Judgment Creditor

Sec. 6. (a) The bureau may not suspend the driving privileges of a person and shall reinstate the driving privileges of a person following nonpayment of a judgment whenever a judgment debtor does the following: (1) Gives proof that the judgment debtor will maintain financial responsibility in the future for at least three (3) years following reinstatement. (2) Obtains an order from the trial court in which the judgment was rendered permitting the payment of the judgment in installments, unless the payment of an installment is in default. (b) A judgment debtor, upon five (5) days notice to the judgment creditor, may apply to the trial court in which the judgment was obtained for the privilege of paying the judgment in installments. The court, in the court's discretion and without prejudice to other legal remedies the judgment creditor may have, may order the payment of the judgment in installments, fixing the amounts and times of payment of the installments. (c) Except as provided in subsection (d), if the judgment debtor fails to pay an installment as permitted by the order of the court, upon notice of the default the bureau shall suspend the driving privileges of the judgment debtor. The bureau may not take action for failure to make installment payments for judgments entered at least seven (7) years after the date of the accident. Suspended driving privileges may not be reinstated until evidence of proof of future financial responsibility is presented. (d) Notwithstanding a default by the judgment debtor in the payment of a judgment or the payment of an installment under subsection (b), whenever the judgment creditor consents in writing, in the form the bureau prescribes, that the judgment debtor be allowed driving privileges and registration, the driving privileges and registration may be allowed by the bureau at the bureau's discretion. The driving privileges and registration may be renewed until the consent is revoked in writing if the judgment debtor furnishes proof under this article that the judgment debtor will maintain financial responsibility in the future for at least three (3) years following reinstatement. [Pre-1991 Recodification Citation: 9-2-1-8.] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.262.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-7. Duration of Suspension for Failure to Satisfy Judgment

Sec. 7. Except as provided in sections 5 and 6 of this chapter, a suspension required in sections 4 and 6 of this chapter remains in effect and no other motor vehicle may be registered in the name of the judgment debtor or a new license issued to the judgment

debtor, until the following occur: (1) The judgment is satisfied or stayed. (2) The judgment debtor gives proof of future financial responsibility for three (3) years, as provided in this article. [Pre-1991 Recodification Citation: 9-2-1-11(a); (b).] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.263.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 6. Suspension of Driving Privileges and Vehicle Registrations9-25-6-9. Certified Abstract of Record of Judgment for Damages

Sec. 9. The court shall forward to the bureau a certified abstract of the record of a judgment for damages if the rendering and nonpayment of the judgment requires the bureau to suspend or revoke the driving privileges of the judgment debtor under this article. The abstract shall be forwarded to the bureau immediately upon the expiration of thirty (30) days after the judgment becomes final and has not been stayed or satisfied, as shown by the records of the court. [Pre-1991 Recodification Citation: 9-2-1-9(f).] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.265.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 7. Miscellaneous Provisions9-25-7-1. Insolvency of Insurer Formerly Authorized and Qualified to Do Business in Indiana

Sec. 1. The bureau may not suspend or revoke the driver's license, driving privileges, or registration plates of the owner or operator of a motor vehicle who has been involved in a motor vehicle accident resulting in bodily injury or death or in damage to property in excess of two thousand five hundred dollars ($2,500) solely because of failure to provide evidence of financial responsibility whenever the: (1) owner or operator was insured by an insurance company for public liability and property damage at the time of the accident; and (2) insurance company becomes insolvent after the accident or within fifteen (15) days before the accident; if the insurance company was authorized and qualified to do business in Indiana on the effective date of the policy. [Pre-1991 Recodification Citation: 9-2-2-1.] As added by P.L.2-1991, SEC.13. Amended by P.L.157-2003, SEC.1; P.L.59-2013, SEC.26; P.L.88-2022, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 7. Miscellaneous Provisions9-25-7-2. Transfer of Vehicle Registration or Registration in Another Name; Good Faith Requirement; Repossessed Vehicles

Sec. 2. (a) This section does not apply to or affect the registration of a motor vehicle sold by a person who, under the terms or conditions of a written instrument giving a right of repossession, has exercised the right and has repossessed a motor vehicle from a person whose certificate of registration has been suspended under this article. (b) If an owner's registration has been suspended under this article, the registration may not be transferred or the motor vehicle registered in another name until the bureau is satisfied that the transfer or registration is proposed in good faith and not for the purpose or with the effect of defeating the purposes of this article. A transfer or registration shall be permitted when the transferee furnishes proof of financial responsibility to the bureau. (c) A transfer or registration made or obtained in violation of this section is void for the purposes of this article. [Pre-1991 Recodification Citation: 9-2-1-25.] As added by P.L.2-1991, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 7. Miscellaneous Provisions9-25-7-3. Cancellation, Return, or Waiver of Proof of Financial Responsibility

Sec. 3. (a) The bureau shall, upon request, cancel a bond or return a certificate of insurance, direct the treasurer of state to return to the person entitled any money or securities deposited under this article as proof of financial responsibility, or waive the requirement of filing proof of financial responsibility in any of the following circumstances: (1) At any time after three (3) years from the date the proof was required, if during the three (3) year period preceding the request the person furnishing the proof has not been convicted of an offense referred to in IC 9-30-4-6.1. (2) If the person on whose behalf the proof was filed dies or the person becomes permanently incapable of operating a motor vehicle. (3) If the person who has given proof of financial responsibility surrenders the person's driver's license, registration certificates, and registration plates to the bureau. The bureau may not release the proof if an action for damages upon a liability referred to in this article is pending, a judgment upon a liability is outstanding and unsatisfied, or the bureau has received notice that the person has, within the period of three (3) months immediately preceding, been involved as a driver in a motor vehicle accident. An affidavit of the applicant of the nonexistence of the facts referred to in this subdivision is sufficient evidence of the nonexistence of the facts in the absence of evidence to the contrary in the records of the department. (b) Whenever a person to whom proof has been surrendered under subsection (a)(3) applies for a driver's license (issued under IC 9-24-3) or chauffeur's license or the registration of a motor vehicle within a period of three (3) years from the date the proof of financial responsibility was originally required, the bureau shall reject the application unless the applicant reestablishes the proof for the remainder of the period. [Pre-1991 Recodification Citation: 9-2-1-28.] As added by P.L.2-1991, SEC.13. Amended by P.L.1-2001, SEC.7; P.L.59-2013, SEC.27; P.L.198-2016, SEC.545; P.L.111-2021, SEC.82.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 7. Miscellaneous Provisions9-25-7-4. Failure to Pay Under Surety Bond After Entry of Judgment; Action in Name of State Against Company Executing Bond

Sec. 4. If a judgment is rendered against the principal of a surety bond upon a liability covered by the conditions of the bond and the judgment is not satisfied within sixty (60) days after the judgment becomes final, the judgment creditor may, for the judgment creditor's own use and benefit and at the judgment creditor's sole expense, bring an action in the name of the state against the

company that executed the bond. [Pre-1991 Recodification Citation: 9-2-1-23(d).] As added by P.L.2-1991, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 7. Miscellaneous Provisions9-25-7-6. Temporary Reinstatement of Nonresident's Driver's License, Driving Privileges, or Registration

Sec. 6. (a) This section does not apply to an Indiana resident or an individual who operates a motor vehicle in Indiana. (b) Subject to subsection (c), an individual: (1) whose driver's license, driving privileges, or registration was suspended and who is required to prove financial responsibility extending into the future in order to have the individual's driving privileges reinstated; and (2) who no longer operates a motor vehicle in Indiana and has become a nonresident; is not required to prove financial responsibility into the future in order to have the individual's driver's license, driving privileges, or registration temporarily reinstated to allow licensing or registration in the other state or foreign jurisdiction. (c) An individual described in subsection (b) who, during the three (3) year period following the suspension described in subsection (b)(1), applies to the bureau for a driver's license or registers a motor vehicle in Indiana must maintain proof of future financial responsibility for the unexpired portion of the three (3) year period as required under this article. As added by P.L.88-1996, SEC.6. Amended by P.L.125-2012, SEC.279; P.L.59-2013, SEC.29; P.L.198-2016, SEC.546.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 8. Penalties9-25-8-1. Application of Chapter

Sec. 1. This chapter does not apply to the following: (1) Persons who have obtained a certificate of self-insurance under IC 9-25-4-11. (2) Operators of government owned vehicles. (3) Persons who are exempt under IC 9-25-1-2. [Pre-1991 Recodification Citation: 9-4-1-53.5(b).] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.280.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 8. Penalties9-25-8-2. Operating or Permitting Operation Without Financial Responsibility; Court Recommendation; Suspension

Sec. 2. (a) A person that knowingly: (1) operates; or (2) permits the operation of; a motor vehicle on a public highway in Indiana without financial responsibility in effect as set forth in IC 9-25-4-4 commits a Class A infraction. However, the offense is a Class C misdemeanor if the person knowingly or intentionally violates this section and has a prior unrelated conviction or judgment under this section. (b) Subsection (a)(2) applies to: (1) the owner of a rental company under IC 9-25-6-3(f)(1); (2) the owner of a peer to peer sharing program under IC 9-25-6-3(f)(2); and (3) an employer under IC 9-25-6-3(f)(3). [Pre-1991 Recodification Citation: 9-4-1-53.5(a).] As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.8; P.L.100-1997, SEC.1; P.L.157-2003, SEC.2; P.L.125-2012, SEC.281; P.L.59-2013, SEC.30; P.L.10-2014, SEC.3; P.L.188-2015, SEC.98; P.L.198-2016, SEC.547; P.L.253-2019, SEC.2; P.L.86-2021, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 8. Penalties9-25-8-4. Notification to Prosecuting Attorney of Driving Privileges Suspension Not Required

Sec. 4. The commissioner is not required to notify the prosecuting attorney of a driver who has had driving privileges suspended for failure to prove financial responsibility under this article. [Pre-1991 Recodification Citation: 9-4-1-53.5(d).] As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.282.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 8. Penalties9-25-8-5. Financial Responsibility Violations; Assessment of Points by Bureau

Sec. 5. (a) For purposes of the point system for Indiana traffic convictions operated by the bureau under 140 IAC 1-4.5, the bureau shall assess points against a person who registers or operates a motor vehicle in violation of IC 9-25-4-1. The bureau shall assess points against a person under this subsection for each violation of IC 9-25-4-1 committed by the person. (b) The number of points assessed for each violation of IC 9-25-4-1 shall be determined by the point study committee appointed by the commissioner based on the evaluation by the committee of the harm done to Indiana and the citizens of Indiana through the violation of IC 9-25-4-1. As added by P.L.59-1994, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 9. Post-Conviction Financial Responsibility Verification9-25-9-1. Receipt of Abstract or Judgment of Conviction; Request for Evidence of Financial Responsibility; Time Limitation

Sec. 1. (a) After the bureau receives: (1) a certified abstract under IC 9-30-13-0.5 of the record of conviction of a person for a violation of a law relating to motor vehicles; (2) a judgment or an abstract under IC 9-30-3-11 of a case resulting in a conviction, judgment, or forfeiture of security deposit; or (3) a judgment, abstract, or other court order indicating the conviction of a person for a violation of a law relating to motor vehicles; the bureau shall determine whether the bureau is required under subsection (b) to send to the person named in the judgment, abstract, or other court order a request for evidence of financial responsibility. (b) Except as provided in subsection (c), the bureau shall send a request for evidence of financial responsibility to a person referred to in subsection (a) if at least one (1) of the following applies to the person: (1) The judgment, abstract, or other court order referred to in subsection (a) reports that the person committed a moving traffic violation for which points are assessed by the bureau under the

point system, and, during a twelve (12) month period including the date of the violation referred to in the judgment, abstract, or other court order, the person committed at least two (2) additional moving traffic violations for which points are assessed by the bureau under the point system. (2) The judgment, abstract, or other court order referred to in subsection (a) reports that the person was convicted of: (A) a misdemeanor; or (B) a felony; involving a motor vehicle. (3) The judgment, abstract, or other court order referred to in subsection (a) reports that the person committed a moving traffic violation for which points are assessed by the bureau under the point system and the driving privileges of the person were previously suspended for violation of the financial responsibility requirements of IC 9-25. (c) The bureau shall not request evidence of financial responsibility under subsection (b) if the information required under subsection (a) indicates that the underlying offense occurred more than five (5) years prior to the date the bureau receives the information required under subsection (a). (d) The expungement or other removal from a person's record of an underlying judgment or conviction for which the bureau sends to the person a request for evidence of financial responsibility under this section does not alter or otherwise affect a penalty imposed by the bureau on the person for the person's failure to provide evidence of financial responsibility under this article. As added by P.L.59-1994, SEC.10. Amended by P.L.94-1997, SEC.5; P.L.125-2012, SEC.283; P.L.59-2013, SEC.32; P.L.149-2015, SEC.74; P.L.111-2021, SEC.83.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 9. Post-Conviction Financial Responsibility Verification9-25-9-2. Request for Evidence of Financial Responsibility; Instructions

Sec. 2. The request for evidence of financial responsibility presented to a person under section 1 of this chapter must do the following: (1) Direct the person to ensure that the insurance company of the person provide the bureau with evidence that financial responsibility was in effect with respect to the motor vehicle that the person was operating when the person committed the violation described in the judgment or abstract. (2) Instruct the person on how to furnish the bureau with evidence of financial responsibility as specified in this article. (3) Inform the person that failure of the insurance company of the person to provide evidence of financial responsibility to the bureau, if not already provided, will result in suspension of the person's current driving privileges or motor vehicle registration, or both, under this article. As added by P.L.59-1994, SEC.10. Amended by P.L.125-2012, SEC.284; P.L.149-2015, SEC.75.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 9. Post-Conviction Financial Responsibility Verification9-25-9-3. Request for Evidence of Financial Responsibility; Compliance

Sec. 3. To avoid suspension of driving privileges or motor vehicle registration suspension under this article, a person presented with a request for evidence of financial responsibility under section 1 of this chapter must ensure that the insurance company of the person provides the bureau with a certificate of compliance indicating that financial responsibility as required by IC 9-25-4-1 was in effect when the person committed the violation described in the judgment or abstract. As added by P.L.59-1994, SEC.10. Amended by P.L.125-2012, SEC.285.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 9. Post-Conviction Financial Responsibility Verification9-25-9-4. Request for Evidence of Financial Responsibility; Required Information

Sec. 4. A person who is presented with a request for evidence of financial responsibility under this chapter shall direct the insurance company of the person to set forth in the certificate of compliance the following information concerning the form of financial responsibility that was in effect on the date in question: (1) If a motor vehicle liability policy was in effect, the following: (A) The name of the insurer. (B) The identification number applying to the policy. (C) Dates of coverage of the policy. (D) Confirmation that financial responsibility covering the motor vehicle or operator, as applicable, was in effect on the date in question. (E) Other information requested by the bureau. (2) If a bond was in effect, the following: (A) The name and address of the bond company or surety. (B) The face amount of the bond. (C) Dates the bond was in effect. (D) Other information requested by the bureau. (3) If self-insurance was in effect under IC 9-25-4-11, the following: (A) The date on which the certificate of self-insurance was issued by the bureau. (B) The name of the person to whom the certificate of self-insurance was issued. (C) Other information requested by the bureau. As added by P.L.59-1994, SEC.10. Amended by P.L.125-2012, SEC.286; P.L.59-2013, SEC.33.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 9. Post-Conviction Financial Responsibility Verification9-25-9-5. Signatures on Certificate of Compliance; Information Concerning Violations

Sec. 5. (a) A certificate of compliance that is provided to the bureau under this article and that reports the existence of an insurance policy must be signed by an officer or agent of the insurer. (b) The portion of a request for evidence of financial responsibility that is presented to an officer or agent of an insurer to obtain a certificate of compliance under subsection (a) may not contain information concerning the violation that resulted in the request for evidence of financial responsibility. (c) An officer or agent of an insurer may not request information concerning a violation that results in a request for evidence of financial responsibility under this article. (d) A certificate of compliance that is provided to the bureau under this article and that reports the existence of a bond must be signed by an officer of the bond company or surety. As added by P.L.59-1994, SEC.10. Amended by P.L.125-2012, SEC.287.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 25. Financial ResponsibilityChapter 9. Post-Conviction Financial Responsibility Verification9-25-9-6. Responsibilities of Bureau

Sec. 6. The bureau shall respond to: (1) a certificate of compliance provided to the bureau under this chapter; or (2) the failure of a person under this chapter to provide the bureau with a certificate of compliance; in the appropriate manner provided under this article. As added by P.L.59-1994, SEC.10. Amended by P.L.59-2013, SEC.34.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 1. Duties of Drivers, Owners, and Passengers and Accident Reports9-26-1-0.3. Applicability

Sec. 0.3. Except as provided in section 0.5 of this chapter, this article does not apply to off-road vehicles or snowmobiles, which are subject to IC 14-16-1-24 and IC 14-16-1-26. As added by P.L.259-2013, SEC.24.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 1. Duties of Drivers, Owners, and Passengers and Accident Reports9-26-1-0.5. Proof if Accident Involves Serious Bodily Injury

Sec. 0.5. For purposes of this chapter, an accident does not require proof of a collision between a driver's motor vehicle and another vehicle or another person if the accident involves serious bodily injury to or the death of a person. As added by P.L.94-2006, SEC.4. Amended by P.L.125-2012, SEC.291.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 1. Duties of Drivers, Owners, and Passengers and Accident Reports9-26-1-1.1. Duties of Driver of Motor Vehicle Involved in Accident; Sentencing

Sec. 1.1. (a) The operator of a motor vehicle involved in an accident shall do the following: (1) Except as provided in section 1.2 of this chapter, the operator shall immediately stop the operator's motor vehicle: (A) at the scene of the accident; or (B) as close to the accident as possible; in a manner that does not obstruct traffic more than is necessary. (2) Remain at the scene of the accident until the operator does the following: (A) Gives the operator's name and address and the registration number of the motor vehicle the operator was driving to any person involved in the accident. (B) Exhibits the operator's driver's license to any person involved in the accident or occupant of or any person attending to any vehicle involved in the accident. (3) If the accident results in the injury or death of another person, the operator shall, in addition to the requirements of subdivisions (1) and (2): (A) provide reasonable assistance to each person injured in or entrapped by the accident, as directed by a law enforcement officer, medical personnel, or a 911 telephone operator; and (B) as soon as possible after the accident, immediately give notice of the accident, or ensure that another person gives notice of the accident, by the quickest means of communication to one (1) of the following: (i) The local police department, if the accident occurs within a municipality. (ii) The office of the county sheriff or the nearest state police post, if the accident occurs outside a municipality. (iii) A 911 telephone operator. (4) If the accident involves a collision with an unattended vehicle or damage to property other than a vehicle, the operator shall, in addition to the requirements of subdivisions (1) and (2): (A) take reasonable steps to locate and notify the owner or person in charge of the damaged vehicle or property of the damage; and (B) if after reasonable inquiry the operator cannot find the owner or person in charge of the damaged vehicle or property, the operator must contact a law enforcement officer or agency and provide the information required by this section. (b) An operator of a motor vehicle who knowingly or intentionally fails to comply with subsection (a) commits leaving the scene of an accident, a Class B misdemeanor. However, the offense is: (1) a Class A misdemeanor if the accident results in bodily injury to another person; (2) a Level 6 felony if: (A) the accident results in moderate or serious bodily injury to another person; or (B) within the five (5) years preceding the commission of the offense, the operator had a previous conviction of any of the offenses listed in IC 9-30-10-4(a); (3) a Level 4 felony if the accident results in the death or catastrophic injury of another person; and (4) a Level 3 felony if the operator knowingly or intentionally fails to stop or comply with subsection (a) during or after the commission of the offense of operating while intoxicated causing serious bodily injury (IC 9-30-5-4) or operating while intoxicated causing death or catastrophic injury (IC 9-30-5-5). (c) An operator of a motor vehicle who commits an offense under subsection (b)(1), (b)(2), (b)(3), or (b)(4) commits a separate offense for each person whose injury or death was a result of the accident. (d) A court may order terms of imprisonment imposed on a person convicted of more than one (1) offense described in subsection (b)(1), (b)(2), (b)(3), or (b)(4) to run consecutively. Consecutive terms of imprisonment imposed under this subsection are not subject to the sentencing restrictions set forth in IC 35-50-1-2(c) through IC 35-50-1-2(d). As added by P.L.217-2014, SEC.104. Amended by P.L.188-2015, SEC.99; P.L.63-2016, SEC.1; P.L.123-2017, SEC.1; P.L.184-2019, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 1. Duties of Drivers, Owners, and Passengers and Accident Reports9-26-1-1.2. Duties of Driver of Motor Vehicle Involved in an Accident Resulting in Traffic Obstruction; Violation

Sec. 1.2. (a) If, after an operator of a motor vehicle is involved in an accident, the operator's motor vehicle comes to a stop in the traveled portion of a highway, the operator shall, as soon as safely possible, move the motor vehicle off the traveled portion of the highway and to a location as close to the accident as possible. However, the operator shall not move the motor vehicle if the accident: (1) involves the transportation of hazardous materials; or (2) results in injury or death of a person or the entrapment of a person in a vehicle. A person who violates this subsection commits a Class C infraction. (b) An operator of a motor vehicle to whom subsection (a) applies, is also subject to section 1.1(a)(2), 1.1(a)(3), and 1.1(a)(4) of this chapter. An operator who knowingly or intentionally fails to comply with section 1.1(a)(2), 1.1(a)(3), or 1.1(a)(4) of this chapter commits leaving the scene of an accident, a Class B misdemeanor, and is subject to the penalties in section 1.1(b) of this chapter. As added by P.L.63-2016, SEC.2.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 1. Duties of Drivers, Owners, and Passengers and Accident Reports9-26-1-1.5. Duties of Passenger of Vehicle Involved in Accident Resulting in Injury or Entrapment; Violation

Sec. 1.5. (a) If: (1) the operator of a motor vehicle is physically incapable of determining the need for or rendering assistance to any injured or entrapped person as required under section 1.1(a)(3) of this chapter; (2) there is another occupant in the motor vehicle at the time of the accident who is: (A) at least: (i) fifteen (15) years of age and holds a learner's permit issued under IC 9-24-7-1 or a driver's license issued under IC 9-24-11; or (ii) eighteen (18) years of age; and (B) capable of determining the need for and rendering reasonable assistance to injured or entrapped persons as provided in section 1.1(a)(3) of this chapter; and (3) the other occupant in the motor vehicle knows that the operator of the motor vehicle is physically incapable of determining the need for or rendering assistance to any injured or entrapped person; the motor vehicle occupant referred to in subdivisions (2) and (3) shall immediately determine the need for and render reasonable assistance to each person injured or entrapped in the accident as provided in section 1.1(a)(3) of this chapter. (b) If there is more than one (1) motor vehicle occupant to whom subsection (a) applies, it is a defense to a prosecution of one (1) motor vehicle occupant under subsection (a) that the defendant reasonably believed that another occupant of the motor vehicle determined the need for and rendered reasonable assistance as required under subsection (a). (c) A person who knowingly or intentionally violates this section commits a Class C misdemeanor. As added by P.L.126-2008, SEC.4. Amended by P.L.125-2012, SEC.293; P.L.217-2014, SEC.105; P.L.188-2015, SEC.100.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 1. Duties of Drivers, Owners, and Passengers and Accident Reports9-26-1-5. State Police Department; Requiring Reports From Witnesses

Sec. 5. The state police department may require witnesses of accidents to submit reports to the state police department. [Pre-1991 Recodification Citation: 9-4-1-46(b).] As added by P.L.2-1991, SEC.14. Amended by P.L.210-2005, SEC.52.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 1. Duties of Drivers, Owners, and Passengers and Accident Reports9-26-1-7. City or Town Ordinances; Accident Reports; Confidentiality

Sec. 7. (a) A city or town may by ordinance require that the driver of a motor vehicle involved in an accident file with a designated city or town department a report of the accident. (b) An accident report required to be filed under subsection (a) is for the confidential use of the designated city or town department and subject to IC 9-26-3-4. [Pre-1991 Recodification Citation: 9-4-1-53.] As added by P.L.2-1991, SEC.14. Amended by P.L.210-2005, SEC.53; P.L.125-2012, SEC.299.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 10. Indiana Emergency Contact Data Base9-26-10-1. Emergency Contact Data Base Established

Sec. 1. (a) The bureau shall create and maintain the Indiana emergency contact data base. The purpose of the emergency contact data base is to provide law enforcement officers and coroners with the means to contact emergency contact persons in the event of a motor vehicle accident that renders the holder of a physical credential or a mobile credential unable to communicate due to death or serious bodily injury. (b) The emergency contact data base must consist of contact information for not more than two (2) emergency contact persons per holder of a physical credential or a mobile credential. As added by P.L.131-2017, SEC.2. Amended by P.L.11-2019, SEC.1; P.L.211-2023, SEC.69.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 10. Indiana Emergency Contact Data Base9-26-10-2. "Person"; Confidentiality; Access to Data Base

Sec. 2. (a) As used in this section, "person" has the meaning set forth in IC 5-14-3-2(n). (b) Except as provided in subsections (c), (d), (e), and (f), all information contained in the emergency contact data base is confidential and exempt from: (1) disclosure to any person; and (2) public inspection under IC 5-14-3. (c) The bureau may access information contained in the emergency contact data base for the purpose of deleting, logging, or revising emergency contact information contained in the emergency contact data base. (d) A law enforcement officer may access information contained in the emergency contact data base for the purpose of complying with IC 9-26-2-5. (e) A coroner may access information contained in the emergency contact data base in the performance of the coroner's duties. (f) Information contained in the emergency contact data base is subject to disclosure to an appropriate person upon the bureau's receipt of a: (1) grand jury subpoena; or (2) subpoena related to a criminal investigation. As added by P.L.131-2017, SEC.2. Amended by P.L.11-2019, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 10. Indiana Emergency Contact Data Base9-26-10-3. Adoption of Rules

Sec. 3. The bureau shall adopt rules under IC 4-22-2 to implement this chapter. The rules must address the following: (1) The creation, maintenance, and operation of the emergency contact data base. (2) The content and organization of any forms the bureau determines are necessary. (3) The creation and enforcement of any protocols related to the creation, maintenance, and operation of the emergency contact data base. (4) Reliably providing coroners, law enforcement agencies, and law enforcement officers with

access to the emergency contact data base for the purpose of complying with IC 9-26-2-5. (5) Any other aspect of the emergency contact data base, its maintenance, or its operation that the bureau determines necessary in order to implement this chapter. As added by P.L.131-2017, SEC.2. Amended by P.L.11-2019, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 10. Indiana Emergency Contact Data Base9-26-10-4. Operability

Sec. 4. The emergency contact data base must be operational and accessible to law enforcement officers not later than July 1, 2019. As added by P.L.131-2017, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 2. Duties of Law Enforcement Officers and Accident Reports9-26-2-1. Investigation of Accidents Resulting in Injury, Death, or Property Damage of at Least $2,500; Ensuring Operator Compliance

Sec. 1. (a) A law enforcement officer shall investigate each motor vehicle accident that results in any of the following: (1) The injury or death of a person. (2) Total property damage to an apparent extent of at least two thousand five hundred dollars ($2,500). (b) A law enforcement officer present at the scene of an accident shall ensure that each operator is in compliance with the requirements of IC 9-26-1-1.1, regardless of the apparent extent of the total property damage. [Pre-1991 Recodification Citation: 9-4-1-46(c) part.] As added by P.L.2-1991, SEC.14. Amended by P.L.157-2003, SEC.4; P.L.88-2022, SEC.2; P.L.31-2024, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 2. Duties of Law Enforcement Officers and Accident Reports9-26-2-2. Accident Reports

Sec. 2. A law enforcement officer shall forward a written report of each accident investigated under section 1 of this chapter to the state police department within twenty-four (24) hours after completing the investigation. The report must contain, if possible, the following information: (1) The name and address of the owner and operator of each vehicle involved in the accident. (2) The license number and description of each vehicle involved in the accident. (3) The time and place the accident occurred. (4) The name and address of each person injured or killed in the accident. (5) The name and address of each witness to the accident. [Pre-1991 Recodification Citations: 9-3-1-2; 9-3-1-3 part.] As added by P.L.2-1991, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 2. Duties of Law Enforcement Officers and Accident Reports9-26-2-3. Accident Report Not Confidential Record

Sec. 3. A report filed by a law enforcement officer under section 2 of this chapter is not a confidential record and shall be made available for inspection and copying under IC 5-14-3. [Pre-1991 Recodification Citations: 9-3-1-3 part; 9-4-1-46(e).] As added by P.L.2-1991, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 2. Duties of Law Enforcement Officers and Accident Reports9-26-2-4. Enforcement of Traffic Regulations and Financial Responsibility Provisions Against Parties to Accidents on Private Property; Ensuring Operator Compliance

Sec. 4. (a) A law enforcement officer shall enforce IC 9-21 and IC 9-25 against the parties to a motor vehicle accident on private property if the accident: (1) occurs on commercial or other private property that is open to the public; and (2) results in: (A) personal injury or death; or (B) property damage to an apparent extent greater than two thousand five hundred dollars ($2,500). (b) A law enforcement officer present at the scene of an accident shall ensure that each operator is in compliance with the requirements of IC 9-26-1-1.1, regardless of the apparent extent of the total property damage. (c) This section does not affect the power of a local government unit to contract with the owner or lessee of a shopping center or private business property under IC 9-21-18-4. [Pre-1991 Recodification Citation: 9-4-14-2.] As added by P.L.2-1991, SEC.14. Amended by P.L.157-2003, SEC.5; P.L.88-2022, SEC.3; P.L.31-2024, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 2. Duties of Law Enforcement Officers and Accident Reports9-26-2-5. "Emergency Contact Data Base"; "Emergency Contact Person"; "Qualifying Motor Vehicle Accident"; Duties of Law Enforcement Officers; Immunity

Sec. 5. (a) As used in this section, "emergency contact data base" means the Indiana emergency contact data base described in IC 9-26-10-1. (b) As used in this section, "emergency contact person" means an individual who is listed in the emergency contact data base, including only individuals who are at least eighteen (18) years of age. (c) As used in this section, "qualifying motor vehicle accident" means a motor vehicle accident involving: (1) death; or (2) serious bodily injury. (d) As used in this section, "serious bodily injury" has the meaning set forth in IC 35-31.5-2-292. (e) A law enforcement officer, upon arriving at the scene of a qualifying motor vehicle accident, shall access the emergency contact data base and attempt to contact the emergency contact persons listed for a corresponding holder of a physical credential unable to communicate due to death or serious bodily injury. If contact with an emergency contact person is made, the law enforcement officer shall inform the emergency contact person that the holder of a physical credential has been involved in a qualifying motor vehicle accident. (f) A law enforcement officer shall attempt to contact the emergency contact persons of the holder of a physical credential within a reasonable amount of time after learning of

or responding to a qualifying motor vehicle accident. (g) A law enforcement officer's good faith attempt to contact the emergency contact persons of the holder of a physical credential as described in subsection (f) immunizes the law enforcement officer from civil liability and all associated damages, including punitive damages, related to the law enforcement officer's inability to make: (1) any contact with the emergency contact persons of the holder of a physical credential; or (2) contact with the emergency contact persons of the holder of a physical credential within a reasonable amount of time after arriving at the scene of a qualifying motor vehicle accident. (h) If a law enforcement officer is not liable for an act or omission under this section, no other person incurs liability by reason of an agency relationship with the law enforcement officer. (i) A law enforcement officer may not be: (1) found liable; or (2) subject to damages; for any inaccuracy or omission related to the information contained in the emergency contact data base. (j) The duty imposed on a law enforcement officer by this section shall be performed in addition to any other duty required by this chapter. (k) A law enforcement agency may establish and implement protocols necessary to meet the law enforcement agency's obligations under this section. (l) A law enforcement agency is exempt from this chapter before the creation of the emergency contact data base by the bureau. As added by P.L.131-2017, SEC.1. Amended by P.L.178-2019, SEC.58; P.L.211-2023, SEC.68.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 3. Duties of State Police Department and Accident Reports9-26-3-1. Accident Report Forms

Sec. 1. (a) The state police department shall prepare and, upon request, supply to police departments, coroners, sheriffs, and other appropriate agencies or individuals forms for accident reports required under this article. (b) The forms must be appropriate with respect to the persons required to make the reports and the purposes to be served. The written reports to be made by persons involved in accidents and by investigating officers must require sufficiently detailed information to disclose with reference to a traffic accident the causes, locations, and conditions then existing and the persons and vehicles involved. [Pre-1991 Recodification Citation: 9-4-1-48(a).] As added by P.L.2-1991, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 3. Duties of State Police Department and Accident Reports9-26-3-2. Use of Approved Form; Sufficiency of Information Given in Report

Sec. 2. An accident report required to be made in writing must be made on the appropriate form approved by the state police department and must contain all of the required information unless the information is not available. [Pre-1991 Recodification Citation: 9-4-1-48(b).] As added by P.L.2-1991, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 3. Duties of State Police Department and Accident Reports9-26-3-3. Transmission of Accident Reports to Bureau

Sec. 3. The state police department shall transmit to the bureau each accident report or copy of an accident report filed with the state police department under this chapter. [Pre-1991 Recodification Citation: 9-4-1-46(a) part.] As added by P.L.2-1991, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 3. Duties of State Police Department and Accident Reports9-26-3-4. Confidentiality and Use of Reports; Disclosure of Identity of Person; Use as Evidence at Trial; Certificate That Report Has or Has Not Been Made

Sec. 4. (a) This section does not apply to an accident report filed by a law enforcement officer or filed by a coroner or similar officer under IC 9-26-4-2. (b) Except as provided in subsection (c), each required accident report and supplemental report is without prejudice to the reporting individual and is for the confidential use of the state police department or other state agencies having use of the records for accident prevention purposes. (c) The state police department may disclose the identity of a person involved in an accident when the person's identity is not otherwise known or when the person denies being present at the accident. (d) A report may not be used as evidence in a trial, civil or criminal, arising out of an accident. However, the state police department shall, upon the demand of a: (1) person who has, or claims to have, made a report; or (2) court; furnish a certificate showing that a specified accident report has or has not been made to the state police department solely to prove a compliance or a failure to comply with the requirement that a report be made to the state police department. [Pre-1991 Recodification Citation: 9-4-1-51.] As added by P.L.2-1991, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 3. Duties of State Police Department and Accident Reports9-26-3-5. Gathering, Publication, and Distribution of Statistical Information

Sec. 5. (a) The state police department shall tabulate and may analyze all accident reports and shall publish annually or at more frequent intervals statistical information based on the reports as to the number and circumstances of traffic accidents, including: (1) the total number of accidents; (2) the total number of fatalities resulting from traffic accidents; (3) the total number of accidents and fatalities involving a person less than nineteen (19) years of age; and (4) if possible, whether the accident or fatality occurred on a highway that: (A) is part of the national system of interstate and defense highways; (B) has four (4) or more lanes; or (C) is divided into two (2) or more roadways. (b) Beginning April 30, 2006, and on April 30 of each year thereafter, if the number of fatalities reported in subsection (a) exceeds the average annual number of fatalities in traffic accidents from the previous five (5) years by at least seven percent (7%), the state police department shall submit the report to the legislative council and to the chairpersons of the committees of the house of representatives and the senate that consider transportation issues. The reports required under this

subsection must be in an electronic format under IC 5-14-6. (c) Beginning April 30, 2006, and on April 30 of each year thereafter, the state police department shall submit a report describing: (1) the total number of accidents and fatalities involving a person less than nineteen (19) years of age; and (2) if possible, whether the accident or fatality described in subdivision (1) occurred on a highway that: (A) is part of the national system of interstate and defense highways; (B) has four (4) or more lanes; or (C) is divided into two (2) or more roadways; to the legislative council and to the chairpersons of the committees of the house of representatives and the senate that consider transportation issues. The reports required under this subsection must be in an electronic format under IC 5-14-6. [Pre-1991 Recodification Citation: 9-4-1-52.] As added by P.L.2-1991, SEC.14. Amended by P.L.151-2005, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 4. Duties of Coroners9-26-4-1. Death Resulting From Traffic Accident; Duty to Notify State Police Department

Sec. 1. The coroner or other official performing similar functions shall immediately notify the state police department upon learning of the death of an individual in the coroner's jurisdiction as the result of a traffic accident. [Pre-1991 Recodification Citation: 9-4-1-45(b).] As added by P.L.2-1991, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 4. Duties of Coroners9-26-4-2. Monthly Reports

Sec. 2. In addition to the notification required by section 1 of this chapter, the coroner or other official performing similar functions shall report in writing to the state police department, on or before the tenth day of each month, the following: (1) The death of an individual within the coroner's jurisdiction during the preceding month as the result of an accident involving a motor vehicle. (2) The circumstances of the accident. [Pre-1991 Recodification Citation: 9-4-1-49.] As added by P.L.2-1991, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 5. Duties of Garages and Repair Shops9-26-5-1. Vehicle Showing Evidence of Having Been Struck by Bullet; Duty to Make Report

Sec. 1. The person in charge of a garage or repair shop to which a motor vehicle that shows evidence of having been struck by a bullet is brought shall report to the state police department, within twenty-four (24) hours after the motor vehicle is received, the following information: (1) The engine number of the motor vehicle. (2) The registration number of the motor vehicle. (3) The name and address of the owner or operator of the motor vehicle. [Pre-1991 Recodification Citation: 9-4-1-50.] As added by P.L.2-1991, SEC.14. Amended by P.L.125-2012, SEC.301.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 5. Duties of Garages and Repair Shops9-26-5-2. Violation of Chapter; Classification

Sec. 2. A person who violates this chapter commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-127.1 part.] As added by P.L.2-1991, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 6. Removal of Damaged Vehicles9-26-6-1. Duty to Remove Glass or Other Foreign Material; Violation

Sec. 1. (a) A person removing a wrecked or damaged motor vehicle, including a wrecked or damaged golf cart or off-road vehicle, from a street or highway must remove any glass or other foreign material dropped upon the street or highway from the motor vehicle. (b) A person who fails to comply with subsection (a) commits a Class C infraction. [Pre-1991 Recodification Citation: 9-4-1-122.1.] As added by P.L.2-1991, SEC.14. Amended by P.L.125-2012, SEC.302; P.L.217-2014, SEC.112; P.L.188-2015, SEC.101.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 6. Removal of Damaged Vehicles9-26-6-2. Notification Required Following Accident Resulting in Damage to Property; Application of Section

Sec. 2. (a) This section does not apply to the removal of a motor vehicle that constitutes a traffic hazard. (b) The operator of a motor vehicle that is used to remove a motor vehicle that caused damage to real or personal property, except a motor vehicle of another person as described in IC 9-26-1-1.1, shall give the notification required by IC 9-26-1-1.1 before removing the motor vehicle that caused the damage. (c) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. [Pre-1991 Recodification Citation: 9-4-1-44(b).] As added by P.L.2-1991, SEC.14. Amended by P.L.125-2012, SEC.303; P.L.217-2014, SEC.113.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 7. Damage to Fences9-26-7-1. Duty of Fence Owner to Give Notice of Damage

Sec. 1. If a fence adjacent to a highway maintained by the state is damaged or destroyed as the result of a traffic accident occurring on the state highway, the owner of the damaged fence shall notify the Indiana department of transportation of the occurrence of the accident and damage to the fence within ten (10) days after the accident. [Pre-1991 Recodification Citation: 9-3-5-1(a) part; (b).] As added by P.L.2-1991, SEC.14.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 7. Damage to Fences9-26-7-2. Repair or Replacement of Fence; Labor and Materials

Sec. 2. The Indiana department of transportation shall furnish the labor used in the repair or replacement of the fence. The owner of the fence shall furnish the materials or money to cover the cost of materials for the repair or replacement of the fence. [Pre-1991 Recodification Citation: 9-3-5-1(a) part.] As added by P.L.2-1991, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 7. Damage to Fences9-26-7-3. Liability of Person Causing Damage

Sec. 3. This chapter does not mitigate or extinguish the liability of a person causing or responsible for damage to respond in damages. [Pre-1991 Recodification Citation: 9-3-5-1(c).] As added by P.L.2-1991, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 7. Damage to Fences9-26-7-4. Compliance With Article; Effect of Chapter

Sec. 4. This chapter does not relieve the owner or operator of a motor vehicle involved in an accident subject to this chapter of compliance with this article. [Pre-1991 Recodification Citation: 9-3-5-1(d).] As added by P.L.2-1991, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 8. Enforcement9-26-8-1. Arrest and Prosecution; Exclusivity of Procedures

Sec. 1. The procedure prescribed in this chapter is not the exclusive method for the arrest and prosecution of a person for a similar offense. [Pre-1991 Recodification Citation: 9-4-1-134 part.] As added by P.L.2-1991, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 8. Enforcement9-26-8-2. Violations of Ic 9-26-1-1.1; Arrest Without Warrant

Sec. 2. A law enforcement officer may, without a warrant, arrest a person for a violation of IC 9-26-1-1.1 if the law enforcement officer has probable cause to believe that the violation was committed by the person. [Pre-1991 Recodification Citation: 9-4-1-134 part.] As added by P.L.2-1991, SEC.14. Amended by P.L.1-1992, SEC.58; P.L.217-2014, SEC.115.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 9. Accident Reports and Fees9-26-9-1. "Accident Response Service Fee"

Sec. 1. As used in this chapter, "accident response service fee" means a fee imposed for any of the following: (1) The response by a local law enforcement agency to a motor vehicle accident. (2) The investigation by a local law enforcement agency of a motor vehicle accident. [Pre-2016 Revision Citation: 9-29-11.5-1.] As added by P.L.198-2016, SEC.550.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 9. Accident Reports and Fees9-26-9-2. "Local Law Enforcement Agency"

Sec. 2. As used in this chapter, "local law enforcement agency" means a tribal law enforcement agency or a political subdivision's department or agency whose principal function is the apprehension of criminal offenders. [Pre-2016 Revision Citation: 9-29-11.5-2.] As added by P.L.198-2016, SEC.550. Amended by P.L.64-2022, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 9. Accident Reports and Fees9-26-9-3. Carrying Out of Law Enforcement Officer's Duties; Reports; Copying; Fees

Sec. 3. (a) Except as provided in subsection (c), the main department, office, agency, or other person under whose supervision a law enforcement officer carries out the law enforcement officer's duties may charge a fee that is fixed by ordinance of the fiscal body and is at least five dollars ($5) for each report. (b) The fee collected under subsection (a) or (c) shall be deposited in the following manner: (1) If the department supplying a copy of the accident report is the state police department, in a separate account known as the "accident report account". The account may be expended at the discretion of the state police superintendent for a purpose reasonably related to the keeping of accident reports and records or the prevention of street and highway accidents. (2) If the department supplying a copy of the accident report is the sheriff, county police, or county coroner, in a separate account known as the "accident report account". The account may be expended at the discretion of the chief administrative officer of the entity that charged the fee for any purpose reasonably related to the keeping of accident reports and records or the prevention of street and highway accidents. (3) If the department supplying a copy of the accident report is a city or town police department, in the local law enforcement continuing education fund established by IC 5-2-8-2. (c) The superintendent of the state police department may charge a fee in an amount that is at least five dollars ($5) for: (1) each report; and (2) the inspection and copying of other report related data maintained by the department. [Pre-2016 Revision Citation: 9-29-11-1.] As added by P.L.198-2016, SEC.550.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 26. Accidents and Accident ReportsChapter 9. Accident Reports and Fees9-26-9-4. Accident Response Service Fee Prohibited

Sec. 4. A political subdivision or a local law enforcement agency may not impose or collect, or enter into a contract for the collection of, an accident response service fee on or from: (1) the driver of a motor vehicle; or (2) any other person; involved in a motor vehicle accident. [Pre-2016 Revision Citation: 9-29-11.5-3.] As added by P.L.198-2016, SEC.550.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 1. Federal Traffic Safety Programs9-27-1-1. Federal Act Defined

Sec. 1. As used in this chapter, "federal act" refers to the National Highway Safety Act of 1966 (23 U.S.C. 401 et seq. as in effect January 1, 1991). [Pre-1991 Recodification Citation: New.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 1. Federal Traffic Safety Programs9-27-1-10. Federal Funds; Application; Receipt; Disbursement; Allocation

Sec. 10. The governor may apply for, receive, disburse, and allocate funds that are made available to the state by the federal government. [Pre-1991 Recodification Citation: 9-6-4-9.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 1. Federal Traffic Safety Programs9-27-1-11. Contracts to Provide Services, Facilities, Studies, and Reports

Sec. 11. The governor may contract with other agencies, public and private, that the governor considers necessary to provide the services, facilities, studies, and reports that will best effectuate the purposes of the federal act. [Pre-1991 Recodification Citation: 9-6-4-10.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 1. Federal Traffic Safety Programs9-27-1-2. Acceptance of Provisions and Benefits of National Highway Safety Act of 1966; Administration

Sec. 2. Indiana accepts the provisions and benefits of the National Highway Safety Act of 1966 (23 U.S.C. 401 et seq.). The governor may administer the federal act and coordinate the activities of all departments and agencies of this state and political subdivisions of this state and observe and comply with the requirements of the federal act and the regulations issued under the federal act. [Pre-1991 Recodification Citation: 9-6-4-1.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 1. Federal Traffic Safety Programs9-27-1-3. Construction to Allow Maximum Participation in Benefits

Sec. 3. This chapter shall be construed to allow maximum participation in the benefits of the federal act. [Pre-1991 Recodification Citation: 9-6-4-2.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 1. Federal Traffic Safety Programs9-27-1-4. Federal Funds Appropriated to State and Subdivisions for Federal Act Uses and Purposes

Sec. 4. Federal funds received by the state under the federal act are appropriated to the state and political subdivisions of the state for the uses and purposes provided by the federal act. [Pre-1991 Recodification Citation: 9-6-4-3.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 1. Federal Traffic Safety Programs9-27-1-5. Federal Funds Conditioned on Expenditure of Funds by Political Subdivision; Appropriation by Subdivision

Sec. 5. If the expenditure of public funds of a political subdivision is required as a condition for the provision of funds under the federal act, the acceptance of funds under the federal act by the political subdivision shall be made by the governing authority of the political subdivision, with the consent of the appropriating authority of the political subdivision. Funds of a political subdivision may not be expended without due appropriation as provided by law. However, a political subdivision may make regular appropriations for the purposes authorized by this chapter or may make regular appropriations in the same manner that emergency appropriations are made. [Pre-1991 Recodification Citation: 9-6-4-4.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 1. Federal Traffic Safety Programs9-27-1-6. State Administrator and Other Employees; Salaries

Sec. 6. (a) The governor may appoint an administrator to aid the governor in the coordination and administration of the federal act. The governor may also employ other persons required to effectuate the purposes of the federal act. (b) The budget agency, subject to the approval of the governor, shall establish the salaries of the administrator and other persons employed by the governor to effectuate the purposes of the federal act. [Pre-1991 Recodification Citation: 9-6-4-5.] As added by P.L.2-1991, SEC.15.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 1. Federal Traffic Safety Programs9-27-1-7. Delegation of Duties to State Officers or Agencies

Sec. 7. The governor may designate a state officer or agency to perform any of the acts to be performed by the state to receive funds under the federal act. The designated state officer or agency shall perform the acts specified by the governor. [Pre-1991 Recodification Citation: 9-6-4-6.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 1. Federal Traffic Safety Programs9-27-1-8. Cooperation; Federal, State, and Local Level

Sec. 8. The governor may cooperate with any agency or person, public or private, state or federal, and any political subdivision in the administration of the federal act. [Pre-1991 Recodification Citation: 9-6-4-7.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 1. Federal Traffic Safety Programs9-27-1-9. State Officers and Agencies; Cooperation

Sec. 9. State officers and agencies shall cooperate with the governor, on the governor's request, to further the purposes of this chapter. [Pre-1991 Recodification Citation: 9-6-4-8.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 2. State Traffic Safety Programs9-27-2-1. Office Defined

Sec. 1. As used in this chapter, "office" refers to the office of traffic safety. [Pre-1991 Recodification Citation: New.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 2. State Traffic Safety Programs9-27-2-10. Purdue University Research and Training Center; Training Program

Sec. 10. (a) The office and each Indiana department, division, bureau, and other agency may cooperate with Purdue University in the development of factual and scientific methods for the following: (1) The control and prevention of traffic accidents. (2) The conduct of research. (3) Training and service programs designed to aid the office and the departments and agencies in conducting effective activities related to the facilitation of motor vehicle traffic on streets and highways and in the control and prevention of traffic accidents. (b) Purdue University may do the following: (1) Serve as the training and research center for the director of traffic safety and for the state traffic safety advisory committee. (2) Develop and conduct for towns, cities, and other political subdivisions of Indiana training programs, special studies, surveys, and other services in the field of public safety and traffic accident prevention that are designed to aid political subdivisions in the prevention and control of traffic accidents and congestion. [Pre-1991 Recodification Citation: 9-6-2-8.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 2. State Traffic Safety Programs9-27-2-11. Alcohol and Drug Countermeasures Fund

Sec. 11. (a) The alcohol and drug countermeasures fund is established for the purpose of funding the programs and activities developed and conducted under section 4(8) of this chapter. The fund shall be administered by the office. The fund consists of deposits made under IC 33-37. (b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. (c) Money in the fund at the end of a state fiscal year does not revert to the state general fund. (d) At least sixty percent (60%) of the money in the alcohol and drug countermeasures fund shall be used to supplement law enforcement agencies in their efforts to apprehend persons who operate vehicles while intoxicated. Money received by a law enforcement agency from the fund may not be used to replace other funding of law enforcement services. [Pre-1991 Recodification Citation: 9-6-2-9.] As added by P.L.2-1991, SEC.15. Amended by P.L.98-2004, SEC.77.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 2. State Traffic Safety Programs9-27-2-13. Schools, Seminars, or Courses Conducted by Driver Safety Specialists; Participation Fees; Agreements; Deposit of Revenues

Sec. 13. (a) Driver safety specialists, acting for the bureau, may conduct schools, seminars, or other courses for the benefit of local units of government, other state agencies, federal agencies, organizations, or private businesses for the purpose of improving the state's traffic safety climate. (b) The bureau may impose a fee on participating individuals or groups at a rate adequate to reimburse the state for the direct cost to the state of conducting the educational programs. (c) The bureau may enter into agreements as needed to meet the purposes of this chapter. (d) The revenue collected for the purpose of reimbursing the state for the direct costs of the educational programs shall be deposited in the motor vehicle highway account established under IC 8-14-1. [Pre-1991 Recodification Citation: 9-1-9-6(a); (b).] As added by P.L.2-1991, SEC.15.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 2. State Traffic Safety Programs9-27-2-2. Office of Traffic Safety; Creation; Responsibility; Purpose

Sec. 2. The office of traffic safety is created within the Indiana criminal justice institute. The office is responsible for the state's traffic safety program. The purpose of this office is to develop and conduct effective programs and activities for the facilitation of traffic and for the protection and conservation of life and property on Indiana streets and highways. [Pre-1991 Recodification Citation: 9-6-2-2.] As added by P.L.2-1991, SEC.15. Amended by P.L.39-1993, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 2. State Traffic Safety Programs9-27-2-3. Director of Traffic Safety; Appointment; Term; Qualifications; Duties

Sec. 3. (a) The governor shall appoint a director of traffic safety who serves at the pleasure of the governor. (b) The director is the administrative head of the office of traffic safety, subject to the authority of the director of the Indiana criminal justice institute. The director of traffic safety shall develop, plan, and execute the functions and duties prescribed by this chapter. (c) The director of traffic safety must be a person qualified by training and experience in traffic safety and traffic accident prevention measures. [Pre-1991 Recodification Citation: 9-6-2-4.] As added by P.L.2-1991, SEC.15. Amended by P.L.39-1993, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 2. State Traffic Safety Programs9-27-2-4. Office; Powers and Duties

Sec. 4. The office shall do the following to carry out this chapter: (1) Develop, plan, and conduct programs and activities designed to prevent and reduce traffic accidents and to facilitate the control of traffic on Indiana streets and highways. (2) Advise, recommend, and consult with state departments, divisions, boards, commissions, and agencies concerning traffic safety, accident prevention, and traffic facilitation programs and activities and coordinate these programs and activities on an effective statewide basis. (3) Organize and conduct, in cooperation with state departments and agencies, programs, services, and activities designed to aid political subdivisions in the control of traffic and prevention of traffic accidents. (4) Develop informational, educational, and promotional material on traffic control and traffic accident prevention, disseminate the material through all possible means of public information, and serve as a clearinghouse for information and publicity on traffic control and accident prevention programs and activities of state departments and agencies. These activities must include materials and information designed to make senior citizens aware of the effect of age on driving ability. (5) Cooperate with public and private agencies interested in traffic control and traffic accident prevention in the development and conduct of public informational and educational activities designed to promote traffic safety or to support the official traffic safety program of Indiana. (6) Study and determine the merits of proposals affecting traffic control, traffic safety, or traffic accident prevention activities in Indiana and recommend to the governor and the general assembly the measures that will serve to further control and reduce traffic accidents. (7) Study proposed revisions and amendments to the motor vehicle laws and all other laws concerning traffic safety and make recommendations relative to those laws to the governor and general assembly. (8) Develop and conduct a program of effective alcohol and drug countermeasures to protect and conserve life and property on Indiana streets and highways. [Pre-1991 Recodification Citation: 9-6-2-5(a).] As added by P.L.2-1991, SEC.15. Amended by P.L.210-2005, SEC.54; P.L.197-2011, SEC.36.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 2. State Traffic Safety Programs9-27-2-5. Office; Additional Powers and Duties

Sec. 5. The office may do what is reasonable and necessary to carry out this chapter, including the following: (1) Recommend to state agencies and departments measures for the control of traffic and for the prevention of traffic accidents. (2) Study and inspect at any time the traffic control and traffic accident prevention activities and operations of state agencies and departments. (3) Call meetings of the heads or employees of state agencies and departments to discuss traffic control or traffic accident prevention measures. (4) Request information, special studies, and reports from state agencies and departments on matters concerning the control of traffic or the prevention of traffic accidents on Indiana streets and highways. [Pre-1991 Recodification Citation: 9-6-2-5(b).] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 2. State Traffic Safety Programs9-27-2-6. Rules

Sec. 6. The Indiana criminal justice institute may adopt rules under IC 4-22-2 to carry out this chapter. [Pre-1991 Recodification Citation: 9-6-2-5(c).] As added by P.L.2-1991, SEC.15. Amended by P.L.39-1993, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 2. State Traffic Safety Programs9-27-2-7. Authority of Office Supplemental to Traffic Safety Functions of Department of Transportation and State Police Department

Sec. 7. The authority of the office supplements and does not replace the traffic safety functions of the Indiana department of transportation or the state police department. [Pre-1991 Recodification Citation: 9-6-2-5(d).] As added by P.L.2-1991, SEC.15.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 2. State Traffic Safety Programs9-27-2-8. Cooperation; State Governmental Entities

Sec. 8. The head of each Indiana department, division, bureau, commission, and agency shall cooperate with the office and provide full information on all plans, operations, activities, and programs of the respective agency or department that are directly related to traffic control or traffic accident prevention. The governor may direct that assistance be given to the office, in the performance of the duties of the office, by any officer, employee, or agent of the state. At the request of the office and with the approval of the governor, the head of a state agency or department shall assign temporarily to the office the technicians or other employees needed to carry out this chapter. [Pre-1991 Recodification Citation: 9-6-2-6.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 2. State Traffic Safety Programs9-27-2-9. Gifts or Grants; Authority to Accept

Sec. 9. (a) The office, with the approval of the governor, may accept on behalf of the state a gift or grant of money for a purpose specified in this chapter. (b) A gift or grant under this chapter shall be held by the treasurer of state in a special fund and expended in accordance with the terms of the gift or grant upon proper warrant or voucher drawn by the office. [Pre-1991 Recodification Citation: 9-6-2-7.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 3. Local Traffic Safety Programs9-27-3-1. Application of Chapter

Sec. 1. This chapter applies only to counties and cities. [Pre-1991 Recodification Citation: New.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 3. Local Traffic Safety Programs9-27-3-2. Contracts With Nonprofit Organizations to Promote Traffic Safety and to Study Accident Problems

Sec. 2. The: (1) county executive of a county; or (2) board of public works, board of public works and safety, or the department of transportation of a city; may contract with a nonprofit organization, with the approval of the county legislative body or the city legislative body, to promote traffic safety and study traffic accident problems. [Pre-1991 Recodification Citation: 9-6-5.5-1.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 5. Toxicology Accident Research9-27-5-1. State Department of Toxicology; Study

Sec. 1. (a) The state, in recognition of the need for and lack of adequate information regarding the role of alcohol, carbon monoxide, and certain drugs in fatalities occurring as a result of traffic accidents involving motor vehicles, requires specific information pertaining to Indiana. The information, to be of value in the evaluation of the traffic accident rate in Indiana, must be gathered, prepared, and interpreted on the basis of local conditions. It is recognized that the extrapolation of information gathered in other states will not provide accurate information in view of the variables introduced by demographic differences and a multitude of environmental factors that differ from state to state. (b) In recognition of the need for the information described in subsection (a), the director of the state department of toxicology, in conjunction with the office of traffic safety, shall conduct a study of the incidence and effect of alcohol, carbon monoxide, and certain drugs in all motor vehicle traffic accidents involving a fatality. [Pre-1991 Recodification Citation: 9-6-7-1.] As added by P.L.2-1991, SEC.15. Amended by P.L.158-2011, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 5. Toxicology Accident Research9-27-5-2. State Department of Toxicology; Aid

Sec. 2. The director of the state department of toxicology may solicit and receive aid from the following: (1) The office of traffic safety. (2) The state police department. (3) The commission on forensic sciences. (4) The Indiana Coroners Association. (5) The Indiana department of health. (6) The Indiana State Medical Association. (7) Other agencies that may, in the director's opinion, make a contribution to the effectiveness of the study. [Pre-1991 Recodification Citation: 9-6-7-2.] As added by P.L.2-1991, SEC.15. Amended by P.L.2-1992, SEC.90; P.L.56-2023, SEC.60.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 5. Toxicology Accident Research9-27-5-3. Test Results; Dissemination; Immunity From Liability; Practice of Medicine

Sec. 3. (a) The results of a test conducted as part of a study conducted under this chapter are not public records. The results comprise information that is required by the investigator for the preparation of the study. Since these are the results of a statistical examination, the findings in a specific instance or collection of instances are not admissible in evidence in an action in a court or in a proceeding before a tribunal, a board, an agency, or an individual. (b) The consolidated results of the examinations may be disseminated and made public for any use, but there must be no method of identifying the individuals involved. (c) An individual participating in a bona fide activity concerned with the conduct of statistical examination is immune from all liability, civil or

criminal, that might otherwise be incurred or imposed. (d) This chapter may not be construed as permitting a person to engage in the practice of medicine. [Pre-1991 Recodification Citation: 9-6-7-3.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 5. Toxicology Accident Research9-27-5-4. Collection of Specimens

Sec. 4. (a) The director of the state department of toxicology, in conjunction with the office of traffic safety, may require the appropriate agencies to collect the necessary specimens to the maximum extent practicable from the body of each driver and pedestrian who is at least fifteen (15) years of age and who dies within four (4) hours after involvement in an accident. (b) To the maximum extent practicable and consistent with legal rights, a quantitative test must also be conducted on each surviving driver in an accident that involves a fatality or that results in serious bodily injury in a manner consistent with IC 9-30-7. (c) Specimens or reports collected under this section must consist of those items prescribed by the director of the department of toxicology and must include sufficient data to approximate the blood alcohol concentration of the driver or pedestrian at the time of the accident. [Pre-1991 Recodification Citation: 9-6-7-4.] As added by P.L.2-1991, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 5. Toxicology Accident Research9-27-5-5. Reports

Sec. 5. The director of the state department of toxicology, in conjunction with the office of traffic safety, shall prepare a report of the annual statistical findings and related recommendations for presentation upon request of the legislative council. The report must be in an electronic format under IC 5-14-6. [Pre-1991 Recodification Citation: 9-6-7-5.] As added by P.L.2-1991, SEC.15. Amended by P.L.28-2004, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 6. Driver Education Training9-27-6-1. Application

Sec. 1. This chapter applies after December 31, 2011. As added by P.L.145-2011, SEC.21.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 6. Driver Education Training9-27-6-10. Refusal to Issue or Renew, Cancel, Suspend, or Revoke License

Sec. 10. The bureau may refuse to issue, refuse to renew, cancel, suspend, or revoke a license issued under this chapter if it is shown that the person: (1) who applied for the license does not meet the requirements necessary to obtain the license; (2) no longer meets the requirements necessary to maintain the license; or (3) has willfully violated this chapter or a rule adopted by the bureau concerning driver education instruction. As added by P.L.145-2011, SEC.21. Amended by P.L.85-2013, SEC.76.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 6. Driver Education Training9-27-6-11. Rules Concerning Licenses

Sec. 11. In addition to adopting rules under sections 6(b), 8(b), and 9(b) of this chapter, the bureau shall adopt rules under IC 4-22-2 concerning the following: (1) Methods and procedures for the investigation and evaluation of the qualifications of individuals applying for licenses under sections 6 and 8 of this chapter. (2) The criteria upon which to issue, deny, suspend, renew, and revoke licenses under section 10 of this chapter, including requirements for continuing education for instructors. (3) Procedures for: (A) the investigation into potential grounds for; and (B) conduct of hearings on; the issuance, renewal, cancellation, suspension, or revocation of a license. (4) Standards for classroom and in-car driver education curriculum (including classroom instruction, Internet instruction, and practice driving) and equipment. Classroom instruction standards established under this subdivision must provide for instruction about: (A) railroad-highway grade crossing safety; and (B) the procedure for participation in the human organ donor program; and must limit classroom instruction to students at least fifteen (15) years of age. (5) Limitations on the number of: (A) hours an instructor may teach in a day; and (B) classroom and driving hours in which a driver education student may participate during a day. (6) Programs to improve parental involvement in driver education. (7) Establishment and maintenance of standards for instructors of driver education, including: (A) secondary school driver education instructors; (B) driver training school instructors; and (C) higher education driver education instructors. (8) Minimum hours of instruction for an approved driver education course that include: (A) thirty (30) hours of classroom or online training; and (B) six (6) hours of behind-the-wheel training. As added by P.L.145-2011, SEC.21. Amended by P.L.85-2013, SEC.77; P.L.150-2015, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 6. Driver Education Training9-27-6-2. Exceptions to Application

Sec. 2. This chapter does not apply to the following: (1) An individual giving driver training lessons without charge. (2) Employers maintaining driver training schools without charge for employees of the employer only. As added by P.L.145-2011, SEC.21.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 6. Driver Education Training9-27-6-3. Driver Training School

Sec. 3. (a) As used in this chapter, "driver training school" means: (1) a business enterprise that: (A) is conducted by an individual,

an association, a partnership, a limited liability company, or a corporation for the education and training of persons, practically or theoretically, or both, to operate or drive motor vehicles or to prepare an applicant for an examination or validation under IC 9-24 for a driver's license; and (B) charges consideration or tuition for the provision of services; or (2) a driver education program operated under the authority of: (A) a school corporation (as defined in IC 36-1-2-17); (B) a state accredited nonpublic secondary school that voluntarily becomes accredited under IC 20-31-4.1; (C) a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9); (D) a postsecondary credit bearing proprietary educational institution (as defined in IC 21-18.5-2-12); (E) a state educational institution (as defined in IC 21-7-13-32); or (F) a nonaccredited nonpublic school. (b) The term does not include a business enterprise that educates or trains a person or prepares a person: (1) for an examination or a validation given by the bureau to operate or drive a motor vehicle as a vocation; or (2) to operate a commercial motor vehicle. As added by P.L.145-2011, SEC.21. Amended by P.L.85-2013, SEC.69; P.L.92-2020, SEC.6; P.L.211-2023, SEC.70.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 6. Driver Education Training9-27-6-4. Instructor

Sec. 4. As used in this chapter, "instructor" means the following: (1) An individual, whether acting as the operator of a driver training school or on behalf of a driver training school, who for compensation teaches, conducts classes for, gives demonstrations to, or supervises the practice of individuals learning to operate or drive motor vehicles or preparing to take an examination for a driver's license. (2) An individual who supervises the work of an instructor. (3) An individual licensed under IC 20-28-5-1. (4) An individual under the authority of a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9) or a postsecondary credit bearing proprietary educational institution (as defined in IC 21-18.5-2-12) who is teaching, conducting classes for, giving demonstrations to, or supervising the practice of individuals learning to operate or drive motor vehicles or preparing to take an examination for a driver's license. (5) An individual under the authority of a state educational institution (as defined in IC 21-7-13-32) who is teaching, conducting classes for, giving demonstrations to, or supervising the practice of individuals learning to operate or drive motor vehicles or preparing to take an examination for a driver's license. As added by P.L.145-2011, SEC.21. Amended by P.L.107-2012, SEC.3; P.L.85-2013, SEC.70.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 6. Driver Education Training9-27-6-5. Driver Education Advisory Board

Sec. 5. (a) As used in this section, "advisory board" refers to the driver education advisory board established by subsection (b). (b) The driver education advisory board is established to advise the commissioner in the administration of the policies of the commission and the bureau regarding driver education. (c) The advisory board is composed of seven (7) individuals appointed by the commissioner as follows: (1) Three (3) members must be driver education professionals endorsed by the bureau under section 8 of this chapter. In the selection of individuals for membership under this subdivision, consideration must be given to driver education instruction performed in urban and rural areas. (2) One (1) member must be a traffic safety advocate. (3) One (1) member must be a representative of the bureau. (4) One (1) member must be a representative of higher education. (5) One (1) member must be a representative of the insurance industry. (d) A member of the advisory board serves a two (2) year term. A member may not be appointed to more than two (2) consecutive full terms. Each member serves until the member's successor is appointed and qualified. (e) A member of the advisory board may be removed for good cause. (f) A vacancy on the advisory board shall be filled by the appointment by the commissioner of an individual to fill the position to which the vacating member was appointed under subsection (c) for the vacating member's unexpired term. (g) The advisory board shall: (1) consult with and advise the commissioner in the administration of the policies of the commission and the bureau regarding driver education; and (2) suggest rules regarding the education and training of persons to operate or drive motor vehicles or to prepare a person for an examination or validation for a driver's license. (h) A member of the advisory board is not subject to liability in a civil action for bodily injury or property damage arising from or thought to have arisen from an action taken in good faith as a member of the advisory board. As added by P.L.145-2011, SEC.21. Amended by P.L.125-2012, SEC.304; P.L.85-2013, SEC.71.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 6. Driver Education Training9-27-6-6. Driver Training School License

Sec. 6. (a) To establish or operate a driver training school, the driver training school must obtain a driver training school license from the bureau in the manner and form prescribed by the bureau. (b) Subject to subsections (c) and (d), the bureau shall adopt rules under IC 4-22-2 that state the requirements for obtaining a driver training school license. (c) The rules adopted under subsection (b) must permit a licensed driver training school to provide classroom training during which an instructor is present in a county outside the county where the driver training school is located to the students of: (1) a school corporation (as defined in IC 36-1-2-17); (2) a state accredited nonpublic secondary school that voluntarily becomes accredited under IC 20-31-4.1; (3) a state educational institution; or (4) a nonaccredited nonpublic school. However, the rules must provide that a licensed driver training school may provide classroom training in an entity listed in subdivision (1) or (2) only if the governing body of the entity approves the delivery of the training to its students. (d) The rules adopted under subsection (b) must provide that driver education instruction may not be provided to a child less than fifteen (15) years of age. As added by P.L.145-2011, SEC.21. Amended by P.L.85-2013, SEC.72; P.L.149-2015, SEC.76; P.L.92-2020, SEC.7.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 6. Driver Education Training9-27-6-8. Driver Education Instructor; License

Sec. 8. (a) To be eligible to act as a driver education instructor, an individual must obtain an instructor's license from the bureau in the manner and form prescribed by the bureau. (b) Subject to subsection (c), the bureau shall adopt rules under IC 4-22-2 that state the requirements for obtaining and renewing an instructor's license, including the requirements for continuing education for instructors. The rules must specify the requirements, including requirements about criminal convictions, necessary to satisfy the conditions of subsection (c)(3). (c) The bureau shall issue an instructor's license to an individual who: (1) meets the requirements of subsection (a) and rules adopted under subsection (b); (2) does not have more than the maximum number of points for violating traffic laws specified by the bureau by rules adopted under IC 4-22-2; (3) has a good moral character, physical condition, knowledge of the rules of the road, and work history; and (4) is currently employed by or has an employment offer from a licensed driver training school, as verified by the licensed driver training school on a form prescribed by the bureau. Only an individual who holds an instructor's license issued by the bureau under this subsection may act as an instructor. As added by P.L.145-2011, SEC.21. Amended by P.L.85-2013, SEC.74; P.L.178-2019, SEC.59.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 6. Driver Education Training9-27-6-9. Licenses; Expiration; Fees; Refund; Deposit of Fees

Sec. 9. (a) A license issued under section 6 or 8 of this chapter expires on the last day of the fiscal year in even-numbered years and may be renewed upon application to the bureau. (b) The fee for a license issued under section 6 or 8 of this chapter must be prescribed by rule under section 11(1) of this chapter. (c) A license fee may not be refunded if the license application is rejected or the license is suspended or revoked. (d) A license fee collected under this section shall be deposited in the motor vehicle highway account fund established under IC 8-14-1. As added by P.L.145-2011, SEC.21. Amended by P.L.85-2013, SEC.75.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 7. Motorcycle Operator Safety Education Program9-27-7-1. Application

Sec. 1. This chapter applies after December 31, 2011. As added by P.L.145-2011, SEC.22.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 7. Motorcycle Operator Safety Education Program9-27-7-2. "Rider Coach Trainer"

Sec. 2. As used in this chapter, "rider coach trainer" means a licensed motorcycle operator who meets standards established by the bureau for instructors in motorcycle safety and education. As added by P.L.145-2011, SEC.22. Amended by P.L.198-2016, SEC.551; P.L.178-2019, SEC.60.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 7. Motorcycle Operator Safety Education Program9-27-7-3. Bureau to Develop a Motorcycle Operator Safety Education Program

Sec. 3. The bureau shall develop and administer a motorcycle operator safety education program that, at a minimum, must: (1) provide motorcycle operator education; (2) train and certify rider coach trainers; (3) increase public awareness of motorcycle safety; and (4) evaluate and recommend improvements to the motorcycle operator licensing system. As added by P.L.145-2011, SEC.22. Amended by P.L.198-2016, SEC.552.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 7. Motorcycle Operator Safety Education Program9-27-7-4. Appointment of Program Coordinator and Training Specialist of the Motorcycle Operator Safety Education Program

Sec. 4. The commissioner shall appoint: (1) a program coordinator of the motorcycle operator safety education program developed under section 3 of this chapter who shall administer the motorcycle operator safety education program and conduct an annual evaluation; and (2) a training specialist of the motorcycle operator safety education program developed under section 3 of this chapter who shall: (A) establish approved motorcycle driver education and training courses throughout Indiana; and (B) supervise rider coach trainers and other personnel as necessary. The training specialist must be a rider coach trainer and hold a valid license, including any necessary endorsements, to operate a motorcycle. As added by P.L.145-2011, SEC.22. Amended by P.L.198-2016, SEC.553.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 7. Motorcycle Operator Safety Education Program9-27-7-5. Contracts for Approved Motorcycle Driver Education and Training Programs

Sec. 5. The bureau may enter into contracts with regional training centers or any other sites approved by the commissioner for the conduct of approved motorcycle driver education and training courses. If necessary, course sites may charge a reasonable tuition fee for the courses. As added by P.L.145-2011, SEC.22.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 7. Motorcycle Operator Safety Education Program9-27-7-6. Advisory Board

Sec. 6. (a) The commissioner shall appoint a five (5) member advisory board consisting of at least three (3) active motorcyclists to serve in an advisory capacity to the program. (b) A member of the advisory board serves a three (3) year term. A member may not be appointed to more than two (2) consecutive full terms. Each member serves until the member's successor is appointed and qualified. (c) A member of the advisory board may be removed for good cause. (d) A vacancy on the advisory board shall be filled by the appointment by the commissioner of an individual to fill the position to which the vacating member was appointed under subsection (a) for the vacating member's unexpired term. (e) A member of the advisory board is not subject to liability in a civil action for bodily injury or property damage arising from or thought to have arisen from an action taken in good faith as a member of the advisory board. As added by P.L.145-2011, SEC.22. Amended by P.L.85-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 7. Motorcycle Operator Safety Education Program9-27-7-7. Establishment of Fund

Sec. 7. The motorcycle operator safety education fund is established. The commissioner shall administer the fund. The fund consists of money received from motorcycle registrations as provided under IC 9-18 (before its expiration) or IC 9-18.1-5-3. The money in the fund may be used for the administration of the program and expenses related to the program, including: (1) reimbursement for course sites; (2) rider coach trainer training; (3) purchase of equipment and course materials; and (4) technical assistance. As added by P.L.145-2011, SEC.22. Amended by P.L.198-2016, SEC.554.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 27. Traffic Safety and Driver Education ProgramsChapter 7. Motorcycle Operator Safety Education Program9-27-7-8. Immunity From Civil Liability

Sec. 8. (a) The following are immune from civil liability for an act or omission occurring during a motorcycle operator safety education course that results in an injury or property damage: (1) The state of Indiana. (2) A regional training center contracted by the bureau or any other site approved by the commissioner to provide motorcycle driver education and training courses. (3) The owner of a site upon which a motorcycle operator safety education course is conducted. (4) An officer, agent, or employee of a person described in subdivisions (1) through (3). (b) The immunity described in subsection (a) does not apply if the person committed gross negligence or willful or wanton misconduct. As added by P.L.211-2023, SEC.71.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 1. Driver License Compact9-28-1-1. Executive Head

Sec. 1. As used in this chapter, with reference to Indiana, "executive head" means the governor. [Pre-1991 Recodification Citation: 9-5-1-4.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 1. Driver License Compact9-28-1-2. Licensing Authority

Sec. 2. As used in this chapter, with reference to Indiana, "licensing authority" means the bureau. The bureau shall furnish to the appropriate authorities of any other party state any information or documents reasonably necessary to facilitate the administration of Articles 3, 4, and 5 of the compact. [Pre-1991 Recodification Citation: 9-5-1-2.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 1. Driver License Compact9-28-1-3.5. Issuance of Driver's License Upon Written Request

Sec. 3.5. Notwithstanding the driver license compact set forth in section 3 of this chapter, upon written request by any person, the bureau may issue the person a driver's license if a party state reports that the driver's license of the person is suspended and the bureau determines that the: (1) party state's report is erroneous; and (2) person's driver's license is not suspended by the party state or the suspension is terminated. As added by P.L.14-2015, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 1. Driver License Compact9-28-1-3. Form and Content

Sec. 3. The driver license compact is hereby enacted into law and entered into with all other jurisdictions legally joining therein in the form substantially as follows: DRIVER LICENSE COMPACT ARTICLE 1 Findings and Declaration of Policy (a) The party states find that: (1) The safety of their streets and highways is materially affected by the degree of compliance with state laws and local ordinances relating to the operation of motor vehicles. (2) Violation of such a law or ordinance is evidence that the violator engages in conduct which is likely to endanger the safety of persons and property. (3) The continuance in force of a license to drive is predicated upon compliance with laws and ordinances relating to the operation of motor vehicles, in whichever jurisdiction the vehicle is operated. (b) It is the policy of each of the party states to: (1) Promote compliance with the laws, ordinances, and administrative rules and regulations relating to the operation of motor vehicles by their operators in each of the jurisdictions where

such operators drive motor vehicles. (2) Make the reciprocal recognition of licenses to drive and eligibility therefor more just and equitable by considering the overall compliance with motor vehicle laws, ordinances, and administrative rules and regulations as a condition precedent to the continuance or issuance of any license by reason of which the licensee is authorized or permitted to operate a motor vehicle in any of the party states. ARTICLE 2 Definitions As used in this compact: (a) "State" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico. (b) "Home state" means the state which has issued and has the power to suspend or revoke the use of the license or permit to operate a motor vehicle. (c) "Conviction" means a conviction of any offense related to the use or operation of a motor vehicle which is prohibited by state law, municipal ordinance, or administrative rule or regulation, or a forfeiture of bail, bond, or other security deposited to secure appearance by a person charged with having committed any such offense, and which conviction or forfeiture is required to be reported to the licensing authority. ARTICLE 3 Reports of Conviction The licensing authority of a party state shall report each conviction of a person from another party state occurring within its jurisdiction to the licensing authority of the home state of the licensee. Such report shall clearly identify the person convicted; describe the violation specifying the section of the statute, code, or ordinance violated; identify the court in which action was taken; indicate whether a plea of guilty or not guilty was entered, or the conviction was a result of the forfeiture of bail, bond, or other security; and shall include any special findings made in connection therewith. ARTICLE 4 Effect of Conviction (a) The licensing authority in the home state, for the purposes of suspension, revocation, or limitation of the license to operate a motor vehicle, shall give the same effect to the conduct reported, pursuant to Article 3 of this compact, as it would if such conduct had occurred in the home state, in the case of convictions for: (1) Manslaughter or negligent homicide resulting from the operation of a motor vehicle. (2) Driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug, or under the influence of any other drug to a degree which renders the driver incapable of safely driving a motor vehicle. (3) Any felony in the commission of which a motor vehicle is used. (4) Failure to stop and render aid in the event of a motor vehicle accident resulting in the death or personal injury of another. (b) As to other convictions, reported pursuant to Article 3, the licensing authority in the home state shall give such effect to the conduct as is provided by the laws of the home state. (c) If the laws of a party state do not provide for offenses or violations denominated or described in precisely the words employed in subdivision (a) of this article, such party state shall construe the denominations and descriptions appearing in subdivision (a) hereof as being applicable to and identifying those offenses or violations of a substantially similar nature, and the laws of such party state shall contain such provisions as may be necessary to ensure that full force and effect is given to this article. ARTICLE 5 Applications for New Licenses Upon application for a license to drive, the licensing authority in a party state shall ascertain whether the applicant has ever held, or is the holder of a license to drive issued by any other party state. The licensing authority in the state where application is made shall not issue a license to drive to the applicant if: (1) The applicant has held such a license, but the same has been suspended by reason, in whole or in part, of a violation and if such suspension period has not terminated. (2) The applicant has held such a license, but the same has been revoked by reason, in whole or in part, of a violation and if such revocation has not terminated, except that after the expiration of one (1) year from the date the license was revoked, such person may make application for a new license if permitted by law. The licensing authority may refuse to issue a license to any such applicant if, after investigation, the licensing authority determines that it will not be safe to grant to such person the privilege of driving a motor vehicle on the highways. (3) The applicant is the holder of a license to drive issued by another party state and currently in force unless the applicant surrenders such license. ARTICLE 6 Applicability of Other Laws Except as expressly required by provisions of this compact, nothing contained herein shall be construed to affect the right of any party state to apply any of its other laws relating to licenses to drive to any person or circumstance, nor to invalidate or prevent any driver license agreement or other cooperative arrangement between a party state and a nonparty state. ARTICLE 7 Compact Administrator and Interchange of Information (a) The head of the licensing authority of each party shall be the administrator of this compact for his state. The administrators, acting jointly, shall have the power to formulate all necessary and proper procedures for the exchange of information under this compact. (b) The administrator of each party state shall furnish to the administrator of each other party state any information or documents reasonably necessary to facilitate the administration of this compact. ARTICLE 8 Entry into Force and Withdrawal (a) This compact shall enter into force and become effective as to any state when it has enacted the same into law. (b) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until six (6) months after the executive head of the withdrawing state has given notice of the withdrawal to the executive heads of all other party states. No withdrawal shall affect the validity or applicability by the licensing authorities of states remaining party to the compact of any report of conviction occurring prior to the withdrawal. ARTICLE 9 Construction and Severability This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the Constitution of any party state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state party thereto, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. [Pre-1991 Recodification Citation: 9-5-1-1.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 1. Driver License Compact9-28-1-4. Compact Administrator; Compensation

Sec. 4. The compact administrator provided for in Article 7 of the compact is not entitled to any additional compensation due to

service as the administrator, but is entitled to expenses incurred in connection with duties and responsibilities as the administrator, in the same manner as for expenses incurred in connection with any other duties or responsibilities of office or employment. [Pre-1991 Recodification Citation: 9-5-1-3.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 1. Driver License Compact9-28-1-5. Suspension, Revocation, or Limitation of License to Drive; Report of Action Taken

Sec. 5. Any court or other agency of this state, or a subdivision thereof, that has jurisdiction to take any action suspending, revoking, or otherwise limiting a license to drive shall report that action and the adjudication upon which the action is based to the bureau within five (5) days on forms approved by the bureau. [Pre-1991 Recodification Citation: 9-5-1-5.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 1. Driver License Compact9-28-1-6. Scope of Review

Sec. 6. Any review of the validity of conviction reported under the driver license compact is limited to establishing the identity of the person convicted. [Pre-1991 Recodification Citation: 9-5-1-6.] As added by P.L.2-1991, SEC.16. Amended by P.L.149-2015, SEC.77.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 2. Nonresident Violator Agreements9-28-2-1. Citation

Sec. 1. As used in this chapter, "citation" means any summons, ticket, or other official document issued by a police officer for a traffic violation containing an order that requires the motorist to respond. [Pre-1991 Recodification Citation: 9-5-1.1-1 part.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 2. Nonresident Violator Agreements9-28-2-10. Posting of Collateral for a Traffic Citation; Conditions

Sec. 10. A traffic court in Indiana may not require a driver licensed by a jurisdiction other than Indiana to post collateral for a traffic citation if the jurisdiction has a formal agreement with Indiana under this chapter. [Pre-1991 Recodification Citation: 9-5-1.1-5.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 2. Nonresident Violator Agreements9-28-2-11. Payment of Dues or Assessments by State; Restrictions

Sec. 11. The state may not pay dues or assessments to a jurisdiction or an agency established to support the purposes of a nonresident violator agreement entered into under this chapter. [Pre-1991 Recodification Citation: 9-5-1.1-6.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 2. Nonresident Violator Agreements9-28-2-12. Withdrawal of State From Agreement; Notice

Sec. 12. An agreement entered into by the governor must permit the state to withdraw for any reason. However, the agreement must require the state to give the other jurisdictions at least ninety (90) days notice of termination. [Pre-1991 Recodification Citation: 9-5-1.1-7.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 2. Nonresident Violator Agreements9-28-2-2. Collateral

Sec. 2. As used in this chapter, "collateral" means any cash or other security deposited to secure an appearance for trial following the issuance by a police officer of a citation for a traffic violation. [Pre-1991 Recodification Citation: 9-5-1.1-1 part.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 2. Nonresident Violator Agreements9-28-2-3. Court

Sec. 3. As used in this chapter, "court" means a court of law or traffic tribunal. [Pre-1991 Recodification Citation: 9-5-1.1-1 part.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 2. Nonresident Violator Agreements9-28-2-4. Driver's License

Sec. 4. As used in this chapter, "driver's license" means any type of license or privilege to operate a motor vehicle issued under the laws of a jurisdiction. [Pre-1991 Recodification Citation: 9-5-1.1-1 part.] As added by P.L.2-1991, SEC.16.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 2. Nonresident Violator Agreements9-28-2-5. Jurisdiction

Sec. 5. As used in this chapter, "jurisdiction" means a state, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a province of Canada. [Pre-1991 Recodification Citation: 9-5-1.1-1 part.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 2. Nonresident Violator Agreements9-28-2-6. Nonmoving Violation

Sec. 6. As used in this chapter, "nonmoving violation" includes the following: (1) Expiration of vehicle registration or vehicle inspection certificates. (2) Parking meter violations or violation of parking limitation signs. (3) Improper vehicle lighting. (4) Other citations for minor equipment deficiencies. [Pre-1991 Recodification Citation: 9-5-1.1-1 part.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 2. Nonresident Violator Agreements9-28-2-7. Agreements With Other Jurisdictions; Purpose

Sec. 7. Upon recommendation of the bureau, the governor may enter into agreements with jurisdictions for the purpose of assisting in the enforcement of traffic laws by assuring that persons licensed in jurisdictions that have entered into an agreement with this state meet the conditions of traffic violation citations. [Pre-1991 Recodification Citation: 9-5-1.1-2.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 2. Nonresident Violator Agreements9-28-2-8. Suspension of Driving Privileges

Sec. 8. The bureau may suspend the driving privileges of a driver licensed under IC 9-24 for failure to meet the conditions of a traffic citation of a jurisdiction in which the traffic offense occurred. This section does not apply if the jurisdiction has not entered into an agreement with Indiana as provided under section 7 of this chapter. [Pre-1991 Recodification Citation: 9-5-1.1-3.] As added by P.L.2-1991, SEC.16. Amended by P.L.125-2012, SEC.305.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 2. Nonresident Violator Agreements9-28-2-9. Action Against Driver Upon Notification From Jurisdiction of Driver's Failure to Meet Conditions of Citation; Notification of Driver; Answer; Hearing Suspension of Driving Privileges

Sec. 9. (a) Upon written notification from a jurisdiction that is a party to an agreement entered into under this chapter, the bureau shall take appropriate action against a licensed driver for failure to meet the conditions set out in the citation of the jurisdiction in which the traffic offense occurred. (b) The bureau shall notify the driver by first class mail, or electronically if the driver has indicated a preference for receiving requests from the bureau electronically, of the request by the respective jurisdiction to have the driver's driving privileges suspended. For the purposes of this chapter, a written notice sent to the driver's last registered address with the bureau meets the conditions of due notice. (c) The driver has fifteen (15) days from the date of notice to satisfy the conditions of the citation issued by the jurisdiction or to request a hearing before a bureau hearing officer to show evidence or present information why the bureau should not suspend the driver's driving privileges for failure to meet the terms of the citation. (d) Upon holding the hearing, the bureau may suspend the driver's driving privileges until the conditions of the citation are met or a release from the citing jurisdiction is obtained. (e) If the bureau does not receive information from the driver concerning the notification, the bureau shall suspend the driver's driving privileges until the conditions of the citation are met or a release is obtained. (f) A driver whose driving privileges have been suspended for failure to meet the conditions of a citation in another jurisdiction is not eligible for specialized driving privileges under IC 9-30-16. (g) The bureau may not suspend driving privileges under this section for a nonmoving traffic offense occurring in another jurisdiction. [Pre-1991 Recodification Citation: 9-5-1.1-4.] As added by P.L.2-1991, SEC.16. Amended by P.L.125-2012, SEC.306; P.L.217-2014, SEC.116; P.L.188-2015, SEC.103; P.L.141-2024, SEC.42.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 3. Adoption of Interstate Traffic Safety Compact9-28-3-1. Creation

Sec. 1. Indiana joins with other states of the union in accordance with Public Law 684 of the 85th Congress in creating an Interstate Compact for Traffic Safety. [Pre-1991 Recodification Citation: 9-6-6-1.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 3. Adoption of Interstate Traffic Safety Compact9-28-3-2. Governor; Director for Traffic Safety; Powers and Duties

Sec. 2. The governor and the director for traffic safety for the state are authorized and directed to: (1) notify the proper officials of the other states that Indiana recognizes the need for uniform traffic safety regulations and standards for the maintenance of traffic safety measures; and (2) urge all of the states to join in the Interstate Compact for Traffic Safety that has been authorized by the

United States Congress. [Pre-1991 Recodification Citation: 9-6-6-2.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 4. Reciprocity Commission9-28-4-1. Establishment and Maintenance of Fair and Equitable Reciprocity Arrangements; Procedure

Sec. 1. The bureau shall confer with officials of other states, commonwealths, and the District of Columbia for the purpose of agreeing upon establishing and maintaining fair, equitable, and satisfactory reciprocity arrangements and plans for the movement of motor vehicles from, to, and between the different state, commonwealth, and the District of Columbia of the United States and regulating the use of the same on the roads and highways of Indiana. [Pre-1991 Recodification Citation: 9-7-7-1.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 4. Reciprocity Commission9-28-4-2. Contracts or Agreements; Parties; Regulations; States Unauthorized to Enter Agreements; Consent to Reciprocal Law

Sec. 2. (a) The bureau may enter into reciprocal contracts and agreements for the state with the proper authorities of any state, commonwealth, and the District of Columbia regulating the use of motor vehicles on the highways of Indiana belonging to and owned or operated on the highways by citizens of the other states, commonwealths, or the District of Columbia, in consideration of the granting by the other state, commonwealth, or District of Columbia to Indiana or to the citizens of Indiana a like privilege or privileges while operating a motor vehicle in the other state, commonwealth, or District of Columbia. (b) The bureau may also enter into reciprocal contracts and agreements with the legislative bodies and commissions, boards, or officials authorized by the law of any other state, commonwealth, or the District of Columbia with a view to promoting and establishing fair, just, equitable, and reciprocal agreements for the licensing, movement, taxing, registration, regulation, and fees to be charged for motor vehicles owned and licensed in Indiana and operated on the highways of some other state, commonwealth, or the District of Columbia. (c) If the other state, commonwealth, or the District of Columbia has no commission or official authorized to enter into reciprocal agreement, but does have a law that contains a reciprocal provision for the benefit of the citizens of Indiana, the bureau may consent to the provisions of the reciprocal law or statute and notify the proper authority of the other state, commonwealth, or the District of Columbia of the bureau's consent. [Pre-1991 Recodification Citation: 9-7-7-2.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 4. Reciprocity Commission9-28-4-3. Approval by Attorney General; Notice to State Officials Affected

Sec. 3. (a) A reciprocal contract, agreement, or consent entered into under this chapter must be approved by the attorney general as to regularity and form. (b) The bureau shall notify the chief administrative officer of any board, bureau, commission, department, division, agency, or authority of the state whose official duties, rights, or liabilities may be affected by the reciprocal contract, agreement, or consent. [Pre-1991 Recodification Citation: 9-7-7-3.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 4. Reciprocity Commission9-28-4-4. Copy of Agreements; General Assembly; Public Record; Administration of Agreements

Sec. 4. (a) A copy of all contracts, agreements, and consents entered into by the bureau under this chapter shall be made available to the general assembly. A copy shall also be made public record to be on file at the office of the bureau and available during office hours. (b) The bureau shall administer these agreements. [Pre-1991 Recodification Citation: 9-7-7-4.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 4. Reciprocity Commission9-28-4-5. Laws in Conflict With This Chapter; Repeal; Prior Contracts; Enforceability

Sec. 5. All laws or parts of laws in conflict herewith are hereby repealed, and an act entitled "An Act to amend section 2 of an act entitled 'An Act providing for grant of authority to certain state officials to establish reciprocity between states and commonwealths and the District of Columbia of the United States,' approved March 11, 1933, and declaring an emergency," approved February 27, 1937, and an act entitled "An Act providing for grant of authority to certain state officials to establish reciprocity between states and commonwealths and the District of Columbia of the United States," approved March 11, 1933, are each specifically repealed. Such repeals shall not affect the enforceability nor validity of any reciprocal contract or agreement heretofore entered into and now in effect between this state and any other state, commonwealth, or District of Columbia pursuant to the authority granted under those Acts and Statutes herein specifically repealed. [Pre-1991 Recodification Citation: 9-7-7-5.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 4. Reciprocity Commission9-28-4-6. Registration of Vehicles on Apportionment or Allocation Basis; Implementation of Chapter; International Registration Plan; Membership; Adoption of Rules; Penalties; Conflict of Law

Sec. 6. (a) The department of state revenue, on behalf of the state, may enter into reciprocal agreements providing for the registration of vehicles on an apportionment or allocation basis with the proper authority of any state, any commonwealth, the District of Columbia, a state or province of a foreign country, or a territory or possession of either the United States or of a foreign

country. (b) To implement this chapter, the state may enter into and become a member of the International Registration Plan or other designation that may be given to a reciprocity plan developed by the American Association of Motor Vehicle Administrators. (c) The department of state revenue may adopt rules under IC 4-22-2 to carry out and enforce the provisions of the International Registration Plan or any other agreement entered into under this chapter. (d) If the state enters into the International Registration Plan or into any other agreement under this chapter, and if the provisions set forth in the plan or other agreements are different from provisions prescribed by law, then the agreement provisions prevail. (e) All payments for the renewal of a fleet of vehicles previously registered under the International Registration Plan are due on or before the fifteenth day of the last month of the registration period preceding the period being renewed. (f) All payments for billings, other than renewal, issued under the International Registration Plan are due within fifteen (15) days after the mailing date on the billing unless stated otherwise. (g) This chapter constitutes complete authority for the registration of vehicles, including the registration of fleet vehicles, upon an apportionment or allocation basis without reference to or application of any other Indiana law. (h) A person who fails to comply with subsections (e) and (f), is subject to the penalties and interest imposed under IC 6-8.1-10. [Pre-1991 Recodification Citation: 9-7-7-6.] As added by P.L.2-1991, SEC.16. Amended by P.L.61-1996, SEC.23; P.L.42-2007, SEC.19.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 5.1. International Reciprocity9-28-5.1-1. International Reciprocal Agreements; Negotiation; Entry Into Agreements

Sec. 1. To facilitate the exchange of driver's licenses, the bureau may negotiate and enter into a reciprocal agreement with a foreign country. However, the bureau may not negotiate or enter into a reciprocal agreement with a country that is listed as a state sponsor of terrorism as determined by the Secretary of State of the United States. As added by P.L.87-2010, SEC.36; P.L.93-2010, SEC.13. Amended by P.L.125-2012, SEC.307.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 5.1. International Reciprocity9-28-5.1-2. Reciprocal Agreements; Waiver of Driver's License Examination Requirements

Sec. 2. A reciprocal agreement entered into under section 1 of this chapter must authorize the bureau to enter into a written agreement with a foreign country to waive one (1) or more of the examination requirements under IC 9-24 for obtaining a driver's license from this state. As added by P.L.87-2010, SEC.36; P.L.93-2010, SEC.13. Amended by P.L.111-2021, SEC.84.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 5.1. International Reciprocity9-28-5.1-3. Reciprocal Agreements; Possession of Foreign Driver's License

Sec. 3. A written reciprocity agreement entered into under section 2 of this chapter must require an applicant from the foreign country for a driver's license to possess a valid driver's license for the type of vehicle being operated or the equivalent from the foreign country. As added by P.L.87-2010, SEC.36; P.L.93-2010, SEC.13. Amended by P.L.125-2012, SEC.308; P.L.178-2019, SEC.61; P.L.111-2021, SEC.85.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 5. Reciprocity Enforcement9-28-5-1. Imposition and Collection of Fees

Sec. 1. If by the laws of any other state, commonwealth, District of Columbia, or foreign country or its political subdivisions, any taxes, fees, charges, penalties, obligations, prohibitions, restrictions, or limitations of any kind are imposed upon the vehicles of Indiana residents in addition to those imposed by Indiana upon the vehicles of residents of the other state, commonwealth, District of Columbia, or foreign country or its political subdivisions, the bureau, with the approval of the governor, may impose and collect fees or charges in a like amount and provide for similar obligations, prohibitions, restrictions, or limitations upon the owner or operator of a vehicle registered in the other state, commonwealth, District of Columbia, or foreign country or its political subdivisions as long as the laws of the other state, commonwealth, District of Columbia, or foreign country or its political subdivisions requiring the imposition remain in force and effect. All taxes, fees, charges, and penalties collected in this manner shall be paid into the state highway fund. [Pre-1991 Recodification Citation: 9-7-8-1.] As added by P.L.2-1991, SEC.16. Amended by P.L.198-2016, SEC.555.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 5. Reciprocity Enforcement9-28-5-2. Rules; Adoption and Enforcement

Sec. 2. The bureau may adopt and enforce rules under IC 4-22-2 to carry out the provisions of this chapter. [Pre-1991 Recodification Citation: 9-7-8-2.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 5. Reciprocity Enforcement9-28-5-3. Motor Carrier Regulations; Inapplicability of Chapter

Sec. 3. This chapter does not apply to fees and charges imposed under IC 8-2.1. [Pre-1991 Recodification Citation: 9-7-8-3.] As added by P.L.2-1991, SEC.16.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 6. Vehicle Equipment Safety Compact9-28-6-1. Form and Content

Sec. 1. The vehicle equipment safety compact is hereby enacted into law and entered into with all other jurisdictions legally joining therein in the form substantially as follows: ARTICLE 1 Findings and Purpose (a) The party states find that: (1) Accidents and deaths on their streets and highways present a very serious human and economic problem with a major deleterious effect on the public welfare. (2) There is a vital need for the development of greater interjurisdictional cooperation to achieve the necessary uniformity in the laws, rules, regulations, and codes relating to vehicle equipment, and to accomplish this by such means as will minimize the time between the development of demonstrably and scientifically sound safety features and their incorporation into vehicles. (b) The purposes of this compact are to: (1) Promote uniformity in regulation of and standards for equipment. (2) Secure uniformity of law and administrative practice in vehicular regulation and related safety standards to permit incorporation of desirable equipment changes in vehicles in the interest of greater traffic safety. (3) To provide means for the encouragement and utilization of research which will facilitate the achievement of the foregoing purposes, with due regard for the findings set forth in subdivision (a) of this article. (c) It is the intent of this compact to emphasize performance requirements and not to determine the specific detail of engineering in the manufacture of vehicles or equipment except to the extent necessary for the meeting of such performance requirements. ARTICLE 2 Definitions As used in this compact: (a) "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks. (b) "State" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico. (c) "Equipment" means any part of a vehicle or any accessory for use thereon which affects the safety of operation of such vehicle or the safety of the occupants. ARTICLE 3 The Commission (a) There is hereby created an agency of the party states to be known as the "Vehicle Equipment Safety Commission" hereinafter called the commission. The commission shall be composed of one (1) commissioner from each party state who shall be appointed, serve and be subject to removal in accordance with the laws of the state which he represents. If authorized by the laws of his party state, a commissioner may provide for the discharge of his duties and the performance of his functions on the commission, either for the duration of his membership or for any lesser period of time, by an alternate. No such alternate shall be entitled to serve unless notification of his identity and appointment shall have been given to the commission in such form as the commission may require. Each commissioner, and each alternate, when serving in the place and stead of a commissioner, shall be entitled to be reimbursed by the commission for expenses actually incurred in attending commission meetings or while engaged in the business of the commission. (b) The commissioners shall be entitled to one (1) vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners, or their alternates, are present. (c) The commission shall have a seal. (d) The commission shall elect annually, from among its members, a chairman, a vice chairman, and a treasurer. The commission may appoint an executive director and fix his duties and compensation. Such executive director shall serve at the pleasure of the commission, and together with the treasurer shall be bonded in such amount as the commission shall determine. The executive director also shall serve as secretary. If there be no executive director, the commission shall elect a secretary in addition to the other officers provided by this subdivision. (e) Irrespective of the civil service, personnel, or other merit system laws of any of the party states, the executive director with the approval of the commission, or the commission if there be no executive director, shall appoint, remove, or discharge such personnel as may be necessary for the performance of the commission's functions, and shall fix the duties and compensation of such personnel. (f) The commission may establish and maintain independently or in conjunction with any one (1) or more of the party states, a suitable retirement system for its full-time employees. Employees of the commission shall be eligible for Social Security coverage in respect of old age and survivor's insurance provided that the commission takes such steps as may be necessary pursuant to the laws of the United States, to participate in such program of insurance as a governmental agency or unit. The commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate. (g) The commission may borrow, accept, or contract for the services of personnel from any party state, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two (2) or more of the party states or their subdivisions. (h) The commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from any state, the United States, or any other governmental agency and may receive, utilize, and dispose of the same. (i) The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold, and convey real and personal property and any interest therein. (j) The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states. The bylaws shall provide for appropriate notice to the commissioners of all commission meetings and hearings and the business to be transacted at such meetings or hearings. Such notice shall also be given to such agencies or officers of each party state as the laws of such party state may provide. (k) The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year, and embodying such recommendations as may have been issued by the commission. The commission may make such additional reports as it may deem desirable. ARTICLE 4 Research and Testing The commission shall have power to: (a) Collect, correlate, analyze, and evaluate information resulting or derivable

from research and testing activities in equipment and related fields. (b) Recommend and encourage the undertaking of research and testing in any aspect of equipment or related matters when, in its judgment, appropriate or sufficient research or testing has not been undertaken. (c) Contract for such equipment research and testing as one (1) or more governmental agencies may agree to have contracted for by the commission, provided that such governmental agency or agencies shall make available the funds necessary for such research and testing. (d) Recommend to the party states changes in law or policy with emphasis on uniformity of laws and administrative rules, regulations, or codes which would promote effective governmental action or coordination in the prevention of equipment-related highway accidents or the mitigation of equipment-related highway safety problems. ARTICLE 5 Vehicular Equipment (a) In the interest of vehicular and public safety, the commission may study the need for or desirability of the establishment of or changes in performance requirements or restrictions for any item of equipment. As a result of such study, the commission may publish a report relating to any item or items of equipment, and the issuance of such a report shall be a condition precedent to any proceedings or other action provided or authorized by this article. No less than sixty (60) days after the publication of a report containing the results of such study, the commission upon due notice shall hold a hearing or hearings at such place or places as it may determine. (b) Following the hearing or hearings provided for in subdivision (a) of this article, and with due regard for standards recommended by appropriate professional and technical associations and agencies, the commission may issue rules, regulations, or codes embodying performance requirements or restrictions for any item or items of equipment covered in the report, which in the opinion of the commission will be fair and equitable and effectuate the purposes of this compact. (c) Each party state obligates itself to give due consideration to any and all rules, regulations, and codes issued by the commission and hereby declares its policy and intent to be the promotion of uniformity in the laws of the several party states relating to equipment. (d) The commission shall send prompt notice of its action in issuing any rule, regulation, or code pursuant to this article to the appropriate motor vehicle agency of each party state and such notice shall contain the complete text of the rule, regulation, or code. (e) If the constitution of a party state requires, or if its statutes provide, the approval of the legislature by appropriate resolution or act may be made a condition precedent to the taking effect in such party state of any rule, regulation, or code. In such event, the commissioner of such party state shall submit any commission rule, regulation, or code to the legislature as promptly as may be in lieu of administrative acceptance or rejection thereof by the party state. (f) Except as otherwise specifically provided in or pursuant to subdivisions (e) and (g) of this article, the appropriate motor vehicle agency of a party state shall in accordance with its constitution or procedural laws adopt the rule, regulation, or code within six (6) months of the sending of the notice, and, upon such adoption, the rule, regulation, or code shall have the force and effect of law therein. (g) The appropriate motor vehicle agency of a party state may decline to adopt a rule, regulation, or code issued by the commission pursuant to this article if such agency specifically finds, after public hearing on due notice, that a variation from the commission's rule, regulation, or code is necessary to the public safety, and incorporates in such finding the reasons upon which it is based. Any such finding shall be subject to review by such procedure for review of administrative determinations as may be applicable pursuant to the laws of the party state. Upon request, the commission shall be furnished with a copy of the transcript of any hearings held pursuant to this subdivision. ARTICLE 6 Finance (a) The commission shall submit to the executive head or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that party state for presentation to the legislature thereof. (b) Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. The total amount of appropriations under any such budget shall be apportioned among the party states as follows: one-third (1/3) in equal shares; and the remainder in proportion to the number of motor vehicles registered in each party state. In determining the number of such registrations, the commission may employ such source or sources of information as, in its judgment, present the most equitable and accurate comparisons among the party states. Each of the commission's budgets of estimated expenditures and requests for appropriations shall indicate the source or sources used in obtaining information concerning vehicular registrations. (c) The commission shall not pledge the credit of any party state. The commission may meet any of its obligations in whole or in part with funds available to it under Article 3(h) of this compact, provided that the commission take specific action setting aside such funds prior to incurring any obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it under Article 3(h) hereof, the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same. (d) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its rules. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become part of the annual reports of the commission. (e) The accounts of the commission shall be open at reasonable times for inspection by duly constituted officers of the party states and by any persons authorized by the commission. (f) Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission. ARTICLE 7 Conflict of Interest (a) The commission shall adopt rules and regulations with respect to conflict of interest for the bureaus of the party states, and their alternates, if any, and for the staff of the commission and contractors with the commission to the end that no member or employee or contractor shall have a pecuniary or other incompatible interest in the manufacture, sale, or distribution of motor vehicles or vehicular equipment or in any facility or enterprise employed by the commission or on its behalf for testing, conduct of investigation, or research. In addition to any penalty for violation of such rules and regulations as may be applicable under the laws of the violator's jurisdiction of residence, employment, or business, any violation of a commission rule or regulation adopted pursuant to this article shall require the immediate discharge of any violating employee and the immediate vacating of membership, or relinquishing of status as a member of the commission by any bureau or

alternate. In the case of a contractor, any violation of any such rule or regulation shall make any contract of the violator with the commission subject to cancellation by the commission. (b) Nothing contained in this article shall be deemed to prevent a contractor for the commission from using any facilities subject to his control in the performance of the contract even though such facilities are not devoted solely to work of or done on behalf of the commission; nor to prevent such a contractor from receiving remuneration or profit from the use of such facilities. ARTICLE 8 Advisory and Technical Committees The commission may establish such advisory and technical committees as it may deem necessary, membership on which may include private citizens and public officials, and may cooperate with and use the services of any such committees and the organizations which the members represent in furthering any of its activities. ARTICLE 9 Entry into Force and Withdrawal (a) This compact shall enter into force when enacted into law by any six (6) or more states. Thereafter, this compact shall become effective as to any other state upon its enactment thereof. (b) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one (1) year after the executive head of the withdrawing state has given notice in writing of the withdrawal to the executive heads of all other party states. No withdrawal shall effect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal. ARTICLE 10 Construction and Severability This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the Constitution of any state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating herein, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters. [Pre-1991 Recodification Citation: 9-8-5-1.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 6. Vehicle Equipment Safety Compact9-28-6-2. Effect of Regulations

Sec. 2. Pursuant to Article 5(a) of the vehicle equipment safety compact, it is the intention of this state and it is hereby provided that no rule, regulation, or code issued by the vehicle equipment safety commission in accordance with Article 5 of the compact takes effect until approved by an act of the general assembly. [Pre-1991 Recodification Citation: 9-8-5-2.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 6. Vehicle Equipment Safety Compact9-28-6-3. Director of Office of Traffic Safety

Sec. 3. The commissioner from Indiana on the vehicle equipment safety commission is the director of the office of traffic safety. [Pre-1991 Recodification Citation: 9-8-5-3.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 6. Vehicle Equipment Safety Compact9-28-6-4. Commission; Cooperation and Assistance From Other Agencies

Sec. 4. Within appropriations available therefor, the departments, agencies, and officers of this state may cooperate with and assist the vehicle equipment safety commission within the scope contemplated by Article 3(h) of the compact. The departments, agencies, and officers of this state may generally cooperate with the commission. [Pre-1991 Recodification Citation: 9-8-5-4.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 6. Vehicle Equipment Safety Compact9-28-6-5. Documents; Filing; Notice

Sec. 5. Documents required to be filed by Article 3(j) of the compact shall be filed with the office of traffic safety. Notice required by commission bylaws to be given under Article 3(j) of the compact shall be given to the director of the office of traffic safety. [Pre-1991 Recodification Citation: 9-8-5-5.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 6. Vehicle Equipment Safety Compact9-28-6-6. Budget

Sec. 6. Under Article 6(a) of the compact, the vehicle equipment safety commission shall submit the commission's budgets to the budget agency. [Pre-1991 Recodification Citation: 9-8-5-6.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 6. Vehicle Equipment Safety Compact9-28-6-7. Inspection of Accounts

Sec. 7. Under Article 6(e) of the compact, the budget agency may inspect the accounts of the vehicle equipment safety commission. [Pre-1991 Recodification Citation: 9-8-5-7.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 28. Interstate Compacts and AgreementsChapter 6. Vehicle Equipment Safety Compact9-28-6-8. Executive Head

Sec. 8. As used in Article 9(b) of the compact, "executive head", with reference to Indiana, means the governor. [Pre-1991 Recodification Citation: 9-8-5-8.] As added by P.L.2-1991, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 10. Habitual Violator of Traffic Laws9-30-10-0.3. p.l.107-1985 Does Not Affect Rights, Liabilities, Penalties, Proceedings; Enforcement Under Prior Law; Effect on Suspension of Driving Privileges; Imposition and Enforcement of Probation

Sec. 0.3. (a) Except for the provisions pertaining to the granting of probation in IC 9-4-13-10 (before its repeal), the repeal of IC 9-4-13 by P.L.107-1985 does not affect any: (1) rights or liabilities accrued; (2) penalties incurred; or (3) proceedings begun; before April 1, 1984. Such rights, liabilities, and proceedings are continued, and punishments, penalties, or forfeitures shall be imposed and enforced under IC 9-4-13 as if P.L.107-1985 had not been enacted. (b) All crimes committed before April 1, 1984, under IC 9-4-13 shall be prosecuted and, except for the provisions pertaining to the granting of probation in IC 9-4-13-10, shall remain punishable under IC 9-4-13 as if P.L.107-1985 had not been enacted. (c) Notwithstanding subsections (a) and (b), any period of suspension of a person's driving privileges that is imposed under IC 9-12 (as added by P.L.107-1985, before its repeal, now codified in this chapter) shall be construed to supersede any period of suspension that is imposed under IC 9-4-13 and shall not be added to that period. (d) Any probation originally imposed under IC 9-4-13 before April 1, 1984, shall be imposed and enforced under the provisions of IC 9-12 (as added by P.L.107-1985, before its repeal, now codified in this chapter). As added by P.L.220-2011, SEC.232.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 10. Habitual Violator of Traffic Laws9-30-10-1. "Judgment"

Sec. 1. As used in this chapter, "judgment" means: (1) a judgment of conviction against the defendant in a felony or misdemeanor case; or (2) a civil judgment against the defendant in an infraction or ordinance proceeding. [Pre-1991 Recodification Citation: 9-12-1-5 part.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 10. Habitual Violator of Traffic Laws9-30-10-14.1. Petition for Rescission of Lifetime Suspension of Driving Privileges; Contents; Service

Sec. 14.1. (a) This section does not apply to any person who has the person's driving privileges suspended for life under: (1) section 5(b)(2) of this chapter; or (2) section 17(b) of this chapter for an offense that occurred after December 31, 2014. (b) Except as provided in subsection (f), a person whose driving privileges have been suspended for life may petition a court in a civil action for a rescission of the suspension order and reinstatement of driving privileges if the following conditions exist: (1) Ten (10) years have elapsed since the date on which an order for the lifetime suspension of the person's driving privileges was issued. (2) The person has never been convicted of a violation described in section 4(a) of this chapter. (c) A petition for rescission and reinstatement under this section must meet the following conditions: (1) Be verified by the petitioner. (2) State the petitioner's age, date of birth, and place of residence. (3) Describe the circumstances leading up to the lifetime suspension of the petitioner's driving privileges. (4) Aver a substantial change in the petitioner's circumstances of the following: (A) That indicates the petitioner would no longer pose a risk to the safety of others if the petitioner's driving privileges are reinstated. (B) That makes the lifetime suspension of the petitioner's driving privileges unreasonable. (C) That indicates it is in the best interests of society for the petitioner's driving privileges to be reinstated. (5) Aver that the requisite amount of time has elapsed since the date on which the order for the lifetime suspension of the person's driving privileges was issued as required under subsections (b) and (f). (6) Aver that the petitioner has never been convicted of a violation described in section 4(a) of this chapter. (7) Be filed in a circuit or superior court having jurisdiction in the county where the petitioner resides. If the petitioner resides in a state other than Indiana, the petition must be filed in the county in which the most recent Indiana moving violation conviction occurred. (8) If the petition is being filed under subsection (f), aver the existence of the conditions listed in subsection (f)(1) through (f)(3). (d) The petitioner shall serve the prosecuting attorney of the county in which the petition is filed and the bureau with a copy of the petition described in subsection (b). A responsive pleading is not required. (e) The prosecuting attorney of the county in which the petition is filed shall represent the state in the matter. (f) A person whose driving privileges have been suspended for life may petition a court in a civil action for a rescission of the suspension order and reinstatement of driving privileges if all of the following conditions exist: (1) Three (3) years have elapsed since the date on which the order for lifetime suspension of the petitioner's driving privileges was issued. (2) The petitioner's lifetime suspension was the result of a conviction for operating a motor vehicle while the person's driving privileges were suspended because the person is a habitual violator. (3) The petitioner has never been convicted of a violation described in section 4(a) or 4(b) of this chapter other than a judgment or conviction for operating a motor vehicle while the person's driver's license or driving privileges were revoked or suspended as a result of a conviction of an offense under IC 9-1-4-52 (repealed July 1, 1992), IC 9-24-18-5(b) (repealed July 1, 2000), IC 9-24-19-2, or IC 9-24-19-3. As added by P.L.188-2015, SEC.116. Amended by P.L.198-2016, SEC.602.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 10. Habitual Violator of Traffic Laws9-30-10-14.2. Petition Filed After June 30, 2016; Burden of Proof; Order Rescinding Suspension Order or Granting Driving Privileges; Terms and Conditions

Sec. 14.2. (a) Upon receiving a petition filed after June 30, 2016, under section 14.1 of this chapter, a court shall set a date for hearing the matter and direct the clerk of the court to provide notice of the hearing date to the following parties: (1) The petitioner.

(2) The prosecuting attorney of the county where the petitioner resides. (3) The bureau. (b) At a hearing described in subsection (a), the petitioner must prove the following by a preponderance of the evidence: (1) The petitioner has no prior convictions for a violation described in section 4(a) of this chapter. (2) The petitioner no longer presents a safety risk to others while operating a motor vehicle. (3) The ongoing suspension of the petitioner's driving privileges is unreasonable. (4) The reinstatement of the petitioner's driving privileges serves the best interests of society. (5) If the petitioner is seeking reinstatement under section 14.1(b) of this chapter, at least ten (10) years have elapsed since the suspension of the petitioner's driving privileges. (6) If the petitioner is seeking reinstatement under section 14.1(f) of this chapter, at least three (3) years have elapsed since the suspension of the petitioner's driving privileges. (c) If the court finds that a petitioner meets all applicable requirements in subsection (b), the court may do the following: (1) Rescind the order requiring the suspension of the petitioner's driving privileges. (2) Grant driving privileges: (A) for a specified period; and (B) subject to conditions under subsection (d). (d) In an order issued under subsection (c)(2), the court may impose one (1) or more of the following conditions on the petitioner's driving privileges: (1) Specified hours during which the petitioner may operate a motor vehicle. (2) An order prohibiting the petitioner from operating a motor vehicle: (A) with an alcohol concentration equivalent to at least two hundredths (0.02) of a gram of alcohol per: (i) one hundred (100) milliliters of the person's blood; or (ii) two hundred ten (210) liters of the person's breath; or (B) while intoxicated (as defined under IC 9-13-2-86). (3) Electronic monitoring to determine the petitioner's compliance with subdivision (2). (4) Use of a vehicle equipped with an ignition interlock device. (5) Submission to a chemical breath test as part of a lawful traffic stop conducted by a law enforcement officer. (6) Use of an electronic monitoring device that detects and records the petitioner's use of alcohol. The court shall specify, in the order, the conditions under which the petitioner may be issued driving privileges to operate a motor vehicle. (e) An individual who has been granted driving privileges under subsection (c)(2) shall: (1) carry a copy of the order granting driving privileges or have the order in the vehicle being operated by the individual; and (2) produce the copy of the order granting driving privileges upon the request of a police officer. (f) After the fulfillment of any imposed conditions specified by the court under subsection (d) and upon notice from the court, the bureau shall terminate the petitioner's lifetime suspension. (g) If the bureau receives a judicial order granting rescission of a suspension order under subsection (c) for an individual who, according to the records of the bureau, does not qualify for the rescission of a suspension order, the bureau shall do the following: (1) Process the judicial order and notify the prosecuting attorney of the county from which the order was received that the individual is not eligible for the rescission of the suspension order and reinstatement of driving privileges. (2) Send a certified copy of the individual's driving record to the prosecuting attorney described in subdivision (1). Upon receiving a certified copy under subdivision (2), the prosecuting attorney shall, in accordance with IC 35-38-1-15, petition the court to correct the court's order. If the bureau does not receive a corrected order within sixty (60) days of sending the petitioner's driving record to the prosecuting attorney described in subdivision (1), the bureau shall notify the attorney general, who shall, in accordance with IC 35-38-1-15, petition the court to correct the court's order within sixty (60) days of receiving notice from the bureau. (h) An order reinstating a petitioner's driving privileges is a final order that may be appealed by any party to the action. As added by P.L.198-2016, SEC.603. Amended by P.L.178-2019, SEC.62.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 10. Habitual Violator of Traffic Laws9-30-10-16. Operating a Motor Vehicle While Privileges Are Suspended; Level 6 Felony

Sec. 16. (a) A person who operates a motor vehicle: (1) while the person's driving privileges are validly suspended under this chapter or IC 9-12-2 (repealed July 1, 1991) and the person knows that the person's driving privileges are suspended; or (2) in violation of restrictions imposed under this chapter or IC 9-12-2 (repealed July 1, 1991) and who knows of the existence of the restrictions; commits a Level 6 felony. (b) Service by the bureau of notice of the suspension or restriction of a person's driving privileges under subsection (a)(1) or (a)(2): (1) in compliance with section 5 of this chapter; and (2) by first class mail, or electronically if the person has indicated a preference for receiving notices from the bureau electronically, to the person at the last address shown for the person in the bureau's records; establishes a rebuttable presumption that the person knows that the person's driving privileges are suspended or restricted. [Pre-1991 Recodification Citation: 9-12-3-1.] As added by P.L.2-1991, SEC.18. Amended by P.L.1-1993, SEC.62; P.L.1-1994, SEC.41; P.L.120-2000, SEC.2; P.L.1-2001, SEC.9; P.L.158-2013, SEC.162; P.L.188-2015, SEC.117; P.L.141-2024, SEC.49.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 10. Habitual Violator of Traffic Laws9-30-10-17. Operating Motor Vehicle While Privileges Are Forfeited for Life; Habitual Traffic Violator Who Causes Bodily Injury or Death; Penalties

Sec. 17. (a) A person who: (1) operates a motor vehicle after the person's driving privileges are forfeited for life under section 16 of this chapter, IC 9-4-13-14 (repealed April 1, 1984), or IC 9-12-3-1 (repealed July 1, 1991); or (2) is a habitual traffic violator under this chapter and commits an offense involving the person's operation of a motor vehicle, which offense causes serious bodily injury, catastrophic injury, or death; commits a Level 5 felony. (b) In addition to any criminal penalties imposed for a conviction of an offense described in subsection (a), if the new offense caused catastrophic injury or death, the bureau shall suspend the person's driving privileges for the life of the person. (c) A person who violates subsection (a)(2) commits a separate offense for each person whose bodily injury or death is caused by the violation of subsection (a)(2). (d) A court may order terms of imprisonment imposed on a person convicted of more than one (1) offense described in subsection (a)(2) to run consecutively. Consecutive terms of imprisonment imposed under this subsection are not subject to the sentencing restrictions set forth in IC 35-50-1-2(c) through IC

35-50-1-2(d). [Pre-1991 Recodification Citation: 9-12-3-2.] As added by P.L.2-1991, SEC.18. Amended by P.L.1-1993, SEC.63; P.L.85-2013, SEC.106; P.L.158-2013, SEC.163; P.L.217-2014, SEC.143; P.L.184-2019, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 10. Habitual Violator of Traffic Laws9-30-10-18. Defenses; Extreme Emergency; Burden of Proof

Sec. 18. (a) In a criminal action brought under section 16 or 17 of this chapter, it is a defense that the operation of a motor vehicle was necessary to save life or limb in an extreme emergency. The defendant must bear the burden of proof by a preponderance of the evidence to establish this defense. (b) In an action brought under section 16 or 17 of this chapter, it is a defense that the defendant was operating a motor driven cycle, unless the defendant was operating the motor driven cycle in violation of IC 9-21-11-12. The defendant must bear the burden of proof by a preponderance of the evidence to establish this defense. [Pre-1991 Recodification Citation: 9-12-3-3.] As added by P.L.2-1991, SEC.18. Amended by P.L.28-2010, SEC.10; P.L.217-2014, SEC.145; P.L.221-2014, SEC.84; P.L.216-2014, SEC.156; P.L.111-2021, SEC.89.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 10. Habitual Violator of Traffic Laws9-30-10-19. Eligibility for Specialized Driving Privileges

Sec. 19. (a) This section does not apply to a suspension or forfeiture of driving privileges imposed under section 5(b)(2) or 17(b) of this chapter for an offense committed after June 30, 2015. (b) A person whose driving privileges are suspended or forfeited for a determined period or for life under this chapter is eligible for specialized driving privileges under IC 9-30-16. As added by P.L.188-2015, SEC.118.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 10. Habitual Violator of Traffic Laws9-30-10-2. "License"

Sec. 2. As used in this chapter, "license" includes any type of license or permit issued by the bureau to operate the type of vehicle being driven. [Pre-1991 Recodification Citation: 9-12-1-6 part.] As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.348.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 10. Habitual Violator of Traffic Laws9-30-10-3. "Violation"

Sec. 3. As used in this chapter, "violation" means: (1) a felony, a misdemeanor, or an infraction under the Indiana Code; or (2) a violation of an ordinance of an Indiana political subdivision. [Pre-1991 Recodification Citation: 9-12-1-7.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 10. Habitual Violator of Traffic Laws9-30-10-4. Habitual Violators

Sec. 4. (a) A person who has accumulated at least two (2) judgments within a ten (10) year period for any of the following violations, singularly or in combination, and not arising out of the same incident, is a habitual violator: (1) Reckless homicide resulting from the operation of a motor vehicle. (2) Voluntary or involuntary manslaughter resulting from the operation of a motor vehicle. (3) Failure of the operator of a motor vehicle involved in an accident resulting in death or injury to any person to stop at the scene of the accident and give the required information and assistance. (4) Operation of a vehicle while intoxicated resulting in death. (5) Before July 1, 1997, operation of a vehicle with at least ten-hundredths percent (0.10%) alcohol in the blood resulting in death. (6) After June 30, 1997, and before July 1, 2001, operation of a vehicle with an alcohol concentration equivalent to at least ten-hundredths (0.10) gram of alcohol per: (A) one hundred (100) milliliters of the blood; or (B) two hundred ten (210) liters of the breath; resulting in death. (7) After June 30, 2001, operation of a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per: (A) one hundred (100) milliliters of the blood; or (B) two hundred ten (210) liters of the breath; resulting in death. (b) A person who has accumulated at least three (3) judgments within a ten (10) year period for any of the following violations, singularly or in combination, and not arising out of the same incident, is a habitual violator: (1) Operation of a vehicle while intoxicated. (2) Before July 1, 1997, operation of a vehicle with at least ten-hundredths percent (0.10%) alcohol in the blood. (3) After June 30, 1997, and before July 1, 2001, operation of a vehicle with an alcohol concentration equivalent to at least ten-hundredths (0.10) gram of alcohol per: (A) one hundred (100) milliliters of the blood; or (B) two hundred ten (210) liters of the breath. (4) After June 30, 2001, operation of a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per: (A) one hundred (100) milliliters of the blood; or (B) two hundred ten (210) liters of the breath. (5) Reckless driving. (6) Criminal recklessness as a felony involving the operation of a motor vehicle. (7) Drag racing or engaging in a speed contest in violation of law. (8) Violating IC 9-4-1-40 (repealed July 1, 1991), IC 9-4-1-46 (repealed July 1, 1991), IC 9-26-1-1(1) (repealed January 1, 2015), IC 9-26-1-1(2) (repealed January 1, 2015), IC 9-26-1-2(1) (repealed January 1, 2015), IC 9-26-1-2(2) (repealed January 1, 2015), IC 9-26-1-3 (repealed January 1, 2015), IC 9-26-1-4 (repealed January 1, 2015), or IC 9-26-1-1.1. (9) Resisting law enforcement under IC 35-44.1-3-1(c)(1)(A), IC 35-44.1-3-1(c)(2), IC 35-44.1-3-1(c)(3), or IC 35-44.1-3-1(c)(4). (10) Any felony under this title or any felony in which the operation of a motor vehicle is an element of the offense. A judgment for a violation enumerated in subsection (a) shall be added to the violations described in this subsection for the

purposes of this subsection. (c) A person who has accumulated at least ten (10) judgments within a ten (10) year period for any traffic violation, except a parking or an equipment violation, of the type required to be reported to the bureau, singularly or in combination, and not arising out of the same incident, is a habitual violator. However, at least one (1) of the judgments must be for: (1) a violation enumerated in subsection (a); (2) a violation enumerated in subsection (b); (3) operating a motor vehicle while the person's license to do so has been suspended or revoked as a result of the person's conviction of an offense under IC 9-1-4-52 (repealed July 1, 1991), IC 9-24-18-5(b) (repealed July 1, 2000), IC 9-24-19-2, or IC 9-24-19-3; or (4) operating a motor vehicle without ever having obtained a license to do so. A judgment for a violation enumerated in subsection (a) or (b) shall be added to the judgments described in this subsection for the purposes of this subsection. (d) For purposes of this section, a judgment includes a judgment in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of the offenses described in subsections (a), (b), and (c). (e) For purposes of this section, the offense date is used when determining the number of judgments accumulated within a ten (10) year period. [Pre-1991 Recodification Citation: 9-12-1-4 part.] As added by P.L.2-1991, SEC.18. Amended by P.L.1-1992, SEC.62; P.L.1-1993, SEC.61; P.L.33-1997, SEC.13; P.L.1-2000, SEC.13; P.L.32-2000, SEC.3; P.L.175-2001, SEC.12; P.L.28-2010, SEC.5; P.L.125-2012, SEC.349; P.L.85-2013, SEC.100; P.L.217-2014, SEC.133; P.L.221-2014, SEC.79; P.L.5-2015, SEC.29; P.L.188-2015, SEC.113; P.L.201-2019, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 10. Habitual Violator of Traffic Laws9-30-10-5. Notice of Suspension; Term; Relief for Judicial Review

Sec. 5. (a) If it appears from the records maintained by the bureau that a person's driving record makes the person a habitual violator under section 4 of this chapter and a court has not already found the person to be a habitual violator under section 6.5 of this chapter based on the same underlying violations, the bureau shall mail a notice to the person's last known address, or send the notice electronically if the person has indicated a preference for receiving notices from the bureau electronically, that informs the person that the person's driving privileges will be suspended in thirty (30) days because the person is a habitual violator according to the records of the bureau. (b) Thirty (30) days after the bureau has mailed a notice under this section, the bureau shall suspend the person's driving privileges for: (1) except as provided in subdivision (2), ten (10) years if the person is a habitual violator under section 4(a) of this chapter; (2) life if the person is a habitual violator under section 4(a) of this chapter and has at least two (2) violations under section 4(a)(4) through 4(a)(7) of this chapter; (3) ten (10) years if the person is a habitual violator under section 4(b) of this chapter; or (4) five (5) years if the person is a habitual violator under section 4(c) of this chapter. (c) The notice must inform the person that the person may be entitled to relief under IC 9-33-2. (d) Notwithstanding subsection (b), if the bureau does not discover that a person's driving record makes the person a habitual violator under section 4 of this chapter for more than two (2) years after the bureau receives the person's final qualifying conviction, the bureau shall not suspend the person's driving privileges for any period. [Pre-1991 Recodification Citation: 9-12-2-1.] As added by P.L.2-1991, SEC.18. Amended by P.L.82-2004, SEC.3; P.L.85-2013, SEC.101; P.L.217-2014, SEC.134; P.L.149-2015, SEC.106; P.L.188-2015, SEC.114; P.L.141-2024, SEC.48.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 10. Habitual Violator of Traffic Laws9-30-10-6.5. Court Finding of Habitual Traffic Violator

Sec. 6.5. (a) If the defendant requests, a court may find by a preponderance of the evidence that the person is a habitual traffic violator under IC 9-30-10-4. If the court finds a person to be a habitual traffic violator under this section, the court: (1) shall order: (A) that the person is a habitual traffic violator; and (B) the bureau to suspend the person's driving license; and (2) may order that the person is eligible for specialized driving privileges under IC 9-30-16. (b) A defendant may file a petition in an independent proceeding to be found a habitual traffic violator following the procedure in subsection (a). (c) A petition filed under this section must be filed in the court that entered the latest moving violation judgment against the person. The petition must use the same cause number as in the action in which the moving violation judgment was entered. (d) A prosecuting attorney shall appear on behalf of the bureau to respond to a petition filed under this section. (e) A filing fee shall not be imposed for a petition filed under this section. As added by P.L.217-2014, SEC.135. Amended by P.L.188-2015, SEC.115.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 11. Parking Tickets9-30-11-1. Judgment

Sec. 1. As used in this chapter, "judgment" means a monetary penalty assessed for the violation of an ordinance that regulates parking violations. [Pre-1991 Recodification Citation: 9-1-12-1 part.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 11. Parking Tickets9-30-11-2. Infraction Involving Rented or Leased Vehicle; Inapplication of Registration Suspension Procedure

Sec. 2. The motor vehicle registration suspension procedure under this chapter does not apply to a judgment imposed for an infraction or ordinance violation involving a motor vehicle that was, at the time of the infraction or ordinance violation, the subject of a written agreement for the rental or lease of the motor vehicle for a period not greater than sixty (60) days. [Pre-1991 Recodification Citation: 9-1-12-7.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 11. Parking Tickets9-30-11-3. Notification of Failure to Pay Judgments

Sec. 3. If it appears from the records of a court that has jurisdiction to enforce ordinances that regulate parking violations that three (3) judgments concerning a motor vehicle have not been paid before the deadlines established by a statute, an ordinance, or a court order, the clerk of the court shall send a notice to the person who is the registered owner of the motor vehicle. The notice must inform the person of the following: (1) That the clerk will send a referral to the bureau if the judgments are not paid within thirty (30) days after a notice was mailed. (2) That the referral will result in the suspension of the motor vehicle's registration if the judgments are not paid. [Pre-1991 Recodification Citation: 9-1-12-2.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 11. Parking Tickets9-30-11-4. Referral to Bureau Regarding Unpaid Judgments; Contents

Sec. 4. A clerk may send a referral to the bureau if the judgments are not paid not later than thirty (30) days after a notice was mailed. The referral must include the following: (1) Any information known or available to the clerk concerning the following of the motor vehicle: (A) The license plate number and year of registration. (B) The name of the owner. (2) The date on which each of the violations occurred. (3) The law enforcement agencies responsible for the parking citations. (4) The date when the notice required under section 3 of this chapter was mailed. (5) The seal of the clerk. [Pre-1991 Recodification Citation: 9-1-12-3.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 11. Parking Tickets9-30-11-5. Suspension of Registration Upon Receipt of Referral

Sec. 5. If the bureau receives a referral under section 4 of this chapter, the bureau shall suspend the registration of the motor vehicle and mail a notice to the person in whose name the vehicle is registered that does the following: (1) Informs the person that the motor vehicle's registration has been suspended and the reason for the suspension. (2) Informs the person that if the judgments are not paid within fifteen (15) days, the motor vehicle's license plates will be removed by a law enforcement officer. (3) Explains what the person is required to do to have the registration reinstated. [Pre-1991 Recodification Citation: 9-1-12-4.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 11. Parking Tickets9-30-11-6. Reinstatement of Registration; Conditions

Sec. 6. The bureau shall reinstate motor vehicle registration that is suspended under this chapter if the following occur: (1) The court presents the bureau with adequate proof that all unpaid judgments with respect to the motor vehicle have been paid. (2) A reinstatement fee is paid to the bureau, if applicable. [Pre-1991 Recodification Citation: 9-1-12-5.] As added by P.L.2-1991, SEC.18. Amended by P.L.153-2005, SEC.5; P.L.125-2012, SEC.359; P.L.257-2017, SEC.39.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 11. Parking Tickets9-30-11-8. Defenses; Proof; Airport Police

Sec. 8. (a) This section does not apply in a proceeding concerning a standing or parking citation issued by a police authority operating under the jurisdiction of an airport authority. (b) It is a defense in a proceeding to enforce an ordinance or a statute defining an infraction concerning the standing or parking of vehicles if the owner: (1) proves that at the time of the alleged violation the owner was engaged in the business of renting or leasing vehicles under written agreements; (2) proves that at the time of the alleged violation the vehicle was in the care, custody, or control of a person (other than the owner or an employee of the owner) under a written agreement for the rental or lease of the vehicle for a period of not more than sixty (60) days; and (3) provides to the traffic violations bureau or court that has jurisdiction the name and address of the person who was renting or leasing the vehicle at the time of the alleged violation. (c) The owner of a vehicle may establish proof under subsection (b)(2) by submitting, within thirty (30) days after the owner receives notice by mail of: (1) the parking ticket; or (2) the infraction violation; a copy of the rental or lease agreement to the traffic violations bureau or court that has jurisdiction. [Pre-1991 Recodification Citation: 9-4-1-28.1.] As added by P.L.2-1991, SEC.18. Amended by P.L.1-2006, SEC.169.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 12. Dishonored Checks9-30-12-1. Payment of Fee for Driving Privileges With Dishonored Check; Suspension, Revocation, or Invalidation

Sec. 1. (a) The bureau may suspend or revoke the driving privileges of an individual who makes payment to the bureau with funds that are not honored. (b) In addition to the penalties in subsection (a), the bureau may do the following: (1) Revoke the driver's license or permit of an individual who makes payment to the bureau for a driver's license or permit with funds that are not honored. (2) Invalidate the title or registration of an individual who makes payment to the bureau for a driver's license or permit with funds that are not honored. [Pre-1991 Recodification Citation: 9-5-4-1.] As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.361.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 12. Dishonored Checks9-30-12-2. Reinstatement of License, Permit, or Driving Privileges; Revalidation of Title or Registration

Sec. 2. The bureau may: (1) reinstate a license, a permit, or driving privileges revoked or suspended under section 1 of this chapter;

or (2) revalidate a title or registration that has been invalidated under section 1 of this chapter; if the obligation has been satisfied, including the payment of service, collection, and reinstatement fees, if applicable. [Pre-1991 Recodification Citation: 9-5-4-2.] As added by P.L.2-1991, SEC.18. Amended by P.L.153-2005, SEC.6; P.L.125-2012, SEC.362.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 12. Dishonored Checks9-30-12-5. Procedures for Suspension or Revocation; Adoption of Rules

Sec. 5. The bureau shall adopt a rule to establish procedures to be followed by the bureau in suspending or revoking a driver's license or permit under this chapter. [Pre-1991 Recodification Citation: 9-5-4-5.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 13. Miscellaneous Criminal Offenses; Suspension of Driving Privileges9-30-13-0.5. Certified Abstract of Record of Conviction Forwarded to Bureau by a Court

Sec. 0.5. (a) A court shall forward to the bureau a certified abstract of the record of the conviction of a person in the court for a violation of a law relating to motor vehicles. (b) If in the opinion of the court a defendant should be deprived of the privilege to operate a motor vehicle upon a public highway, the court may recommend the suspension of the convicted person's driving privileges for a period that does not exceed the maximum period of incarceration for the offense of which the person was convicted. (c) The bureau shall comply with the court's recommendation. (d) At the time of a conviction referred to in subsection (a) or under IC 9-30-5-7, the court may obtain and destroy the defendant's current driver's license. (e) An abstract required by this section must be in the form prescribed by the bureau and, when certified, shall be accepted by an administrative agency or a court as prima facie evidence of the conviction and all other action stated in the abstract. As added by P.L.125-2012, SEC.365. Amended by P.L.188-2015, SEC.119; P.L.198-2016, SEC.604.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 13. Miscellaneous Criminal Offenses; Suspension of Driving Privileges9-30-13-6. Suspension of Driving Privileges; Petition for Reinstatement

Sec. 6. (a) The bureau shall, upon receiving an order of a court issued under IC 31-16-12-7 (or IC 31-14-12-4 before its repeal), suspend the driving privileges of the person who is the subject of the order. (b) The bureau may not reinstate driving privileges suspended under this section until the bureau receives an order allowing reinstatement from the court that issued the order for suspension. (c) Upon receiving an order for suspension under subsection (a), the bureau shall promptly mail a notice to the last known address of the person who is the subject of the order, or send the notice electronically if the person has indicated a preference for receiving notices from the bureau electronically, stating the following: (1) That the person's driving privileges are suspended, beginning eighteen (18) business days after the date the notice is mailed, and that the suspension will terminate ten (10) business days after the bureau receives an order allowing reinstatement from the court that issued the suspension order. (2) That the person has the right to petition for reinstatement of driving privileges to the court that issued the order for suspension. (d) A person who operates a motor vehicle in violation of this section commits a Class A infraction, unless: (1) the person's driving privileges are suspended under this section; and (2) the person has been granted specialized driving privileges under IC 9-30-16 as a result of the suspension under this section. As added by P.L.125-2012, SEC.371. Amended by P.L.207-2013, SEC.9; P.L.85-2013, SEC.111; P.L.207-2013, SEC.10; P.L.2-2014, SEC.46; P.L.217-2014, SEC.150; P.L.141-2024, SEC.50.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 13. Miscellaneous Criminal Offenses; Suspension of Driving Privileges9-30-13-7. Notice of Suspension of Driving Privileges for Delinquent Child Support; Reinstatement

Sec. 7. (a) Upon receiving an order from the Title IV-D agency under IC 31-25-4-32(b) or IC 31-25-4-33, the bureau shall promptly mail a notice to the obligor (as defined in IC 31-25-4-4) stating the following: (1) That the obligor's driving privileges are suspended, beginning eighteen (18) business days after the date the notice is mailed, and that the suspension will terminate after the bureau receives a notice from the Title IV-D agency under IC 31-25-4-32(m) that the obligor has addressed the delinquency. (2) That the obligor may be granted specialized driving privileges under IC 9-30-16. (b) If the bureau has not received notice from the Title IV-D agency under IC 31-25-4-32(m) within eighteen (18) days after the date of the notice in subsection (a), the bureau shall suspend the obligor's driving privileges. (c) The bureau may not reinstate driving privileges suspended under this section until the bureau receives a notice from the Title IV-D agency under IC 31-25-4-32(m) that the obligor has addressed the delinquency. (d) An obligor who operates a motor vehicle in violation of this section commits a Class A infraction, unless: (1) the obligor's driving privileges are suspended under this section; and (2) the obligor has been granted specialized driving privileges under IC 9-30-16 as a result of the suspension under this section. As added by P.L.125-2012, SEC.372. Amended by P.L.85-2013, SEC.112; P.L.217-2014, SEC.151; P.L.150-2018, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 13. Miscellaneous Criminal Offenses; Suspension of Driving Privileges9-30-13-8. Suspension of Driving Privileges After Fuel Theft Conviction

Sec. 8. (a) Upon receiving an order issued by a court under IC 35-43-4-8(b) concerning a person convicted of fuel theft, the bureau shall do the following: (1) Suspend under subsection (b) the driving privileges of the person who is the subject of the order, whether

or not the person's current driver's license accompanies the order. (2) Mail to the last known address of the person who is the subject of the order, or send electronically if the person has indicated a preference for receiving notices from the bureau electronically, a notice: (A) stating that the person's driving privileges are being suspended for fuel theft; (B) setting forth the date on which the suspension takes effect and the date on which the suspension terminates; and (C) stating that the person may be granted specialized driving privileges under IC 9-30-16 if the person meets the conditions for obtaining specialized driving privileges. (b) The suspension of the driving privileges of a person who is the subject of an order issued under IC 35-43-4-8(b): (1) begins five (5) business days after the date on which the bureau mails the notice to the person under subsection (a)(2); and (2) terminates thirty (30) days after the suspension begins. (c) A person who operates a motor vehicle during a suspension of the person's driving privileges under this section commits a Class A infraction unless the person's operation of the motor vehicle is authorized by specialized driving privileges granted to the person under IC 9-30-16. (d) The bureau shall, upon receiving a record of conviction of a person upon a charge of driving a motor vehicle while the driving privileges, permit, or license of the person is suspended, fix the period of suspension in accordance with the order of the court. As added by P.L.125-2012, SEC.373. Amended by P.L.85-2013, SEC.113; P.L.217-2014, SEC.152; P.L.141-2024, SEC.51.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 13. Miscellaneous Criminal Offenses; Suspension of Driving Privileges9-30-13-9. Worksite Speed Limit Violation; Suspension of Driving Privileges

Sec. 9. (a) Upon receiving an order issued by a court under IC 9-21-5-11(f) concerning a person who has committed the infraction of violating a worksite speed limit for the second time within one (1) year, the bureau shall do the following: (1) Suspend under subsection (b) the driving privileges of the person who is the subject of the order, whether or not the person's current driver's license accompanies the order. (2) Mail to the last known address of the person who is the subject of the order, or send electronically if the person has indicated a preference for receiving notices from the bureau electronically, a notice: (A) stating that the person's driving privileges are being suspended for a second or subsequent offense of exceeding a worksite speed limit within one (1) year; (B) setting forth the date on which the suspension takes effect and the date on which the suspension terminates; and (C) stating that the person may be granted specialized driving privileges under IC 9-30-16 if the person meets the conditions for obtaining specialized driving privileges. (b) The suspension of the driving privileges of a person who is the subject of an order issued under IC 9-21-5-11(f): (1) begins five (5) business days after the date on which the bureau mails the notice to the person under subsection (a)(2); and (2) terminates sixty (60) days after the suspension begins. (c) A person who operates a motor vehicle during a suspension of the person's driving privileges under this section commits a Class A infraction unless the person's operation of the motor vehicle is authorized by specialized driving privileges granted to the person under IC 9-30-16. (d) The bureau shall, upon receiving a record of conviction of a person upon a charge of driving a motor vehicle while the driving privileges, permit, or license of the person is suspended, fix the period of suspension in accordance with the order of the court. As added by P.L.41-2016, SEC.2. Amended by P.L.141-2024, SEC.52.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 14. Victim Impact Programs9-30-14-1. Covered Offense

Sec. 1. As used in this chapter, "covered offense" means the following: (1) An offense: (A) for which the offender's driving privileges may be suspended under IC 9-30-13; and (B) that involved the obstruction of traffic with or the operation of a motor vehicle with alcohol or a controlled substance listed in schedule I or II under IC 35-48-2 in the person's blood. (2) An offense described under IC 9-30-5 that involved operation of a vehicle with alcohol or a controlled substance listed under schedule I or II under IC 35-48-2. As added by P.L.94-1991, SEC.2. Amended by P.L.125-2012, SEC.374.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 14. Victim Impact Programs9-30-14-2. Attendance at Victim Impact Program

Sec. 2. In addition to any other requirement imposed on a person by a court, a court may order a person who is: (1) convicted of a covered offense; or (2) a defendant in a criminal proceeding in which prosecution is conditionally deferred under IC 12-23-5 or another law for a covered offense; to attend a victim impact program that meets the requirements specified under section 3 of this chapter. The person is responsible for any charges imposed by the victim impact program. As added by P.L.94-1991, SEC.2. Amended by P.L.2-1992, SEC.94.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 14. Victim Impact Programs9-30-14-3. Qualification as Victim Impact Program

Sec. 3. To qualify as a victim impact program under section 2 of this chapter, a program must do the following: (1) Provide an opportunity to participate in a victim impact program in the county in which the court is located. (2) Present each victim impact program described in subdivision (1) with at least one (1) speaker who is one (1) of the following: (A) A person who was injured as a result of the operation of a vehicle by another person who operated the vehicle under the influence of alcohol or a controlled substance listed in schedule I or II under IC 35-48-2. (B) A family member or a friend of a person who was injured or died as a result of the operation of a vehicle by another person who operated the vehicle under the influence of alcohol or a controlled substance listed in schedule I or II under IC 35-48-2. (C) A person who was convicted in Indiana of a covered offense or in another

state of an offense that is substantially similar to a covered offense. (D) A person who has been or is involved in a program designed to control the use or otherwise rehabilitate a person who is an alcohol abuser (as defined in IC 12-7-2-11), a drug abuser (as defined in IC 12-7-2-73), or both. (3) Require a person to visit a specified emergency medical care facility, a coroner facility, or a chronic alcoholism treatment center under supervision, as specified by the court. As added by P.L.94-1991, SEC.2. Amended by P.L.2-1992, SEC.95.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 14. Victim Impact Programs9-30-14-4. Visitation at Emergency Medical, Coroner, or Alcoholism Facility; Liability for Civil Damages From Injury to Visitor

Sec. 4. Neither a facility described in section 3(3) of this chapter nor an employee of the facility is liable for: (1) civil damages from injury to a person required to visit the facility under this chapter; or (2) damages caused to a person during the visitation described in subdivision (1) by another person required to visit the facility under this chapter; except for willful or grossly negligent acts intended to, or reasonably likely to, result in the injury or damage. As added by P.L.94-1991, SEC.2. Amended by P.L.1-1992, SEC.63.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 15.5. Habitual Vehicular Substance Offender9-30-15.5-1. "Vehicular Substance Offense"

Sec. 1. As used in this chapter, "vehicular substance offense" means any misdemeanor or felony in which operation of a vehicle while intoxicated, operation of a vehicle in excess of the statutory limit for alcohol, or operation of a vehicle with a controlled substance or its metabolite in the person's body, is a material element. The term includes an offense under IC 9-30-5, IC 9-24-6-15 (before its repeal), IC 9-24-6.1-7, and IC 9-11-2 (before its repeal). As added by P.L.217-2014, SEC.153. Amended by P.L.188-2015, SEC.120; P.L.198-2016, SEC.606.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 15.5. Habitual Vehicular Substance Offender9-30-15.5-2. Prior Vehicular Substance Offense Convictions

Sec. 2. (a) The state may seek to have a person sentenced as a habitual vehicular substance offender for any vehicular substance offense by alleging, on a page separate from the rest of the charging instrument, that the person has accumulated two (2) or three (3) prior unrelated vehicular substance offense convictions. If the state alleges only two (2) prior unrelated vehicular substance offense convictions, the allegation must include that at least one (1) of the prior unrelated vehicular substance offense convictions occurred within the ten (10) years before the date of the current offense. (b) For purposes of subsection (a), a person has accumulated two (2) or three (3) prior unrelated vehicular substance offense convictions only if: (1) the second prior unrelated vehicular substance offense conviction was committed after commission of and sentencing for the first prior unrelated vehicular substance offense conviction; (2) the offense for which the state seeks to have the person sentenced as a habitual vehicular substance offender was committed after commission of and sentencing for the second prior unrelated vehicular substance offense conviction; and (3) for a conviction requiring proof of three (3) prior unrelated vehicular substance offense felonies, the third prior unrelated vehicular substance offense conviction was committed after commission of and sentencing for the second prior unrelated vehicular substance offense conviction. However, a conviction does not count for purposes of subsection (a) if it has been set aside or it is a conviction for which the person has been pardoned. (c) A person is a habitual vehicular substance offender if the jury (if the hearing is by jury) or the court (if the hearing is to the court alone) finds that the state has proved beyond a reasonable doubt that the person has accumulated three (3) or more prior unrelated vehicular substance offense convictions at any time, or two (2) prior unrelated vehicular substance offense convictions, with at least one (1) of the prior unrelated vehicular substance offense convictions occurring within ten (10) years of the date of the occurrence of the current offense. (d) The court shall sentence a person found to be a habitual vehicular substance offender to an additional fixed term of at least one (1) year but not more than eight (8) years of imprisonment, to be added to the term of imprisonment imposed under IC 35-50-2 or IC 35-50-3. (e) Charges filed under this section must be filed in a circuit court or superior court. As added by P.L.217-2014, SEC.153. Amended by P.L.188-2015, SEC.121.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 15. Open Alcoholic Beverage Containers; Consumption of Alcohol in Motor Vehicles9-30-15-1. "Alcoholic Beverage"

Sec. 1. As used in this chapter, "alcoholic beverage" has the meaning set forth in IC 7.1-1-3-5. As added by P.L.53-1994, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 15. Open Alcoholic Beverage Containers; Consumption of Alcohol in Motor Vehicles9-30-15-2. "Container"

Sec. 2. As used in this chapter, "container" has the meaning set forth in IC 7.1-1-3-13. As added by P.L.53-1994, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 15. Open Alcoholic Beverage Containers; Consumption of Alcohol in Motor Vehicles9-30-15-3. Open Alcoholic Beverage Container During Operation of Motor Vehicle; Class C Infraction

Sec. 3. (a) This section does not apply to the following: (1) A container possessed by a person, other than the operator of the motor vehicle, who is in the: (A) passenger compartment of a motor vehicle designed, maintained, or used primarily for the transportation

of persons for compensation; or (B) living quarters of a house coach or house trailer. (2) A container located in a fixed center console or other similar fixed compartment that is locked. (3) A container located: (A) behind the last upright seat; or (B) in an area not normally occupied by a person; in a motor vehicle that is not equipped with a trunk. (b) A person in a motor vehicle who, while the motor vehicle is in operation or while the motor vehicle is located on the right-of-way of a public highway, possesses a container: (1) that has been opened; (2) that has a broken seal; or (3) from which some of the contents have been removed; in the passenger compartment of the motor vehicle commits a Class C infraction. (c) A violation of this section is not considered a moving traffic violation: (1) for purposes of IC 9-14-12-3; and (2) for which points are assessed by the bureau under the point system. As added by P.L.53-1994, SEC.11. Amended by P.L.33-1997, SEC.15; P.L.1-2000, SEC.14; P.L.209-2005, SEC.1; P.L.290-2013, SEC.1; P.L.198-2016, SEC.605.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 15. Open Alcoholic Beverage Containers; Consumption of Alcohol in Motor Vehicles9-30-15-4. Consumption of Alcohol While Operating a Motor Vehicle; Class B Infraction

Sec. 4. The operator of a motor vehicle who knowingly consumes an alcoholic beverage while the motor vehicle is being operated upon a public highway commits a Class B infraction. As added by P.L.53-1994, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 16. Driver's License Suspension Penalties9-30-16-1. Applicability; Suspension of Driving Privileges

Sec. 1. (a) Except as provided in subsection (b), the following are ineligible for specialized driving privileges under this chapter: (1) A person who has never been an Indiana resident. (2) A person seeking specialized driving privileges with respect to a suspension based on the person's refusal to submit to a chemical test offered under IC 9-30-6 or IC 9-30-7. However, a court may grant this person driving privileges under IC 9-30-6-8(d). (3) A person whose driving privileges have been suspended or revoked under IC 9-24-10-7(b)(2)(A). (4) A person whose driving privileges have been suspended under IC 9-21-8-52(e) or IC 9-21-12-1(b). (b) This chapter applies to the following: (1) A person who held a driver's license (issued under IC 9-24-3), or a commercial driver's, a public passenger chauffeur's, or a chauffeur's license at the time of: (A) the criminal conviction for which the operation of a motor vehicle is an element of the offense; (B) any criminal conviction for an offense under IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal); or (C) committing the infraction of exceeding a worksite speed limit for the second time in one (1) year under IC 9-21-5-11(f). (2) A person who: (A) has never held a valid Indiana driver's license or does not currently hold a valid Indiana learner's permit; and (B) was an Indiana resident when the driving privileges for which the person is seeking specialized driving privileges were suspended. (c) Except as specifically provided in this chapter, a court may suspend the driving privileges of a person convicted of any of the following offenses for a period up to the maximum allowable period of incarceration under the penalty for the offense: (1) Any criminal conviction in which the operation of a motor vehicle is an element of the offense. (2) Any criminal conviction for an offense under IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal). (3) Any offense under IC 35-42-1, IC 35-42-2, or IC 35-44.1-3-1 that involves the use of a vehicle. (d) Except as provided in section 3.5 of this chapter, a suspension of driving privileges under this chapter may begin before the conviction. Multiple suspensions of driving privileges ordered by a court that are part of the same episode of criminal conduct shall be served concurrently. A court may grant credit time for any suspension that began before the conviction, except as prohibited by section 6(a)(2) of this chapter. (e) If a person has had an ignition interlock device installed as a condition of specialized driving privileges or under IC 9-30-6-8(d), the period of the installation shall be credited as part of the suspension of driving privileges. (f) This subsection applies to a person described in subsection (b)(2). A court shall, as a condition of granting specialized driving privileges to the person, require the person to apply for and obtain an Indiana driver's license. (g) If a person indicates to the court at an initial hearing (as described in IC 35-33-7) that the person intends to file a petition for a specialized driving privileges hearing with that court under section 3 or 4 of this chapter, the following apply: (1) The court shall: (A) stay the suspension of the person's driving privileges at the initial hearing and shall not submit the probable cause affidavit related to the person's offense to the bureau; and (B) set the matter for a specialized driving privileges hearing not later than thirty (30) days after the initial hearing. (2) If the person does not file a petition for a specialized driving privileges hearing not later than ten (10) days after the date of the initial hearing, the court shall lift the stay of the suspension of the person's driving privileges and shall submit the probable cause affidavit related to the person's offense to the bureau for automatic suspension. (3) If the person files a petition for a specialized driving privileges hearing not later than ten (10) days after the initial hearing, the stay of the suspension of the person's driving privileges continues until the matter is heard and a determination is made by the court at the specialized driving privileges hearing. (4) If the specialized driving privileges hearing is continued due to: (A) a congestion of the court calendar; (B) the prosecuting attorney's motion for a continuance; or (C) the person's motion for a continuance with no objection by the prosecuting attorney; the stay of the suspension of the person's driving privileges continues until addressed at the next hearing. (5) If the person moves for a continuance of the specialized driving privileges hearing and the court grants the continuance over the prosecuting attorney's objection, the court shall lift the stay of the suspension of the person's driving privileges and shall submit the probable cause affidavit related to the person's offense to the bureau for automatic suspension. As added by P.L.217-2014, SEC.154. Amended by P.L.188-2015, SEC.122; P.L.41-2016, SEC.3; P.L.198-2016, SEC.607; P.L.256-2017, SEC.181; P.L.46-2018, SEC.2; P.L.144-2019, SEC.12; P.L.110-2020, SEC.6; P.L.111-2021, SEC.90.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 16. Driver's License Suspension Penalties9-30-16-2. Offenses Involving Serious Bodily Injury of Another Person and Operation of a Motor Vehicle; Offenses Involving Death of Another Person and Operation of a Motor Vehicle; Suspension of Driving Privileges

Sec. 2. (a) The court shall order that the driving privileges of a person are suspended for a period of at least one (1) year for a person convicted of the following: (1) An offense that includes the element of causing or resulting in serious bodily injury while operating a motor vehicle. (2) An offense under IC 9-30-5 that includes the element of causing or resulting in serious bodily injury. (3) An offense under IC 9-30-5 when the person has a prior conviction for an offense under IC 9-30-5. (b) A person whose driving privileges are suspended under subsection (a) is eligible for specialized driving privileges under section 3 of this chapter. (c) If a person is convicted of an offense that includes the element of causing the death of another person and the offense involved the operation of a motor vehicle or was an offense under IC 9-30-5, the court shall order that the person's driving privileges are suspended for a period of at least two (2) years and not more than the maximum allowable period of incarceration of the criminal penalty for the offense. A person whose driving privileges are suspended under this section is not eligible for specialized driving privileges under section 3 of this chapter. As added by P.L.217-2014, SEC.154. Amended by P.L.188-2015, SEC.123; P.L.256-2017, SEC.182.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 16. Driver's License Suspension Penalties9-30-16-3.5. Temporary or Worksite Speed Limit Violations; Specialized Driving Privileges; Expiration and Termination of Specialized Driving Privileges

Sec. 3.5. (a) If a court imposes a suspension of driving privileges under IC 9-21-5-11(f), the court may stay the suspension and grant a specialized driving privilege as set forth in this section. (b) Except as provided in subsection (g), specialized driving privileges granted under this section shall be granted for a period of time as determined by the court. A court, at its discretion, may set periodic review hearings to review an individual's specialized driving privileges. (c) Specialized driving privileges granted under this section: (1) must be determined by a court; and (2) are limited to restricting the individual to being allowed to operate a motor vehicle between the place of employment of the individual and the individual's residence. (d) An individual who has been granted specialized driving privileges under this section shall: (1) maintain proof of future financial responsibility insurance during the period of specialized driving privileges; (2) carry a copy of the order granting specialized driving privileges or have the order in the vehicle being operated by the individual; (3) produce the copy of the order granting specialized driving privileges upon the request of a police officer; and (4) carry a validly issued driver's license. (e) An individual who holds a commercial driver's license and has been granted specialized driving privileges under this chapter may not, for the duration of the suspension for which the specialized driving privileges are sought, operate a motor vehicle that requires the individual to hold a commercial driver's license to operate the motor vehicle. (f) An individual who seeks specialized driving privileges must file a petition for specialized driving privileges in each court that has ordered or imposed a suspension of the individual's driving privileges. Each petition must: (1) be verified by the petitioner; (2) state the petitioner's age, date of birth, and address; (3) state the grounds for relief and the relief sought; (4) be filed in the court that ordered or imposed the suspension; and (5) be served on the bureau and the prosecuting attorney. A prosecuting attorney shall appear on behalf of the bureau to respond to a petition filed under this subsection. (g) Whenever a suspension of an individual's driving privileges under this chapter is terminated because: (1) the underlying conviction, judgment, or finding that forms the basis of the suspension is reversed, vacated, or dismissed; or (2) the individual is acquitted of, found not liable for, or otherwise found not to have committed the underlying act or offense that forms the basis of the suspension; the individual's specialized driving privileges expire at the time the suspension of the individual's driving privileges is terminated. (h) The court shall inform the bureau of a termination of a suspension of driving privileges and expiration of specialized driving privileges as described under subsection (g) in a format designated by the bureau. As added by P.L.41-2016, SEC.5. Amended by P.L.85-2017, SEC.41; P.L.46-2018, SEC.4; P.L.29-2020, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 16. Driver's License Suspension Penalties9-30-16-3. Stay of Suspension; Specialized Driving Privileges; Operation of Vehicle Requiring Commercial Driver's License Prohibited

Sec. 3. (a) This section does not apply to specialized driving privileges granted in accordance with section 3.5 of this chapter. If a court orders a suspension of driving privileges under this chapter, or imposes a suspension of driving privileges under IC 9-30-6-9(c), the court may stay the suspension and grant a specialized driving privilege as set forth in this section. (b) An individual who seeks specialized driving privileges must file a petition for specialized driving privileges in each court that has ordered or imposed a suspension of the individual's driving privileges. Each petition must: (1) be verified by the petitioner; (2) state the petitioner's age, date of birth, and address; (3) state the grounds for relief and the relief sought; (4) be filed in the court case that resulted in the order of suspension; and (5) be served on the bureau and the prosecuting attorney. A prosecuting attorney shall appear on behalf of the bureau to respond to a petition filed under this subsection. (c) Except as provided in subsection (h), regardless of the underlying offense, specialized driving privileges granted under this section shall be granted for a period of time as determined by the court. A court, at its discretion, may set periodic review hearings to review an individual's specialized driving privileges. (d) The terms of specialized driving privileges must be determined by a court. (e) A stay of a suspension and specialized

driving privileges may not be granted to an individual who: (1) has previously been granted specialized driving privileges; and (2) has more than one (1) conviction under section 5 of this chapter. (f) An individual who has been granted specialized driving privileges shall: (1) maintain proof of future financial responsibility insurance during the period of specialized driving privileges; (2) carry a copy of the order granting specialized driving privileges or have the order in the vehicle being operated by the individual; (3) produce the copy of the order granting specialized driving privileges upon the request of a police officer; and (4) carry a validly issued state identification card or driver's license. (g) An individual who holds a commercial driver's license and has been granted specialized driving privileges under this chapter may not, for the duration of the suspension for which the specialized driving privileges are sought, operate any vehicle that requires the individual to hold a commercial driver's license to operate the vehicle. (h) Whenever a suspension of an individual's driving privileges under this chapter is terminated because: (1) the underlying conviction, judgment, or finding that forms the basis of the suspension is reversed, vacated, or dismissed; or (2) the individual is acquitted of, found not liable for, or otherwise found not to have committed the underlying act or offense that forms the basis of the suspension; the individual's specialized driving privileges expire at the time the suspension of the individual's driving privileges is terminated. (i) The court shall inform the bureau of a termination of a suspension and expiration of specialized driving privileges as described under subsection (h) in a format designated by the bureau. As added by P.L.217-2014, SEC.154. Amended by P.L.188-2015, SEC.124; P.L.41-2016, SEC.4; P.L.198-2016, SEC.608; P.L.120-2017, SEC.6; P.L.46-2018, SEC.3; P.L.161-2018, SEC.20; P.L.29-2020, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 16. Driver's License Suspension Penalties9-30-16-4.5. Lifting of Suspension of Registration as Condition of Specialized Driving Privileges

Sec. 4.5. (a) This section applies to a person: (1) whose driving privileges were suspended under IC 9-25-6-3(d); and (2) to whom a court grants specialized driving privileges under section 3 or 4 of this chapter with respect to the suspended driving privileges. (b) The court may, as a condition of the specialized driving privileges, lift the suspension of the person's motor vehicle registration that was imposed in conjunction with the suspension of the person's driving privileges. As added by P.L.188-2015, SEC.126. Amended by P.L.86-2021, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 16. Driver's License Suspension Penalties9-30-16-4. Petition for Specialized Driving Privileges

Sec. 4. (a) An individual whose driving privileges have been suspended by the bureau by an administrative action and not by a court order may petition a court for specialized driving privileges as described in section 3(b) through 3(d) of this chapter. (b) A petition filed under this section must: (1) be verified by the petitioner; (2) state the petitioner's age, date of birth, and address; (3) state the grounds for relief and the relief sought; (4) be filed in the appropriate county, as determined under subsection (d); (5) be filed in a circuit or superior court; and (6) be served on the bureau and the prosecuting attorney. (c) A prosecuting attorney shall appear on behalf of the bureau to respond to a petition filed under this section. (d) An individual whose driving privileges are suspended in Indiana may file a petition for specialized driving privileges. The petition must be filed as follows: (1) Except as provided in subdivision (2), if the individual is an Indiana resident, in the county in which the individual resides. (2) If the individual is an Indiana resident and is subject to an active administrative suspension under this section in addition to an active court ordered suspension under section 3 or 3.5 of this chapter, in the court that has ordered or imposed a suspension of the individual's driving privileges. (3) If the individual was an Indiana resident at the time the individual's driving privileges were suspended but is currently a nonresident, in the county in which the individual's most recent Indiana moving violation judgment was entered against the individual. As added by P.L.217-2014, SEC.154. Amended by P.L.188-2015, SEC.125; P.L.198-2016, SEC.609; P.L.118-2022, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 16. Driver's License Suspension Penalties9-30-16-5. Violation of Condition; Modification or Revocation of Specialized Driving Privileges

Sec. 5. (a) A person who knowingly or intentionally violates a condition imposed by a court under section 3, 3.5, or 4 of this chapter, or imposed under IC 9-30-10-14.2, commits a Class C misdemeanor. The prosecuting attorney may notify the court that issued the specialized driving privileges order of the alleged violation. If the specialized driving privileges order is from a different county, the prosecuting attorney may also notify the prosecuting attorney in that county of the violation. (b) For a person convicted of an offense under subsection (a), the court that issued the specialized driving privileges order that was violated may modify or revoke specialized driving privileges. The court that issued the specialized driving privileges order that was violated may order the bureau to lift the stay of a suspension of driving privileges and suspend the person's driving license as originally ordered in addition to any additional suspension. As added by P.L.217-2014, SEC.154. Amended by P.L.188-2015, SEC.127; P.L.41-2016, SEC.6; P.L.198-2016, SEC.610; P.L.161-2018, SEC.21; P.L.10-2019, SEC.47.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 16. Driver's License Suspension Penalties9-30-16-6.5. Termination of Suspension if Dismissal, Acquittal, or Reversal

Sec. 6.5. A court and the bureau, if applicable, shall terminate all or any part of the remaining suspension of a person's license suspension under section 1(c) of this chapter or under IC 9-30-6-9 if: (1) the charges against the person are dismissed; (2) the person

is acquitted; or (3) the person's conviction is vacated or reversed on appeal. As added by P.L.110-2020, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 16. Driver's License Suspension Penalties9-30-16-6. Credit Time While Driving Privileges Are Suspended; Consecutive Suspensions

Sec. 6. (a) A person whose driving privileges are suspended under section 1(c) of this chapter: (1) is entitled to credit for any days during which the license was suspended under IC 9-30-6-9(c); and (2) may not receive any credit for days during which the person's driving privileges were suspended under IC 9-30-6-9(b). (b) A period of suspension of driving privileges imposed under section 1(c) of this chapter must be consecutive to any period of suspension imposed under IC 9-30-6-9(b). However, if the state and defendant agree pursuant to a term in an accepted plea agreement, or if the court finds at sentencing that it is in the best interest of society, the court shall terminate all or any part of the remaining suspension under IC 9-30-6-9(b) and shall enter this finding in its sentencing order. (c) The bureau shall designate a period of suspension of driving privileges imposed under section 1(c) of this chapter as consecutive to any period of suspension imposed under IC 9-30-6-9(b) unless the sentencing order of the court under subsection (b) terminates all or part of the remaining suspension under IC 9-30-6-9(b). As added by P.L.188-2015, SEC.128. Amended by P.L.110-2020, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 16. Driver's License Suspension Penalties9-30-16-7. Specialized Driving Privileges Charge

Sec. 7. If the bureau issues a driver's license to an individual who has been issued specialized driving privileges, the individual shall pay a specialized driving privileges charge of ten dollars ($10). The charge is in addition to any applicable fees under IC 9-24 and shall be deposited in the commission fund. [Pre-2016 Revision Citation: 9-29-9-14.] As added by P.L.198-2016, SEC.611.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 2. Arrests9-30-2-1. Application of Chapter

Sec. 1. Sections 2 and 3 of this chapter do not apply to the following: (1) Officers or members of the state militia when on active duty. (2) Officers of the United States government. [Pre-1991 Recodification Citation: 9-4-8-5.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 2. Arrests9-30-2-2. Uniform and Badge; Marked Police Vehicle; Exceptions

Sec. 2. (a) Except as provided in subsection (b), a law enforcement officer may not arrest or issue a traffic information and summons to a person for a violation of an Indiana law regulating the use and operation of a motor vehicle on a highway or an ordinance of a city or town regulating the use and operation of a motor vehicle on a highway unless at the time of the arrest the officer is: (1) wearing a distinctive uniform and a badge of authority; or (2) operating a motor vehicle that is clearly marked as a police vehicle; that will clearly show the officer or the officer's vehicle to casual observations to be an officer or a police vehicle. (b) Subsection (a) does not apply to an officer in an unmarked police vehicle making an arrest or issuing a traffic information and summons: (1) when there is a uniformed officer present at the time of the arrest; or (2) for a violation of one (1) or more of the following: (A) IC 9-21-8-52(a)(1)(A) (reckless driving causing endangerment). (B) IC 9-21-8-52(b) as a Level 6 felony (recklessly passing a stopped school bus resulting in bodily injury). (C) IC 9-21-8-52(b) as a Level 5 felony (recklessly passing a stopped school bus resulting in death). (D) IC 9-30-5-2(b) as a Class A misdemeanor (operating while intoxicated in a manner that endangers a person). [Pre-1991 Recodification Citation: 9-4-8-1.] As added by P.L.2-1991, SEC.18. Amended by P.L.198-2016, SEC.592; P.L.164-2018, SEC.18; P.L.144-2019, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 2. Arrests9-30-2-3. Reward or Other Compensation for Making Arrests; Prohibition

Sec. 3. (a) This section does not apply to the fixed salary of an officer. (b) A peace officer, even though wearing a distinctive uniform and badge at the time of making an arrest, may not receive and there may not be taxed for the officer's benefit against a defendant a fee, mileage, pay, charge, compensation, or reward that, except for this chapter, the officer might be otherwise entitled to receive for the arrest or upon the conviction of a defendant. [Pre-1991 Recodification Citation: 9-4-8-2.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 2. Arrests9-30-2-4. Misdemeanor Offenders Required to Appear Before Court Immediately

Sec. 4. (a) This section does not apply to a person arrested for a misdemeanor under IC 9-30-5 (operating a vehicle while intoxicated). (b) If a person is arrested for a misdemeanor under this title, the arrested person shall be immediately taken before a court within the county in which the offense charged is alleged to have been committed and that has jurisdiction of the offense and is nearest or most accessible to the place where the arrest is made in any of the following cases: (1) When the person demands an immediate appearance before a court. (2) When the person is charged with an offense causing or contributing to an accident resulting in injury to or death of a person. (3) When the person is charged with failure to stop for an accident causing death, personal injuries, or damage to property. (4) When the person refuses to give the person's written promise to appear in court. (5) When the

person is charged with driving while the person's license is suspended or revoked. [Pre-1991 Recodification Citation: 9-4-1-130.1.] As added by P.L.2-1991, SEC.18. Amended by P.L.99-1996, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 2. Arrests9-30-2-5. Misdemeanor Offenders Not Appearing Before Court Immediately; Release From Custody; Written Promise to Appear; Security Deposit; Contents of Security Agreement and Written Promise; Nonresident Requirements; Refusal of Security Deposit

Sec. 5. (a) If an Indiana resident: (1) is arrested for a misdemeanor regulating the use and operation of motor vehicles, other than the misdemeanor of operating a vehicle while intoxicated; and (2) is not immediately taken to court as provided in section 4 of this chapter; the Indiana resident shall be released from custody by the arresting officer upon signing a written promise to appear in the proper court at a time and date indicated on the promise. The Indiana resident shall be given a copy of the promise. (b) Except as provided in IC 9-28-1 and IC 9-28-2, if a nonresident is arrested for a violation of a traffic ordinance or a statute punishable as an infraction or a misdemeanor that regulates the use and operation of a motor vehicle and is not immediately taken to court as provided in section 4 of this chapter, the person shall be released upon the deposit of a security. The security shall be: (1) the amount of the fine and costs for the violation in the form of cash, a money order, or a traveler's check made payable to the clerk of the court; or (2) a valid motor club card of a motor club that, by written plan approved by the secretary of state as provided in section 8 of this chapter, guarantees the nonresident's deposit in the amount of the fine and costs. The proper court shall provide a list of security deposits, which must be equal to the fine and costs for the violation, and a security deposit agreement that acts as a receipt for the deposit. A nonresident who does not choose to deposit a security shall be taken to the proper court. (c) The agreement for the security deposit and the written promise or notice to appear in court must contain the following: (1) A citation of the violation. (2) The name and address of the person accused of committing the violation. (3) The number of the person's license to operate a motor vehicle. (4) The registration number of the person's vehicle, if any. (5) The time and place the person must appear in court. If the violation is a misdemeanor, the time specified for appearance must be at least five (5) days after the arrest unless the arrested person demands an earlier hearing. The place specified for appearance must be in the proper court within the county where the person was arrested or given a notice to appear in the case of an infraction or ordinance. The nonresident shall be properly informed of the consequences of a guilty plea or an agreed judgment. The agreement for the security must also contain a provision in which the nonresident agrees that the court shall take permanent possession of the deposit, and if the nonresident fails to appear in court or is not represented in court, a guilty plea or an offer of judgment shall be entered on the court's record on behalf of the nonresident. Upon proper appearance or representation, the security shall be returned to the nonresident. (d) A nonresident licensed by a jurisdiction that has entered into an agreement with Indiana under IC 9-28-2 may deposit the nonresident's license to operate a motor vehicle with the law enforcement officer as security for release. A nonresident shall, by the date required on the security deposit agreement, do one (1) of the following: (1) Appear in court. (2) Be represented in court. (3) Deliver to the court by mail or courier the amount of the fine and costs prescribed for the violation. The license to operate a motor vehicle shall be returned to the nonresident upon payment of the fine and costs and entry of a guilty plea or upon other judgment of the court. Until a judgment has been entered upon the court's records, the nonresident's copy of the security deposit agreement acts as a temporary license to operate a motor vehicle. Upon failure to appear or to be represented, the nonresident's license to operate a motor vehicle and a copy of the judgment shall be sent by the court to the bureau, which shall notify the appropriate agency in accordance with IC 9-30-3-8. (e) A nonresident who requests to deposit a security in the amount of the fine and costs shall be accompanied to the nearest United States mail receptacle and instructed by the law enforcement officer to place: (1) the amount of the fine and costs; and (2) one (1) signed copy of the security deposit agreement; into a stamped, addressed envelope, which the proper court shall supply to the officer for the nonresident. The officer shall observe this transaction and shall observe the nonresident deposit the envelope in the mail receptacle. The nonresident shall then be released and given a copy of the security deposit agreement. If the nonresident does not appear in court or is not represented in court at the time and date specified on the receipt, a guilty plea or judgment against the nonresident shall be entered and the security deposit shall be used to satisfy the amount of the fine and costs prescribed for the violation. (f) A nonresident motorist may deposit with the law enforcement officer a valid motor club card as a guarantee of security if the motor club or its affiliated clubs have a written plan approved by the secretary of state that guarantees the payment of the security in the amount of the fine and costs if the motorist: (1) does not appear in court; or (2) is not represented in court on the date and time specified in the security agreement. (g) The recipient court may refuse acceptance of a security deposit agreement for a second moving traffic charge within a twelve (12) month period. The court may send notice requiring a personal court appearance on a date specified. Upon failure to appear the court shall take the appropriate action as described in this section. [Pre-1991 Recodification Citation: 9-4-1-131.] As added by P.L.2-1991, SEC.18. Amended by P.L.99-1996, SEC.2; P.L.198-2016, SEC.593.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 2. Arrests9-30-2-6. Warrantless Arrests; Violations; Procedure

Sec. 6. A law enforcement officer may, without a warrant, arrest a person in case of violations of: (1) IC 9-26-1-1.1; and (2) IC 9-30-5 if the violation of IC 9-30-5 is coupled with an accident; when the law enforcement officer has probable cause to believe that the violation was committed by the person. The procedure prescribed in this section is not the only method prescribed by law for the arrest and prosecution of a person for an offense of similar grade. [Pre-1991 Recodification Citation: 9-4-1-134 part.] As added by P.L.2-1991, SEC.18. Amended by P.L.1-1992, SEC.61; P.L.217-2014, SEC.119.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 2. Arrests9-30-2-8. Motor Club Card Plans; Guarantee to Pay Security in Amount of Fines and Costs; Fees; Renewal; Termination; Distribution of Lists of Acceptable Cards

Sec. 8. (a) A motor club that is a domestic corporation or a foreign corporation qualified to transact business in Indiana under IC 23-1 or IC 23-17, or otherwise duly qualified to transact business in Indiana under Indiana corporation law, may guarantee as security the club's motor club card or any card of a motor club affiliated with the motor club, if the motor club files a plan guaranteeing to pay the security in the amount of the fine and costs. The ability to pay the security in the amount of the fine and costs must be demonstrated by evidence of the motor club's financial responsibility that must be: (1) a balance sheet certified by a certified public accountant at the end of the club's last available fiscal year showing net assets of the motor club in excess of five hundred thousand dollars ($500,000); or (2) a deposit by a surety company qualified to transact business in Indiana of an annual bond in the amount of twenty-five thousand dollars ($25,000) payable to the state guaranteeing, in the amount of fines and costs, the motor club cards covered by the plan when used as a security deposit. (b) A motor club that is a foreign corporation not qualified to transact business in Indiana under IC 23-1, IC 23-17, or any other Indiana corporation law shall demonstrate the club's ability to guarantee payment of the club's card or cards of an affiliated member as a security deposit upon the filing of a plan with the secretary of state guaranteeing payment of the fines and costs of the security and a deposit, by a surety company qualified to transact business in Indiana, of an annual bond in the amount of twenty-five thousand dollars ($25,000) payable to the state, guaranteeing, in the amount of fines and costs, the motor club's cards covered by the plan when used as a security deposit. (c) A motor club must, upon filing a plan with the secretary of state, pay a filing fee of fifty dollars ($50). (d) A motor club must annually renew the club's motor card plan. Renewal must be made by filing before May 1 of each year a new certified balance sheet or surety bond together with a renewal fee of fifty dollars ($50) with the secretary of state. (e) An approved plan may be terminated by the motor club sixty (60) days after written notice or termination has been delivered to the secretary of state. Upon failure of a motor club to guarantee a security deposit, the motor club plan may be terminated by the secretary of state under IC 4-21.5-3. (f) Termination by the secretary of state does not relieve a motor club of the club's obligation to pay judgments on cards covered by the club's plan and accepted as security as provided in this chapter. The attorney general may bring an action for the state in an Indiana court against a motor club to enforce an obligation. (g) The secretary of state shall, by June 1 of each year and at other times necessary for the administration of this section, prepare and distribute to all courts having jurisdiction over minor traffic violations and to the superintendent of the state police department lists of motor club cards that may be accepted as a security deposit. [Pre-1991 Recodification Citation: 9-4-1-132.5.] As added by P.L.2-1991, SEC.18. Amended by P.L.1-2010, SEC.51.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-1. Purpose

Sec. 1. This chapter governs the procedure in courts with original jurisdiction to hear and determine cases involving traffic offenses. This chapter is intended to provide for the just determination of these cases and to that effect shall be construed to secure simplicity and uniformity in procedure, fairness in administration, and the elimination of unjustifiable expense and delay. [Pre-1991 Recodification Citation: 9-4-7-1.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-10. Sentencing; Appearance Required

Sec. 10. The defendant shall be present at the imposition of sentence in all misdemeanor traffic cases. [Pre-1991 Recodification Citation: 9-4-7-8.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-11. Plea of Guilty; Informing Defendant of Rights; Record of Proceedings; Destruction of Documents; Liability of Court Officers

Sec. 11. (a) Before accepting a plea of guilty to a misdemeanor traffic offense, the court shall inform the defendant of the defendant's rights, including the right to: (1) engage counsel; (2) a reasonable continuance to engage counsel to subpoena witnesses; (3) have process issued by the court, without expense to the defendant, to compel the attendance of witnesses in the defendant's behalf; (4) testify or not to testify in the defendant's own behalf; (5) a trial by jury; and (6) appeal. (b) The court shall inform each defendant charged with a traffic offense other than a nonmoving traffic offense, if the defendant is convicted or judgment is entered against the defendant, that a record of the conviction or judgment will be sent to the bureau or the motor vehicle bureau of the state where the defendant received a license to drive to become a part of the defendant's driving record. (c) The court shall keep a full record of every case in which a person is charged with a traffic offense other than a nonmoving traffic offense. Within ten (10) days after the conviction, judgment, or forfeiture of security deposit of a person, the court shall forward a copy of the judgment in an electronic format or an abstract as prescribed by IC 9-30-13-0.5. The abstract comprises the original copy of the traffic information and summons or complaint and summons if the conviction, judgment, or forfeiture of security deposit has been entered on that copy. However, instead of the original copy, the court may, subject to the approval of the bureau, send the information in an electronic format or in the form of a chemical based, magnetic, or machine readable media. Records of nonmoving traffic offenses are not required to be forwarded to the bureau. (d) One (1) year after the abstract has been forwarded, the court may destroy the remaining

court copies of the information and summons or complaint and summons and related pleadings if an order book entry of the copy has been made and the original copy has been sent to the bureau. (e) Upon the failure of a court officer to comply with subsection (c), the officer is liable on the officer's official bond for a civil penalty of one hundred dollars ($100) accruing to the state, which may be recovered, together with the costs of the suit, in a civil action brought by the attorney general in the name of the state on relation of the attorney general. Each failure by an officer constitutes a separate cause of action. [Pre-1991 Recodification Citation: 9-4-7-9.] As added by P.L.2-1991, SEC.18. Amended by P.L.184-2007, SEC.61; P.L.206-2007, SEC.9; P.L.125-2012, SEC.325.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-12. Driver Safety Program

Sec. 12. (a) If during any twelve (12) month period an individual has committed moving traffic violations for which the individual has: (1) been convicted of at least two (2) traffic misdemeanors; (2) had at least two (2) traffic judgments entered against the individual; or (3) been convicted of at least one (1) traffic misdemeanor and has had at least one (1) traffic judgment entered against the individual; the bureau shall require the individual to attend and satisfactorily complete a driver safety program approved by the bureau. The individual shall pay all applicable fees required by the bureau. (b) This subsection applies to an individual who is less than twenty-one (21) years of age. An individual is required to attend and satisfactorily complete a driver safety program approved by the bureau if the individual has, at least twice when the individual was less than twenty-one (21) years of age, been the operator of a motor vehicle involved in an incident for which points may be assessed by the bureau under the point system. The individual shall pay all applicable fees required by the bureau. (c) The bureau shall suspend the driving privileges of any individual who: (1) fails to attend a driver safety program; or (2) fails to satisfactorily complete a driver safety program; as required by this section. (d) Notwithstanding IC 33-37-4-2, any court may suspend one-half (1/2) of each applicable court cost (including fees) for which an individual is liable due to a traffic violation if the individual enrolls in and completes a driver safety program or a similar school conducted by an agency of the state or local government. [Pre-1991 Recodification Citation: 9-4-7-10.] As added by P.L.2-1991, SEC.18. Amended by P.L.225-1999, SEC.4; P.L.98-2004, SEC.78; P.L.101-2009, SEC.13; P.L.106-2010, SEC.4; P.L.125-2012, SEC.326; P.L.85-2013, SEC.83; P.L.198-2016, SEC.594; P.L.120-2017, SEC.5; P.L.111-2021, SEC.86.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-13. Rules for Conduct of Proceedings

Sec. 13. A judge may make rules for the orderly conduct of the proceedings of the judge's court if the rules are consistent with this chapter and the rules of the supreme court. [Pre-1991 Recodification Citation: 9-4-7-11.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-14. Moving Traffic Offense Committed by Person Other Than the Owner; Notice to Owner; Contents

Sec. 14. If a court convicts a person for a moving traffic offense and the person is known or believed by the court not to be the owner of the motor vehicle, the court shall, within seven (7) days after entering the conviction, deposit with the United States Postal Service, first class postage prepaid, notice addressed to the owner of the motor vehicle giving the owner the following information: (1) The name and address of the person convicted. (2) The name and address of the owner of the motor vehicle. (3) The offense upon which the conviction was made. (4) The date of arrest of the person convicted and the location of the place of the offense. (5) The license plate number of the motor vehicle. (6) The driver's or chauffeur's license number of the person convicted. (7) The date of the conviction and the name of the court making the conviction. [Pre-1991 Recodification Citations: 9-4-12-1 part; 9-4-12-2.] As added by P.L.2-1991, SEC.18. Amended by P.L.85-2013, SEC.84; P.L.111-2021, SEC.87.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-15. Proof of Prior Conviction; Evidence

Sec. 15. In a proceeding, prosecution, or hearing where the prosecuting attorney must prove that the defendant had a prior conviction for an offense under this title, the relevant portions of a certified computer printout or electronic copy made from the records of the bureau are admissible as prima facie evidence of the prior conviction. However, the prosecuting attorney must establish that the document identifies the defendant by the defendant's driver's license number or by any other identification method utilized by the bureau. [Pre-1991 Recodification Citation: 9-4-1-139.] As added by P.L.2-1991, SEC.18. Amended by P.L.112-2001, SEC.7; P.L.1-2002, SEC.49; P.L.125-2012, SEC.327; P.L.198-2016, SEC.595.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-16. Driver Improvement or Safety Course; Probation; Suspension; Reasonable Charge

Sec. 16. (a) If a person has been found to have committed a traffic offense, the court may do the following: (1) Require the person to attend and satisfactorily complete a driver improvement or safety course that has been approved by the court or the bureau. (2) Place the person on probation for up to one (1) year. (3) Suspend the person's driving privileges for up to thirty (30) days or as otherwise provided in statute. (b) A driver improvement or safety course required under subsection (a) may be financed by assessing a reasonable charge as determined by the course provider and approved by the bureau. [Pre-1991 Recodification Citation: 9-4-1-127.1(c); (d).] As added by P.L.2-1991, SEC.18. Amended by P.L.118-2001, SEC.8; P.L.146-2003, SEC.1; P.L.125-2012,

SEC.328; P.L.85-2013, SEC.85.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-2.5. Electronic Traffic Ticket

Sec. 2.5. (a) As used in this chapter, "electronic traffic ticket" means: (1) a traffic information and summons; or (2) a complaint and summons; for traffic cases that is in an electronic format prescribed by the office of judicial administration. (b) An electronic traffic ticket may be referred to as an "e-citation". As added by P.L.184-2007, SEC.56; P.L.206-2007, SEC.4. Amended by P.L.161-2018, SEC.17.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-2. Court

Sec. 2. As used in this chapter, "court" means a tribunal with jurisdiction to hear and determine traffic violation cases and the judge or other presiding officer sitting as a court. [Pre-1991 Recodification Citation: 9-4-7-2 part.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-3. Judge

Sec. 3. As used in this chapter, "judge" means an officer authorized by law to sit as a court. [Pre-1991 Recodification Citation: 9-4-7-2 part.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-5.3. Contents of Electronic Traffic Ticket; Modification

Sec. 5.3. In prescribing the contents of an electronic traffic ticket, the office of judicial administration shall require the inclusion in an electronic traffic ticket of the contents required in an information and summons under section 6 of this chapter. The office of judicial administration may modify the prescribed contents of an electronic traffic ticket as necessary for the ticket to be in an electronic format. As added by P.L.184-2007, SEC.57; P.L.206-2007, SEC.5. Amended by P.L.161-2018, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-5.7. Electronic Traffic Ticket; Issuance; Signatures; Electronic Transmission

Sec. 5.7. (a) When a law enforcement officer issues an electronic traffic ticket, the law enforcement officer: (1) may print the electronic traffic ticket at the site of the traffic violation; and (2) shall inform the individual to whom the electronic traffic ticket has been issued and note on the electronic traffic ticket whether the individual must appear in court on a specific date at a specific time. (b) An electronic traffic ticket issued under this chapter that bears a printed or digital signature of: (1) the law enforcement officer who issued the electronic traffic ticket; and (2) the prosecuting attorney, or a representative of the office of the prosecuting attorney, of the county in which the electronic traffic ticket was issued; is admissible in a court proceeding as if the signatures referred to in subdivisions (1) and (2) were original signatures. (c) A law enforcement officer who issues an electronic traffic ticket may transmit the electronic traffic ticket to the court electronically if the court and the electronic traffic ticket are in compliance with the administrative rules adopted by the supreme court. (d) A law enforcement officer who issues an electronic traffic ticket shall indicate on the electronic traffic ticket whether the law enforcement officer served the person receiving the electronic traffic ticket. (e) The electronic transmission of an electronic traffic ticket shall be considered by the court as an original certified copy of the traffic information and summons or complaint and summons. An electronic traffic ticket may be used: (1) to notify the bureau of an Indiana resident who fails to: (A) appear; or (B) answer a traffic information and summons or complaint and summons; (2) to notify the bureau of a defendant who is not an Indiana resident and who fails to: (A) appear; or (B) answer a traffic information and summons; (3) to notify the bureau upon a final determination of a defendant's failure to appear; or (4) as a record of a traffic case that an individual has been charged with a traffic offense when: (A) the individual has been convicted; (B) a judgment has been entered; or (C) a finding has been made by a court. As added by P.L.184-2007, SEC.58; P.L.206-2007, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-6. Information and Summons; Form and Content; Inapplicability to Electronic Traffic Ticket

Sec. 6. (a) This section does not apply to electronic traffic tickets. (b) In traffic cases, the information and summons shall be in substantially the following form: In the _____ Court of _____ County Cause No. _____ Docket No. _____ Page No. _____ State of Indiana SS: No._____ County of _____
INFORMATION AND SUMMONS The undersigned having probable cause to believe and being duly sworn upon his oath says that: On the _____ Day of _____, 20 ____ at ____ M Name _____
Last First Middle Street _____ City _____ State _____ Zip Code _____ Race ___ Sex ___ Age ___ D.O.B. _____ HT ____ WT _____ Oper. Lic. #_____ St. ____ Did Unlawfully Operate Veh. Color _____ Veh. Yr.___ Veh. Make _____ Veh. Lic. Yr. ____ Veh. Lic. St. ____ Veh. Lic. # _____ Upon, (Location) _____
_____ A PUBLIC STREET OR HIGHWAY IN
_____ COUNTY, INDIANA, AND COMMIT, THE OFFENSE OF:
_____

_____ CONTRARY TO THE FORM OF THE ( ) STATE STATUTE ( ) LOCAL ORDINANCE IN SUCH CASE MADE AND PROVIDED. OFFICER'S SIGNATURE _____ I.D. No. _____ Div. Dist. _____ POLICE AGENCY _____ Subscribed And Sworn to Before Me (Deputy Clerk) _____ This _____ Day of _____, 20 ____ COURT APPEARANCE I PROMISE TO APPEAR IN COURTROOM _____ ADDRESS: _____ ON _____ THE _____ DAY OF_____, 20 ___ AT __ M. OR BE SUBJECT TO ARREST. SIGNATURE _____ "YOUR SIGNATURE IS NOT AN ADMISSION OF GUILT" The information and summons shall consist of four (4) parts: (1) the original copy, printed on white paper, which shall be the abstract of court record for the Indiana bureau of motor vehicles; (2) the court copy, printed on white paper; (3) the police record, which shall be a copy of the information, printed on pink paper; and (4) the summons copy, printed on white stock. The reverse sides of the information and abstract of court record shall be substantially as follows, with such additions or deletions as are necessary to adapt the form to the court involved: RECEIPT #_____ DATE _____ COURT ACTION AND OTHER ORDERS BAIL $ _____ REARREST BOND $ _____ DATE _____ 1. CONTINUANCE TO ___ 4. CONTINUANCE TO ____ 2. CONTINUANCE TO ___ 5. CONTINUANCE TO ____ 3. CONTINUANCE TO ___ 6. CONTINUANCE TO ____ Motions Date Ruling Date 1. ___ ___ ___ ___ 2. ___ ___ ___ ___ 3. ___ ___ ___ ___ 4. ___ ___ ___ ___ PLEA ( ) GUILTY ( ) NOT GUILTY FINDING ( ) GUILTY ( ) NOT GUILTY THE COURT THEREFORE, ENTERS THE FOLLOWING ORDER FINE $ _____ AMOUNT SUSP. $ _____ (STATE) $ _____ COSTS (CITY) $ _____ _____ DAYS IN _____ DAYS SUSP. _____ ( ) RECOMMENDED LICENSE SUSPENDED FOR _____ ( ) PROBATIONARY LICENSE AUTHORIZED FOR ONE YEAR PROBATION _____

_____ _____

_____ JUDGE: _____

DATE: _____ ATTORNEY FOR DEFENDANT _____

ADDRESS_____ TELEPHONE _____ WITNESSES

_____ _____ The notice, the appearance, the plea of either guilty or not guilty, and the waiver shall be printed on the summons. The trimmed size of the paper and stock on which the form is printed shall be nominally four and one quarter (4 1/4) inches by eight and one quarter (8 1/4) inches. (c) In civil traffic cases, the complaint and summons shall be in substantially the following form: In the _____ Court of _____ County Cause No. _____ Docket No. _____ Page No._____ State of Indiana SS: No._____ County of _____ COMPLAINT AND SUMMONS The undersigned having probable cause to believe and being duly sworn upon his oath says that: On the _____ Day of_____, 20 ____ at __ M Name _____ Last First Middle Street _____ City _____ State _____ Zip Code _____ Race ___ Sex ___ Age __ D.O.B. _____ HT ____ WT ___ Oper. Lic. # _____ St. _____ Did Unlawfully Operate Veh. Color _____ Veh. Yr. ___ Veh. Make _____ Veh. Lic. Yr. ____ Veh. Lic. St. ____ Veh. Lic. # _____ Upon, (Location) _____ _____ A PUBLIC STREET OR HIGHWAY IN _____ COUNTY, INDIANA, AND COMMIT, THE OFFENSE OF:

_____ _____

_____ CONTRARY TO THE FORM OF THE ( ) STATE STATUTE ( ) LOCAL ORDINANCE IN SUCH CASE MADE AND PROVIDED. OFFICER'S SIGNATURE _____ I.D. No. _____ Div. Dist. _____ POLICE AGENCY _____ Subscribed And Sworn to Before Me (Deputy Clerk) _____ This _____ Day of _____, 20___ COURT APPEARANCE I PROMISE TO APPEAR IN _____ COURTROOM _____ ADDRESS: _____ ON _____ THE _____ DAY OF ____, 20 ___ AT __ M. OR BE SUBJECT TO ARREST. SIGNATURE _____ "YOUR SIGNATURE IS NOT AN ADMISSION OF A VIOLATION" The complaint and summons shall consist of four (4) parts: (1) the original copy, printed on white paper, which shall be the abstract of court record for the Indiana bureau of motor vehicles; (2) the court copy, printed on white paper; (3) the police record, which shall be a copy of the complaint, printed on pink paper; and (4) the summons copy, printed on white stock. The reverse sides of the complaint and abstract of court record shall be substantially as follows, with such additions or deletions as are necessary to adapt the form to the court involved: RECEIPT #_____ DATE _____ COURT ACTION AND OTHER ORDERS BAIL $ _____ REARREST BOND $ _____ DATE _____ 1. CONTINUANCE TO _____ 4. CONTINUANCE TO _____ 2. CONTINUANCE TO _____ 5. CONTINUANCE TO _____ 3. CONTINUANCE TO _____ 6. CONTINUANCE TO _____ Motions Date Ruling Date 1. ___ ___ ___ ___ 2. ___ ___ ___ ___ 3. ___ ___ ___ ___ 4. ___ ___ ___ ___ PLEA ( ) ADMIT ( ) DENY ( ) NOLO CONTENDERE FINDING ( ) JUDGMENT FOR PLAINTIFF ( ) JUDGMENT FOR DEFENDANT THE COURT THEREFORE, ENTERS THE FOLLOWING ORDER FINE $ _____ AMOUNT SUSP. $ _____ (STATE) $ _____ COSTS (CITY) $ _____ ( ) RECOMMENDED LICENSE SUSPENDED FOR _____ ( )

PROBATIONARY LICENSE AUTHORIZED FOR ONE YEAR PROBATION

_____ _____

_____ _____

_____ JUDGE: _____ DATE:

_____ ATTORNEY FOR DEFENDANT _____ ADDRESS

_____ TELEPHONE _____ WITNESSES _____

_____ The notice, appearance, plea of either admission, denial, or nolo contendere shall be printed on the summons. The trimmed size of the paper and stock on which the form is printed shall be nominally four and one quarter (4 1/4) inches by eight and one quarter (8 1/4) inches. (d) The complaint form shall be used in traffic cases, whether the charge is made by a law enforcement officer or by any other person. (e) Each judicial officer or police authority issuing traffic complaints and summons: (1) is responsible for the disposition of all the traffic complaints and summons issued under the authority of the officer or authority; and (2) shall prepare and submit the records and reports relating to the traffic complaints in the manner and at the time prescribed by both the state examiner of the state board of accounts and the bureau. [Pre-1991 Recodification Citation: 9-4-7-4.] As added by P.L.2-1991, SEC.18. Amended by P.L.93-1991, SEC.2; P.L.1-2001, SEC.8; P.L.184-2007, SEC.59; P.L.206-2007, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-7. Soliciting or Aiding in Disposition of Traffic Information or Summons; Contempt

Sec. 7. A person who solicits or aids in the disposition or attempted disposition of a traffic information or summons in any unauthorized manner is in criminal contempt of the court having original jurisdiction of the cause of action or of the court named on the particular information in question. [Pre-1991 Recodification Citation: 9-4-7-5.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-8.5. Failure to Satisfy Judgment; Proof of Financial Responsibility; Suspension; Waiver of Reinstatement Fees

Sec. 8.5. (a) Upon receipt by the bureau of a notice of suspension for failure to satisfy a judgment under section 8 of this chapter, the bureau shall send a request for proof of future financial responsibility to the person. (b) During the three (3) years following a suspension under section 8 of this chapter, the person's driving privileges remain suspended unless the person: (1) satisfies the judgment; or (2) provides proof of future financial responsibility under IC 9-25. (c) Upon receipt of proof of future financial responsibility, the bureau shall stay a suspension under section 8 of this chapter. (d) If at any time during the three (3) years following a suspension under section 8 of this chapter, a person: (1) has provided proof of future financial responsibility under IC 9-25; and (2) fails to maintain proof of future financial responsibility; the bureau shall suspend the person's driving privileges until the person provides proof of future financial responsibility under IC 9-25 or the suspension is terminated by the bureau. (e) The bureau shall waive reinstatement fees for a suspension under section 8 of this chapter if the person: (1) satisfies the judgment; or (2) maintains proof of financial responsibility for three (3) years. (f) For a suspension for failure to satisfy a judgment under section 8 of this chapter imposed before December 31, 2021, the suspension terminates on December 31, 2024. As added by P.L.86-2021, SEC.14. Amended by P.L.118-2022, SEC.30.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-8. Failure to Appear or Answer; Issuance of Warrant; Failure to Execute; Notification of Bureau; Suspension of Driving Privileges; Nonresidents

Sec. 8. (a) Except as provided in subsection (b), the court may issue a warrant for the arrest of a defendant who is an Indiana resident who: (1) fails to appear or answer a traffic information and summons for a misdemeanor or felony; or (2) fails to appear or answer a complaint and summons for a misdemeanor or felony served upon the defendant. If the warrant is not executed within thirty (30) days after issue, the court shall promptly forward the court copy of the traffic information and summons or complaint and summons to the bureau indicating that the defendant failed to appear in court as ordered. The court shall then mark the case as failure to appear on the court's records. (b) If a defendant who is not an Indiana resident or a minor who is an Indiana resident fails to appear or answer a traffic summons served upon the defendant or minor and upon which the information or complaint has been filed thirty (30) days after the return date of the information and summons or complaint and summons, the court shall promptly forward the court copy of the traffic information and summons or complaint and summons to the bureau. If the defendant is a nonresident, the bureau shall notify the motor vehicle commission of the state of the nonresident defendant of the defendant's failure to appear and also of any action taken by the bureau relative to the Indiana driving privileges of the defendant. If the defendant or minor fails to appear or otherwise answer within thirty (30) days, the court shall mark the case as failure to appear on the court's records. (c) The court may suspend the driving privileges of a defendant who fails to satisfy a judgment entered against the defendant for: (1) commission of a moving traffic offense as defined by IC 9-13-2-110; or (2) commission of a traffic infraction listed in 140 IAC 1-4.5-10; for a period of three (3) years from the date set by the court under IC 34-28-5-6. The court shall forward notice to the bureau indicating that the defendant failed to pay as ordered. (d) If the bureau receives a copy of the traffic information and summons or complaint under subsection (a) or a notice of failure to pay under subsection (c), either on a form prescribed by the bureau or in an electronic format prescribed by the office of judicial administration, the bureau shall suspend the driving privileges of the defendant until: (1) the defendant appears in court; (2) the case has been disposed of; (3) payment is received by the court; or

(4) three (3) years from a date set by the court under subsection (c). The order of suspension may be served upon the defendant by mailing the order by first class mail to the defendant at the last address shown for the defendant or minor in the records of the bureau or by sending the order electronically if the defendant has indicated a preference for receiving notices from the bureau electronically. A suspension under this section begins thirty (30) days after the date the notice of suspension is mailed or sent electronically by the bureau to the defendant. (e) For nonresidents of Indiana or a minor resident of Indiana under subsection (b), the order of suspension shall be mailed to the defendant or minor at the address given to the arresting officer or the clerk of court by the defendant or minor as shown by the traffic information or complaint. A copy of the order shall also be sent to the motor vehicle bureau of the state of the nonresident defendant and the bureau. If: (1) the defendant's or minor's failure to appear in court has been certified to the bureau under this chapter; and (2) the defendant or minor subsequently appears in court to answer the charges against the defendant or minor; the court shall proceed to hear and determine the case in the same manner as other cases pending in the court. Upon final determination of the case, the court shall notify the bureau of the determination either in an electronic format or upon forms prescribed by the bureau. The notification shall be made by the court within ten (10) days after the final determination of the case, and information from the original copy of the traffic information and summons or complaint and summons must accompany the notification. (f) If the bureau receives notice that a defendant or minor failed to appear under subsection (b), the bureau shall suspend the defendant's or minor's Indiana driving privileges until either: (1) the defendant or minor appears in court to answer for the charges against the defendant or minor; or (2) the case is disposed of. (g) This section does not preclude preliminary proceedings under IC 35-33. [Pre-1991 Recodification Citation: 9-4-7-6.] As added by P.L.2-1991, SEC.18. Amended by P.L.184-2007, SEC.60; P.L.206-2007, SEC.8; P.L.125-2012, SEC.324; P.L.85-2013, SEC.82; P.L.161-2018, SEC.19; P.L.86-2021, SEC.13; P.L.211-2023, SEC.72; P.L.141-2024, SEC.43.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 3. Court Procedures9-30-3-9. Traffic Cases; Court Session; Detainment of Defendant; Objections

Sec. 9. (a) If possible, traffic cases shall be tried separate and apart from other cases and may be designated as the "traffic" session or division. (b) When a hearing involving a misdemeanor is adjourned, the court may detain the defendant in safe custody until the defendant is admitted to bail. (c) An objection to the validity or regularity of the information or process issued must be made by the defendant before trial. [Pre-1991 Recodification Citation: 9-4-7-7.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 4. Licenses and Registrations; Suspension and Revocation9-30-4-12. Effect of Suspension of Driving Privileges or Drivers' Licenses

Sec. 12. (a) Any court judgment, court order, or administrative proceeding that results in a suspension of a person's driving privileges also suspends any driver's license or permit held by the person. (b) Any court judgment, court order, or administrative proceeding that results in a suspension of a person's driver's license or permit also suspends the person's driving privileges. [Pre-1991 Recodification Citation: 9-2-1-46.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 4. Licenses and Registrations; Suspension and Revocation9-30-4-13. Notice Procedures; Failure to Answer; Class C Misdemeanor

Sec. 13. (a) Whenever the bureau is authorized or required to give notice under this chapter or any other law regulating the operation of vehicles, unless a different method of giving notice is otherwise expressly prescribed, the notice may be given by personal delivery to the person to be notified, by deposit with the United States Postal Service of the notice by first class mail, or sent electronically if the person has indicated a preference for receiving notices from the bureau electronically. (b) A person who, after notification, fails to return or surrender to the bureau upon demand a suspended, revoked, or invalidated driver's license, permit, certificate of registration, or license plate commits a Class C misdemeanor. The bureau may file with the prosecuting attorney of the county in which the person resides an affidavit charging the person with the offense. [Pre-1991 Recodification Citation: 9-2-1-10.] As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.334; P.L.141-2024, SEC.45.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 4. Licenses and Registrations; Suspension and Revocation9-30-4-15. Violations; Class C Infraction

Sec. 15. A person who violates a provision of this chapter for which another penalty is not prescribed by law commits a Class C infraction. [Pre-1991 Recodification Citation: 9-2-1-33 part.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 4. Licenses and Registrations; Suspension and Revocation9-30-4-6.1. Suspension or Revocation of Driver's License or Driving Privileges; Evidence of Conviction; Petition for Review

Sec. 6.1. (a) The bureau shall suspend or revoke the current driver's license or driving privileges of an individual who is convicted of any of the following: (1) Manslaughter or reckless homicide resulting from the operation of a motor vehicle. (2) Knowingly making a false application, or committing perjury with respect to an application made, under: (A) this chapter; or (B) any other law requiring the registration of motor vehicles or regulating motor vehicle operation on highways. (3) Three (3) charges of criminal recklessness involving the use of a motor vehicle within the preceding twelve (12) months. (4) Failure to stop and give information or assistance

or failure to stop and disclose the individual's identity at the scene of an accident that has resulted in death, personal injury, or property damage in excess of two hundred dollars ($200). (b) The bureau shall suspend a driver's license or driving privileges of an individual upon conviction in another jurisdiction for the following: (1) Manslaughter or reckless homicide resulting from the operation of a motor vehicle. (2) Knowingly making a false application, or committing perjury with respect to an application made, under: (A) this chapter; or (B) any other law requiring the registration of motor vehicles or regulating motor vehicle operation on highways. (3) Three (3) charges of criminal recklessness involving the use of a motor vehicle within the preceding twelve (12) months. (4) Failure to stop and give information or assistance or failure to stop and disclose the individual's identity at the scene of an accident that has resulted in death, personal injury, or property damage in excess of two hundred dollars ($200). However, if property damage under subdivision (4) is equal to or less than two hundred dollars ($200), the bureau may determine whether the driver's license or driving privileges shall be suspended or revoked. (c) An individual whose driving privileges are suspended under this chapter is eligible for specialized driving privileges under IC 9-30-16. (d) A suspension or revocation remains in effect and a new or renewal license may not be issued to the individual as follows: (1) Except as provided in subdivision (2), for six (6) months after the date of conviction or on the date on which the individual is otherwise eligible for a license, whichever is later. (2) Upon conviction of an offense described in subsection (a)(1), (a)(4), (b)(1), or (b)(4), when the accident has resulted in death, for a fixed period of at least two (2) years and not more than five (5) years, to be fixed by the bureau based upon recommendation of the court entering a conviction. A new or reinstated driver's license or driving privileges may not be issued to the individual unless that individual, within the three (3) years following the expiration of the suspension or revocation, gives and maintains in force at all times during the effective period of a new or reinstated license proof of financial responsibility in the future in the manner specified in this chapter. However, the liability of the insurance carrier under a motor vehicle liability policy that is furnished for proof of financial responsibility in the future as set out in this chapter becomes absolute whenever loss or damage covered by the policy occurs, and the satisfaction by the insured of a final judgment for loss or damage is not a condition precedent to the right or obligation of the carrier to make payment on account of loss or damage, but the insurance carrier has the right to settle a claim covered by the policy. If the settlement is made in good faith, the amount must be deducted from the limits of liability specified in the policy. A policy may not be canceled or annulled with respect to a loss or damage by an agreement between the carrier and the insured after the insured has become responsible for the loss or damage, and a cancellation or annulment is void. The policy may provide that the insured or any other person covered by the policy shall reimburse the insurance carrier for payment made on account of any loss or damage claim or suit involving a breach of the terms, provisions, or conditions of the policy. If the policy provides for limits that exceed the limits specified in this chapter, the insurance carrier may plead against any plaintiff, with respect to the amount of the excess limits of liability, any defenses that the carrier may be entitled to plead against the insured. The policy may further provide for prorating of the insurance with other applicable valid and collectible insurance. An action does not lie against the insurance carrier by or on behalf of any claimant under the policy until a final judgment has been obtained after actual trial by or on behalf of any claimant under the policy. (e) The bureau may take action as required in this section upon receiving satisfactory evidence of a conviction of an individual in another state. (f) A suspension or revocation under this section or IC 9-30-13-0.5 stands pending appeal of the conviction to a higher court and may be set aside or modified only upon the receipt by the bureau of the certificate of the court reversing or modifying the judgment that the cause has been reversed or modified. However, if the suspension or revocation follows a conviction in a court of no record in Indiana, the suspension or revocation is stayed pending appeal of the conviction to a court of record. (g) A person aggrieved by an order or act of the bureau under this section or IC 9-30-13-0.5 may file a petition for a court review. (h) An entry in the driving record of a defendant stating that notice of suspension or revocation was mailed by the bureau, or sent electronically if the defendant has indicated a preference for receiving notices from the bureau electronically, to the defendant constitutes prima facie evidence that the notice was mailed to the defendant's address as shown in the records of the bureau. [Pre-2016 Revision Citation: subsection (h) formerly 9-14-3-7(c).] As added by P.L.198-2016, SEC.598. Amended by P.L.141-2024, SEC.44.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 4. Licenses and Registrations; Suspension and Revocation9-30-4-8. Operation of Motor Vehicle Following Suspension of Certificate of Registration or in Violation of Restricted Driving Privileges

Sec. 8. A person whose certificate of registration has been suspended or revoked, with restoration or the issuance of a new certificate being contingent upon the furnishing of proof of financial responsibility, and who, during the suspension or revocation or in the absence of full authorization from the bureau, operates the motor vehicle upon a highway or knowingly permits the motor vehicle to be operated by another person upon a highway except as permitted under this chapter commits a Class C misdemeanor. [Pre-1991 Recodification Citation: 9-2-1-30.] As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.332; P.L.217-2014, SEC.124.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-0.2. Application of Certain Amendments to Prior Law

Sec. 0.2. The amendments made to IC 33-19-6-10 (before its repeal, now codified at IC 33-37-5-10) by P.L.85-1998 apply to findings under this chapter made after June 30, 1998, regardless of when the action was filed. As added by P.L.220-2011, SEC.230.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-1. Class C Misdemeanor; Defense

Sec. 1. (a) A person who operates a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol but less than fifteen-hundredths (0.15) gram of alcohol per: (1) one hundred (100) milliliters of the person's blood; or (2) two hundred ten (210) liters of the person's breath; commits a Class C misdemeanor. (b) A person who operates a vehicle with an alcohol concentration equivalent to at least fifteen-hundredths (0.15) gram of alcohol per: (1) one hundred (100) milliliters of the person's blood; or (2) two hundred ten (210) liters of the person's breath; commits a Class A misdemeanor. (c) A person who operates a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's blood commits a Class C misdemeanor. (d) It is a defense to subsection (c) that: (1) the accused person consumed the controlled substance in accordance with a valid prescription or order of a practitioner (as defined in IC 35-48-1) who acted in the course of the practitioner's professional practice; or (2) the: (A) controlled substance is marijuana or a metabolite of marijuana; (B) person was not intoxicated; (C) person did not cause a traffic accident; and (D) substance was identified by means of a chemical test taken pursuant to IC 9-30-7. [Pre-1991 Recodification Citation: 9-11-2-1.] As added by P.L.2-1991, SEC.18. Amended by P.L.33-1997, SEC.7; P.L.266-1999, SEC.2; P.L.1-2000, SEC.6; P.L.1-2000, SEC.7; P.L.175-2001, SEC.5; P.L.63-2018, SEC.1; P.L.142-2020, SEC.8; P.L.49-2021, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-15. Imprisonment; Community Restitution or Service; Alcohol or Drug Abuse Treatment

Sec. 15. (a) In addition to any criminal penalty imposed for an offense under this chapter, the court shall: (1) order: (A) that the person be imprisoned for at least five (5) days; or (B) the person to perform at least two hundred forty (240) hours of community restitution or service; and (2) order the person to receive an assessment of the person's degree of alcohol and drug abuse and, if appropriate, to successfully complete an alcohol or drug abuse treatment program, including an alcohol deterrent program if the person suffers from alcohol abuse; if the person has one (1) previous conviction of operating while intoxicated. (b) In addition to any criminal penalty imposed for an offense under this chapter, the court shall: (1) order: (A) that the person be imprisoned for at least ten (10) days; or (B) the person to perform at least four hundred eighty (480) hours of community restitution or service; and (2) order the person to receive an assessment of the person's degree of alcohol and drug abuse and, if appropriate, to successfully complete an alcohol or drug abuse treatment program, including an alcohol deterrent program if the person suffers from alcohol abuse; if the person has at least two (2) previous convictions of operating while intoxicated. (c) Notwithstanding IC 35-50-2-2.2 and IC 35-50-3-1, a sentence imposed under this section may not be suspended. The court may require that the person serve the term of imprisonment in an appropriate facility at whatever time or intervals (consecutive or intermittent) determined appropriate by the court. However: (1) at least forty-eight (48) hours of the sentence must be served consecutively; and (2) the entire sentence must be served within six (6) months after the date of sentencing. (d) Notwithstanding IC 35-50-6, a person does not earn good time credit (as defined in IC 35-50-6-0.5) while serving a sentence imposed under this section. [Pre-1991 Recodification Citation: 9-11-3-4.] As added by P.L.2-1991, SEC.18. Amended by P.L.266-1999, SEC.3; P.L.32-2000, SEC.2; P.L.85-2004, SEC.48; P.L.168-2014, SEC.18; P.L.74-2015, SEC.1; P.L.217-2017, SEC.74.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-16. Specialized Driving Privileges; Ignition Interlock Device; Violation

Sec. 16. (a) Except as provided in subsection (b), the court may, in granting specialized driving privileges under IC 9-30-16-3 or IC 9-30-16-4, also order that the specialized driving privileges include the requirement that a person may not operate a motor vehicle unless the vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8. (b) A court may not order the installation of an ignition interlock device on a vehicle operated by an employee to whom any of the following apply: (1) Has been convicted of violating section 1 or 2 of this chapter. (2) Is employed as the operator of a vehicle owned, leased, or provided by the employee's employer. (3) Is subject to a labor agreement that prohibits an employee who is convicted of an alcohol related offense from operating the employer's vehicle. (c) A person who knowingly or intentionally violates a court order issued under this section commits a Class A misdemeanor. [Pre-1991 Recodification Citations: 9-6-8-5 part; 9-11-3-6 part.] As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.8; P.L.172-2006, SEC.2; P.L.217-2014, SEC.130; P.L.113-2014, SEC.31; P.L.188-2015, SEC.108.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-17. Restitution to Emergency Medical Services Restitution Fund

Sec. 17. (a) In addition to: (1) a sentence imposed under this chapter for a felony or misdemeanor; and (2) an order for restitution to a victim; the court shall, without placing the individual on probation, or as a condition of probation, order the individual to make restitution to the emergency medical services restitution fund under IC 16-31-8 for emergency medical services necessitated because of the offense committed by the individual. (b) An order for restitution under this section may not be for more than one thousand dollars ($1,000). (c) In making an order for restitution under this section, the court shall consider the following: (1) The schedule of costs submitted to the court under IC 16-31-8-5. (2) The amount of restitution that the individual is or will be able to pay. (d) The court shall immediately forward a copy of an order for restitution made under this section to the Indiana emergency medical services

commission under IC 16-31-8. [Pre-1991 Recodification Citation: 9-11-3-7.] As added by P.L.2-1991, SEC.18. Amended by P.L.2-1993, SEC.68.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-18. Driving While Intoxicated or Alcohol and Drug Services Program; Certified Abstract of Program Enrollment

Sec. 18. (a) If: (1) a criminal proceeding for driving while intoxicated under IC 9-30-5 is deferred under IC 12-23-5-1 through IC 12-23-5-9; or (2) a child alleged to be a delinquent child based upon the child's violation of IC 9-30-5 voluntarily attends or is ordered by the court under IC 31-37 to attend an alcohol and drug services program; the court, within ten (10) days after the defendant or child begins the program, shall forward to the bureau a certified abstract of program enrollment. (b) The abstract must state the following: (1) The defendant's or child's name, address, date of birth, and driver's license number. (2) The name and location of the alcohol and drug services program that the defendant or child is attending. As added by P.L.125-2012, SEC.342.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-2. Class a Misdemeanor

Sec. 2. (a) Except as provided in subsection (b), a person who operates a vehicle while intoxicated commits a Class C misdemeanor. (b) An offense described in subsection (a) is a Class A misdemeanor if the person operates a vehicle in a manner that endangers a person. [Pre-1991 Recodification Citation: 9-11-2-2.] As added by P.L.2-1991, SEC.18. Amended by P.L.175-2001, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-3. Penalties; Prior Offenses; Passenger Less Than 18 Years of Age

Sec. 3. (a) Except as provided in subsection (b), a person who violates section 1 or 2 of this chapter commits a Level 6 felony if: (1) the person has a previous conviction of operating while intoxicated that occurred within the seven (7) years immediately preceding the occurrence of the violation of section 1 or 2 of this chapter; or (2) the person: (A) is at least twenty-one (21) years of age; (B) violates section 1(b), 1(c), or 2(b) of this chapter; and (C) operated a vehicle in which at least one (1) passenger was less than eighteen (18) years of age. (b) A person who violates section 1 or 2 of this chapter or subsection (a)(2) commits a Level 5 felony if: (1) the person has a previous conviction of operating while intoxicated causing death or catastrophic injury (IC 9-30-5-5); or (2) the person has a previous conviction of operating while intoxicated causing serious bodily injury (IC 9-30-5-4). [Pre-1991 Recodification Citation: 9-11-2-3.] As added by P.L.2-1991, SEC.18. Amended by P.L.175-2001, SEC.7, P.L.243-2001, SEC.1 and P.L.291-2001, SEC.222; P.L.82-2004, SEC.1; P.L.126-2008, SEC.9; P.L.158-2013, SEC.159; P.L.184-2019, SEC.4; P.L.142-2020, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-4. Classification of Offense; Serious Bodily Injury

Sec. 4. (a) A person who causes serious bodily injury to another person when operating a vehicle: (1) with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per: (A) one hundred (100) milliliters of the person's blood; or (B) two hundred ten (210) liters of the person's breath; (2) with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's blood; or (3) while intoxicated; commits a Level 5 felony. However, the offense is a Level 4 felony if the person has a previous conviction of operating while intoxicated within the five (5) years preceding the commission of the offense. (b) A person who violates subsection (a) commits a separate offense for each person whose serious bodily injury is caused by the violation of subsection (a). (c) It is a defense under subsection (a)(2) that the accused person consumed the controlled substance in accordance with a valid prescription or order of a practitioner (as defined in IC 35-48-1) who acted in the course of the practitioner's professional practice. [Pre-1991 Recodification Citation: 9-11-2-4.] As added by P.L.2-1991, SEC.18. Amended by P.L.53-1994, SEC.5; P.L.97-1996, SEC.3; P.L.96-1996, SEC.3; P.L.33-1997, SEC.8; P.L.1-2000, SEC.8; P.L.175-2001, SEC.8; P.L.76-2004, SEC.3; P.L.125-2012, SEC.335; P.L.158-2013, SEC.160; P.L.63-2018, SEC.2; P.L.184-2019, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-5. Penalties; Death or Catastrophic Injury; Death of a Law Enforcement Animal

Sec. 5. (a) A person who causes the death or catastrophic injury of another person when operating a vehicle: (1) with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per: (A) one hundred (100) milliliters of the person's blood; or (B) two hundred ten (210) liters of the person's breath; (2) with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's blood; or (3) while intoxicated; commits a Level 4 felony. (b) A person who causes the death of a law enforcement animal (as defined in IC 35-46-3-4.5) when operating a vehicle: (1) with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per: (A) one hundred (100) milliliters of the person's blood; or (B) two hundred ten (210) liters of the person's breath; or (2) with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's blood; commits a Level 6 felony. (c) A person who commits an offense under subsection (a) or (b) commits a separate offense for each person or law enforcement animal whose death (or catastrophic injury, in the case of a person) is caused by the violation of subsection (a) or (b). (d) It is a defense under subsection (a) or (b) that the person accused of causing

the death or catastrophic injury of another person or the death of a law enforcement animal when operating a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's blood consumed the controlled substance in accordance with a valid prescription or order of a practitioner (as defined in IC 35-48-1) who acted in the course of the practitioner's professional practice. [Pre-1991 Recodification Citation: 9-11-2-5.] As added by P.L.2-1991, SEC.18. Amended by P.L.53-1994, SEC.6; P.L.97-1996, SEC.4; P.L.96-1996, SEC.4; P.L.33-1997, SEC.9; P.L.1-2000, SEC.9; P.L.120-2000, SEC.1; P.L.175-2001, SEC.9; P.L.82-2004, SEC.2; P.L.76-2004, SEC.4; P.L.2-2005, SEC.36; P.L.102-2010, SEC.1; P.L.125-2012, SEC.336; P.L.158-2013, SEC.161; P.L.26-2016, SEC.1; P.L.123-2017, SEC.2; P.L.63-2018, SEC.3; P.L.184-2019, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-6. Class C Infraction; Violation of Probationary License

Sec. 6. (a) A person who operates a vehicle in violation of any term of a probationary license issued under this chapter, IC 9-30-6, or IC 9-30-9 commits a Class C infraction. (b) In addition to any other penalty imposed under this section, the court may suspend the person's driving privileges for a period of not more than one (1) year. [Pre-1991 Recodification Citation: 9-11-2-6.] As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.337.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-7. Ignition Interlock Device Offenses; Violation of Court Order

Sec. 7. (a) Except as provided in subsection (b), a person who knowingly assists another person who is restricted to the use of an ignition interlock device to violate a court order issued under this chapter commits a Class A misdemeanor. (b) Subsection (a) does not apply if the starting of a motor vehicle, or the request to start a motor vehicle, equipped with an ignition interlock device: (1) is done for the purpose of safety or mechanical repair of the device or the vehicle; and (2) the restricted person does not operate the vehicle. (c) A person who, except in an emergency, knowingly rents, leases, or loans a motor vehicle that is not equipped with a functioning ignition interlock device to a person who is restricted under a court order to the use of a vehicle with an ignition interlock device commits a Class A infraction. (d) A person who is subject to an ignition interlock device restriction and drives another vehicle in an emergency situation must notify the court of the emergency within twenty-four (24) hours. [Pre-1991 Recodification Citation: 9-11-2-7.] As added by P.L.2-1991, SEC.18. Amended by P.L.131-1993, SEC.1; P.L.188-2015, SEC.106.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-8.5. Class C Infraction; Person Less Than 21 Years of Age Driving Under the Influence

Sec. 8.5. (a) A person who: (1) is less than twenty-one (21) years of age; and (2) operates a vehicle with an alcohol concentration equivalent to at least two-hundredths (0.02) gram but less than eight-hundredths (0.08) gram of alcohol per: (A) one hundred (100) milliliters of the person's blood; or (B) two hundred ten (210) liters of the person's breath; commits a Class C infraction. (b) In addition to the penalty imposed under this section, the court may recommend the suspension of the driving privileges of the operator of the vehicle for not more than one (1) year. As added by P.L.96-1996, SEC.5. Amended by P.L.33-1997, SEC.10; P.L.1-2000, SEC.10; P.L.175-2001, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-8. Ignition Interlock Device Offenses; Tampering

Sec. 8. (a) A person who knowingly or intentionally tampers with an ignition interlock device for the purpose of: (1) circumventing the ignition interlock device; or (2) rendering the ignition interlock device inaccurate or inoperative; commits a Class B misdemeanor. (b) A person who solicits another person to: (1) blow into an ignition interlock device; or (2) start a motor vehicle equipped with an ignition interlock device; for the purpose of providing an operable vehicle to a person who is restricted to driving a vehicle with the ignition interlock device commits a Class C infraction. [Pre-1991 Recodification Citation: 9-11-2-8.] As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-9.5. Probationary Driving Privileges; Inapplicability to Commercial Driver's License

Sec. 9.5. Probationary driving privileges under this chapter do not apply to a commercial driver's license in accordance with the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public Law 106-159.113 Stat. 1748). As added by P.L.219-2003, SEC.7. Amended by P.L.125-2012, SEC.338.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 5. Operating a Vehicle While Intoxicated9-30-5-9. Operation of Vehicle in Place Other Than Public Highway

Sec. 9. It is not a defense in an action under this chapter that the accused person was operating a vehicle in a place other than on a highway. [Pre-1991 Recodification Citation: 9-11-2-9.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-1. Chemical Test for Intoxication; Implied Consent

Sec. 1. A person who operates a vehicle impliedly consents to submit to the chemical test provisions of this chapter as a condition of operating a vehicle in Indiana. [Pre-1991 Recodification Citation: 9-11-4-1.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-10. Judicial Hearing; Petition; Issues; Findings; County Prosecutor to Represent State; Burden of Proof; Appeal

Sec. 10. (a) A person against whom an ignition interlock device order has been issued under section 8.5 of this chapter or whose driving privileges have been suspended under section 9 of this chapter is entitled to a prompt judicial hearing. The person may file a petition that requests a hearing: (1) in the court where the charges with respect to the person's operation of a vehicle are pending; or (2) if charges with respect to the person's operation of a vehicle have not been filed, in any court of the county where the alleged offense or refusal occurred that has jurisdiction over crimes committed in violation of IC 9-30-5. (b) The petition for review must: (1) be in writing; (2) be verified by the person seeking review; and (3) allege specific facts that contradict the facts alleged in the probable cause affidavit. (c) The hearing under this section shall be limited to the following issues: (1) Whether the arresting law enforcement officer had probable cause to believe that the person was operating a vehicle in violation of IC 9-30-5. (2) Whether the person refused to submit to a chemical test offered by a law enforcement officer. (d) If the court finds: (1) that there was no probable cause; or (2) that the person's driving privileges were suspended under section 9(b) of this chapter and that the person did not refuse to submit to a chemical test; the court shall order the bureau to rescind the ignition interlock device requirement or reinstate the person's driving privileges. (e) The prosecuting attorney of the county in which a petition has been filed under this chapter shall represent the state on relation of the bureau with respect to the petition. (f) The petitioner has the burden of proof by a preponderance of the evidence. (g) The court's order is a final judgment appealable in the manner of civil actions by either party. The attorney general shall represent the state on relation of the bureau with respect to the appeal. [Pre-1991 Recodification Citation: 9-11-4-10.] As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.13; P.L.2-2005, SEC.38.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-11. Reinstatement of Driving Privileges; Rescission of Ignition Interlock Device Requirement; Conditions; Findings of Fact

Sec. 11. (a) Notwithstanding any other provision of this chapter, IC 9-30-5, or IC 9-30-9, the court shall order the bureau to rescind an ignition interlock device requirement or reinstate the driving privileges of a person if: (1) all of the charges under IC 9-30-5 have been dismissed and the prosecuting attorney states on the record that no charges will be refiled against the person; (2) the court finds the allegations in a petition filed by a defendant under section 18 of this chapter are true; or (3) the person: (A) did not refuse to submit to a chemical test offered as a result of a law enforcement officer having probable cause to believe the person committed the offense charged; and (B) has been found not guilty of all charges by a court or by a jury. (b) The court's order must contain findings of fact establishing that the requirements for reinstatement described in subsection (a) have been met. (c) A person whose driving privileges are reinstated under this section is not required to pay a reinstatement fee. [Pre-1991 Recodification Citation: 9-11-4-11.] As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-12. Suspended Driving Privileges; Proof of Future Financial Responsibility

Sec. 12. (a) If a court recommends suspension of driving privileges under this chapter, IC 9-30-5, or IC 9-30-9, the bureau shall fix the period of suspension in accordance with the recommendation of the court. If the court fails to recommend a fixed period of suspension, or recommends a fixed term that is less than the minimum term required by statute, the bureau shall impose the minimum period of suspension required by statute. (b) Except as provided in subsection (c), during the three (3) years following the termination of the suspension the person's driving privileges remain suspended until the person provides proof of future financial responsibility in force under IC 9-25. (c) If a court recommends suspension of a person's driving privileges for a conviction under IC 9-30-5, during the three (3) years following the termination of the suspension the person's driving privileges remain suspended until the person provides proof of future financial responsibility in force under IC 9-25. However, if a court recommends suspension of the driving privileges under IC 9-30-5 of a person who is arrested for or charged with an offense committed under IC 9-30-5, the person is not required to provide proof of future financial responsibility under IC 9-25 unless and until the person is convicted under IC 9-30-5. (d) If at any time during the three (3) years following the termination of the suspension imposed under subsection (a) a person who has provided proof of future financial responsibility under IC 9-25 fails to maintain the proof, the bureau shall suspend the person's driving privileges until the person again provides proof of future financial responsibility under IC 9-25. [Pre-1991 Recodification Citation: 9-11-4-12.] As added by P.L.2-1991, SEC.18. Amended by P.L.109-2011, SEC.36; P.L.125-2012, SEC.346; P.L.85-2013, SEC.97; P.L.149-2015, SEC.105.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-13.5. Removal of Suspension From Record

Sec. 13.5. If: (1) a case filed under IC 9-30-5 is terminated in favor of the defendant; and (2) the defendant's driving privileges were suspended under: (A) section 9(b) of this chapter; or (B) section 9(c) of this chapter; the bureau shall remove any record of the

suspension, including the reason for suspension, from the defendant's official driving record. As added by P.L.103-1991, SEC.3. Amended by P.L.2-2005, SEC.39; P.L.110-2020, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-13. Reinstatement of Driving Privileges; Rescission of Ignition Interlock Device Requirement; Duties of Bureau

Sec. 13. If a court orders the bureau to rescind an ignition interlock device requirement or reinstate a person's driving privileges under this article, the bureau shall comply with the order. Unless the order for reinstatement is issued under section 11(a)(2) of this chapter, the bureau shall also do the following: (1) Remove any record of the ignition interlock device requirement or suspension from the official driving record of the person. (2) Reinstate the privileges without cost to the person. [Pre-1991 Recodification Citation: 9-11-4-13.] As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.15; P.L.42-2011, SEC.27; P.L.125-2012, SEC.347.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-14. Certified Copies of Driving and Court Records as Prima Facie Evidence

Sec. 14. In a proceeding under this article: (1) a certified copy of a person's driving record obtained from the bureau; or (2) a certified copy of a court record concerning a previous conviction; constitutes prima facie evidence that the person has a previous conviction of operating while intoxicated. [Pre-1991 Recodification Citation: 9-11-4-14.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-15. Evidence of Blood Alcohol Content Shown by Chemical Tests Admissible

Sec. 15. (a) At any proceeding concerning an offense under IC 9-30-5 or a violation under IC 9-30-15, evidence of the alcohol concentration that was in the blood of the person charged with the offense: (1) at the time of the alleged violation; or (2) within the time allowed for testing under section 2 of this chapter; as shown by an analysis of the person's breath, blood, urine, or other bodily substance is admissible. (b) If, in a prosecution for an offense under IC 9-30-5, evidence establishes that: (1) a chemical test was performed on a test sample taken from the person charged with the offense within the period of time allowed for testing under section 2 of this chapter; and (2) the person charged with the offense had an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per: (A) one hundred (100) milliliters of the person's blood at the time the test sample was taken; or (B) two hundred ten (210) liters of the person's breath; the trier of fact shall presume that the person charged with the offense had an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per one hundred (100) milliliters of the person's blood or per two hundred ten (210) liters of the person's breath at the time the person operated the vehicle. However, this presumption is rebuttable. (c) If evidence in an action for a violation under IC 9-30-5-8.5 establishes that: (1) a chemical test was performed on a test sample taken from the person charged with the violation within the time allowed for testing under section 2 of this chapter; and (2) the person charged with the violation: (A) was less than twenty-one (21) years of age at the time of the alleged violation; and (B) had an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per: (i) one hundred (100) milliliters of the person's blood; or (ii) two hundred ten (210) liters of the person's breath; at the time the test sample was taken; the trier of fact shall presume that the person charged with the violation had an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per one hundred (100) milliliters of the person's blood or per two hundred ten (210) liters of the person's breath at the time the person operated the vehicle. However, the presumption is rebuttable. (d) If, in an action for a violation under IC 9-30-15, evidence establishes that: (1) a chemical test was performed on a test sample taken from the person charged with the offense within the time allowed for testing under section 2 of this chapter; and (2) the person charged with the offense had an alcohol concentration equivalent to at least four-hundredths (0.04) gram of alcohol per: (A) one hundred (100) milliliters of the person's blood; or (B) two hundred ten (210) liters of the person's breath; at the time the test sample was taken; the trier of fact shall presume that the person charged with the offense had an alcohol concentration equivalent to at least four-hundredths (0.04) gram of alcohol by weight in grams per one hundred (100) milliliters of the person's blood or per two hundred ten (210) liters of the person's breath at the time the person operated the vehicle. However, this presumption is rebuttable. [Pre-1991 Recodification Citation: 9-11-4-15.] As added by P.L.2-1991, SEC.18. Amended by P.L.53-1994, SEC.10; P.L.96-1996, SEC.6; P.L.33-1997, SEC.11; P.L.1-2000, SEC.11; P.L.175-2001, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-16. Bureau Certificate; Form and Contents

Sec. 16. The bureau certificate must contain the following information and may be substantially in the following form: BUREAU OF MOTOR VEHICLES CERTIFICATE Date of Arrest Time Driver's License No. License State a.m. / / p.m. Name: (first) (M.I.) (last) Date of Birth / / CURRENT Address (street, city, state, zip) Court Code Cause Number Sex Weight Height Eyes Hair The above motorist BUREAU USE ONLY REFUSED alcohol test FAILED alcohol test 0.% Court Determination It has been determined there was probable cause the defendant violated IC 9-30-5 this _____ day of _____, 20__ and that charges are pending herein. _____ Court _____ County _____ Judge's Signature [Pre-1991 Recodification Citation: 9-11-4-16.] As added by P.L.2-1991, SEC.18. Amended by P.L.2-2005,

SEC.40.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-17. Trial Date; Notice; Application

Sec. 17. (a) At least ten (10) days before the scheduled trial date of a person charged with a violation of IC 9-30-5, the prosecuting attorney shall notify any person who suffered bodily injury as a result of the alleged offense of the scheduled trial date. The notice must include information concerning the time and place of the trial. (b) If the injured person died as a result of the alleged offense, the notice required under subsection (a) shall be given to the deceased person's parents, spouse, and children. (c) This section applies only if the defendant's trial occurs more than ten (10) days after the alleged offense. (d) A prosecuting attorney's failure to comply with this section is not grounds for postconviction relief. [Pre-1991 Recodification Citation: 9-11-4-17.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-18. Early Trial Request; Delay in Trial; Reinstatement of Driving Privileges; Rescission of Ignition Interlock Device Requirement

Sec. 18. (a) A person against whom an ignition interlock device order has been issued under section 8.5 of this chapter or whose driving privileges have been suspended under section 9(c) of this chapter is entitled to rescission of the ignition interlock device requirement or reinstatement of driving privileges if the following occur: (1) After a request for an early trial is made by the person at the initial hearing on the charges, a trial or other disposition of the charges for which the person was arrested under IC 9-30-5 is not held within ninety (90) days after the date of the person's initial hearing on the charges. (2) The delay in trial or disposition of the charges is not due to the person arrested under IC 9-30-5. (b) A person who desires rescission of the ignition interlock device requirement or reinstatement of driving privileges under this section must file a verified petition in the court where the charges against the petitioner are pending. The petition must allege the following: (1) The date of the petitioner's arrest under IC 9-30-5. (2) The date of the petitioner's initial hearing on the charges filed against the petitioner under IC 9-30-5. (3) The date set for trial or other disposition of the matter. (4) A statement averring the following: (A) That the petitioner requested an early trial of the matter at the petitioner's initial hearing on the charges filed against the petitioner under IC 9-30-5. (B) The trial or disposition date set by the court is at least ninety (90) days after the date of the petitioner's initial hearing on the charges filed against the petitioner under IC 9-30-5. (C) The delay in the trial or disposition is not due to the petitioner. (c) Upon the filing of a petition under this section, the court shall immediately examine the record of the court to determine whether the allegations in the petition are true. (d) If the court finds the allegations of a petition filed under this section are true, the court shall order rescission of the ignition interlock device requirement or reinstatement of the petitioner's driving privileges under section 11 of this chapter. The reinstatement must not take effect until ninety (90) days after the date of the petitioner's initial hearing. [Pre-1991 Recodification Citation: 9-11-4-18.] As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.16; P.L.2-2005, SEC.41.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-2. Probable Cause; Offer of Test; Alternative Tests; Requirement to Submit

Sec. 2. (a) A law enforcement officer who has probable cause to believe that a person has committed an offense under this chapter, IC 9-30-5, or IC 9-30-9, or a violation under IC 9-30-15 shall offer the person the opportunity to submit to a chemical test. (b) A law enforcement officer: (1) is not required to offer a chemical test to an unconscious person; and (2) may offer a person more than one (1) chemical test under this chapter. (c) A test administered under this chapter must be administered within three (3) hours after the law enforcement officer had probable cause to believe the person committed an offense under IC 9-30-5 or a violation under IC 9-30-15. (d) A person must submit to each chemical test offered by a law enforcement officer in order to comply with the implied consent provisions of this chapter. [Pre-1991 Recodification Citation: 9-11-4-2.] As added by P.L.2-1991, SEC.18. Amended by P.L.53-1994, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-3. Arrest; Probable Cause; Evidence of Intoxication; Refusal to Submit to Test; Admissibility

Sec. 3. (a) If a law enforcement officer has probable cause to believe that a person committed an offense under IC 9-30-5, the person may be arrested. However, if the chemical test results in prima facie evidence that the person is intoxicated, the person shall be arrested for an offense under this chapter, IC 9-30-5, or IC 9-30-9. (b) At any proceeding under this chapter, IC 9-30-5, or IC 9-30-9, a person's refusal to submit to a chemical test is admissible into evidence. [Pre-1991 Recodification Citation: 9-11-4-3.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-4.3. Seized Vehicles; Registration of Certain Vehicles Prohibited

Sec. 4.3. (a) This section applies only to a person whose motor vehicle has been seized under IC 34-24-1-1(a)(15). (b) If the bureau receives an order from a court recommending that the bureau not register a motor vehicle in the name of a person whose motor

vehicle has been seized under IC 34-24-1-1(a)(15), the bureau may not register a motor vehicle in the name of the person whose motor vehicle has been seized until the person proves that the person possesses a driver's license with valid driving privileges. As added by P.L.94-2006, SEC.6. Amended by P.L.1-2007, SEC.95; P.L.125-2012, SEC.343; P.L.13-2013, SEC.40.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-5. Breath Test Operators, Equipment, and Chemicals; Certification; Rules; Certificates as Prima Facie Evidence

Sec. 5. (a) The director of the state department of toxicology shall adopt rules under IC 4-22-2 concerning the following: (1) Standards and regulations for the: (A) selection; (B) training; and (C) certification; of breath test operators. (2) Standards and regulations for the: (A) selection; and (B) certification; of breath test equipment and chemicals. (3) The certification of the proper technique for administering a breath test. (b) A certification in accordance with rules adopted under subsection (a) shall be: (1) sent in writing to the clerk of the circuit court in each county where the breath test operator, equipment, or chemicals are used to administer breath tests; or (2) published on the Internet web site of the department of toxicology. However, failure to send or publish a certification as required by this subsection does not invalidate any test. (c) A certification in accordance with rules adopted under subsection (a) that is sent in writing under subsection (b)(1) or published on the Internet web site of the department under subsection (b)(2) and obtained from the department as an electronic record bearing an electronic signature: (1) is admissible in a proceeding under this chapter, IC 9-30-5, IC 9-30-9, or IC 9-30-15; (2) constitutes prima facie evidence that the equipment or chemical: (A) was inspected and approved by the state department of toxicology on the date specified on the writing or electronic record; and (B) was in proper working condition on the date the breath test was administered if the date of approval is not more than one hundred eighty (180) days before the date of the breath test; (3) constitutes prima facie evidence of the approved technique for administering a breath test; and (4) constitutes prima facie evidence that the breath test operator was certified by the state department of toxicology on the date specified on the writing or electronic record. (d) Results of chemical tests that involve an analysis of a person's breath are not admissible in a proceeding under this chapter, IC 9-30-5, IC 9-30-9, or IC 9-30-15 if: (1) the test operator; (2) the test equipment; (3) the chemicals used in the test, if any; or (4) the techniques used in the test; have not been approved in accordance with the rules adopted under subsection (a). [Pre-1991 Recodification Citation: 9-11-4-5.] As added by P.L.2-1991, SEC.18. Amended by P.L.53-1994, SEC.9; P.L.158-2011, SEC.2; P.L.38-2017, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-6. Chemical Tests on Bodily Substances; Retrieval of Contraband or Obtaining Bodily Substance Samples; Disclosure of Results; No Privilege or Liability

Sec. 6. (a) A physician, a person trained in retrieving contraband or obtaining bodily substance samples and acting under the direction of or under a protocol prepared by a physician, or a licensed health care professional acting within the professional's scope of practice and under the direction of or under a protocol prepared by a physician, who: (1) obtains a blood, urine, or other bodily substance sample from a person, regardless of whether the sample is taken for diagnostic purposes or at the request of a law enforcement officer under this section; (2) performs a chemical test on blood, urine, or other bodily substance obtained from a person; or (3) searches for or retrieves contraband from the body cavity of an individual; shall deliver the sample or contraband or disclose the results of the test to a law enforcement officer who requests the sample, contraband, or results as a part of a criminal investigation. Samples, contraband, and test results shall be provided to a law enforcement officer even if the person has not consented to or otherwise authorized their release. (b) A physician, a licensed health care professional, a hospital, or an agent of a physician or hospital is not civilly or criminally liable for any of the following: (1) Disclosing test results in accordance with this section. (2) Delivering contraband, or a blood, urine, or other bodily substance sample in accordance with this section. (3) Searching for or retrieving contraband or obtaining a blood, urine, or other bodily substance sample in accordance with this section. (4) Disclosing to the prosecuting attorney or the deputy prosecuting attorney for use at or testifying at the criminal trial of the person as to facts observed or opinions formed. (5) Failing to treat a person from whom contraband is retrieved or a blood, urine, or other bodily substance sample is obtained at the request of a law enforcement officer if the person declines treatment. (6) Injury to a person arising from the performance of duties in good faith under this section. However, immunity does not apply if the physician, licensed health care professional, hospital, or agent of a physician or hospital acts with gross negligence or willful or wanton misconduct. (c) For the purposes of a criminal proceeding: (1) the privileges arising from a patient-physician relationship do not apply to the contraband, samples, test results, or testimony described in this section; and (2) contraband, samples, test results, and testimony may be admitted in a proceeding in accordance with the applicable rules of evidence. (d) The exceptions to the patient-physician relationship specified in subsection (c) do not affect those relationships in a proceeding that is not a criminal proceeding. (e) The contraband, test results, and samples obtained by a law enforcement officer under subsection (a) may be disclosed only to a prosecuting attorney or a deputy prosecuting attorney for use as evidence in a criminal proceeding. (f) This section does not require a physician or a person under the direction of a physician to perform a chemical test or to retrieve contraband. (g) If the person: (1) from whom the contraband is to be retrieved or the bodily substance sample is to be obtained under this section does not consent; and (2) resists the retrieval of the contraband or the taking of a sample; the law enforcement officer may use reasonable force to assist an individual, who must be authorized under this section to retrieve contraband or obtain a sample, in the retrieval of the contraband or the taking of the sample. (h) The person authorized under this section to retrieve contraband or obtain a bodily substance sample shall take the sample or retrieve the contraband in a medically accepted manner. (i)

This subsection does not apply to contraband retrieved or a bodily substance sample taken at a licensed hospital (as defined in IC 16-18-2-179(a) and IC 16-18-2-179(b)). A law enforcement officer may transport the person to a place where the contraband may be retrieved or the sample may be obtained by any of the following persons who are trained in retrieving contraband or obtaining bodily substance samples and who have been engaged to retrieve contraband or obtain samples under this section: (1) A physician holding an unlimited license to practice medicine or osteopathy. (2) A registered nurse. (3) A licensed practical nurse. (4) An advanced emergency medical technician (as defined in IC 16-18-2-6.5). (5) A paramedic (as defined in IC 16-18-2-266). (6) Except as provided in subsections (j) through (k), any other person qualified through training, experience, or education to retrieve contraband or obtain a bodily substance sample. (j) A law enforcement officer may not retrieve contraband or obtain a bodily substance sample under this section if the contraband is to be retrieved or the sample is to be obtained from another law enforcement officer as a result of the other law enforcement officer's involvement in an accident or alleged crime. (k) A law enforcement officer who is otherwise qualified to obtain a bodily substance sample under this section may obtain a bodily substance sample from a person involved in an accident or alleged crime who is not a law enforcement officer only if: (1) the officer obtained a bodily substance sample from an individual as part of the officer's official duties as a law enforcement officer; and (2) the: (A) person consents to the officer obtaining a bodily substance sample; or (B) obtaining of the bodily substance sample is authorized by a search warrant. (l) A physician or a person trained in obtaining bodily samples who is acting under the direction of or under a protocol prepared by a physician shall obtain a blood sample if the following conditions are satisfied: (1) A law enforcement officer requests that the sample be obtained. (2) The law enforcement officer has certified in writing the following: (A) That the officer has probable cause to believe the person from whom the sample is to be obtained has violated IC 9-30-5-4, IC 9-30-5-5, IC 35-46-9-6(b)(2), or IC 35-46-9-6(c). (B) That the offense resulting in a criminal investigation described in subsection (a) occurred not more than three (3) hours before the time the sample is requested. (C) That exigent circumstances exist that create pressing health, safety, or law enforcement needs that would take priority over a warrant application. (3) Not more than the use of reasonable force is necessary to obtain the sample. [Pre-1991 Recodification Citation: 9-11-4-6.] As added by P.L.2-1991, SEC.18. Amended by P.L.2-1993, SEC.69; P.L.132-1993, SEC.1; P.L.1-1994, SEC.40; P.L.205-2003, SEC.3; P.L.94-2006, SEC.7; P.L.36-2010, SEC.1; P.L.77-2012, SEC.3; P.L.237-2013, SEC.1; P.L.224-2019, SEC.3; P.L.174-2021, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-7. Refusal to Submit to Chemical Tests or Test Results in Prima Facie Evidence of Intoxication; Duties of Arresting Officer

Sec. 7. (a) If a person refuses to submit to a chemical test, the arresting officer shall inform the person that refusal will result in the suspension of the person's driving privileges. (b) If a person refuses to submit to a chemical test after having been advised that the refusal will result in the suspension of driving privileges or submits to a chemical test that results in prima facie evidence of intoxication, the arresting officer shall do the following: (1) Obtain the person's driver's license or permit if the person is in possession of the document and issue a receipt valid until the initial hearing of the matter held under IC 35-33-7-1. (2) Submit a probable cause affidavit to the prosecuting attorney of the county in which the alleged offense occurred. [Pre-1991 Recodification Citation: 9-11-4-7.] As added by P.L.2-1991, SEC.18. Amended by P.L.85-2013, SEC.93.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-8.5. Ignition Interlock Device; Notice

Sec. 8.5. If the bureau receives an order recommending use of an ignition interlock device under section 8(d) of this chapter, the bureau shall immediately do the following: (1) Mail notice to the person's address contained in the records of the bureau, or send notice electronically if the person has indicated a preference for receiving notices from the bureau electronically, stating that the person may not operate a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8 commencing: (A) five (5) days after the date of the notice; or (B) on the date the court enters an order recommending use of an ignition interlock device; whichever occurs first. (2) Notify the person of the right to a judicial review under section 10 of this chapter. As added by P.L.76-2004, SEC.10. Amended by P.L.85-2013, SEC.95; P.L.149-2015, SEC.103; P.L.141-2024, SEC.46.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-8. Probable Cause; Suspension of Driving Privileges; Ignition Interlock Device; Violation

Sec. 8. (a) Except as provided in IC 9-30-16-1(g), whenever a judicial officer has determined that there was probable cause to believe that a person has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), the clerk of the court shall forward, in a form and manner prescribed by the bureau: (1) a paper copy of the affidavit, or an electronic substitute; or (2) a bureau certificate as described in section 16 of this chapter; to the bureau at the conclusion of the initial hearing under subsection (c). (b) The probable cause affidavit required under section 7(b)(2) of this chapter must do the following: (1) Set forth the grounds for the arresting officer's belief that there was probable cause that the arrested person was operating a vehicle in violation of IC 9-30-5 or a motorboat in violation of IC 35-46-9 or IC 14-15-8 (before its repeal). (2) State that the person was arrested for a violation of IC 9-30-5 or operating a motorboat in violation of IC 35-46-9 or IC 14-15-8 (before its repeal). (3) State whether the person: (A) refused to submit to a chemical test when offered; or (B) submitted to a chemical test that resulted in prima facie evidence that the person was intoxicated. (4) Be sworn to by the arresting officer. (c) Except as provided in subsection (d), if it is determined under

subsection (a) that there was probable cause to believe that a person has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), at the initial hearing of the matter held under IC 35-33-7-1 the court shall recommend immediate suspension of the person's driving privileges to take effect on the date the order is entered, and forward to the bureau a copy of the order recommending immediate suspension of driving privileges. (d) If it is determined under subsection (a) that there is probable cause to believe that a person violated IC 9-30-5, the court may, as an alternative to any suspension of the person's driving privileges under subsection (c), issue an order recommending that the person be prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8. This subsection applies even if the probable cause affidavit in subsection (b) states that the person: (1) refused to submit to a chemical test; or (2) submitted to a chemical test that resulted in prima facie evidence that the person was intoxicated. The order remains in effect until the bureau is notified by a court that the criminal charges against the person have been resolved. When the court issues an order under this subsection, no administrative suspension is imposed by the bureau and no suspension is noted on the person's driving record. (e) A person commits a Class B infraction if the person: (1) operates a motor vehicle without a functioning certified ignition interlock device; and (2) is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under subsection (d). (f) A person commits a Class B misdemeanor if the person: (1) operates a motor vehicle without a functioning certified ignition interlock device; and (2) knows the person is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under subsection (d). [Pre-1991 Recodification Citation: 9-11-4-8.] As added by P.L.2-1991, SEC.18. Amended by P.L.57-1995, SEC.4; P.L.76-2004, SEC.9; P.L.40-2012, SEC.4; P.L.125-2012, SEC.344; P.L.85-2013, SEC.94; P.L.188-2015, SEC.109; P.L.29-2020, SEC.1; P.L.110-2020, SEC.4; P.L.32-2021, SEC.20; P.L.111-2021, SEC.88.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 6. Implied Consent; Administrative and Evidentiary Matters9-30-6-9. Suspension of Driving Privileges; Duties of Bureau

Sec. 9. (a) This section does not apply if an ignition interlock device order is issued under section 8(d) of this chapter. (b) If the affidavit under section 8(b) of this chapter states that a person refused to submit to a chemical test, the bureau shall suspend the driving privileges of the person: (1) for: (A) one (1) year; or (B) if the person has at least one (1) previous conviction for operating while intoxicated, two (2) years; or (2) until the suspension is ordered terminated under IC 9-30-5. (c) If the affidavit under section 8(b) of this chapter states that a chemical test resulted in prima facie evidence that a person was intoxicated, the bureau shall suspend the driving privileges of the person: (1) for one hundred eighty (180) days; or (2) until the bureau is notified by a court that the charges have been disposed of; whichever occurs first. (d) Whenever the bureau is required to suspend a person's driving privileges under this section, the bureau shall immediately do the following: (1) Mail notice to the person's address contained in the records of the bureau, or send the notice electronically if the person has indicated a preference for receiving notices from the bureau electronically, stating that the person's driving privileges will be suspended for a specified period, commencing: (A) seven (7) days after the date of the notice; or (B) on the date the court enters an order recommending suspension of the person's driving privileges under section 8(c) of this chapter; whichever occurs first. (2) Notify the person of the right to a judicial review under section 10 of this chapter. [Pre-1991 Recodification Citation: 9-11-4-9.] As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.12; P.L.153-2005, SEC.4; P.L.94-2006, SEC.8; P.L.125-2012, SEC.345; P.L.85-2013, SEC.96; P.L.149-2015, SEC.104; P.L.188-2015, SEC.111; P.L.141-2024, SEC.47.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 7. Implied Consent in Accidents Involving Serious Injury or Death9-30-7-0.5. Inapplicability to Operator of Personal Assistive Mobility Device

Sec. 0.5. This chapter does not apply to the operator of an electric personal assistive mobility device. As added by P.L.143-2002, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 7. Implied Consent in Accidents Involving Serious Injury or Death9-30-7-1. Definitions

Sec. 1. (a) As used in this chapter, "portable breath test" means a hand held apparatus that measures the alcohol concentration in a breath sample delivered by a person into the mouthpiece of the apparatus. (b) As used in this chapter, "fatal accident" means an accident, a collision, or other occurrence that involves at least one (1) vehicle and that results in: (1) death; or (2) bodily injury that gives a law enforcement officer reason to believe that the death of at least one (1) person is imminent. [Pre-1991 Recodification Citation: 9-4-1-39.1(b) part.] As added by P.L.2-1991, SEC.18. Amended by P.L.275-2001, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 7. Implied Consent in Accidents Involving Serious Injury or Death9-30-7-2. Implied Consent to Portable Breath Test or Chemical Test

Sec. 2. A person who operates a vehicle impliedly consents to submit to the portable breath test or chemical test under this chapter as a condition of operating a vehicle in Indiana. A person must submit to each portable breath test or chemical test offered by a law enforcement officer under this chapter to comply with this chapter. [Pre-1991 Recodification Citation: 9-4-1-39.1(d).] As added by P.L.2-1991, SEC.18. Amended by P.L.275-2001, SEC.2.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 7. Implied Consent in Accidents Involving Serious Injury or Death9-30-7-3. Offer of Test; Administration of Test

Sec. 3. (a) A law enforcement officer shall offer a portable breath test or chemical test to any person who the officer has reason to believe operated a vehicle that was involved in a fatal accident or an accident involving serious bodily injury. If: (1) the results of a portable breath test indicate the presence of alcohol; (2) the results of a portable breath test do not indicate the presence of alcohol but the law enforcement officer has probable cause to believe the person is under the influence of a controlled substance or another drug; or (3) the person refuses to submit to a portable breath test; the law enforcement officer shall offer a chemical test to the person. (b) A law enforcement officer may offer a person more than one (1) portable breath test or chemical test under this section. However, all chemical tests must be administered within three (3) hours after the fatal accident or the accident involving serious bodily injury. (c) It is not necessary for a law enforcement officer to offer a portable breath test or chemical test to an unconscious person. [Pre-1991 Recodification Citation: 9-4-1-39.1(e) part.] As added by P.L.2-1991, SEC.18. Amended by P.L.275-2001, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 7. Implied Consent in Accidents Involving Serious Injury or Death9-30-7-4. Breath Analysis; Blood, Urine, or Other Bodily Substance; Testing Requirements

Sec. 4. (a) If a chemical test conducted under this chapter involves an analysis of breath, the test must comply with the requirements under IC 9-30-6-5. (b) IC 9-30-6-6 applies if a physician or a person trained in obtaining bodily substance samples who is acting under the direction of or under a protocol prepared by a physician or who has been engaged to obtain bodily substance samples: (1) obtains a blood, urine, or other bodily substance sample from a person at the request of a law enforcement officer who acts under this section; or (2) performs a chemical test on blood, urine, or another bodily substance obtained from a person under this section. [Pre-1991 Recodification Citation: 9-4-1-39.1(e) part.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 7. Implied Consent in Accidents Involving Serious Injury or Death9-30-7-5. Refusal to Submit; Penalties; Suspension; Proof of Future Financial Responsibility

Sec. 5. (a) A person who refuses to submit to a portable breath test or chemical test offered under this chapter commits a Class C infraction. However, the person commits a Class A infraction if the person has at least one (1) previous conviction for operating while intoxicated. (b) In addition to any other penalty imposed, the court shall suspend the person's driving privileges: (1) for one (1) year; or (2) if the person has at least one (1) previous conviction for operating while intoxicated, for two (2) years. (c) During the three (3) years following the termination of the suspension, the person's driving privileges remain suspended until the person provides proof of future financial responsibility in force under IC 9-25. [Pre-1991 Recodification Citation: 9-4-1-39.1(f).] As added by P.L.2-1991, SEC.18. Amended by P.L.275-2001, SEC.4; P.L.94-2006, SEC.9; P.L.85-2013, SEC.98.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 8. Ignition Interlock Devices9-30-8-1. Term of Installation; Costs

Sec. 1. If a court orders the installation of a certified ignition interlock device on a motor vehicle that a person whose license is restricted owns or expects to operate, the court shall set the time that the installation must remain in effect. However, the term may not exceed the maximum term of imprisonment the court could have imposed. The person shall pay the cost of installation unless the sentencing court determines that the person is indigent. [Pre-1991 Recodification Citation: 9-11-3-6 part.] As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.17; P.L.94-2006, SEC.10; P.L.172-2006, SEC.3; P.L.85-2013, SEC.99; P.L.188-2015, SEC.112.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 8. Ignition Interlock Devices9-30-8-2. Blood Alcohol Level Rendering Vehicle Inoperable

Sec. 2. An ignition interlock device shall be set to render a motor vehicle inoperable if the ignition interlock device detects an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per: (1) one hundred (100) milliliters of the blood of the person; or (2) two hundred ten (210) liters of the breath of the person; who offers a breath sample. [Pre-1991 Recodification Citation: 9-11-3-6 part.] As added by P.L.2-1991, SEC.18. Amended by P.L.33-1997, SEC.12; P.L.1-2000, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 8. Ignition Interlock Devices9-30-8-3. Standards and Specifications; Approval of Ignition Interlock Devices; Reports; Evaluations and Recommendations

Sec. 3. (a) The director of the state department of toxicology shall adopt rules under IC 4-22-2 to establish standards and specifications for a certified ignition interlock device. The standards and specifications must require at a minimum that the device meets the following requirements: (1) Is accurate. (2) Does not impede the safe operation of a vehicle. (3) Provides a minimum opportunity to be bypassed. (4) Shows evidence of tampering if tampering is attempted. (5) Has a label affixed warning a person that

tampering with or misusing the device is a crime and may subject that person to criminal and civil penalties. (6) Provides the ability to accurately identify the user. (b) After July 1, 2015, all ignition interlock devices used in Indiana must be certified under rules adopted by the state department of toxicology. (c) A vendor or provider may submit an application for approval of an ignition interlock device in a form prescribed by the director of the state department of toxicology. (d) If testing is required to determine whether an ignition interlock device complies with standards set forth by the state department of toxicology, the testing must be performed by an independent laboratory designated by the state department of toxicology. The vendor shall pay any testing expenses under this section. (e) If the director of the state department of toxicology finds that the ignition interlock device complies with the standards of the state department of toxicology, the director may approve the ignition interlock device as a certified ignition interlock device. (f) The director of the state department of toxicology shall provide periodic reports to the criminal justice institute, including, but not limited to: (1) the number of ignition interlock devices certified by the state department of toxicology; (2) the number of ignition interlock devices currently installed in Indiana; and (3) the number of ignition interlock devices rejected by the state department of toxicology. (g) The state department of toxicology shall consider all recommendations made by the criminal justice institute. (h) The criminal justice institute shall: (1) evaluate reports submitted by the state department of toxicology; (2) evaluate and study ignition interlock issues; and (3) make recommendations to the state department of toxicology. [Pre-1991 Recodification Citation: 9-6-8-2.] As added by P.L.2-1991, SEC.18. Amended by P.L.217-2014, SEC.131; P.L.71-2016, SEC.2; P.L.23-2020, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 8. Ignition Interlock Devices9-30-8-4. Calibration and Maintenance; Responsibility

Sec. 4. The calibration and maintenance of an ignition interlock device that is mandated by a court is the responsibility of the manufacturer. [Pre-1991 Recodification Citation: 9-6-8-3.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 8. Ignition Interlock Devices9-30-8-5. Restricted License; Issuance by Bureau

Sec. 5. If a court orders a person under IC 9-30-5-16 to operate only a vehicle that is equipped with an ignition interlock device, the bureau shall include that condition when issuing a license. [Pre-1991 Recodification Citation: 9-6-8-4.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 8. Ignition Interlock Devices9-30-8-6. Reports and Data

Sec. 6. (a) A vendor or provider whose ignition interlock device is certified under section 3 of this chapter shall provide a report to the court that ordered the device or the court's designee within two (2) weeks if any of the following occur: (1) Any attempt to start the vehicle with a breath alcohol concentration of four hundredths (.04) grams or higher if the person does not register a test result indicating a breath alcohol concentration of four hundredths (.04) grams or lower within ten (10) minutes of the initial test. (2) Absent a documented failure of the ignition interlock device, failure to take or pass any required test. (3) Failure of the person ordered to use an ignition interlock device to appear at the ignition interlock vendor or provider for maintenance, repair, calibration, monitoring, inspection, or replacement of the ignition interlock device. (4) Any violations of restrictions imposed by the court. (b) Any person who is required to have an ignition interlock device installed as part of probation, a specialized driving permit, or any other order of a court is required to pay for the installation, leasing, maintenance, and removal of the ignition interlock device, as well as any additional expenses ordered by the court or the court's designee. (c) An ignition interlock vendor or provider shall provide any reports or data requested by the state department of toxicology. As added by P.L.217-2014, SEC.132.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 8. Ignition Interlock Devices9-30-8-7. Rules; Ignition Interlock Inspection Account

Sec. 7. (a) This section applies after June 30, 2017. (b) The Indiana criminal justice institute shall adopt rules under IC 4-22-2 concerning the following: (1) Establishing standards for service centers and inspections. (2) Establishing standards for ignition interlock device technicians. (3) Installation of ignition interlock devices. (4) Requirements for removing an ignition interlock device. (5) Fees with respect to service centers and ignition interlock devices that do not exceed the cost of the program. Fees described in this subdivision shall be paid by the service center, by the vendor or provider of an ignition interlock device and used to defray the expenses of testing, examining, inspecting, and developing standards concerning service centers or ignition interlock devices. Funds collected under this subdivision shall be deposited in the ignition interlock inspection account established under subsection (c). (6) Review of denial, suspension, or revocation of certification of service centers and ignition interlock device installers and technicians. (7) Hearing procedures for service centers or installers of ignition interlock devices. (8) Appeal procedures for service centers or installers of ignition interlock devices. (c) The ignition interlock inspection account is established within the state general fund to defray the expenses of testing, examining, inspecting, and developing standards concerning service centers and ignition interlock devices. The account shall be administered by the Indiana criminal justice institute. The following provisions apply to the account: (1) The account consists of: (A) fees paid by the vendor or provider of an ignition interlock device; (B) fees paid by the service center; and (C) appropriations made by the general assembly. (2) Money in the account may be spent to

defray the expenses of testing, examining, inspecting, and developing standards concerning service centers and ignition interlock devices. (3) The Indiana criminal justice institute shall annually prepare a plan for the expenditure of money in the account. (4) The expenses of administering the account shall be paid from money in the account. (5) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account. (6) Money in the account at the end of a state fiscal year does not revert to the state general fund. As added by P.L.71-2016, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 8. Ignition Interlock Devices9-30-8-8. Memorandum of Understanding

Sec. 8. The bureau and the Indiana criminal justice institute shall enter into a memorandum of understanding to administer this chapter and IC 9-30-6-8(d). As added by P.L.71-2016, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 9. Circuit Court Alcohol Abuse Deterrent Programs9-30-9-0.5. Applicability After June 30, 2005

Sec. 0.5. After June 30, 2005, this chapter does not apply to a person who: (1) holds a commercial driver's license; and (2) has been charged with an offense involving the operation of a motor vehicle in accordance with the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public Law 106-159.113 Stat. 1748). As added by P.L.219-2003, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 9. Circuit Court Alcohol Abuse Deterrent Programs9-30-9-1. Application

Sec. 1. This chapter applies to each court that is not authorized to establish an alcohol and drug services program under IC 12-23-14-1 through IC 12-23-14-13. [Pre-1991 Recodification Citation: 9-11-5-1.] As added by P.L.2-1991, SEC.18. Amended by P.L.2-1992, SEC.91; P.L.84-2016, SEC.55.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 9. Circuit Court Alcohol Abuse Deterrent Programs9-30-9-10. Court Duties

Sec. 10. The court: (1) shall administer the program established under section 2 of this chapter; (2) shall submit claims under IC 33-37-8-6 for the disbursement of funds; and (3) may enter into contracts with individuals, firms, and corporations to provide the treatment described by section 2 of this chapter. [Pre-1991 Recodification Citation: 9-11-5-10.] As added by P.L.2-1991, SEC.18. Amended by P.L.98-2004, SEC.79; P.L.84-2016, SEC.57.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 9. Circuit Court Alcohol Abuse Deterrent Programs9-30-9-2. Establishment

Sec. 2. The court of a county may establish an alcohol abuse deterrent program after the county fiscal body adopts a resolution approving the program. The program must provide for the treatment of individuals who have been convicted of more than one (1) violation of IC 9-30-5 with disulfiram or a similar substance that the court determines is an effective chemical deterrent to the use of alcohol. [Pre-1991 Recodification Citation: 9-11-5-2.] As added by P.L.2-1991, SEC.18. Amended by P.L.2-1992, SEC.92; P.L.40-1994, SEC.4; P.L.84-2016, SEC.56.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 9. Circuit Court Alcohol Abuse Deterrent Programs9-30-9-3. Application to Criminal Proceedings; Judicial Notice; Deferred Proceedings; Order to Complete Program

Sec. 3. (a) This section applies to a criminal proceeding in which the use or abuse of alcohol is a contributing factor or a material element of the offense. (b) The court may take judicial notice of the fact that proper medical treatment is likely to decrease the defendant's tendency to engage in antisocial behavior. (c) Before conviction, the court, with the consent of the defendant and the prosecuting attorney, may conditionally defer the proceedings described in subsection (a) for up to four (4) years. However, a prosecution may not be deferred under this section if: (1) the offense involves death or serious bodily injury; (2) other criminal proceedings, not arising out of the same incident, alleging commission of a felony are pending against the defendant; (3) the defendant is on probation or parole and the appropriate parole or probation authority does not consent to the defendant's participation; or (4) the defendant fails to meet additional eligibility requirements imposed by the court. (d) The court may order the defendant to satisfactorily complete the program established under section 2 of this chapter if the court makes a determination under subsection (b). The court may impose other appropriate conditions upon the defendant. [Pre-1991 Recodification Citation: 9-11-5-3.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 9. Circuit Court Alcohol Abuse Deterrent Programs9-30-9-4. Violation of Conditions; Resumption of Proceedings; Compliance With Conditions; Dismissal of Charges

Sec. 4. If a defendant violates a condition imposed by the court under section 3 of this chapter, the court may order criminal

proceedings to be resumed. If a defendant fulfills the conditions set by the court under section 3 of this chapter, the court shall dismiss the charges against the defendant. However, if: (1) the defendant was previously charged under IC 9-30-5; and (2) the previous charges were dismissed under this section; the individual is not eligible to have subsequent charges under IC 9-30-5 dismissed under this chapter. [Pre-1991 Recodification Citation: 9-11-5-4.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 9. Circuit Court Alcohol Abuse Deterrent Programs9-30-9-5. Conditionally Deferred Charges; Suspension of Driving Privileges; Ignition Interlock Device

Sec. 5. (a) If the court enters an order conditionally deferring charges under section 3 of this chapter, the court may do the following: (1) Suspend the person's driving privileges for at least two (2) years but not more than four (4) years. (2) Impose other appropriate conditions, including the payment of fees imposed under section 8 of this chapter. (b) Notwithstanding IC 9-30-6-9, the defendant may be granted probationary driving privileges only after the defendant's license has been suspended for at least one (1) year. (c) The court may, as an alternative to a license suspension under subsection (a)(1), issue an order prohibiting the defendant from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8. An order requiring an ignition interlock device must remain in effect for at least two (2) years but not more than four (4) years. [Pre-1991 Recodification Citation: 9-11-5-5.] As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 9. Circuit Court Alcohol Abuse Deterrent Programs9-30-9-6. Probation; Referral of Defendant to Program

Sec. 6. If the defendant is convicted in a proceeding described in section 3(a) of this chapter and the court places the defendant on probation, the court may refer the defendant to the alcohol abuse deterrent program if the court makes a determination under section 3(b) of this chapter. [Pre-1991 Recodification Citation: 9-11-5-6.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 9. Circuit Court Alcohol Abuse Deterrent Programs9-30-9-7.5. Offenses; Operating Motor Vehicle Without Ignition Interlock Device

Sec. 7.5. (a) A person commits a Class B infraction if the person: (1) operates a motor vehicle without a functioning certified ignition interlock device; and (2) is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under section 5(c) or 7(c) of this chapter. (b) A person commits a Class B misdemeanor if the person: (1) operates a motor vehicle without a functioning certified ignition interlock device; and (2) knows the person is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under section 5(c) or 7(c) of this chapter. As added by P.L.76-2004, SEC.20. Amended by P.L.2-2005, SEC.42.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 9. Circuit Court Alcohol Abuse Deterrent Programs9-30-9-7. Referral of Defendant to Program; Suspension of Driving Privileges; Ignition Interlock Device

Sec. 7. (a) If the court refers a defendant to the program under section 6 of this chapter, the court may do the following: (1) Suspend the defendant's driving privileges for at least ninety (90) days but not more than four (4) years. (2) Impose other appropriate conditions. (b) The defendant may be granted probationary driving privileges only after the defendant's license has been suspended for at least thirty (30) days under IC 9-30-6-9. (c) The court may, as an alternative to a license suspension under subsection (a)(1), issue an order prohibiting the defendant from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8. An order requiring an ignition interlock device must remain in effect for at least two (2) years but not more than four (4) years. [Pre-1991 Recodification Citation: 9-11-5-7.] As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.19.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 9. Circuit Court Alcohol Abuse Deterrent Programs9-30-9-8. Program Fee; Medical Fee; Indigent Defendant

Sec. 8. (a) The court shall order a defendant participating in a program under this chapter to pay an alcohol abuse deterrent program fee or a medical fee, or both, unless the court determines that the defendant is indigent. (b) An alcohol abuse deterrent program fee ordered under this section may not exceed four hundred dollars ($400). (c) A medical fee ordered under this section may not exceed one hundred fifty dollars ($150). [Pre-1991 Recodification Citation: 9-11-5-8.] As added by P.L.2-1991, SEC.18. Amended by P.L.113-2001, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 30. General Penalty ProvisionsChapter 9. Circuit Court Alcohol Abuse Deterrent Programs9-30-9-9. County Alcohol Abuse Deterrent Fund

Sec. 9. The county auditor shall establish a county alcohol abuse deterrent fund after a program is established under section 2 of this chapter. [Pre-1991 Recodification Citation: 9-11-5-9.] As added by P.L.2-1991, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 1. Application9-32-1-1. Bureau of Motor Vehicles; Authority Not Limited to Administer Title

Sec. 1. This article may not be construed to limit the authority of the bureau to administer this title. As added by P.L.92-2013,

SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 1. Application9-32-1-2. Transmission of Electronic Records

Sec. 2. The transmission of electronic records under this article is governed by IC 26-2-8-114. As added by P.L.174-2016, SEC.20.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 1. Application9-32-1-3. License Plates Issued by Secretary

Sec. 3. A license plate issued by the secretary under this article remains the property of the secretary. As added by P.L.174-2016, SEC.21.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 10. Motor Vehicle Sales Advisory Board9-32-10-1. Establishment of Motor Vehicle Sales Advisory Board

Sec. 1. The motor vehicle sales advisory board is established to advise the secretary in the administration of this article. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 10. Motor Vehicle Sales Advisory Board9-32-10-2. Composition of Board

Sec. 2. The advisory board is composed of the secretary and at least six (6) but less than twelve (12) persons appointed by the governor upon the recommendation of the secretary as follows: (1) At least two (2) of the appointed members must be franchised new motor vehicle dealers as follows: (A) At least one (1) member must: (i) have sold fewer than seven hundred fifty (750) new motor vehicles in the year before the member's appointment; and (ii) be a dealer owner listed on a valid license issued to a franchised new motor vehicle dealer under IC 9-32. (B) At least one (1) member must: (i) have sold more than seven hundred forty-nine (749) new motor vehicles in the year before the member's appointment; and (ii) be a dealer owner listed on a valid license issued to a franchised new motor vehicle dealer under IC 9-32. (2) At least two (2) of the appointed members must: (A) represent the motor vehicle manufacturing industry; (B) have been an Indiana resident for at least two (2) years immediately preceding the member's appointment; and (C) be employed by a manufacturer that holds a valid manufacturer license issued under IC 9-32. (3) At least two (2) members must: (A) represent used motor vehicle dealers that are not franchised new motor vehicle dealers; and (B) be a dealer owner listed on a valid license issued to a used motor vehicle dealer under IC 9-32. (4) The remaining members may be appointed from the following: (A) A representative of a used automobile auction validly licensed under IC 9-32. (B) A representative of an automobile salvage recycler validly licensed under IC 9-32. (C) A representative of a recreational vehicle dealer validly licensed under IC 9-32. (D) A representative of a watercraft dealer validly licensed under IC 9-32. (5) One (1) appointed member may represent the general public and may not have any direct interest in the manufacture or sale of motor vehicles or watercraft. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.80; P.L.284-2019, SEC.27; P.L.182-2021, SEC.17.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 10. Motor Vehicle Sales Advisory Board9-32-10-3. Term of Appointment; Removal; Vacancies

Sec. 3. (a) A member appointed to the advisory board under section 2 of this chapter serves a three (3) year term and may be reappointed. Each appointed member serves until the member's successor is appointed and qualified. (b) A member may be removed for good cause. (c) A vacancy shall be filled by appointment of the governor for the unexpired term. As added by P.L.92-2013, SEC.78. Amended by P.L.284-2019, SEC.28.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 10. Motor Vehicle Sales Advisory Board9-32-10-4. Compensation; Membership Not the Holding of a Public Office

Sec. 4. Members of the advisory board are entitled to receive the expenses and per diem allowed by law. Membership on the advisory board does not constitute the holding of a public office. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 10. Motor Vehicle Sales Advisory Board9-32-10-5. Officers

Sec. 5. The secretary shall serve as chairperson of the advisory board. The advisory board shall elect a vice chairperson and secretary from the appointed members during the first meeting of each year. The vice chairperson and secretary serve until their successors are appointed and qualified and may be removed for good cause. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.81.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 10. Motor Vehicle Sales Advisory Board9-32-10-6. Meeting; Required Frequency and on Call

Sec. 6. The advisory board shall meet at least one (1) time during a calendar year. Additional meetings may be convened at the call of the secretary or the written request of any three (3) members. As added by P.L.92-2013, SEC.78.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 10. Motor Vehicle Sales Advisory Board9-32-10-7. Meetings; Quorum; Majority Vote

Sec. 7. A majority of the current members of the advisory board constitutes a quorum for doing business. The majority vote of the members of the quorum, present and voting, is required for the passage of a matter put to a vote of the advisory board. As added by P.L.92-2013, SEC.78. Amended by P.L.182-2021, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 10. Motor Vehicle Sales Advisory Board9-32-10-8. Powers of Advisory Board

Sec. 8. The advisory board is vested with the following powers: (1) To consult with and advise the secretary. (2) To suggest rules, including the following: (A) The contents of forms. (B) Methods and procedures for the investigation and evaluation of the qualifications of applicants for licenses. (C) The criteria upon which to issue, deny, suspend, and revoke licenses. (D) Procedures for the investigation into and conduct of hearings on unfair practices. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-1. Persons Required to Be Licensed

Sec. 1. (a) Subject to IC 9-32-11-20, the following persons must be licensed under this article: (1) An automobile auction company. (2) A converter manufacturer. (3) A used motor vehicle dealer. (4) A distributor. (5) An automotive salvage recycler. (6) A watercraft dealer. (7) A manufacturer. (8) A transfer dealer. (9) An automotive mobility dealer. (10) A manufactured home dealer. (11) A new motor vehicle dealer. The persons listed in this subsection are the only persons eligible for a license under this article. (b) After January 1, 2018, an automotive mobility dealer must hold an automotive mobility dealer endorsement issued under this article. (c) After January 1, 2018, an automotive mobility dealer that fails to be licensed and hold an automotive mobility dealer endorsement under this article, and engages in the business of: (1) selling; (2) installing; (3) servicing; or (4) soliciting or advertising the sale, installation, or servicing of; equipment or modifications specifically designed to facilitate use or operation of a motor vehicle or watercraft by an individual who is disabled or aged commits a Class A infraction. As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.26; P.L.217-2014, SEC.172; P.L.62-2014, SEC.27; P.L.151-2015, SEC.64; P.L.174-2016, SEC.82; P.L.136-2017, SEC.2; P.L.260-2017, SEC.1; P.L.179-2017, SEC.79; P.L.137-2018, SEC.9; P.L.211-2019, SEC.11; P.L.249-2019, SEC.5; P.L.284-2019, SEC.29; P.L.120-2020, SEC.58.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-10. Motor Vehicle Sales Made Away From Dealer's Established Place of Business Without Offsite Sales Permit; Exception

Sec. 10. (a) This section does not apply to sales made at a motor vehicle industry sponsored trade show. (b) A dealer that sells to the general public may not sell or offer to sell a motor vehicle at a location away from the dealer's established place of business without obtaining an offsite sales permit under section 11 of this chapter. (c) A motor vehicle display is not considered an offsite sale if it is conducted: (1) by a new motor vehicle dealer; and (2) in an open area where no sales personnel and sales material are present. (d) A sale is not an offsite sale if: (1) it is a sale of a manufactured home within a manufactured home community; (2) the manufactured home is already located within the manufactured home community or will be installed within the manufactured home community; and (3) the sale is made by the dealer that owns and operates the manufactured home community. As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.34; P.L.151-2015, SEC.69; P.L.174-2016, SEC.87; P.L.120-2020, SEC.64; P.L.182-2021, SEC.19.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-11.5. Out-of-State Dealer Special Event Permit

Sec. 11.5. (a) A person that is a licensed dealer in a state other than Indiana may apply for an out-of-state dealer special event permit from the secretary for a special event auction if the following conditions are met: (1) The event is a motor vehicle auction conducted by an auctioneer licensed under IC 25-6.1-3. (2) The motor vehicles to be auctioned are: (A) at least fifteen (15) years old; or (B) classified as classic, collector, or antique motor vehicles under rules adopted by the secretary. (3) At least two hundred (200) motor vehicles will be auctioned during the special event. (4) The person submits an application for a special event permit to the secretary not later than thirty (30) days prior to the beginning date of the special event auction. (5) The application for the special event permit includes the following: (A) Copies of licenses for all auctioneers for the special event auction. (B) A copy of a valid dealer's license from the other state. (C) Either of the following: (i) An affidavit stating that the proposed location is zoned for the operation of a special event auction from the person charged with enforcing a zoning ordinance, or the zoning enforcement officer under IC 36-7-4 who has jurisdiction over the real property where the applicant wants to operate the special event auction. (ii) If there is no person or officer under item (i), the application must be accompanied by a statement to that effect from the executive (as defined in IC 36-1-2-5) of the unit in which the real property is located. (6) The applicant may file the affidavit or statement under subdivision (5)(C) at any time after the filing of the application. However, the secretary may not issue a special event auction permit until the

applicant files the affidavit or the statement. (7) The affidavit or statement may not be signed by a person described in subdivision (5)(C)(i) or the executive of a unit more than ninety (90) days before the affidavit or statement is submitted to the secretary as part of an application for a permit under this section. (b) Not more than one (1) special event auction permit may be issued by the secretary to the same applicant within a twelve (12) month period. (c) If the application for the special event permit is approved, the dealer must submit a fee of five hundred dollars ($500). The secretary shall retain the fee. As added by P.L.151-2015, SEC.71. Amended by P.L.174-2016, SEC.89; P.L.284-2019, SEC.34.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-11. Offsite Sales Permit

Sec. 11. (a) Except as otherwise provided, the secretary shall issue an offsite sales permit to a dealer licensed under this article who submits an application for the permit not later than ten (10) business days or two (2) calendar weeks before the offsite sale date. Permit applications under this section shall be made public upon the request of any person. (b) The secretary may not issue an offsite sales permit to the following: (1) Except as provided in subsection (c), an applicant dealer proposing to conduct a sale outside a radius of twenty (20) miles from the applicant dealer's established place of business. (2) An applicant dealer that has held more than three (3) nonconsecutive offsite sales in the year ending on the date of the offsite sale for which the permit application is being submitted. (3) An applicant dealer that is proposing to conduct an offsite sale for more than ten (10) calendar days. (4) An applicant dealer that has failed: (A) to pay the applicable fee; or (B) file an affidavit or statement; under this section. (5) A transfer dealer. (6) An automotive salvage recycler. (c) The following may conduct an offsite sale with an offsite sales permit outside a radius of twenty (20) miles from the entity's established place of business: (1) A new manufactured home dealer. (2) A recreational vehicle dealer. (3) A rental company that is a dealer conducting a sale at a site within twenty (20) miles of any of its company owned affiliates. (4) An off-road vehicle dealer. (5) An applicant dealer that is selling only motor vehicles classified as classic, collector, or antique under rules adopted under section 18(a)(2)(B) of this chapter. (d) An application for an offsite sales permit must include an affidavit stating that the proposed location is zoned for the operation of the dealer's offsite sale from: (1) the person charged with enforcing a zoning ordinance, if the person exists; or (2) the zoning enforcement officer under IC 36-7-4; who has jurisdiction over the real property where the dealer wants to conduct an offsite sale. (e) If there is no person or officer under subsection (d)(1) or (d)(2), the application must be accompanied by a statement of authorization from the executive (as defined in IC 36-1-2-5) of the unit in which the real property is located. (f) The affidavit or statement may not be signed by a person described in subsection (d)(1) or (d)(2) or the executive of a unit more than ninety (90) days before the affidavit or statement is submitted to the secretary as part of an application for a permit under this section. (g) Section 2(c) of this chapter does not apply to the application or issuance of an offsite sales permit under this section. (h) The fee for an offsite sales permit is twenty-five dollars ($25). The fee is nonrefundable and shall be deposited as set forth in IC 9-32-7-3. (i) A dealer may not hold an offsite sale unless it has been at least thirty (30) days since the final day of the dealer's last offsite sale. As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.70; P.L.174-2016, SEC.88; P.L.284-2019, SEC.33; P.L.120-2020, SEC.65; P.L.20-2022, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-12.5. Duration of License Issued After December 31, 2014; Violation; Fee

Sec. 12.5. (a) This section applies to licenses (other than wholesale dealer licenses) issued after December 31, 2014. (b) An initial or renewed license issued under this article is valid from the issue date through the expiration date in accordance with the following schedule: (1) A license for a person whose business name begins with the letters A through B expires February 1 of each year. (2) A license for a person whose business name begins with the letter C expires March 1 of each year. (3) A license for a person whose business name begins with the letters D through F expires April 1 of each year. (4) A license for a person whose business name begins with the letters G through H expires May 1 of each year. (5) A license for a person whose business name begins with the letters I through J expires June 1 of each year. (6) A license for a person whose business name begins with the letters K through L expires July 1 of each year. (7) A license for a person whose business name begins with the letters M through N expires August 1 of each year. (8) A license for a person whose business name begins with the letters O through P expires September 1 of each year. (9) A license for a person whose business name begins with the letters Q through R expires October 1 of each year. (10) A license for a person whose business name begins with the letter S expires November 1 of each year. (11) A license for a person whose business name begins with the letters T through V expires December 1 of each year. (12) A license for a person whose business name begins with the letters W through Z expires January 1 of each year. (c) A dealer license issued to a person whose business name begins with a nonalpha character expires November 1 of each year. (d) The fee for the renewal of an automotive salvage recycler license is ten dollars ($10). The fees collected under this subsection are nonrefundable and shall be retained by the secretary. (e) The fee for the renewal of a watercraft dealer license is thirty dollars ($30). The fees collected under this subsection are nonrefundable and shall be retained by the secretary. (f) The fee for the renewal of a manufacturer or distributor license is thirty-five dollars ($35). The fees collected under this subsection are nonrefundable and shall be retained by the secretary. (g) The fee for the renewal of a converter manufacturer or transfer dealer license is twenty dollars ($20). The fees collected under this subsection are nonrefundable and shall be deposited as set forth in IC 9-32-7-3. (h) The fee for the renewal of a used motor vehicle dealer, new motor vehicle dealer, or automotive auction company license is thirty dollars ($30). The fees collected under this section are nonrefundable and shall be deposited as set forth in IC 9-32-7-3. (i) A person who violates this section by operating on an expired license issued under this chapter commits a Class A infraction. (j) In the event of a natural disaster or other emergency that prevents the secretary from

processing an application for license renewal, the secretary may issue an order extending license expiration dates for not more than twelve (12) additional months. As added by P.L.62-2014, SEC.38. Amended by P.L.113-2014, SEC.32; P.L.174-2016, SEC.91; P.L.179-2017, SEC.89; P.L.120-2020, SEC.66; P.L.182-2021, SEC.20.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-13. Transfer of Assignment of Motor Vehicle or Watercraft Title

Sec. 13. A person licensed under this article may transfer or assign a title for a motor vehicle or watercraft. As added by P.L.92-2013, SEC.78. Amended by P.L.179-2017, SEC.90.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-14. Liability Coverage

Sec. 14. At the time of each license application and upon request of the secretary, a person licensed under this article shall furnish evidence that the person: (1) has garage liability insurance of at least five hundred thousand dollars ($500,000) covering the person's established place of business; (2) is a member of a risk retention group that is regulated by the Indiana department of insurance; or (3) has a liability insurance policy or garage liability policy covering the person's established place of business with limits of at least the following: (A) One hundred thousand dollars ($100,000) for bodily injury to one (1) person. (B) Three hundred thousand dollars ($300,000) for bodily injury for each accident. (C) Fifty thousand dollars ($50,000) for property damage. The minimum amounts required by this section must be maintained during the time the license is valid. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.92; P.L.20-2022, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-15. Cessation of Business Activity

Sec. 15. (a) A person who ceases a business activity for which a license was issued under this article shall do the following: (1) On a form prescribed by the secretary, notify the secretary of the date that the business activity will cease. (2) Deliver to the secretary the license and all permanent dealer license plates, including dealer designee license plates, issued to the person not later than ten (10) days after the date the business activity ceased. (b) A dealer may not transfer or sell the: (1) dealer's license; (2) use of the dealer's license; (3) dealer's dealer license plates; or (4) use of the dealer's dealer license plates. (c) A dealer that changes its form of organization or state of incorporation may continue the dealer's licensure by filing an amendment to the license and registration if the change does not involve a material fact in the financial condition or management of the dealer. The amendment becomes effective when filed or on the date designated by the dealer in its filing. The new organization is a successor to the original dealer for the purposes of this article. (d) If there is a change in the dealer's ownership, the successive owner shall file a new application for a license under this chapter. As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.72; P.L.174-2016, SEC.93; P.L.179-2017, SEC.91; P.L.120-2020, SEC.67.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-16. Deposit of Revenues in Motor Vehicle Highway Account

Sec. 16. Except as otherwise provided in this chapter, all revenues accruing to the secretary under this chapter shall be deposited in the motor vehicle highway account under IC 8-14-1. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.94.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-17. Sale and Delivery of Motor Vehicle Through Internet

Sec. 17. (a) A dealer who sells a motor vehicle through the use of the Internet or another computer network shall deliver the motor vehicle to the customer, or the customer's representative, at the dealer's licensed location in Indiana. (b) A dealer may deliver a motor vehicle to a location other than the dealer's licensed location in Indiana if the delivery is: (1) requested by a customer in writing; and (2) commenced from the dealer's licensed location in Indiana. As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.39; P.L.174-2016, SEC.95; P.L.182-2021, SEC.21.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-18. Special Event Permits; Fee

Sec. 18. (a) A person licensed under this article shall be issued a special event permit from the secretary for a special event that meets the following conditions: (1) The event is a motor vehicle auction conducted by auctioneers licensed under IC 25-6.1-3. (2) The motor vehicles to be auctioned are: (A) at least fifteen (15) years old; or (B) classified as classic, collector, or antique motor vehicles under rules adopted by the secretary. (3) At least one hundred (100) motor vehicles will be auctioned during the special event. (4) The licensee submits to the secretary an application for a special event permit not later than thirty (30) days before the beginning date of the special event. (5) The application under subdivision (4) includes the following: (A) An affidavit stating that the proposed location is zoned for the operation of a special event auction from: (i) the person charged with enforcing a zoning ordinance; or (ii) a zoning enforcement officer under IC 36-7-4; who has jurisdiction over the real property where the applicant wants to operate the special event auction. (B) A fee of two hundred fifty dollars ($250). The fee shall be deposited as set forth in IC

9-32-7-3. (b) If there is no person or officer under subsection (a)(5)(A), the application must be accompanied by a statement to that effect from the executive (as defined in IC 36-1-2-5) of the unit in which the real property is located. (c) The applicant may file the affidavit or statement at any time after the filing of the application. However, the secretary may not issue a special event auction permit until the applicant files the affidavit or statement. (d) The affidavit or statement may not be signed by a person described in subsection (a)(5)(A) or the executive of a unit described in subsection (b) more than ninety (90) days before the affidavit or statement is submitted to the secretary as part of an application for a permit under this section. (e) Not more than two (2) special event permits may be issued by the secretary to the same applicant within a twelve (12) month period. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.96; P.L.179-2017, SEC.92; P.L.284-2019, SEC.35.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-2.1. Established Place of Business

Sec. 2.1. A dealer must have an established place of business that meets the minimum standards prescribed by the secretary under rules adopted under IC 4-22-2. A location that performs only ministerial tasks is not sufficient. As added by P.L.120-2020, SEC.60.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-2.5. Automotive Mobility Dealer License and Endorsement

Sec. 2.5. (a) An automotive mobility dealer must be licensed under this article as a used motor vehicle dealer, manufacturer, new motor vehicle dealer, or converter manufacturer. (b) Effective January 1, 2018, before an automotive mobility dealer engages in any of the activities described in IC 9-32-2.1-4, the automotive mobility dealer must have an automotive mobility dealer endorsement issued by the secretary. (c) An application for an automotive mobility endorsement must be: (1) on a form prescribed by the secretary; and (2) accompanied by proof that the applicant is accredited through the Quality Assurance Program of the National Mobility Equipment Dealers Association. As added by P.L.179-2017, SEC.81. Amended by P.L.137-2018, SEC.10; P.L.120-2020, SEC.61; P.L.104-2024, SEC.32.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-2. License Application; Affidavits; Bonds; Fees

Sec. 2. (a) An application for a license under this article must: (1) be accompanied by payment of the applicable fee required under this section; (2) be on a form prescribed by the secretary; (3) contain the information the secretary considers necessary to enable the secretary to determine fully: (A) the qualifications and eligibility of the applicant to receive the license; and (B) the ability of the applicant to conduct properly the business for which the application is submitted; (4) contain evidence of a bond required in subsection (e); (5) contain evidence of liability coverage required by section 14 of this chapter; (6) contain the federal tax identification number issued to the dealer; and (7) contain the registered retail merchant's certificate issued to the dealer under IC 6-2.5-8. (b) An application for a license as a dealer must show whether the applicant proposes to sell new or used motor vehicles, or both. (c) An applicant who proposes to use the Internet or another computer network to facilitate the sale of motor vehicles shall maintain all records at the established place of business in Indiana. (d) Except as provided in subsection (e), the application must include an affidavit from: (1) the person charged with enforcing a zoning ordinance, if one exists; or (2) the zoning enforcement officer under IC 36-7-4; who has jurisdiction over the real property where the applicant wants to operate as a dealer. The affidavit must state that the proposed location is zoned for the operation of a dealer's establishment. (e) If there is no person or officer under subsection (d)(1) or (d)(2), the application must be accompanied by a statement to that effect from the executive (as defined in IC 36-1-2-5) of the unit in which the real property is located. (f) The applicant may file the zoning affidavit under subsection (d) or statement under subsection (e) with the application at any time after the filing of the application. However, the secretary may not issue a license until the applicant files the affidavit or the statement. (g) The zoning affidavit under subsection (d) or statement under subsection (e) may not be signed by a person described in subsection (d)(1) or (d)(2) or the executive of the unit more than ninety (90) days before the affidavit or statement is submitted to the secretary as part of an application for a license under this article. (h) A licensee shall maintain a bond satisfactory to the secretary in the amount of twenty-five thousand dollars ($25,000). The bond must: (1) be in favor of the state; (2) secure payment of fines, penalties, costs, and fees assessed by the secretary after: (A) notice; (B) opportunity for a hearing; and (C) opportunity for judicial review; and (3) secure the payment of damages to a person aggrieved by a violation of this article by the licensee after a judgment has been issued. (i) Service under this chapter shall be made in accordance with the Indiana Rules of Trial Procedure. (j) The fee for a license for a manufacturer or a distributor is thirty-five dollars ($35). (k) The fee for a license for a used motor vehicle dealer, new motor vehicle dealer, or automobile auction company is thirty dollars ($30). (l) The fee for a transfer dealer or a converter manufacturer is twenty dollars ($20). (m) The fees collected under this section are nonrefundable and shall be deposited as set forth in IC 9-32-7-3. (n) An application for a used motor vehicle dealer license must include a certificate of completion of the training course described in IC 9-32-16-1.3, issued by the Independent Automobile Dealers Association domiciled in Indiana. As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.28; P.L.151-2015, SEC.65; P.L.174-2016, SEC.83; P.L.179-2017, SEC.80; P.L.284-2019, SEC.30; P.L.120-2020, SEC.59; P.L.20-2022, SEC.11; P.L.116-2024, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-20. Applicability; Prohibition on Direct Sales by Manufacturers; Exceptions; Effect of Conveying

Majority Interest

Sec. 20. (a) This section does not apply to: (1) a manufacturer of a trailer or semitrailer; or (2) a manufacturer that produces fewer than one thousand (1,000) units per year. (b) Except as provided in subsection (d) or under IC 9-32-13-23(a)(3), a manufacturer or distributor may not sell or offer to sell, directly or indirectly, a new motor vehicle to the general public in Indiana except through a new motor vehicle dealer holding a franchise for the line make covering the new motor vehicle. This subsection does not apply to the sales of new motor vehicles by a manufacturer or franchisor to: (1) the federal government; (2) a charitable organization; or (3) an employee of the manufacturer or distributor. (c) Except as provided in subsection (d), a manufacturer or distributor may not engage in sales directly to the general public in Indiana. (d) A manufacturer or distributor may engage in sales directly to the general public in Indiana only if: (1) the manufacturer or distributor was granted an initial license to sell new motor vehicles before July 1, 2015; and (2) the manufacturer or distributor establishes at least one (1) physical location in Indiana that is a warranty repair service center before January 1, 2018. (e) A manufacturer or distributor described in subsection (d) must stop engaging in sales directly to the general public in Indiana if the manufacturer or distributor sells, transfers, or conveys a majority interest in the manufacturer or distributor to another person that is required to be licensed under this chapter. As added by P.L.260-2017, SEC.2. Amended by P.L.112-2018, SEC.1; P.L.245-2019, SEC.3; P.L.118-2022, SEC.33.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-21. Maintenance of Files for Motor Vehicles or Watercraft Sales

Sec. 21. (a) Except as provided in subsection (b), a dealer that sells a motor vehicle or watercraft must maintain a separate file for each sale. (b) The following documents, if applicable to the sale, must be maintained in the file required by subsection (a) for each sale of a motor vehicle or watercraft: (1) Finance agreement. (2) Sales receipt from auction. (3) Title affidavit required by IC 9-32-4-1. (4) Interim plates generated in error. (5) Copy of rebuilt vehicle disclosure required by IC 9-32-13-6. (6) Bill of sale. (7) Copy of title. (8) Form ST-108 (department of state revenue certificate of gross retail or use tax paid on the purchase of a motor vehicle or watercraft). (9) Proof of delivery or transmission of the certificate of title required by IC 9-32-4-1(b)(3). (10) Flood damage affidavit required under IC 9-32-9-13. As added by P.L.137-2018, SEC.11. Amended by P.L.120-2020, SEC.68.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-23. Remedy Procedure Requirements for a Manufacturer or Distributor; Compensation

Sec. 23. (a) Except as otherwise provided in an agreement for reimbursement that provides for reimbursement in an amount that is equivalent to or greater than the amount set forth in subsection (b), a manufacturer or distributor shall provide a remedy procedure or parts to repair a new or used motor vehicle that is subject to a stop sale directive, if: (1) the dealer has an active sales and service agreement with the manufacturer or distributor for the line make of the new or used motor vehicle subject to the stop sale directive; and (2) the new or used motor vehicle subject to the stop sale directive is in the dealer's inventory at the time the stop sale directive is issued. (b) If a manufacturer or distributor is required to provide a remedy under subsection (a) and does not provide a remedy or parts required under subsection (a) for at least thirty (30) days after the stop sale directive is issued, the manufacturer or distributor shall, upon application of the dealer, pay or credit the dealer an amount equal to one percent (1%) of the new motor vehicle price invoiced to the dealer or one percent (1%) of the average wholesale value of the used motor vehicle per month. (c) A manufacturer or distributor may cease compensation under subsection (b) on the date upon which of any of the following occurs: (1) The stop sale directive is withdrawn. (2) The manufacturer or distributor provides the dealer with a remedy or parts under subsection (a). (3) The dealer sells, trades, transfers, or otherwise disposes of the new or used motor vehicle. (d) This section does not require a manufacturer or distributor to provide total compensation to a dealer that would exceed the total new motor vehicle price invoiced to the dealer or average wholesale value of the used motor vehicle. (e) A manufacturer or distributor may compensate a dealer under a recall compensation program an amount not less than an amount described under this section if the dealer agrees to compensation under the program. (f) Any compensation provided to a dealer under this section is exclusive and may not be combined with any other recall compensation remedy under state or federal law. As added by P.L.134-2023, SEC.5. Amended by P.L.116-2024, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-5. Franchise; Filing With Secretary of State

Sec. 5. (a) This section does not apply to dealers selling new manufactured homes. (b) A dealer proposing to sell new motor vehicles or watercraft shall file and maintain with the secretary: (1) a current copy of each franchise to which the dealer is a party; or (2) if the dealer is a party to multiple franchises that are identical except for stated items, a copy of the franchise form with supplemental schedules of variations from the form. As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.31; P.L.151-2015, SEC.66; P.L.179-2017, SEC.82; P.L.120-2020, SEC.62.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-6. Display of License; Change of Business Name or Location; Application for Approval of Change

Sec. 6. (a) A license issued to a dealer under this article: (1) must specify the established place of business; and (2) shall be conspicuously displayed at the established place of business. (b) If a dealer's: (1) business name, including a doing business as name; (2) established place of business address; (3) business entity type; (4) contact information; (5) dealer owner; or (6) dealer

manager; changes, the dealer shall submit to the secretary an application for approval of the change not later than ten (10) days after the change in a manner prescribed by the secretary. (c) A dealer that uses the Internet or another computer network to facilitate the sale of motor vehicles as set forth in section 2(c) of this chapter shall notify the secretary not later than ten (10) days after any change in a name, address, or telephone number documented in business records located outside Indiana that have been created in transactions made in Indiana by the dealer. (d) Except as provided in subsection (e), an application requesting a change to the address for the dealer's established place of business must be accompanied by an affidavit stating that the proposed location is zoned for the operation of a dealer's establishment from: (1) the person charged with enforcing a zoning ordinance described in this subsection; or (2) the zoning enforcement officer under IC 36-7-4; that has jurisdiction over the real property where the applicant wants to operate as a dealer. (e) If there is no person or officer under subsection (d)(1) or (d)(2), the application must be accompanied by a statement to that effect from the executive (as defined in IC 36-1-2-5) of the unit in which the real property is located. (f) The secretary may not approve a change of location until the dealer provides the affidavit or the statement. (g) The affidavit or statement may not be signed by a person described in subsection (d)(1) or (d)(2) or the executive of a unit more than ninety (90) days before the affidavit or statement is submitted to the secretary as part of an application for a change of location. (h) For the purpose of this section, an offsite sales license issued under section 11 of this chapter does not constitute a change of location. As added by P.L.92-2013, SEC.78. Amended by P.L.2-2014, SEC.47; P.L.62-2014, SEC.32; P.L.151-2015, SEC.67; P.L.174-2016, SEC.84; P.L.179-2017, SEC.83; P.L.284-2019, SEC.31; P.L.20-2022, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-7.5. Lost or Destroyed Representative Certificate; Replacement

Sec. 7.5. If a manufacturer representative or distributor representative certificate issued under section 7 of this chapter is lost or destroyed, the manufacturer or distributor shall request a replacement certificate from the secretary in a manner prescribed by the secretary. As added by P.L.179-2017, SEC.85.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-7. Distributor Representative; Manufacturer Representative; Certification; Expiration; Fee

Sec. 7. (a) A distributor representative and a manufacturer representative become certified by: (1) the licensed distributor or licensed manufacturer completing an application with the secretary to add the distributor representative or manufacturer representative to the license; and (2) paying a nonrefundable fee of twenty dollars ($20). The fee shall be deposited as set forth in IC 9-32-7-3. (b) Any change to the certification of the distributor representative or manufacturer representative must be submitted to the secretary for approval not later than ten (10) days after the change. A representative must have a certification when engaged in business and shall display the certification upon request. (c) A distributor representative or manufacturer representative certification expires on the earlier of the following dates: (1) The date on which the license issued to the distributor or manufacturer that certified the representative expires. (2) The date on which the secretary receives notice that the certified distributor representative or manufacturer representative is no longer a representative of the licensed distributor or manufacturer. (d) The fee to renew a manufacturer representative or a distributor representative certificate is twenty dollars ($20). The fee is nonrefundable and shall be deposited as set forth in IC 9-32-7-3. As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.33; P.L.151-2015, SEC.68; P.L.174-2016, SEC.85; P.L.179-2017, SEC.84; P.L.284-2019, SEC.32.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-8.5. Lost or Destroyed Dealer's License; Replacement

Sec. 8.5. If a dealer's license is lost or destroyed, the dealer must apply for a replacement dealer license in a manner prescribed by the secretary. As added by P.L.179-2017, SEC.87.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-8. Application for and Renewal of Dealer Endorsement

Sec. 8. The secretary shall, by rules adopted under IC 4-22-2, establish requirements for an initial application for and renewal of a dealer's license. The rules must include a requirement that each initial or renewal application for an automotive mobility dealer endorsement include proof that the applicant is accredited through the Quality Assurance Program of the National Mobility Equipment Dealers Association. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.86; P.L.179-2017, SEC.86.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 11. Regulation of Vehicle Merchandising9-32-11-9. Automotive Mobility Dealers; Display, Inventory, Advertising, and Offering for Sale Adapted Motor Vehicles and Watercraft

Sec. 9. An automotive mobility dealer licensed and endorsed under this article is entitled to: (1) display; (2) inventory; (3) advertise; (4) offer for sale; or (5) do any combination of subdivisions (1) through (4) concerning; any adapted motor vehicle or watercraft. As added by P.L.92-2013, SEC.78. Amended by P.L.179-2017, SEC.88; P.L.120-2020, SEC.63.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-1. Requiring Purchase of Equipment, Part, or Accessory as a Condition of Sale

Sec. 1. It is an unfair practice for a dealer to require a purchaser of a motor vehicle, as a condition of sale and delivery of the motor vehicle, to purchase any equipment, part, or accessory not ordered by the purchaser unless the equipment, part, or accessory is: (1) already installed on the motor vehicle when the motor vehicle is received by or offered for sale by the dealer; or (2) required by law. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-10. Manufacturer or Distributor Requiring Changes in Capital Structure or Financing

Sec. 10. It is an unfair practice for a manufacturer or distributor to prevent or require, or attempt to prevent or require, by contract or otherwise, a change in the capital structure of a dealer or the means by or through which the dealer finances the dealer's operation, if the dealer at all times meets reasonable capital standards agreed to by the dealer and the manufacturer or distributor. A change in capital structure does not cause a change in the principal management or have the effect of a sale of the franchise without the consent of the manufacturer or distributor. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-11. Manufacturer or Distributor Requiring Changes in Dealer Management

Sec. 11. It is an unfair practice for a manufacturer or distributor to prevent or require, or attempt to prevent or require, a dealer to change the dealer's executive management, other than the principal dealer operator or operators, if the franchise was granted in reliance upon the personal qualifications of the principal dealer operator or operators. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-12. Restraint by Manufacturer or Distributor of Sale or Transfer of Interest by Dealer

Sec. 12. It is an unfair practice for a manufacturer or distributor to prevent or require, or attempt to prevent or require, by contract or otherwise, a dealer or an officer, a partner, or a stockholder of a dealer to sell or transfer a part of the interest of the officer, partner, or stockholder to any other person. A dealer, an officer, a partner, or a stockholder may not sell, transfer, or assign the franchise or a right under the franchise without the consent of the manufacturer or distributor. This consent may not be withheld unreasonably. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-13. Manufacturer or Distributor Preventing Dealer From Fair Competition

Sec. 13. It is an unfair practice for a manufacturer or distributor to prevent or attempt to prevent a dealer from receiving fair and reasonable compensation for the value of the franchised business as a going concern. The dealer may not transfer or assign the dealer's franchise without the consent of the manufacturer or distributor, and the manufacturer or distributor may not unreasonably withhold consent. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-14. Employment by Manufacturer or Distributor of Person Who Is Not Certified

Sec. 14. It is an unfair practice for a manufacturer or distributor to employ a person as a representative who is not certified under this article. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.100.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-15.5. Compensation for Warranty Services

Sec. 15.5. (a) This section does not apply to manufacturers or distributors of manufactured housing, heavy duty vocational vehicles (as defined in 49 CFR 523.8), or recreational vehicles. (b) Unless otherwise agreed, it is an unfair practice for a manufacturer or distributor to fail to compensate a dealer anything less than the dealer's retail rates for parts or labor the dealer uses in performing the warranty services of the manufacturer or distributor, or for a manufacturer or distributor of a separate vehicle component or major vehicle assembly that is warranted independently of the motor vehicle to fail to compensate a dealer anything less than the dealer's retail rate for the parts or labor the dealer uses in performing the warranty services of the manufacturer or distributor. The dealer's retail rate for parts must be a percentage determined by dividing the total charges for parts used in warranty like repairs by the dealer's total cost for those parts minus one (1) in the lesser of one hundred (100) customer paid sequential repair orders or ninety (90) consecutive days of customer paid repair orders. The dealer's retail rate for labor shall be determined by dividing the total labor sales for warranty like repairs by the number of hours that generated those sales in one hundred (100) customer paid sequential repair orders or ninety (90) consecutive days of customer paid repair orders. A retail rate may be calculated based upon only customer paid repair orders charged within one hundred eighty (180) days before the date the dealer submits the declaration. (c) The dealer's submission for retail rates must include a declaration of the dealer's retail rates for parts or labor along with the supporting service repair orders paid by customers. A manufacturer or distributor may challenge the dealer's declaration by submitting a rebuttal not later than sixty (60) days after the date the declaration was received. If the manufacturer or distributor does not send a timely rebuttal to the dealer, the retail rate is established as reasonable and goes into effect automatically. (d) If a rebuttal in subsection (c) is timely sent, the rebuttal must substantiate how the dealer's declaration is unreasonable or materially inaccurate. The

rebuttal must propose an adjusted retail rate and provide written support for the proposed adjustments. If the dealer does not agree with the adjusted retail rate, the dealer may file a complaint with the dealer services division within the office of the secretary of state. (e) A complaint filed under subsection (d) must be filed not later than thirty (30) days after the dealer receives the manufacturer's or distributor's rebuttal. On or before filing a complaint, a dealer must serve a demand for mediation upon the manufacturer or distributor. (f) When calculating the retail rate customarily charged by the dealer for parts or labor under this section, the following work may not be included: (1) Repairs for manufacturer or distributor special events, specials, or promotional discounts for retail customer repairs. (2) Parts sold or repairs performed at wholesale. (3) Routine maintenance not covered under a retail customer warranty, such as fluids, filters, and belts not provided in the course of repairs. (4) Nuts, bolts, fasteners, and similar items that do not have an individual part number. (5) Vehicle reconditioning. (6) Accessories. (7) Repairs of damage caused by a collision, a road hazard, the force of the elements, vandalism, or theft. (8) Vehicle emission or safety inspections required by law. (9) Manufacturer or distributor reimbursed goodwill or policy repairs or replacements. (10) Replacement of tires. (g) If a manufacturer or distributor furnishes a part or component to a dealer at no cost to use in performing repairs under a recall, campaign service, or warranty repair, the manufacturer or distributor shall compensate the dealer for the part or component in the same manner as warranty parts compensation under this section by compensating the dealer the average markup on the cost for the part or component as listed in the manufacturer's or distributor's initial or original price schedule minus the cost for the part or component. (h) A manufacturer or distributor may not require a dealer to establish the retail rate customarily charged by the dealer for parts or labor by an unduly burdensome or time consuming method or by requiring information that is unduly burdensome or time consuming to provide, including part by part or transaction by transaction calculations. A dealer may not declare an average percentage parts markup or average labor rate more than once in a twelve (12) month period. A manufacturer or distributor may perform annual audits to verify that a dealer's effective rates have not decreased. If a dealer's effective rates have decreased, a manufacturer or distributor may reduce the warranty reimbursement rate prospectively. A dealer may elect to revert to the nonretail rate reimbursement for parts or labor not more than once in a twelve (12) month period. (i) A manufacturer or distributor may not impose a surcharge on a dealer for the purpose of recovering any of its costs related to the reimbursement of a dealer for parts or labor required under this section. This subsection does not prohibit a manufacturer or distributor from increasing the wholesale price of a vehicle or part in the ordinary course of business. (j) If a dealer files a complaint with the dealer services division within the office of the secretary of state, the warranty reimbursement rate in effect before any mediation or complaint remains in effect until thirty (30) days after: (1) a final decision has been issued by a court with jurisdiction; and (2) all appeals have been exhausted. As added by P.L.167-2016, SEC.2. Amended by P.L.112-2018, SEC.2; P.L.284-2019, SEC.36.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-15. Retail Rates

Sec. 15. (a) It is an unfair practice for a manufacturer or distributor to fail to compensate a dealer at the dealer's retail rate for the work and services the dealer is required to perform in connection with the dealer's delivery and preparation obligations under any franchise, or fail to compensate a dealer anything less than the dealer's retail rate for labor and parts under the manufacturer's warranty agreements as long as the dealer's retail rate is reasonable. Judgment of the reasonableness includes consideration of charges for similar repairs by similarly situated repair facilities in Indiana. (b) This section does not authorize a manufacturer or distributor and its franchisees in Indiana to establish a uniform hourly labor reimbursement rate effective for the entire state. (c) This section does not apply to manufacturers or distributors of manufactured housing, heavy duty vocational vehicles (as defined in 49 CFR 523.8), or recreational vehicles. As added by P.L.92-2013, SEC.78. Amended by P.L.167-2016, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-16. Contract for Uniform Warranty Reimbursement Policy

Sec. 16. (a) A manufacturer or distributor and at least thirty percent (30%) of its franchisees in Indiana of the same line make may agree in an express written contract citing this section to a uniform warranty reimbursement policy to be used by franchisees for the performance of warranty repairs. The contract must include reimbursement for parts used in warranty repairs or the use of a uniform time standards manual, or both. The allowance for diagnosis within the uniform time standards manual must be reasonable and adequate for the work and service to be performed. The manufacturer or distributor: (1) may have only one (1) contract with regard to each line make; and (2) must have a reasonable and fair procedure for franchisees to request a modification or adjustment of a standard included in the uniform time standards manual. (b) A contract described in subsection (a) must meet the following criteria: (1) Establish a uniform parts reimbursement rate that must be greater than the manufacturer's or distributor's nationally established parts reimbursement rate in effect at the time the contract becomes effective. A subsequent contract must include a uniform reimbursement rate that is equal to or greater than the rate in the immediately prior contract. (2) Apply to all warranty repair orders written while the agreement is in effect. (3) At any time during the period the contract is in effect: (A) be available to any franchisee of the same line make as the franchisees that entered into the contract with the manufacturer or distributor; and (B) be available to a franchisee of the same line make on the same terms as apply to the franchisees that entered into the contract with the manufacturer or distributor. (4) Be for a term not to exceed three (3) years. (5) Allow any party to the uniform warranty reimbursement policy to terminate the policy with thirty (30) days prior written notice to all parties upon the annual anniversary of the policy, if the policy is for at least one (1) year. (6) Remain in effect for the entire original period if the manufacturer and at least one (1) franchisee remain parties to the policy. (c) A manufacturer or distributor that enters into a contract with its franchisees under subsection (a) shall do the following: (1) Certify to the secretary under oath, in a writing signed by a representative of the manufacturer or distributor, that at

the time the contract was entered into at least thirty percent (30%) of the franchisees of the line make were parties to the contract. (2) File a copy of the contract with the secretary at the time of the certification. (3) Maintain a file that contains the information upon which the certification required under subdivision (1) is based for three (3) years after the certification is made. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.101; P.L.284-2019, SEC.37.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-17. Payment or Disapproval of Dealer Claims; Basis of Disapproval; Notice of Disapproval; Appeals, Audits, and Chargebacks

Sec. 17. (a) It is an unfair practice for a manufacturer or distributor to: (1) fail to pay a claim made by a dealer for compensation for: (A) delivery and preparation work; (B) warranty work; and (C) incentive payments; not later than thirty (30) days after the claim is approved; (2) fail to approve or disapprove a claim not later than thirty (30) days after receipt of the claim; or (3) disapprove a claim without notice to the dealer in writing of the grounds for disapproval. (b) A manufacturer or distributor may: (1) audit a claim made by a dealer; or (2) charge back to a dealer any amounts paid on a: (A) false or fraudulent claim; (B) claim in which repairs were not properly made; (C) claim involving work that was not necessary to correct a defective condition; or (D) claim that the dealer failed to substantiate in accordance with the manufacturer's written procedures or other reasonable means; for up to twelve (12) months after the date on which the claim is paid. However, the limitations of this subsection do not apply if the manufacturer or distributor can prove fraud on a claim. A manufacturer or distributor shall not discriminate among dealers with regard to auditing or charging back claims. (c) Except as provided in subsection (d), a manufacturer or distributor may not deny a claim based solely on a motor vehicle dealer's incidental failure to comply with a specific claim processing requirement, including a clerical error or other administrative technicality that does not call into question the legitimacy of a claim when the dealer has provided reasonably sufficient documentation of the dealer's good faith attempt to perform necessary work in compliance with the written policies and procedures of the manufacturer. (d) A manufacturer or distributor shall provide a dealer with written notification of the specific grounds upon which a claim is being charged back as a result of an audit. A manufacturer or distributor shall provide a reasonable appeals process allowing the dealer at least thirty (30) days after receipt of the notice of charge back to provide additional supporting documentation or information rebutting the charge back. If the charge back is based upon noncompliance with documentation requirements, material claim submission requirements, or other material clerical errors, the manufacturer or distributor shall allow the dealer thirty (30) days from the receipt of the notice of charge back to cure any material noncompliance. A manufacturer's or distributor's audit or appeals process shall allow a dealer, the dealer's designated agent, officer, or employee to request, in writing, a meeting with the manufacturer or distributor via in-person meeting, video conference, or telephone call or a written explanation of the basis for a charge back. The manufacturer or distributor shall respond with all details and specific information supporting the basis for each charge back. The manufacturer or distributor and the dealer may agree, during the audit or appeals process, to an extension of time for the dealer to cure any material noncompliance as necessitated by the volume of the claim charge backs at issue. (e) A motor vehicle dealer may submit an amended or supplemental claim within the time and manner required by the manufacturer for: (1) sales incentives; (2) service incentives; (3) rebates; or (4) other forms of incentive compensation; for up to sixty (60) days from the date on which such a claim was submitted, could have been submitted, or was charged back. For purposes of this section, a failure to obtain a required signature may not be considered to be a clerical error or administrative technicality. (f) A manufacturer or distributor shall compensate a dealer for assistance requested by a customer whose vehicle is subject to an over-the-air or a remote repair, or an update to a part, system, accessory, or function by a manufacturer or distributor that is performed at a dealership. As added by P.L.92-2013, SEC.78. Amended by P.L.167-2016, SEC.3; P.L.112-2018, SEC.3; P.L.134-2023, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-18. Selling Motor Vehicle to Unlicensed Person for Resale; Adverse Action or Discrimination Against Customer When Customer Intends to Resell Motor Vehicle or Export to Foreign Country

Sec. 18. (a) It is an unfair practice for a distributor to sell a motor vehicle for resale to a person not licensed under this article. (b) This subsection applies if a dealer sells or leases a motor vehicle to a customer that resells the motor vehicle or exports the motor vehicle to a foreign country. A manufacturer or distributor may not take or threaten to take adverse action or otherwise discriminate against the dealer unless the dealer knew or reasonably should have known before the dealer sold or leased the motor vehicle to the customer that the customer intended to resell or export the motor vehicle. Titling and registering a motor vehicle in any state in the name of the customer to whom the dealer sold or leased the motor vehicle establishes a rebuttable presumption that the dealer did not know or should not reasonably have known that the customer intended to resell or export the motor vehicle. (c) For purposes of subsection (b), adverse actions by a manufacturer or distributor include the following conduct by a manufacturer or distributor, whether actual or threatened: (1) Failing or refusing to allocate, sell, or deliver a motor vehicle to the dealer. (2) Discriminating against the dealer in the allocation of motor vehicles. (3) Charging back or withholding payments or other consideration for which a dealer is eligible under a warranty reimbursement, sales promotion, incentive program, or contest. (4) Disqualifying a dealer from participating in a sales promotion, incentive program, or contest. (5) Terminating a franchise. As added by P.L.92-2013, SEC.78. Amended by P.L.152-2013, SEC.1; P.L.151-2015, SEC.74.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-19. Failure to Indemnify and Hold Harmless Dealer for Losses, Costs, and Expenses From Suit for Defect

Sec. 19. It is an unfair practice for a manufacturer or distributor to refuse or fail to indemnify and hold harmless a dealer, upon

written notification from the dealer, from all losses, costs, and expenses that result or arise from or are related to a complaint, claim, defense, or suit against the dealer that concerns defects in a motor vehicle or other goods or services that are the responsibility of the manufacturer or distributor. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-2. Willful Failure of Dealer to Perform Vehicle Delivery and Preparation Obligations

Sec. 2. It is an unfair practice for a dealer to willingly fail to perform the obligations imposed on the dealer in connection with the delivery and preparation of a new motor vehicle for retail sale as provided in the preparation and delivery agreement of the manufacturer or distributor applicable to the motor vehicle. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-20. False, Deceptive, or Misleading Advertising; Deceptive Acts or Practices

Sec. 20. It is an unfair practice for any person required to be licensed under this article, in connection with the person's business, to use false, deceptive, or misleading advertising or to engage in deceptive acts or practices. As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.75.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-21. Unfair Practices of Employees, Agents, Officers, Partners, or Representatives

Sec. 21. It is an unfair practice for an employee, an agent, an officer, a partner, or a representative of a licensee to engage in a practice prohibited by this chapter. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-22. Franchise Termination; Right of First Refusal

Sec. 22. (a) It is an unfair practice for a manufacturer to terminate a franchise in violation of IC 23-2-2.7-3. A dealer may not transfer, assign, or sell the business and assets of a dealership or an interest in the dealership to another person under an agreement that contemplates or is conditioned on a continuation of the franchise relationship with the manufacturer or distributor unless the dealer first: (1) notifies the manufacturer or distributor of the dealer's decision to make the transfer, assignment, or sale by written notice; and (2) obtains the approval of the manufacturer or distributor. The dealer must provide the manufacturer or distributor with completed application forms and related information generally used by the manufacturer or distributor to conduct a review of such a proposal and a copy of all agreements regarding the proposed transfer, assignment, or sale. (b) The manufacturer or distributor shall send a letter by certified mail to the dealer not later than sixty (60) days after the manufacturer or distributor receives the information specified in subsection (a). The letter must indicate any disapproval of the transfer, assignment, or sale and must set forth the material reasons for the disapproval. If the manufacturer or distributor does not respond by letter within sixty (60) days after the manufacturer or distributor receives the information under subsection (a), the manufacturer's or distributor's consent to the proposed transfer, assignment, or sale is considered to have been granted. A manufacturer or distributor may not unreasonably withhold approval of a transfer, assignment, or sale under this section. (c) A manufacturer or distributor has a right of first refusal as specified in the franchise agreement to acquire the new motor vehicle dealer's assets or ownership if there is a proposed change of more than fifty percent (50%) of the dealer's ownership or proposed transfer of more than fifty percent (50%) of the new motor vehicle dealer's assets, and all the following are met: (1) The manufacturer or distributor notifies the dealer in writing of the intent of the manufacturer or distributor to exercise the right of first refusal within the sixty (60) day notice period under subsection (b). (2) The exercise of the right of first refusal will result in the dealer and the dealer's owners receiving consideration, terms, and conditions that are either the same as or better than those they have contracted to receive under the proposed change of more than fifty percent (50%) of the dealer's ownership or transfer of more than fifty percent (50%) of the new motor vehicle dealer's assets. (3) The proposed change of the dealership's ownership or transfer of the new motor vehicle dealer's assets does not involve the transfer of assets or the transfer or issuance of stock by the dealer or one (1) or more of the dealer's owners to any of the following: (A) A designated family member or members, including any of the following members of one (1) or more dealer owners: (i) The spouse. (ii) A child. (iii) A grandchild. (iv) The spouse of a child or a grandchild. (v) A sibling. (vi) A parent. (B) A manager: (i) employed by the dealer in the dealership during the previous four (4) years; and (ii) who is otherwise qualified as a dealer operator. (C) A partnership or corporation controlled by any of the family members described in clause (A). (D) A trust arrangement established or to be established: (i) for the purpose of allowing the new motor vehicle dealer to continue to qualify as such under the manufacturer's or distributor's standards; or (ii) to provide for the succession of the franchise agreement to designated family members or qualified management in the event of the death or incapacity of the dealer or the principal owner or owners. (4) Except as otherwise provided in this subsection, the manufacturer or distributor agrees to pay the reasonable expenses, including reasonable attorney's fees, that do not exceed the usual, customary, and reasonable fees charged for similar work done for other clients, and that are incurred by the proposed owner or transferee before the manufacturer's or distributor's exercise of the right of first refusal in negotiating and implementing the contract for the proposed change of the dealer ownership or the transfer of the new motor vehicle dealer's assets. Payment of expenses and attorney's fees is not required if the dealer has failed to submit an accounting of those expenses not later than twenty (20) days after the dealer receives the manufacturer's or distributor's written request for such an

accounting. An expense accounting may be requested by a manufacturer or distributor before exercising the right of first refusal. (d) Violation of this section by a manufacturer or distributor is an unfair practice by the manufacturer or distributor. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.102.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-23. Unfair Practices by Manufacturer, Distributor, Officer, or Agent

Sec. 23. (a) It is an unfair practice for a manufacturer, distributor, officer, or agent to do any of the following: (1) Require, coerce, or attempt to coerce a new motor vehicle dealer in Indiana to: (A) change the location of the dealership; (B) make any substantial alterations to the use of franchises; or (C) make any substantial alterations to the dealership premises or facilities; if to do so would be unreasonable or would not be justified by current economic conditions or reasonable business considerations. This subdivision does not prevent a manufacturer or distributor from establishing and enforcing reasonable facility requirements. However, a new motor vehicle dealer may elect to use for the facility alteration locally sourced materials or supplies that are substantially similar to those required by the manufacturer or distributor, subject to the approval of the manufacturer or distributor. A manufacturer or distributor may not require a dealer to purchase a product or service from a vendor designated by the manufacturer or distributor if the dealer selects a vendor that provides products or services that are substantially similar to that of the vendor designated by the manufacturer or distributor, meets reasonable program standards or requirements of the manufacturer or distributor, and is subject to the approval of the manufacturer or distributor. (2) Require, coerce, or attempt to coerce a new motor vehicle dealer in Indiana to divest ownership of or management in another line or make of motor vehicles that the dealer has established in its dealership facilities with the prior written approval of the manufacturer or distributor. (3) Establish or acquire wholly or partially a franchisor owned outlet engaged wholly or partially in a substantially identical business to that of the franchisee within the exclusive territory granted the franchisee by the franchise agreement or, if no exclusive territory is designated, competing unfairly with the franchisee within a reasonable market area. A franchisor is not considered to be competing unfairly or in violation of IC 9-32-11-20 if operating: (A) a business for less than two (2) years; (B) in a bona fide retail operation that is for sale to any qualified independent person at a fair and reasonable price; or (C) in a bona fide relationship in which an independent person has made a significant investment subject to loss in the business operation and can reasonably expect to acquire majority ownership or managerial control of the business on reasonable terms and conditions. (4) Require a dealer, as a condition of granting or continuing a franchise, approving the transfer of ownership or assets of a new motor vehicle dealer, or approving a successor to a new motor vehicle dealer to: (A) construct a new dealership facility; (B) modify or change the location of an existing dealership; (C) grant the manufacturer or distributor control rights over any real property owned, leased, controlled, or occupied by the dealer; or (D) unreasonably participate in a facility program sponsored by the manufacturer or distributor that requires fueling or electric vehicle charging fixed assets that are not reasonably necessary for the retail sale and service of new motor vehicles that the dealer is authorized to sell and service. (5) Prohibit a dealer from representing more than one (1) line make of motor vehicles from the same or a modified facility if: (A) reasonable facilities exist for the combined operations; (B) the dealer meets reasonable capitalization requirements for the original line make and complies with the reasonable facilities requirements of the manufacturer or distributor; and (C) the prohibition is not justified by the reasonable business considerations of the manufacturer or distributor. Subdivisions (3) through (5) do not apply to recreational vehicle manufacturer franchisors. (b) This section does not prohibit the enforcement of a voluntary agreement between the manufacturer or distributor and the franchisee where separate and valuable consideration has been offered and accepted. As added by P.L.92-2013, SEC.78. Amended by P.L.152-2013, SEC.2; P.L.2-2014, SEC.48; P.L.167-2016, SEC.4; P.L.174-2016, SEC.103; P.L.182-2021, SEC.22; P.L.134-2023, SEC.7; P.L.9-2024, SEC.312.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-24. Relocation of New Motor Vehicle Dealers

Sec. 24. (a) This section does not apply to the relocation of a new motor vehicle dealer to a location that is not more than two (2) miles from its established place of business. (b) This section does not apply to the reopening or replacement in a relevant market area of a closed dealership that was closed within the preceding three hundred sixty-five (365) days, if the established place of business of the reopened or replacement dealer is within two (2) miles of the established place of business of the closed dealership. (c) This section does not apply to a new motor vehicle dealer located in a county having a population of more than one hundred thousand (100,000) if: (1) the new motor vehicle dealer relocates to a site that is located at a distance greater than the existing distance of another new motor vehicle dealer of the same line make before the relocation; and (2) the site of the relocation is outside an area that is within a radius of four (4) miles from another new motor vehicle dealer of the same line make; but does apply to a new motor vehicle dealer that, before January 1, 2013, had been engaged in the process of relocating but had not physically relocated to the new intended site by January 1, 2013, and to a new motor vehicle dealer that began engaging in the process of relocating on or after January 1, 2013. (d) Before a franchisor enters into a franchise establishing or relocating a new motor vehicle dealer within a relevant market area where the same line make is represented, the franchisor shall give written notice to each new motor vehicle dealer of the same line make in the relevant market area of the franchisor's intention to establish an additional dealer or to relocate an existing dealer within that relevant market area. (e) Not later than thirty (30) days after: (1) receiving the notice provided for in subsection (d); or (2) the end of any appeal procedure provided by the franchisor; a new motor vehicle dealer may bring a declaratory judgment action before the division to determine whether good cause exists for the establishing or relocating of a proposed new motor vehicle dealer. If an action is filed under this section, the franchisor may not establish or relocate the proposed

new motor vehicle dealer until the division has rendered a decision on the matter. An action brought under this section shall be given precedence over all other matters pending before the division. (f) In determining whether good cause exists for establishing or relocating an additional new motor vehicle dealer for the same line make, the division shall take into consideration the existing circumstances, including the following: (1) Permanency of the investment. (2) Effect on the retail new motor vehicle business and the consuming public in the relevant market area. (3) Whether it is injurious or beneficial to the public welfare. (4) Whether the new motor vehicle dealers of the same line make in that relevant market area are providing adequate competition and convenient consumer care for the motor vehicles of that line make in that market area, including the adequacy of motor vehicle sales and qualified service personnel. (5) Whether the establishment or relocation of the new motor vehicle dealer would promote competition. (6) Growth or decline of the population and the number of new motor vehicle registrations in the relevant market area. (7) The effect on the relocating dealer of a denial of its relocation into the relevant market area. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-25. Acting, Offering to Act As, or Professing to Be a Broker of Motor Vehicles

Sec. 25. It is an unfair practice for a person to: (1) act as; (2) offer to act as; or (3) profess to be; a broker in the advertising, buying, or selling of a motor vehicle. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.104; P.L.120-2020, SEC.69.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-26. Fraud or Deceit, Untrue Statements of Material Fact or Omission

Sec. 26. It is an unfair practice for a dealer to, in connection with the offer, sale, or purchase of a motor vehicle, directly or indirectly: (1) employ a device, scheme, or artifice to defraud; (2) make an untrue statement of a material fact or omit to state a material fact necessary to make the statement made, in light of the circumstances under which the statement was made, not misleading; or (3) engage in an act, practice, or course of business that operates or would operate as a fraud or deceit upon another person. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.105.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-27. Canceling, Terminating, or Refusing to Renew Franchise; Renewal, Replacement, or Succeeding Franchise

Sec. 27. (a) It is an unfair practice for a manufacturer or distributor to do the following: (1) Cancel or terminate a franchise of a franchisee, or fail or refuse to extend or renew a franchise upon the franchise's expiration, without good cause and notice to the franchisee by certified mail, return receipt requested: (A) at least ninety (90) days before the cancellation or termination; or (B) at least ten (10) days before the cancellation or termination if any of the following apply: (i) The franchisee has abandoned business operations or otherwise failed to conduct sales and service operations during regular business hours for at least seven (7) consecutive business days, unless the abandonment or closure is due to an act of God or another act over which the franchisee has no control. (ii) The franchisee or another operator of the franchise has been convicted of or pled guilty to an offense punishable by at least one (1) year of imprisonment. (iii) The dealer files for bankruptcy or enters into receivership. (iv) The license of the dealer is revoked under IC 9-32-11 or IC 9-32-16. (v) The dealer commits fraud. (2) Offer a renewal, replacement, or succeeding franchise that substantially changes or modifies the sales and service obligations, facilities standards, capital requirements, or other terms of the original franchise or agreement of a franchisee without notice to the franchisee by certified mail, return receipt requested, at least ninety (90) days before the expiration or termination of the original franchise or agreement. (3) Terminate a dealer for the dealer's failure to meet a performance standard that is not statistically valid, reliable, and reasonable. Notice provided under this subsection must include a detailed statement setting forth the specific grounds for the proposed action. (b) For purposes of subsection (a)(1), the following do not constitute good cause, provided that no unfair practice is committed under IC 9-32-13-12 and no transfer, sale, or assignment is made in violation of IC 9-32-13-22: (1) A change of ownership or executive management of a dealership. (2) Requiring the appointment of an individual to an executive management position in a dealership. (3) Ownership of, investment in, participation in the management of, or holding a license for the sale of any line make of new motor vehicles by a franchisee or an owner of an interest in a franchise. (c) Good cause exists under subsection (a)(1) with respect to all franchisees of a line make if the manufacturer of the line make permanently discontinues the manufacture or assembly of the line make. (d) Not more than thirty (30) days after a franchisee receives notice under subsection (a), the franchisee may protest the proposed action by bringing a declaratory judgment action before the division. (e) If a franchisee makes a timely and proper request under subsection (d) for declaratory judgment to protest a proposed action under subsection (a)(1), the division shall schedule an administrative hearing. The administrative hearing must comply with IC 4-21.5. The declaratory judgment action must include a determination of whether good cause exists for the proposed action. As added by P.L.152-2013, SEC.3. Amended by P.L.174-2016, SEC.106.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-28. Dealer Requesting Payment for Manufacturer or Distributor Following Termination, Cancellation, or Nonrenewal of Franchise; Discontinuance of Line Make

Sec. 28. (a) This section applies when a dealer requests payment from a manufacturer or distributor following: (1) the termination, cancellation, or nonrenewal by the manufacturer or distributor of a franchise between the dealer and the manufacturer or distributor; or (2) the discontinuance of a line make by the manufacturer or distributor. (b) Not more than ninety (90) days after a manufacturer

or distributor receives a request for payment from a dealer described in subsection (a), the manufacturer or distributor shall pay to the dealer the following amounts for items that are in the dealer's inventory or possession at the time of termination, cancellation, nonrenewal, or discontinuance, that the dealer delivers to the manufacturer or distributor, and as to which the dealer conveys clear title to the manufacturer or distributor under subsection (c): (1) For: (A) current model year motor vehicles; or (B) immediately preceding model year motor vehicles with less than three hundred (300) miles; acquired from the manufacturer or distributor in the usual course of business, the cost at acquisition less any discounts or allowances received from the manufacturer or distributor. (2) For all new, unused, and undamaged parts in original packaging that were purchased from the manufacturer or distributor: (A) the cost listed in the manufacturer's or distributor's parts catalog in effect at the time of termination, cancellation, nonrenewal, or discontinuance; minus (B) any allowances authorized by the manufacturer or distributor. (3) For required special tools, equipment, or computer equipment that was used for reporting financial data to the manufacturer or distributor, used solely for the franchise being terminated, and purchased by the dealer during the two (2) years immediately preceding the termination, cancellation, nonrenewal, or discontinuance, fair market value. (4) For signs that bear a trademark or trade name, that the dealer was required by the manufacturer or distributor to purchase, and that the dealer purchased within three (3) years of the termination, cancellation, nonrenewal, or discontinuance, fair market value. For purposes of this subsection, fair market value is determined on the date of termination, cancellation, nonrenewal, or discontinuance. (c) Title to items described in subsection (b) transfers from a dealer to a manufacturer or distributor on the date of termination, cancellation, nonrenewal, or discontinuance. The dealer has an enforceable security interest in the transferred items. (d) It is an unfair practice for a manufacturer or distributor to violate this section. As added by P.L.152-2013, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-29. Manufacturer or Distributor Terminates, Cancels, or Fails to Renew a Franchise Between the Manufacturer or Distributor and Dealer; Exceptions

Sec. 29. (a) This section applies when a manufacturer or distributor terminates, cancels, or fails to renew a franchise between the manufacturer or distributor and a dealer, unless the termination, cancellation, or failure to renew is due to any of the following: (1) The dealer files for bankruptcy or enters into receivership. (2) The dealer's license is revoked under IC 9-32-11 or IC 9-32-16. (3) The dealer has been convicted of or pled guilty to a felony. (4) The dealer commits fraud. (5) The dealer has abandoned business operations or otherwise failed to conduct sales and service operations during regular business hours for at least seven (7) consecutive days, unless the abandonment or closure is due to an act of God or another act over which the franchise has no control. (b) Except as provided in subsection (c), upon termination, cancellation, or nonrenewal, a manufacturer or distributor shall pay to a dealer the following amounts: (1) If the dealer is leasing the dealership facilities from a person other than the manufacturer or distributor, the lesser of: (A) the total lease payments remaining unpaid on the date of termination, cancellation, or nonrenewal; or (B) the total annual lease payments for one (1) year; subject to damages mitigated by the dealer under the terms of the lease. (2) If the dealer owns the dealership facilities, an amount equal to the reasonable rental value of the facilities for the one (1) year period beginning on the date of termination, cancellation, or nonrenewal, subject to damages mitigated by the dealer. (c) A manufacturer or distributor may discharge the manufacturer's or distributor's obligations under a lease with a dealer by negotiating with the dealer a lease termination payment, a sublease, or a new lease. (d) The manufacturer or distributor is entitled to possession of the dealership facilities during the time period for which the manufacturer or distributor makes any lease payments. (e) It is an unfair practice for a manufacturer or a distributor to violate this section. As added by P.L.152-2013, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-3. Willful Failure of Dealer to Perform Warranty Obligations

Sec. 3. It is an unfair practice for a dealer to willingly fail to perform the obligations imposed on the dealer in connection with the warranty agreement of the manufacturer or distributor applicable to any motor vehicle sold by the dealer. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-30.1. Unfair Practices Regarding Service Contracts, Debt Cancellation Agreements, Maintenance Agreements, or Similar Products

Sec. 30.1. (a) It is an unfair practice for a manufacturer or distributor to: (1) require a dealer to; or (2) coerce a dealer into; selling or offering for sale a service contract, a debt cancellation agreement, a maintenance agreement, or any similar product that is approved, endorsed, sponsored, or offered by the manufacturer, distributor, affiliate, or captive finance source. (b) It is an unfair practice for a manufacturer or distributor to consider a dealer's sale of service contracts, debt cancellation agreements, maintenance agreements, or any similar product not approved, endorsed, sponsored, or offered by the manufacturer, distributor, affiliate, or captive finance source when determining the following: (1) The eligibility of a dealer to purchase vehicles, parts, or other products or services from the manufacturer or distributor. (2) The volume of vehicles, parts, or other products or services that a dealer may purchase from the manufacturer or distributor. (3) The price at which a dealer may purchase vehicles, parts, or other products or services from the manufacturer or distributor. (c) It is not an unfair practice for a manufacturer, distributor, affiliate, or captive finance source to: (1) offer discounts, rebates, or other incentives to a dealer who voluntarily sells or offers to sell service contracts, debt cancellation agreements, maintenance agreements, or any similar product approved, endorsed, sponsored, or offered by the manufacturer, distributor, affiliate, or captive finance source; or (2) require a dealer to disclose the sale of a service contract, a debt cancellation

agreement, a maintenance agreement, or any similar product that is not approved, endorsed, sponsored, or offered by the manufacturer, distributor, affiliate, or captive finance source. As added by P.L.134-2023, SEC.9. Amended by P.L.9-2024, SEC.313.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-30. Manufacturer or Distributor May Not Require or Coerce Improvements to Dealer's Facilities or Signs or Franchisor Image Elements; Exceptions

Sec. 30. (a) A manufacturer or distributor may not coerce or require a dealer to: (1) make an improvement to the dealer's facilities; or (2) install signs or other franchisor image elements; that would result in replacing or substantially altering improvements or image elements that the dealer made or installed during the immediately preceding ten (10) years as required by the manufacturer or distributor, unless the improvement or installation of signs or visual elements is necessary to comply with the health or safety laws of the state or to sell, service, or display a new motor vehicle due to the unique technology of the new motor vehicle. (b) It is an unfair practice for a manufacturer or distributor to violate this section. (c) This section does not apply to a recreational vehicle manufacturer franchisor. As added by P.L.152-2013, SEC.6. Amended by P.L.134-2023, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-31. Complaint of Unfair Practice; Investigation

Sec. 31. (a) A dealer that alleges the commission of an unfair practice by a manufacturer or distributor in violation of section 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 28, 29, or 30 of this chapter may file a complaint with the division under IC 9-32-16-15. (b) Upon receipt of a complaint under subsection (a), the division may conduct an investigation under IC 9-32-16-14. (c) If the division determines that a manufacturer or distributor has committed a violation, including an unfair practice described in subsection (a), the division may take action against the manufacturer or distributor under IC 9-32-16 and IC 9-32-17. (d) A person that performs an act that is an unfair practice under this chapter commits a Class A infraction. (e) This section does not limit the ability of a dealer, manufacturer, or distributor to request a hearing under IC 9-32-16-2. As added by P.L.217-2014, SEC.174. Amended by P.L.174-2016, SEC.107.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-4. Sale of Motor Vehicle Having Trade Name or Mark for Which Dealer Lacks Franchise

Sec. 4. It is an unfair practice for a dealer to sell a new motor vehicle having a trade name, trade or service mark, or related characteristic for which the dealer does not have a franchise in effect at the time of the sale. However, a motor vehicle having more than one (1) trade name, trade or service mark, or related characteristic as a result of modification or further manufacture by a manufacturer, converter manufacturer, or an automotive mobility dealer licensed under this article may be sold by a franchisee appointed by that manufacturer, converter manufacturer, or automotive mobility dealer. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.98.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-5. Willful Failure of Dealer to Perform Fiduciary Duty to Collect and Remit Gross Retail Tax

Sec. 5. It is an unfair practice for a dealer to willingly fail to perform the fiduciary duty imposed on the dealer by IC 6-2.5-2-1 with regard to the collection and remittance of the state gross retail tax. Willful violation of the fiduciary duty includes written or oral agreements between a dealer and a prospective purchaser that would give the appearance that a bona fide trade-in has taken place, when in fact the purpose of the agreement is to reduce the prospective purchaser's state gross retail tax and thereby deprive the state of revenue. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-6. Sale, Exchange, or Transfer by Dealer of Rebuilt or Salvage Vehicle Without Disclosure That Vehicle Was Rebuilt or Salvage

Sec. 6. (a) For purposes of this section, "salvage vehicle" has the meaning set forth in IC 9-13-2-160(2). (b) It is an unfair practice for a dealer to sell, exchange, or transfer a rebuilt or salvage vehicle without disclosing in writing to the purchaser, customer, or transferee the fact that the motor vehicle is a rebuilt or salvage vehicle if the dealer knows or should reasonably know before consummating the sale, exchange, or transfer that the motor vehicle is a rebuilt or salvage vehicle. (c) The purchaser, customer, or transferee must sign a written acknowledgment of receipt of the written disclosure described in subsection (b). (d) The division shall prescribe the form of the written disclosure described in subsection (b). As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.99; P.L.20-2022, SEC.15; P.L.116-2024, SEC.4.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-7. Document Preparation Fees

Sec. 7. (a) Except as provided in subsection (b), it is an unfair practice for a dealer to charge a document preparation fee in excess of two hundred dollars ($200). A document preparation fee of two hundred dollars ($200) or less is permitted and does not constitute an unfair practice under this section. A document preparation fee under this section must be: (1) included in the advertised sale price of a vehicle; and (2) affirmatively disclosed: (A) in writing by the dealer during negotiations for the sale of a vehicle to a potential

purchaser that states the dollar amount of the document preparation fee to be charged; and (B) as a separate line item on the purchaser's bill of sale or other purchase contract. (b) A document preparation fee under this section may be adjusted annually by a percentage equal to the annual percentage change in the Consumer Price Index, as published by the United States Bureau of Labor Statistics. As added by P.L.92-2013, SEC.78. Amended by P.L.245-2019, SEC.4; P.L.211-2023, SEC.73.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-8. Violation of Deceptive Franchise Practices Provisions

Sec. 8. (a) It is an unfair practice for a manufacturer or distributor to violate IC 23-2-2.7. (b) It is an unfair practice for a manufacturer or distributor to enter into an agreement in which a dealer is required to waive the provisions of: (1) this chapter; or (2) IC 23-2-2.7. However, this subsection does not apply to a voluntary agreement in which separate consideration is offered and accepted. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 13. Unfair Practices9-32-13-9. Manufacturer or Distributor Coercing Dealers to Order

Sec. 9. It is an unfair practice for a manufacturer or distributor to coerce a dealer to order parts, accessories, equipment, machinery, tools, appliances, or any other commodity from a person. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 14. Damage to New Motor Vehicles9-32-14-1. Liability of Dealer for Damage

Sec. 1. Notwithstanding the terms, provisions, or conditions of an agreement or franchise, a new motor vehicle dealer is solely liable for damage to a new motor vehicle: (1) after acceptance from the carrier or transporter; and (2) before delivery to the ultimate purchaser. As added by P.L.92-2013, SEC.78. Amended by P.L.120-2020, SEC.70.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 14. Damage to New Motor Vehicles9-32-14-2. Liability of Manufacturer, Converter Manufacturer, or Automotive Mobility Dealer

Sec. 2. Notwithstanding the terms, provisions, or conditions of any agreement or franchise, a manufacturer, converter manufacturer, or automotive mobility dealer is liable for all damage to a new motor vehicle before delivery of the motor vehicle to a carrier or transporter. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 14. Damage to New Motor Vehicles9-32-14-3. Carrier Related Damage to New Motor Vehicle

Sec. 3. A new motor vehicle dealer is liable for damage to a new motor vehicle after the motor vehicle is delivered to the carrier or transporter only if the new motor vehicle dealer selects the method of transportation, mode of transportation, and the carrier or transporter. In all other instances, the manufacturer is liable for carrier related damage to a new motor vehicle. As added by P.L.92-2013, SEC.78. Amended by P.L.120-2020, SEC.71.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 14. Damage to New Motor Vehicles9-32-14-4. Disclosure to Ultimate Purchaser of Damage Exceeding Four Percent of Retail Price; Violation

Sec. 4. (a) This section does not apply to damage to: (1) glass; (2) radios; (3) tires; (4) air bags; (5) navigation systems; (6) DVD players; (7) voice command devices; (8) hands free technology; and (9) bumpers; when replaced by identical manufacturer's original equipment. (b) Any uncorrected damage or any corrected damage to a new motor vehicle that exceeds four percent (4%) of the manufacturer's suggested retail price (as defined in 26 U.S.C. 4216), as measured by retail repair costs, must be disclosed by the new motor vehicle dealer in writing before delivery of the motor vehicle to the ultimate purchaser. (c) A person that violates this section commits a Class A infraction. As added by P.L.92-2013, SEC.78. Amended by P.L.152-2013, SEC.7; P.L.174-2016, SEC.108; P.L.120-2020, SEC.72.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 14. Damage to New Motor Vehicles9-32-14-5. Disclosure of Damage to New Motor Vehicle Ordered by Customer

Sec. 5. Repaired damage to a new motor vehicle ordered by a customer not exceeding four percent (4%) of the manufacturer's suggested retail price (as defined in 26 U.S.C. 4216) does not need to be disclosed at the time of sale. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 15. Succession to Franchise by Designated Family Members9-32-15-1. Application

Sec. 1. This chapter does not apply to a franchise if: (1) the franchise is granted to a dealer other than a new motor vehicle dealer; and (2) the franchise or other written document filed with the franchisor includes the franchisee's designation of a successor to the franchise who is not the: (A) spouse of the franchisee; (B) child of the franchisee; (C) grandchild of the franchisee; (D) spouse of a: (i) child; or (ii) grandchild; of the franchisee; (E) parent of the franchisee; or (F) sibling of the franchisee. As added by P.L.92-2013,

SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 15. Succession to Franchise by Designated Family Members9-32-15-2. Succession to Franchise

Sec. 2. A designated family member of a deceased or incapacitated franchisee may succeed the franchisee under the existing franchise if: (1) the manufacturer or distributor determines, subject to section 3 of this chapter, that the existing franchise should be honored; and (2) the designated family member complies with section 4 of this chapter. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 15. Succession to Franchise by Designated Family Members9-32-15-3. Good Cause to Refuse to Honor Franchise

Sec. 3. A manufacturer or distributor may refuse to honor the succession of an existing franchise under section 2 of this chapter only for good cause. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 15. Succession to Franchise by Designated Family Members9-32-15-4. Qualification of Designated Family Member to Succeed to the Franchise

Sec. 4. To qualify under section 2 of this chapter to succeed a franchisee under the existing franchise, a designated family member must do all the following: (1) Not later than one hundred twenty (120) days after the franchisee's death or disability, give the manufacturer or distributor written notice of the designated family member's intention to succeed to the franchise. (2) Agree to be bound by all terms and conditions of the existing franchise. (3) Meet the criteria generally applied at the time of the death or incapacity of the franchisee by the manufacturer or distributor in qualifying new motor vehicle dealers as franchisees. (4) If requested by the manufacturer or distributor, promptly supply personal and financial data that is reasonably necessary for the manufacturer or distributor to determine if the existing franchise should be honored. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 15. Succession to Franchise by Designated Family Members9-32-15-5. Notice of Refusal to Honor Franchise

Sec. 5. (a) Not later than sixty (60) days after receipt of: (1) notice from a designated family member under section 4(1) of this chapter; or (2) requested personal or financial data under section 4(4) of this chapter; a manufacturer or distributor that determines that good cause exists for refusing to honor an existing franchise shall serve notice of the determination on the designated family member. (b) The notice required under subsection (a) must state the following: (1) The specific grounds for the manufacturer's or distributor's determination. (2) The date on which the existing franchise will be discontinued, which must be at least ninety (90) days after the date the notice is served. (c) If notice of the manufacturer's determination is not served within the time specified in subsection (a) and does not comply with subsection (b), the franchise must be honored and is not subject to discontinuance under this chapter. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-1.3. Required Training Course for Used Motor Vehicle Dealer License Applicants

Sec. 1.3. (a) The secretary in consultation with the Independent Automobile Dealers Association domiciled in Indiana and the division shall develop a required training course that an applicant for a used motor vehicle dealer license must complete in order to obtain a used motor vehicle dealer license. The training course must provide the used motor vehicle dealer information on: (1) licensing requirements; (2) laws; and (3) rules. (b) The training course under this section must be offered and certified by the Independent Automobile Dealers Association domiciled in Indiana. (c) The training course under this section must be offered online. (d) Upon completion of the training course: (1) the Independent Automobile Dealers Association domiciled in Indiana shall issue a certificate of completion to each used motor vehicle dealer who successfully completes the training course; and (2) the used motor vehicle dealer is not required to retake the training course. (e) The applicant for a used motor vehicle dealer license must submit the certificate of completion issued by the Independent Automobile Dealers Association domiciled in Indiana in subsection (d)(1) with the applicant's application for a used motor vehicle dealer license. (f) The cost for the training course under this section shall: (1) not exceed three hundred dollars ($300); and (2) be payable to the Independent Automobile Dealers Association domiciled in Indiana. (g) A used motor vehicle dealer is not required to participate in the training course under this section if the dealer: (1) is renewing the used motor vehicle dealer's license; or (2) has: (A) more than one (1) used motor vehicle dealership location; and (B) previously completed the training course under this section to obtain a used motor vehicle dealer license for one (1) of the dealer's used motor vehicle dealership locations. As added by P.L.116-2024, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-1. Administration of Dealer Services by Secretary of State

Sec. 1. (a) This chapter shall be administered by the secretary. (b) The secretary: (1) shall employ employees, including a director, investigators, or attorneys, necessary for the administration of this article; and (2) shall fix the compensation of the employees with the approval of the budget agency. (c) It is unlawful for the director or an officer, employee, or designee of the secretary to use for personal benefit or the benefit of others records or other information obtained by or filed with the dealer services division under this

article that are confidential. This article does not authorize the director or an officer, employee, or designee of the secretary to disclose the record or information, except in accordance with this chapter. (d) This article does not create or diminish a privilege or exemption that exists at common law, by statute or rule, or otherwise. (e) The secretary may develop and implement dealer's and motor vehicle purchaser's education initiatives to inform dealers and the public about the offer or sale of motor vehicles, with particular emphasis on the prevention and detection of fraud involving motor vehicle sales. In developing and implementing these initiatives, the secretary may collaborate with public and nonprofit organizations with an interest in consumer education. The secretary may accept a grant or donation from a person that is not affiliated with the dealer industry or from a nonprofit organization, regardless of whether the organization is affiliated with the dealer industry, to develop and implement consumer education initiatives. (f) Fees and funds accruing from the administration of this article: (1) described in IC 9-32-7-1(d) shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited in the dealer compliance account established by IC 9-32-7-1(a); (2) described in IC 9-32-7-2(b) shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited in the dealer enforcement account established by IC 9-32-7-2(a); (3) that are designated for deposit in the motor vehicle highway account shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited in the motor vehicle highway account under IC 8-14-1; (4) described in IC 9-32-7-3(3) shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited with the state police department, and these fees and funds are continuously appropriated to the department for its use in enforcing odometer laws; (5) described in IC 9-32-7-3(4) shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited with the attorney general, and these fees and funds are continuously appropriated to the attorney general for use in enforcing odometer laws; and (6) that are designated for deposit in the state construction fund shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited in the state construction fund. Expenses incurred in the administration of this article shall be paid from the state general fund upon appropriation being made for the expenses in the manner provided by law for the making of those appropriations. However, grants and donations under subsection (e), costs of investigations, and civil penalties recovered under this chapter shall be deposited by the treasurer of state in the dealer enforcement account established by IC 9-32-7-2. The funds in the dealer compliance account established by IC 9-32-7-1 must be available, with the approval of the budget agency, to augment and supplement the funds appropriated for the enforcement and administration of this article. (g) In connection with the administration and enforcement of this article, the attorney general shall render all necessary assistance to the director upon the request of the director. To that end, the attorney general shall employ legal and other professional services as are necessary to adequately and fully perform the service under the direction of the director as the demands of the division require. Expenses incurred by the attorney general for the purposes stated under this subsection are chargeable against and shall be paid out of funds appropriated to the attorney general for the administration of the attorney general's office. The attorney general may authorize the director and the director's designee to represent the director and the division in any proceeding involving enforcement or defense of this article. (h) The secretary, director, and employees of the division are not liable in an individual capacity, except to the state, for an act done or omitted in connection with the performance of their duties under this article. (i) The director and each attorney or investigator designated by the secretary: (1) are police officers of the state; (2) have all the powers and duties of police officers in conducting investigations for violations of this article, or in serving any process, notice, or order issued by an officer, authority, or court in connection with the enforcement of this article; and (3) comprise the enforcement department of the division. The division is a criminal justice agency for purposes of IC 5-2-4 and IC 10-13-3. (j) The provisions of this article delegating and granting power to the secretary, division, and director shall be liberally construed to the end that: (1) the practice or commission of fraud may be prohibited and prevented; and (2) disclosure of sufficient and reliable information in order to afford reasonable opportunity for the exercise of independent judgment of the persons involved may be assured. (k) Copies of any statements and documents filed in the office of the secretary and of any records of the secretary certified by the director are admissible in any prosecution, action, suit, or proceeding based on, arising out of, or under this article to the same effect as the original of the statement, document, or record would be if actually produced. As added by P.L.92-2013, SEC.78. Amended by P.L.2-2014, SEC.49; P.L.62-2014, SEC.40; P.L.216-2014, SEC.159; P.L.174-2016, SEC.109; P.L.108-2019, SEC.189; P.L.116-2024, SEC.5.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-10. Referrals to Local Prosecuting Attorney

Sec. 10. (a) The secretary or a designee of the secretary may refer the facts drawn from an investigation to the prosecuting attorney of the county in which a crime is alleged to have been committed. (b) The secretary may assist the prosecuting attorney in prosecuting an action brought subsequent to a referral made under subsection (a), which may include a division attorney serving as a special deputy prosecutor appointed by the prosecuting attorney. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-11. Filings With Business Services Division; Background Check; Change of Dealer Owner or Dealer Manager; Notification of Certain Convictions

Sec. 11. (a) All dealers and transport operators operating as a: (1) corporation; (2) limited liability company; (3) limited partnership; or (4) limited liability partnership; shall file and maintain all filings required to remain in good standing with the secretary of state business services division. (b) The dealer must, for the entire licensing period, have an established place of business with a physical Indiana address. The dealer may not have a mailing address that differs from the actual location of the business. At the discretion of

the secretary, an exemption for the mailing address may be granted for: (1) dealers with an established place of business in a location not serviced by the United States Postal Service to allow a post office box to be used as a mailing address. A dealer using a post office box for this reason must notify the division in writing with the dealer's application; or (2) a manufactured home dealer. (c) Before the secretary may issue a license to a dealer or license plates to a transport operator, the following must occur: (1) A dealer or transport operator must disclose to the secretary the following: (A) Each dealer owner. (B) For a dealer owner that is a business entity, the following: (i) If a corporation, each officer, director, and shareholder designated in writing by the board of directors. (ii) If a limited liability company, each member of the company designated in writing by all members. (iii) If a partnership, each partner. (iv) If a sole proprietorship, the proprietor. (C) Except for a transport operator, each dealer manager. (2) A person under subdivision (1) must submit to a national criminal history background check (as defined in IC 10-13-3-12) or expanded criminal history check (as defined in IC 20-26-2-1.5) administered by the state police. The secretary shall make the determination whether an individual must submit to a national criminal history background check or an expanded criminal history check under this subsection. (d) A national criminal history background check or expanded criminal history check conducted under subsection (c): (1) is at the expense of the dealer or transport operator, and the dealer owners; and (2) may be completed not more than sixty (60) days before the dealer applies for a license under this article. (e) The secretary may deny an application for a license or transport operator license plates if the division finds that a dealer owner or a dealer manager has been convicted of a: (1) felony within the previous ten (10) years; (2) felony or misdemeanor involving theft or fraud; or (3) felony or misdemeanor concerning an aspect of business involving the offer, sale, financing, repair, modification, or manufacture of a motor vehicle or watercraft. (f) If a dealer or transport operator adds, removes, or changes a dealer owner or dealer manager after issuance of the initial license, the dealer or transport operator must submit an application for a change in ownership in a manner prescribed by the secretary not later than ten (10) days after the change. The new dealer owner or dealer manager shall submit to a national criminal history background check or expanded criminal history check as set forth in subsection (c). (g) Following licensure under this article, a dealer or transport operator shall, not later than ninety (90) days after the entry of an order or judgment, notify the division in writing if the dealer owner or dealer manager has been convicted of a: (1) felony within the past ten (10) years; (2) felony or misdemeanor involving theft or fraud; or (3) felony or misdemeanor concerning an aspect of business involving the: (A) offer; (B) sale; (C) financing; (D) repair; (E) modification; or (F) manufacture; of a motor vehicle or watercraft. (h) The dealer or transport operator, and the corporation, company, or partnership must be in good standing with the bureau, the department of state revenue, the department of financial institutions, and the state police department during the entire period for which a license is valid. A manufactured home dealer that owns a manufactured home community must be in good standing with the Indiana department of health during the entire period for which a license is valid. As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.42; P.L.174-2016, SEC.114; P.L.179-2017, SEC.95; P.L.137-2018, SEC.12; P.L.284-2019, SEC.38; P.L.120-2020, SEC.77; P.L.182-2021, SEC.24; P.L.20-2022, SEC.16; P.L.56-2023, SEC.63.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-12. False or Misleading Statements or Omitted Facts

Sec. 12. It is a violation of this article for a person to: (1) make or cause to be made, in a record that is used in an action or proceeding or filed under this chapter, a statement that, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to a material fact; or (2) in connection with a statement to the division or to a consumer, omit to state a material fact necessary to make the statement made, in light of the circumstances under which it was made, not false or misleading. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-13. Secretary of State to Maintain Injunctive Action; Court Remedy and Relief; Director Not Required to Post Bond; Penalties

Sec. 13. (a) If the secretary believes that a person has engaged, is engaging, or is about to engage in an act, practice, or course of business: (1) that constitutes a violation of this article or a rule adopted or order issued under this article; or (2) that materially aids a violation of this article or a rule adopted or order issued under this article; the secretary or a designee of the secretary, in addition to any administrative remedies, may maintain an action in the circuit or superior court in the county where the investigation or inquiry in question is being conducted to enjoin the act, practice, or course of business and to enforce compliance with this article or a rule adopted or order issued under this article. (b) In an action under this section and on a proper showing, a court may: (1) issue a permanent or temporary injunction, restraining order, or declaratory judgment; (2) order other appropriate or ancillary relief, which may include: (A) an asset freeze, accounting, writ of attachment, writ of general or specific execution, and appointment of a receiver or conservator; (B) ordering a receiver or conservator appointed under clause (A) to: (i) take charge and control of the property of the respondent, including investment accounts and accounts in a depository institution, rents, and profits; (ii) collect debts; and (iii) acquire and dispose of property; (C) imposing a civil penalty of up to ten thousand dollars ($10,000) per violation and an order of rescission, restitution, or disgorgement directed to a person that has engaged in an act, practice, or course of business constituting a violation of this article or a rule adopted or order issued under this article; and (D) ordering the payment of prejudgment and postjudgment interest; or (3) order other relief that the court considers appropriate. (c) The director may not be required to post a bond in an action or proceeding under this article. (d) Penalties collected under this section shall be deposited in the dealer enforcement account established by IC 9-32-7-2. As added by P.L.92-2013, SEC.78.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-14. Public or Private Investigations by Secretary; Enforcement of Compliance With Investigation; Witness Fees and Mileage

Sec. 14. (a) The secretary may: (1) conduct public or private investigations within or outside Indiana that the secretary considers necessary or appropriate to determine whether a person has violated, is violating, or is about to violate this article or a rule adopted or order issued under this article, or aid in the enforcement of this article or in the adoption of rules and forms under this article; (2) require or permit a person to testify, file a statement, or produce a record, under oath or otherwise as the secretary determines, as to all the facts and circumstances concerning a matter to be investigated or about which an action or proceeding is to be instituted; and (3) publish a record concerning an action, proceeding, or investigation under, or a violation of, this article or a rule adopted or order issued under this article if the secretary determines it is necessary or appropriate and in the public interest and for the protection of dealers or consumers. (b) For purposes of an investigation under this article, the secretary or a designated employee of the secretary may administer oaths and affirmations, subpoena witnesses, seek compulsion of attendance, take attendance, take evidence, require the filing of statements, and require the production of any records that the secretary considers relevant or material to the investigation. Upon order of the secretary or a hearing officer appointed by the secretary in a hearing, depositions may be taken in the manner prescribed by law for depositions in civil actions and made returnable to the secretary or a hearing officer appointed by the secretary. (c) If a person does not appear or refuses to testify, file a statement, or produce records, or otherwise does not obey a subpoena as required by this article, the secretary or hearing officer appointed by the secretary may apply to the circuit or superior court in the county where the hearing, investigation, or inquiry in question is being conducted to enforce compliance. The court may: (1) hold the person in contempt; (2) order the person to appear before the secretary or hearing officer appointed by the secretary; (3) order the person to testify about the matter under investigation or in question; (4) order the production of records; (5) grant injunctive relief, including restricting or prohibiting the offer or sale of vehicles; (6) impose a civil penalty of not more than twenty thousand dollars ($20,000) for each violation; and (7) grant any other necessary or appropriate relief. (d) This section does not preclude a person from applying to the circuit or superior court in the county where the hearing, investigation, or inquiry in question is being conducted for relief from a request to appear, testify, file a statement, produce records, or obey a subpoena. (e) If a witness, in any hearing, inquiry, or investigation conducted under this article, refuses to answer any question or produce any item, the secretary may file a written petition with the circuit or superior court in the county where the hearing, investigation, or inquiry in question is being conducted requesting a hearing on the refusal. The court shall hold a hearing to determine if the witness may refuse to answer the question or produce the item. If the court determines that the witness, based upon the witness's privilege against self-incrimination, may properly refuse to answer or produce an item, the secretary may make a written request that the court grant use immunity to the witness. Upon written request of the secretary, the court shall grant use immunity to a witness. The court shall instruct the witness, by written order or in open court, that: (1) any evidence the witness gives, or evidence derived from that evidence, may not be used in any criminal proceedings against that witness, unless the evidence is volunteered by the witness or is not responsive to a question; and (2) the witness must answer the questions asked and produce the items requested. A grant of use immunity does not prohibit the use of evidence that the witness gives in a hearing, investigation, or inquiry from being used in a prosecution for perjury under IC 35-44.1-2-1. If a witness refuses to give the evidence after the witness has been granted use immunity, the court may find the witness in contempt. (f) In any prosecution, action, suit, or proceeding based upon or arising out of or under this article, a certificate signed by the secretary showing compliance or noncompliance with this article by a dealer constitutes prima facie evidence of compliance or noncompliance with this article and is admissible in evidence in any action at law or in equity to enforce this article. (g) Each witness who appears before the secretary or a hearing officer appointed by the secretary by order is entitled to receive for the witness's attendance the fees and mileage provided for witnesses in civil cases, which must be audited and paid by the state in the same manner as other expenses of the division are audited and paid when proper vouchers sworn to by the witnesses and approved by the secretary are presented. However, a witness subpoenaed at the instance of parties other than the secretary or a hearing officer appointed by the secretary is not entitled to any fee or compensation from the state. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-15. Dealers; Unfair Practices; Declaratory Judgment; Demand for Mediation; Mediation

Sec. 15. (a) A dealer who is injured by an unfair practice set forth in IC 9-32-13 or IC 9-32-15 may file a complaint or petition with the division. (b) A dealer who is injured by an unfair practice set forth in IC 9-32-13-27 may file a request for declaratory judgment with the division. (c) A dealer may not file a complaint, request for declaratory judgment under subsection (b) based on an alleged violation of IC 9-32-13-27, or petition with the division under subsection (a) based on an alleged violation of IC 9-32-13 or IC 9-32-15 by a manufacturer or distributor unless the dealer serves a demand for mediation upon the manufacturer or distributor: (1) before; or (2) at the same time as; filing the complaint, request for declaratory judgment, or petition. A demand for mediation must be in writing and served upon the manufacturer or distributor by certified mail at an address designated for the manufacturer or distributor in the licensor's records. The demand for mediation must contain a brief statement of the dispute and the relief sought by the dealer serving the demand. (d) Not later than twenty (20) days after the date the demand for mediation is served under subsection (c), the parties shall mutually select an independent mediator and meet with the mediator for the purpose of attempting to resolve the

dispute. The meeting place must be within Indiana at a location selected by the mediator. The mediator may extend the period in which the meeting must occur for good cause shown by either party or upon stipulation of the parties. As added by P.L.92-2013, SEC.78. Amended by P.L.182-2021, SEC.25.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-16. Certain Actions Prohibited

Sec. 16. A dealer license or endorsement issued under this article or by the bureau of motor vehicles under IC 9-23 (before its repeal) may not be: (1) loaned; (2) leased; (3) sold; (4) transferred; (5) copied; (6) altered; or (7) reproduced. As added by P.L.174-2016, SEC.115. Amended by P.L.179-2017, SEC.96.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-2. Applications and Licenses or Endorsement; Discipline; Revocation and Suspension of Licenses; Persons Not Issued a License

Sec. 2. (a) An order issued under this article may: (1) deny a dealer license, transport operator license plate, or endorsement application for registration if the secretary finds that the order is in the public interest and subsection (c) authorizes the action; (2) condition or limit the issuance of transport operator license plates to an applicant if the secretary finds that the order is in the interest of the public and subsection (c) authorizes the actions; and (3) condition or limit the license of an applicant to be a dealer and, if the applicant for a dealer license is a partner, officer, director, or person having similar status or performing similar functions, or a person directly or indirectly in control of the dealership, the order may condition or limit the license. (b) If the secretary finds that an order is in the public interest and subsection (c) authorizes the action, an order issued under this article may deny, revoke, suspend, condition, limit, or permanently bar the granting of a license or endorsement or issuing of a license plate to or an application for a license, endorsement, or license plate from a transport operator, dealer, owner, dealer manager, or a person having a similar status or performing similar functions as a dealer, or a person directly or indirectly in control of the dealer. However, the secretary may not: (1) institute a revocation or suspension proceeding under this subsection based on an order issued under the law of another state that is reported to the secretary or a designee of the secretary more than one (1) year after the date of the order on which it is based; or (2) issue an order on the basis of an order issued under the dealer services laws of another state unless the other order was based on conduct for which subsection (c) would authorize the action had the conduct occurred in Indiana. (c) A person may be disciplined under this section if the person: (1) has filed an application for transport operator license plates, a dealer license, or a dealer endorsement in Indiana under this article, or its predecessor, within the previous ten (10) years, which, as of the effective date of license or registration or as of any date after filing in the case of an order denying effectiveness, was incomplete as to a material fact or contained a statement that, in light of the circumstances under which it was made, was false or misleading with respect to a material fact; (2) knowingly violated or knowingly failed to comply with this article, or its predecessor, within the previous ten (10) years; (3) has been convicted of a: (A) felony within the previous ten (10) years; (B) felony or misdemeanor involving theft or fraud; or (C) felony or misdemeanor concerning an aspect of business involving the offer, sale, financing, repair, modification, or manufacture of a motor vehicle or watercraft; (4) is enjoined or restrained by a court with jurisdiction in an action instituted by a state or the United States from engaging in or continuing an act, practice, or course of business involving an aspect of a business involving the offer, barter, sale, purchase, transfer, financing, repair, or manufacture of a motor vehicle or watercraft; (5) refuses to allow or otherwise impedes the secretary from conducting an audit or inspection; (6) has engaged in dishonest or unethical practices in a business involving the offer, barter, sale, purchase, transfer, financing, repair, or manufacture of a motor vehicle or watercraft within the previous ten (10) years; (7) is engaging in unfair practices as set forth in this article; (8) is on the most recent tax warrant list supplied to the secretary by the department of state revenue; (9) violates IC 23-2-2.7; (10) violates IC 9-19-9; (11) willfully violates federal or state law relating to the sale, distribution, financing, or insuring of motor vehicles or watercraft; (12) is not compliant with local, state, or federal laws and regulations regarding a dealer license, endorsement, or dealer business; (13) violates IC 9-32-9-15; (14) violates IC 9-32-9-16; or (15) violates IC 9-32-9-29. (d) The secretary may revoke, suspend, or deny an application, impose fines and costs, restrict, condition, limit, bar, or suspend a dealer license, a dealer endorsement, or a license plate issued under this article, or order restitution, or do any combination of these actions before final determination of an administrative proceeding. Upon the issuance of an order, the secretary shall promptly notify each person subject to the order: (1) that the order has been issued; (2) the reasons for the action; and (3) that upon receipt of a request in a record from the person, an order setting a hearing date will be issued within fifteen (15) days. If a hearing is not requested and no hearing is ordered by the secretary within thirty (30) days after the date of service of the order, the order becomes final by operation of law. If a hearing is requested or ordered, the secretary, after notice of and opportunity for hearing to each person subject to the order, may modify or vacate the order or extend the order until final determination. (e) After a hearing, the secretary may suspend or deny an application, impose fines and costs, restrict, condition, limit, bar, suspend, or revoke a license plate issued under this article, dealer license or endorsement or order restitution, or do any combination of these actions. (f) Revocation or suspension of a license or endorsement of a dealer may be limited to one (1) or more locations, to one (1) or more defined areas, or only to certain aspects of the business. (g) Except as provided in subsection (d), an order may not be issued under this section without: (1) appropriate notice to the applicant or registrant; (2) an opportunity for a hearing; and (3) reasons for the action. (h) A person that controls, directly or indirectly, a person not in compliance with this section may be disciplined by order of the secretary under subsections (a) and (b) to the same extent as the noncomplying person, unless the controlling person did not know, and in the exercise of reasonable care could not have known,

of the existence of conduct that is a ground for discipline under this section. (i) A person subject to this chapter that has not been issued a license or endorsement is subject to the same disciplinary fines, costs, and penalties as if a license had been issued. As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.41; P.L.151-2015, SEC.76; P.L.174-2016, SEC.110; P.L.179-2017, SEC.94; P.L.120-2020, SEC.73; P.L.182-2021, SEC.23.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-3. Information or Documents Considered Law Enforcement Records

Sec. 3. Information or documents obtained by the division in the course of an investigation, including an audit conducted under section 5 of this chapter, are investigatory records of law enforcement for the purposes of IC 5-14-3-4(b)(1). The secretary may except these records from disclosure under IC 5-14-3-3. As added by P.L.92-2013, SEC.78. Amended by P.L.2-2014, SEC.50; P.L.174-2016, SEC.111; P.L.120-2020, SEC.74.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-4. Compliance With Request, Order, or Subpoena for Production of Documentary Evidence

Sec. 4. A person complying with any request, order, or subpoena issued by the division for the production of documentary evidence shall retain the originals and shall provide the division with clearly legible, true, and complete copies of the documents requested, along with a signed cover letter, which must identify those documents with a reasonable degree of specificity. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-5. Dealers to Provide Staff of Division Access to Dealer's Premises and Records

Sec. 5. (a) All dealers licensed under this article with the division shall, upon request, provide members of the staff of the division prompt access, during reasonable business hours, to that part of the premises at the dealer's place of business where: (1) documents are stored; or (2) motor vehicle sales are offered, made, or processed. (b) The secretary must notify a dealer of a request for access to the dealer's place of business under subsection (a) at least three (3) days before access is needed. However, if the secretary is conducting an investigation under section 14 of this chapter, members of the staff of the division, at any time and without prior notice, may request access to the dealer's place of business under subsection (a). (c) The following apply to records of a dealer licensed under this article: (1) The records are subject to such reasonable periodic, special, or other audits or inspections by a representative of the secretary, outside or within Indiana, as the secretary considers necessary or appropriate in the public interest and for the protection of investors. (2) The secretary may audit or inspect electronic records at any time and without prior notice. (3) The secretary must notify a dealer of an audit or inspection of the dealer's paper records at least three (3) days before the audit or inspection. However, if the secretary is conducting an investigation under section 14 of this chapter, a representative of the secretary may audit or inspect the dealer's paper records at any time and without prior notice. (4) A representative of the secretary may copy and remove copies of the records the secretary reasonably considers necessary or appropriate to conduct an audit or inspection. (5) A representative of the secretary may request electronic copies of records the secretary reasonably considers necessary or appropriate to conduct an audit or inspection. (6) A: (A) representative of the secretary may make a request for records under this subsection electronically, by mail, or in person at the established place of business of the dealer during reasonable business hours; and (B) dealer shall produce such records in the manner requested by the representative of the secretary, including in person, electronically, or by mail. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.112; P.L.120-2020, SEC.75.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-6.3. Listing of Items Not Included in the Advertised Sale Price

Effective 7-1-2025. Sec. 6.3. An item, including a fee or products or services to be performed after the sale, that is not included in the advertised sale price, which includes manufacturer options, for a motor vehicle as stated in the contract for sale or lease, shall be a separate line item on the contract for sale or lease. As added by P.L.116-2024, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-6. Dealer Required to Make and Maintain Records; Data Storage; Retention of Records; Production of Records

Sec. 6. (a) A dealer licensed or required to be licensed under this article shall make and maintain the records, accounts, correspondence, memoranda, papers, books, and other records required under this article. (b) Dealer records required to be maintained under this article may be maintained in any form of data storage acceptable to the secretary so long as the records are readily accessible electronically or by mail and available to copy by an investigating or auditing employee of the secretary upon demand at the place of business. (c) Dealer records required to be maintained under this article must be maintained at the place of business of a dealer for a period of two (2) years. Following the two (2) year period, records may be moved offsite but must be maintained for a period of five (5) years. (d) If an investigating or auditing employee of the secretary requests dealer records required to be maintained under this article in an electronic format, the dealer must provide the dealer records to the investigating or auditing employee of the secretary not more than ten (10) business days after the request. As added by P.L.92-2013, SEC.78.

Amended by P.L.120-2020, SEC.76; P.L.116-2024, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-7. Secretary of State to Provide Assistance to Other State or Foreign Jurisdiction

Sec. 7. At the request of the division or equivalent regulator of another state or foreign jurisdiction, the secretary may provide assistance if the requesting regulator states that the requesting regulator is conducting an investigation to determine whether a person has violated, is violating, or is about to violate a law or rule of the other state or foreign jurisdiction relating to dealer matters that the requesting regulator administers or enforces. The secretary may provide assistance by using the authority to investigate and the powers conferred by this article as the secretary determines are necessary or appropriate. The assistance may be provided without regard to whether the conduct described in the request would also constitute a violation of this article or other law of Indiana if occurring in Indiana. In deciding whether to provide the assistance, the secretary may consider: (1) whether the requesting regulator is permitted and has agreed to provide assistance reciprocally within the state or foreign jurisdiction of the requesting regulator to the secretary on dealer matters when requested; (2) whether compliance with the request would violate or prejudice the public policy of Indiana; and (3) the availability of resources and employees of the division to carry out the request for assistance. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-8. Person Required to Cooperate With Division; Failure to Cooperate

Sec. 8. (a) A person shall cooperate in an inquiry, investigation, or inspection conducted by, or on behalf of, the division for purposes of determining whether or not a person has violated or is about to violate any provision under this article. The willful failure of a person to cooperate, absent a bona fide claim of privilege, may: (1) be considered by the division a violation of statute; and (2) thus subject the person to denial, suspension, or revocation of licensing or a bar from licensing. (b) The following are examples of, but are not the only, conduct by a person that may be considered a failure to cooperate: (1) The failure to timely respond by way of appearance or production of documents to a subpoena or order issued by the division. (2) The failure to answer any question pertinent to inquiry unless the response to the question is subject to a bona fide claim of privilege. (3) The failure to grant division personnel access to: (A) the business premises of a dealer or a person required to be licensed as a dealer; or (B) the records and documents that the dealer or person required to be licensed as a dealer is required, by statute or rule, to make available for inspection. (4) The failure to attend a scheduled proceeding at which the appearance of the person is required. If a person elects to retain counsel for the purpose of representation in any such proceeding, it is the responsibility of the person to do so in a timely fashion. The failure of a person to retain counsel, absent a showing of good cause, does not require an adjournment of the proceeding. (5) The failure to timely respond to or to provide information requested under a demand under this chapter. (6) Aiding or abetting the failure of another person to cooperate. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.113.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 16. Administration and Legal Proceedings9-32-16-9. Copying of Records

Sec. 9. (a) The division may copy records or require a dealer to copy records and provide the copies to the division to the extent and in the manner reasonable under the circumstances. (b) The division may impose a reasonable fee for the expense of making copies under subsection (a). As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 17. Penalties and Disciplinary Action9-32-17-1. Civil Penalties

Sec. 1. A person who violates this article, a rule established under this article, or an order issued by the secretary under this article is subject to a civil penalty of up to ten thousand dollars ($10,000) for each act of violation. Civil penalties recovered under this section shall be paid to the state and deposited into the dealer enforcement account established by IC 9-32-7-2. As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.77.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 17. Penalties and Disciplinary Action9-32-17-7. Civil Penalties for Failure to Deliver Certificate of Origin or Title

Sec. 7. A person who fails to deliver or transmit a certificate of origin or title under IC 9-32-5-2 or IC 9-32-5-8 or fails to deliver or transmit timely a certificate of title under IC 9-32-4-1(d) is subject to the following civil penalties: (1) One hundred dollars ($100) for the first violation in a calendar year. (2) Two hundred fifty dollars ($250) for the second violation in a calendar year. (3) Five hundred dollars ($500) for all subsequent violations in a calendar year. Payment shall be made to the secretary and deposited in the dealer enforcement account established under IC 9-32-7-2. As added by P.L.92-2013, SEC.78. Amended by P.L.262-2013, SEC.142; P.L.27-2018, SEC.22.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 17. Penalties and Disciplinary Action9-32-17-9. Remedies for Violation Of, Attempting to Violate, or Assisting in a Violation Relating to Administration of Dealer Services

Sec. 9. In addition to all other remedies, the secretary may seek the following remedies against a person that violates, attempts to

violate, or assists in a violation of or an attempt to violate IC 9-32-16: (1) An injunction. (2) Appointment of a receiver or conservator. (3) A civil penalty not to exceed ten thousand dollars ($10,000) per violation. (4) An action to enforce a civil penalty assessed under subdivision (3). Civil penalties recovered under this section shall be paid to the state and deposited into the dealer enforcement account established by IC 9-32-7-2. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 18. Consumer Restitution Fund9-32-18-1. "Fund"

Sec. 1. As used in this chapter, "fund" means the consumer restitution fund established by section 4 of this chapter. As added by P.L.179-2017, SEC.97.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 18. Consumer Restitution Fund9-32-18-2. "Qualifying Claim"

Sec. 2. As used in this chapter, "qualifying claim" means a claim that: (1) subject to section 5(b) of this chapter, is filed with the secretary on a form prescribed by the secretary; and (2) is based on: (A) a final judgment in a court with jurisdiction in Indiana that: (i) is issued in a case instituted or maintained by the office of the attorney general in connection with a case involving a violation by one (1) or more dealers of IC 9-19, IC 9-22, IC 9-32 or a rule adopted under the authority of IC 9-32, or IC 24-5-0.5; and (ii) awards restitution to one (1) or more qualifying individuals; or (B) a final administrative order issued under IC 9-32-16-2; (3) identifies each qualifying individual who: (A) has been awarded restitution in the order described in subdivision (2); and (B) seeks payment from the fund through the claim submitted; (4) attests that the dealer ordered to pay the restitution has not paid the full amount ordered with respect to each qualifying individual identified under subdivision (3); and (5) seeks payment from the fund of any amount of restitution: (A) ordered by the court or ordered under IC 9-32-16-2; and (B) not paid by the dealer ordered to pay the restitution with respect to each qualifying individual identified under subdivision (3). As added by P.L.179-2017, SEC.97.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 18. Consumer Restitution Fund9-32-18-3. "Qualifying Individual"

Sec. 3. As used in this chapter, "qualifying individual" means an Indiana resident who: (1) is a consumer victim who: (A) purchased a vehicle for personal use; or (B) otherwise conducted business with a dealership; (2) is awarded restitution by a final judgment in a court with jurisdiction in Indiana in a case that: (A) is instituted or maintained by the office of the attorney general and involves a violation described in section 2(2)(A)(i) of this chapter; or (B) is awarded restitution by administrative order under IC 9-32-16-2; and (3) assists or otherwise cooperates with the secretary in the investigation or enforcement of the case. As added by P.L.179-2017, SEC.97.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 18. Consumer Restitution Fund9-32-18-4. Consumer Restitution Fund Established; Deposits; Investments; Reversion to General Fund

Sec. 4. (a) The consumer restitution fund is established for the purpose of compensating qualifying individuals who submit qualifying claims to the secretary. (b) The fund consists of: (1) appropriations made to the fund by the general assembly; (2) grants, gifts, and donations intended for deposit in the fund; and (3) at the discretion of the secretary, money recovered or received by the secretary for consumer protection purposes, if use of the money is not otherwise restricted. (c) At the discretion of the secretary, the secretary may make an annual deposit from the dealer compliance account established by IC 9-32-7-1 or the dealer enforcement account established by IC 9-32-7-2, or both, into the fund. (d) The expenses of administering the fund shall be paid from the money in the fund. (e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. (f) Money in the fund at the end of a state fiscal year does not revert to the state general fund. As added by P.L.179-2017, SEC.97.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 18. Consumer Restitution Fund9-32-18-5. Payment to Qualifying Individuals; Filing Claims; Timing

Sec. 5. (a) The secretary may not make a payment to a qualifying individual under section 4 of this chapter unless the dealer ordered to pay restitution to the qualifying individual has not paid the full amount of the restitution as described in section 2(2) of this chapter: (1) by the date provided in the order; or (2) not later than ninety (90) days after the order is issued; whichever is later. (b) A qualifying individual may seek payment from the fund of any amount of the restitution: (1) ordered by the court to be paid to the qualifying individual or ordered under IC 9-32-16-2; and (2) not paid by the dealer ordered to pay the restitution; by filing a claim with the secretary on a form prescribed by the secretary. (c) The secretary must receive a claim filed under this chapter not later than one hundred eighty (180) days after the date on which the order described in section 2 of this chapter becomes final. The secretary may grant an extension of time for good cause shown by the qualifying individual filing the claim. (d) Notwithstanding subsection (c), the secretary may not accept a claim that is received more than: (1) two (2) years after the date of the judgment described in section 2(2)(A) of this chapter; or (2) one hundred eighty (180) days after the date of the order described in section 2(2)(B) of this chapter; becomes final. (e) The personal information (as defined in IC 9-32-2.1-34) of a qualifying individual who files a qualifying claim with the secretary under subsection (b) is confidential and may not be disclosed or distributed outside the secretary, except as

required by law. (f) Upon receiving a qualifying claim, the secretary may pay, from money available in the fund, to each qualifying individual identified in the claim under section 2(3) of this chapter an amount that: (1) is determined by the secretary, at the secretary's discretion; (2) may be up to the amount of the restitution awarded to the qualifying individual and not paid by the dealer ordered to pay the restitution; and (3) may not exceed three thousand dollars ($3,000). (g) The limits set forth in subsection (f) do not prohibit a qualifying individual from seeking to recover, in any action, or through any other lawful remedy available, any amount of the restitution that: (1) is awarded to the qualifying individual in the order described in section 2(2) of this chapter; (2) is not paid by the dealer ordered to pay the restitution; and (3) exceeds the amount paid to the qualifying individual by the secretary under subsection (f). As added by P.L.179-2017, SEC.97. Amended by P.L.104-2024, SEC.33.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 18. Consumer Restitution Fund9-32-18-6. Liability

Sec. 6. The state is not liable for a determination or an award made by the secretary under this chapter, except to the extent that money is available in the fund on the date the award is determined by the secretary under this chapter. As added by P.L.179-2017, SEC.97.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 18. Consumer Restitution Fund9-32-18-7. Rules

Sec. 7. The secretary may adopt rules under IC 4-22-2 to implement this chapter. As added by P.L.179-2017, SEC.97.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-1. Definitions

Sec. 1. The definitions in this chapter apply throughout this article. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-10. "Dealer"

Sec. 10. "Dealer", unless otherwise provided, refers to all persons required to be licensed by the secretary under this article, and before July 1, 2015, a wholesale dealer. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-11. "Dealer Manager"

Sec. 11. "Dealer manager" means an individual who works at the established place of business of a dealer and who is responsible for and is in charge of the day to day operations, including the management, direction, and control of the dealership. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-12. "Dealer Owner"

Sec. 12. "Dealer owner" means the following: (1) For a transport operator, a licensed dealer, or an applicant dealer, other than a manufacturer, the following: (A) If a corporation, each officer, director, and shareholder having a ten percent (10%) or greater ownership interest in the corporation. (B) If a corporation and it has no officer, director, or shareholder having a ten percent (10%) or greater ownership interest in the corporation, one (1) or more officers, directors, or shareholders designated in writing by the board of directors. (C) If a sole proprietorship, the proprietor. (D) If a partnership, each partner. (E) If a limited liability company, each member of the company. (2) For a licensed or applicant manufacturer, one (1) or more officers, directors, or shareholders designated in writing by the manufacturer. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-13. "Director"

Sec. 13. "Director" refers to the director of the dealer services division within the office of the secretary of state who is appointed under IC 4-5-1-12(b). As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-14. "Disclose"

Sec. 14. "Disclose" means to engage in a practice or conduct to make available and make known personal information contained in an individual record about an individual to a person by any means of communication. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-15. "Distributor Representative"

Sec. 15. "Distributor representative" means a person that is certified by the secretary to be an agent of a licensed distributor to act on behalf of a distributor licensed under this article. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-16. "Division"

Sec. 16. "Division" refers to the dealer services division within the office of the secretary of state established by IC 4-5-1-12(a). As added by P.L.104-2024, SEC.31.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-17. "Document Preparation Fee"

Sec. 17. "Document preparation fee" means any fee charged by a dealer concerning the sale of a motor vehicle, regardless of designation, and that includes costs incurred by the dealer for the preparation of documents concerning the sale of a motor vehicle. The term does not include a fee imposed by a financial institution for the purpose of extending credit for the purchase of a vehicle. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-18. "Electronic Record"

Sec. 18. "Electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-19. "Electronic Signature"

Sec. 19. "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-2. "Advisory Board"

Sec. 2. "Advisory board" refers to the motor vehicle sales advisory board established by IC 9-32-10-1. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-20. "Established Place of Business"

Sec. 20. "Established place of business" has the meaning set forth in IC 9-13-2-50. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-21. "Existing Franchise"

Sec. 21. "Existing franchise" means the franchise in effect on the date of a franchisee's death or incapacity. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-22. "Franchise"

Sec. 22. "Franchise" means an oral or a written agreement for a definite or an indefinite period in which a manufacturer or distributor grants to a dealer a right to use a trade name, trade or service mark, or related characteristic, and in which there is a community of interest in the marketing of motor vehicles or related services at retail or otherwise. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-23. "Franchisee"

Sec. 23. "Franchisee" means a dealer to whom a franchise is granted. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-24. "Franchisor"

Sec. 24. "Franchisor" means a manufacturer or distributor who grants a franchise to a dealer. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-25. "Fraud"

Sec. 25. "Fraud" means: (1) a misrepresentation of a material fact, promise, representation, or prediction not made honestly or in good faith; or (2) the failure to disclose a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-26. "Highly Restricted Personal Information"

Sec. 26. "Highly restricted personal information" means the following information that identifies an individual: (1) Digital photograph or image. (2) Social Security number. (3) Medical or disability information. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-27. "Individual Record"

Sec. 27. "Individual record" refers to a record created or maintained by the division that contains personal information or highly restricted personal information about an individual who is the subject of the record identified in a request. The term includes records

created by a dealer related to the issuance of interim license plates. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-28. "Labor Rate"

Sec. 28. "Labor rate" means the hourly labor rate charged by a franchisee for service, filed periodically with the division as the division may require, and posted prominently in the franchisee's service department. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-29. "Manufactured Home Dealer"

Sec. 29. (a) "Manufactured home dealer" means any person that within a twelve (12) month period sells, offers to sell, or advertises for sale, including directly by the Internet or another computer network, at least three (3) new or used manufactured homes. (b) The term does not include: (1) a receiver, trustee, or other person appointed by or acting under the judgment or order of a court; or (2) a public officer while performing official duties. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-3. "Automobile Auction Company"

Sec. 3. "Automobile auction company" means a person whose primary business consists of arranging, managing, sponsoring, advertising, hosting, carrying out, or otherwise facilitating the auction of more than three (3) motor vehicles or watercraft on the basis of bids by persons acting for themselves or others, within a twelve (12) month period. The term includes a place of business or facilities provided by an auctioneer as part of the business of the auctioneer for the purchase and sale of motor vehicles or watercraft on the basis of bids by persons acting for themselves or others. The term does not include a person acting only as an auctioneer under IC 25-6.1-1. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-30. "Manufacturer of a Vehicle Subcomponent System"

Sec. 30. "Manufacturer of a vehicle subcomponent system" means a manufacturer of a vehicle subcomponent system essential to the operation of a motor vehicle. The term includes a public or private university that is engaged in the: (1) research; (2) development; or (3) manufacture; of a vehicle subcomponent system. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-31. "Manufacturer Representative"

Sec. 31. "Manufacturer representative" means a person that is certified by the secretary to be an agent of a licensed manufacturer to act on behalf of a manufacturer licensed under this article. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-32. "New Motor Vehicle Dealer"

Sec. 32. "New motor vehicle dealer" means any person that within a twelve (12) month period sells, offers to sell, or advertises for sale, including directly by the Internet or another computer network, at least twelve (12) new motor vehicles (excluding manufactured homes). As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-33. "Person"

Sec. 33. "Person" does not include the state, an agency of the state, or a municipal corporation. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-34. "Personal Information"

Sec. 34. (a) "Personal information" means information that identifies an individual, including an individual's: (1) digital photograph or image; (2) Social Security number; (3) driver's license or identification document number; (4) name; (5) address; (6) telephone number; or (7) medical or disability information. (b) The term does not include: (1) the name of a dealer owner; (2) the name of a representative of a: (A) manufacturer; or (B) distributor; (3) the name of the zoning official who signed a dealer license application or zoning affidavit related to a dealer license application; (4) the name of the lessor of a dealer's established place of business; (5) the name of a dealer's registered agent; or (6) the name, address, or telephone number of the established place of business of a: (A) business; or (B) dealer. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-35. "Relevant Market Area"

Sec. 35. "Relevant market area" means the following: (1) With respect to a new motor vehicle dealer who plans to relocate the dealer's place of business in a county having a population of more than one hundred thousand (100,000), the area within a radius of six (6) miles of the intended site of the relocated dealer. The six (6) mile distance shall be determined by measuring the distance between the nearest surveyed boundary of the existing new motor vehicle dealer's principal place of business and the nearest

surveyed boundary line of the relocated new motor vehicle dealer's place of business. (2) With respect to a: (A) proposed new motor vehicle dealer; or (B) new motor vehicle dealer who plans to relocate the dealer's place of business in a county having a population of not more than one hundred thousand (100,000); the area within a radius of ten (10) miles of the intended site of the proposed or relocated dealer. The ten (10) mile distance shall be determined by measuring the distance between the nearest surveyed boundary line of the existing new motor vehicle dealer's principal place of business and the nearest surveyed boundary line of the proposed or relocated new motor vehicle dealer's principal place of business. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-36. "Sale"

Sec. 36. "Sale" includes every contract of sale, contract to sell, or disposition of a motor vehicle or interest in a motor vehicle for value. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-37. "Secretary"

Sec. 37. "Secretary" refers to the secretary of state holding office as set forth in IC 4-5-1-1. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-38. "Sign" or "Signature"

Sec. 38. "Sign" or "signature" includes a manual, facsimile, or conformed signature, or an electronic signature. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-39. "Stop Sale Directive"

Sec. 39. "Stop sale directive" means a notification issued by a manufacturer or distributor stating that a new or used vehicle in inventory may not be sold or leased at retail or wholesale due to: (1) a federal safety recall for: (A) a defect; or (B) a noncompliance; or (2) a federal emissions recall. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-4. "Automotive Mobility Dealer"

Sec. 4. "Automotive mobility dealer" means a person that: (1) engages exclusively in the business of selling, offering to sell, or soliciting or advertising the sale of adapted vehicles or watercraft; (2) possesses adapted vehicles or watercraft exclusively for the purpose of resale, either on the automotive mobility dealer's own account or on behalf of another as the primary or incidental business of the automotive mobility dealer; or (3) engages in the business of: (A) selling, installing, or servicing; (B) offering to sell, install, or service; or (C) soliciting or advertising the sale, installation, or servicing of; equipment or modifications specifically designed to facilitate use or operation of a vehicle or watercraft by an individual who is disabled or aged. The term includes a converter manufacturer (as defined by section 9 of this chapter) that engages in any of the activities set forth in subdivisions (1), (2), and (3). As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-40. "Transfer Dealer"

Sec. 40. (a) "Transfer dealer" means a person that is not engaged in the business of selling motor vehicles but, as a result of the person's primary business, has cause to sell, offer to sell, or advertise for sale at least twelve (12) motor vehicles during a twelve (12) month period. (b) The term does not include: (1) a manufacturer; (2) a distributor; (3) a converter manufacturer; (4) a watercraft dealer; (5) an automotive mobility dealer; (6) an automotive auction; (7) a person engaged in the business of: (A) storing vehicles; (B) furnishing supplies for vehicles; (C) providing towing services for vehicles; or (D) repairing vehicles; or (8) a person whose primary business is selling motor vehicles. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-41. "Transport Operator"

Sec. 41. "Transport operator" has the meaning set forth in IC 9-13-2-187. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-42. "Uniform Time Standards Manual"

Sec. 42. "Uniform time standards manual" means a schedule established by a manufacturer or distributor setting forth the time allowances for the diagnosis and performance of warranty work and service. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-43. "Used Motor Vehicle"

Sec. 43. "Used motor vehicle" means a motor vehicle that: (1) has been previously titled under IC 9-17; or (2) has been transferred by a manufacturer, distributor, or dealer to an ultimate purchaser. As added by P.L.104-2024, SEC.31.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-44. "Used Motor Vehicle Dealer"

Sec. 44. (a) "Used motor vehicle dealer" means any person that within a twelve (12) month period sells, offers to sell, or advertises for sale, including directly by the Internet or another computer network, at least twelve (12) used motor vehicles (excluding manufactured homes). (b) The term does not include the following: (1) A receiver, trustee, or other person appointed by or acting under the judgment or order of a court. (2) A public officer while performing official duties. (3) A person that holds a mechanic's lien on a motor vehicle under IC 9-22-6, if the person sells the motor vehicle: (A) in accordance with requirements in IC 9-22-6; or (B) to an automotive salvage recycler licensed under IC 9-32-9 after the motor vehicle fails to sell at public auction conducted in compliance with IC 9-22-6. (4) A person that holds a lien for towing services under IC 9-22-1, if the person complies with all applicable requirements in IC 9-22-1 and IC 9-22-6. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-45. "Used Parts Dealer"

Sec. 45. "Used parts dealer" means a person who primarily buys, sells, barters, exchanges, or deals in used major component parts. The term does not include a scrap metal processor. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-46. "Watercraft Dealer"

Sec. 46. "Watercraft dealer" means a person that sells, offers to sell, or advertises the sale of at least six (6): (1) watercrafts; (2) trailers designed and used exclusively for the transportation of watercrafts; or (3) trailers sold in general association with the sale of watercrafts; within a period of twelve (12) months. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-5. "Automotive Salvage Rebuilder"

Sec. 5. "Automotive salvage rebuilder" means a person that: (1) acquires salvage vehicles for the purpose of restoring, reconstructing, or rebuilding the vehicles; and (2) resells, offers to resell, or advertises for resale the vehicles for use on the highway. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-6. "Average Wholesale Value"

Sec. 6. "Average wholesale value" means the average trade-in value indicated in an independent third party guide for the year, make, model, mileage, and condition of a used motor vehicle. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-7. "Broker"

Sec. 7. (a) "Broker" means a person that, for a fee, a commission, or other valuable consideration, arranges or offers to arrange a transaction involving the sale, for purposes other than resale, of a new or used motor vehicle and that is not, at any point in the transaction, the bona fide owner of the motor vehicle involved in the transaction. (b) The term does not include: (1) a dealer licensed under this article or an employee of a dealer licensed under this article acting in an employment arrangement with the dealer, if the motor vehicle being sold is a motor vehicle in the dealer's inventory or is subject to a consignment agreement between the dealer and the owner of the motor vehicle; (2) a distributor licensed under this article, or an employee of a distributor licensed under this article and acting in an employment arrangement with the distributor, if the sale being arranged is a sale to a dealer licensed under this article; (3) a manufacturer licensed under this article, or an employee of a manufacturer licensed under this article and acting in an employment arrangement with the manufacturer, if the sale being arranged is a sale to a dealer licensed under this article; or (4) a lead generation or other marketing service, if: (A) the fee for the service is not based on whether the lead provided by the service generated a sale for the dealer; and (B) the service does not have an active role in the negotiation of a sale, including negotiating the price of the motor vehicle. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-8. "Charge Back"

Sec. 8. "Charge back" means a manufacturer induced return of incentive payments to a manufacturer by a new motor vehicle dealer. The term includes a manufacturer drawing funds from an account of a new motor vehicle dealer. As added by P.L.104-2024, SEC.31.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 2.1. Definitions9-32-2.1-9. "Converter Manufacturer"

Sec. 9. "Converter manufacturer" means a person that adds to, subtracts from, or modifies a previously assembled or manufactured motor vehicle. The term does not include a person that manufactures recreational vehicles. As added by P.L.104-2024, SEC.31.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 3. Powers and Duties of the Division9-32-3-1. Rights, Duties, and Obligations Under Article, Rules

Sec. 1. The secretary may delegate any or all of the rights, duties, or obligations of the secretary under this article to: (1) the director; or (2) another designee under the supervision and control of the secretary. The individual delegated has the authority to adopt and enforce rules under IC 4-22-2 as the secretary under IC 4-5-1-11. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.37.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 3. Powers and Duties of the Division9-32-3-10. Permissible Uses of Disclosed Personal Information

Sec. 10. (a) An authorized recipient of personal information, except a recipient under section 7(10) or 7(11) of this chapter, may resell or redisclose the information for any use allowed under section 6 of this chapter, except for a use under section 7(10) or 7(11) of this chapter. (b) An authorized recipient of a record under section 7(10) of this chapter may resell or redisclose personal information for any purpose. (c) An authorized recipient of personal information under section 7(10) of this chapter may resell or redisclose the personal information for use only in accordance with section 7(11) of this chapter. (d) Except for a recipient under section 7(10) of this chapter, a recipient that resells or rediscloses personal information shall maintain and make available for inspection to the division, upon request, for at least five (5) years, records concerning: (1) each person that receives the information; and (2) the permitted use for which the information was obtained. As added by P.L.174-2016, SEC.44.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 3. Powers and Duties of the Division9-32-3-11. Adoption of Rules

Sec. 11. The secretary may adopt rules under IC 4-22-2 to carry out this chapter. As added by P.L.174-2016, SEC.45.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 3. Powers and Duties of the Division9-32-3-12. Misrepresentation of Identity; Class C Misdemeanor

Sec. 12. A person requesting the disclosure of personal information or highly restricted personal information from records of the division that knowingly or intentionally misrepresents the person's identity or makes a false statement to the division on an application required to be submitted under this chapter commits a Class C misdemeanor. As added by P.L.174-2016, SEC.46.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 3. Powers and Duties of the Division9-32-3-13. Acceptable Forms of Identification

Sec. 13. The following are acceptable forms of identification for purposes of section 7 of this chapter: (1) An unexpired driver's license. (2) An unexpired identification card issued under IC 9-24-16-1, photo exempt identification card issued under IC 9-24-16.5, or similar card issued under the laws of another state or the federal government. (3) An unexpired government issued document bearing an image of the individual requesting the information. As added by P.L.174-2016, SEC.47.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 3. Powers and Duties of the Division9-32-3-2. Secretary; Responsibilities and Duties

Sec. 2. The secretary shall do the following: (1) Administer and enforce: (A) this article concerning the division; and (B) the policies and procedures of the division. (2) Organize the division in the manner necessary to carry out the duties of the division. (3) Perform other duties as required by the division. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 3. Powers and Duties of the Division9-32-3-4. Payment Methods; Electronic Signatures

Sec. 4. (a) The secretary may accept payment of a correct fee by: (1) credit card; (2) debit card; (3) charge card; (4) guaranteed electronic check; or (5) a similar method. (b) If the fee is paid using a method of payment set forth in subsection (a), the legal obligation is not finally discharged until the secretary receives payment or credit from the institution responsible for making the payment or credit. (c) The secretary may contract with a bank or credit card vendor for acceptance of bank or credit cards, or guaranteed electronic checks. (d) If there is a vendor transaction charge or discount fee, the secretary or the credit card vendor may collect a fee from the person using a method of payment set forth in subsection (a). This fee may not exceed the vendor transaction charge or discount fee. This fee may be collected regardless of any agreement between the bank and a credit card vendor or regardless of any internal policy of the credit card vendor that may prohibit this type of fee. (e) A signature on a document that is electronically transmitted is sufficient if the person transmitting the document: (1) intends to submit the document as evidenced by a symbol executed or adopted by a party with present intention to authenticate the filing; and (2) enters the submitting party's name on the electronic form in a signature box or other place indicated by the secretary. As added by P.L.174-2016, SEC.38. Amended by P.L.179-2017, SEC.36.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 3. Powers and Duties of the Division9-32-3-5. Prohibition of Disclosure of Personal Information

Sec. 5. Except as provided in sections 6, 7, and 8 of this chapter, or as required by IC 5-14-3, an officer or employee of the division may not knowingly disclose or otherwise make available personal information, including highly restricted personal information, obtained in connection with an individual record. As added by P.L.174-2016, SEC.39.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 3. Powers and Duties of the Division9-32-3-6. Mandatory Disclosure of Personal Information

Sec. 6. Personal information related to: (1) motor vehicle or driver safety and theft; (2) motor vehicle emissions; (3) motor vehicle product alterations, recalls, or advisories; (4) performance monitoring of motor vehicles and dealers by motor vehicle manufacturers; and (5) the removal of nonowner records from the original owner records of motor vehicle manufacturers; must be disclosed under this chapter to carry out the purposes of the federal Automobile Information Disclosure Act (15 U.S.C. 1231 et seq.), the Anti-Car Theft Act of 1992 (49 U.S.C. 33101 et seq.), the Clean Air Act (49 U.S.C. 7401 et seq.), and all federal regulations enacted or adopted under those acts. As added by P.L.174-2016, SEC.40.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 3. Powers and Duties of the Division9-32-3-7. Disclosure of Certain Non-Highly Restricted Personal Information; Proof of Identity; Permissible Uses

Sec. 7. The division may disclose certain personal information that is not highly restricted information if the person requesting the information provides proof of identity as set forth under section 13 of this chapter and represents that the use of the personal information will be strictly limited to at least one (1) of the following: (1) For use by a government agency, including a court or law enforcement agency, in carrying out its functions, or a person acting on behalf of a government agency in carrying out its functions. (2) For use in connection with matters concerning: (A) motor vehicle or driver safety and theft; (B) motor vehicle emissions; (C) motor vehicle product alterations, recalls, or advisories; (D) performance monitoring of motor vehicles, motor vehicle parts, and dealers; (E) motor vehicle market research activities, including survey research; (F) the removal of nonowner records from the original owner records of motor vehicle manufacturers; and (G) motor fuel theft under IC 24-4.6-5. (3) For use in the normal course of business by a business or its agents, employees, or contractors, but only: (A) to verify the accuracy of personal information submitted by an individual to the business or its agents, employees, or contractors; and (B) if information submitted to a business is not correct or is no longer correct, to obtain the correct information only for purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, an individual. (4) For use in connection with a civil, a criminal, an administrative, or an arbitration proceeding in a court or government agency or before a self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or under an order of a court. (5) For use in research activities, and for use in producing statistical reports, as long as the personal information is not published, redisclosed, or used to contact the individuals who are the subjects of the personal information. (6) For use by an insurer, an insurance support organization, or a self-insured entity, or the agents, employees, or contractors of an insurer, an insurance support organization, or a self-insured entity in connection with claims investigation activities, antifraud activities, rating, or underwriting. (7) For use in providing notice to the owners of towed or impounded vehicles. (8) For use by a licensed private investigative agency or licensed security service for a purpose allowed under this section. (9) For use in connection with the operation of private toll transportation facilities. (10) For any use in response to requests for individual motor vehicle records when the division has obtained the written consent of the person to whom the personal information pertains. (11) For bulk distribution for surveys, marketing, or solicitations when the division has obtained the written consent of the person to whom the personal information pertains. (12) For use by any person, when the person demonstrates, in a form and manner prescribed by the division, that written consent has been obtained from the individual who is the subject of the information. (13) For any other use specifically authorized by law that is related to the operation of a motor vehicle or public safety. As added by P.L.174-2016, SEC.41.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 3. Powers and Duties of the Division9-32-3-8. Disclosure of Highly Restricted Personal Information

Sec. 8. Highly restricted personal information may be disclosed by the division only as follows: (1) With the express written consent of the individual to whom the highly restricted personal information pertains. (2) In the absence of the express written consent of the person to whom the highly restricted personal information pertains, if the person requesting the information: (A) provides proof of identity as set forth in section 13 of this chapter; and (B) represents that the use of the highly restricted personal information will be strictly limited to at least one (1) of the uses set forth in section 7(1), 7(4), and 7(6) of this chapter. As added by P.L.174-2016, SEC.42.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 3. Powers and Duties of the Division9-32-3-9. Preconditions for Disclosure of Personal Information

Sec. 9. The division may, before disclosing personal information, require the requesting person to satisfy certain conditions for the

purpose of ascertaining: (1) the correct identity of the requesting person; (2) that the use of the disclosed information will be only as authorized; or (3) that the consent of the person who is the subject of the information has been obtained. The conditions may include the making and filing of a written application on a form prescribed by the division and containing all information and certification requirements required by the division. As added by P.L.174-2016, SEC.43.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 4. Obtaining, Expiration, Replacement, and Transfer of Certificate of Title9-32-4-0.5. "Third Party"

Sec. 0.5. As used in this chapter, "third party" means a person having possession of a certificate of title for a vehicle because the person has a lien or an encumbrance indicated on the certificate of title. As added by P.L.27-2018, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 4. Obtaining, Expiration, Replacement, and Transfer of Certificate of Title9-32-4-1. Transfer of Title; Sale of Motor Vehicle or Watercraft Without Certificate of Title; Failure to Deliver Certificate of Title; Timely Payment to Third Party

Sec. 1. (a) As used in this section, "transferring party" has the meaning set forth in IC 9-17-3-0.6. (b) If a motor vehicle or watercraft for which a certificate of title has been issued is sold or if the ownership of the motor vehicle or watercraft is transferred in any manner other than by a transfer on death conveyance under IC 9-17-3-9, in addition to complying with IC 9-17-3-3.4, the transferring party must do the following: (1) In the case of a sale or transfer between dealers licensed by this state or another state, deliver or transmit the certificate of title within thirty-one (31) days after the date of the sale or transfer. (2) Deliver or transmit the certificate of title to the purchaser or transferee within thirty-one (31) days after the date of sale or transfer to the purchaser or transferee of the motor vehicle or watercraft, if all the following conditions exist: (A) The transferring party is a dealer licensed by the state under this article. (B) The dealer is not able to deliver or transmit the certificate of title at the time of sale or transfer. (C) The dealer provides the purchaser or transferee with an affidavit under section 2 of this chapter. (D) The purchaser or transferee has made all agreed upon initial payments for the motor vehicle or watercraft, including delivery of a trade-in motor vehicle or watercraft without hidden or undisclosed statutory liens. (3) Keep proof of delivery or transmission of the certificate of title with the dealer records. (c) A dealer may offer for sale a motor vehicle or watercraft for which the dealer does not possess a certificate of title, if the dealer can comply with subsection (b)(1) or (b)(2) at the time of the sale. (d) A dealer that fails to deliver or transmit the certificate of title within the time specified under subsection (b) is subject to the following civil penalties: (1) One hundred dollars ($100) for the first violation in a calendar year. (2) Two hundred fifty dollars ($250) for the second violation in a calendar year. (3) Five hundred dollars ($500) for all subsequent violations in a calendar year. Payment shall be made to the secretary and deposited in the dealer enforcement account established under IC 9-32-7-2. (e) If a purchaser or transferee does not receive a valid certificate of title within the time specified by this section, the purchaser or transferee has the right to return the motor vehicle or watercraft to the dealer ten (10) days after giving the dealer written notice demanding delivery or transmission of a valid certificate of title and the dealer's failure to deliver or transmit a valid certificate of title within that ten (10) day period. Upon return of the motor vehicle or watercraft to the dealer in the same or similar condition as delivered to the purchaser or transferee under this section, the dealer shall pay to the purchaser or transferee the purchase price plus sales taxes, finance expenses, insurance expenses, and any other amount paid to the dealer by the purchaser or transferee. The relief referenced in this subsection is relief for the purchaser or transferee only and does not preclude the ability of the division to collect civil penalties under subsection (d). (f) For purposes of this subsection, "timely deliver", with respect to a third party, means to deliver or transmit to the purchaser or transferee by postmark dated mail, electronically dated transmission, or by hand delivery not more than ten (10) business days after there is no obligation secured by the motor vehicle or watercraft. If the dealer's inability to timely deliver or transmit a valid certificate of title results from the acts or omissions of a third party that has failed to timely deliver or transmit a valid certificate of title to the dealer, the dealer is entitled to claim against the third party one hundred dollars ($100). If: (1) the dealer's inability to timely deliver or transmit a valid certificate of title results from the acts or omissions of a third party that has failed to timely deliver or transmit the certificate of title in the third party's possession to the dealer; and (2) the failure continues for ten (10) business days after the dealer gives the third party written notice of the failure; the dealer is entitled to claim against the third party all damages sustained by the dealer in rescinding the dealer's sale with the purchaser or transferee, including the dealer's reasonable attorney's fees. (g) If a motor vehicle or watercraft for which a certificate of title has been issued by another state is sold or delivered, the person selling or delivering the motor vehicle or watercraft shall deliver or transmit to the purchaser or receiver of the motor vehicle or watercraft a proper certificate of title with an assignment of the certificate of title in a form prescribed by the bureau. (h) A dealer shall make payment to a third party to satisfy any obligation secured by the motor vehicle or watercraft sold by or traded to the dealer not later than ten (10) days after the motor vehicle or watercraft is delivered to or sold by the dealer. (i) Except as provided in subsection (j), a person that violates this section commits a Class C infraction. (j) A person that knowingly or intentionally violates subsection (b)(1), (b)(2), or (e) commits a Class B misdemeanor. (k) For purposes of this section, "deliver or transmit the certificate of title" means to deliver or transmit the certificate of title to the purchaser or transferee by postmark dated mail, certified mail with return receipt, electronic transmission through the bureau's file system, or hand delivery. As added by P.L.92-2013, SEC.78. Amended by P.L.262-2013, SEC.139; P.L.217-2014, SEC.163; P.L.151-2015, SEC.39; P.L.174-2016, SEC.48; P.L.179-2017, SEC.37; P.L.27-2018, SEC.17; P.L.137-2018, SEC.6.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 4. Obtaining, Expiration, Replacement, and Transfer of Certificate of Title9-32-4-2. Affidavit Form

Sec. 2. The affidavit required by section 1(b)(2)(C) of this chapter must be printed in the following form: STATE OF INDIANA)) ss: COUNTY OF _____) I affirm under the penalties for perjury that all of the following are true: (1) That I am a dealer licensed under IC 9-32. (2) That I cannot deliver or transmit a valid certificate of title to the retail purchaser of the motor vehicle or watercraft described in paragraph (3) at the time of sale of the motor vehicle or watercraft to the retail purchaser. The identity of the previous seller or transferor is _____. There ( ) is ( ) is not a lien on the motor vehicle or watercraft. I am required to satisfy any obligation secured by this motor vehicle or watercraft not later than (date)_____. I expect to deliver or transmit a valid and transferable certificate of title not later than (date)_____ from the State of (state)_____ to the purchaser. (3) That I will undertake reasonable commercial efforts to produce the valid certificate of title. The vehicle identification number or hull identification number is _____. Signed _____, Dealer By_____ Dated _____, ____ CUSTOMER ACKNOWLEDGES RECEIPT OF A COPY OF THIS AFFIDAVIT. _____ Customer Signature NOTICE TO THE CUSTOMER If you do not receive a valid certificate of title within thirty-one (31) days after the date of sale, you have the right to return the motor vehicle or watercraft to the dealer ten (10) days after giving the dealer written notice demanding delivery or transmission of a valid certificate of title and after the dealer's failure to deliver or transmit a valid certificate of title within that ten (10) day period. Upon return of the motor vehicle or watercraft to the dealer in the same or similar condition as when it was delivered to you, the dealer shall pay you the purchase price plus sales taxes, finance expenses, insurance expenses, and any other amount that you paid to the dealer. If a lien is present on the previous owner's certificate of title, it is the responsibility of the third party lienholder to timely deliver or transmit the certificate of title in the third party's possession to the dealer not more than ten (10) business days after there is no obligation secured by the motor vehicle or watercraft. If the dealer's inability to deliver or transmit a valid certificate of title to you within the above-described ten (10) day period results from the acts or omissions of a third party that has failed to timely deliver or transmit the certificate of title in the third party's possession to the dealer, the dealer may be entitled to claim against the third party the damages allowed by law. As added by P.L.92-2013, SEC.78. Amended by P.L.262-2013, SEC.140; P.L.174-2016, SEC.49; P.L.179-2017, SEC.38; P.L.27-2018, SEC.18; P.L.137-2018, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 5. Manufacturers, Converter Manufacturers, and Dealers; Manufacturers' Certificates of Origin9-32-5-1. Applicability; Exception

Sec. 1. This chapter does not apply to an off-road vehicle. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 5. Manufacturers, Converter Manufacturers, and Dealers; Manufacturers' Certificates of Origin9-32-5-2. Sale or Transfer of Motor Vehicle or Watercraft for Display or Resale; Delivery of Certificate of Origin

Sec. 2. A dealer may not sell or otherwise dispose of a new motor vehicle or watercraft to another person, to be used by the person for purposes of display or resale, without delivering to the person a manufacturer's certificate of origin under this chapter that indicates the assignments of the certificate of origin necessary to show the ownership of the title to a person who purchases the motor vehicle or watercraft. As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.40; P.L.179-2017, SEC.39.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 5. Manufacturers, Converter Manufacturers, and Dealers; Manufacturers' Certificates of Origin9-32-5-3. Purchaser of New Motor Vehicle or Watercraft; Receipt of Certificate of Origin

Sec. 3. A person may not purchase or acquire a new motor vehicle or watercraft without obtaining a valid manufacturer's certificate of origin from the seller of the motor vehicle or watercraft. As added by P.L.92-2013, SEC.78. Amended by P.L.179-2017, SEC.40.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 5. Manufacturers, Converter Manufacturers, and Dealers; Manufacturers' Certificates of Origin9-32-5-4. Form of Certificates of Origin and Assignments of Origin

Sec. 4. (a) Except as provided in subsection (b), certificates of origin and assignments of certificates of origin must be in a form: (1) prescribed by the bureau; or (2) approved by the bureau. (b) A manufacturer's certificate of origin for a low speed vehicle must indicate that the motor vehicle is a low speed vehicle. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 5. Manufacturers, Converter Manufacturers, and Dealers; Manufacturers' Certificates of Origin9-32-5-5. Dealer; Required Certificates or Proof of Ownership or Right of Possession

Sec. 5. A dealer must have: (1) a certificate of title; (2) an assigned certificate of title; (3) a manufacturer's certificate of origin; (4) an assigned manufacturer's certificate of origin; or (5) other proof of ownership or evidence of right of possession as determined by the secretary; for a motor vehicle or watercraft in the dealer's possession. As added by P.L.92-2013, SEC.78. Amended by

P.L.151-2015, SEC.41; P.L.174-2016, SEC.50; P.L.179-2017, SEC.41.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 5. Manufacturers, Converter Manufacturers, and Dealers; Manufacturers' Certificates of Origin9-32-5-6. Dealer Possession of Motor Vehicle Without Certificate of Title; Application; Time Limitation

Sec. 6. If a dealer purchases or acquires ownership of a motor vehicle in a state that does not have a certificate of title law, the dealer shall apply for an Indiana certificate of title for the motor vehicle not more than forty-five (45) days after the date of purchase or the date ownership of the motor vehicle was acquired. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.51; P.L.198-2016, SEC.625; P.L.118-2022, SEC.32.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 5. Manufacturers, Converter Manufacturers, and Dealers; Manufacturers' Certificates of Origin9-32-5-7. Forms for Applications

Sec. 7. The bureau shall provide forms on which applications for certificates of title and assignments of certificates of title must be made under this chapter. As added by P.L.92-2013, SEC.78.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 5. Manufacturers, Converter Manufacturers, and Dealers; Manufacturers' Certificates of Origin9-32-5-8. Assigned Certificates of Title or Certificates of Origin; Delivery

Sec. 8. A dealer shall deliver or transmit an assigned certificate of title or certificate of origin to a person entitled to the certificate of title or certificate of origin. As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.42; P.L.27-2018, SEC.19.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 5. Manufacturers, Converter Manufacturers, and Dealers; Manufacturers' Certificates of Origin9-32-5-9. Inspection of Certificates; Motor Vehicles or Watercraft

Sec. 9. (a) In order to obtain or maintain a dealer's license from the secretary, a person must agree to allow a police officer or an authorized representative of the secretary to inspect: (1) certificates of origin, certificates of title, assignments of certificates of origin and certificates of title, or other proof of ownership or evidence of right of possession as determined by the secretary; and (2) motor vehicles or watercraft that are held for resale by the dealer; in the dealer's established place of business during reasonable business hours. (b) A certificate of title, a certificate of origin, and any other proof of ownership described under subsection (a): (1) must be readily available for inspection by or delivery to the proper persons; and (2) may not be removed from Indiana. As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.43; P.L.174-2016, SEC.52; P.L.179-2017, SEC.42.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6.5. Dealer Designee and Interim Manufacturer Transporter License Plates9-32-6.5-1. Dealer Designee License Plate and Registration Card; Fee

Sec. 1. (a) This section applies after June 30, 2017. (b) The secretary may design and issue a dealer designee license plate for use by the secretary or a designee of a licensed new or used motor vehicle dealer. (c) A dealer that assigns a dealer designee license plate and registration card to a person shall report to the secretary on a form issued by the secretary the date of assignment, the person's name and address, the date of termination of the assignment, and any other information the secretary requires. A copy of the form must be kept at all times in the vehicle displaying the dealer designee license plate. (d) The fee for a dealer designee license plate and registration card is twenty-one dollars and thirty-five cents ($21.35). The fee shall be distributed as follows: (1) Forty percent (40%) to the crossroads 2000 fund established by IC 8-14-10-9. (2) Forty-nine percent (49%) to the dealer compliance account established by IC 9-32-7-1. (3) Eleven percent (11%) to the motor vehicle highway account under IC 8-14-1. As added by P.L.174-2016, SEC.67. Amended by P.L.179-2017, SEC.46; P.L.120-2020, SEC.53.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6.5. Dealer Designee and Interim Manufacturer Transporter License Plates9-32-6.5-12. Lost, Stolen, or Destroyed Dealer Designee License Plate or Registration Card; Replacement; Notification of Law Enforcement and Secretary of State

Sec. 12. (a) Except as provided in subsection (b), if a dealer designee license plate or registration card issued under this chapter is lost, stolen, or destroyed, the dealer may apply for a replacement dealer designee license plate or registration card in the form and manner prescribed by the secretary. (b) If a dealer designee license plate is lost or stolen, the dealer to whom the dealer designee license plate was issued shall: (1) notify the law enforcement agency that has jurisdiction where the loss or theft occurred; and (2) present to the secretary on a form prescribed by the secretary a report completed by the law enforcement agency that was notified under subdivision (1). As added by P.L.179-2017, SEC.54. Amended by P.L.284-2019, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6.5. Dealer Designee and Interim Manufacturer Transporter License Plates9-32-6.5-2. Dealer Designee License Plate

Sec. 2. (a) A dealer designee license plate may be displayed only on a motor vehicle in a dealer's inventory. (b) A person may not: (1) lend; (2) lease; (3) sell; (4) transfer; (5) copy; (6) alter; or (7) reproduce; a dealer designee license plate. (c) A dealer designee license plate may not be used: (1) on a motor vehicle that is required to be registered under IC 9-18 (before its expiration) or IC 9-18.1; (2) on a motor vehicle for which a dealer charges and receives compensation from an individual other than an employee of

the dealer; or (3) on a motor vehicle that a dealer leases or rents. As added by P.L.174-2016, SEC.67. Amended by P.L.198-2016, SEC.627.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6.5. Dealer Designee and Interim Manufacturer Transporter License Plates9-32-6.5-8. Shipping Documents

Sec. 8. When a newly manufactured semitrailer or trailer is being delivered by a motor carrier, the driver of the motor vehicle used to pull the semitrailer or trailer shall carry a properly completed shipping document showing points of origin and destination issued by the manufacturer. As added by P.L.174-2016, SEC.67.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6. Dealer License Plates9-32-6-1. Applications; Certificates of Registration; Plates; Fee; Service Charge

Sec. 1. (a) The following persons licensed under this article may apply for dealer license plates: (1) An automobile auction company. (2) A converter manufacturer. (3) A new motor vehicle dealer. (4) A distributor. (5) A watercraft dealer. (6) A manufacturer. (7) A transfer dealer. (8) A used motor vehicle dealer. (b) The application must include any information the secretary reasonably requires. Upon successful application, two (2) certificates of registration and two (2) metal dealer license plates shall then be issued to the applicant. A person under subsection (a) may apply for and at the discretion of the secretary receive additional dealer license plates as set forth in section 5 of this chapter. (c) Except for license plates issued to transfer dealers, the fee for the first two (2) license plates issued under subsection (b) is as follows: (1) For motorcycle dealer license plates, fifteen dollars ($15). (2) For license plates not described in subdivision (1), forty dollars ($40). (d) The fees for license plates issued to transfer dealers are established under section 2(c) of this chapter. (e) Fees collected under subsection (c) shall be distributed as follows: (1) Thirty percent (30%) to the dealer compliance account. (2) Seventy percent (70%) to the motor vehicle highway account. (f) There is an additional service charge of five dollars ($5) for each set of license plates issued under subsection (b). The service charge shall be deposited in the crossroads 2000 fund. As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.11; P.L.151-2015, SEC.44; P.L.174-2016, SEC.53; P.L.120-2020, SEC.46; P.L.182-2021, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6. Dealer License Plates9-32-6-10. License Plate Use Prohibited on Leased Vehicles

Sec. 10. (a) Dealer license plates may not be used on a motor vehicle that: (1) is required to be registered; and (2) has a fee charged by dealers to others for the use of the motor vehicle. (b) A person who violates this section commits a Class A infraction. As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.20; P.L.217-2014, SEC.165; P.L.5-2015, SEC.32; P.L.174-2016, SEC.61.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6. Dealer License Plates9-32-6-11. Interim License Plates; Violation

Sec. 11. (a) The secretary may issue an interim license plate to the following persons licensed under this article: (1) An automobile auction company. (2) A converter manufacturer. (3) A new motor vehicle dealer. (4) A watercraft dealer. (5) A manufacturer. (6) A used motor vehicle dealer. (b) The secretary shall prescribe the form of an interim license plate issued under this section. An interim license plate must bear the assigned registration number and provide sufficient space for the expiration date as provided in subsection (c). (c) A dealer may provide a person with not more than one (1) interim license plate issued by the secretary at the time the dealer: (1) sells or leases a motor vehicle to the person; or (2) allows a person that buys a motor vehicle to take delivery of the motor vehicle before the sale of the motor vehicle is fully funded; whichever occurs first. The dealer shall, in the manner provided by the secretary, affix on the plate in numerals and letters at least three (3) inches high the date on which the interim license plate expires. (d) An interim license plate authorizes a person to operate the motor vehicle until the earlier of the following dates: (1) Forty-five (45) days after the date of sale or lease of the motor vehicle to the person. (2) The date on which a regular license plate is issued. A person that violates this subsection commits a Class A infraction. (e) A motor vehicle that is required by law to display license plates on the front and rear of the motor vehicle is required to display only a single interim license plate. (f) An interim license plate shall be displayed: (1) in the same manner required in IC 9-18-2-26 (before its expiration) or IC 9-18.1-4-3; or (2) in a location on the left side of a window facing the rear of the motor vehicle that is clearly visible and unobstructed. The plate must be affixed to the window of the motor vehicle. (g) The dealer must provide an ownership document to the person at the time of issuance of the interim license plate that must be kept in the motor vehicle during the period an interim license plate is used. (h) All interim license plates not issued by the dealer must be retained in the possession of the dealer at all times. (i) The fee for an interim dealer license plate is three dollars ($3). The fee shall be distributed as follows: (1) Forty percent (40%) to the crossroads 2000 fund established by IC 8-14-10-9. (2) Forty-nine percent (49%) to the dealer compliance account established by IC 9-32-7-1. (3) Eleven percent (11%) to the motor vehicle highway account under IC 8-14-1. (j) The secretary may issue an interim license plate to a person that purchases a motor vehicle from a dealer if the dealer has not timely delivered or transmitted the certificate of title for the motor vehicle under IC 9-32-4-1. (k) The secretary may design and issue to a dealer a motor driven cycle decal to be used in conjunction with an interim license plate upon the sale of a motor driven cycle. (l) A new motor vehicle dealer may issue an interim license plate for use on a new motor vehicle that the new motor vehicle dealer delivers to a purchaser on behalf of a manufacturer or another new motor vehicle dealer if: (1) there is a written courtesy agreement between the new motor vehicle dealer delivering the

motor vehicle and the new motor vehicle dealer or manufacturer that sold the motor vehicle being delivered; and (2) the new motor vehicle is transported directly from the manufacturer to the new motor vehicle dealer delivering the new motor vehicle to the purchaser. A person that violates this subsection commits a Class C infraction. (m) A person that fails to display an interim license plate as prescribed in subsection (f)(1) or (f)(2) commits a Class C infraction. As added by P.L.92-2013, SEC.78. Amended by P.L.217-2014, SEC.166; P.L.188-2015, SEC.129; P.L.174-2016, SEC.62; P.L.198-2016, SEC.626; P.L.27-2018, SEC.20; P.L.137-2018, SEC.8; P.L.120-2020, SEC.51; P.L.20-2022, SEC.6.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6. Dealer License Plates9-32-6-12. Interim Plates; False or Fictitious Information; Alteration

Sec. 12. (a) A dealer may not knowingly or intentionally: (1) issue an altered interim license plate or an interim license plate with false or fictitious information; (2) alter a dealer license plate or use a dealer license plate that is false or fictitious; or (3) create, issue, display, or use an interim license plate or a reproduction of an interim license plate not issued by the secretary. (b) A dealer that violates this section commits a Class A infraction As added by P.L.92-2013, SEC.78. Amended by P.L.217-2014, SEC.167; P.L.151-2015, SEC.49; P.L.174-2016, SEC.63.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6. Dealer License Plates9-32-6-13. Operation of Motor Vehicle Displaying Altered Interim License Plate

Sec. 13. (a) A person who knowingly or intentionally operates a motor vehicle displaying: (1) an interim license plate issued under section 11 of this chapter that is altered or reproduced; or (2) a license plate that purports to be an interim license plate issued under section 11 of this chapter; commits a Class C misdemeanor. (b) A person that knowingly and with the intent to defraud obtains an altered interim license plate described in subsection (a) commits a Class C misdemeanor. As added by P.L.92-2013, SEC.78. Amended by P.L.217-2014, SEC.168; P.L.174-2016, SEC.64.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6. Dealer License Plates9-32-6-14. Record Relating to Use of Interim License Plates by a Dealer; Availability to Investigating Employee of Secretary of State

Sec. 14. (a) A record directly related to the use of interim license plates by a dealer must be: (1) made available to an investigating employee of the secretary: (A) upon demand; and (B) during reasonable business hours; and (2) provided: (A) at the established place of business of the dealer; (B) electronically; or (C) by mail. (b) A dealer shall produce the records in the manner requested by the investigating employee of the secretary. As added by P.L.92-2013, SEC.78. Amended by P.L.120-2020, SEC.52.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6. Dealer License Plates9-32-6-16. Replacement License Plate or Registration Card

Sec. 16. (a) Except as provided in subsection (b), if a license plate or registration card issued under this article or under IC 9-31-3-19 (before its repeal) is lost, stolen, or destroyed, the dealer or transport operator may apply for a replacement license plate or registration card in the form and manner prescribed by the secretary. (b) If a license plate is stolen, the secretary may not issue a replacement license plate until the dealer or transport operator to whom the license plate was issued: (1) has notified: (A) the law enforcement agency that has jurisdiction where the theft occurred; or (B) the law enforcement agency that has jurisdiction over the address of the dealer's established place of business; and (2) presents to the secretary on a form prescribed by the secretary a report completed by the law enforcement agency that was notified under subdivision (1). As added by P.L.174-2016, SEC.66. Amended by P.L.179-2017, SEC.44; P.L.284-2019, SEC.9; P.L.182-2021, SEC.10; P.L.20-2022, SEC.7.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6. Dealer License Plates9-32-6-17. Alternate Dealer License Plates; Rules

Sec. 17. (a) If the secretary is not able to comply with the provisions of this article relating to furnishing dealer license plates, interim license plates, or temporary license plates because of a materials shortage or any other reason that makes the secretary unable to provide the license plates, the secretary may issue an alternate license plate to a dealer licensed under this article. (b) The secretary may adopt rules under IC 4-22-2 to provide the type and number of alternate plates that will be furnished, qualifications for requesting the plates, limitations on the use of the plates, and the manner in which the plates must be displayed. (c) Compliance with a rule adopted under this section satisfies the provisions of this chapter relating to the display of license plates. As added by P.L.179-2017, SEC.45.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6. Dealer License Plates9-32-6-2. Classifications of Dealer License Plates; Fee

Sec. 2. (a) The secretary shall issue dealer license plates under this chapter according to the following classifications: (1) Dealer-new. (2) Dealer-used. (3) Manufacturer. (b) The secretary may adopt rules under IC 4-22-2 to establish additional classifications of dealer license plates and may prescribe the general conditions for usage of an additional classification. The secretary shall establish the classification of dealer promotional license plates. (c) The fee for a license plate issued under a classification established under subsection (b) is forty dollars ($40). The fee shall be deposited in the dealer compliance account. As

added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.12; P.L.151-2015, SEC.45; P.L.174-2016, SEC.54.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6. Dealer License Plates9-32-6-3. Research and Development License Plates; Issuance; Rules; Fees; Display

Sec. 3. (a) The secretary shall: (1) issue a research and development license plate under this chapter to a manufacturer of a vehicle subcomponent system; and (2) adopt rules under IC 4-22-2 to prescribe the general conditions for the: (A) application; (B) issuance; and (C) use; of research and development license plates for manufacturers of vehicle component systems. (b) The fee for a research and development license plate for a manufacturer of a vehicle subcomponent system is twenty dollars ($20). The fee shall be distributed as follows: (1) Thirty percent (30%) to the dealer compliance account. (2) Seventy percent (70%) to the motor vehicle highway account. (c) A research and development license plate for a manufacturer of a vehicle subcomponent system shall be displayed in accordance with subsection (a)(2). As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.55.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6. Dealer License Plates9-32-6-4. Design of Dealer License Plates and Motor Driven Cycle Decals

Sec. 4. (a) The secretary shall determine the color, dimension, and style of the letters and the information required on a dealer license plate issued under this chapter. (b) The secretary may design and issue a motor driven cycle decal to be used in conjunction with a motorcycle dealer license plate upon proper application by a dealer. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.56.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6. Dealer License Plates9-32-6-5. Additional Dealer License Plates; Fees; Service Charges

Sec. 5. (a) Upon successful application and payment of the fee under subsection (b) and the service charge under subsection (d), an applicant may obtain additional dealer license plates of the same category. The applicant must demonstrate the applicant's need for additional plates by stating the applicant's number of employees, annual sales, and other supporting factors. The secretary shall determine whether the applicant may receive additional plates. (b) The fee for each additional license plate issued under subsection (a) is as follows: (1) For an additional motorcycle dealer license plate, seven dollars and fifty cents ($7.50). (2) For an additional dealer license plate not described in subdivision (1), fifteen dollars ($15). (c) A fee collected under subsection (b) shall be distributed as follows: (1) Thirty percent (30%) to the dealer compliance account. (2) Seventy percent (70%) to the motor vehicle highway account. (d) There is an additional service charge for each additional license plate issued under subsection (a) as follows: (1) For an additional motorcycle dealer license plate, two dollars and fifty cents ($2.50). (2) For an additional dealer license plate not described in subdivision (1), five dollars ($5). A service charge under this subsection shall be deposited in the crossroads 2000 fund. As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.13; P.L.174-2016, SEC.57; P.L.120-2020, SEC.47.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6. Dealer License Plates9-32-6-6.5. Expiration of Dealer License Plates and Dealer Designee License Plates; Renewal Fees

Sec. 6.5. (a) Except as provided in subsections (b) and (c), dealer license plates and dealer designee license plates issued to licensed dealers under this article are valid from the issue date through the expiration date as follows: (1) Dealer license plates of a person whose business name begins with the letters A through B expire February 1 of each year. (2) Dealer license plates of a person whose business name begins with the letter C expire March 1 of each year. (3) Dealer license plates of a person whose business name begins with the letters D through F expire April 1 of each year. (4) Dealer license plates of a person whose business name begins with the letters G through H expire May 1 of each year. (5) Dealer license plates of a person whose business name begins with the letters I through J expire June 1 of each year. (6) Dealer license plates of a person whose business name begins with the letters K through L expire July 1 of each year. (7) Dealer license plates of a person whose business name begins with the letters M through N expire August 1 of each year. (8) Dealer license plates of a person whose business name begins with the letters O through P expire September 1 of each year. (9) Dealer license plates of a person whose business name begins with the letters Q through R expire October 1 of each year. (10) Dealer license plates of a person whose business name begins with the letter S expire November 1 of each year. (11) Dealer license plates of a person whose business name begins with the letters T through V expire December 1 of each year. (12) Dealer license plates of a person whose business name begins with the letters W through Z expire January 1 of each year. (b) Dealer license plates issued to a person whose business name begins with a nonalpha character expire November 1 of each year. (c) A dealer designee license plate is valid from the issue date through the expiration date as provided in subsection (a) or (b). (d) The fee to renew the license plates issued under section 1 of this chapter is as follows: (1) For motorcycle dealer license plates, fifteen dollars ($15). (2) For dealer license plates not described in subdivision (1), forty dollars ($40). (e) Fees collected under subsection (d) shall be distributed as follows: (1) Thirty percent (30%) to the dealer compliance account established by IC 9-32-7-1. (2) Seventy percent (70%) to the motor vehicle highway account under IC 8-14-1. (f) There is an additional service charge of five dollars ($5) for the renewal of each set of license plates issued under section 1 of this chapter. The service charge shall be deposited in the crossroads 2000 fund. (g) The fee to renew each additional license plate issued under section 5 of this chapter is as follows: (1) For an additional motorcycle dealer license plate, seven dollars and fifty cents ($7.50). (2) For an additional dealer license plate not described in subdivision (1), fifteen dollars ($15). (h) Fees collected under subsection (g) shall be distributed as follows: (1)

Thirty percent (30%) to the dealer compliance account established by IC 9-32-7-1. (2) Seventy percent (70%) to the motor vehicle highway account under IC 8-14-1. (i) There is an additional service charge for the renewal of each additional license plate issued under section 5 of this chapter, as follows: (1) For an additional motorcycle dealer license plate, two dollars and fifty cents ($2.50). (2) For an additional dealer license plate not described in subdivision (1), five dollars ($5). (j) The service charge under subsection (i) shall be deposited in the crossroads 2000 fund. (k) The fee to renew a license plate issued under section 2(b) of this chapter is forty dollars ($40). The fee shall be deposited in the dealer compliance account established by IC 9-32-7-1. (l) The fees collected under subsection (m) shall be distributed as follows: (1) Forty percent (40%) to the crossroads 2000 fund. (2) Forty-nine percent (49%) to the dealer compliance account established by IC 9-32-7-1. (3) Eleven percent (11%) to the motor vehicle highway account under IC 8-14-1. (m) The fee to renew a dealer designee license plate issued under IC 9-32-6.5-1 is twenty-one dollars and thirty-five cents ($21.35). (n) In the event of a natural disaster or other emergency that prevents the secretary from processing a license plate renewal, the secretary may issue an order extending dealer and dealer designee license plate expiration dates for not more than twelve (12) additional months. As added by P.L.62-2014, SEC.16. Amended by P.L.174-2016, SEC.58; P.L.179-2017, SEC.43; P.L.86-2018, SEC.150; P.L.10-2019, SEC.48; P.L.284-2019, SEC.8; P.L.120-2020, SEC.48; P.L.182-2021, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 6. Dealer License Plates9-32-6-7. Use Restrictions of License Plates; Display

Sec. 7. (a) Unless otherwise provided, dealer license plates may be used only on motor vehicles being held for sale or resale in the dealer's inventory. Dealer license plates may be placed only on motor vehicles in the dealer's inventory for the following reasons: (1) Usual operation of the dealer's business. (2) Movement of the dealer's inventory. (3) As permitted by rules adopted by the secretary. (b) Dealer license plates may not be used to avoid payment of applicable taxes. (c) The license plates referenced in subsection (a), when not in use, must be stored at the dealer's established place of business. (d) This subsection does not apply to tractors, dump trucks, trucks with a rear-mounted forklift, or trucks with a mechanism to carry a rear-mounted forklift or implement. While in use, dealer license plates must be displayed on the motor vehicle. The license plate must be displayed in the following manner: (1) On the rear of the motor vehicle. (2) With all text, numbers, and stickers fully visible and not obstructed or obscured by any part of the motor vehicle or other foreign materials, such as a plate frame or cover. (3) Securely fastened in a horizontal position at a height of at least twelve (12) inches from the ground, measuring from the bottom of the license plate. (e) A person that violates this section commits a Class A infraction. As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.17; P.L.217-2014, SEC.164; P.L.5-2015, SEC.31; P.L.151-2015, SEC.46; P.L.174-2016, SEC.59; P.L.120-2020, SEC.49; P.L.182-2021, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 7.5. Transport Operators9-32-7.5-1. Chapter Effective Date

Sec. 1. This chapter is effective beginning July 1, 2021. As added by P.L.120-2020, SEC.55.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 7.5. Transport Operators9-32-7.5-2. Application by Transport Operator for Distinctive Registration Number

Sec. 2. (a) This section does not apply to a vehicle registered as a recovery vehicle under IC 9-18.1-6. (b) A transport operator may, instead of registering each motor vehicle transported or disposable trailer used, make a verified application upon a form prescribed by the secretary and furnished by the secretary for a general distinctive registration number for: (1) all motor vehicles transported by the transport operator and used and operated for the purposes provided; or (2) all disposable trailers used and operated for the purpose of transporting sectionalized buildings. (c) The application must contain the following: (1) A brief description of: (A) each style or type of motor vehicle transported or the type of disposable trailer used to transport the sectionalized building, whichever is applicable; and (B) the manner in which the transport operator intends to use the plates. (2) The name and address of the transport operator. (3) For an application to use a disposable trailer, a statement that the disposable trailer will be disassembled after a single use. (4) Any other information the secretary requires. (d) The secretary may not issue transport operator license plates to a transport operator that has been convicted of violating this article until the secretary is satisfied that the transport operator is able to comply with the requirements of this section. As added by P.L.120-2020, SEC.55. Amended by P.L.182-2021, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 7.5. Transport Operators9-32-7.5-3. Application by Transport Operator for License Plates; Fees

Sec. 3. (a) A transport operator may apply for transport operator license plates under section 2 of this chapter. (b) The fee for the first transport operator license plate is one hundred thirty-nine dollars and twenty-five cents ($139.25). A fee under this subsection shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Five dollars ($5) to the crossroads 2000 fund. (3) Nine dollars ($9) to the dealer compliance account. (4) Thirty dollars ($30) to the highway, road and street fund. (5) Ninety-five dollars ($95) to the motor vehicle highway account. (c) The fee for each additional transport operator license plate is thirty-four dollars and twenty-five cents ($34.25). A fee under this subsection shall be distributed as follows: (1) Twenty-five cents ($0.25) to the state construction fund. (2) Nine dollars ($9) to the dealer compliance account. (3) Ten dollars ($10) to the crossroads 2000 fund. (4) Fifteen dollars ($15) to the motor vehicle highway account. (d) The secretary, upon receiving: (1) a complete application for transport operator license plates; and (2) the applicable fee; shall issue to the transport operator certificates of

registration and the transport operator license plates with numbers corresponding to the numbers of the certificates of registration for each transport operator license plate. (e) Transport operator license plates expire according to the schedule in IC 9-32-6-6.5. As added by P.L.182-2021, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 7.5. Transport Operators9-32-7.5-4. Transport Operator License Plates; Display

Sec. 4. (a) Transport operator license plates may only be used for the purpose of transporting: (1) vehicles in transit; or (2) sectionalized buildings. (b) A person may haul: (1) other vehicles; or (2) parts of vehicles; in transit in the same combination. (c) A transport operator may not operate a vehicle or any combination of vehicles in excess of the size and weight limits specified by law. (d) A license plate or sign other than those furnished and approved by the secretary may not be used. As added by P.L.182-2021, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 7.5. Transport Operators9-32-7.5-5. Transport Operator; Motor Vehicles; Watercrafts

Sec. 5. A transport operator may not engage in retail sales of motor vehicles or watercrafts. As added by P.L.182-2021, SEC.14.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 7.5. Transport Operators9-32-7.5-6. License Plate Record Maintenance

Sec. 6. (a) A transport operator shall maintain a record of each transport operator license plate issued to the transport operator. The record shall account for every transport operator license plate issued, including: (1) the dates the transport operator license plate is used; (2) a description of the vehicle to which the transport operator license plate is affixed, including the: (A) vehicle make; (B) vehicle model; (C) manufacture year; and (D) vehicle identification number (VIN); (3) the destinations of the vehicle to which the transport operator license plate is affixed; and (4) the name of the person who operates the vehicle to which the transport operator license plate is affixed. (b) Records under subsection (a) must be maintained for at least one (1) year from the date the transport operator license plate is issued. As added by P.L.182-2021, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 7.5. Transport Operators9-32-7.5-7. Proof of Maintained Financial Responsibility

Sec. 7. A transport operator shall furnish proof that the transport operator has maintained financial responsibility for not less than the minimum amounts under IC 9-25-4-5 for each set of transport operator plates to be affixed to a motor vehicle: (1) at the time of application; or (2) upon request of the secretary. As added by P.L.182-2021, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 7. Accounts and Distribution of License and Permit Fees Under Ic 9-32-119-32-7-1. Dealer Compliance Account

Sec. 1. (a) The dealer compliance account is established as a separate account to be administered by the secretary. The funds in the account must be available, with the approval of the budget agency, for use in enforcing and administering this article. (b) The expenses of administering this article shall be paid from money in the account. (c) The treasurer of state shall invest the money in the dealer compliance account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account. (d) The dealer compliance account consists of the following: (1) Money deposited under: (A) IC 9-32-6; (B) IC 9-32-6.5; and (C) section 3(1) of this chapter. (2) Appropriations to the account from other sources. (3) Grants, gifts, donations, or transfers intended for deposit in the account. (4) Interest that accrues from money in the account. (e) Money in the dealer compliance account at the end of a state fiscal year does not revert to the state general fund. (f) Money in the dealer compliance account is continuously appropriated to the secretary for the purposes of the account. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.68; P.L.179-2017, SEC.55.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 7. Accounts and Distribution of License and Permit Fees Under Ic 9-32-119-32-7-2. Dealer Enforcement Account

Sec. 2. (a) The dealer enforcement account is established as a separate account to be administered by the secretary. (b) The dealer enforcement account consists of money deposited pursuant to: (1) IC 9-32-4-1(d); (2) IC 9-32-16-1(f); (3) IC 9-32-16-13(d); (4) IC 9-32-17-1; (5) IC 9-32-17-7; and (6) IC 9-32-17-9. The funds in the account shall be available, with the approval of the budget agency, for use to augment and supplement the funds appropriated for the administration of this article. (c) The treasurer of state shall invest the money in the dealer enforcement account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited into the account. (d) Money in the dealer enforcement account at the end of the state fiscal year does not revert to the state general fund. (e) Money in the dealer enforcement account is continuously appropriated to the secretary for the purposes of the account. As added by P.L.92-2013, SEC.78. Amended by P.L.27-2018, SEC.21; P.L.120-2020, SEC.54.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 7. Accounts and Distribution of License and Permit Fees Under Ic 9-32-119-32-7-3. Disposition of Fee Revenues

Sec. 3. All money collected by the secretary from manufacturers, distributors, dealers, automobile auctions, manufacturer representatives, distributor representatives, transfer dealers, converter manufacturers, or automotive mobility dealers for licenses, endorsements, and permit fees under IC 9-32-11 shall be deposited as follows: (1) Thirty percent (30%) to the dealer compliance account established by section 1 of this chapter. (2) Forty percent (40%) to the motor vehicle highway account under IC 8-14-1. (3) Twenty percent (20%) to the state police department, and this amount is continuously appropriated to the department for its use in enforcing odometer laws. (4) Ten percent (10%) to the attorney general, and this amount is continuously appropriated to the attorney general for use in enforcing odometer laws. As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.21; P.L.174-2016, SEC.69; P.L.179-2017, SEC.56.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 8.5. Manufactured Home Dealers9-32-8.5-1. Application for Manufactured Home Dealer License; Conditions; Fees

Sec. 1. (a) To apply for a license under this article, a manufactured home dealer must submit an application to the secretary. An application for a license must: (1) meet the requirements under IC 9-32-11-2; and (2) be accompanied by payment of the fee under subsection (d). (b) An application for a license as a manufactured home dealer must show whether the applicant dealer is a manufactured home community or a nonresidential sales lot. (c) If the applicant dealer is a manufactured home community, the application must contain the following: (1) The name and contact information of the park operator. (2) A copy of the license issued by the Indiana department of health. (d) The fee for a license for a manufactured home dealer is thirty dollars ($30). The fee is nonrefundable and shall be retained by the secretary. As added by P.L.20-2022, SEC.8. Amended by P.L.56-2023, SEC.61.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 8.5. Manufactured Home Dealers9-32-8.5-2. Application for Manufactured Home Dealer License; Zoning Affidavit; Violation

Sec. 2. (a) Except as provided in subsections (b) and (c), an application for a manufactured home dealer license must include the zoning affidavit required by IC 9-32-11-2(d). (b) If the manufactured home dealer: (1) has established a place of business that is a manufactured home community; (2) operates the manufactured home community; and (3) is selling or will be selling only manufactured homes that: (A) are already located within the manufactured home community; or (B) will be installed within the manufactured home community; the application must be accompanied by an affidavit under subsection (c). (c) An affidavit submitted by a manufactured home dealer under subsection (b) must affirm under penalty of perjury that: (1) a zoning affidavit or statement is not required under subsection (b); and (2) the applicant intends to sell only manufactured homes to buyers that purchase manufactured homes with the intent for the manufactured home to: (A) remain within the manufactured home community; or (B) be installed within the manufactured home community. (d) If the secretary receives a written complaint from the person charged with enforcing a zoning ordinance, if one exists, or the zoning enforcement officer under IC 36-7-4, that a manufactured home dealer who is licensed under subsection (b) or (c) is operating in violation of a zoning affidavit required under IC 9-32-11-2(d), the secretary shall delay the issuance or renewal of the manufactured home dealer's license until the local zoning complaint has been satisfied. As added by P.L.20-2022, SEC.8.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 8.5. Manufactured Home Dealers9-32-8.5-3. Manufactured Home Dealer's Established Place of Business; Requirements; Location Standards

Sec. 3. (a) If the manufactured home dealer's established place of business is a nonresidential sales lot, it must meet the requirements for new or used motor vehicle dealers as prescribed by the secretary under rules adopted under IC 4-22-2. (b) If the manufactured home dealer's established place of business is a manufactured home community, it must meet location standards required by the Indiana department of health. As added by P.L.20-2022, SEC.8. Amended by P.L.56-2023, SEC.62.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 8. Boat Dealers9-32-8-2. Watercraft and Trailer Sales; License

Sec. 2. A person that sells, offers to sell, or advertises for sale at least six (6): (1) watercraft; (2) trailers that are: (A) designed and used exclusively for the transportation of watercraft; and (B) sold in general association with the sale of watercraft; or (3) items set forth in both subdivisions (1) and (2); within a twelve (12) month period must be licensed under this article. As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.50; P.L.174-2016, SEC.70; P.L.284-2019, SEC.11.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 8. Boat Dealers9-32-8-3. Application for Watercraft Dealer License; Conditions

Sec. 3. (a) An application for a watercraft dealer license must: (1) be accompanied by a nonrefundable fee of thirty dollars ($30); and (2) meet the requirements under IC 9-32-11-2. (b) An application for a license as a watercraft dealer must show whether the applicant proposes to sell new or used watercraft or both new and used watercraft. (c) The secretary shall retain the fee collected

under this section. As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.71; P.L.179-2017, SEC.57; P.L.284-2019, SEC.12.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 8. Boat Dealers9-32-8-5. Term of License; Fees; Replacement License

Sec. 5. (a) A watercraft dealer license issued under this chapter shall be issued and expires based on the business name of the watercraft dealer as set forth in IC 9-32-11-12.5. (b) If a watercraft dealer license is lost or destroyed, the watercraft dealer must apply for a replacement watercraft dealer license in the form and manner prescribed by the secretary. As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.23; P.L.174-2016, SEC.73; P.L.179-2017, SEC.59.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 8. Boat Dealers9-32-8-7. Temporary License Plates

Sec. 7. (a) The secretary shall issue temporary license plates to a licensed watercraft dealer upon request. (b) A temporary license plate described in subsection (a) must display the following information: (1) The dealer's license number. (2) The date of expiration, plainly stamped or stenciled on the temporary license plate. (c) A temporary license plate may not be used or displayed unless the plate is furnished by the secretary. (d) A watercraft dealer that authorizes the use of a temporary license plate under this section does not assume responsibility or incur liability for injury to a person or property during the period the temporary license plate is in effect. (e) The fee for a temporary license plate is two dollars ($2). The secretary shall retain the fee. As added by P.L.284-2019, SEC.13.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 8. Boat Dealers9-32-8-8. Dealer Plates and Registration Cards for Demonstration or Test of Watercrafts

Sec. 8. (a) A watercraft dealer licensed by the secretary under this article may, upon successful application to the secretary, obtain dealer license plates and registration cards for use in the testing or demonstrating of watercraft. (b) Two (2) dealer license plates must be displayed within a watercraft that is being tested or demonstrated while the watercraft is being tested or demonstrated. (c) A transfer dealer or automobile auction company licensed by the secretary under this article may request dealer license plates under subsection (a). (d) The fee to obtain a dealer license plate and registration card under subsection (a) is ten dollars ($10). (e) The secretary shall retain the fee collected under this section. As added by P.L.284-2019, SEC.14. Amended by P.L.211-2019, SEC.10; P.L.120-2020, SEC.57; P.L.164-2020, SEC.42.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 8. Boat Dealers9-32-8-9. Operation of Watercraft; Display of Temporary Plates; False or Fictitious Information; Alteration

Sec. 9. (a) A person that knowingly or intentionally operates a watercraft displaying: (1) a temporary license plate issued under section 7 of this chapter that is altered or reproduced; or (2) a license plate that purports to be a temporary license plate issued under section 7 of this chapter; commits a Class C misdemeanor. (b) A person that, with the intent to defraud, obtains an altered temporary license plate described in subsection (a) commits a Class C misdemeanor. As added by P.L.284-2019, SEC.15.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-1. Automotive Salvage Recycler; License; Violation

Sec. 1. (a) An automotive salvage recycler must be licensed by the secretary under this article before the automotive salvage recycler may do any of the following: (1) Acquire, sell, or advertise for sale a used major component part of a motor vehicle. (2) Wreck, dismantle, shred, compact, crush, or otherwise destroy a motor vehicle for resale of the major component parts of the motor vehicle or scrap material. (3) Rebuild a salvage motor vehicle for resale. (4) Engage in the business of storing, disposing, salvaging, or recycling of operable or inoperable motor vehicles, vehicle hulks, or parts of motor vehicles. (b) An automotive salvage recycler who violates this section commits a Class A infraction. As added by P.L.92-2013, SEC.78. Amended by P.L.217-2014, SEC.169; P.L.151-2015, SEC.52; P.L.174-2016, SEC.75; P.L.198-2016, SEC.629; P.L.284-2019, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-10. Posting of Licenses

Sec. 10. (a) A licensee shall post a license granted to the licensee under this chapter in a conspicuous place at the established place of business. (b) A licensee that violates this section commits a Class A infraction. As added by P.L.92-2013, SEC.78. Amended by P.L.217-2014, SEC.171; P.L.151-2015, SEC.62.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-11. Delay of Issuance or Renewal of License Until Local Zoning Complaints Satisfied

Sec. 11. If the secretary receives a written complaint from a local zoning body that an automotive salvage recycler is operating in violation of a local zoning ordinance, the secretary shall delay the issuance or renewal of the automotive salvage recycler's license until the local zoning complaints have been satisfied. As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.63;

P.L.174-2016, SEC.79; P.L.284-2019, SEC.19.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-12. Reassignment of Certificate of Salvage Title; Violation

Sec. 12. (a) A dealer licensed under this article may reassign a certificate of salvage title one (1) time without applying to the bureau for the issuance of a new certificate of salvage title. (b) A dealer that violates this section commits a Class A infraction. As added by P.L.179-2017, SEC.61.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-13. Affidavit Regarding Flood Damage to Vehicle; Violation

Sec. 13. (a) A dealer licensed under this article shall secure an affidavit from the person that holds the certificate of title on the date of receiving a title by sale or transfer. The affidavit must state whether the vehicle is a flood damaged vehicle. (b) The dealer shall file the affidavit secured under subsection (a) with the records of the dealer. (c) Submission of a fraudulent affidavit under subsection (a) subjects the affiant to civil liability for all damages incurred by a dealer, subsequent purchaser, or transferee of the title, including reasonable attorney's fees and court costs (including fees). (d) A dealer that knowingly or intentionally fails to comply with subsection (a) or (b) commits a Class B misdemeanor. (e) A person that knowingly or intentionally submits a fraudulent affidavit under subsection (a) commits a Class A infraction. As added by P.L.179-2017, SEC.62. Amended by P.L.147-2018, SEC.23.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-14.5. Detached Catalytic Converter Purchase; Valuation and Payment; Retention of Records; Violation

Sec. 14.5. (a) An automotive salvage recycler who is purchasing a detached catalytic converter valued at less than twenty-five dollars ($25) may remit payment in cash. An automotive salvage recycler may not purchase more than one (1) detached catalytic converter for cash per seller per day under this subsection. (b) An automated salvage recycler who is purchasing a detached catalytic converter that is valued at twenty-five dollars ($25) or more: (1) must remit payment by check issued and made payable to the seller; and (2) must not cash a check issued under subdivision (1), or use an automated teller machine or other cash card system in lieu of a check. (c) For each detached catalytic converter purchase by an automotive recycler under subsection (b), the automotive salvage recycler shall keep all records required by IC 25-37.5-1-2. (d) Records required to be maintained under this section may be maintained in any form of data storage acceptable to the secretary if the records are readily accessible and available to copy by an investigating or auditing employee of the secretary upon demand at the established place of business. (e) An automotive salvage recycler licensed under this article that knowingly or intentionally fails to maintain the records required by this section commits a Class A infraction. As added by P.L.20-2022, SEC.9.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-14. Demolished or Destroyed Vehicles

Sec. 14. (a) A scrap metal processor or other facility that purchases or acquires a salvage motor vehicle that has been totally demolished or destroyed as a result of normal processing performed by a recycling facility before the purchase by the scrap metal processor or other facility is not required to apply for and receive a certificate of salvage title for the vehicle. (b) The facility that performed the processing that resulted in the vehicle being demolished or destroyed shall surrender the certificate of title, the certificate of authority, or the certificate of salvage title to the bureau. As added by P.L.179-2017, SEC.63. Amended by P.L.284-2019, SEC.20.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-15. Record Keeping Forms; Violation

Sec. 15. (a) The secretary shall prescribe record keeping forms to be used by an automotive salvage recycler to preserve information about vehicles or major component parts acquired or sold by the business. (b) For each vehicle acquired by an automotive salvage recycler, the record keeping forms required under subsection (a) must contain the following information: (1) A description of the vehicle, including numbers or other marks identifying the vehicle. (2) The date the vehicle was acquired. (3) The name and address of the person from whom the vehicle was acquired. (4) The vehicle's trade name. (5) The vehicle's manufacturer. (6) The vehicle's type. (7) The model year. (8) The vehicle identification number. (9) A statement of whether any number has been defaced, destroyed, or changed. (c) For each vehicle sold or disposed of by the automotive salvage recycler, the record keeping forms required under subsection (a) must contain the following information: (1) A description of the vehicle, including numbers or other marks identifying the vehicle. (2) The date the vehicle was disposed of. (3) The way in which the vehicle was disposed of. (4) The vehicle's trade name. (5) The vehicle's manufacturer. (6) The vehicle's type. (7) The model year. (8) The vehicle identification number. (9) Verification of the purchaser of the vehicle by confirming the purchaser's identity by a driver's license, a state issued identification card, or other reliable means. (10) For wrecked, dismantled, or rebuilt vehicles, the date the vehicle was wrecked, dismantled, or rebuilt. (d) Except as provided in section 14.5 of this chapter, for each major component part acquired by the automotive salvage recycler, the record keeping forms required under subsection (a) must contain the following information: (1) A

description of the major component part, including numbers or other marks identifying the major component part. (2) The date the major component part was acquired. (3) The name and address of the person from whom the major component part was acquired. (4) The vehicle identification number, if present on the major component part. (5) A statement of whether any number on the major component part has been defaced, destroyed, or changed. (e) Except as provided in section 14.5 of this chapter, for each major component part sold or disposed of by the automotive salvage recycler, the record keeping forms required under subsection (a) must contain the following information: (1) A description of the major component part, including numbers or other marks identifying the major component part. (2) The date the major component part was sold or disposed of. (3) The way in which the major component part was disposed of. (4) The vehicle identification number, if present on the major component part. If the vehicle identification number is not present on the major component part, the vehicle identification number from the source vehicle, if known. (5) Verification of the purchaser of the major component part by confirming the purchaser's identity by a driver's license, a state issued identification card, or other reliable means. (f) Separate records for each vehicle or major component part must be maintained. (g) Except as provided in section 14.5 of this chapter, the record keeping requirements of this section do not apply to hulk crushers or to scrap metal processors when purchasing scrap from a person that is licensed under this article and that is required to keep records under this section. (h) An automotive salvage recycler licensed under this article that knowingly or intentionally fails to: (1) maintain records regarding salvage vehicles or major component parts acquired or sold by the business; or (2) maintain records regarding salvage vehicles or major component parts on forms that comply with this section; commits a Class A infraction. (i) Records required to be maintained under this section may be maintained in any form of data storage acceptable to the secretary if the records are readily accessible and available to copy by an investigating or auditing employee of the secretary upon demand at the established place of business. As added by P.L.179-2017, SEC.64. Amended by P.L.284-2019, SEC.21; P.L.20-2022, SEC.10.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-16. Retention of Records; Violation

Sec. 16. (a) Unless otherwise specified or required, the records required under section 15 of this chapter shall be retained for five (5) years after the date the vehicle or major component part was acquired or sold, in the form prescribed by the secretary. The records must be maintained at the established place of business for two (2) years. Following the two (2) year period, records may be moved offsite, but must be maintained for five (5) years. (b) An automotive salvage recycler that knowingly or intentionally fails to comply with subsection (a) commits a Class B misdemeanor. As added by P.L.179-2017, SEC.65. Amended by P.L.284-2019, SEC.22.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-17. Availability and Production of Records; Violation

Sec. 17. (a) The records required under section 15 of this chapter must be available to, and produced at the request of, a police officer or an authorized agent of the secretary of state under this chapter. (b) An automotive salvage recycler that fails to make available or produce the records described under section 15 of this chapter for a police officer or an authorized agent of the secretary of state commits a Class A infraction. As added by P.L.179-2017, SEC.66.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-18. Late Model Vehicles Purchased by Disposal Facilities or Automotive Salvage Rebuilders; Completion of Recordkeeping Forms; Violation

Sec. 18. (a) This section applies to vehicles and their component parts that are in either their current model year or in the immediately preceding six (6) model years when purchased by a recycling facility or automotive salvage rebuilder. (b) A recycling facility and automotive salvage rebuilder licensed under this chapter shall comply with the recordkeeping requirements under section 15 of this chapter for the purchase of a salvage motor vehicle or major component part. (c) A recycling facility or automotive salvage rebuilder that fails to comply with subsection (a) or (b) commits a Class A infraction. As added by P.L.179-2017, SEC.67.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-19. Inspection of Records by Police Officers; Examination of Business Premises; Violation

Sec. 19. (a) A record required to be maintained under this chapter is subject to inspection by a police officer during normal business hours. In addition to the inspections authorized under section 20 of this chapter, an inspection under this section may include an examination of the premises of the automotive salvage recycler's established place of business for the purpose of determining the accuracy of the required records. (b) An automotive salvage recycler that knowingly or intentionally fails to: (1) maintain records as required under this chapter; or (2) allow an inspection of a licensee's established place of business for the purpose of determining the accuracy of required records; commits a Class A infraction. As added by P.L.179-2017, SEC.68. Amended by P.L.284-2019, SEC.23.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-2. Established Place of Business

Sec. 2. (a) An automotive salvage recycler licensed in Indiana must have an established place of business in Indiana conducting the business that is the basis for the license. An established place of business that performs only ministerial tasks is not considered to be

conducting business. (b) An automotive salvage recycler that violates this section commits a Class A infraction. As added by P.L.92-2013, SEC.78. Amended by P.L.217-2014, SEC.170; P.L.151-2015, SEC.53; P.L.174-2016, SEC.76.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-20. Entry Onto Premises to Inspect Vehicles, Parts, Records, Certificates of Authority, or Certificates of Title; Violation

Sec. 20. (a) The secretary of state, a police officer, or an agent of the secretary of state or a police officer may enter upon the premises of an automotive salvage recycler during normal business hours to inspect a vehicle, a major component part, records, a certificate of authority, a certificate of title, and other ownership documents to determine compliance with this chapter. (b) A person that knowingly or intentionally prevents the secretary of state, a police officer, or an agent of the secretary of state from inspecting a vehicle, a major component part, a record, a certificate of authority, a certificate of title, or another ownership document during normal business hours commits a Class A infraction. As added by P.L.179-2017, SEC.69. Amended by P.L.284-2019, SEC.24.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-21. Releasing or Providing Evidence or Information; Immunity From Civil and Criminal Liability

Sec. 21. In the absence of fraud or bad faith, a person who releases or provides evidence or information under this chapter to any of the following is immune from civil or criminal liability for providing that evidence or information: (1) The superintendent of the state police or the superintendent's designee. (2) The attorney general or the attorney general's designee. (3) The city police chief or the city police chief's designee. (4) The county sheriff or the county sheriff's designee. (5) The prosecuting attorney or the prosecuting attorney's designee. As added by P.L.179-2017, SEC.70.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-22. Issuance of Search Warrant

Sec. 22. A court may issue a warrant to search the premises of an automotive salvage recycler for any major component parts being possessed, kept, sold, bartered, given away, used, or transported in potential violation of this chapter. As added by P.L.179-2017, SEC.71. Amended by P.L.284-2019, SEC.25.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-23. Search Warrant; Service and Return

Sec. 23. A warrant issued under section 22 of this chapter shall be directed to a police officer who has the power of criminal process. The person to whom the warrant was issued shall serve the warrant and make the return not later than twenty (20) days after the date of issue. As added by P.L.179-2017, SEC.72.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-24. Search Warrant; Articles to Be Seized; Disposition Ordered by the Court

Sec. 24. The law enforcement officer who serves a warrant issued under section 22 of this chapter shall seize any article described in the warrant and any other article the police officer finds during the search that is held in violation of this chapter. The law enforcement officer shall hold the articles pending the disposition ordered by the court in which a prosecution may be instituted for a violation of this chapter. As added by P.L.179-2017, SEC.73.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-25. Articles Seized Under Warrant; Replevin or Other Process

Sec. 25. A major component part seized under this chapter and any other article found on the searched premises and taken under a warrant issued under section 22 of this chapter may not be taken from the custody of the person who served the warrant by a writ of replevin or other process while proceedings are pending. As added by P.L.179-2017, SEC.74.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-26. Commencement of Prosecution; Information or Indictment

Sec. 26. The prosecution of a recycling facility, automotive salvage rebuilder, insurance company, or individual suspected of violating this section may be instituted by the filing of an information or indictment in the same manner as other criminal cases are commenced. As added by P.L.179-2017, SEC.75.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-27. Civil Remedies; Actual Damages; Treble Damages; Costs and Attorney's Fees

Sec. 27. A person aggrieved by a violation of this chapter may recover the actual damages sustained, together with costs and reasonable attorney's fees. The court may increase the award of damages to: (1) an amount not to exceed three (3) times the actual damages sustained; or (2) two thousand five hundred dollars ($2,500); whichever is greater. As added by P.L.179-2017, SEC.76.

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2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-28. Violations as Deceptive Acts; Action by Attorney General

Sec. 28. A person who violates this chapter commits a deceptive act that is actionable by the attorney general and is subject to the remedies and penalties under IC 24-5-0.5. As added by P.L.179-2017, SEC.77.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-29. Purchase of Vehicle for Scrap Metal or Parts; Records of Purchase; Penalty

Sec. 29. (a) An automotive salvage recycler or an agent of an automotive salvage recycler may purchase a motor vehicle without a certificate of title for the motor vehicle if: (1) the motor vehicle is at least fifteen (15) model years old; (2) the purchase is solely for the purpose of dismantling or wrecking the motor vehicle for the recovery of scrap metal or the sale of parts; (3) the automotive salvage recycler records all purchase transactions of motor vehicles as required in subsection (b); and (4) the person selling the motor vehicle presents a certificate of authority as required under IC 9-22-5-18. (b) An automotive salvage recycler shall maintain the following information with respect to each motor vehicle purchase transaction without a certificate of title to which the automotive salvage recycler is a party for at least five (5) years after the date of the purchase transaction: (1) The name, address, and National Motor Vehicle Title Information System identification number of any scrap metal processor or automobile scrapyard. (2) The name of the person entering the information. (3) The date and time of the purchase transaction. (4) A description of the motor vehicle that is the subject of the purchase transaction, including the make and model of the motor vehicle, if discernable. (5) The vehicle identification number of the motor vehicle, to the extent the number is discernable. (6) The amount of consideration given for the motor vehicle. (7) A copy of the certificate of authority and a written statement signed by the seller or the seller's agent certifying the following: (A) The seller or the seller's agent has the lawful right to sell and dispose of the motor vehicle. (B) The motor vehicle is not subject to a security interest or lien. (C) The motor vehicle will not be titled again and will be dismantled or destroyed. (D) The seller or the seller's agent acknowledges that a person who falsifies information contained in a statement under this subdivision is subject to criminal sanctions and restitution for losses incurred as a result of the sale of a motor vehicle based on falsified information. (8) The name, date of birth, and address of the person from whom the motor vehicle is being purchased. (9) A photocopy or electronic scan of one (1) of the following valid and unexpired forms of identification issued to the seller or the seller's agent: (A) A driver's license. (B) An identification card issued under IC 9-24-16-1, a photo exempt identification card issued under IC 9-24-16.5, or a similar card issued under the laws of another state or the federal government. (C) A government issued document bearing an image of the seller or seller's agent, as applicable. For purposes of complying with this subdivision, an automotive salvage recycler is not required to make a separate copy of the seller's or seller's agent's identification for each purchase transaction involving the seller or seller's agent but may instead refer to a copy maintained in reference to a particular purchase transaction. (10) The license plate number, make, model, and color of the motor vehicle that is used to deliver the purchased motor vehicle to the automotive salvage recycler. (11) The signature of the person receiving consideration from the seller or the seller's agent. (12) A photographic or videographic image, taken when the motor vehicle is purchased, of the following: (A) A frontal view of the facial features of the seller or the seller's agent. (B) The motor vehicle that is the subject of the purchase transaction. (c) An automotive salvage recycler may not complete a purchase transaction without the information required under subsection (b)(9). (d) An automotive salvage recycler or an agent of an automotive salvage recycler that knowingly or intentionally buys a motor vehicle that is less than fifteen (15) model years old without a certificate of title or certificate of authority for the motor vehicle commits a Level 6 felony. (e) An automotive salvage recycler or an agent of an automotive salvage recycler may apply for a certificate of authority for a motor vehicle of any age on behalf of the seller with all required information collected at the point of sale. (f) If an automotive salvage recycler or an agent of an automotive salvage recycler, in applying for a certificate of authority for a motor vehicle under subsection (e), learns: (1) the motor vehicle was reported stolen; or (2) the owner of the motor vehicle does not match the individual who provided the automotive salvage recycler or agent of the automotive salvage recycler with the motor vehicle; the automotive salvage recycler must notify the law enforcement agency that has jurisdiction over the address of the automotive salvage recycler's established place of business. As added by P.L.179-2017, SEC.78. Amended by P.L.284-2019, SEC.26; P.L.103-2024, SEC.3.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-3.5. Automotive Salvage Recycler; Required Actions

Sec. 3.5. (a) This section applies to a motor vehicle that is purchased for scrap, sale of parts, shredding, compacting, or any other type of dismantling or destruction. (b) An automotive salvage recycler must: (1) report the purchase of a motor vehicle to the National Motor Vehicle Title Information System not later than seventy-two (72) hours after the motor vehicle is purchased; and (2) provide to the seller a valid National Motor Vehicle Title Information System report identification number. As added by P.L.151-2015, SEC.55. Amended by P.L.174-2016, SEC.78; P.L.284-2019, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 32. Dealer ServicesChapter 9. Licensing of Vehicle Salvaging9-32-9-3. License Application; Replacement License; Fee

Sec. 3. (a) To apply for a license under this article, an automotive salvage recycler must submit an application to the secretary. An application for a license under this article must: (1) meet the requirements under IC 9-32-11-2; and (2) be accompanied by payment

of the fee under subsection (c). (b) If an automotive salvage recycler license is lost or destroyed, the automotive salvage recycler shall apply for a replacement automotive salvage recycler license in the form and manner prescribed by the secretary. (c) The fee for an automotive salvage recycler license under subsection (a) is ten dollars ($10). The fee is nonrefundable and shall be retained by the secretary. As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.54; P.L.174-2016, SEC.77; P.L.179-2017, SEC.60; P.L.284-2019, SEC.17.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 1. Applicability9-33-1-1. Applicability

Sec. 1. This article applies to the following: (1) Actions taken under a court order. (2) Actions required under IC 9-24-2-1, IC 9-24-2-2, or IC 9-24-2-4. (3) Actions required under IC 9-24-6 (before its repeal on July 1, 2016). (4) Actions required under IC 9-24-6.5-6(c) (before its repeal on July 1, 2016). (5) Actions taken under IC 9-24-6.1. (6) Actions required under IC 9-25. (7) Except for a hearing requested under IC 9-28-2-9(c), actions taken under IC 9-28. (8) Actions required under IC 9-30. (9) Refunds claimed after June 30, 2016, of fees imposed by the bureau. (10) Actions taken under IC 9-22-1-4. As added by P.L.149-2015, SEC.110. Amended by P.L.198-2016, SEC.630; P.L.281-2019, SEC.3; P.L.211-2023, SEC.74.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 1. Applicability9-33-1-2. Actions Not Subject to Administrative Review Under Ic 4-21.5

Sec. 2. An action of the bureau that is listed in section 1 of this chapter is not subject to administrative review under IC 4-21.5. As added by P.L.149-2015, SEC.110.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 2. Material Error Review9-33-2-1. Determination of Material Error; Review; Notice; Judicial Review

Sec. 1. (a) If a person determines that the records of the bureau contain a material error with respect to the person or the person's records, the person may notify the bureau in writing of the material error. (b) Not more than thirty (30) days after the bureau receives notice under subsection (a), the bureau shall determine if a material error was made. (c) If the bureau determines that a material error was made with respect to the person's records, the bureau shall provide written notice to the person and correct the error, including removing any suspension of the person's driving privileges or registration and reinstating the person's driving privileges or registration. (d) If the bureau determines that a material error exists with respect to an action under IC 9-30-10, the bureau shall notify the prosecuting attorney of the county in which the action originated of the bureau's determination of the material error. The prosecuting attorney is entitled to respond to the bureau's determination. (e) A person aggrieved by the bureau's determination of a material error under this section may seek judicial review of the determination under section 3 of this chapter. (f) The bureau may enter into an agreement with the office of administrative law proceedings under IC 4-15-10.5-12 to conduct a review under this section on the bureau's behalf. (g) For a suspension that occurs under IC 9-25-6-3(a)(1), upon receipt of a request for review under this section, the bureau may initiate a new compliance period. As added by P.L.149-2015, SEC.110. Amended by P.L.111-2021, SEC.91; P.L.72-2024, SEC.2.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 2. Material Error Review9-33-2-2. Actions Taken by Bureau; Judicial Review

Sec. 2. (a) The bureau may modify, amend, or cancel any order issued or determination made under this chapter at any time before the deadline to seek judicial review of the order or determination under section 3 of this chapter has passed. (b) A person aggrieved by a modification, amendment, or cancellation under subsection (a) may seek judicial review of the modification, amendment, or cancellation under section 3 of this chapter. As added by P.L.149-2015, SEC.110.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 2. Material Error Review9-33-2-3. Judicial Review; Petition; Contents; Stay of Underlying Action

Sec. 3. (a) A person aggrieved by an action under this article may file a petition in the circuit or superior court of the county in which the person resides. A nonresident may file a petition for review in the Marion County circuit court. (b) The person must file the petition not more than fifteen (15) days after the earlier of: (1) the date on which the person receives written notice under section 1 of this chapter; or (2) the expiration of the thirty (30) day period under section 1(b) of this chapter. (c) A petition filed under subsection (a) must: (1) be verified by the petitioner; (2) state the petitioner's age, date of birth, place of residence, and driver's license identification number; (3) state the action under section 1 of this chapter from which the person seeks relief; (4) include a copy of any written order or determination made by the bureau with respect to the action; (5) state the grounds for relief, including all facts showing that the bureau's action is wrongful or unlawful; and (6) state the relief sought. (d) The filing of a petition under this section does not automatically stay the underlying action. The court in which the petition is filed may stay the underlying action pending final judicial review if the court determines that the petition states facts that show a reasonable probability that the action is wrongful or unlawful. (e) This subsection applies to a petition that alleges a material error with respect to an action taken by the bureau under IC 9-30-10. Not more than six (6) months after the petition is filed, the court shall hear the petition, take testimony, and examine the facts of the case. In disposing of the petition, the court may modify, affirm, or reverse the action of the bureau in

whole or in part and shall issue an appropriate order. If the court fails to hear the petition in a timely manner, the original action of the bureau is reinstated in full force and effect. As added by P.L.149-2015, SEC.110. Amended by P.L.198-2016, SEC.631.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 2. Material Error Review9-33-2-4. Summons; Service; Application of Rules of Trial Procedures; Court Costs and Fees

Sec. 4. (a) A summons in a proceeding under this chapter shall be issued and served in the manner provided for civil actions. In a proceeding to review an action taken by the bureau under IC 9-30-10, the summons and a copy of the petition shall be served on the prosecuting attorney of the county in which the petition is filed and the bureau. In a proceeding to review any other action taken by the bureau, the summons and a copy of the petition shall be served on the attorney general and the bureau. (b) The petitioner bears the burden of proof by a preponderance of the evidence to prevail in a proceeding under this chapter. (c) IC 9-30-3-15 and the rules of trial procedure apply in a proceeding under this chapter. However: (1) a responsive pleading is not required when a petition for review has been filed; and (2) a person is not entitled to a change of venue from the county. (d) In a proceeding to review an action taken by the bureau under IC 9-30-10, the prosecuting attorney of the county in which the petition is filed shall represent the state in relation with the bureau. In a proceeding for any other action taken by the bureau, the attorney general shall represent the state in relation with the bureau. (e) Court costs, including fees, shall be assessed and paid by the petitioner at the time of filing in an amount equal to the costs, including fees, assessed in the enforcement of infractions. However, a petitioner whose driving privileges have been reinstated under IC 9-30-10 is entitled to a refund of all court costs, including fees. As added by P.L.149-2015, SEC.110.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 2. Material Error Review9-33-2-5. Docketing of Cause; Bureau Not Liable for Costs

Sec. 5. On the filing of a petition for judicial review under this chapter, the cause shall be docketed by the clerk of the court in the name of the petitioner against the bureau. The issues shall be considered closed by denial of all matters at issue without the necessity of filing any further pleadings. The bureau is not liable or taxable for any cost in any action for judicial review under this chapter. As added by P.L.149-2015, SEC.110.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 3. Refunds of Certain Fees9-33-3-0.5. "Fee"

Sec. 0.5. As used in this chapter, "fee" means any money assessed or collected by the bureau. As added by P.L.147-2018, SEC.24.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 3. Refunds of Certain Fees9-33-3-1. Applicability; Claims for Refunds; Contents; Procedure

Sec. 1. (a) This section applies if: (1) the bureau charges a person a fee in an amount greater than required by law and the person pays the fee; (2) the bureau charges a person a fee in error and the person pays the fee; or (3) a person pays a fee in error to the bureau. (b) A person described in subsection (a) may file a claim for a refund with the bureau on a form furnished by the bureau. The claim must: (1) be filed within three (3) years after the date on which the person pays the fee; (2) set forth the amount of the refund that the person is claiming; (3) set forth the reasons the person is claiming the refund; and (4) include any documentation supporting the claim. (c) After considering the claim and all evidence relevant to the claim, the bureau shall issue a decision on the claim, stating the part, if any, of the refund allowed and containing a statement of the reasons for any part of the refund that is denied. The bureau shall mail, or send electronically if the claimant has indicated a preference for receiving notices from the bureau electronically, a copy of the decision to the claimant. However, if the bureau allows the full refund claimed, a warrant for the payment of the claim is sufficient notice of the decision. (d) If a person disagrees with all or part of the bureau's decision, the person may file a petition under IC 9-33-2-3. [Pre-2016 Revision Citation: subsection (a) formerly 9-29-1-6.] As added by P.L.198-2016, SEC.632. Amended by P.L.141-2024, SEC.53.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 3. Refunds of Certain Fees9-33-3-2. Method of Refund

Sec. 2. If the bureau determines that a person is entitled to a refund under section 1 of this chapter, the bureau shall refund the amount of overpayment by: (1) placing a credit on the person's account with the bureau; or (2) warrant issued by the state comptroller drawn on the treasurer of state. A person may affirmatively elect to receive a refund in the form of a warrant rather than as a credit. As added by P.L.198-2016, SEC.632. Amended by P.L.9-2024, SEC.314.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 3. Refunds of Certain Fees9-33-3-3. Class Action for Refunds

Sec. 3. A class action for refunds under this chapter may not be maintained in any court on behalf of any person who has not complied with the requirement of section 1 of this chapter before the class is certified. A refund under this chapter to a member of a class in a class action is subject to the time limits set forth in section 1 of this chapter based on the time the class member filed the claim with the bureau. As added by P.L.198-2016, SEC.632.

Title: title-9

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 4. Traffic Amnesty Program9-33-4-1. Excluded Persons

Sec. 1. This chapter does not apply to the following: (1) A person with a child support arrearage, unless the person has been making the person's required child support payments for at least six (6) months preceding the date the person files the petition for traffic amnesty. (2) A person with an outstanding arrest warrant. (3) A person sentenced to pay restitution to the victim of a crime, if the person is not current with the person's required payments. As added by P.L.202-2019, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 4. Traffic Amnesty Program9-33-4-2. Application

Sec. 2. This chapter applies to the following: (1) An unpaid judgment for an infraction described in this title that relates to the operation of a motor vehicle, if the infraction was committed before January 1, 2020. (2) A driving privileges reinstatement fee (as described in IC 9-25-6-15), which a person with a suspended driver's license is or would be required to pay to reinstate the person's driver's license, if the person's driver's license was suspended before January 1, 2020. (3) Any court costs, administrative fees, late fees, or other fees imposed on a person in connection with an unpaid judgment or fee described in subdivision (1) or (2). As added by P.L.202-2019, SEC.1. Amended by P.L.86-2021, SEC.16.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 4. Traffic Amnesty Program9-33-4-3. Definitions

Sec. 3. The following definitions apply throughout this chapter: (1) "Proof of financial responsibility" has the meaning set forth in IC 9-25-2-3. (2) "Qualified person" means a person to whom this chapter applies who owes unpaid fees or is or would be required to pay a driving privileges reinstatement fee to obtain a valid driver's license. (3) "Unpaid fees" means a judgment, fee, or cost described in section 2 of this chapter, whether already owed or required to be paid to obtain driving privileges. As added by P.L.202-2019, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 4. Traffic Amnesty Program9-33-4-4. Petition for Traffic Amnesty; Filing; Service; Objection; Not an Admission of Guilt or Liability

Sec. 4. (a) A qualified person may seek a reduction in the person's unpaid fees by filing a verified petition for traffic amnesty in a circuit or superior court in the county in which the violation giving rise to the unpaid fees was committed. A petition filed under this section must be filed after December 31, 2019, and before July 1, 2022. The petition must include the following: (1) The person's full name and all other legal names or aliases by which the person is or has been known. (2) The person's date of birth. (3) The case number or court cause number of the relevant violations. (4) An affirmation that the person: (A) does not owe a child support arrearage or, if the person owes a child support arrearage, has been making the person's required child support payments for at least the preceding six (6) months; (B) does not have an outstanding arrest warrant; and (C) was not sentenced to pay restitution to the victim of a crime or, if the person was sentenced to pay restitution, is current with the person's required payments. (5) The person's: (A) Social Security number; and (B) driver's license number. (6) The date of the violation. (b) The person may include in a petition filed under this section any other information that the person believes may assist the court. (c) A person who files a petition under this section shall file the petition under the court cause number of the infraction. The person is not required to pay the filing fee required in civil cases. (d) The person shall serve a copy of the petition upon the prosecuting attorney in accordance with the Indiana Rules of Trial Procedure. (e) The prosecuting attorney may reply to the petition not later than thirty (30) days after receipt of the petition. If the prosecuting attorney fails to timely reply to the petition, the prosecuting attorney has waived any objection to the petition. (f) If a person wishes to receive traffic amnesty for infractions committed in different counties, the person must file a separate petition in each county in which a violation was committed. (g) A petition filed under this section is not an admission of guilt or liability. As added by P.L.202-2019, SEC.1. Amended by P.L.86-2021, SEC.17.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 4. Traffic Amnesty Program9-33-4-5. Granting Petition Without a Hearing; Denial; Objections

Sec. 5. (a) If the prosecuting attorney does not object, or has waived objection to the petition under section 4 of this chapter, the court may grant the petition for traffic amnesty without a hearing. (b) The court may summarily deny a petition if the petition does not meet the requirements of this chapter or if the statements contained in the petition demonstrate that the petitioner is not entitled to relief. (c) If the prosecuting attorney objects to the petition, the prosecuting attorney shall file the reasons for objecting to the petition with the court and serve a copy of the objections on the petitioner at the time the prosecuting attorney objects to the petition. The court shall set the matter for hearing not earlier than sixty (60) days after service of the petition on the prosecuting attorney. As added by P.L.202-2019, SEC.1.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 4. Traffic Amnesty Program9-33-4-6. Granting Petition; Reduction of Unpaid Fees and Driving Privileges Reinstatement Fees; Transmission of Order to Bureau; Appealable

Sec. 6. (a) The court shall grant a petition for traffic amnesty if the petitioner proves by a preponderance of evidence that the: (1) person is a qualified person; and (2) violation giving rise to the unpaid fees was committed before January 1, 2020. (b) If the court grants a petition for traffic amnesty, the court shall issue an order reducing the amount of unpaid fees owed by the person by fifty percent (50%). To the extent some or all of the unpaid fees consist of a driving privileges reinstatement fee, the court shall specify in its order that the petitioner is entitled to driving privileges reinstatement after: (1) paying fifty percent (50%) of the otherwise required driving privileges reinstatement fee to the bureau; (2) providing proof of financial responsibility to the court; and (3) the person is determined not to be otherwise ineligible to have the person's driving privileges reinstated. (c) The court shall transmit a copy of its order to the bureau in a form and manner prescribed by the bureau. The court shall include in its order a statement that the order is not a conviction, finding of guilt, or finding of liability and that the order is being issued under IC 9-33-4. (d) The grant or denial of a petition under this chapter is an appealable final order. As added by P.L.202-2019, SEC.1. Amended by P.L.86-2021, SEC.18.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 5. Reinstatement of Driving Privileges for Convicted Offenders9-33-5-1. Purpose

Sec. 1. The purpose of this chapter is to: (1) Develop and implement educational programs to inform individuals described in section 2 of this chapter of any legal, administrative, or financial requirements that need to be satisfied before the reinstatement of driving privileges. (2) Identify and coordinate procedures within and between agencies to facilitate the reinstatement of driving privileges to individuals described in section 2 of this chapter. (3) Collaborate within and between agencies to provide access to driver records, practice exams, required forms, safety classes, or any other materials deemed necessary by an agency for the purposes of fulfilling this chapter. (4) Make recommendations regarding best practices for driver's license suspensions due to nonmoving violations. As added by P.L.86-2021, SEC.19.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 5. Reinstatement of Driving Privileges for Convicted Offenders9-33-5-2. Applicability

Sec. 2. This chapter applies to the following: (1) A person who is currently an inmate in the custody of the department of correction. (2) A person who has been released from the custody of the department of correction within the past twelve (12) months. (3) A person who is currently under parole supervision or a community corrections program (as defined under IC 35-38-2.6-2). As added by P.L.86-2021, SEC.19.

2024 Indiana CodeTitle 9. Motor VehiclesArticle 33. Administrative ProceduresChapter 5. Reinstatement of Driving Privileges for Convicted Offenders9-33-5-3. Powers and Duties of Bureau

Sec. 3. Not later than July 1, 2021, the bureau shall do the following: (1) Carry out the administration of programs and activities concerning the reinstatement of driving privileges for individuals described in this chapter. (2) Advise and collaborate with the department of correction regarding the provision of appropriate programs and services for the reinstatement of driving privileges for individuals described in section 2 of this chapter. (3) Designate a liaison between the bureau and the department of correction for purposes of fulfilling section 1 of this chapter. As added by P.L.86-2021, SEC.19.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 1. General Definitions35-31.5-1-1. Applicability

Sec. 1. Except as otherwise provided, the definitions in this article apply throughout this title and to all other statutes relating to penal offenses. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-1.5. "Abuse"

Sec. 1.5. "Abuse", for purposes of IC 35-46-3, has the meaning set forth in IC 35-46-3-0.5. As added by P.L.141-2019, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-1.7. "Abusive Head Trauma"

Sec. 1.7. "Abusive head trauma" means an inflicted injury to the head and its contents of an infant or a child less than six (6) years of age, including an injury caused by shaking or blunt impact, that may: (1) result in bleeding inside the head; and (2) cause one (1) or more of the following conditions: (A) Irreversible brain damage. (B) Blindness, retinal hemorrhage, or eye damage. (C) Cerebral palsy. (D) Hearing loss. (E) Spinal cord injury, including paralysis. (F) Seizures. (G) Learning disability. (H) Death. (I) Central nervous system injury as evidenced by central nervous system hemorrhaging. (J) Closed head injury. (K) Subdural hematoma. As added by P.L.148-2024, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-1. "Abandon"

Sec. 1. "Abandon", for purposes of IC 35-46-3, has the meaning set forth in IC 35-46-3-0.5(1). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-10. "Advisory Sentence"

Sec. 10. "Advisory sentence", for purposes of IC 35-50-1-2, IC 35-50-2, and this chapter, has the meaning set forth in IC 35-50-2-1.3. As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.86; P.L.109-2015, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-100. "Distribute"

Sec. 100. (a) "Distribute", for purposes of IC 35-45-4-8, has the meaning set forth in IC 35-45-4-8. (b) "Distribute", for purposes of IC 35-46-1-10, has the meaning set forth in IC 35-46-1-10(f). (c) "Distribute", for purposes of IC 35-46-1-10.2, has the meaning set forth in IC 35-46-1-10.2(g). (d) "Distribute", for purposes of IC 35-47.5, has the meaning set forth in IC 35-47.5-2-6. (e) "Distribute", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-14. (f) "Distribute", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1-2. As added by P.L.114-2012, SEC.67. Amended by P.L.185-2019, SEC.1; P.L.49-2020, SEC.25.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-101. "Distributor"

Sec. 101. "Distributor", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-15. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-102. "Documentary Material"

Sec. 102. "Documentary material", for purposes of IC 35-45-6, has the meaning set forth in IC 35-45-6-1(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-103. "Domestic Animal"

Sec. 103. "Domestic animal", for purposes of IC 35-46-3-12(d) has the meaning set forth in IC 35-46-3-12(d). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-104. "Drug"

Sec. 104. "Drug", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-16. As added by P.L.114-2012, SEC.67. Amended by P.L.158-2013, SEC.367.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-105.5. "Drug Crime"

Sec. 105.5. "Drug crime", for purposes of IC 35-33-7-5, means one (1) or more of the following offenses: (1) Dealing in cocaine or a narcotic drug (IC 35-48-4-1). (2) Dealing in methamphetamine (IC 35-48-4-1.1). (3) Manufacturing methamphetamine (IC 35-48-4-1.2). (4) Dealing in a controlled substance by a practitioner (IC 35-48-4-1.5). (5) Dealing in a schedule I, II, or III controlled substance or controlled substance analog (IC 35-48-4-2). (6) Dealing in a schedule IV controlled substance or controlled substance analog (IC 35-48-4-3). (7) Dealing in a schedule V controlled substance or controlled substance analog (IC 35-48-4-4). (8) Dumping controlled substance waste (IC 35-48-4-4.1). (9) Possession of cocaine or a narcotic drug (IC 35-48-4-6). (10) Possession of methamphetamine (IC 35-48-4-6.1). (11) Possession of a controlled substance or controlled substance analog; obtaining a schedule V controlled substance (IC 35-48-4-7). (12) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10). (13) Dealing in smokable hemp (IC 35-48-4-10.1). (14) Possession of marijuana, hash oil, hashish, or salvia (IC 35-48-4-11). As added by P.L.166-2024, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-105. "Drug Abuser"

Sec. 105. "Drug abuser", for purposes of IC 35-47, has the meaning set forth in IC 35-47-1-4. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-106. "Drug or Alcohol Screening Test"

Sec. 106. "Drug or alcohol screening test", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1(g). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-107.5. "E-Liquid"

Sec. 107.5. "E-liquid", for purposes of IC 35-46-1, has the meaning set forth in IC 35-46-1-1.4. As added by P.L.49-2020, SEC.26.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-107. "Dwelling"

Sec. 107. "Dwelling" means a building, structure, or other enclosed space, permanent or temporary, movable or fixed, that is a person's home or place of lodging. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-108.5. "Educational Credit"

Sec. 108.5. "Educational credit" has the meaning set forth in IC 35-50-6-0.5. As added by P.L.74-2015, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-108. "Earliest Possible Release Date"

Sec. 108. "Earliest possible release date", for purposes of IC 35-38-3, has the meaning set forth in IC 35-38-3-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-109. "Effects of Battery"

Sec. 109. "Effects of battery" refers to a psychological condition of an individual who has suffered repeated physical or sexual abuse inflicted by another individual who is the: (1) victim of an alleged crime for which the abused individual is charged in a pending prosecution; and (2) abused individual's: (A) spouse or former spouse; (B) parent; (C) guardian or former guardian; (D) custodian or former custodian; or (E) cohabitant or former cohabitant. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-11. "Agency"

Sec. 11. (a) "Agency" means any authority, board, bureau, commission, committee, department, division, hospital, military body, or other instrumentality of: (1) the state, a county, a township, a city, a town, a separate municipal corporation, a special taxing district, or a public corporation; or (2) a state assisted college or state assisted university. (b) The term does not include any part of the legislative department or the judicial department of state government. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-110.5. "Electronic Communication Service"

Sec. 110.5. "Electronic communication service", for purposes of IC 35-33-5, means a service that provides users with the ability to send or receive wire or electronic communications. As added by P.L.170-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-110. "Electronic Communications"

Sec. 110. "Electronic communication", for purposes of IC 35-33.5, means any transfer of signs, signals, writing, images, sounds, data, oral communication, digital information, or intelligence of any nature transmitted in whole or in part by a wire, a radio, or an electromagnetic, a photoelectronic, or a photo-optical system. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-111.5. "Electronic Storage"

Sec. 111.5. "Electronic storage", for purposes of IC 35-33-5, has the meaning set forth in IC 35-33-5-0.5(2). As added by P.L.170-2014, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-111. "Electronic Gaming Device"

Sec. 111. "Electronic gaming device", for purposes of IC 35-45-5, has the meaning set forth in IC 35-45-5-1(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-112.5. "Electronic User Data"

Sec. 112.5. "Electronic user data", for purposes of IC 35-33-5, has the meaning set forth in IC 35-33-5-0.5(3). As added by P.L.170-2014, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-112. "Electronic Stun Weapon"

Sec. 112. "Electronic stun weapon", for purposes of IC 35-47-8, has the meaning set forth in IC 35-47-8-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-114. "Emergency Incident Area"

Sec. 114. "Emergency incident area", for purposes of IC 35-44.1-4, has the meaning set forth in IC 35-44.1-4-2. As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.101.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-115.5. "Emergency Medical Services Provider"

Sec. 115.5. (a) "Emergency medical services provider", for purposes of IC 35-42-2-1, has the meaning set forth in IC 16-41-10-1. This term includes a staff member in the emergency department of a hospital. (b) "Emergency medical services provider", for purposes of IC 35-44.1-3-1 and IC 35-46-1-4, has the meaning set forth in IC 16-41-10-1. As added by P.L.238-2015, SEC.7. Amended by P.L.209-2023, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-115. "Emergency Medical Person"

Sec. 115. "Emergency medical person", for purposes of IC 35-44.1-4-9, has the meaning set forth in IC 35-44.1-4-9(a). As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.102.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-116. "Endangered Adult"

Sec. 116. "Endangered adult", for purposes of IC 35-46-1, has the meaning set forth in IC 35-46-1-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-117.5. "Enhancing Circumstance"

Sec. 117.5. "Enhancing circumstance", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-16.5. As added by P.L.158-2013, SEC.369.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-118. "Enterprise"

Sec. 118. "Enterprise", for purposes of IC 35-45-6, has the meaning set forth in IC 35-45-6-1(c). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-119. "Entrusted"

Sec. 119. "Entrusted", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1(h). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-12. "Agent"

Sec. 12. (a) Except as provided in subsection (b), "agent" means an operator, a manager, an adult employee, or a security agent employed by a store. (b) "Agent", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-120. "Ephedrine"

Sec. 120. "Ephedrine", for purposes of IC 35-48-4-14.7, has the meaning set forth in IC 35-48-4-14.7(b)(3). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-121.5. "Evidence Based Risk Assessment"

Sec. 121.5. "Evidence based risk assessment", for purposes of IC 35-33-8, has the meaning set forth in IC 35-33-8-0.5. As added by P.L.187-2017, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-121. "Episode of Criminal Conduct"

Sec. 121. "Episode of criminal conduct", for purposes of IC 35-38-9 and IC 35-50-1-2, has the meaning set forth in IC 35-50-1-2(b).

As added by P.L.114-2012, SEC.67. Amended by P.L.219-2019, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-122. "Evidence of Previous Battery"

Sec. 122. "Evidence of a previous battery", for purposes of IC 35-37-4-14, has the meaning set forth in IC 35-37-4-14(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-123.5. "Executive Authority"

Sec. 123.5. "Executive authority", for purposes of IC 35-33-10-3, has the meaning set forth in IC 35-33-10-3(1). As added by P.L.13-2013, SEC.104.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-124. "Exert Control Over Property"

Sec. 124. "Exert control over property", for purposes of IC 35-43-4, has the meaning set forth in IC 35-43-4-1(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-125. "Explosives"

Sec. 125. "Explosives", for purposes of IC 35-47.5, has the meaning set forth in IC 35-47.5-2-7. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-126. "Extension"

Sec. 126. "Extension", for purposes of IC 35-33.5, means an extension of the duration for which a warrant remains effective under IC 35-33.5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-127.5. "Facility"

Sec. 127.5. "Facility", for purposes of IC 35-48-1-16.5, has the meaning set forth in IC 35-48-1-16.5. As added by P.L.182-2019, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-127.8. "Family Member"

Sec. 127.8. "Family member", for purposes of IC 35-44.1-3-1, has the meaning set forth in IC 35-44.1-3-1. As added by P.L.201-2019, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-128. "Family or Household Member"

Sec. 128. (a) An individual is a "family or household member" of another person if the individual: (1) is a current or former spouse of the other person; (2) is dating or has dated the other person; (3) is or was engaged in a sexual relationship with the other person; (4) is related by blood or adoption to the other person; (5) is or was related by marriage to the other person; (6) has or previously had an established legal relationship: (A) as a guardian of the other person; (B) as a ward of the other person; (C) as a custodian of the other person; (D) as a foster parent of the other person; or (E) in a capacity with respect to the other person similar to those listed in clauses (A) through (D); or (7) has a child in common with the other person. (b) An individual is a "family or household member" of both persons to whom subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(5), (a)(6), or (a)(7) applies if the individual is a minor child of one (1) of the persons. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-129. "Federal Enforcement Officer"

Sec. 129. "Federal enforcement officer" means any of the following: (1) A Federal Bureau of Investigation special agent. (2) A United States Marshals Service marshal or deputy. (3) A United States Secret Service special agent. (4) A United States Fish and Wildlife Service special agent. (5) A United States Drug Enforcement Agency agent. (6) A Bureau of Alcohol, Tobacco, Firearms and Explosives agent. (7) A United States Forest Service law enforcement officer. (8) A United States Department of Defense police officer or criminal investigator. (9) A United States Customs Service agent. (10) A United States Postal Service investigator. (11) A National Park Service law enforcement commissioned ranger. (12) United States Department of Agriculture, Office of Inspector General special agent. (13) A United States Citizenship and Immigration Services special agent. (14) An individual who is: (A) an employee of a federal agency; and (B) authorized to make arrests and carry a firearm in the performance of the individual's official duties. As added by P.L.114-2012, SEC.67.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-130.2. "Felony Terrorist Offense"

Sec. 130.2. "Felony terrorist offense", for purposes of IC 35-50-2-18, has the meaning set forth in IC 35-50-2-18. As added by P.L.66-2019, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-130.4. "Female Genital Mutilation"

Sec. 130.4. "Female genital mutilation", for purposes of IC 35-42-2-10, has the meaning set forth in IC 35-42-2-10(a). As added by P.L.51-2021, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-130.5. "Fentanyl Related Substance"

Sec. 130.5. "Fentanyl related substance", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-16.6. As added by P.L.119-2019, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-130.6. "Fentanyl Containing Substance"

Sec. 130.6. "Fentanyl containing substance", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-16.7. As added by P.L.48-2023, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-130. "Felony Conviction"

Sec. 130. "Felony conviction", for purposes of IC 35-50-2, has the meaning set forth in IC 35-50-2-1(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-131. "Fetal Tissue"

Sec. 131. "Fetal tissue", for purposes of IC 35-46-5-1, has the meaning set forth in IC 35-46-5-1(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-132.5. "Financial Institution"

Sec. 132.5. "Financial institution": (1) has the meaning set forth in IC 28-1-1-3(1); and (2) includes any bank, trust company, corporate fiduciary, savings association, credit union, savings bank, bank of discount and deposit, or industrial loan and investment company organized or reorganized under the laws of this state, any other state, or the United States. As added by P.L.174-2021, SEC.31.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-132. "Fetus"

Sec. 132. "Fetus", for purposes of IC 35-42-1-4, has the meaning set forth in IC 35-42-1-4(a). As added by P.L.114-2012, SEC.67. Amended by P.L.158-2013, SEC.370.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-133. "Firearm"

Sec. 133. (a) Except as provided in subsection (b), "firearm", for purposes of IC 35-47, has the meaning set forth in IC 35-47-1-5. (b) "Firearm", for purposes of IC 35-47-15, has the meaning set forth in IC 35-47-15-1. (c) "Firearm", for purposes of IC 35-50-2-11, has the meaning set forth in IC 35-50-2-11(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-134. "Firearm Accessory"

Sec. 134. "Firearm accessory", for purposes of IC 35-47, has the meaning set forth in IC 35-47-1-5.1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-135.2. "Fire Protective Clothing and Fire Protective Gear"

Sec. 135.2. "Fire protective clothing and fire protective gear", for purposes of IC 35-44.1-4, has the meaning set forth in IC

35-44.1-4-4. As added by P.L.13-2013, SEC.106.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-135. "Firefighter"

Sec. 135. "Firefighter", for purposes of IC 35-44.1-3 and IC 35-44.1-4, has the meaning set forth in IC 35-44.1-4-3. As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.105; P.L.158-2013, SEC.371; P.L.174-2021, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-137. "Food Processing Facility"

Sec. 137. "Food processing facility" means a facility used to prepare or process animal, plant, or other food ingredients into food products intended for sale or distribution to the general public for human consumption. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-138. "Forcible Felony"

Sec. 138. "Forcible felony" means a felony that involves the use or threat of force against a human being, or in which there is imminent danger of bodily injury to a human being. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-139.3. "Foster Family Home"

Sec. 139.3. "Foster family home", for purposes of IC 35-42-2-1, has the meaning set forth in IC 31-9-2-46.9. As added by P.L.65-2016, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-139.5. "Funds"

Sec. 139.5. "Funds", for purposes of IC 35-45-15, has the meaning set forth in IC 35-45-15-2. As added by P.L.13-2013, SEC.107.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-139. "Forensic DNA Analysis"

Sec. 139. "Forensic DNA analysis", for purposes of IC 35-37-4-13, has the meaning set forth in IC 35-37-4-13(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-14. "Alcohol Abuser"

Sec. 14. "Alcohol abuser", for purposes of IC 35-47, has the meaning set forth in IC 35-47-1-2. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-140. "Gain"

Sec. 140. "Gain", for purposes of IC 35-45-5, has the meaning set forth in IC 35-45-5-1(c). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-141. "Gambling"

Sec. 141. "Gambling", for purposes of IC 35-45-5, has the meaning set forth in IC 35-45-5-1(d). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-142. "Gambling Device"

Sec. 142. "Gambling device", for purposes of IC 35-45-5, has the meaning set forth in IC 35-45-5-1(e). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-143.3. "Geolocation Information"

Sec. 143.3. "Geolocation information" means data generated by an electronic device that can be used to determine the location of the device or the owner of the device. The term includes a cellular telephone, a wireless fidelity (wi-fi) equipped computer, or a GPS navigation or tracking unit. The term does not include the content of a communication. As added by P.L.170-2014, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-143.5. "Geolocation Information Service"

Sec. 143.5. "Geolocation information service" means a person that offers or provides GPS service or other mapping, locational, or

directional services to the public by means of an electronic device, including a cellular telephone, a wireless fidelity (wi-fi) equipped computer, or a GPS navigation or tracking unit. As added by P.L.170-2014, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-143.7. "Good Time Credit"

Sec. 143.7. "Good time credit" has the meaning set forth in IC 35-50-6-0.5. As added by P.L.74-2015, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-143. "Gambling Information"

Sec. 143. "Gambling information", for purposes of IC 35-45-5, has the meaning set forth in IC 35-45-5-1(f). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-144. "Governmental Entity"

Sec. 144. (a) "Governmental entity" means: (1) the United States or any state, county, township, city, town, separate municipal corporation, special taxing district, or public school corporation; (2) any authority, board, bureau, commission, committee, department, division, hospital, military body, or other instrumentality of any of those entities; or (3) a state assisted college or state assisted university. (b) For purposes of IC 35-33-5, "governmental entity" also includes a person authorized to act on behalf of a state or local agency. (c) For purposes of IC 35-44.1, "governmental entity" also includes a charter school (as defined in IC 20-24-1-4) and an organizer (as defined in IC 20-24-1-7). As added by P.L.114-2012, SEC.67. Amended by P.L.170-2014, SEC.7; P.L.155-2020, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-145.3. "Governor"

Sec. 145.3. "Governor", for purposes of IC 35-33-10-3, has the meaning set forth in IC 35-33-10-3(1). As added by P.L.13-2013, SEC.109.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-145. "Governmental Entity Served by the Public Servant"

Sec. 145. "Governmental entity served by the public servant", for purposes of IC 35-44.1-1-4, has the meaning set forth in IC 35-44.1-1-4(a)(2). As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.108.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-146. "Graffiti"

Sec. 146. "Graffiti" means any unauthorized inscription, work, figure, or design that is marked, etched, scratched, drawn, or painted on a component of any building, structure, or other facility. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-147. "Gun Show"

Sec. 147. "Gun show", for purposes of IC 35-47, has the meaning set forth in IC 35-47-1-5.5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-148. "Handgun"

Sec. 148. "Handgun", for purposes of IC 35-47, has the meaning set forth in IC 35-47-1-6. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-149.5. "Harasses"

Sec. 149.5. "Harasses", for purposes of IC 35-45-17.1, has the meaning set forth in IC 35-45-17.1-1. As added by P.L.75-2021, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-149. "Harm"

Sec. 149. "Harm" means loss, disadvantage, or injury or anything so regarded by the person affected, including loss, disadvantage, or injury to any other person in whose welfare the person is interested. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-15. "Alien"

Sec. 15. "Alien", for purposes of IC 35-44.1-5, has the meaning set forth in IC 35-44.1-5-2. As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.87.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-150.5. "Hashish"

Sec. 150.5. "Hashish", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-16.8. As added by P.L.153-2018, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-150.6. "Hash Oil"

Sec. 150.6. "Hash oil", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-16.9. As added by P.L.153-2018, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-150. "Harassment"

Sec. 150. (a) "Harassment", for purposes of IC 35-45-10, has the meaning set forth in IC 35-45-10-2. (b) "Harassment", for purposes of IC 35-42-4-4, IC 35-46-1-15.1, and IC 35-49-3-4, has the meaning set forth in IC 34-6-2-51.5. As added by P.L.114-2012, SEC.67. Amended by P.L.266-2019, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-151. "Hazing"

Sec. 151. "Hazing", for purposes of IC 35-42-2-2.5, has the meaning set forth in IC 35-42-2-2.5(a). As added by P.L.114-2012, SEC.67. Amended by P.L.86-2018, SEC.331.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-152.5. "Hiv"

Sec. 152.5. "HIV", for purposes of IC 35-45-16, has the meaning set forth in IC 35-45-16-1. As added by P.L.13-2013, SEC.110.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-152. "Health Care Provider"

Sec. 152. "Health care provider", for purposes of IC 35-46-7, has the meaning set forth in IC 35-46-7-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-153. "Hoarding Program"

Sec. 153. "Hoarding program", for purposes of IC 35-43-2-3, has the meaning set forth in IC 35-43-2-3(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-154. "Hoax Device"

Sec. 154. "Hoax device", for purposes of IC 35-47.5, has the meaning set forth in IC 35-47.5-2-8. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-155. "Home"

Sec. 155. (a) "Home", for purposes of IC 35-38-2.5, has the meaning set forth in IC 35-38-2.5-2. (b) "Home", for purposes of IC 35-38-2.6-6, has the meaning set forth in IC 35-38-2.6-6(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-156. "Home Improvement"

Sec. 156. "Home improvement", for purposes of IC 35-43-6, has the meaning set forth in IC 35-43-6-3. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-157. "Home Improvement Contract"

Sec. 157. "Home improvement contract", for purposes of IC 35-43-6, has the meaning set forth in IC 35-43-6-4. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-158. "Home Improvement Contract Price"

Sec. 158. "Home improvement contract price", for purposes of IC 35-43-6, has the meaning set forth in IC 35-43-6-5. As added by

P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-159. "Home Improvement Supplier"

Sec. 159. "Home improvement supplier", for purposes of IC 35-43-6, has the meaning set forth in IC 35-43-6-6. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-16. "Ammunition"

Sec. 16. "Ammunition", for purposes of IC 35-47, has the meaning set forth in IC 35-47-1-2.5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-160. "Human Being"

Sec. 160. "Human being" means an individual who has been born and is alive. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-161.1. "Human Remains"

Sec. 161.1. "Human remains", for purposes of IC 35-45-19, has the meaning set forth in IC 35-45-19-1.5. As added by P.L.47-2019, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-161.3. "Human Trafficking"

Sec. 161.3. "Human trafficking" has the meaning set forth in IC 35-42-3.5-0.5. As added by P.L.144-2018, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-161.5. "Human Trafficking Victim"

Sec. 161.5. "Human trafficking victim" has the meaning set forth in IC 35-42-3.5-0.5. As added by P.L.144-2018, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-161. "Human Organ"

Sec. 161. "Human organ", for purposes of IC 35-46-5-1, has the meaning set forth in IC 35-46-5-1(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-162. "Identification Number"

Sec. 162. "Identification number", for purposes of IC 35-43-7, has the meaning set forth in IC 35-43-7-2. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-163. "Identity Theft"

Sec. 163. "Identity theft", for the purposes of IC 35-40-14, has the meaning set forth in IC 35-40-14-1. As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.112.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-164.2. "Image"

Sec. 164.2. "Image", for purposes of IC 35-42-4-4, has the meaning set forth in IC 35-42-4-4(a). As added by P.L.172-2022, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-164.5. "Immediate Family Member"

Sec. 164.5. "Immediate family member", for purposes of IC 35-40, has the meaning set forth in IC 35-40-4-4.5. As added by P.L.71-2021, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-164. "Identifying Information"

Sec. 164. "Identifying information", for purposes of IC 35-43-5 and IC 35-46.5, has the meaning set forth in IC 35-43-5-1. As added by P.L.114-2012, SEC.67. Amended by P.L.66-2019, SEC.8.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-165.8. "Impermissible Contact"

Sec. 165.8. "Impermissible contact", for purposes of IC 35-45-10, has the meaning set forth in IC 35-45-10-3. As added by P.L.13-2013, SEC.113.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-165. "Immediate Precursor"

Sec. 165. "Immediate precursor", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-17. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-166. "Imprison"

Sec. 166. "Imprison" means to: (1) confine in a penal facility; (2) commit to the department of correction; or (3) assign to a community transition program under IC 11-10-11.5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-167. "Incendiary"

Sec. 167. "Incendiary", for purposes of IC 35-47.5, has the meaning set forth in IC 35-47.5-2-9. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-168.8. "Indiana"

Sec. 168.8. "Indiana", for purposes of IC 35-41-1-1, has the meaning set forth in IC 35-41-1-1(a). As added by P.L.13-2013, SEC.114.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-168.9. "Indiana Pretrial Risk Assessment System"

Sec. 168.9. "Indiana pretrial risk assessment system", for purposes of IC 35-33-8, has the meaning set forth in IC 35-33-8-0.5. As added by P.L.187-2017, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-168. "Included Offense"

Sec. 168. "Included offense" means an offense that: (1) is established by proof of the same material elements or less than all the material elements required to establish the commission of the offense charged; (2) consists of an attempt to commit the offense charged or an offense otherwise included therein; or (3) differs from the offense charged only in the respect that a less serious harm or risk of harm to the same person, property, or public interest, or a lesser kind of culpability, is required to establish its commission. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-169.5. "Infectious Hepatitis"

Sec. 169.5. "Infectious hepatitis", for purposes of IC 35-45-16-2, has the meaning set forth in IC 35-45-16-2(b). As added by P.L.158-2013, SEC.373.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-169. "Individual With an Intellectual Disability"

Sec. 169. (a) "Individual with an intellectual disability", for purposes of IC 35-36-2-5(e), has the meaning set forth in IC 35-36-2-5(e). (b) "Individual with an intellectual disability", for purposes of IC 35-36-9 and IC 35-50-2, has the meaning set forth in IC 35-36-9-2. As added by P.L.114-2012, SEC.67. Amended by P.L.117-2015, SEC.45.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-17.2. "Animal Abuse Offense"

Sec. 17.2. "Animal abuse offense", for purposes of IC 35-38-2-2.8, has the meaning set forth in IC 35-38-2-2.8. As added by P.L.37-2019, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-17. "Animal"

Sec. 17. "Animal", for purposes of IC 35-46-3-15, has the meaning set forth in IC 35-46-3-15(b). As added by P.L.114-2012,

SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-171.5. "Isomer"

Sec. 171.5. "Isomer", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-17.4. As added by P.L.61-2020, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-171. "Inmate Outside a Facility"

Sec. 171. "Inmate outside a facility", for purposes of IC 35-44.1-3-6, has the meaning set forth in IC 35-44.1-3-6(b). As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.115.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-173.8. "Insurance Policy"

Sec. 173.8. "Insurance policy", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1(j). As added by P.L.13-2013, SEC.116.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-173. "Instant Messaging or Chat Room Program"

Sec. 173. "Instant messaging or chat room program" means a software program or application that: (1) requires a person to register or create an account, a username, or a password to become a member or registered user of the program; and (2) allows two (2) or more members or authorized users to communicate over the Internet in real time. The term does not include an electronic mail program or message board program. As added by P.L.114-2012, SEC.67. Amended by P.L.247-2013, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-174. "Insurer"

Sec. 174. "Insurer", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1(k). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-175.5. "Intercept"

Sec. 175.5. "Intercept", for purposes of IC 35-33-5, has the meaning set forth in IC 35-33-5-0.5(5). As added by P.L.170-2014, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-175. "Interactive Computer Service"

Sec. 175. "Interactive computer service", for purposes of IC 35-45-5, has the meaning set forth in IC 35-45-5-1(g). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-176.2. "Intimate Image"

Sec. 176.2. "Intimate image", for purposes of IC 35-45-4-8, has the meaning set forth in IC 35-45-4-8. As added by P.L.185-2019, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-176. "Interception"

Sec. 176. "Interception", for purposes of IC 35-33.5, means the intentional recording or acquisition of the contents of an electronic communication by a person other than a sender or receiver of that communication, without the consent of the sender or receiver, by means of any instrument, device, or equipment under this article. This term includes the intentional recording or acquisition of communication through the use of a computer or a fax (facsimile transmission) machine. The term does not include recording or acquiring the contents of a radio transmission that is not: (1) scrambled or encrypted; (2) transmitted using modulation techniques whose essential parameters have been withheld from the public with the intention of preserving the privacy of the communication; (3) carried on a subcarrier or other signal subsidiary to a radio transmission; (4) transmitted over a communication system provided by a common carrier, unless the communication is a tone only paging system communication; or (5) transmitted on frequencies allocated under part 25, subpart D, E, or F of part 74, or part 94 of the Rules of the Federal Communications Commission, unless, in the case of a communication transmitted on a frequency allocated under part 74 that is not exclusively allocated to broadcast auxiliary services, the communication is a two-way voice communication by radio. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-177.5. "Intoxicated"

Sec. 177.5. "Intoxicated", for purposes of IC 35-46-9, has the meaning set forth in IC 35-46-9-2. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-177.7. "Judicial Officer"

Sec. 177.7. "Judicial officer", for purposes of IC 35-42-2-1 and IC 35-47-16, means an individual who holds one (1) of the following offices or appointments: (1) Justice of the supreme court. (2) Judge of the court of appeals. (3) Judge of the tax court. (4) Judge of a circuit court. (5) Judge of a superior court. (6) Judge of a probate court. (7) Judge of a city court. (8) Judge of a town court. (9) Judge of a small claims court. (10) A judge pro tempore, a senior judge, a temporary judge, or any other individual, including a retired judicial officer, serving as judge in an action or a proceeding in an Indiana court. (11) Magistrate. As added by P.L.147-2014, SEC.1. Amended by P.L.115-2021, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-177. "Item of Value"

Sec. 177. "Item of value", for purposes of IC 35-46-5-1, has the meaning set forth in IC 35-46-5-1(c). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-178.5. "Juvenile Prostitution"

Sec. 178.5. "Juvenile prostitution" means an act by a person less than eighteen (18) years of age that would be a crime described in IC 35-45-4-2(a) if committed by an individual at least eighteen (18) years of age. As added by P.L.86-2017, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-178. "Juvenile Facility"

Sec. 178. "Juvenile facility", for purposes of IC 35-44.1-3-5, has the meaning set forth in IC 35-44.1-3-5. As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.117; P.L.71-2024, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-18. "Animal Fighting Contest"

Sec. 18. "Animal fighting contest", for purposes of IC 35-46-3, has the meaning set forth in IC 35-46-3-4. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-180. "Knife"

Sec. 180. "Knife", for purposes of IC 35-47-5-2.5, has the meaning set forth in IC 35-47-5-2.5(a) and IC 35-47-5-2.5(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-181. "Labeling"

Sec. 181. "Labeling", for purposes of IC 35-45-8, has the meaning set forth in IC 35-45-8-2. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-182. "Laser Pointer"

Sec. 182. "Laser pointer", for purposes of IC 35-47-4.5, has the meaning set forth in IC 35-47-4.5-2. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-183. "Law Enforcement Agency"

Sec. 183. (a) "Law enforcement agency," for purposes of receiving information concerning a violation of IC 35-42-3.5-1 through IC 35-42-3.5-1.4 (human trafficking), means: (1) an agency or department of: (A) the state; or (B) a political subdivision of the state; whose principal function is the apprehension of criminal offenders; and (2) the attorney general. (b) "Law enforcement agency", for purposes of IC 35-47-15, has the meaning set forth in IC 35-47-15-2. As added by P.L.114-2012, SEC.67. Amended by P.L.162-2014, SEC.2; P.L.144-2018, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-184. "Law Enforcement Animal"

Sec. 184. "Law enforcement animal", for purposes of IC 35-46-3, has the meaning set forth in IC 35-46-3-4.5. As added by P.L.114-2012, SEC.67.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-185.4. "Law Enforcement Recording Device"

Sec. 185.4. "Law enforcement recording device" means a camera or other device for creating audio, visual, or audiovisual recordings that is: (1) provided to or used by a law enforcement officer in the scope of the officer's duties; and (2) designed to be worn by a law enforcement officer or attached to the vehicle or transportation of a law enforcement officer. As added by P.L.58-2016, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-185. "Law Enforcement Officer"

Sec. 185. (a) "Law enforcement officer" means: (1) a police officer (including a tribal police officer, a correctional police officer, and a hospital police officer employed by a hospital police department established under IC 16-18-4), sheriff, constable, marshal, prosecuting attorney, special prosecuting attorney, special deputy prosecuting attorney, the securities commissioner, or the inspector general; (2) a deputy of any of those persons; (3) an investigator for a prosecuting attorney or for the inspector general; (4) a conservation officer; (5) an enforcement officer of the alcohol and tobacco commission; (6) an enforcement officer of the securities division of the office of the secretary of state; or (7) a gaming agent employed under IC 4-33-4.5 or a gaming control officer employed by the gaming control division under IC 4-33-20. (b) "Law enforcement officer", for purposes of IC 35-42-2-1, includes an alcoholic beverage enforcement officer, as set forth in IC 35-42-2-1. (c) "Law enforcement officer", for purposes of IC 35-45-15, includes a federal enforcement officer, as set forth in IC 35-45-15-3. (d) "Law enforcement officer", for purposes of IC 35-44.1-3-1 and IC 35-44.1-3-2, includes a school resource officer (as defined in IC 20-26-18.2-1) and a school corporation police officer appointed under IC 20-26-16. (e) "Law enforcement officer", for purposes of IC 35-40.5, has the meaning set forth in IC 35-40.5-1-1. As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.118; P.L.221-2013, SEC.6; P.L.172-2013, SEC.10; P.L.238-2015, SEC.8; P.L.58-2020, SEC.1; P.L.64-2022, SEC.10; P.L.122-2023, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-186.2. "Lawful Supervision"

Sec. 186.2. "Lawful supervision", for purposes of IC 35-44.1-3-10, has the meaning set forth in IC 35-44.1-3-10. As added by P.L.185-2014, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-186.3. "Lethal Fetal Anomaly"

Sec. 186.3. "Lethal fetal anomaly", for purposes of IC 35-46-5-3, has the meaning set forth in IC 35-46-5-3(a). As added by P.L.113-2018, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-186.5. "Level 6 Felony Conviction"

Sec. 186.5. "Level 6 felony conviction", for purposes of IC 35-50-2, has the meaning set forth in IC 35-50-2-1(a). As added by P.L.158-2013, SEC.374.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-186. "Lawful Detention"

Sec. 186. (a) "Lawful detention" means: (1) arrest; (2) custody following surrender in lieu of arrest; (3) detention in a penal facility; (4) detention in a facility for custody of persons alleged or found to be delinquent children; (5) detention under a law authorizing civil commitment in lieu of criminal proceedings or authorizing such detention while criminal proceedings are held in abeyance; (6) detention for extradition or deportation; (7) placement in a community corrections program's residential facility; (8) electronic monitoring; (9) custody for purposes incident to any of the above including transportation, medical diagnosis or treatment, court appearances, work, or recreation; or (10) any other detention for law enforcement purposes. (b) Except as provided in subsection (a)(7) and (a)(8), the term does not include supervision of a person on probation or parole or constraint incidental to release with or without bail. (c) The term does not include electronic monitoring through the use of an unmanned aerial vehicle under IC 35-33-5-9. As added by P.L.114-2012, SEC.67. Amended by P.L.170-2014, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-188. "Loaded"

Sec. 188. "Loaded", for purposes of IC 35-47-10, has the meaning set forth in IC 35-47-10-4. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-189.5. "Local Law Enforcement Agency"

Sec. 189.5. "Local law enforcement agency", for purposes of IC 35-40, has the meaning set forth in IC 35-40-4-4.7. As added by P.L.71-2021, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-189.9. "Low Thc Hemp Extract"

Sec. 189.9. "Low THC hemp extract", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-17.5. As added by P.L.153-2018, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-189. "Loan"

Sec. 189. "Loan", for purposes of IC 35-45-7, has the meaning set forth in IC 35-45-7-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-19. "Animal Fighting Paraphernalia"

Sec. 19. "Animal fighting paraphernalia", for purposes of IC 35-46-3, has the meaning set forth in IC 35-46-3-4.3. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-190. "Machine Gun"

Sec. 190. (a) "Machine gun" means a weapon that: (1) shoots; (2) is designed to shoot; or (3) can be readily restored to shoot; automatically more than one (1) shot, without manual reloading, by a single function of the trigger. (b) The term includes: (1) the frame or receiver of a weapon described in subsection (a); (2) a: (A) part designed and intended solely and exclusively; or (B) combination of parts designed and intended; for use in converting a weapon into a machine gun; and (3) any combination of parts from which a machine gun can be assembled if such parts are in the possession or under the control of a person. As added by P.L.114-2012, SEC.67. Amended by P.L.80-2023, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-191. "Make"

Sec. 191. "Make", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1(m). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-192. "Manufacture"

Sec. 192. "Manufacture", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-18. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-193. "Manufacture of an Unlawful Telecommunications Device"

Sec. 193. "Manufacture of an unlawful telecommunications device", for purposes of IC 35-45-13, has the meaning set forth in IC 35-45-13-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-194. "Manufacturer"

Sec. 194. "Manufacturer", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1(l). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-195. "Marijuana"

Sec. 195. "Marijuana", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-19. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-196.5. "Medication Assisted Treatment"

Sec. 196.5. "Medication assisted treatment" has the meaning set forth in IC 12-7-2-128.7. As added by P.L.203-2017, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-196. "Matter"

Sec. 196. (a) "Matter", for purposes of IC 35-42-4-4, has the meaning set forth in IC 35-42-4-4(a). (b) "Matter", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1-3. As added by P.L.114-2012, SEC.67.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-197.5. "Mental Health Professional"

Sec. 197.5. "Mental health professional", for purposes of IC 35-42-4-7, has the meaning set forth in IC 35-42-4-7. As added by P.L.208-2013, SEC.1. Amended by P.L.133-2023, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-197. "Mental Disease or Defect"

Sec. 197. "Mental disease or defect", for purposes of IC 35-41-3-6, has the meaning set forth in IC 35-41-3-6(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-198. "Mentally Ill"

Sec. 198. "Mentally ill", for purposes of IC 35-36, has the meaning set forth in IC 35-36-1-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-199. "Metering Device"

Sec. 199. "Metering device", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1(n). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-2.5. "Accrued Time"

Sec. 2.5. "Accrued time" has the meaning set forth in IC 35-50-6-0.5. As added by P.L.74-2015, SEC.15.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-2. "Access"

Sec. 2. "Access", for purposes of IC 35-43-2-3, has the meaning set forth in IC 35-43-2-3(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-20. "Apartment Complex"

Sec. 20. "Apartment complex" means real property consisting of at least five (5) units that are regularly used to rent or otherwise furnish residential accommodations for periods of at least thirty (30) days. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-200. "Military Recruiter"

Sec. 200. "Military recruiter", for purposes of IC 35-42-4-7, has the meaning set forth in IC 35-42-4-7. As added by P.L.114-2012, SEC.67. Amended by P.L.208-2013, SEC.2; P.L.133-2023, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-201. "Minimum Sentence"

Sec. 201. "Minimum sentence", for purposes of IC 35-50-2, has the meaning set forth in IC 35-50-2-1(c). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-202. "Minor"

Sec. 202. "Minor", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1-4. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-203. "Misconduct"

Sec. 203. "Misconduct", for purposes of IC 35-44.1-2-3, has the meaning set forth in IC 35-44.1-2-3(b). As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.119.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-204.5. "Moderate Bodily Injury"

Sec. 204.5. "Moderate bodily injury" means any impairment of physical condition that includes substantial pain. As added by P.L.158-2013, SEC.376.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-204. "Model Glue"

Sec. 204. "Model glue", for purposes of IC 35-46-6, has the meaning set forth in IC 35-46-6-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-205. "Monitoring Device"

Sec. 205. "Monitoring device", for purposes of IC 35-33-8-11, IC 35-38-2.5, and IC 35-38-2.7, has the meaning set forth in IC 35-38-2.5-3. As added by P.L.114-2012, SEC.67. Amended by P.L.84-2022, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-206.5. "Motorboat"

Sec. 206.5. "Motorboat", for purposes of IC 35-46-9, has the meaning set forth in IC 35-46-9-3. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-206. "Motion Picture Exhibition Facility"

Sec. 206. "Motion picture exhibition facility" has the meaning set forth in IC 35-46-8-3. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-207. "Motor Vehicle"

Sec. 207. "Motor vehicle" has the meaning set forth in IC 9-13-2-105(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-208. "Mutilate"

Sec. 208. "Mutilate", for purposes of IC 35-46-3, has the meaning set forth in IC 35-46-3-0.5. As added by P.L.114-2012, SEC.67. Amended by P.L.141-2019, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-209. "Narcotic Drug"

Sec. 209. "Narcotic drug", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-20. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-21. "Armor-Piercing Ammunition"

Sec. 21. "Armor-piercing ammunition", for purposes of IC 35-47-5-11.5, has the meaning set forth in IC 35-47-5-11.5. As added by P.L.114-2012, SEC.67. Amended by P.L.133-2017, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-210.5. "Nfa Firearm"

Sec. 210.5. "NFA firearm", for purposes of IC 35-47-8.5, has the meaning set forth in IC 35-47-8.5-1. As added by P.L.66-2016, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-210.7. "Nics"

Sec. 210.7. "NICS", for purposes of IC 35-36-2-4, IC 35-36-2-5, IC 35-36-3-1, IC 35-47-2-7, IC 35-47-2.5, and IC 35-47-8.5, has the meaning set forth in IC 35-47-2.5-2.5. As added by P.L.66-2016, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-210. "Neglect"

Sec. 210. "Neglect", for purposes of IC 35-46-3, has the meaning set forth in IC 35-46-3-0.5. As added by P.L.114-2012, SEC.67. Amended by P.L.141-2019, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-211. "Nonpublic School"

Sec. 211. "Nonpublic school", for purposes of IC 35-42-4-7, has the meaning set forth in IC 35-42-4-7. As added by P.L.114-2012, SEC.67. Amended by P.L.208-2013, SEC.3; P.L.133-2023, SEC.5.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-212. "Nudity"

Sec. 212. (a) "Nudity", for purposes of IC 35-45-4-1 and IC 35-45-4-1.5, has the meaning set forth in IC 35-45-4-1(d). (b) "Nudity", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1-5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-213. "Offender"

Sec. 213. (a) "Offender", for purposes of IC 35-38-2-2.5, has the meaning set forth in IC 35-38-2-2.5(a). (b) "Offender", for purposes of IC 35-38-2.5, has the meaning set forth in IC 35-38-2.5-4. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-214. "Offender Against Children"

Sec. 214. (a) "Offender against children", for purposes of IC 35-42-4-10, has the meaning set forth in IC 35-42-4-10(a). (b) "Offender against children", for purposes of IC 35-42-4-11, has the meaning set forth in IC 35-42-4-11(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-215. "Offense"

Sec. 215. (a) Except as provided in subsections (b) and (c), "offense" means a crime. The term does not include an infraction. (b) "Offense", for purposes of IC 35-38-7, has the meaning set forth in IC 35-38-7-3. (c) "Offense", for purposes of IC 35-50-2-11, has the meaning set forth in IC 35-50-2-11(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-216. "Offense Relating to a Criminal Sexual Act"

Sec. 216. "Offense relating to a criminal sexual act" means the following: (1) Rape (IC 35-42-4-1). (2) Criminal deviate conduct (IC 35-42-4-2) (repealed). (3) Child molesting (IC 35-42-4-3). (4) Child seduction (IC 35-42-4-7). (5) Prostitution (IC 35-45-4-2). (6) Making an unlawful proposition (IC 35-45-4-3). (7) Incest (IC 35-46-1-3). (8) Sexual misconduct with a minor under IC 35-42-4-9(a). As added by P.L.114-2012, SEC.67. Amended by P.L.158-2013, SEC.377; P.L.214-2013, SEC.32; P.L.48-2017, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-217.5. "Officer"

Sec. 217.5. "Officer", for purposes of IC 35-44.1-3-2, has the meaning set forth in IC 35-44.1-3-2(a). As added by P.L.13-2013, SEC.120.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-217. "Offense Relating to Controlled Substances"

Sec. 217. "Offense relating to controlled substances" means the following: (1) Dealing in a controlled substance resulting in death (IC 35-42-1-1.5). (2) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1). (3) Dealing in methamphetamine (IC 35-48-4-1.1). (4) Manufacturing methamphetamine (IC 35-48-4-1.2). (5) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2). (6) Dealing in a schedule IV controlled substance (IC 35-48-4-3). (7) Dealing in a schedule V controlled substance (IC 35-48-4-4). (8) Possession of cocaine or a narcotic drug (IC 35-48-4-6). (9) Possession of methamphetamine (IC 35-48-4-6.1). (10) Possession of a controlled substance (IC 35-48-4-7). (11) Possession of paraphernalia (IC 35-48-4-8.3). (12) Dealing in paraphernalia (IC 35-48-4-8.5). (13) Offenses relating to registration (IC 35-48-4-14). As added by P.L.114-2012, SEC.67. Amended by P.L.252-2017, SEC.9; P.L.198-2018, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-218.5. "Omnibus Date"

Sec. 218.5. "Omnibus date", for purposes of IC 35-36, has the meaning set forth in IC 35-36-1-1. As added by P.L.13-2013, SEC.121.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-218. "Official Proceeding"

Sec. 218. "Official proceeding" means a proceeding held or that may be held before a legislative, judicial, administrative, or other agency or before an official authorized to take evidence under oath, including a referee, hearing examiner, commissioner, notary, or other person taking evidence in connection with a proceeding. As added by P.L.114-2012, SEC.67.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-219. "Operator"

Sec. 219. "Operator", for purposes of IC 35-45-5, has the meaning set forth in IC 35-45-5-1(h). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-220. "Opiate"

Sec. 220. "Opiate", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-21. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-221.5. "Other Sexual Conduct"

Sec. 221.5. "Other sexual conduct" means an act involving: (1) a sex organ of one (1) person and the mouth or anus of another person; or (2) the penetration of the sex organ or anus of a person by an object. As added by P.L.158-2013, SEC.378.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-221. "Opium Poppy"

Sec. 221. "Opium poppy", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-22. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-222. "Overpass"

Sec. 222. "Overpass", for purposes of IC 35-42-2-5, has the meaning set forth in IC 35-42-2-5(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-223. "Overpressure Device"

Sec. 223. "Overpressure device", for purposes of IC 35-47.5, has the meaning set forth in IC 35-47.5-2-11. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-224. "Owner"

Sec. 224. (a) "Owner", for purposes of IC 35-43-1-3, has the meaning set forth in IC 35-43-1-3(a). (b) "Owner", for purposes of IC 35-48-3, has the meaning set forth in IC 35-48-3-1.5. (c) "Owner", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1-6. (d) "Owner", for purposes of IC 35-43-5-19.5, means any person with an ownership interest or right to profit in a business. As added by P.L.114-2012, SEC.67. Amended by P.L.185-2013, SEC.4; P.L.134-2017, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-226. "Party"

Sec. 226. "Party", for purposes of IC 35-43-9, has the meaning set forth in IC 35-43-9-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-227. "Pattern of Racketeering Activity"

Sec. 227. "Pattern of racketeering activity", for purposes of IC 35-45-6, has the meaning set forth in IC 35-45-6-1(d). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-23. "Audiovisual Recording Device"

Sec. 23. "Audiovisual recording device", for purposes of IC 35-46-8, has the meaning set forth in IC 35-46-8-2. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-230. "Pecuniary Interest"

Sec. 230. "Pecuniary interest", for purposes of IC 35-44.1-1-4 and IC 35-44.1-1-5, has the meaning set forth in IC 35-44.1-1-4(a)(3). As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.122.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-231. "Peep"

Sec. 231. "Peep", for purposes of IC 35-45-4-5, has the meaning set forth in IC 35-45-4-5(a)(2). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-232. "Penal Facility"

Sec. 232. "Penal facility" means a state prison, correctional facility, county jail, penitentiary, house of correction, or any other facility for confinement of persons under sentence, or awaiting trial or sentence, for offenses. The term includes a correctional facility constructed under IC 4-13.5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-233. "Performance"

Sec. 233. (a) "Performance", for purposes of IC 35-42-4-4, has the meaning set forth in IC 35-42-4-4(a). (b) "Performance", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1-7. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-234. "Person"

Sec. 234. (a) Except as provided in subsections (b) through (d), "person" means a human being, corporation, limited liability company, partnership, unincorporated association, or governmental entity. (b) "Person", for purposes of IC 35-43-6, has the meaning set forth in IC 35-43-6-7. (c) "Person", for purposes of IC 35-43-9, has the meaning set forth in IC 35-43-9-2. (d) "Person", for purposes of section 128 of this chapter, means an adult or a minor. As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.123.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-235.2. "Person in a Position of Trust"

Sec. 235.2. "Person in a position of trust", for purposes of IC 35-46-1-12, has the meaning set forth in IC 35-46-1-12. As added by P.L.70-2020, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-235.3. "Pharmacist"

Sec. 235.3. "Pharmacist", for purposes of IC 35-42-5-1, means an individual who is licensed, registered, or otherwise permitted by the laws of Indiana or the United States to: (1) dispense; (2) distribute; or (3) prescribe; a controlled substance as part of the individual's professional practice. As added by P.L.202-2017, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-235.4. "Pharmacy"

Sec. 235.4. "Pharmacy", for purposes of IC 35-42-5-1, means a facility or part of a facility used to: (1) dispense; (2) distribute; or (3) store; controlled substances. As added by P.L.202-2017, SEC.24.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-235.5. "Physician"

Sec. 235.5. "Physician", for purposes of IC 35-46-5-3, has the meaning set forth in IC 35-46-5-3(b). As added by P.L.113-2018, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-235.7. "Place"

Sec. 235.7. "Place", for purposes of IC 35-33-5-1, has the meaning set forth in IC 35-33-5-1(b). As added by P.L.13-2013, SEC.124.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-235. "Personally Identifying Information"

Sec. 235. "Personally identifying information", for purposes of IC 35-37-6, has the meaning set forth in IC 35-37-6-2.5(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-236.8. "Police Officer"

Sec. 236.8. "Police officer", for purposes of IC 35-50-2-11, has the meaning set forth in IC 35-50-2-11. As added by P.L.238-2015, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-236. "Plea Agreement"

Sec. 236. "Plea agreement", for purposes of IC 35-35-3, means an agreement between a prosecuting attorney and a defendant concerning the disposition of a felony or misdemeanor charge. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-237.5. "Police Radio Mobile Application"

Sec. 237.5. "Police radio mobile application", for purposes of IC 35-44.1-2-7, has the meaning set forth in IC 35-44.1-2-7(d). As added by P.L.66-2019, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-237. "Police Radio"

Sec. 237. "Police radio", for purposes of IC 35-44.1-2-7, has the meaning set forth in IC 35-44.1-2-7(c). As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.125.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-238. "Polygraph"

Sec. 238. "Polygraph", for purposes of IC 35-37-4.5, has the meaning set forth in IC 35-37-4.5-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-239. "Poppy Straw"

Sec. 239. "Poppy straw", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-23. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-24.5. "Authorized Person"

Sec. 24.5. "Authorized person", for purposes of IC 35-43-2-2, has the meaning set forth in IC 35-43-2-2(a). As added by P.L.21-2014, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-24.7. "Backup Verification Method"

Sec. 24.7. "Backup verification method", for purposes of IC 35-38-2.7, has the meaning set forth in IC 35-38-2.7-1. As added by P.L.84-2022, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-24. "Authorized Operator"

Sec. 24. "Authorized operator", for purposes of IC 35-43-4-2.7, has the meaning set forth in IC 35-43-4-2.7(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-240. "Postarrest Release"

Sec. 240. "Postarrest release", for purposes of IC 35-40, has the meaning set forth in IC 35-40-4-5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-241. "Postconviction Release"

Sec. 241. "Postconviction release", for purposes of IC 35-40, has the meaning set forth in IC 35-40-4-6. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-242. "Practitioner"

Sec. 242. "Practitioner", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-24. As added by P.L.114-2012, SEC.67. Amended by P.L.158-2013, SEC.379; P.L.51-2019, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-243. "Prescription"

Sec. 243. "Prescription", for purposes of IC 35-45-20, has the meaning set forth in IC 35-45-20-1. As added by P.L.114-2012, SEC.67.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-244.5. "Prima Facie Evidence of Intoxication"

Sec. 244.5. "Prima facie evidence of intoxication", for purposes of IC 35-46-9, has the meaning set forth in IC 35-46-9-4. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-244. "Prescription Drug"

Sec. 244. "Prescription drug", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-25. As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.126; P.L.168-2014, SEC.51.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-245. "Principal"

Sec. 245. "Principal", for purposes of IC 35-45-7, has the meaning set forth in IC 35-45-7-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-246. "Private Area"

Sec. 246. "Private area", for purposes of IC 35-45-4-5, has the meaning set forth in IC 35-45-4-5(a)(3). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-247. "Proceeds"

Sec. 247. "Proceeds", for purposes of IC 35-45-15, has the meaning set forth in IC 35-45-15-4. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-248.2. "Production"

Sec. 248.2. "Production", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-26. As added by P.L.13-2013, SEC.127.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-248.5. "Professional Relationship"

Sec. 248.5. "Professional relationship", for purposes of IC 35-42-4-7, has the meaning set forth in IC 35-42-4-7. As added by P.L.208-2013, SEC.4. Amended by P.L.133-2023, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-248. "Product"

Sec. 248. "Product", for purposes of IC 35-43-7, has the meaning set forth in IC 35-43-7-3. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-25. "Bail Bond"

Sec. 25. "Bail bond," for purposes of IC 35-33-8, has the meaning set forth in IC 35-33-8-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-250. "Profit"

Sec. 250. "Profit", for purposes of IC 35-45-5, has the meaning set forth in IC 35-45-5-1(i). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-251. "Proper Person"

Sec. 251. "Proper person", for purposes of IC 35-47, has the meaning set forth in IC 35-47-1-7. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-252. "Proper Reason"

Sec. 252. "Proper reason", for purposes of IC 35-47, has the meaning set forth in IC 35-47-1-8. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-253. "Property"

Sec. 253. (a) Except as provided in subsection (c), "property" means anything of value. The term includes: (1) a gain or advantage or anything that might reasonably be regarded as such by the beneficiary; (2) real property, personal property, money, labor, and

services; (3) intangibles; (4) commercial instruments; (5) written instruments concerning labor, services, or property; (6) written instruments otherwise of value to the owner, such as a public record, deed, will, credit card, or letter of credit; (7) a signature to a written instrument; (8) extension of credit; (9) trade secrets; (10) contract rights, choses-in-action, and other interests in or claims to wealth; (11) electricity, gas, oil, and water; (12) captured or domestic animals, birds, and fish; (13) food and drink; (14) human remains; and (15) data. (b) Property is that "of another person" if the other person has a possessory or proprietary interest in it, even if an accused person also has an interest in that property. (c) "Property", for purposes of IC 35-47.5, has the meaning set forth in IC 35-47.5-2-12. As added by P.L.114-2012, SEC.67. Amended by P.L.158-2013, SEC.381.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-254. "Prosecuting Attorney"

Sec. 254. "Prosecuting attorney", for purposes of IC 35-35-3, includes a deputy prosecuting attorney. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-255.3. "Protective Order"

Sec. 255.3. "Protective order", for purposes of IC 35-46-8.5-1, has the meaning set forth in IC 35-46-8.5-1. As added by P.L.172-2023, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-255.5. "Provider"

Sec. 255.5. (a) "Provider", for purposes of IC 35-37-4, has the meaning set forth in IC 35-37-4-6(d). (b) "Provider", for purposes of IC 35-40.5, has the meaning set forth in IC 35-40.5-1-1. As added by P.L.58-2020, SEC.2. Amended by P.L.42-2023, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-255. "Protected Person"

Sec. 255. "Protected person", for purposes of IC 35-37-4, has the meaning set forth in IC 35-37-4-6(c). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-256. "Pseudoephedrine"

Sec. 256. "Pseudoephedrine", for purposes of IC 35-48-4-14.7, has the meaning set forth in IC 35-48-4-14.7. As added by P.L.114-2012, SEC.67. Amended by P.L.193-2013, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-257. "Public Court Proceeding"

Sec. 257. "Public court proceeding", for purposes of IC 35-40, has the meaning set forth in IC 35-40-4-7. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-258. "Public Park"

Sec. 258. "Public park" means any property operated by a political subdivision for park purposes (as defined in IC 36-10-1-2). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-259. "Public Relief or Assistance"

Sec. 259. "Public relief or assistance", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1(o). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-26.5. "Benefit"

Sec. 26.5. "Benefit", for purposes of IC 35-43-4-6, has the meaning set forth in IC 35-43-4-6(a). As added by P.L.13-2013, SEC.88.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-260.2. "Public Safety Official"

Sec. 260.2. "Public safety official", for purposes of IC 35-42-2-1, has the meaning set forth in IC 35-42-2-1. As added by P.L.238-2015, SEC.10.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-260. "Public Safety Officer"

Sec. 260. "Public safety officer", for purposes of IC 35-45-19, has the meaning set forth in IC 35-45-19-2. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-261. "Public Servant"

Sec. 261. "Public servant" means a person who: (1) is authorized to perform an official function on behalf of, and is paid by, a governmental entity; (2) is elected or appointed to office to discharge a public duty for a governmental entity; or (3) with or without compensation, is appointed in writing by a public official to act in an advisory capacity to a governmental entity concerning a contract or purchase to be made by the entity. The term does not include a person appointed by the governor to an honorary advisory or honorary military position. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-262. "Publicly Paid Costs of Representation"

Sec. 262. "Publicly paid costs of representation", for purposes of IC 35-33-8, has the meaning set forth in IC 35-33-8-1.5. As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.128.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-263. "Public Safety Officer"

Sec. 263. "Public safety officer", for purposes of IC 35-47-4.5, has the meaning set forth in IC 35-47-4.5-3. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-264.5. "Purpose of Increasing a Person's Own Standing or Position Within a Criminal Organization"

Sec. 264.5. "Purpose of increasing a person's own standing or position within a criminal organization", for purposes of IC 35-45-9-3, has the meaning set forth in IC 35-45-9-3(b). As added by P.L.158-2013, SEC.382. Amended by P.L.25-2016, SEC.19.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-264.6. "Purpose of Increasing a Person's Own Standing or Position Within a Terrorist Organization"

Sec. 264.6. "Purpose of increasing a person's own standing or position within a terrorist organization", for purposes of IC 35-46.5, has the meaning set forth in IC 35-46.5-1-1. As added by P.L.66-2019, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-264.8. "Qualified Egg Bank"

Sec. 264.8. "Qualified egg bank", for purposes of IC 35-46-5-3, has the meaning set forth in IC 35-46-5-3(c). As added by P.L.113-2018, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-264. "Publish"

Sec. 264. "Publish", for purposes of IC 35-45-13, has the meaning set forth in IC 35-45-13-2. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-265. "Racketeering Activity"

Sec. 265. "Racketeering activity", for purposes of IC 35-45-6, has the meaning set forth in IC 35-45-6-1(e). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-266. "Rate"

Sec. 266. "Rate", for purposes of IC 35-45-7, has the meaning set forth in IC 35-45-7-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-267.7. "Reasonable Suspicion"

Sec. 267.7. "Reasonable suspicion", for purposes of IC 35-40, has the meaning set forth in IC 35-40-4-7.3. As added by P.L.71-2021, SEC.4.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-267. "Rated Capacity"

Sec. 267. "Rated capacity", for purposes of IC 35-38-3, has the meaning set forth in IC 35-38-3-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-268. "Receiving"

Sec. 268. "Receiving", for purposes of IC 35-43-4-1, has the meaning set forth in IC 35-43-4-1(c). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-269. "Receiving Authority"

Sec. 269. "Receiving authority", for purposes of IC 35-38-3, has the meaning set forth in IC 35-38-3-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-27.4. "Benefit, Promote, or Further the Interests of a Criminal Organization"

Sec. 27.4. "Benefit, promote, or further the interests of a criminal organization", for purposes of IC 35-45-9-3, has the meaning set forth in IC 35-45-9-3(a). As added by P.L.158-2013, SEC.352. Amended by P.L.25-2016, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-27.5. "Benefit Provider"

Sec. 27.5. "Benefit provider", for purposes of IC 35-43-4-6, has the meaning set forth in IC 35-43-4-6(a). As added by P.L.13-2013, SEC.89.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-27.6. "Benefit, Promote, or Further the Interests of a Terrorist Organization"

Sec. 27.6. "Benefit, promote, or further the interests of a terrorist organization", for purposes of IC 35-46.5, has the meaning set forth in IC 35-46.5-1-1. As added by P.L.66-2019, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-27. "Benefit Identification Card"

Sec. 27. "Benefit identification card", for purposes of IC 35-43-4-6, has the meaning set forth in IC 35-43-4-6(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-272. "Recommendation"

Sec. 272. "Recommendation", for purposes of IC 35-35-3 and IC 35-38-1, means a proposal that is part of a plea agreement made to a court that: (1) a felony charge be dismissed; or (2) a defendant, if the defendant pleads guilty to a felony charge, receive less than the advisory sentence. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-273.2. "Refuse"

Sec. 273.2. "Refuse", for purposes of IC 35-45-3-2, has the meaning set forth in IC 35-45-3-2(b). As added by P.L.13-2013, SEC.129.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-273.3. "Regulated Explosive"

Sec. 273.3. "Regulated explosive", for purposes of IC 35-47.5, has the meaning set forth in IC 35-47.5-2-13. As added by P.L.13-2013, SEC.130.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-273.4. "Relative"

Sec. 273.4. "Relative", for purposes of IC 35-40.5, has the meaning set forth in IC 35-40.5-1-1. As added by P.L.58-2020, SEC.3.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-273.5. "Relevant Evidence"

Sec. 273.5. "Relevant evidence", for purposes of IC 35-46-9, has the meaning set forth in IC 35-46-9-5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-273.8. "Remote Computing Service"

Sec. 273.8. "Remote computing service", for purposes of IC 35-33-5, has the meaning set forth in IC 35-33-5-0.5(6). As added by P.L.170-2014, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-273. "Recording"

Sec. 273. "Recording", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1(p). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-274. "Replica"

Sec. 274. "Replica", for purposes of IC 35-47.5, has the meaning set forth in IC 35-47.5-2-8. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-275. "Reside"

Sec. 275. "Reside", for purposes of IC 35-42-4-11, has the meaning set forth in IC 35-42-4-11(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-276. "Residential Property"

Sec. 276. "Residential property", for purposes of IC 35-43-6, has the meaning set forth in IC 35-43-6-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-277. "Residential Real Property Transaction"

Sec. 277. "Residential real property transaction", for purposes of IC 35-43-9, has the meaning set forth in IC 35-43-9-3. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-278.7. "Retail Merchant"

Sec. 278.7. "Retail merchant", for purposes of IC 35-43-4-2.2, has the meaning set forth in IC 35-43-4-2.2(a). As added by P.L.185-2023, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-278. "Retail"

Sec. 278. "Retail", for purposes of IC 35-47, has the meaning set forth in IC 35-47-1-9. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-279.5. "Rolling Paper"

Sec. 279.5. "Rolling paper" means a small sheet, roll, or leaf of paper that is used for rolling a cigarette containing tobacco or another substance. As added by P.L.187-2015, SEC.45.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-279. "Retailer"

Sec. 279. "Retailer", for purposes of IC 35-48-4-14.7, has the meaning set forth in IC 35-48-4-14.7. As added by P.L.114-2012, SEC.67. Amended by P.L.193-2013, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-28.5. "Body Fluid"

Sec. 28.5. "Body fluid", for purposes of IC 35-45-16-2, has the meaning set forth in IC 35-45-16-2(a). As added by P.L.158-2013,

SEC.353.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-28. "Body Armor"

Sec. 28. "Body armor", for purposes of IC 35-47-5-13, has the meaning set forth in IC 35-47-5-13(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-280.5. "Sale to a Minor"

Sec. 280.5. "Sale to a minor", for purposes of IC 35-48, means delivery or financing the delivery of a drug to a person less than eighteen (18) years of age and at least three (3) years junior to the person making the delivery or financing. As added by P.L.158-2013, SEC.383.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-280. "Sado-Masochistic Abuse"

Sec. 280. "Sado-masochistic abuse", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1-8. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-281. "Salvia"

Sec. 281. (a) "Salvia" means salvia divinorum or salvinorin A, including: (1) all parts of the plant that are classified botanically as salvia divinorum, whether growing or not; (2) the seeds of the plant; (3) any extract from any part of the plant; and (4) every compound, manufacture, derivative, mixture, or preparation of the plant, its seeds, or extracts, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation of the plant, its seeds, or extracts. (b) The term does not include any other species in the genus salvia. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-282. "Sawed-Off Shotgun"

Sec. 282. "Sawed-off shotgun", for purposes of IC 35-50-2-13, means: (1) a shotgun having one (1) or more barrels less than eighteen (18) inches in length; and (2) any weapon made from a shotgun (whether by alteration, modification, or otherwise) if the weapon as modified has an overall length of less than twenty-six (26) inches. As added by P.L.114-2012, SEC.67. Amended by P.L.84-2015, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-283. "School Bus"

Sec. 283. "School bus" means any motor vehicle designed and constructed for the accommodation of more than ten (10) passengers and used for the transportation of Indiana school children. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-284. "School Corporation"

Sec. 284. "School corporation", for purposes of IC 35-42-4-7, has the meaning set forth in IC 35-42-4-7. As added by P.L.114-2012, SEC.67. Amended by P.L.208-2013, SEC.5; P.L.133-2023, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-285. "School Property"

Sec. 285. "School property" means the following: (1) A building or other structure owned or rented by: (A) a school corporation; (B) an entity that is required to be licensed under IC 12-17.2 or IC 31-27; (C) a private school that is not supported and maintained by funds realized from the imposition of a tax on property, income, or sales; or (D) a federal, state, local, or nonprofit program or service operated to serve, assist, or otherwise benefit children who are at least three (3) years of age and not yet enrolled in kindergarten, including the following: (i) A Head Start program under 42 U.S.C. 9831 et seq. (ii) A special education preschool program. (iii) A developmental child care program for preschool children. (2) The grounds adjacent to and owned or rented in common with a building or other structure described in subdivision (1). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-286. "Scientific Purposes"

Sec. 286. "Scientific purposes", for purposes of IC 35-43-1-3, has the meaning set forth in IC 35-43-1-3(a). As added by P.L.114-2012, SEC.67.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-287. "Scientific Research Facility"

Sec. 287. "Scientific research facility" means a facility in which research is conducted, including the production or maintenance of research models. As added by P.L.114-2012, SEC.67. Amended by P.L.79-2023, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-288. "Search and Rescue Dog"

Sec. 288. "Search and rescue dog", for purposes of IC 35-46-3-11.3, has the meaning set forth in IC 35-46-3-11.3(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-289. "Security Agent"

Sec. 289. "Security agent" means a person who has been employed by a store to prevent the loss of property due to theft. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-29. "Bodily Injury"

Sec. 29. "Bodily injury" means any impairment of physical condition, including physical pain. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-290.5. "Self-Dealing"

Sec. 290.5. "Self-dealing", for purposes of IC 35-46-1-12, has the meaning set forth in IC 35-46-1-12. As added by P.L.70-2020, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-290. "Security Risk"

Sec. 290. "Security risk" means a person who is: (1) a flight risk; or (2) a threat to the physical safety of the public. As added by P.L.114-2012, SEC.67. Amended by P.L.240-2019, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-291. "Self-Service Display"

Sec. 291. "Self-service display", for purposes of IC 35-46-1-11.8, has the meaning set forth in IC 35-46-1-11.8. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-292.8. "Serious Sex Offender"

Sec. 292.8. "Serious sex offender", for purposes of IC 35-42-4-14, has the meaning set forth in IC 35-42-4-14(a). As added by P.L.235-2015, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-292.9. "Serious Sexually Transmitted Disease"

Sec. 292.9. "Serious sexually transmitted disease" means: (1) the human immunodeficiency virus (HIV); (2) herpes; (3) gonorrhea; (4) syphilis; (5) chlamydia; or (6) hepatitis. As added by P.L.190-2021, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-292. "Serious Bodily Injury"

Sec. 292. "Serious bodily injury" means bodily injury that creates a substantial risk of death or that causes: (1) serious permanent disfigurement; (2) unconsciousness; (3) extreme pain; (4) permanent or protracted loss or impairment of the function of a bodily member or organ; or (5) loss of a fetus. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-293. "Serious Violent Felon"

Sec. 293. "Serious violent felon", for purposes of IC 35-47-4-5, has the meaning set forth in IC 35-47-4-5(a). As added by P.L.114-2012, SEC.67.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-294. "Serious Violent Felony"

Sec. 294. "Serious violent felony", for purposes of IC 35-47-4-5 and IC 35-47-4-9, has the meaning set forth in IC 35-47-4-5. As added by P.L.114-2012, SEC.67. Amended by P.L.142-2020, SEC.57.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-295. "Service Animal"

Sec. 295. "Service animal", for purposes of IC 35-46-3-11.5, has the meaning set forth in IC 35-46-3-11.5(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-296. "Service Provider"

Sec. 296. "Service provider", for purposes of IC 35-44.1-3-10, has the meaning set forth in IC 35-44.1-3-10(a). As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.131.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-297. "Sex Offense"

Sec. 297. (a) "Sex offense", for purposes of IC 35-38-2-2.5, has the meaning set forth in IC 35-38-2-2.5(b). (b) "Sex offense", for purposes of IC 35-50-2-14, has the meaning set forth in IC 35-50-2-14(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-298. "Sex Offense Against a Child"

Sec. 298. "Sex offense against a child", for purposes of IC 35-50-2, has the meaning set forth in IC 35-50-2-1.8. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-299. "Sexual Activity"

Sec. 299. "Sexual activity", for purposes of IC 35-42-4-13, has the meaning set forth in IC 35-42-4-13(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-3. "Accused"

Sec. 3. (a) Except as provided in subsection (b) or unless otherwise defined in statute, "accused", for purposes of IC 35-40, has the meaning set forth in IC 35-40-4-2. (b) "Accused", for purposes of IC 35-40-5-11.5, has the meaning set forth in IC 35-40-5-11.5. As added by P.L.114-2012, SEC.67. Amended by P.L.62-2020, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-30. "Body Piercing"

Sec. 30. "Body piercing", for purposes of IC 35-45-21-4, has the meaning set forth in IC 35-45-21-4(b). As added by P.L.114-2012, SEC.67. Amended by P.L.158-2013, SEC.354.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-300. "Sexual Conduct"

Sec. 300. (a) "Sexual conduct", for purposes of IC 35-42-3.5-0.5 and IC 35-42-4-4, has the meaning set forth in IC 35-42-4-4(a). (b) "Sexual conduct", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1-9. As added by P.L.114-2012, SEC.67. Amended by P.L.144-2018, SEC.15.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-301. "Sexual Excitement"

Sec. 301. "Sexual excitement", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1-10. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-302. "Sexual Intercourse"

Sec. 302. "Sexual intercourse" means an act that includes any penetration of the female sex organ by the male sex organ. As added by P.L.114-2012, SEC.67.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-303. "Sexually Violent Predator"

Sec. 303. (a) "Sexually violent predator", for purposes of IC 35-38-1-7.5, has the meaning set forth in IC 35-38-1-7.5(a). (b) "Sexually violent predator", for purposes of IC 35-42-4-10, has the meaning set forth in IC 35-42-4-10(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-304. "Sexually Violent Predator Defendant"

Sec. 304. "Sexually violent predator defendant", for purposes of IC 35-33-8-3.5, has the meaning set forth in IC 35-33-8-3.5(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-305. "Shotgun"

Sec. 305. "Shotgun", for purposes of IC 35-47, has the meaning set forth in IC 35-47-1-11. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-306. "Slug"

Sec. 306. "Slug", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1(q). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-307. "Social Networking Web Site"

Sec. 307. "Social networking web site" means an Internet web site, an application, a computer program, or software that: (1) facilitates the social introduction between two (2) or more persons; (2) requires a person to register or create an account, a username, or a password to become a member of the web site and to communicate with other members; (3) allows a member to create a web page or a personal profile; and (4) provides a member with the opportunity to communicate with another person. The term does not include an electronic mail program or message board program. As added by P.L.114-2012, SEC.67. Amended by P.L.247-2013, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-308. "Solicit"

Sec. 308. "Solicit", for purposes of IC 35-42-4-6, has the meaning set forth in IC 35-42-4-6(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-309.5. "Specialized Driving Privileges"

Sec. 309.5. "Specialized driving privileges hearing", for purposes of IC 35-33-7-5, means a hearing in response to a petition filed under IC 9-30-16-3 or IC 9-30-16-4. As added by P.L.46-2018, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-309. "Special Education Cooperative"

Sec. 309. "Special education cooperative", for purposes of IC 35-42-4-7, has the meaning set forth in IC 35-42-4-7. As added by P.L.114-2012, SEC.67. Amended by P.L.208-2013, SEC.6; P.L.133-2023, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-31. "Bomb"

Sec. 31. (a) "Bomb" means an explosive or incendiary device designed to release: (1) destructive materials or force; or (2) dangerous gases; that is detonated by impact, proximity to an object, a timing mechanism, a chemical reaction, ignition, or other predetermined means. (b) The term does not include the following: (1) A firearm (as defined in section 133 (a) of this chapter or the ammunition or components for handloading ammunition for a firearm. (2) Fireworks regulated under IC 22-11-14. (3) Boating, railroad, and other safety flares. (4) Propellants used in model rockets or similar hobby activities. (5) Commercially manufactured black powder in quantities not to exceed fifty (50) pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers intended to be used solely for sporting, recreational, or cultural purposes in antique firearms or antique devices. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-310. "Stalk"

Sec. 310. "Stalk", for purposes of IC 35-45-10, has the meaning set forth in IC 35-45-10-1. As added by P.L.114-2012, SEC.67.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-311. "State"

Sec. 311. "State", for purposes of IC 35-37-5, has the meaning set forth in IC 35-37-5-1. As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.132; P.L.51-2019, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-312.5. "State Sexual Assault Response Team"

Sec. 312.5. "State sexual assault response team", for purposes of IC 35-40.5, has the meaning set forth in IC 35-40.5-1-1. As added by P.L.58-2020, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-313. "Stepparent"

Sec. 313. "Stepparent", for purposes of IC 35-42-4-7, has the meaning set forth in IC 35-42-4-7. As added by P.L.114-2012, SEC.67. Amended by P.L.208-2013, SEC.7; P.L.133-2023, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-314. "Store"

Sec. 314. "Store" means a place of business where property or service with respect to property is displayed, rented, sold, or offered for sale. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-316.8. "Subpoena"

Sec. 316.8. "Subpoena", for purposes of IC 35-37-5, has the meaning set forth in IC 35-37-5-1. As added by P.L.13-2013, SEC.133.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-316. "Stun Gun"

Sec. 316. "Stun gun", for purposes of IC 35-47-8, has the meaning set forth in IC 35-47-8-2. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-318.5. "Supervising Agency"

Sec. 318.5. "Supervising agency", for purposes of IC 35-38-2.7, has the meaning set forth in IC 35-38-2.7-1. As added by P.L.84-2022, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-318. "Superintendent"

Sec. 318. "Superintendent", for purposes of IC 35-47, has the meaning set forth in IC 35-47-1-12. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-319. "Support"

Sec. 319. "Support", for purposes of IC 35-46-1, has the meaning set forth in IC 35-46-1-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-32.5. "Burn"

Sec. 32.5. "Burn", for purposes of IC 35-47-7-3, has the meaning set forth in IC 35-47-7-3(a). As added by P.L.13-2013, SEC.90.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-32. "Booby Trap"

Sec. 32. "Booby trap", for purposes of IC 35-47.5, has the meaning set forth in IC 35-47.5-2-2. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-320. "Suspicious Order"

Sec. 320. "Suspicious order", for purposes of IC 35-48-4-14.7, has the meaning set forth in IC 35-48-4-14.7. As added by P.L.114-2012, SEC.67. Amended by P.L.193-2013, SEC.4.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-321. "Synthetic Drug"

Sec. 321. "Synthetic drug" means: (1) a substance containing one (1) or more of the following chemical compounds, including an analog of the compound: (A) JWH-015 ((2-Methyl-1-propyl-1H- indol-3-yl)-1-naphthalenylmethanone). (B) JWH-018 (1-pentyl-3-(1-naphthoyl)indole). (C) JWH-019 (1-hexyl-3-(naphthalen-1-oyl)indole). (D) JWH-073 (naphthalen-1-yl-(1-butylindol-3-yl)methanone). (E) JWH-081 (4-methoxynaphthalen- 1-yl- (1-pentylindol- 3-yl)methanone). (F) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole). (G) JWH-200 ((1-(2-morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-yl-methanone). (H) JWH-250 (1-pentyl-3-(2-methoxyphenylacetyl)indole). (I) JWH-251 (1-pentyl-3-(2-methylphenylacetyl)indole). (J) JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole). (K) HU-210 ((6aR,10aR)-9-(Hydroxymethyl)- 6,6-dimethyl- 3-(2-methyloctan-2-yl)- 6a,7,10,10a-tetrahydrobenzo [c]chromen- 1-ol). (L) HU-211 ((6aS,10aS)-9-(Hydroxymethyl)- 6,6-dimethyl- 3-(2-methyloctan-2-yl)- 6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol). (M) HU-308 ([(1R,2R,5R)-2-[2,6-dimethoxy-4- (2-methyloctan- 2-yl)phenyl]- 7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl] methanol). (N) HU-331 (3-hydroxy-2- [(1R,6R)-3-methyl-6- (1-methylethenyl)-2 -cyclohexen-1-yl]-5 -pentyl-2,5-cyclohexadiene-1,4-dione). (O) CP 55,940 (2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl) cyclohexyl]- 5- (2-methyloctan-2-yl)phenol). (P) CP 47,497 (2-[(1R,3S)-3-hydroxycyclohexyl]- 5- (2-methyloctan-2-yl)phenol) and its homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl) phenol), where side chain n=5, and homologues where side chain n=4, 6, or 7. (Q) WIN 55212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl) pyrrolo [1,2,3-de)- 1,4- benzoxazin-6-yl]-1-napthalenylmethanone). (R) RCS-4 ((4-methoxyphenyl) (1-pentyl-1H-indol-3-yl)methanone). (S) RCS-8 (1-(1-(2-cyclohexylethyl)-1H- indol-3-yl)-2-(2-methoxyphenyl)ethanone). (T) 4-Methylmethcathinone. Other name: mephedrone. (U) 3,4-Methylenedioxymethcathinone. Other name: methylone. (V) Fluoromethcathinone. (W) 4-Methoxymethcathinone. Other name: methedrone. (X) 4-Ethylmethcathinone (4-EMC). (Y) Methylenedioxypyrovalerone. Other name: MDPV. (Z) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole. (AA) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole. (BB) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole. (CC) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole. (DD) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole. (EE) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole. (FF) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole. (GG) CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpe ntan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1 -yl] acetate. (HH) Dimethylheptylpyran, or DMHP. (II) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP. (JJ) 6-APB [6-(2-aminopropyl)benzofuran]. (LL) 7-hydroxymitragynine. (MM) α-PPP [α-pyrrolidinopropiophenone]. (NN) α-PVP (desmethylpyrovalerone). (OO) AM-251. (PP) AM-1241. (QQ) AM-2201. (RR) AM-2233. (SS) Buphedrone (α-methylamino-butyrophenone (MABP)). (TT) Butylone. (UU) CP-47,497-C7. (VV) CP-47,497-C8. (WW) Desoxypipradol. (XX) Ethylone. (YY) Eutylone. (ZZ) Flephedrone. (AAA) JWH-011. (BBB) JWH-020. (CCC) JWH-022. (DDD) JWH-030. (EEE) JWH-182. (FFF) JWH-302. (GGG) MDAI [5,6-methylenedioxy-2-aminoindane]. (HHH) Mitragynine. (III) Naphyrone. (JJJ) Pentedrone. (LLL) Pentylone. (MMM) A796,260 [1-(2-morpholin-4-ylethyl)-1H-indol-3-yl]-(2,2,3,3-tetramethylcyclopropyl)methanone]. (NNN) AB-001[(1s,3s)-admantan-1-yl) (1-pentyl-1H-indol-3-yl)methanone] or [1-Pentyl-3- (1-adamantoyl)indole]. (OOO) AM-356 [Methanandamide]. (PPP) AM 1248 [1-[(1-methyl-2- piperidinyl) methyl]-1H-indol-3-yl] tricyclo[3.3.1.13,7] dec-1-yl-methanone]or [(1-[(N-methylpiperindin-2-yl) Methyl]-3-(Adamant-1-oyl)indole)]. (QQQ) AM 2233 Azepane isomer [(2-iodophenyl) (1-(1-methylazepan-3-yl)- 1H-indol-3-yl)methanone]. (RRR) CB-13 [1-Naphthalenyl [4-(pentyoxy)- 1-naphthalenyl]methanone]. (SSS) UR-144 [(1-pentyl-1H-indol-3-yl) (2,2,3,3-tetramethylcyclopropyl)-methanone]. (TTT) URB 597 [(3'-(aminocarbonyl) [1,1'-biphenyl]-3-yl)- cyclohexylcarbamate]. (UUU) URB602 [[1,1'-biphenyl]- 3-yl-carbamic acid, cyclohexyl ester]. (VVV) URB 754 [6-methyl-2-[(4-methylphenyl) amino]-1-benzoxazin-4-one]. (WWW) XLR-11 or 5-fluoro UR-144 (1-(5-fluoropentyl)-1H-indol-3-yl) (2,2,3,3-tetramethylcyclopropyl)methanone]. (XXX) AKB48 (Other names include: N-Adamantyl-1-pentyl-1H-Indazole-3-carboxamide; 1-pentyl-N-tricyclo[3.3.1.13.7]dec-1-yl-1H-indazole-3- carboxamide). (YYY) 25I-NBOMe (Other names include: 4-Iodo-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]- benzeneethanamine); 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl) methyl]ethanamine). (ZZZ) 2C-C-NBOMe (Other names include: 25C-NBOMe; 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl) methyl]ethanamine; 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl) phenethylamine). (AAAA) 2NE-1 (Other names include: 1-Pentyl-3-(1-adamantylamido)indole). (BBBB) STS-135 (Other names include: N-Adamantyl-1-fluoropentylindole-3- carboxamide (1-5-fluoropentyl)-N-tricyclo[3.3.1.13.7]dec-1-yl-1H- indole-3-carboxamide). (CCCC) PB-22 (Other names include: 1-Pentyl-8-quinolinlyl ester-1H-indole-2-carboxylic acid). (DDDD) 5-Fluoro-PB-22 (Other names include: 1-(5-Fluropentyl)-8-quinolinyl ester1H-indole-3-carboxylic acid). (EEEE) Benocyclidine (Other names include: BCP, BTCP, and Benzothiophenylcyclohexylpiperidine). (FFFF) 25B-NBOMe (Other names include: 2C-B-NBOMe and 4-Bromo-2, 5-dimenthoxy-N-[(2-Methozyphenyl)methyl] benzeneethanamine). (GGGG) APB (Other names include: (2-Aminopropyl) Benzofuran). (HHHH) AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H- indazole-3-carboxamide. (IIII) AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)- 1H-indazole-3-carboxamide). (JJJJ) ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H- indaole-3-carboxamide). (KKKK) Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-(fluoropentyl)-1H-indole-3- carboxamide). (LLLL) APDB (Other names include: -EMA, -Desoxy-MDA, and (2-Aminopropyl)-2,3- dihydrobenzofuran). (MMMM) THJ-2201 (Other names include: AM2201 indazole

analog, Fluoropentyl-JWH-018 indazole, and 5-Fluoro-THJ-018). (NNNN) AM 2201 benzimidazole analog (Other names include: FUBIMINA, FTHJ, and (1-(5-fluoropentyl)-1H- benzo[d]imidazol-2-yl)(naphthalene-1-yl)methanone). (OOOO) MN-25 (Other names include: 7-methoxy-1- [2-(4-morpholinyl)ethyl]-N-[1S, 2S, 4R)-1,3,3-trimethylbicyclo[2.2.1]hept-2-yl]-1H-indole-3-carboxamide and UR-12). (PPPP) FUB-PB-22 (Other names include: Quinolin-8-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate). (QQQQ) FUD-PB-22 (Other names include: Naphthalen-1-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate). (RRRR) 5-Fluoro-AB-PINACA (Other names include: AB-PINACA 5-fluoro analog and N-(1-amino-3-methyl1- oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3- carboxaminde). (SSSS) 4-MePPP (Other names include: 4-methyl-alpha-pyrrolidinopropiophenone). (TTTT) alpha-PBP (Other names include: Alpha-pyrrolidinobutiophenone). (UUUU) AB-CHMINACA (Other names include: (N-[1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethy l)-1H-indazole-3-carboxamide). (VVVV) Mexedrone (3-methoxy-2-(methylamino)-1-(p-tolyl)propan-1-one). (WWWW) MT-45, (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine). (XXXX) methyl 2-(1-(5-fluoropentyl)- 1H-indazole-3- carboxamido) -3,3-dimethylbutanoate [5F-ADB; 5F-MDMB-PINACA]. (YYYY) methyl 2-(1-(5-fluoropentyl)-1H- indazole-3- carboxamido)-3-methylbutanoate [5F-AMB]. (ZZZZ) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl) -1-(4-fluorobenzyl)- 1H-indazole-3-carboxamide [ADB-FUBINACA]. (AAAAA) N-(adamantan-1-yl)-1-(5-fluoropentyl)- 1H-indazole-3- carboxamide [5F-APINACA, 5F-AKB48]. (BBBBB) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3- carboxamido)-3,3-dimethylbutanoate [MDMB-CHMICA, MMB-CHMINACA]. (CCCCC) methyl 2-(1-(4-fluorobenzyl)- 1H-indazole-3-carboxamido)- 3,3-dimethylbutanoate [MDMB-FUBINACA]. (DDDDD) N-(1-amino-3,3-dimethyl-1 -oxobutan-2-yl)-1- (cyclohexylmethyl)- 1H-indazole-3-carboxamide [MAB-CHMINACA and ADB-CHMINACA]. (EEEEE) Methyl 2-(1-(4-fluorobenzyl)-1H-indazole- 3-carboxamido)- 3-methylbutanoate [FUB-AMB, MMB-FUBINACA, AMB-FUBINACA]. (FFFFF) 3,4-dichloro-N-[(1dimethylamino)cyclohexylme thyl]benzamide) [AH7921]. (GGGGG) Naphthalen-1-yl 1-(5-fluoropentyl)-1 H-indole-3-carboxylate (trivial name: NM2201; CBL2201) (HHHHH) 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1 H-indazole-3-carboxamide (trivial name: 4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-BUTINA CA; 4-CN-CUMYL BINACA; CUMYL-4CN-BINACA; SGT-78). (IIIII) methyl 2-(1-(cyclohexylmethyl)-1 H-indole-3-carboxamido)-3-methylbutanoate (trivial names: MMB-CHMICA, AMB-CHMICA). (JJJJJ) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1 H-pyrrolo[2,3-b]pyridine-3-carboxamide (trivial name: 5F-CUMYL-P7AICA). (KKKKK) N-1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-1-p entanone (N-ethylpentylone, ephylone). (LLLLL) Synthetic cathinone, 1-(1,3-benzodioxol-5-yl)-2- (ethylamino)- pentan-1-one (N-ethylpentylone, ephylone) and its optical, positional, and geometric isomers, salts, and salts of isomers. (MMMMM) ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3- dimethylbutanoate (trivial name: 5F-EDMB-PINACA). (NNNNN) methyl 2-(1-(5- fluoropentyl)-1H-indole-3- carboxamido)-3,3-dimethylbutanoate (trivial name: 5F-MDMB-PICA). (OOOOO) N- (adamantan- 1-yl)- 1-(4-fluorobenzyl)- 1H-indazole-3-carboxamide (trivial names: FUB-AKB48; FUB-APINACA; AKB48 N- (4-FLUOROBENZYL)). (PPPPP) 1-(5- fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide (trivial names: 5F-CUMYL-PINACA; SGT-25). (QQQQQ) (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone (trivial name: FUB-144). (RRRRR) 4F-MDMB-BINACA. (SSSSS) N-ethylhexedrone (2-(ethylamino)-1-phenylhexan-1-one). (TTTTT) alpha-pyrrolidinohexanophenone (1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one. (UUUUU) alpha-pyrrolidinohexiophenone; trivial name: a-PHP. (VVVVV) 4'-methyl-alpha-pyrrolidinohexiophenone (1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one. (WWWWW) 4-methyl-alphaethylaminopentiophenone (2-(ethylamino)-1-(4-methylphenyl)pentan-1-one; trivial name: 4–MEAP. (XXXXX) 4'-methyl-alphapyrrolidinohexanophenone; trivial name: MPHP. (YYYYY) alphapyrrolidinoheptaphenone (1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one; trivial name: PV8. (ZZZZZ) 4'-chloro-alphapyrrolidinovalerophenone (1-(4-chlorophenyl)-2-(pyrrolidin-1- yl)pentan-1-one. (AAAAAA) 4'-chloro-alphapyrrolidinopentiophenone; trivial name: 4-chloro-a-PVP. (BBBBBB) MDMB-4en-PINACA; Methyl 3,3-dimethyl-2-(1-(pent-4-en-1-yl)-1H[1]indazole-3-carboxamido)butanoate. (CCCCCC) 4F-MDMB-BICA; 4-fluoro MDMB-BICA; 4F-MDMB-BUTICA; Methyl 2-[[1-(4-fluorobutyl)indole-3-carbonyl]amino]-3, 3-dimethyl-butanoate. Other name: 4-fluoro MDMB-BICA. (2) Any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent. (3) Any compound structurally derived from 3-(1-naphthoyl) pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent. (4) Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent. (5) Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further

substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. (6) Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not substituted in the cyclohexyl ring to any extent. (7) Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. (8) Any compound, except bupropion or a compound listed under a different schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified: (A) by substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents; (B) by substitution at the 3-position with an acyclic alkyl substituent; (C) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups; or (D) by inclusion of the 2-amino nitrogen atom in a cyclic structure. (9) Any compound structurally derived from 3-tetramethyl cyclopropanoylindole with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl) ethyl, 1-(N-methyl-2-pyrrolidinyl) methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the tetramethylcyclopropyl ring to any extent. (10) Any compound containing a N-(1-adamantyl)-1H-indazole-3-carboxamide structure with substitution at the nitrogen atom of the indazole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted at the nitrogen atom of the carboxamide to any extent, whether or not further substituted in the indazole ring to any extent, and whether or not further substituted on the adamantyl ring system to any extent. An example of this structural class includes AKB48. (11) Any compound containing a N-(1-adamantyl)- 1H-indole-3-carboxamide structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted at the nitrogen atom of the carboxamide to any extent, whether or not further substituted in the indole ring to any extent, and whether or not further substituted on the adamantyl ring system to any extent. An example of this structural class includes STS-135. (12) Any compound containing a 3-(1-adamantoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2- pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted on the adamantyl ring system to any extent. An example of this structural class includes AM-1248. (13) Any compound determined to be a synthetic drug by rule adopted under IC 25-26-13-4.1. As added by P.L.114-2012, SEC.67. Amended by P.L.196-2013, SEC.16; P.L.168-2016, SEC.10; P.L.8-2017, SEC.1; P.L.89-2018, SEC.1; P.L.119-2019, SEC.2; P.L.61-2020, SEC.2; P.L.48-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-322.5. "Synthetic Urine"

Sec. 322.5. "Synthetic urine", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-19.5(b). As added by P.L.134-2017, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-323. "Target"

Sec. 323. "Target", for purposes of IC 35-34-2, has the meaning set forth in IC 35-34-2-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-324. "Taser"

Sec. 324. "Taser", for purposes of IC 35-47-8, has the meaning set forth in IC 35-47-8-3. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-325. "Tattoo"

Sec. 325. "Tattoo", for purposes of IC 35-45-21-4, has the meaning set forth in IC 35-45-21-4(a). As added by P.L.114-2012, SEC.67. Amended by P.L.158-2013, SEC.386.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-326. "Telecommunications Device"

Sec. 326. "Telecommunications device", for purposes of IC 35-45-13, has the meaning set forth in IC 35-45-13-3. As added by

P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-327. "Telecommunications Service"

Sec. 327. "Telecommunications service", for purposes of IC 35-45-13, has the meaning set forth in IC 35-45-13-4. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-328. "Telecommunications Service Provider"

Sec. 328. "Telecommunications service provider", for purposes of IC 35-45-13, has the meaning set forth in IC 35-45-13-5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-329.4. "Terrorist Organization"

Sec. 329.4. "Terrorist organization", for purposes of IC 35-46.5, has the meaning set forth in IC 35-46.5-1-1. As added by P.L.66-2019, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-329. "Terrorism"

Sec. 329. "Terrorism" means the unlawful use of force or violence or the unlawful threat of force or violence to: (1) intimidate or coerce: (A) a government; or (B) all or part of the civilian population; or (2) affect the conduct of a government by use of a weapon of mass destruction, assassination, or kidnapping. As added by P.L.114-2012, SEC.67. Amended by P.L.66-2019, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-33. "Camera"

Sec. 33. "Camera", for purposes of IC 35-45-4-5, has the meaning set forth in IC 35-45-4-5(a)(1). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-330.3. "Threatens"

Sec. 330.3. "Threatens", for purposes of IC 35-45-9, has the meaning set forth in IC 35-45-9-2. As added by P.L.13-2013, SEC.134.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-330.5. "Throwing Star"

Sec. 330.5. "Throwing star", for purposes of IC 35-47-5, means a throwing-knife, throwing-iron, or other knife-like weapon with blades set at different angles. As added by P.L.22-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-330.7. "Timber"

Sec. 330.7. "Timber", for purposes of IC 35-43-8, has the meaning set forth in IC 35-43-8-1. As added by P.L.13-2013, SEC.135.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-330. "Threat"

Sec. 330. "Threat", for purposes of IC 35-45-2-1, has the meaning set forth in IC 35-45-2-1(c). As added by P.L.114-2012, SEC.67. Amended by P.L.123-2013, SEC.2; P.L.5-2022, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-331. "Title Insurance Agent"

Sec. 331. "Title insurance agent", for purposes of IC 35-43-9, has the meaning set forth in IC 35-43-9-4. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-332. "Title Insurance Escrow Account"

Sec. 332. "Title insurance escrow account", for purposes of IC 35-43-9, has the meaning set forth in IC 35-43-9-5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-333.9. "Tobacco"

Sec. 333.9. "Tobacco", for purposes of IC 35-46-1, has the meaning set forth in IC 35-46-1-1.7. As added by P.L.13-2013, SEC.136.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-333. "Title Insurer"

Sec. 333. "Title insurer", for purposes of IC 35-43-9, has the meaning set forth in IC 35-43-9-6. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-334. "Tobacco Business"

Sec. 334. "Tobacco business", for purposes of IC 35-46-1, has the meaning set forth in IC 35-46-1-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-335. "Torture"

Sec. 335. "Torture", for purposes of IC 35-46-3, has the meaning set forth in IC 35-46-3-0.5. As added by P.L.114-2012, SEC.67. Amended by P.L.141-2019, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-336. "Tournament"

Sec. 336. "Tournament", for purposes of IC 35-45-5, has the meaning set forth in IC 35-45-5-1(j). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-337.3. "Tracked Individual"

Sec. 337.3. "Tracked individual", for purposes of IC 35-38-2.7, has the meaning set forth in IC 35-38-2.7-1. As added by P.L.84-2022, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-337.6. "Tracking Device"

Sec. 337.6. "Tracking device", for purposes of IC 35-33-5, IC 35-45-10, IC 35-46-8.5-1, IC 35-50-2-19, and this chapter, means an electronic or mechanical device that allows a person to remotely determine or track the position or movement of another person or an object. The term includes the following: (1) A device that stores geographic data for subsequent access or analysis. (2) A device that allows real-time monitoring or movement. (3) An unmanned aerial vehicle. (4) A cellular telephone or other wireless or cellular communications device, or an electronic device that communicates with a cellular telephone or other wireless or cellular communications device, including by means of an application installed on or accessed through a cellular telephone or other wireless or cellular communications device. As added by P.L.9-2024, SEC.533.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-337. "Toy Crane Machine"

Sec. 337. "Toy crane machine", for purposes of IC 35-45-5, has the meaning set forth in IC 35-45-5-1(k). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-338. "Tumultuous Conduct"

Sec. 338. "Tumultuous conduct", for purposes of IC 35-45-1, has the meaning set forth in IC 35-45-1-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-339.5. "Uncharged Death"

Sec. 339.5. "Uncharged death", for purposes of IC 35-40, has the meaning set forth in IC 35-40-4-7.5. As added by P.L.71-2021, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-339. "Ultimate User"

Sec. 339. "Ultimate user", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-27. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-34.5. "Catastrophic Injury"

Sec. 34.5. "Catastrophic injury" means bodily injury so severe that a person's ability to live independently is significantly impaired for a period of at least one (1) year. The term includes an injury causing blindness, deafness, paralysis, or an intellectual disability. As added by P.L.184-2019, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-340. "Unit"

Sec. 340. "Unit", for purposes of IC 35-40-14, has the meaning set forth in IC 35-40-14-2. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-341. "Unlawful Assembly"

Sec. 341. "Unlawful assembly" has the meaning set forth in IC 35-45-1-1. As added by P.L.114-2012, SEC.67. Amended by P.L.94-2021, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-342.3. "Unmanned Aerial Vehicle"

Sec. 342.3. "Unmanned aerial vehicle" means an aircraft that does not carry a human operator and that is capable of flight under remote control or autonomous programming. The term includes the following: (1) An unmanned aircraft and an unmanned aircraft system (both as defined in the Federal Aviation Administration Modernization and Reform Act of 2012 (P.L.112-95, 126 Stat. 11). (2) A small unmanned aircraft and a small unmanned aircraft system (both as defined in 14 CFR 107.3). As added by P.L.170-2014, SEC.12. Amended by P.L.107-2017, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-342. "Unlawful Telecommunications Device"

Sec. 342. "Unlawful telecommunications device", for purposes of IC 35-45-13, has the meaning set forth in IC 35-45-13-6. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-343.7. "Use of an Unmanned Aerial Vehicle"

Sec. 343.7. "Use of an unmanned aerial vehicle", for purposes of IC 35-33-5, has the meaning set forth in IC 35-33-5-0.5. As added by P.L.170-2014, SEC.14. Amended by P.L.107-2017, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-343.8. "User"

Sec. 343.8. "User", for purposes of IC 35-33-5, has the meaning set forth in IC 35-33-5-0.5. As added by P.L.170-2014, SEC.15. Amended by P.L.107-2017, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-343. "Unusual Theft"

Sec. 343. "Unusual theft", for purposes of IC 35-48-4-14.7, has the meaning set forth in IC 35-48-4-14.7. As added by P.L.114-2012, SEC.67. Amended by P.L.193-2013, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-344. "Utility"

Sec. 344. "Utility", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1. As added by P.L.114-2012, SEC.67. Amended by P.L.174-2021, SEC.36.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-345. "Utter"

Sec. 345. "Utter" means to issue, authenticate, transfer, publish, deliver, sell, transmit, present, or use. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-346. "Vehicle"

Sec. 346. "Vehicle" means a device for transportation by land, water, or air. The term includes mobile equipment with provision for transport of an operator. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-348. "Victim"

Sec. 348. (a) "Victim", for purposes of IC 35-38-1-9 and IC 35-38-1-17, means a person who has suffered harm as a result of a crime. (b) "Victim", for purposes of IC 35-37-6, has the meaning set forth in IC 35-37-6-3. (c) "Victim", for purposes of IC 35-38-7, has the meaning set forth in IC 35-38-7-4. (d) "Victim", for purposes of IC 35-40, has the meaning set forth in IC 35-40-4-8. (e) "Victim", for purposes of IC 35-40.5 has the meaning set forth in IC 35-40.5-1-1. (f) "Victim", for purposes of IC 35-45-10, has the meaning set forth in IC 35-45-10-4. As added by P.L.114-2012, SEC.67. Amended by P.L.58-2020, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-349. "Victim Advocate"

Sec. 349. "Victim advocate", for purposes IC 35-37-6, has the meaning set forth in IC 35-37-6-3.5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-35.5. "Certification"

Sec. 35.5. "Certification", for purposes of IC 35-47-8.5, has the meaning set forth in IC 35-47-8.5-1. As added by P.L.66-2016, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-35. "Cave"

Sec. 35. "Cave", for purposes of IC 35-43-1-3, has the meaning set forth in IC 35-43-1-3(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-350. "Victim Representative"

Sec. 350. "Victim representative", for purposes of IC 35-38-1, has the meaning set forth in IC 35-38-1-2(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-351.5. "Violent Criminal"

Sec. 351.5. "Violent criminal", for purposes of IC 35-38-1-17, has the meaning set forth in IC 35-38-1-17. As added by P.L.164-2015, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-351. "Victim Service Provider"

Sec. 351. "Victim service provider", for purposes of IC 35-37-6, has the meaning set forth in IC 35-37-6-5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-352.5. "Vulnerable Victim"

Sec. 352.5. "Vulnerable victim", for purposes of IC 35-38-2.7, has the meaning set forth in IC 35-38-2.7-1. As added by P.L.84-2022, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-352. "Violent Offender"

Sec. 352. "Violent offender" means a person who is: (1) convicted of an offense or attempted offense under IC 35-50-1-2(a), IC 35-42-2-1, IC 35-42-2-1.3, IC 35-43-1-1, IC 35-44.1-3-4, IC 35-45-10-5, IC 35-47-5-1 (repealed), or IC 35-47.5-5; (2) charged with an offense or attempted offense listed in IC 35-50-1-2(a), IC 35-42-2-1, IC 35-42-2-1.3, IC 35-42-4, IC 35-43-1-1, IC 35-44.1-3-4, IC 35-45-10-5, IC 35-46-1-3, IC 35-47-5-1 (repealed), or IC 35-47.5-5; or (3) a security risk as defined by section 290 of this chapter. As added by P.L.114-2012, SEC.67. Amended by P.L.240-2019, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-353. "Warrant"

Sec. 353. "Warrant", for purposes of IC 35-33.5, means a warrant authorizing the interception of electronic communication under IC 35-33.5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-354. "Weapon of Mass Destruction"

Sec. 354. "Weapon of mass destruction" means any chemical device, biological device or organism, or radiological device that is capable of being used for terrorism. As added by P.L.114-2012, SEC.67.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-355.5. "Workplace Supervisor"

Sec. 355.5. "Workplace supervisor", for purposes of IC 35-42-4-7, has the meaning set forth in IC 35-42-4-7. As added by P.L.133-2023, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-355. "Wholesale"

Sec. 355. "Wholesale", for purposes of IC 35-47, has the meaning set forth in IC 35-47-1-13. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-356. "Written Instrument"

Sec. 356. "Written instrument", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1. As added by P.L.114-2012, SEC.67. Amended by P.L.174-2021, SEC.37.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-357. "Youth Program Center"

Sec. 357. (a) "Youth program center" means the following: (1) A building or structure that on a regular basis provides recreational, vocational, academic, social, or other programs or services for persons less than eighteen (18) years of age. (2) The real property on which a building or structure described in subdivision (1) is located. (b) The term does not include school property (as defined in section 285 of this chapter). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-358. "Youth Sports Organization"

Sec. 358. "Youth sports organization", for purposes of IC 35-42-4-7, has the meaning set forth in IC 35-42-4-7. As added by P.L.133-2023, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-36. "Certified Copy of a Certificate of Title"

Sec. 36. "Certified copy of a certificate of title", for purposes of IC 35-37-4-9, has the meaning set forth in IC 35-37-4-9(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-37.4. "Chemical Intoxicant"

Sec. 37.4. "Chemical intoxicant", for purposes of IC 35-44.1-3-5, has the meaning set forth in IC 35-44.1-3-5. As added by P.L.71-2024, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-37.5. "Chemical Test"

Sec. 37.5. "Chemical test", for purposes of IC 35-46-9, has the meaning set forth in IC 35-46-9-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-37.7. "Chief Law Enforcement Officer"

Sec. 37.7. "Chief law enforcement officer", for purposes of IC 35-47-8.5, has the meaning set forth in IC 35-47-8.5-1. As added by P.L.66-2016, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-37. "Charter School"

Sec. 37. "Charter school", for purposes of IC 35-42-4-7, has the meaning set forth in IC 35-42-4-7(c). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-38. "Child"

Sec. 38. "Child", for purposes of IC 35-46-1-8, IC 35-47-10, and IC 35-44.1-5-5, has the meaning set forth in IC 35-47-10-3. As added by P.L.114-2012, SEC.67. Amended by P.L.126-2012, SEC.45; P.L.252-2017, SEC.8.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-39. "Child Care Provider"

Sec. 39. "Child care provider", for purposes of IC 35-46-1-4.1, has the meaning set forth in IC 35-46-1-4.1(a). As added by P.L.114-2012, SEC.67. Amended by P.L.158-2013, SEC.355.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-4. "Administer"

Sec. 4. "Administer", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-3. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-40.5. "Child Victim"

Sec. 40.5. "Child victim", for purposes of IC 35-40-5-11.5, has the meaning set forth in IC 35-40-5-11.5. As added by P.L.62-2020, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-40. "Child Care Worker"

Sec. 40. "Child care worker", for purposes of IC 35-42-4-7, has the meaning set forth in IC 35-42-4-7(d). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-42. "Claim Statement"

Sec. 42. "Claim statement", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-44.5. "Coach"

Sec. 44.5. "Coach", for purposes of IC 35-42-4-7, has the meaning set forth in IC 35-42-4-7. As added by P.L.133-2023, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-44.8. "Cocaine"

Sec. 44.8. "Cocaine", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-7. As added by P.L.13-2013, SEC.91.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-44. "Cloning"

Sec. 44. "Cloning", for purposes of IC 35-46-5-2, has the meaning set forth in IC 35-46-5-2(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-45. "Code Grabbing Device"

Sec. 45. "Code grabbing device", for purposes of IC 35-45-12, has the meaning set forth in IC 35-45-12-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-46.5. "Collateral Action"

Sec. 46.5. "Collateral action", for purposes of IC 35-38-9, has the meaning set forth in IC 35-38-9-0.5. As added by P.L.219-2019, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-46. "Coin Machine"

Sec. 46. "Coin machine", for purposes of IC 35-43-5 and IC 35-46-1-11.5, has the meaning set forth in IC 35-43-5-1(c). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-47.5. "Communicates" or "Communicating"

Sec. 47.5. "Communicates" or "communicating" means to make a statement to another person, directly, indirectly, or through an intermediary. The term includes a statement made to another person or on behalf of another person by any medium, including in person, in writing, electronically, on a social networking web site, or telephonically. As added by P.L.123-2013, SEC.1. Amended

by P.L.5-2022, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-47. "Combative Fighting"

Sec. 47. "Combative fighting", for purposes of IC 35-45-18, has the meaning set forth in IC 35-45-18-1(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-48. "Community Corrections Program"

Sec. 48. "Community corrections program", for purposes of IC 35-38-2.6, has the meaning set forth in IC 35-38-2.6-2. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-49. "Community Policing Volunteer"

Sec. 49. "Community policing volunteer" means a person who is: (1) not a law enforcement officer; and (2) actively participating in a plan, system, or strategy: (A) established by and conducted under the authority of a law enforcement agency; and (B) in which citizens: (i) participate with and are guided by the law enforcement agency; and (ii) work with members of the law enforcement agency to reduce or prevent crime within a defined geographic area. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-5. "Adoption Services"

Sec. 5. "Adoption services", for purposes of IC 35-46-1-22, has the meaning set forth in IC 35-46-1-22(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-50. "Community Restitution or Service"

Sec. 50. "Community restitution or service" means performance of services directly for a: (1) victim; (2) nonprofit entity; or (3) governmental entity; without compensation, including graffiti abatement, park maintenance, and other community service activities. The term does not include the reimbursement under IC 35-50-5-3 or another law of damages or expenses incurred by a victim or another person as the result of a violation of law. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-51.3. "Companion Animal"

Sec. 51.3. "Companion animal", for purposes of IC 35-38-2-2.8, has the meaning set forth in IC 35-38-2-2.8. As added by P.L.37-2019, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-51.5. "Completed Request"

Sec. 51.5. "Completed request", for purposes of IC 35-47-8.5, has the meaning set forth in IC 35-47-8.5-1. As added by P.L.66-2016, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-51. "Community Transition Program"

Sec. 51. "Community transition program" has the meaning set forth in IC 11-8-1-5.5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-52.7. "Computer Contaminant"

Sec. 52.7. (a) "Computer contaminant", for purposes of IC 35-43-1-8, means a set of computer instructions designed to modify, damage, destroy, record, or transmit information within a computer, computer system, or computer network without the intent or permission of the owner of the information. (b) The term includes a computer program (commonly referred to as a virus or worm) that is: (1) self-replicating or self-propagating; and (2) designed to: (A) contaminate other computer programs or computer data; (B) consume computer resources; (C) modify, destroy, record, or transmit data; or (D) otherwise take control of the normal operation of a computer, computer system, or computer network. As added by P.L.158-2013, SEC.358.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-53. "Computer Network"

Sec. 53. (a) Except as provided in subsection (b), "computer network" means a system that provides communications between one (1) or more computer systems and the system's input or output devices, including display terminals and printers that are connected

by telecommunication facilities. (b) "Computer network", for purposes of IC 35-43-2-3, has the meaning set forth in IC 35-43-2-3(a). As added by P.L.114-2012, SEC.67. Amended by P.L.158-2013, SEC.359.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-54. "Computer Program"

Sec. 54. "Computer program", for purposes of this chapter and IC 35-43-1-7, means a set of instructions or statements and related data that, when executed in actual or modified form, causes a computer, computer system, or computer network to perform specified functions. As added by P.L.114-2012, SEC.67. Amended by P.L.158-2013, SEC.360.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-55.2. "Computer System Services"

Sec. 55.2. "Computer system services" includes computer time, data processing or storage functions, or other uses of a computer, computer system, or computer network. As added by P.L.158-2013, SEC.362.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-55. "Computer System"

Sec. 55. (a) Except as provided in subsection (b), "computer system" means a device or collection of devices (including support devices): (1) one (1) or more of which contain a computer program, an electronic instruction, or input data and output data; and (2) that performs functions, including arithmetic, data storage, retrieval, communication, or control functions. The term does not include a calculator that is not programmable and that is not capable of being used in conjunction with external files. (b) "Computer system", for purposes of IC 35-43-2-3, has the meaning set forth in IC 35-43-2-3(a). As added by P.L.114-2012, SEC.67. Amended by P.L.158-2013, SEC.361.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-56.3. "Confidential Information"

Sec. 56.3. "Confidential information", for purposes of IC 35-37-6, has the meaning set forth in IC 35-37-6-1.5(a). As added by P.L.13-2013, SEC.92.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-56. "Confidential Communication"

Sec. 56. "Confidential communication", for purposes of IC 35-37-6, has the meaning set forth in IC 35-37-6-1(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-57.8. "Consent of the Original Manufacturer"

Sec. 57.8. "Consent of the original manufacturer", for purposes of IC 35-43-7, has the meaning set forth in IC 35-43-7-1. As added by P.L.13-2013, SEC.93.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-57. "Confine"

Sec. 57. "Confine", for purposes of IC 35-42-3, has the meaning set forth in IC 35-42-3-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-58. "Constant Supervision"

Sec. 58. "Constant supervision", for purposes of IC 35-38-2.5, has the meaning set forth in IC 35-38-2.5-2.3. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-59. "Consumer"

Sec. 59. "Consumer", for purposes of IC 35-43-6, has the meaning set forth in IC 35-43-6-2. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-6. "Adoptive Grandparent"

Sec. 6. "Adoptive grandparent", for purposes of IC 35-42-4-7, has the meaning set forth in IC 35-42-4-7(b). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-60. "Consumer Product"

Sec. 60. (a) "Consumer product", for purposes of IC 35-44.1-2-3, has the meaning set forth in IC 35-44.1-2-3(a). (b) "Consumer product", for purposes of IC 35-45-8, has the meaning set forth in IC 35-45-8-1. As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.94.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-61. "Constant Video Monitoring"

Sec. 61. "Constant video monitoring", for purposes of IC 35-48-4-14.7, has the meaning set forth in IC 35-48-4-14.7(b)(1). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-62. "Contraband"

Sec. 62. "Contraband", for purposes of IC 35-44.1-3-6, has the meaning set forth in IC 35-44.1-3-6(a). As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.95.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-63. "Contract Agency"

Sec. 63. "Contract agency", for purposes of IC 35-38-2.5, has the meaning set forth in IC 35-38-2.5-2.5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-64. "Controlled Substance"

Sec. 64. "Controlled substance", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-9. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-65. "Controlled Substance Analog"

Sec. 65. "Controlled substance analog", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-9.3. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-66. "Convenience Package"

Sec. 66. "Convenience package", for purposes of IC 35-48-4-14.7, has the meaning set forth in IC 35-48-4-14.7(b)(2). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-68.5. "Court Appointed Forensic Advocate"

Sec. 68.5. "Court appointed forensic advocate" means a community volunteer who: (1) has completed a training program approved by the court that includes training in: (A) the development of a person with an intellectual disability, a developmental disability, or an autism spectrum disorder (as defined in IC 11-12-3.7-2.5); and (B) evidence based treatment and counseling programs for a person with an intellectual disability, a developmental disability, or an autism spectrum disorder; (2) has been appointed by a court to assist a person with an intellectual disability, a developmental disability, or an autism spectrum disorder who has been charged with a criminal offense; and (3) may research, examine, advocate, facilitate, and monitor the situation of a person with an intellectual disability, a developmental disability, or an autism spectrum disorder who has been charged with a criminal offense. As added by P.L.187-2015, SEC.43.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-68. "Counterfeit Substance"

Sec. 68. "Counterfeit substance", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-10. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-69. "Credit Card"

Sec. 69. "Credit card", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1(d). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-7. "Adoptive Parent"

Sec. 7. "Adoptive parent", for purposes of IC 35-42-4-7, has the meaning set forth in IC 35-42-4-7(a). As added by P.L.114-2012,

SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-70. "Credit Card Holder"

Sec. 70. "Credit card holder", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1(e). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-71. "Credit Institution"

Sec. 71. "Credit institution" means a bank, insurance company, credit union, savings association, investment trust, industrial loan and investment company, or other organization held out to the public as a place of deposit of funds or a medium of savings or collective investment. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-72.5. "Credit Time"

Sec. 72.5. "Credit time" has the meaning set forth in IC 35-50-6-0.5. As added by P.L.74-2015, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-72. "Credit Restricted Felon"

Sec. 72. "Credit restricted felon" means a person who has been convicted of at least one (1) of the following offenses: (1) Child molesting involving sexual intercourse, deviate sexual conduct (IC 35-42-4-3(a), before its amendment on July 1, 2014) for a crime committed before July 1, 2014, or other sexual conduct (as defined in IC 35-31.5-2-221.5) for a crime committed after June 30, 2014, if: (A) the offense is committed by a person at least twenty-one (21) years of age; and (B) the victim is less than twelve (12) years of age. (2) Child molesting (IC 35-42-4-3) resulting in serious bodily injury or death. (3) Murder (IC 35-42-1-1), if: (A) the person killed the victim while committing or attempting to commit child molesting (IC 35-42-4-3); (B) the victim was the victim of a sex crime under IC 35-42-4 for which the person was convicted; or (C) the victim of the murder was listed by the state or known by the person to be a witness against the person in a prosecution for a sex crime under IC 35-42-4 and the person committed the murder with the intent to prevent the victim from testifying. As added by P.L.114-2012, SEC.67. Amended by P.L.158-2013, SEC.363.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-73. "Criminal Activity"

Sec. 73. "Criminal activity", for purposes of IC 35-45-15, has the meaning set forth in IC 35-45-15-1. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-74. "Criminal Organization"

Sec. 74. "Criminal organization", for purposes of IC 35-44.1-2-5, IC 35-45-9, and IC 35-50-2-1.4, has the meaning set forth in IC 35-45-9-1. As added by P.L.114-2012, SEC.67. Amended by P.L.25-2016, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-75. "Crime"

Sec. 75. (a) Except as provided in subsection (b), "crime" means a felony or a misdemeanor. (b) "Crime", for purposes of IC 35-40, has the meaning set forth in IC 35-40-4-3. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-76. "Crime Involving Domestic or Family Violence"

Sec. 76. "Crime involving domestic or family violence" means a crime that occurs when a family or household member commits, attempts to commit, or conspires to commit any of the following against another family or household member: (1) A homicide offense under IC 35-42-1. (2) A battery offense under IC 35-42-2. (3) Kidnapping or confinement under IC 35-42-3. (4) Human and sexual trafficking crimes under IC 35-42-3.5. (5) A sex offense under IC 35-42-4. (6) Robbery under IC 35-42-5. (7) Arson or mischief under IC 35-43-1. (8) Burglary or trespass under IC 35-43-2. (9) Disorderly conduct under IC 35-45-1. (10) Intimidation or harassment under IC 35-45-2. (11) Voyeurism under IC 35-45-4. (12) Stalking under IC 35-45-10. (13) An offense against family under IC 35-46-1-2 through IC 35-46-1-8, IC 35-46-1-12, IC 35-46-1-15.1, or IC 35-46-1-15.3. (14) A crime involving animal cruelty and a family or household member under IC 35-46-3-12(b)(2) or IC 35-46-3-12.5. As added by P.L.114-2012, SEC.67. Amended by P.L.65-2016, SEC.22.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-77. "Crime of Deception"

Sec. 77. "Crime of deception", for purposes of IC 35-38-1, has the meaning set forth in IC 35-38-1-2.5(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-78. "Crime of Domestic Violence"

Sec. 78. "Crime of domestic violence", for purposes of IC 5-2-6.1, IC 35-38-9, IC 35-47-2-1.5, and IC 35-47-4-7, means an offense or the attempt to commit an offense that: (1) has as an element the: (A) use of physical force; or (B) threatened use of a deadly weapon; and (2) is committed against a family or household member, as defined in section 128 of this chapter. As added by P.L.114-2012, SEC.67. Amended by P.L.181-2014, SEC.2; P.L.40-2019, SEC.4; P.L.175-2022, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-79.5. "Critical Infrastructure Facility"

Sec. 79.5. "Critical infrastructure facility", for purposes of IC 35-43-4-2 and IC 35-46-10, has the meaning set forth in IC 35-46-10-1(a). As added by P.L.276-2019, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-79.7. "Critical Infrastructure Utility"

Sec. 79.7. "Critical infrastructure utility", for purposes of IC 35-46-10, has the meaning set forth in IC 35-46-10-1(b). As added by P.L.276-2019, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-79. "Crime of Violence"

Sec. 79. "Crime of violence", for purposes of IC 35-50-1-2, has the meaning set forth in IC 35-50-1-2(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-8. "Adult"

Sec. 8. "Adult", for purposes of IC 35-47-10, has the meaning set forth in IC 35-47-10-2. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-80. "Custodian"

Sec. 80. "Custodian", for purposes of IC 35-42-4-7, has the meaning set forth in IC 35-42-4-7. As added by P.L.114-2012, SEC.67. Amended by P.L.133-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-81.5. "Dangerous"

Sec. 81.5. "Dangerous", for purposes of IC 35-47-4-6.5, IC 35-47-4-6.7, and IC 35-47-14, has the meaning set forth in IC 35-47-14-1. As added by P.L.289-2019, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-81. "Customer"

Sec. 81. "Customer", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-1(f). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-82. "Dangerous Device"

Sec. 82. "Dangerous device", for purposes of IC 35-47-6-1.1, has the meaning set forth in IC 35-47-6-1.1(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-83. "Dangerous Gas"

Sec. 83. "Dangerous gas", for purposes of section 31 of this chapter, means a toxic chemical or its precursors that through chemical action or properties on life processes cause death or permanent injury to human beings. The term does not include the following: (1) Riot control agents, smoke, and obscuration materials or medical products that are manufactured, possessed, transported, or used in accordance with the laws of the United States and of this state. (2) Tear gas devices designed to be carried on or about the person that contain not more than one-half (1/2) ounce of the chemical. As added by P.L.114-2012, SEC.67.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-84. "Data"

Sec. 84. "Data", for purposes of this chapter and IC 35-43-1-7, means a representation of information, knowledge, facts, concepts, computer software, computer programs, or instructions that may be: (1) in any form; (2) in storage media or stored in the memory of a computer; or (3) in transit or presented on a display device. As added by P.L.114-2012, SEC.67. Amended by P.L.158-2013, SEC.364.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-85. "Deadly Force"

Sec. 85. "Deadly force" means force that creates a substantial risk of serious bodily injury. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-86. "Deadly Weapon"

Sec. 86. (a) Except as provided in subsection (b), "deadly weapon" means the following: (1) A loaded or unloaded firearm. (2) A destructive device, weapon, device, taser (as defined in IC 35-47-8-3) or electronic stun weapon (as defined in IC 35-47-8-1), equipment, chemical substance, or other material that in the manner it: (A) is used; (B) could ordinarily be used; or (C) is intended to be used; is readily capable of causing serious bodily injury. (3) An animal (as defined in IC 35-46-3-3) that is: (A) readily capable of causing serious bodily injury; and (B) used in the commission or attempted commission of a crime. (4) A biological disease, virus, or organism that is capable of causing serious bodily injury. (b) The term does not include: (1) a taser (as defined in IC 35-47-8-3); (2) an electronic stun weapon (as defined in IC 35-47-8-1); (3) a chemical designed to temporarily incapacitate a person; or (4) another device designed to temporarily incapacitate a person; if the device described in subdivisions (1) through (4) is used by a law enforcement officer who has been trained in the use of the device and who uses the device in accordance with the law enforcement officer's training and while lawfully engaged in the execution of official duties. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-87.1. "Defendant"

Sec. 87.1. "Defendant", for purposes of IC 35-40-5-11.5, has the meaning set forth in IC 35-40-5-11.5. As added by P.L.62-2020, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-87. "Dealer"

Sec. 87. (a) "Dealer", for purposes of IC 35-43-4-2.3, has the meaning set forth in IC 35-43-4-2.3(a). (b) "Dealer", for purposes of IC 35-47, has the meaning set forth in IC 35-47-1-3. (c) "Dealer", for purposes of IC 35-47-2.5, includes any person licensed under 18 U.S.C. 923, as set forth in IC 35-47-2.5-2. As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.97.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-88. "Delinquent Act"

Sec. 88. "Delinquent act", for purposes of IC 35-40, has the meaning set forth in IC 35-40-4-4. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-89. "Delivery"

Sec. 89. "Delivery", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-11. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-9.5. "Adulterant"

Sec. 9.5. "Adulterant", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-19.5(a). As added by P.L.134-2017, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-9. "Adult Employee"

Sec. 9. "Adult employee" means an employee who is at least eighteen (18) years of age. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-90.5. "Deposition"

Sec. 90.5. "Deposition", for purposes of IC 35-40-5-11.5, has the meaning set forth in IC 35-40-5-11.5. As added by P.L.62-2020, SEC.5.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-90. "Dependent"

Sec. 90. (a) "Dependent", for purposes of IC 35-44.1-1-4, has the meaning set forth in IC 35-44.1-1-4(a)(1). (b) "Dependent", for purposes of IC 35-46-1, has the meaning set forth in IC 35-46-1-1. As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.99.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-91. "Designated Offense"

Sec. 91. "Designated offense", for purposes of IC 35-33.5, means the following: (1) A Class A, Class B, or Class C felony, for a crime committed before July 1, 2014, or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony, for a crime committed after June 30, 2014, that is a controlled substance offense (IC 35-48-4). (2) Murder (IC 35-42-1-1). (3) Kidnapping (IC 35-42-3-2). (4) Criminal confinement (IC 35-42-3-3). (5) Robbery (IC 35-42-5-1). (6) Arson (IC 35-43-1-1). (7) Child solicitation (IC 35-42-4-6). (8) Human and sexual trafficking crimes under IC 35-42-3.5. (9) Escape as a Class B felony or Class C felony, for a crime committed before July 1, 2014, or a Level 4 felony or Level 5 felony, for a crime committed after June 30, 2014 (IC 35-44.1-3-4). (10) An offense that relates to a weapon of mass destruction (as defined in section 354 of this chapter). As added by P.L.114-2012, SEC.67. Amended by P.L.126-2012, SEC.46; P.L.158-2013, SEC.365; P.L.142-2020, SEC.56.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-92. "Destructive Device"

Sec. 92. "Destructive device" has the meaning set forth in IC 35-47.5-2-4. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-93. "Detonator"

Sec. 93. "Detonator", for purposes of IC 35-47.5, has the meaning set forth in IC 35-47.5-2-5. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-95. "Dispatched Firefighter"

Sec. 95. "Dispatched firefighter", for purposes of IC 35-44.1-4, has the meaning set forth in IC 35-44.1-4-1. As added by P.L.114-2012, SEC.67. Amended by P.L.13-2013, SEC.100.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-96. "Dispense"

Sec. 96. "Dispense", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-12. As added by P.L.114-2012, SEC.67. Amended by P.L.51-2019, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-97. "Dispenser"

Sec. 97. "Dispenser", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-13. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-98. "Disseminate"

Sec. 98. "Disseminate", for purposes of IC 35-42-4-4, has the meaning set forth in IC 35-42-4-4(a). As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 31.5. DefinitionsChapter 2. Definitions35-31.5-2-99. "Dissolvable Tobacco Product"

Sec. 99. "Dissolvable tobacco product", for purposes of IC 35-46-1, has the meaning set forth in IC 35-46-1-1.3. As added by P.L.114-2012, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 32. General Procedural ProvisionsChapter 1. General Purpose35-32-1-1. Construction of Title

Sec. 1. This title shall be construed in accordance with its general purposes, to: (1) secure simplicity in procedure; (2) insure fairness of administration including the elimination of unjustifiable delay; (3) insure the effective apprehension and trial of persons accused of offenses; (4) provide for the just determination of every criminal proceeding by a fair and impartial trial and adequate review; (5) reduce crime by promoting the use of evidence based best practices for rehabilitation of offenders in a community setting; (6) keep dangerous offenders in prison by avoiding the use of scarce prison space for nonviolent offenders; (7) give judges maximum

discretion to impose sentences based on a consideration of all the circumstances related to the offense; (8) maintain proportionality of penalties across the criminal code, with like sentences for like crimes; (9) make the lengths of sentences served by offenders more certain for victims; and (10) preserve the public welfare and secure the fundamental rights of individuals. As added by Acts 1981, P.L.298, SEC.1. Amended by P.L.168-2014, SEC.52.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 32. General Procedural ProvisionsChapter 1. General Purpose35-32-1-2. Legal Effect of Change of References From "Community Service" to "Community Restitution or Service"

Sec. 2. The change of references in the Indiana Code from community service to community restitution or service by P.L.32-2000 shall not be construed to: (1) release a person from a court order issued before July 1, 2000, requiring the person to perform community service; or (2) limit the power of an entity to operate any program as a community restitution program after June 30, 2000, that was operated before July 1, 2000, as a community service program. As added by P.L.20-2010, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 32. General Procedural ProvisionsChapter 2. Venue35-32-2-1. Place of Trial

Sec. 1. (a) Criminal actions shall be tried in the county where the offense was committed, except as otherwise provided by law. (b) If a person committing an offense upon the person of another is located in one (1) county and the person's victim is located in another county at the time of the commission of the offense, the trial may be in either of the counties. (c) If the offense involves killing or causing the death of another human being, the trial may be in the county in which the: (1) cause of death is inflicted; (2) death occurs; or (3) victim's body is found. (d) If an offense is committed in Indiana and it cannot readily be determined in which county the offense was committed, trial may be in any county in which an act was committed in furtherance of the offense. (e) If an offense is commenced outside Indiana and completed within Indiana, the offender may be tried in any county where any act in furtherance of the offense occurred. (f) If an offense commenced inside Indiana is completed outside Indiana, the offender shall be tried in any county where an act in furtherance of the offense occurred. (g) If an offense is committed on the portions of the Ohio or Wabash Rivers where they form a part of the boundaries of this state, trial may be in the county that is adjacent to the river and whose boundaries, if projected across the river, would include the place where the offense was committed. (h) If an offense is committed at a place which is on or near a common boundary which is shared by two (2) or more counties and it cannot be readily determined where the offense was committed, then the trial may be in any county sharing the common boundary. (i) If an offense is committed on a public highway (as defined in IC 9-25-2-4) that runs on and along a common boundary shared by two (2) or more counties, the trial may be held in any county sharing the common boundary. (j) If an offense is committed by use of the Internet or another computer network (as defined in IC 35-43-2-3), the trial may be held in any county: (1) from which or to which access to the Internet or other computer network was made; or (2) in which any computer, computer data, computer software, or computer network that was used to access the Internet or other computer network is located. (k) If an offense: (1) is committed by use of: (A) the Internet or another computer network (as defined in IC 35-43-2-3); or (B) another form of electronic communication; and (2) occurs outside Indiana and the victim of the offense resides in Indiana at the time of the offense; the trial may be held in the county where the victim resides at the time of the offense. As added by Acts 1981, P.L.298, SEC.1. Amended by Acts 1982, P.L.204, SEC.5; P.L.320-1983, SEC.1; P.L.98-2000, SEC.16; P.L.115-2005, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 32. General Procedural ProvisionsChapter 2. Venue35-32-2-2. Theft or Conversion; Receiving Stolen Property

Sec. 2. (a) A person may be tried for theft or conversion in any county in which he exerted unauthorized control over the property. (b) A person may be tried for receiving stolen property in any county in which he receives, retains, or disposes of the property. As added by Acts 1981, P.L.298, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 32. General Procedural ProvisionsChapter 2. Venue35-32-2-3. Kidnapping, Criminal Confinement, Human Trafficking, and Interference With Custody

Sec. 3. (a) A person who commits the offense of: (1) kidnapping; (2) criminal confinement; (3) promotion of human labor trafficking; (4) promotion of human sexual trafficking; (5) promotion of child sexual trafficking; (6) promotion of sexual trafficking of a younger child; (7) child sexual trafficking; or (8) human trafficking; may be tried in a county in which the victim has traveled or has been confined during the course of the offense. (b) A person who commits the offense of criminal confinement or interference with custody may be tried in a county in which the child who was removed, taken, concealed, or detained in violation of a child custody order: (1) was a legal resident at the time of the taking, concealment, or detention; (2) was taken, detained, or concealed; or (3) was found. As added by Acts 1981, P.L.298, SEC.1. Amended by P.L.49-1989, SEC.19; P.L.173-2006, SEC.47; P.L.144-2018, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 32. General Procedural ProvisionsChapter 2. Venue35-32-2-4. Aiding and Abetting; Conspiracy; Attempts

Sec. 4. (a) If a person in a county engages in conduct sufficient to constitute aiding, inducing, or causing an offense committed in

another county, he may be tried for the offense in either county. (b) In a prosecution for conspiracy to commit a felony, any or all offenders may be tried in the county in which: (1) the agreement was made; or (2) any overt act in furtherance of the agreement is performed. (c) In a prosecution for an attempt to commit a crime, the offender may be tried in any county in which: (1) a substantial step towards the commission of the underlying crime occurred; or (2) the underlying crime was to have been completed. As added by Acts 1981, P.L.298, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 32. General Procedural ProvisionsChapter 2. Venue35-32-2-5. Transfer to Proper County or Court With Proper Jurisdiction; Mistake in Charge of Proper Offense or Guilt of Offense Not Charged; Discharge Without Prejudice

Sec. 5. (a) When it appears, at any time before verdict or finding, that the prosecution was brought in an improper county, the court shall order that all papers and proceedings be certified and transferred to a court with jurisdiction over the offense in the proper county and, when necessary, order the sheriff to deliver custody of the defendant to the sheriff of the proper county. (b) When it appears at any time before verdict or finding, that a mistake has been made in charging the proper offense, or that the defendant is guilty of an offense not charged, such defendant shall not be discharged, if the court finds probable cause that the defendant committed an offense. (c) When it appears at any time before verdict or finding that the prosecution was brought in a court without jurisdiction over the subject matter of the offense charged, the court shall order that all the papers and proceedings be certified and transferred to a court with jurisdiction over the subject matter in the proper county. (d) When a jury has been impaneled or the cause submitted in any case contemplated in subsection (a), (b), or (c), such jury may be discharged or submission set aside without prejudice to the prosecution. As added by Acts 1981, P.L.298, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 32. General Procedural ProvisionsChapter 2. Venue35-32-2-6. Identity Deception; Synthetic Identity Deception; Multiple Offenses

Sec. 6. (a) Subject to subsection (b), a person who commits the offense of identity deception or synthetic identity deception (before its repeal) may be tried in a county in which: (1) the victim resides; or (2) the person: (A) obtains; (B) possesses; (C) transfers; or (D) uses; the information used to commit the offense. (b) If: (1) a person is charged with more than one (1) offense of identity deception or synthetic identity deception (before its repeal), or if a person is charged with both identity deception and synthetic identity deception (before its repeal); and (2) either: (A) the victims of the crimes reside in more than one (1) county; or (B) the person performs an act described in subsection (a)(2) in more than one (1) county; the person may be tried in any county described in subdivision (2). As added by P.L.125-2006, SEC.7. Amended by P.L.137-2009, SEC.9; P.L.174-2021, SEC.38.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 32. General Procedural ProvisionsChapter 2. Venue35-32-2-7. Violations of the Duties of a Constitutional Convention Delegate

Sec. 7. A person may be tried for a violation of IC 2-8.2-4-6 in: (1) Marion County; or (2) the county where the person resides. As added by P.L.182-2013, SEC.3. Amended by P.L.205-2013, SEC.343.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 2. Applications, Procedures, and Reports35-33.5-2-1. Application for Warrant by Prosecuting or Designated Deputy Prosecuting Attorney; Coapplicant; Interception Equipment Under Control of State Police; Reimbursement to State Police

Sec. 1. (a) A prosecuting attorney or, if the prosecuting attorney is unavailable, a chief deputy prosecuting attorney specifically authorized by the prosecuting attorney, may submit an application for a warrant or an extension to a circuit or superior court where: (1) the county that the prosecuting attorney represents is located; and (2) the communication subject to the warrant is anticipated to be sent or received. The prosecuting attorney or authorized chief deputy prosecuting attorney may not delegate the responsibility of applying for a warrant or an extension to another deputy prosecuting attorney. (b) One (1) of the following persons must serve as a coapplicant for a warrant or an extension under subsection (a): (1) The superintendent of the state police department. (2) The police chief of a consolidated city where the communication subject to the warrant is anticipated to be sent or received. (3) The sheriff of the county containing a consolidated city where the communication subject to the warrant is anticipated to be sent or received. (c) Only the state police department may install equipment used to intercept an electronic communication under this chapter. (d) The state police department may: (1) operate or monitor equipment used to intercept an electronic communication; or (2) if the interception of an electronic communication is performed on behalf of another law enforcement agency, permit the law enforcement agency to operate or monitor the equipment under the supervision of the department. (e) The superintendent of the state police department may terminate an interception under this chapter if the superintendent of the state police department determines that there is probable cause to believe that the allegations concerning the offense that are the basis of the interception are without merit. If an interception of an electronic communication is terminated under this subsection, the law enforcement agency that is the co-applicant for the interception shall reimburse the state police department for the department's expenses incurred in connection with the application for interception, including the costs of removing equipment related to the interception. (f) If the interception of an electronic communication is performed on behalf of another law enforcement agency, the law enforcement agency shall reimburse the department for the department's expenses in connection with the installation, operation, and maintenance of

equipment used to intercept an electronic communication. As added by P.L.161-1990, SEC.3. Amended by P.L.105-2007, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 2. Applications, Procedures, and Reports35-33.5-2-2. Application or Extension in Writing and Upon Oath of Affirmation; Information Required

Sec. 2. (a) Except as provided in section 3.5 of this chapter, an application for a warrant or extension must be made in writing and upon oath or affirmation. Each application must also include the following: (1) The identity of the persons submitting the application. (2) An affidavit setting forth the facts relied upon by an applicant to show why a warrant should be issued or an extension granted, including the following: (A) Facts establishing probable cause for the belief that a designated offense allegedly has been, is being, or may be committed. (B) A description of the nature and location of the facility, place, or device from which the communication is to be intercepted. (C) The identity, if known, of the person allegedly committing the designated offense whose communication is to be intercepted. (D) A description of the type of communication to be intercepted. (3) A statement specifying that other investigative procedures: (A) have been tried and failed; or (B) may not succeed or are too dangerous to attempt. (4) A statement of the duration necessary for the interception. However, if the applicant requests that the authorization for interception not automatically terminate once the described type of communication is initially obtained, the application must also include a description of facts supporting the belief that additional communications of the same type will occur. (5) A statement of facts and any action taken by the court concerning any previous application for a warrant or an extension that: (A) has been made to a court under this article; (B) sought to obtain communications from any of the same persons, places, or facilities as the current application; and (C) is known to exist by the persons making the current application. (6) If it is reasonably necessary to make a secret entry upon private property to install an interception device, a statement describing the following: (A) The private property. (B) Who owns and who occupies the private property. (C) The reasons necessitating secret entry. (b) In addition to the information required in subsection (a), if an application is for an extension, the application must contain a statement setting forth the results obtained from the original warrant or a reasonable explanation of the failure to obtain results under the original warrant. (c) The court may require an applicant to furnish additional testimony or evidence in support of an application. As added by P.L.161-1990, SEC.3. Amended by P.L.105-2007, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 2. Applications, Procedures, and Reports35-33.5-2-3.5. Alternative Procedure for Issuance of Warrant; Requirement for Recording and Transcription

Sec. 3.5. (a) A court may issue a warrant without the affidavit required under section 2 of this chapter, if the court receives sworn testimony of the same facts required for an affidavit: (1) in a nonadversarial, recorded hearing before the judge; (2) orally by telephone or radio; or (3) in writing by facsimile (fax) transmission. In addition, the prosecuting attorney or, if the prosecuting attorney is unavailable, a chief deputy prosecuting attorney specifically authorized by the prosecuting attorney, shall inform the court that a person described in section 1(b) of this chapter has agreed to serve as a coapplicant of the warrant. The prosecuting attorney or authorized chief deputy prosecuting attorney may not delegate the responsibility of applying for a warrant to another deputy prosecuting attorney. (b) After the affiant recites the facts required for an affidavit and verifies the facts recited under penalty of perjury, a prosecuting attorney or chief deputy prosecuting attorney who applies for a warrant under subsection (a)(2) shall read to the court from a warrant form on which the prosecuting attorney or chief deputy prosecuting attorney enters the information read by the affiant to the court. The court may direct the prosecuting attorney or chief deputy prosecuting attorney to modify the warrant. If the court agrees to issue the warrant, the court shall direct the prosecuting attorney or chief deputy prosecuting attorney to sign the judge's name to the warrant, adding the time of the issuance of the warrant. (c) After transmitting an affidavit, a prosecuting attorney or chief deputy prosecuting attorney who applies for a warrant under subsection (a)(3) shall transmit to the court a copy of a warrant form completed by the prosecuting attorney or chief deputy prosecuting attorney. The court may modify the transmitted warrant. If the court agrees to issue the warrant, the court shall transmit to the applicant a duplicate of the warrant. The judge shall then sign the warrant retained by the court, adding the time of the issuance of the warrant. (d) If a warrant is issued under subsection (a)(2), the court shall record the conversation and order the court reporter to type or transcribe the recording for entry in the record. The court shall certify the recording, the transcription, and the warrant retained by the court for entry in the record. (e) If a warrant is issued under subsection (a)(3), the court shall order the court reporter to retype or copy the facsimile transmission for entry in the record. The court shall certify the transcription or copy and warrant retained by the court for entry in the record. (f) The court reporter shall notify the prosecuting attorney or chief deputy prosecuting attorney who received a warrant under subsection (a)(2) or (a)(3) when the transcription or copy required under this section is entered in the record. The prosecuting attorney or chief deputy prosecuting attorney shall sign the typed, transcribed, or copied entry upon receiving notice from the court reporter. As added by P.L.105-2007, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 2. Applications, Procedures, and Reports35-33.5-2-3. Allegations of Fact; Basis; Information Required; Supporting Affidavits

Sec. 3. (a) Allegations of fact in an application for a warrant submitted under this chapter may be based either upon the personal knowledge of the applicant or upon information and belief. (b) If the applicant personally knows the facts alleged, the applicant shall

state that the affidavit is based upon personal knowledge. (c) If the allegations of fact are derived in whole or in part from the statements of persons other than the applicant: (1) the sources of the applicant's information and belief must be either disclosed or described; (2) the application must contain facts establishing the existence and reliability of: (A) any informant; and (B) information supplied by any informant; and (3) the basis of an informant's knowledge or belief must be disclosed, as far as possible. (d) If the applicant's information and belief is derived from: (1) tangible evidence; or (2) recorded oral evidence; the applicant shall attach to the application a copy or detailed description of the tangible evidence or recorded oral evidence. (e) Affidavits of persons other than the applicant may be attached to the application if the affidavits of other persons tend to support any fact or conclusion alleged in the application. An affidavit attached to the application under this subsection may be based either on personal knowledge of the affiant or on information and belief. However, if the attached affidavit is based on information and belief the affiant shall state the source of, and the reason for, the information and belief. As added by P.L.161-1990, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 2. Applications, Procedures, and Reports35-33.5-2-4. Reports to Legislative Council on Warrants or Extensions Granted; Reports on Arrests or Convictions

Sec. 4. (a) Not later than December 31 of each year, a prosecuting attorney who during that year: (1) has received a warrant or an extension; or (2) represents a county in which an arrest or a conviction has occurred as the result of the warrant or extension; shall report in an electronic format under IC 5-14-6 the information described in subsection (b) to the legislative council. (b) A prosecuting attorney shall report the following information under subsection (a): (1) The information required in section 5 of this chapter. (2) The number of arrests resulting from an interception made under a warrant or extension and the designated offense for which each arrest was made. (3) The number of charges filed as a result of an interception. (4) The number of motions to suppress made with respect to an interception and the number of motions granted or denied. (5) The number of convictions resulting from an interception, the designated offense for which each conviction was obtained, and a general assessment of the importance of interception in obtaining the convictions. (6) A general description of the interceptions made under a warrant or an extension, including the following: (A) The approximate nature and frequency of incriminating communications intercepted. (B) The approximate nature and frequency of other communications intercepted. (C) The approximate number of persons whose communications were intercepted. (D) The approximate nature, amount, and cost of manpower and other resources used in relation to the interceptions. As added by P.L.161-1990, SEC.3. Amended by P.L.28-2004, SEC.176.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 2. Applications, Procedures, and Reports35-33.5-2-5. Reports to Chief Administrative Officer of the Office of Judicial Administration on Termination and Denials

Sec. 5. Within twenty-eight (28) days after the termination of a warrant or an extension, or the denial of an application for a warrant or an extension, the court to which application for the warrant or an extension was made shall submit a report to the chief administrative officer of the office of judicial administration (IC 33-24-6-1) containing the following information: (1) The fact that a warrant or an extension was applied for. (2) The type of warrant or extension applied for. (3) The fact that the application for a warrant or an extension was granted, modified, or denied. (4) The duration authorized for interception by the warrant and the number and duration of any extensions. (5) The designated offense for which the warrant or extension was issued or applied for. (6) The identity of the persons who applied for the warrant or extension. (7) The nature and location of the place, facility, or device from which communications were to be intercepted. (8) The reasons for withholding notice under IC 35-33.5-4-3, if the notice was withheld. As added by P.L.161-1990, SEC.3. Amended by P.L.98-2004, SEC.142; P.L.105-2007, SEC.9; P.L.161-2018, SEC.116.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 3. Duties of the Court35-33.5-3-1. Authorization of Warrant or Extension; Determinations by Court; Examinations Under Oath; in Camera Inquiries

Sec. 1. (a) A court may enter an order authorizing a warrant or an extension if, based on the facts submitted by an applicant, the court determines the following: (1) Probable cause exists to believe that the person whose communications are to be intercepted is committing, has committed, or may commit a designated offense. (2) Communications concerning the designated offense identified in the warrant application are likely to be obtained through the requested interception. (3) Exigent circumstances are present that require the preservation of secrecy where there is a reasonable likelihood that a continuing investigation would be prevented if a person subject to investigation was alerted to the fact that the investigation was occurring. (4) A place, facility, or device from which communications are to be intercepted is: (A) being used or about to be used by; (B) listed in the name of; (C) leased to; or (D) commonly used by; a person who is committing, has committed, or may commit a designated offense. (5) Investigative procedures: (A) have been tried but have failed; (B) are unlikely to succeed; or (C) are too dangerous to attempt. (b) In making a determination of probable cause required under subsection (a)(1) before a warrant may be issued by the court, the court may examine under oath any person. The court shall order the court reporter to: (1) prepare a verbatim transcript of an examination made under this subsection; and (2) attach the transcript to the application for the warrant. (c) In making a determination of probable cause required under subsection (a)(1) before a warrant may be issued by the court, if there is no corroborative evidence offered in support of the allegation of probable cause, the court shall inquire in camera concerning: (1) the identity of any informants; or (2) any additional information the court considers relevant to a determination of probable cause to believe that the person whose communications are

to be intercepted is committing, has committed, or may commit a designated offense. (d) The court may modify the application and authorize a warrant or an extension that is more limited in authority for interception than the warrant or extension that was requested by the applicant. As added by P.L.161-1990, SEC.3. Amended by P.L.105-2007, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 3. Duties of the Court35-33.5-3-2. Information Required in Warrant

Sec. 2. A court that issues a warrant or an extension shall specify the following information in the warrant: (1) The identity of the law enforcement agency that the warrant directs to make the interception. (2) The identity of the person, if known, whose communication is to be intercepted. (3) The nature and location of the facility, place, or device from which the communication is to be intercepted. (4) The type of communication to be intercepted and a statement of the designated offense to which the communication relates. (5) That the interception must be conducted in a manner that minimizes the interception of communication that: (A) is not relevant to the designated offense; and (B) is not authorized by the warrant or extension. (6) That methods required by the court to minimize the interception of irrelevant communications include the immediate termination by a law enforcement officer of the recording of a communication that is clearly irrelevant to the investigation of a designated offense. (7) The duration during which the interception is authorized, including a statement as to whether the interception automatically terminates once the described communication is initially obtained. As added by P.L.161-1990, SEC.3. Amended by P.L.105-2007, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 4. Procedures Regarding Intercepted Communications35-33.5-4-1. Limitations; Mandatory Assistance to Accomplish Interception; Compensation

Sec. 1. (a) A court may not authorize interception under a warrant or an extension for a period longer than is necessary to achieve the objective of the warrant or extension. Except as provided in subsection (d), a warrant and each extension may authorize interception for not more than thirty (30) days. A court that issues a warrant or an extension shall order that the authorized interception must: (1) occur within ten (10) days after the court issues the warrant or extension; (2) be conducted in a manner that minimizes the interception of a communication that is clearly irrelevant to the investigation of a designated offense; and (3) terminate upon completion of the authorized objective or within thirty (30) days after the interception begins, whichever occurs first. (b) A court may grant not more than three (3) extensions. (c) A warrant or an extension may direct that a person immediately furnish an applicant all information, facilities, and technical assistance within that person's control necessary to accomplish the interception with a minimum of interference with the services that the person is furnishing to the person whose communication is to be intercepted. The applicant shall compensate a person furnishing facilities or technical assistance to the applicant at the prevailing rates. (d) A warrant issued under IC 35-33.5-2-3.5 expires after twenty-four (24) hours, unless: (1) the court that issued the warrant established a shorter period of expiration; or (2) the warrant is extended in accordance with section 2 of this chapter. A warrant extended in accordance with section 2 of this chapter expires as described in subsection (a). As added by P.L.161-1990, SEC.3. Amended by P.L.105-2007, SEC.12; P.L.3-2008, SEC.248.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 4. Procedures Regarding Intercepted Communications35-33.5-4-2. Progress Reports to Court

Sec. 2. Whenever a warrant or an extension is issued under this article, the court shall order that reports be submitted to the court indicating the progress that has been made toward the authorized objective and whether continued interception is necessary. The court may establish the times when a report is required. As added by P.L.161-1990, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 4. Procedures Regarding Intercepted Communications35-33.5-4-3. Inventory to Party of Terminated Warrant or Extension; Information Available to Person Whose Communications Have Been Intercepted; Postponement of Inventory Services

Sec. 3. (a) Within sixty (60) days after the termination of a warrant or an extension, the court shall cause to be served upon each person from whom communication was to be intercepted and upon any other party to an interception whom the court determines it is in the interest of justice to serve, an inventory that includes notice of the following: (1) The date that the application for the warrant or extension was submitted. (2) The date on which the warrant or extension was granted. (3) The time during which the interception was authorized. (4) Whether the type of communication specified in the warrant was intercepted during the authorized time. (b) The court may make available for inspection, to any person whose communications have been intercepted under a warrant issued under this chapter and who makes a request, any part of the applications, warrants, extensions and recordings that the court determines to be in the interest of justice. On an ex parte showing of good cause to the issuing court, the serving of the inventory required by this section may be postponed. (c) If a party moves the court for postponement of service of the inventory required under subsection (a) on the grounds that secrecy is essential, the moving party shall: (1) submit the motion to the court in writing or by transcription; and (2) attach to the motion a statement of reasons for the party's belief that secrecy of the documents is essential. As added by P.L.161-1990, SEC.3.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 4. Procedures Regarding Intercepted Communications35-33.5-4-4. Suppression of Evidence; Basis

Sec. 4. (a) Upon a motion to suppress evidence arising from a warrant, a court may suppress the contents of or evidence derived from an interception based on: (1) the grounds that the communication was intercepted in violation of this article; (2) the grounds that the warrant or extension under which the communication was intercepted is insufficient on the face the warrant or extension; (3) the grounds that the interception was not made in conformity with the warrant or extension; (4) the grounds that a material defect, such as the failure to comply with the requirements that limit the use of authorized interceptions, exists in the application, the warrant, or the process of executing the warrant; or (5) any other grounds that are a basis for suppressing the evidence. (b) A court may not suppress the contents of or evidence derived from an interception if the motion to suppress is based on an immaterial defect in the application, the warrant, or the process of executing the warrant. As added by P.L.161-1990, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 4. Procedures Regarding Intercepted Communications35-33.5-4-5. Motion to Suppress; Information or Evidence Available to Aggrieved Person; Appeal of Granted Motion

Sec. 5. (a) If a court grants a motion to suppress under this article, the contents of the interception or evidence derived from the interception are considered to have been obtained in violation of this article. The court, upon the filing of the motion by an aggrieved person, may make available for inspection to the aggrieved person, or the person's attorney, any part of the interception or evidence derived from the interception that the court determines to be in the interest of justice. (b) In addition to any other right to appeal, the state may appeal from an order granting a motion to suppress made under this section if the prosecuting attorney certifies to the court granting the motion that the appeal is not taken for purpose of delay. The state must file the appeal in accordance with the rules adopted by the Indiana supreme court. As added by P.L.161-1990, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 5. Confidentiality of Disclosure, Remedies, and Offenses35-33.5-5-1. Disclosure in Court; Information to Parties in Advance

Sec. 1. The contents of an interception under this article or evidence derived from the interception may not be received into evidence or otherwise disclosed during a court proceeding unless each party, not less than fourteen (14) days before the proceeding, has been furnished with a copy of the application, warrant, and any orders for an extension under which the interception was authorized. The fourteen (14) day period may be waived by the court if the court finds that: (1) it is not possible to furnish each party with the information at least fourteen (14) days before the proceeding; and (2) a party will not be prejudiced by the delay in receiving the information. As added by P.L.161-1990, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 5. Confidentiality of Disclosure, Remedies, and Offenses35-33.5-5-2. Recording Contents of Authorized Interception; Sealing Documents; Disclosure; Destruction of Documents

Sec. 2. (a) The contents of an authorized interception under this article shall be recorded. Immediately upon the expiration of the warrant or extension, the court shall order that recordings be sealed. The court shall determine who is entitled to custody of the recordings. The court shall order that the recordings be kept for at least ten (10) years. The recordings may be destroyed after ten (10) years only upon an order of the court that issued the warrant. (b) A warrant or an extension granted under this article, as well as the application for a warrant or extension, shall be sealed by the court to which the application is made. The court shall determine who is entitled to custody of the application and warrant or extension. An application and a warrant or an extension shall be disclosed only upon a showing of good cause before the issuing court. The court shall order that the application and warrant or extension may not be destroyed for at least ten (10) years after the date granted, and then only upon the order of the court that issued the warrant. As added by P.L.161-1990, SEC.3. Amended by P.L.105-2007, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 5. Confidentiality of Disclosure, Remedies, and Offenses35-33.5-5-3. Disclosure by Law Enforcement Officer; Persons Other Than Officer; Privileged Character of Communication; Offenses Not Specified in Order

Sec. 3. (a) A law enforcement officer who has obtained knowledge under this article of the contents of an interception or of evidence derived from that interception may: (1) disclose the contents to another law enforcement officer; or (2) use the contents of the interception; only to the extent that use or disclosure of the contents of the interception is appropriate to the proper performance of the official duties of the law enforcement officer. (b) If a recorded interception is transcribed by order of a court or by a law enforcement agency, only that part of the interception that is relevant to the prosecution of a designated offense may be transcribed. (c) A person, other than a law enforcement officer, who has received, by a means authorized by this article, information concerning an interception or evidence derived from an interception under this article may disclose the contents of the interception or evidence

derived from the interception only while giving testimony under oath or affirmation in a criminal court proceeding or grand jury proceeding. This subsection does not apply to a disclosure by a person of the contents of reports submitted under IC 35-33.5-2-4 and IC 35-33.5-2-5 or to the contents of an interception or evidence derived from an interception that is either: (1) maintained in the record of a court proceeding and made accessible to the public; or (2) previously disclosed in a court proceeding that is open to the public. (d) An otherwise privileged communication that is intercepted in accordance with or in violation of this article does not lose the communication's privileged character. (e) When a law enforcement officer, while engaged in intercepting communications in a manner authorized by this article, intercepts communications relating to offenses other than those specified in the order of authorization, the contents of those interceptions, and evidence derived from those interceptions, may be disclosed or used as provided in subsections (a) and (c). The contents and evidence may be used under subsection (d) when authorized by the court upon a finding, on subsequent application, that the contents were otherwise intercepted in accordance with this article. A subsequent application shall be made as soon as practicable. As added by P.L.161-1990, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 5. Confidentiality of Disclosure, Remedies, and Offenses35-33.5-5-4. Violations; Cause of Action; Damages and Costs; Defenses; Statute of Limitations

Sec. 4. (a) A person whose communications are intercepted, disclosed, or used in violation of this article: (1) has a civil cause of action against a person who intercepts, discloses, uses, or procures another person to intercept, disclose, or use a communication in violation of this article; and (2) is entitled to recover from that person the following: (A) The greater of: (i) actual damages; (ii) liquidated damages computed at a rate of one hundred dollars ($100) each day for each day of violation; or (iii) one thousand dollars ($1,000). (B) Court costs (including fees). (C) Punitive damages, when determined to be appropriate by the court. (D) Reasonable attorney's fees. (b) A good faith reliance on a warrant or an extension issued under this article constitutes a complete defense to a civil action brought under this section. (c) A person described in IC 34-46-4-1 has an affirmative defense under this section if the person was unaware that the communication was intercepted in violation of this article and: (1) has not intercepted the communication; (2) has not procured another person to intercept or disclose the communication; and (3) has used a communication for the purpose of assisting the person to independently confirm information contained in a communication. (d) An action under this section must be brought within two (2) years after the date that the interception, disclosure, or use of a communication in violation of this article initially occurs whichever is later. As added by P.L.161-1990, SEC.3. Amended by P.L.1-1998, SEC.194; P.L.106-2010, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 5. Confidentiality of Disclosure, Remedies, and Offenses35-33.5-5-5. Nonapplicability to Interceptions Authorized Under Federal Law; Classification of Offenses

Sec. 5. (a) This section does not apply to a person who makes an interception authorized under federal law. (b) A person who knowingly or intentionally intercepts a communication in violation of this article commits unlawful interception, a Level 5 felony. (c) A person who, by virtue of the person's employment or official capacity in the criminal justice system, knowingly or intentionally uses or discloses the contents of an interception in violation of this article commits unlawful use or disclosure of an interception, a Level 5 felony. As added by P.L.161-1990, SEC.3. Amended by P.L.158-2013, SEC.388.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33.5. Interception of Telephonic or Telegraphic CommunicationsChapter 5. Confidentiality of Disclosure, Remedies, and Offenses35-33.5-5-6. Immunity

Sec. 6. The following persons are immune from civil and criminal liability for an act or omission that relates to the provision of information, facilities, or technical assistance in accordance with this article: (1) A person who provides services that relate to the provision of electronic communication. (2) An employee, an officer, an agent, or a contractor of a person described in subdivision (1). (3) A landlord, a custodian, a property owner, or other person who provides assistance in the interception of an electronic communication. As added by P.L.161-1990, SEC.3. Amended by P.L.105-2007, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 1. Arrest35-33-1-1.5. Crime Involving Domestic or Family Violence; Duties of Law Enforcement Officers; Confiscation of Firearm, Ammunition, or Deadly Weapon

Sec. 1.5. (a) A law enforcement officer responding to the scene of an alleged crime involving domestic or family violence shall use all reasonable means to prevent further violence, including the following: (1) Transporting or obtaining transportation for the alleged victim and each child to a designated safe place to meet with a domestic violence counselor, local family member, or friend. (2) Assisting the alleged victim in removing toiletries, medication, and necessary clothing. (3) Giving the alleged victim immediate and written notice of the rights under IC 35-40. (b) A law enforcement officer may confiscate and remove a firearm, ammunition, or a deadly weapon from the scene if the law enforcement officer has: (1) probable cause to believe that a crime involving domestic or family violence has occurred; (2) a reasonable belief that the firearm, ammunition, or deadly weapon: (A) exposes the victim to an immediate risk of serious bodily injury; or (B) was an instrumentality of the crime involving domestic or family violence; and (3) observed the firearm, ammunition, or deadly weapon at the scene during the response. (c) If a firearm, ammunition, or a deadly

weapon is removed from the scene under subsection (b), the law enforcement officer shall provide for the safe storage of the firearm, ammunition, or deadly weapon during the pendency of a proceeding related to the alleged act of domestic or family violence. As added by P.L.133-2002, SEC.60.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 1. Arrest35-33-1-1.7. Mandatory Hold on Person Arrested for Domestic Violence

Sec. 1.7. (a) A facility having custody of a person arrested for a crime of domestic violence (as described in IC 35-31.5-2-78) shall keep the person in custody for at least eight (8) hours from the time of the arrest. (b) A person described in subsection (a) may not be released on bail until at least eight (8) hours from the time of the person's arrest. As added by P.L.44-2008, SEC.1. Amended by P.L.114-2012, SEC.68.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 1. Arrest35-33-1-1. Law Enforcement Officer; Federal Enforcement Officer

Sec. 1. (a) A law enforcement officer may arrest a person when the officer has: (1) a warrant commanding that the person be arrested; (2) probable cause to believe the person has committed or attempted to commit, or is committing or attempting to commit, a felony; (3) probable cause to believe the person has violated the provisions of IC 9-26-1-1.1 or IC 9-30-5; (4) probable cause to believe the person is committing or attempting to commit a misdemeanor in the officer's presence; (5) probable cause to believe the person has committed a: (A) battery resulting in bodily injury under IC 35-42-2-1; or (B) domestic battery under IC 35-42-2-1.3. The officer may use an affidavit executed by an individual alleged to have direct knowledge of the incident alleging the elements of the offense of battery to establish probable cause; (6) probable cause to believe that the person violated IC 35-46-1-15.1 (invasion of privacy) or IC 35-46-1-15.3; (7) probable cause to believe that the person violated IC 35-47-2-1.5 (unlawful carrying of a handgun) or IC 35-47-2-22 (counterfeit handgun license); (8) probable cause to believe that the person is violating or has violated an order issued under IC 35-50-7; (9) probable cause to believe that the person is violating or has violated IC 35-47-6-1.1 (undisclosed transport of a dangerous device); (10) probable cause to believe that the person is: (A) violating or has violated IC 35-45-2-5 (interference with the reporting of a crime); and (B) interfering with or preventing the reporting of a crime involving domestic or family violence (as defined in IC 34-6-2-34.5); (11) probable cause to believe that the person has committed theft (IC 35-43-4-2); (12) a removal order issued for the person by an immigration court; (13) a detainer or notice of action for the person issued by the United States Department of Homeland Security; or (14) probable cause to believe that the person has been indicted for or convicted of one (1) or more aggravated felonies (as defined in 8 U.S.C. 1101(a)(43)). (b) A person who: (1) is employed full time as a federal enforcement officer; (2) is empowered to effect an arrest with or without warrant for a violation of the United States Code; and (3) is authorized to carry firearms in the performance of the person's duties; may act as an officer for the arrest of offenders against the laws of this state where the person reasonably believes that a felony has been or is about to be committed or attempted in the person's presence. (c) A law enforcement officer who arrests a child or takes a child into custody as described in IC 31-37-4-3.5 shall make a reasonable attempt to notify: (1) the child's parent, guardian, or custodian; or (2) the emergency contact listed on the child's school record; that the child has been arrested or taken into custody. As added by Acts 1981, P.L.298, SEC.2. Amended by Acts 1982, P.L.204, SEC.6; P.L.320-1983, SEC.2; P.L.311-1985, SEC.1; P.L.319-1987, SEC.1; P.L.53-1989, SEC.6; P.L.160-1990, SEC.1; P.L.2-1991, SEC.102; P.L.1-1991, SEC.189; P.L.1-1992, SEC.178; P.L.242-1993, SEC.1; P.L.140-1994, SEC.3; P.L.216-1996, SEC.10; P.L.47-2000, SEC.2; P.L.222-2001, SEC.3; P.L.133-2002, SEC.59; P.L.221-2003, SEC.15; P.L.50-2005, SEC.1; P.L.171-2011, SEC.20; P.L.226-2014(ts), SEC.3; P.L.226-2014(ts), SEC.4; P.L.65-2016, SEC.24; P.L.175-2022, SEC.6; P.L.112-2023, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 1. Arrest35-33-1-2. Judge

Sec. 2. A judge may arrest, or order the arrest of a person in his presence, when he has probable cause to believe the person has committed a crime. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 1. Arrest35-33-1-3. Coroner

Sec. 3. A coroner has the authority to arrest any person when performing the duties of the sheriff under IC 36-2-14-4 and authority to arrest the sheriff under IC 36-2-14-5. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 1. Arrest35-33-1-4. Any Person

Sec. 4. (a) Any person may arrest any other person if: (1) the other person committed a felony in his presence; (2) a felony has been committed and he has probable cause to believe that the other person has committed that felony; or (3) a misdemeanor involving a breach of peace is being committed in his presence and the arrest is necessary to prevent the continuance of the breach of peace. (b) A person making an arrest under this section shall, as soon as practical, notify a law enforcement officer and deliver custody of the person arrested to a law enforcement officer. (c) The law enforcement officer may process the arrested person as if the officer had

arrested him. The officer who receives or processes a person arrested by another under this section is not liable for false arrest or false imprisonment. As added by Acts 1981, P.L.298, SEC.2. Amended by Acts 1982, P.L.204, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 1. Arrest35-33-1-5. Definition

Sec. 5. Arrest is the taking of a person into custody, that he may be held to answer for a crime. As added by P.L.320-1983, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 1. Arrest35-33-1-6. Chart to Determine Detention Time Before Release Pending Trial

Sec. 6. A law enforcement agency may use the following chart to determine the minimum number of hours that a person arrested for an alcohol-related offense should be detained before his release pending trial: BLOOD OR HOURS AFTER INITIAL READING BREATH IS TAKEN ALCOHOL LEVEL IN GRAMS 1 2 3 4 5 6 7 8 9 10 11 12 13 14 .09 .075 .06 .045 .03 .015 .00 .000 .00 .000 .00 .000 .00 .000 .00 .10 .085 .07 .055 .04 .025 .01 .000 .00 .000 .00 .000 .00 .000 .00 .11 .095 .08 .065 .05 .035 .02 .005 .00 .000 .00 .000 .00 .000 .00 .12 .105 .09 .075 .06 .045 .03 .015 .00 .000 .00 .000 .00 .000 .00 .13 .115 .10 .085 .07 .055 .04 .025 .01 .000 .00 .000 .00 .000 .00 .14 .125 .11 .095 .08 .065 .05 .035 .02 .005 .00 .000 .00 .000 .00 .15 .135 .12 .105 .09 .075 .06 .045 .03 .015 .00 .000 .00 .000 .00 .16 .145 .13 .115 .10 .085 .07 .055 .04 .025 .01 .000 .00 .000 .00 .17 .155 .14 .125 .11 .095 .08 .065 .05 .035 .02 .005 .00 .000 .00 .18 .165 .15 .135 .12 .105 .09 .075 .06 .045 .03 .015 .00 .000 .00 .19 .175 .16 .145 .13 .115 .10 .085 .07 .055 .04 .025 .01 .000 .00 .20 .185 .17 .155 .14 .125 .11 .095 .08 .065 .05 .035 .02 .005 .00 .21 .195 .18 .165 .15 .135 .12 .105 .09 .075 .06 .045 .03 .015 .00 .22 .205 .19 .175 .16 .145 .13 .115 .10 .085 .07 .055 .04 .025 .01 .23 .215 .20 .185 .17 .155 .14 .125 .11 .095 .08 .065 .05 .035 .02 .24 .225 .21 .195 .18 .165 .15 .135 .12 .105 .09 .075 .06 .045 .03 .25 .235 .22 .205 .19 .175 .16 .145 .13 .115 .10 .085 .07 .055 .04 .26 .245 .23 .215 .20 .185 .17 .155 .14 .125 .11 .095 .08 .065 .05 Note: In order to find when a person will reach the legal blood or breath alcohol level, find the blood or breath alcohol level reading in the left hand column, go across and find where the blood or breath alcohol level reading is an alcohol concentration equivalent (as defined in IC 9-13-2-2.4) to below eight-hundredths (0.08) gram of alcohol per one hundred (100) milliliters of the person's blood or per two hundred ten (210) liters of the person's breath, then read up that column to find the minimum number of hours before the person can be released. As added by P.L.77-1984, SEC.15. Amended by P.L.33-1997, SEC.21; P.L.1-2000, SEC.18; P.L.175-2001, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 10. Securing Attendance of Defendants and Uniform Extradition Act35-33-10-1. Defendant in Custody; Order to Appear; Defendant at Liberty; Notice to Appear; Arrest Upon Failure to Appear

Sec. 1. (a) When a criminal action is pending against a defendant and the defendant is in the custody of any law enforcement officer, the court may order the law enforcement officer to produce the defendant before the court for prosecution. If the defendant is at liberty within the state as a result of an order releasing him on his own recognizance or on bail, the court may cause the defendant or his attorney to be notified to appear at a designated time. Upon failure to appear after such notification, the court may issue a warrant for the defendant's immediate arrest. (b) The method selected to secure the attendance of the defendant shall not be a ground for objection at any stage of the criminal proceeding if the method is allowed by this article. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 10. Securing Attendance of Defendants and Uniform Extradition Act35-33-10-2. Defendant Confined Under Judgment or Court Order or Awaiting Trial for Another Offense; Order or Warrant of Detainer

Sec. 2. (a) When an indictment or information is pending against a defendant confined in this state under a judgment or court order, the court with jurisdiction over the pending criminal action shall, after application by the prosecuting attorney, order that the defendant be produced before the court for prosecution. The defendant shall not be entitled to release pending trial on the indictment or information. The court may order that the defendant be surrendered to the sheriff of the county in which the court issuing the order is located. The court may order the sheriff to convey the defendant from the institution and commit the defendant to the jail or to another place of custody specified in the order. If the proceeding is delayed, the court may order the defendant returned temporarily to the institution until the presence of the defendant before the court is required. (b) When an indictment or information is pending against a defendant: (1) confined in an institution within this state pending trial for another offense; or (2) who has been released by order of another court pending trial before that court for another offense; the court shall, upon motion of the prosecuting attorney, issue a warrant of detainer to the court before which the other prosecution is pending. The court to which the order of detainer is issued, shall, upon termination of the proceedings before the court, deliver custody of the defendant to the sheriff of the county in which the court issuing the warrant is situated. Upon delivery, the court shall return the warrant to the court of issuance showing such fact. A duplicate copy of the return shall be served upon the prosecuting attorney who requested the issuance of the warrant. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 10. Securing Attendance of Defendants and Uniform Extradition Act35-33-10-3. Uniform Criminal Extradition Act

Sec. 3. (1) Where appearing in this section, the term "governor" includes any person performing the functions of governor by authority of the law of this state. The term "executive authority" includes the governor and any person performing the functions of governor in a state other than this state. The term "state", referring to a state other than this state, refers to any other state or territory, organized or unorganized, of the United States of America. (2) Subject to the qualifications of this section and the provisions of the Constitution of the United States controlling, and acts of congress in pursuance thereof, it is the duty of the governor of this state to have arrested and delivered up to the executive authority of any other state of the United States any person charged in that state with treason, a felony, or other crime who has fled from justice and is found in this state. (3) No demand for the extradition of a person charged with crime in another state shall be recognized by the governor unless in writing and accompanied by a copy of an indictment found or by an information supported by affidavit in the state having jurisdiction of the crime, or by a copy of an affidavit made before a magistrate there, together with a copy of any warrant which was issued thereon. The indictment, information, or affidavit made before the magistrate must substantially charge the person demanded with having committed a crime under the law of that state; and the copy must be authenticated by the executive authority making the demand, which shall be prima facie evidence of its truth. (4) When a demand shall be made upon the governor of this state by the executive authority of another state for the surrender of a person so charged with crime, the governor may call upon the attorney general or any prosecuting officer in this state to investigate or assist in investigating the demand, and to report to him the situation and circumstances of the person so demanded, and whether he ought to be surrendered. (5) A warrant of extradition shall not be issued unless the documents presented by the executive authority making the demand show that: (a) except in cases arising under subsection 7 of this section, the accused was present in the demanding state at the time of the commission of the alleged crime, and thereafter fled from the state; (b) the accused is now in this state; and (c) he is lawfully charged by indictment found or by information filed by a prosecuting officer and supported by affidavit to the facts, or by affidavit made before a magistrate in that state, with having committed a crime under the laws of that state, or that he has been convicted of a crime in that state and has escaped from confinement or has broken the terms of his bail, probation, or parole, or that the sentence or some portion of it otherwise remains unexecuted and that the person claimed has not been discharged or otherwise released from the sentence. (6) When it is desired to have returned to this state a person charged in this state with a crime, and such person is imprisoned or is held under criminal proceedings then pending against him in another state, the governor of this state may agree with the executive authority of such other state for the extradition of such person before the conclusion of such proceedings or his term of sentence in such other state, upon condition that such person be returned to such other state at the expense of this state as soon as the prosecution in this state is terminated. The governor of this state may also surrender on demand of the executive authority of any other state any person in this state who is charged in the manner provided in subsection 24 of this section with having violated the laws of the state whose executive authority is making the demand, even though such person left the demanding state involuntarily. (7) The governor of this state may also surrender, on demand of the executive authority of any other state, any person in this state charged in such other state in the manner provided in subsection 5 of this section with committing an act in this state, or in a third state, intentionally resulting in a crime in the state whose executive authority is making the demand; and the provisions of this section not otherwise inconsistent shall apply to such cases, notwithstanding that the accused was not in that state at the time of the commission of the crime and has not fled therefrom. (8) If the governor shall decide that the demand should be complied with, he shall sign a warrant of arrest, which shall be sealed with the state seal, and be directed to a sheriff, marshal, coroner, or other person whom he may think fit to entrust with the execution thereof; and the warrant must substantially recite the facts necessary to the validity of its issue. (9) Such warrant shall authorize the officer or other person to whom directed to arrest the accused at any place where he may be found within the state, to command the aid of all sheriffs and law enforcement officers in the execution of the warrant, and to deliver the accused subject to the provision of this section, to the duly authorized agent of the demanding state. (10) Every such officer or other person empowered to make the arrest shall have the same authority in arresting the accused to command assistance therein, as sheriffs and other officers have by law in the execution of any criminal process directed to them, with the like penalties against those who refuse their assistance. (11) No person arrested upon such warrant shall be delivered over to the agent whom the executive authority demanding him shall have appointed to receive him unless he has been informed of the demand made for his surrender, of the crime with which he is charged and that he has the right to demand legal counsel; and if the prisoner, his friends, or counsel shall state that he or they desire to test the legality of the arrest, the prisoner shall be taken forthwith before a judge of a court of record in this state who shall fix a reasonable time to be allowed him within which to apply for a writ of habeas corpus. And when such writ is applied for, notice thereof, and of the time and place of hearing thereon, shall be given to the public prosecuting officer of the county in which the arrest is made and in which the accused is in custody and to the said agent of the demanding state. (12) An officer who recklessly delivers to the agent for extradition of the demanding state a person in his custody under the governor's warrant in disobedience to subsection 11 of this section commits a Class B misdemeanor. (13) The officer or person executing the governor's warrant of arrest, or the agent of the demanding state to whom the prisoner may have been delivered, may, when necessary, confine the prisoner in the jail of any county or city through which he may pass; and the keeper of such jail must receive and safely keep the prisoner until the person having charge of him is ready to proceed on his route, such person being chargeable with the expense of keeping. (14) Whenever any person within this state shall be charged on the oath of any credible person before any judge of this state with the commission of a crime in any other state, and, except in cases arising under subsection 7 of this section, with having fled from justice, or whenever complaint shall have been made before any judge in this state setting forth on the affidavit of any credible person in another state that a treason or felony has been committed in such other state and that the accused has been charged in such state with the commission of the treason or felony, and, except in cases arising under subsection 7 of this section, has fled therefrom

and is believed to have been found in this state, the judge shall issue a warrant directed to the sheriff of the county in which the oath or complaint is filed directing him to apprehend the person charged, wherever he may be found in this state, and bring him before the same or any other judge, who may be convenient of access to the place where the arrest may be made, to answer the charge or complaint and affidavit. A certified copy of the sworn charge or complaint and affidavit upon which the warrant is issued shall be attached to the warrant. (15) The arrest of a person may be lawfully made also by an officer or a private citizen without a warrant upon reasonable information that the accused stands charged in the courts of another state with a crime punishable by death or imprisonment for a term exceeding one (1) year; but when so arrested the accused must be taken before a judge with all practicable speed, and complaint must be made against him under oath setting forth the ground for the arrest as in the last preceding subsection; and thereafter his answer shall be heard as if he has been arrested on warrant. (16) If from the examination before the judge, it appears that the person held is the person charged with having committed the crime alleged and that he probably committed the crime, and, except in cases arising under subsection 7 of this section, that he has fled from justice, the judge shall commit him to jail by a warrant reciting the accusation for such time specified in the warrant as will enable the arrest of the accused to be made under a warrant of the governor on a requisition of the executive authority of the state having jurisdiction of the offense, unless the accused gives bail as provided in subsection 17 of this section, or until he shall be legally discharged. (17) Unless the offense with which the prisoner is charged is shown to be an offense punishable by death or life imprisonment under the laws of the state in which it was committed, the judge must admit the person arrested to bail by bond or undertaking, with sufficient sureties, and in such sum as he deems proper, for his appearance before him at a time specified in such bond or undertaking, and for his surrender, to be arrested upon the warrant of the governor of this state. The prisoner shall not be admitted to bail after issuance of a warrant by the governor of this state. (18) If the accused is not yet arrested under warrant of the governor by the expiration of the time specified in the warrant, bond, or undertaking, the judge may discharge him or may recommit him to a further day, or may again take bail for his appearance and surrender, as provided in subsection 17 of this section; and at the expiration of the second period of commitment, or if he has been bailed and appeared according to the terms of his bond or undertaking, the judge may either discharge him, or may require him to enter into a new bond or undertaking, to appear and surrender himself at another day. (19) If the prisoner is admitted to bail and fails to appear and surrender himself according to the conditions of his bond, the court, by proper order, shall declare the bond forfeited; and recovery may be had thereon in the name of the state as in the case of other bonds or undertakings given by the accused in criminal proceedings within this state. (20) If a criminal prosecution has been instituted against such person under the laws of this state and is still pending, the governor at his discretion either may surrender him on the demand of the executive authority of another state or may hold him until he has been tried and discharged, or convicted and punished in this state. (21) The guilt or innocence of the accused as to the crime of which he is charged may not be inquired into by the governor or in any proceedings after the demand for extradition accompanied by a charge of crime in legal form as above provided shall have been presented to the governor, except as it may be involved in identifying the person held as the person charged with the crime. (22) The governor may recall his warrant of arrest or may issue another warrant whenever he deems proper. (23) Whenever the governor of this state shall demand a person charged with a crime in this state from the chief executive of any other state or from the chief justice or an associate justice of the Supreme Court of the District of Columbia authorized to receive such demand under the laws of the United States, he shall issue a warrant under the seal of this state to some agent commanding him to receive the person so charged if delivered to him and convey him to the proper officer of the county in this state in which the offense was committed. (24) When the return to this state of a person charged with a crime in this state is required, the prosecuting attorney of the county in which the offense is committed shall present to the governor his written application for a requisition for the return of the person charged, in which application shall be stated the name of the person so charged, the crime charged against him, the approximate time, place, and circumstances of its committal, the state in which he is believed to be, including the location of the accused therein at the time the application is made, and certifying that in the opinion of the said prosecuting attorney the ends of justice require the arrest and return of the accused to this state for trial, and that the proceeding is not instituted to enforce a private claim. The application shall be verified by affidavit, shall be executed in triplicate, and shall be accompanied by three (3) certified copies of the indictment returned, or information and affidavit filed, or of the complaint made to the magistrate, stating the offense with which the accused is charged. The prosecuting attorney may also attach such further affidavits and other documents in triplicate as he shall deem proper to be submitted with such application. One (1) copy of the application with the action of the governor indicated by the endorsement thereon and one (1) of the certified copies of the indictment or complaint or information and affidavit shall be filed in the office of the secretary of state to remain of record in that office. The other copies of all papers shall be forwarded with the governor's requisition. (25) The expenses shall be paid out of the general fund of the county treasury of the county wherein the crime is alleged to have been committed. The expenses shall be the fees paid to the officers of the state on whose governor the requisition is made, as now provided by law, for all necessary travel in returning such prisoner. (26) A person brought into this state on extradition based on a criminal charge shall not be subject to service of personal process in civil actions arising out of the same facts as the criminal proceeding to answer for which he is returned until he has been convicted in the criminal proceeding, or if acquitted, until he has had ample opportunity to return to the state from which he was extradited. (27) After a person has been brought back to this state upon extradition proceedings, he may be tried in this state for other crimes which he may be charged with having committed here, as well as that specified in the requisition for his extradition. (28) This section shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it. (29) Nothing in this section contained shall be deemed to constitute a waiver by the state of its right, power, or privilege to regain custody of such person by extradition proceedings or otherwise for the purpose of trial, sentence, or punishment for any crime committed within this state, nor shall any proceedings had

under this section which result in, or fail to result in, extradition be deemed a waiver by this state of any of its rights, privileges, or jurisdiction in any way whatsoever. (30) This section may be cited as the Uniform Criminal Extradition Act. As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.178-1984, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 10. Securing Attendance of Defendants and Uniform Extradition Act35-33-10-4. Agreement on Detainers; Defendants Confined in Other Jurisdiction of United States

Sec. 4. Securing attendance of defendants confined as prisoners in institutions of other jurisdictions of the United States■Agreement on detainers. Text of the Agreement of Detainers The contracting states solemnly agree that: Article 1 The party states find that charges outstanding against a prisoner, detainers based on untried indictments, informations, or complaints, and difficulties in securing speedy trial of persons already incarcerated in other jurisdictions, produce uncertainties which obstruct programs of prisoner treatment and rehabilitation. Accordingly, it is the policy of the party states and the purpose of this agreement to encourage the expeditious and orderly disposition of such charges and determination of the proper status of any and all detainers based on untried indictments, informations or complaints. The party states also find that proceedings with reference to such charges and detainers, when emanating from another jurisdiction, cannot properly be had in the absence of cooperative procedures. It is the further purpose of this agreement to provide such cooperative procedures. Article 2 As used in this agreement: (a) "State" shall mean a state of the United States; the United States of America; a territory or possession of the United States; the District of Columbia; the Commonwealth of Puerto Rico. (b) "Sending state" shall mean a state in which a prisoner is incarcerated at the time he initiates a request for final disposition pursuant to Article 3 of this section or at the time that a request for custody or availability is initiated pursuant to Article 4 hereof. (c) " Receiving state" shall mean the state in which trial is to be had on an indictment, information or complaint pursuant to Article 3 or Article 4 hereof. Article 3 (a) Whenever a person has entered upon a term of imprisonment in a penal or correctional institution of a party state, and whenever during the continuance of the term of imprisonment there is pending in any other party state any untried indictment, information or complaint on the basis of which a detainer has been lodged against the prisoner, he shall be brought to trial within one hundred eighty (180) days after he shall have caused to be delivered to the prosecuting officer and the appropriate court of the prosecuting officer's jurisdiction written notice of the place of his imprisonment and his request for a final disposition to be made of the indictment, information or complaint; provided that for good cause shown in open court, the prisoner or his counsel being present, the court having jurisdiction of the matter may grant any necessary or reasonable continuance. The request of the prisoner shall be accompanied by a certificate of the appropriate official having custody of the prisoner, stating the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner, and any decisions of the state parole agency relating to the prisoner. (b) The written notice and request for final disposition referred to in paragraph (a) hereof shall be given or sent by the prisoner to the warden, commissioner of correction or other official having custody of him, who shall promptly forward it together with the certificate to the appropriate prosecuting official and court by registered or certified mail, return receipt requested. (c) The warden, commissioner of correction or other official having custody of the prisoner shall promptly inform him of the source and contents of any detainer lodged against him and shall also inform him of his right to make a request for final disposition of the indictment, information or complaint on which the detainer is based. (d) Any request for final disposition made by a prisoner pursuant to paragraph (a) hereof shall operate as a request for final disposition of all untried indictments, information or complaints on the basis of which detainers have been lodged against the prisoner from the state to whose prosecuting official the request for final disposition is specifically directed. The warden, commissioner of correction or other official having custody of the prisoner shall forthwith notify all appropriate prosecuting officers and courts in the several jurisdictions within the state to which the prisoner's request for final disposition is being sent of the proceeding being initiated by the prisoner. Any notification sent pursuant to this paragraph shall be accompanied by copies of the prisoner's written notice, request and the certificate. If trial is not had on any indictment, information or complaint contemplated hereby prior to the return of the prisoner to the original place of imprisonment, such indictment, information or complaint shall not be of any further force or effect, and the court shall enter an order dismissing the same with prejudice. (e) Any request for final disposition made by a prisoner pursuant to paragraph (a) hereof shall also be deemed to be a waiver of extradition with respect to any charge or proceeding contemplated thereby or included therein by reason of paragraph (d) hereof, and a waiver of extradition to the receiving state to serve any sentence there imposed upon him, after completion of his term of imprisonment in the sending state. The request for final disposition shall also constitute a consent by the prisoner to the production of his body in any court where his presence may be required in order to effectuate the purposes of this agreement and a further consent voluntarily to be returned to the original place of imprisonment in accordance with the provisions of this agreement. Nothing in this paragraph shall prevent the imposition of a concurrent sentence if otherwise permitted by law. (f) Escape from custody by the prisoner subsequent to his execution of the request for final disposition referred to in paragraph (a) hereof shall void the request. Article 4 (a) The appropriate officer of the jurisdiction in which an untried indictment, information or complaint is pending shall be entitled to have a prisoner against whom he has lodged a detainer and who is serving a term of imprisonment in any party state made available in accordance with Article 5 (a) hereof upon presentation of a written request for temporary custody or availability to the appropriate authorities of the state in which the prisoner is incarcerated; provided that the court having jurisdiction of such indictment, information or complaint shall have duly approved, recorded and transmitted the request; and provided further that there shall be a period of thirty (30) days after receipt by the appropriate authorities before the request be honored, within which period the governor of the sending state may disapprove the request for

temporary custody of availability, either upon his own motion or upon motion of the prisoner. (b) Upon receipt of the officer's written request as provided in paragraph (a) hereof, the appropriate authorities having the prisoner in custody shall furnish the officer with a certificate stating the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner, and any decisions of the state parole agency relating to the prisoner. Said authorities simultaneously shall furnish all other officers and appropriate courts in the receiving state who have lodged detainers against the prisoner with similar certificates and with notices informing them of the request for custody or availability and of the reasons therefor. (c) In respect of any proceeding made possible by this Article, trial shall be commenced within one hundred twenty (120) days of the arrival of the prisoner in the receiving state, but for good cause shown in open court, the prisoner or his counsel being present, the court having jurisdiction of the matter may grant any necessary or reasonable continuance. (d) Nothing contained in this Article shall be construed to deprive any prisoner of any right which he may have to contest the legality of his delivery as provided in paragraph (a) hereof, but such delivery may not be opposed or denied on the ground that the executive authority of the sending state has not affirmatively consented to or ordered such delivery. (e) If trial is not had on any indictment, information or complaint contemplated hereby prior to the prisoner's being returned to the original place of imprisonment pursuant to Article 5 (e) hereof, such indictment, information or complaint shall not be of any further force or effect, and the court shall enter an order dismissing the same with prejudice. Article 5 (a) In response to a request made under Article 3 or Article 4 hereof, the appropriate authority in a sending state shall offer to deliver temporary custody of such prisoner to the appropriate authority in the state where such indictment, information or complaint is pending against such person in order that speedy and efficient prosecution may be had. If the request for final disposition is made by the prisoner, the offer of temporary custody shall accompany the written notice provided for in Article 3 of this agreement. In the case of a federal prisoner, the appropriate authority in the receiving state shall be entitled to temporary custody as provided by this agreement or to the prisoner's presence in federal custody at the place for trial, whichever custodial arrangement may be approved by the custodian. (b) The officer or other representative of a state accepting an offer of temporary custody shall present the following upon demand: (1) Proper identification and evidence of his authority to act for the state into whose temporary custody the prisoner is to be given. (2) A duly certified copy of the indictment, information or complaint on the basis of which the detainer has been lodged and on the basis of which the request for temporary custody of the prisoner has been made. (c) If the appropriate authority shall refuse or fail to accept temporary custody of said person, or in the event that an action on the indictment, information or complaint on the basis of which the detainer has been lodged is not brought to trial within the period provided in Article 3 or Article 4 hereof, the appropriate court of the jurisdiction where the indictment, information or complaint has been pending shall enter an order dismissing the same with prejudice, and any detainer based thereon shall cease to be of any force or effect. (d) The temporary custody referred to in this agreement shall be only for the purpose of permitting prosecution on the charge or charges contained in one or more untried indictments, informations of complaints which form the basis of the detainer or detainers or for prosecution on any other charge or charges arising out of the same transaction. Except for his attendance at court and while being transported to or from any place at which his presence may be required, the prisoner shall be held in a suitable jail or other facility regularly used for persons awaiting prosecution. (e) At the earliest practicable time consonant with the purposes of this agreement, the prisoner shall be returned to the sending state. (f) During the continuance of temporary custody or while the prisoner is otherwise being made available for trial as required by this agreement, time being served on the sentence shall continue to run but good time shall be earned by the prisoner only if, and to the extent that, the law and practice of the jurisdiction which imposed the sentence may allow. (g) For all purposes other than that for which temporary custody as provided in this agreement is exercised, the prisoner shall be deemed to remain in the custody of and subject to the jurisdiction of the sending state and any escape from temporary custody may be dealt with in the same manner as an escape from the original place of imprisonment or in any other manner permitted by law. (h) From the time that a party state receives custody of a prisoner pursuant to this agreement until such prisoner is returned to the territory and custody of the sending state, the state in which the one or more untried indictments, informations or complaints are pending or in which trial is being had shall be responsible for the prisoner and shall also pay all costs of transporting, caring for, keeping and returning the prisoner. The provisions of this paragraph shall govern unless the states concerned shall have entered into a supplementary agreement providing for a different allocation of costs and responsibilities as between or among themselves. Nothing herein contained shall be construed to alter or affect any internal relationship among the departments, agencies and officers of and in the government of a party state, or between a party state and its subdivision, as to the payment of costs, or responsibilities therefor. Article 6 (a) In determining the duration and expiration dates of the time periods provided in Articles 3 and 4 of this agreement, the running of said time periods shall be tolled whenever and for as long as the prisoner is unable to stand trial, as determined by the court having jurisdiction of the matter. (b) No provision of this agreement, and no remedy made available by this agreement, shall apply to any person who is adjudged to be mentally ill. Article 7 Each state party to this agreement shall designate an officer who, acting jointly with like officers of other party states, shall promulgate rules and regulations to carry out more effectively the terms and provisions of this agreement, and who shall provide, within and without the state, information necessary to the effective operation of this agreement. Article 8 This agreement shall enter into full force and effect as to a party state when such state has enacted the same into law. A state party to this agreement may withdraw herefrom by enacting a statute repealing the same. However, the withdrawal of any state shall not affect the status of any proceedings already initiated by inmates or by state officers at the time such withdrawal takes effect, nor shall it affect their rights in respect thereof. Article 9 1. This agreement shall be liberally construed so as to effectuate its purposes. The provisions of this agreement shall be severable and if any phrase, clause, sentence or provision of this agreement is declared to be contrary to the constitution of any party state or of the United States or the applicability

thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this agreement and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this agreement shall be held contrary to the constitution of any state party hereto, the agreement shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. 2. The phrase "appropriate court" as used in the agreement on detainers shall, with reference to the courts of this state, mean any court with criminal jurisdiction. 3. All courts, departments, agencies, officers and employees of this state and its political subdivision are hereby directed to enforce the agreement on detainers and to cooperate with one another and with other party states in enforcing the agreement and effectuating its purposes. 4. Escape from custody while in another state pursuant to the agreement on detainers shall constitute an offense against the laws of this state to the same extent and degree as an escape from the institution in which the prisoner was confined immediately prior to having been sent to another state pursuant to the provisions of the agreement on detainers and shall be punishable in the same manner as an escape from said institution. 5. It shall be lawful and mandatory upon the warden or other official in charge of a penal or correctional institution in this state to give over the person of any inmate hereof whenever so required by the operation of the agreement on detainers. 6. The governor is hereby authorized and empowered to designate an administrator who shall perform the duties and functions and exercise the powers conferred upon such person by Article 7 of the agreement on detainers. 7. In order to implement Article 4(a) of the agreement on detainers, and in furtherance of its purposes, the appropriate authorities having custody of the prisoner shall, promptly upon receipt of the officer's written request notify the prisoner and the governor in writing that a request for temporary custody has been made and such notification shall describe the source and contents of said request. The authorities having custody of the prisoner shall also advise him in writing of his rights to counsel, to make representations to the governor within thirty (30) days, and to contest the legality of his delivery. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 10. Securing Attendance of Defendants and Uniform Extradition Act35-33-10-5. Defendants Confined in Federal Institutions

Sec. 5. Securing Attendance of Defendant Confined in Federal Institutions. (1) A defendant against whom a criminal action is pending in a court of record of this state, and who is confined in a federal prison or other institution either within or outside this state, may, with the consent of the attorney general of the United States, be produced in such court for the purpose of criminal prosecution, pursuant to the provisions of: (a) Section four thousand eighty-five of title eighteen of the United States Code as in effect on July 26, 1973; or (b) subsection 2 of this section. (2) When such a defendant is in federal custody as specified in subsection 1, a court in which the criminal action against such defendant is pending, may, upon application of the prosecuting attorney of such county, issue a certificate, known as a writ of habeas corpus ad prosequendum, addressed to the attorney general of the United States, certifying that such defendant has been charged by indictment or information filed against him in the specified court with the offense or offenses alleged therein, and that attendance of the defendant in such court for the purpose of criminal prosecution thereon is necessary in the interest of justice and requesting the attorney general of the United States to cause such defendant to be produced in such court, under custody of a federal public servant, upon a designated date and for a period of time necessary to complete the prosecution. Upon issuing such a certificate, the court may deliver it, or cause or authorize it to be delivered, together with a certified copy of the indictment or information upon which it is based, to the attorney general of the United States or to his representative authorized to entertain the request. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 10. Securing Attendance of Defendants and Uniform Extradition Act35-33-10-6. Defendants Outside United States

Sec. 6. Securing Attendance of Defendants Who Are Outside The United States. (1) When a criminal action for a crime committed in this state is pending in a court of this state with jurisdiction over the crime against a defendant who is in a foreign country with which the United States has an extradition treaty, and when the indictment or information charges a crime which is specified in such treaty as an extraditable one, the prosecuting attorney of the county in which such crime was allegedly committed may make an application to the governor, requesting him to make an application to the president of the United States to institute extradition proceedings for the return of the defendant to this country and state for the purpose of prosecution of such action. The prosecuting attorney's application must comply with any rules, regulations and guidelines established by the governor for such applications and must be accompanied by all the documents required by such rules, regulations and guidelines. (2) Upon receipt of the prosecuting attorney's application, the governor if satisfied that the defendant is in the foreign country in question, that the crime charged is an extraditable one pursuant to the treaty in question, and that there are no factors or impediments which in law preclude such an extradition, may in his discretion make an application, addressed to the secretary of state of the United States, requesting that the president of the United States institute extradition proceedings for the return of the defendant from such foreign country. The governor's application must comply with any rules, regulations and guidelines established by the secretary of state for such applications and must be accompanied by all the documents required by such rules, regulations and guidelines. (3) If the governor's application is granted and the extradition is achieved or attempted, all expenses incurred therein must be borne by the county from which the application emanated. (4) The provisions of this section apply equally to extradition or attempted extradition of a person who is a fugitive following the entry of a judgment of conviction against him in a criminal court of this state. As added by Acts 1981, P.L.298, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 10. Securing Attendance of Defendants and Uniform Extradition Act35-33-10-7. Corporate Defendants

Sec. 7. Securing Attendance of Corporate Defendants. (1) The court attendance of a corporation for purposes of commencing or prosecuting a criminal action against it may be accomplished by the issuance and service of a summons. (a) A corporation shall be deemed in attendance for purposes of commencing or prosecuting a criminal action against it whenever an officer, director or counsel for such corporation is present. If such officer, director or counsel fails or refuses to appear, the court shall proceed with trial and judgment. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 11. Emergency Transfer of Certain Jail Inmates35-33-11-1. Inmate in County Jail in Imminent Danger of Serious Bodily Injury or Death or Represents Substantial Threat to Safety of Others

Sec. 1. Upon motion by the: (1) sheriff; (2) prosecuting attorney; (3) defendant or his counsel; (4) attorney general; or (5) court; alleging that an inmate in a county jail awaiting trial is in danger of serious bodily injury or death or represents a substantial threat to the safety of others, the court shall determine whether the inmate is in imminent danger of serious bodily injury or death, or represents a substantial threat to the safety of others. If the court finds that the inmate is in danger of serious bodily injury or death or represents a substantial threat to the safety of others, it shall order the sheriff to transfer the inmate to another county jail or to a facility of the department of correction designated by the commissioner of the department as suitable for the confinement of that prisoner and provided that space is available. For the purpose of this chapter, an inmate is not considered in danger of serious bodily injury or death due to an illness or other medical condition. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 11. Emergency Transfer of Certain Jail Inmates35-33-11-10. Discipline of Prisoners Awaiting Trial

Sec. 10. The department of correction or other receiving sheriff may discipline prisoners awaiting trial as authorized under IC 35-50. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 11. Emergency Transfer of Certain Jail Inmates35-33-11-2. Posttransfer Hearing

Sec. 2. The inmate or receiving authority is entitled to a posttransfer hearing upon request. The inmate may refuse a transfer if the only issue is his personal safety. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 11. Emergency Transfer of Certain Jail Inmates35-33-11-3. Overcrowding or Inadequacy of Local Penal Facility

Sec. 3. Upon petition by the sheriff alleging that: (1) the local penal facility is overcrowded or otherwise physically inadequate to house inmates; and (2) another sheriff or the commissioner of the department of correction has agreed to accept custody of inmates from the sheriff; the court may order inmates transferred to the custody of the person who has agreed to accept custody. Whenever a transfer order is necessary under this section, only inmates serving a sentence after conviction for a crime may be transferred, unless the overcrowding or inadequacy of the facility also requires transfer of inmates awaiting trial or sentencing. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 11. Emergency Transfer of Certain Jail Inmates35-33-11-4. Return to County Jail

Sec. 4. Whenever the court finds that the circumstances which necessitated a transfer under this chapter no longer exist, it shall order the sheriff to return the inmate to the county jail from which he was transferred. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 11. Emergency Transfer of Certain Jail Inmates35-33-11-5. Transportation to and From Facilities; Payment of Costs by County

Sec. 5. When an inmate is transferred under this chapter, the sheriff of the county from which the inmate is transferred shall be responsible for transporting the inmates to and from the other facility. If the sheriff is unable to adequately protect the inmate during the transfer, the sheriff or the court may request assistance from any other law enforcement agency. The county which transfers an inmate shall pay: (1) a per diem of the average daily cost of housing a prisoner at the facility to which the inmate has been assigned; and (2) any additional costs reasonably necessary to maintain the health and welfare of a transferred inmate. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 11. Emergency Transfer of Certain Jail Inmates35-33-11-6. Delivery of Data With Prisoner

Sec. 6. When an inmate is transferred under this chapter, the sheriff of the county from which the inmate is received shall deliver

with the prisoner a certified copy of the order, a current medical report, if available, and other data relating the proper medical care and classification of the inmate that is established as necessary by written policy of the department of correction or the receiving institution, pertaining to the health, safety, and proper confinement of safekeepers. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 11. Emergency Transfer of Certain Jail Inmates35-33-11-7. Notice of Subsequent Transfer

Sec. 7. The department of correction will notify the sheriff of the county and judge of the court from which the inmate was transferred of any subsequent transfer of a prisoner within the department of correction necessary to assure the purposes of the original transfer. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 11. Emergency Transfer of Certain Jail Inmates35-33-11-8. Assignment of Prisoners Serving Sentence to Program or Work

Sec. 8. Prisoners serving a sentence after a conviction and transfer to the department or other receiving institution may be assigned to any program or work consistent with procedures and requirements for other prisoners committed to the department or other receiving institution. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 11. Emergency Transfer of Certain Jail Inmates35-33-11-9. Assignment of Prisoners Awaiting Trial to Program or Work

Sec. 9. Prisoners awaiting trial may be allowed to work or be assigned to programs consistent with the rights regarding prisoners awaiting trial. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 14. County Extradition and Sheriff's Assistance Fund35-33-14-1. Establishment

Sec. 1. There is established in each county a county extradition and sheriff's assistance fund. As added by P.L.355-1989(ss), SEC.15. Amended by P.L.42-2013, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 14. County Extradition and Sheriff's Assistance Fund35-33-14-2. Purpose

Sec. 2. The county extradition and sheriff's assistance fund is established for the following purposes: (1) Providing funding to offset the costs of extraditing criminal defendants. (2) Providing funding to train and equip law enforcement officers in the county. (3) Providing funding to offset other costs incurred by the county sheriff's department in providing law enforcement services. Money in the fund may not be used for any other purpose. As added by P.L.355-1989(ss), SEC.15. Amended by P.L.42-2013, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 14. County Extradition and Sheriff's Assistance Fund35-33-14-3. Administration

Sec. 3. The county auditor shall administer the fund. As added by P.L.355-1989(ss), SEC.15.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 14. County Extradition and Sheriff's Assistance Fund35-33-14-4. Reversion of Fund Money

Sec. 4. Money in the fund at the end of a particular calendar year does not revert to any other fund, but remains in the county extradition and sheriff's assistance fund. As added by P.L.355-1989(ss), SEC.15. Amended by P.L.168-2014, SEC.53.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 14. County Extradition and Sheriff's Assistance Fund35-33-14-5. Composition of Fund

Sec. 5. The fund consists of the portion of late surrender fees deposited in the fund under IC 27-10-2-12(i). As added by P.L.355-1989(ss), SEC.15.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 2. Arrest Warrants35-33-2-1. Grounds; Indictment or Information Filed; Probable Cause

Sec. 1. (a) Except as provided in chapter 4 of this article, whenever an indictment is filed and the defendant has not been arrested or otherwise brought within the custody of the court, the court, without making a determination of probable cause, shall issue a warrant for the arrest of the defendant. (b) Whenever an information is filed and the defendant has not been arrested or otherwise brought within the custody of the court, the court shall issue a warrant for the arrest of the defendant after first determining that probable cause exists for the arrest. (c) No warrant for arrest of a person may be issued until: (1) an indictment has been found charging him with the commission of an offense; or (2) a judge has determined that probable cause exists that the person committed a crime and an information has been filed charging him with a crime. As added by Acts 1981, P.L.298, SEC.2.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 2. Arrest Warrants35-33-2-2. Contents; Form

Sec. 2. (a) A warrant of arrest shall: (1) be in writing; (2) specify the name of the person to be arrested, or if his name is unknown, shall designate such person by any name or description by which he can be identified with reasonable certainty; (3) set forth the nature of the offense for which the warrant is issued; (4) state the date and county of issuance; (5) be signed by the clerk or the judge of the court with the title of his office; (6) command that the person against whom the indictment or information was filed be arrested and brought before the court issuing the warrant, without unnecessary delay; (7) specify the amount of bail, if any; and (8) be directed to the sheriff of the county. (b) An arrest warrant may be in substantially the following form: TO: _____ You are hereby commanded to arrest _____ forthwith, and hold that person to bail in the sum of _____ dollars, to answer in the _____ Court of _____ County, in the State of Indiana, an information or indictment for _____. And for want of bail commit him to the jail of the County, and thereafter without unnecessary delay to bring him before the said court. IN WITNESS WHEREOF, I, _____ (Clerk/Judge) of said Court, hereto affix the seal thereof, and subscribe my name at _____ this _____ day of _____ A.D. 20__. _____ Clerk or Judge of the Court As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.2-2005, SEC.115.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 2. Arrest Warrants35-33-2-3. Issuance; Service or Arrests; Forcible Entry; Wrongful Entry, Recovery of Damages

Sec. 3. (a) The warrant is issued to the sheriff of the county where the indictment or information is filed. This warrant may be served or arrests on it made: (1) by any law enforcement officer; (2) on any day of the week; and (3) at any time of the day or night. (b) A law enforcement officer may break open any outer or inner door or window in order to execute an arrest warrant, if the officer is not admitted following an announcement of the officer's authority and purpose. (c) The accused person shall be delivered to the sheriff of the county in which the indictment or information was filed, and the sheriff shall commit the accused person to jail or hold the accused person to bail as provided in this article. (d) A person or persons whose property is wrongfully damaged or whose person is wrongfully injured by any law enforcement officer or officers who wrongfully enter may recover such damage from the responsible authority and the law enforcement officer or officers as the court may determine. The action may be filed in the circuit court or superior court in the county where the wrongful entry took place. As added by Acts 1981, P.L.298, SEC.2. Amended by Acts 1982, P.L.204, SEC.8; P.L.320-1983, SEC.4; P.L.201-2011, SEC.110.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 2. Arrest Warrants35-33-2-4. Expiration; Reissuance

Sec. 4. A warrant of arrest for a misdemeanor expires one hundred eighty (180) days after it is issued. A warrant of arrest for a felony and a rearrest warrant for any offense do not expire. A sheriff who has an expired warrant shall make a return on the warrant stating that it has expired and shall return it to the clerk of the court that issued it. The clerk shall enter the fact that the warrant has expired in his records and shall notify the prosecuting attorney of the county that the warrant has expired. Upon request of the prosecuting attorney, the court shall issue another warrant. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 2. Arrest Warrants35-33-2-5. Dismissal of Information or Indictment; Return

Sec. 5. When an information or indictment has been dismissed, the court shall order the sheriff to make a return on any outstanding arrest warrant or summons issued regarding a charge stating that the charge has been dismissed. The sheriff shall notify any law enforcement officer to whom the arrest warrant or summons has been delivered that it has been revoked. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 3. Uniform Act on Fresh Pursuit35-33-3-1. Officer of Another State in Fresh Pursuit; Authority to Arrest in This State

Sec. 1. Any member of a duly organized state, county or municipal peace unit of another state who enters this state in fresh pursuit, and continues within this state in such fresh pursuit of a person in order to arrest him on ground that he is believed to have committed a felony in the other state, shall have the same authority to arrest and hold such person in custody as has any law enforcement officer of this state to arrest and hold in custody a person on the ground that he is believed to have committed a felony in this state. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 3. Uniform Act on Fresh Pursuit35-33-3-2. Hearing Before Judge; Commitment for Extradition or Discharge

Sec. 2. If an arrest is made in this state by an officer of another state in accordance with the provisions of section 1 of this chapter, he shall, without unnecessary delay, take the person arrested before a judge of the county in which the arrest was made. The judge shall conduct a hearing for the purpose of determining the lawfulness of the arrest. If the judge determines that the arrest was lawful,

he shall commit the person arrested to await for a reasonable time the issuance of an extradition warrant by the governor of this state. If the judge determines that the arrest was unlawful, he shall discharge the person arrested. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 3. Uniform Act on Fresh Pursuit35-33-3-3. Lawfulness of Arrest

Sec. 3. Section 1 of this chapter shall not be construed so as to make unlawful any arrest in this state which otherwise would be lawful. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 3. Uniform Act on Fresh Pursuit35-33-3-4. "State" Defined

Sec. 4. For the purpose of this chapter, the word "state" shall include the District of Columbia. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 3. Uniform Act on Fresh Pursuit35-33-3-5. "Fresh Pursuit" Defined

Sec. 5. The term "fresh pursuit" as used in this chapter shall include fresh pursuit as defined by the common law, and also the pursuit of a person who has committed a felony or who reasonably is suspected of having committed a felony. It shall also include the pursuit of a person suspected of having committed a supposed felony, though no felony actually has been committed, if there is reasonable ground for believing that a felony has been committed. Fresh pursuit shall not necessarily imply instant pursuit, but pursuit without unreasonable delay. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 3. Uniform Act on Fresh Pursuit35-33-3-6. Certified Copies of Chapter to Other States

Sec. 6. It shall be the duty of the secretary of state to certify a copy of this chapter to the executive department of each of the states of the United States. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 3. Uniform Act on Fresh Pursuit35-33-3-7. Short Title

Sec. 7. This chapter may be cited as the uniform act on fresh pursuit. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 4. Summons and Promise to Appear in Lieu of Arrest Warrant35-33-4-1. Summons in Lieu of Arrest Warrant; Contents; Service; Return; Failure to Appear; Forms

Sec. 1. (a) When an indictment or information is filed against a person charging him with a misdemeanor, the court may, in lieu of issuing an arrest warrant under IC 35-33-2, issue a summons. The summons must set forth substantially the nature of the offense, and command the accused person to appear before the court at a stated time and place. However, the date set by the court must be at least seven (7) days after the issuance of the summons. The summons may be served in the same manner as the summons in a civil action. (b) If the person summoned fails, without good cause, to appear as commanded by the summons and the court has determined that there is probable cause to believe that a crime (other than failure to appear) has been committed, the court shall issue a warrant of arrest. (c) If after issuing a summons the court: (1) is satisfied that the person will not appear as commanded by the summons; and (2) has determined that there is probable cause that a crime (other than failure to appear) has been committed; it may at once issue a warrant of arrest. (d) The summons may be in substantially the following form: STATE OF INDIANA) IN THE _____ COURT) vs.) OF _____ COUNTY) _____) Defendant) CAUSE NO. _____ SUMMONS THE STATE OF INDIANA TO THE ABOVE NAMED DEFENDANT: YOU ARE HEREBY SUMMONED, to appear before the above designated Court at _____, _____, _____ at _____ ___.m. on (day) _____, _____, 20___, with respect to an (information or indictment) for _____. If you do not so appear, an application may be made for the Issuance of a Warrant for your arrest. ISSUED: _____ ___, 20___ in (City or County) _____, _____ BY THE CLERK OF SAID COURT: _____ CLERK (e) When any law enforcement officer in the state serves a summons on a person, he shall file a return of service with the court issuing the summons. The return shall be in substantially the following form: RETURN OF SERVICE I hereby certify that I served this summons upon the above named defendant by delivering a copy of it and of the Information to the defendant personally or by certified mail return receipt requested, on _____ _____, 20___, at ____, _____. DATED: _____ ___, 20___. (Signature) _____ _____ LAW ENFORCEMENT AGENCY (f) In lieu of arresting a person who has allegedly committed a misdemeanor (other than a traffic misdemeanor) in his presence, a law enforcement officer may issue a summons and promise to appear. The summons must set forth substantially the nature of the offense and direct the person to appear before a court at a stated place and time. (g) The summons and promise to appear may be in substantially the following form: STATE OF INDIANA) IN THE _____ COURT) vs.) OF _____ COUNTY) _____) Defendant) SUMMONS AND PROMISE TO APPEAR YOU ARE

HEREBY SUMMONED, to appear before the above designated Court at _____ (Address) at _____ .m. on _____, Month Day 20___, in respect to the charge of _____ _____. If you do not so appear, an application may be made for the issuance of a warrant for your arrest. ISSUED:_____, 20 ____, in _____, Indiana (City or County) BY THE UNDERSIGNED LAW ENFORCEMENT OFFICER: _____ Officer's Signature I.D. No. _____ Div. Dist. _____ Police Agency _____ COURT APPEARANCE I promise to appear in court at the time and place designated above, or be subject to arrest. Signature _____ YOUR SIGNATURE IS NOT AN ADMISSION OF GUILT. (h) When any law enforcement officer issues a summons and promise to appear, he shall: (1) promptly file the summons and promise to appear and the certificate of service with the court designated in the summons and promise to appear; and (2) provide the prosecuting attorney with a copy thereof. As added by Acts 1981, P.L.298, SEC.2. Amended by Acts 1982, P.L.204, SEC.9; P.L.320-1983, SEC.5; P.L.2-2005, SEC.116.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The amendments made to section 5 of this chapter by P.L.17-2001 apply to all actions of a law enforcement agency taken after June 30, 2001. As added by P.L.220-2011, SEC.584.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-0.5. Definitions

Sec. 0.5. The following definitions apply throughout this chapter: (1) "Electronic communication service" means a service that provides users with the ability to send or receive wire or electronic communications. (2) "Electronic storage" means any storage of electronic user data on a computer, computer network, or computer system regardless of whether the data is subject to recall, further manipulation, deletion, or transmission. "Electronic storage" includes any storage or electronic communication by an electronic communication service or a remote computing service. (3) "Electronic user data" means any data or records that are in the possession, care, custody, or control of a provider of an electronic communication service, a remote computing service, or any other service or program that stores, uses, collects, or safeguards electronic user data. (4) "Governmental entity" has the meaning set forth in IC 35-31.5-2-144. For purposes of this chapter, "governmental entity" also includes a person authorized to act on behalf of a state or local agency. (5) "Intercept" means to acquire geolocation data through the use of an electronic device, mechanical device, or other device. (6) "Remote computing service" means the provision to the public of computer storage or processing services by means of an electronic communication service. (7) "Use of an unmanned aerial vehicle" means the use of an unmanned aerial vehicle by a law enforcement officer to obtain evidence relevant to the enforcement of statutes, rules, or regulations. The term includes: (A) the interception of wire, electronic, or oral communications; and (B) the capture, collection, monitoring, or viewing of images. (8) "User" means any person who: (A) uses an electronic communication service, remote computing service, geolocation information service, or an electronic device; and (B) may or may not be the person or entity having legal title, claim, or right to the electronic device or electronic user data. As added by P.L.170-2014, SEC.16. Amended by P.L.107-2017, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-1. Issuance by Court; Probable Cause; Oath and Affirmation; "Place" Defined; Objects of Search

Sec. 1. (a) A court may issue warrants only upon probable cause, supported by oath or affirmation, to search any place for any of the following: (1) Property which is obtained unlawfully. (2) Property, the possession of which is unlawful. (3) Property used or possessed with intent to be used as the means of committing an offense or concealed to prevent an offense from being discovered. (4) Property constituting evidence of an offense or tending to show that a particular person committed an offense. (5) Any person. (6) Evidence necessary to enforce statutes enacted to prevent cruelty to or neglect of children. (7) A firearm possessed by a person who is dangerous (as defined in IC 35-47-14-1). (b) As used in this section, "place" includes any location where property might be secreted or hidden, including buildings, persons, or vehicles. As added by Acts 1981, P.L.298, SEC.2. Amended by Acts 1982, P.L.204, SEC.10; P.L.187-2005, SEC.1; P.L.1-2006, SEC.526.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-10. Admissibility of Evidence; Unmanned Aerial Vehicles

Sec. 10. The following are not admissible as evidence in an administrative or judicial proceeding: (1) A communication or an image that is obtained through the use of an unmanned aerial vehicle in violation of section 9 of this chapter. (2) Evidence derived from a communication or an image described in subdivision (1). As added by P.L.170-2014, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-11. Electronic User Data Held in Electronic Storage

Sec. 11. (a) This subsection does not apply to electronic or video toll collection facilities or activities authorized under any of the following: (1) IC 8-15-2. (2) IC 8-15-3. (3) IC 8-15.5. (4) IC 8-15.7. (5) IC 8-16. (6) IC 9-21-3.5. A law enforcement officer may

not compel a user to provide a passkey, password, or keycode to any electronic communication service, electronic device, or electronic storage, or any form of stored electronic user data, without a valid search warrant issued by a judge using search warrant procedures. (b) A judge may issue a court order under this section for electronic user data held in electronic storage, including the records and information related to a wire communication or electronic communication held in electronic storage, by a provider of an electronic communication service or a provider of a remote computing service regardless of whether the user data is held at a location in Indiana or at a location in another state. (c) A judge may issue a court order under this section on a service provider that is a corporation or entity that is incorporated or organized under the laws of Indiana or a company or business entity doing business in Indiana under a contract or terms of a service agreement with an Indiana resident. The service provider shall produce all information sought, as required by the court order. (d) Any Indiana corporation that provides electronic communication services or remote computing services to the public shall comply with a valid court order issued in another state that is seeking the information described in this section, if the court order is served on the corporation. As added by P.L.170-2014, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-12. Use of Real Time Tracking Instruments; Geolocation Information

Sec. 12. (a) A law enforcement officer or law enforcement agency may not use a real time tracking instrument that is capable of obtaining geolocation information concerning a cellular device or a device connected to a cellular network unless: (1) the law enforcement officer or law enforcement agency has obtained an order issued by a court based upon a finding of probable cause to use the tracking instrument; or (2) exigent circumstances exist that necessitate using the tracking instrument without first obtaining a court order. (b) If a law enforcement officer or law enforcement agency uses a real time tracking instrument described in subsection (a) based upon the existence of exigent circumstances, the law enforcement officer or law enforcement agency shall seek to obtain an order issued by a court based upon a finding of probable cause not later than seventy-two (72) hours after the initial use of the real time tracking instrument. As added by P.L.170-2014, SEC.22.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-13. Immunity From Civil or Criminal Liability

Sec. 13. An electronic communication service, remote computing service, and geolocation information service are immune from civil or criminal liability for providing information or evidence as required by a court order under this chapter. As added by P.L.170-2014, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-14. Notice to News Media Concerning Search Warrants

Sec. 14. (a) For purposes of IC 34-46-4 (Journalist's Privilege Against Disclosure of Information Source) and subject to subsection (b), if: (1) a governmental entity requests that a court issue a search warrant to a provider of: (A) electronic communication service; or (B) remote computing service; and (2) the search warrant seeks information or communications concerning a news media entity or a person otherwise described in IC 34-46-4-1; the news media entity or person described in IC 34-46-4-1 shall be given reasonable and timely notice of the search warrant request and shall be given an opportunity to be heard by the court concerning the issuance of the search warrant before the search warrant is issued. (b) If: (1) the search warrant that would be issued to a provider described in subsection (a)(1) concerns a criminal investigation in which the news media entity or person described in IC 34-46-4-1 is a target of the criminal investigation; and (2) the notice that would be provided to the news media entity or person described in IC 34-46-4-1 under subsection (a) would pose a clear and substantial threat to the integrity of the criminal investigation; the governmental entity shall certify the threat to the court and notice of the search warrant shall be given to the news media entity or person described in IC 34-46-4-1 as soon as the court determines that the notice no longer poses a clear and substantial threat to the integrity of the criminal investigation. As added by P.L.170-2014, SEC.24.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-15. Provision of Geolocation Information; Law Enforcement Agency Request; Emergency Contact Information

Sec. 15. (a) As used in this section, "geolocation information" means data generated by an electronic device that can be used to determine the location of the electronic device or the owner or user of the electronic device. The term: (1) includes geolocation information generated by a: (A) cellular telephone; (B) wireless fidelity (wi-fi) equipped computer; (C) GPS navigation or tracking unit; or (D) similar electronic device; and (2) does not include the contents of a communication sent or received by an electronic device. (b) Upon the request of a law enforcement agency, a provider of electronic communications services used by an electronic device shall provide geolocation information in its possession concerning the electronic device or the owner or user of the electronic device to the law enforcement agency: (1) to allow a law enforcement agency to respond to a call for emergency services; or (2) in an emergency situation that involves the risk of: (A) death; or (B) serious bodily injury; to the owner or user or another individual. A law enforcement agency may make a request for geolocation information under this subsection without first obtaining a search warrant or another judicial order that would otherwise be required to obtain the geolocation information, if obtaining the search warrant or other judicial order would cause an unreasonable delay in responding to a call for emergency services or an emergency

situation. If a law enforcement agency makes a request for geolocation information under this subsection without first obtaining a search warrant or another judicial order, the law enforcement agency shall seek to obtain the search warrant or other judicial order issued by a court based upon a finding of probable cause that would otherwise be required to obtain the geolocation information not later than seventy-two (72) hours after making the request for the geolocation information. (c) Notwithstanding any other law, a provider of electronic communications services may establish protocols to respond to a law enforcement agency request for geolocation information made under this section. (d) A provider of electronic communications services or an officer, an employee, or an agent of a provider of electronic communications services that provides geolocation information to a law enforcement agency while responding to a request for geolocation information made under this section is not liable for civil damages arising from: (1) the provision of the geolocation information if the provision of the information is done in compliance with this section; or (2) any loss, damage, or other injury to person or property resulting from a disruption or loss of communications services during an emergency situation. (e) A provider of electronic communications services used by an electronic device that is qualified or registered to do business in Indiana and a person that resells or otherwise makes available the electronic communications services of the provider in Indiana shall submit emergency contact information to the state police department to facilitate a request for geolocation information made by a law enforcement agency under this section. The emergency contact information must be submitted to the state police department: (1) before January 1, 2017, and before January 1 of each year thereafter; and (2) as soon as possible any time a change occurs to the emergency contact information most recently submitted to the state police department. (f) The state police department shall: (1) maintain the emergency contact information submitted to the state police department under subsection (e); and (2) make the information immediately available to a state or local law enforcement agency. (g) The superintendent of the state police department may adopt rules under IC 4-22-2 necessary to implement this section. As added by P.L.57-2016, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-2. Affidavit; Descriptions; Information to Establish Credibility of Hearsay; Form

Sec. 2. (a) Except as provided in section 8 of this chapter, and subject to the requirements of section 11 of this chapter, if applicable, no warrant for search or arrest shall be issued until there is filed with the judge an affidavit: (1) particularly describing: (A) the house or place to be searched and the things to be searched for; or (B) particularly describing the person to be arrested; (2) alleging substantially the offense in relation thereto and that the affiant believes and has good cause to believe that: (A) the things sought are concealed there; or (B) the person to be arrested committed the offense; and (3) setting forth the facts known to the affiant through personal knowledge or based on hearsay, constituting the probable cause. (b) When based on hearsay, the affidavit must either: (1) contain reliable information establishing the credibility of the source and of each of the declarants of the hearsay and establishing that there is a factual basis for the information furnished; or (2) contain information that establishes that the totality of the circumstances corroborates the hearsay. (c) An affidavit for search substantially in the following form shall be treated as sufficient: STATE OF INDIANA)) SS: COUNTY OF _____) A B swears (or affirms, as the case may be) that he believes and has good cause to believe (here set forth the facts and information constituting the probable cause) that (here describe the things to be searched for and the offense in relation thereto) are concealed in or about the (here describe the house or place) of C D, situated in the county of _____, in said state. In accordance with Indiana Trial Rule 11, I affirm under the penalties for perjury that the foregoing representations are true. _____ (Signed) Affiant Date As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.177-1984, SEC.1; P.L.161-1990, SEC.1; P.L.1-1991, SEC.190; P.L.2-2005, SEC.117; P.L.170-2014, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-3. Form

Sec. 3. A search warrant in substantially the following form shall be sufficient: STATE OF INDIANA)) SS: COUNTY OF _____) IN THE _____ COURT OF _____ To _____ (herein insert the name, department or classification of the law enforcement officer to whom it is addressed) You are authorized and ordered, in the name of the State of Indiana, with the necessary and proper assistance to enter into or upon _____ (here describe the place to be searched), and there diligently search for _____ (here describe property which is the subject of the search). You are ordered to seize such property, or any part thereof, found on such search. Dated this ____ day of _____, 20___, at the hour of ___ __M. _____ (Signature of Judge) Executed this ___ day of ____, 20___, at the hour of ____ ___M. _____ (Signature of Law Enforcement Officer) As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.2-2005, SEC.118.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-4. Return; Initial Disposition of Property Seized

Sec. 4. When the warrant is executed by the seizure of property or things described in it or of any other items: (1) the officer who executed the warrant shall make a return on it directed to the court or judge, who issued the warrant, and this return must indicate the date and time served and list the items seized; and (2) the items so seized shall be securely held by the law enforcement agency whose officer executed the search warrant under the order of the court trying the cause, except as provided in section 5 of this chapter. As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.156-2020, SEC.128.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-5. Disposition of Property Held as Evidence; Preservation of Evidence of a Violent Offense That Could Be Subjected to DNA Testing; Records

Sec. 5. (a) All items of property seized by any law enforcement agency as a result of an arrest, search warrant, or warrantless search, shall be securely held by the law enforcement agency under the order of the court trying the cause, except as provided in this section. (b) Evidence that consists of property obtained unlawfully from its owner may be returned by the law enforcement agency to the owner before trial, in accordance with IC 35-43-4-4(h). (c) Following the final disposition of the cause at trial level or any other final disposition the following shall be done: (1) Property which may be lawfully possessed shall be returned to its rightful owner, if known. If ownership is unknown, a reasonable attempt shall be made by the law enforcement agency holding the property to ascertain ownership of the property. After ninety (90) days from the time: (A) the rightful owner has been notified to take possession of the property; or (B) a reasonable effort has been made to ascertain ownership of the property; the law enforcement agency holding the property shall, at a convenient time, dispose of this property at a public auction. The proceeds of this property shall be paid into the county general fund. (2) Except as provided in subsection (e), property, the possession of which is unlawful, shall be destroyed by the law enforcement agency holding it sixty (60) days after final disposition of the cause. (3) A firearm that has been seized from a person who is dangerous (as defined in IC 35-47-14-1) shall be retained, returned, or disposed of in accordance with IC 35-47-14. (d) Except as provided in subsection (g), if any property described in subsection (c) was admitted into evidence in the cause, the property shall be disposed of in accordance with an order of the court trying the cause. (e) A law enforcement agency may destroy or cause to be destroyed chemicals, controlled substances, or chemically contaminated equipment (including drug paraphernalia as described in IC 35-48-4-8.5) associated with the illegal manufacture of drugs or controlled substances without a court order if all the following conditions are met: (1) The law enforcement agency collects and preserves a sufficient quantity of the chemicals, controlled substances, or chemically contaminated equipment to demonstrate that the chemicals, controlled substances, or chemically contaminated equipment was associated with the illegal manufacture of drugs or controlled substances. (2) The law enforcement agency takes photographs of the illegal drug manufacturing site that accurately depict the presence and quantity of chemicals, controlled substances, and chemically contaminated equipment. (3) The law enforcement agency completes a chemical inventory report that describes the type and quantities of chemicals, controlled substances, and chemically contaminated equipment present at the illegal manufacturing site. The photographs and description of the property shall be admissible into evidence in place of the actual physical evidence. (f) For purposes of preserving the record of any conviction on appeal, a photograph demonstrating the nature of the property, and an adequate description of the property must be obtained before the disposition of the property. In the event of a retrial, the photograph and description of the property shall be admissible into evidence in place of the actual physical evidence. All other rules of law governing the admissibility of evidence shall apply to the photographs. (g) All evidence for a violent offense (as defined in IC 11-12-3.7-6) in the law enforcement agency's possession or control that could be subjected to DNA testing and analysis shall be preserved by the law enforcement agency for the later of the following: (1) Twenty (20) years from the date the defendant's conviction becomes final. (2) The period of the defendant's incarceration. In cases where an investigation did not result in a conviction, the evidence shall be preserved until the expiration of the statute of limitations for the alleged offense. If the preservation of the evidence is impracticable, the law enforcement agency shall remove portions of the material evidence likely to contain biological evidence related to the offense, in a quantity sufficient to permit future DNA testing before returning or disposing of the physical evidence. At subsequent hearings or trials, all records, notes, identification numbers, photographs, and other documentation relating to the preservation of biological evidence shall be admissible into evidence. (h) The law enforcement agency disposing of property in any manner provided in subsection (b), (c), (e), or (g), shall maintain certified records of any disposition under subsection (b), (c), (e), or (g). Disposition by destruction of property shall be witnessed by two (2) persons who shall also attest to the destruction. (i) This section does not affect the procedure for the disposition of firearms seized by a law enforcement agency. (j) A law enforcement agency that disposes of property by auction under this section shall permanently stamp or otherwise permanently identify the property as property sold by the law enforcement agency. (k) Upon motion of the prosecuting attorney, the court shall order property seized under IC 34-24-1 transferred, subject to the perfected liens or other security interests of any person in the property, to the appropriate federal authority for disposition under 18 U.S.C. 981(e), 19 U.S.C. 1616a, or 21 U.S.C. 881(e) and any related regulations adopted by the United States Department of Justice. (l) The law enforcement agency responsible for disposing of property under subsection (g), shall do the following: (1) Maintain a record of the preserved evidence. (2) Schedule a disposal date for the preserved evidence. (3) Provide notice to the last known address of the defendant and the defendant's attorney: (A) when the preserved evidence is removed from its secure location; or (B) of the date the preserved evidence has been marked for disposal. The defendant or the defendant's attorney must provide the most current address of the defendant or the defendant's attorney to the law enforcement agency responsible for disposing of property in order to effectively receive proper notice. If the law enforcement agency responsible for disposing of property does not have the defendant's or the defendant's attorney's most current address on file, then the notice requirement is deemed waived. (m) Failure of a law enforcement agency to follow the procedures described in this section may constitute contempt of court. However, failure to follow the procedures described in this section shall not be grounds for reversal of a conviction unless the defendant proves a violation of the defendant's due process rights. (n) Nothing in subsection (g) shall preclude a law enforcement agency from submitting biological evidence to forensic DNA testing or analysis, at its own initiative or at the request of a prosecuting attorney, if

such testing will not consume the remainder of the evidence. If such testing would consume the remainder of the evidence, the prosecuting attorney may seek a court order allowing such testing under IC 35-38-7-17. As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.320-1983, SEC.6; P.L.294-1989, SEC.1; P.L.174-1999, SEC.2; P.L.17-2001, SEC.11; P.L.187-2005, SEC.2; P.L.1-2006, SEC.527; P.L.151-2006, SEC.14; P.L.1-2007, SEC.225; P.L.89-2022, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-6. Dead Body; Search of Building or Place; Affidavit

Sec. 6. When an affidavit is filed before a judge alleging that the affiant has good reasons to believe, and does believe, that a dead human body is illegally secreted in a certain building, or other particularly specified place in the county, the judge may issue a search warrant authorizing a law enforcement officer to enter and search the building or other place for the dead body. While making the search, the law enforcement officer shall have the power of an officer executing a regular search warrant. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-7. Execution of Search Warrant; Forcible Entry; Wrongful Entry; Recovery of Damages

Sec. 7. (a) A search warrant issued by a court of record may be executed according to its terms anywhere in the state. A search warrant issued by a court that is not a court of record may be executed according to its terms anywhere in the county of the issuing court. (b) Except as provided in subsection (f), a search warrant must be: (1) executed not more than ten (10) days after the date of issuance; and (2) returned to the court without unnecessary delay after the execution. (c) A search warrant may be executed: (1) on any day of the week; and (2) at any time of the day or night. (d) A law enforcement officer may break open any outer or inner door or window in order to execute a search warrant, if the officer is not admitted following an announcement of the officer's authority and purpose. (e) A person or persons whose property is wrongfully damaged or whose person is wrongfully injured by any law enforcement officer or officers who wrongfully enter may recover such damage from the responsible authority and the law enforcement officer or officers as the court may determine. The action may be filed in the circuit court or superior court in the county where the wrongful entry took place. (f) Notwithstanding section 4 of this chapter, a warrant authorizing a search, testing, or other analysis of an item, tangible or intangible, is deemed executed when the item is seized by a law enforcement officer. A return of a warrant authorizing a search, testing, or other analysis of an item is sufficient if the return contains a statement indicating that the item was seized by a law enforcement officer. As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.320-1983, SEC.7; P.L.201-2011, SEC.111; P.L.63-2020, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-8. Issue of Warrant Without Affidavit; Types of Sworn Testimony; Procedures; Perjury

Sec. 8. (a) A judge may issue a search or arrest warrant without the affidavit required under section 2 of this chapter, if the judge receives testimony subject to the penalties for perjury of the same facts required for an affidavit: (1) in a nonadversarial, recorded hearing before the judge; (2) orally by telephone or radio; (3) in writing by facsimile transmission (FAX); or (4) in writing by electronic mail or other electronic transmission. (b) If a warrant is issued under subsection (a)(1), the judge shall order the court reporter to type or transcribe the testimony from the hearing for entry in the record. The judge shall then certify the transcript. (c) After reciting the facts required for an affidavit and verifying the facts recited under penalty of perjury, an applicant for a warrant under subsection (a)(2) shall read to the judge from a warrant form on which the applicant enters the information read by the applicant to the judge. The judge may direct the applicant to modify the warrant. If the judge agrees to issue the warrant, the judge shall direct the applicant to sign the judge's name to the warrant, adding the time of the issuance of the warrant. (d) After transmitting an affidavit, an applicant for a warrant under subsection (a)(3) or (a)(4) shall transmit to the judge a copy of a warrant form completed by the applicant. The judge may modify the transmitted warrant. If the judge agrees to issue the warrant, the judge shall sign, affix the date and time, and transmit to the applicant a duplicate of the warrant. (e) If a warrant is issued under subsection (a)(2), the judge shall record the conversation on audio tape and order the court reporter to type or transcribe the recording for entry in the record. The judge shall certify the audio tape, the transcription, and the warrant retained by the judge for entry in the record. (f) If a warrant is issued under subsection (a)(3), the facsimile copy of the affidavit and warrant sent to the judge shall be retained as if they were the originals. If a warrant is issued under subsection (a)(4), the electronically transmitted copy of the affidavit and warrant sent to the judge shall be printed and retained as if they were the originals. (g) The court reporter shall notify the applicant who received a warrant under subsection (a)(1) or (a)(2) when the transcription required under this section is entered in the record. The applicant shall sign the transcribed entry upon receiving notice from the court reporter. (h) The affiant and the judge may use an electronic signature on the affidavit and warrant. An electronic signature may be indicated by "s/Affiant's Name" or "s/Judge's Name" or by any other electronic means that identifies the affiant or judge and indicates that the affiant or judge adopts the contents of the document to which the electronic signature is affixed. As added by P.L.161-1990, SEC.2. Amended by P.L.170-2014, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 5. Search and Seizure35-33-5-9. Unmanned Aerial Vehicles; Search Warrant; Exceptions

Sec. 9. A law enforcement officer must obtain a search warrant in order to use an unmanned aerial vehicle: (1) on or over private property; or (2) to conduct a search, perform surveillance, obtain a photograph, or obtain video of private property or of individuals, items, or structures located on private property; without the consent of the owner of the affected private property. However, a warrant is not required for a use of an unmanned aerial vehicle if a warrant would not be required for a search not using an unmanned aerial vehicle. As added by P.L.170-2014, SEC.19. Amended by P.L.57-2016, SEC.2; P.L.136-2019, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 6. Detention of Shoplifters by Owner or Agent35-33-6-2.5. Detention of Person Making Unlawful Recording

Sec. 2.5. (a) An owner or agent of a motion picture exhibition facility who has probable cause to believe that an unlawful recording under IC 35-46-8 has occurred or is occurring in the motion picture exhibition facility and who has probable cause to believe that a specific person has committed or is committing the unlawful recording may: (1) detain the person and request the person to provide identification; (2) verify the identification; (3) determine whether the person possesses at the time of detention an audiovisual recording device (as defined in IC 35-46-8-2); (4) confiscate any unauthorized copies of a motion picture or another audiovisual work; and (5) inform the appropriate law enforcement officer or agency that the person is being detained. (b) Detention under subsection (a): (1) must: (A) be reasonable; and (B) last only for a reasonable time; and (2) may not extend beyond the arrival of a law enforcement officer or two (2) hours, whichever occurs first. As added by P.L.94-2005, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 6. Detention of Shoplifters by Owner or Agent35-33-6-2. Probable Cause; Detention; Procedure; Statements by Juveniles

Sec. 2. (a) An owner or agent of a store who has probable cause to believe that a theft has occurred or is occurring on or about the store and who has probable cause to believe that a specific person has committed or is committing the theft: (1) may: (A) detain the person and request the person to identify himself or herself; (B) verify the identification; (C) determine whether the person has in the person's possession unpurchased merchandise taken from the store; (D) inform the appropriate law enforcement officers; and (E) inform the person's parents or others interested in the person's welfare that the person has been detained; but (2) shall not ask the person to make a statement that acknowledges that the person committed the theft or conversion or waives any of the person's legal rights if: (A) the person is less than eighteen (18) years of age; and (B) the person has not been afforded an opportunity to have a meaningful consultation with his or her parent, guardian, custodian, or guardian ad litem. (b) A statement acknowledging that a child committed theft or conversion in violation of subdivision (a)(2) cannot be admitted as evidence against the child on the issue of whether the child committed a delinquent act or a crime. (c) The detention must: (1) be reasonable and last only for a reasonable time; and (2) not extend beyond the arrival of a law enforcement officer or two (2) hours, whichever first occurs. As added by Acts 1981, P.L.298, SEC.2. Amended by Acts 1982, P.L.204, SEC.11; P.L.77-2009, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 6. Detention of Shoplifters by Owner or Agent35-33-6-3. Placement of Information Before Law Enforcement Officer; Presumption

Sec. 3. An owner or agent of a store or motion picture exhibition facility who informs a law enforcement officer of the circumstantial basis for detention and any additional relevant facts shall be presumed to be placing information before the law enforcement officer. The placing of this information does not constitute a charge of crime. As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.94-2005, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 6. Detention of Shoplifters by Owner or Agent35-33-6-4. Civil or Criminal Actions; Exclusion of Lawful Detention; Burden of Proof

Sec. 4. A civil or criminal action against: (1) an owner or agent of a store or motion picture exhibition facility; or (2) a law enforcement officer; may not be based on a detention that was lawful under section 2 or 2.5 of this chapter. However, the defendant has the burden of proof that the defendant acted with probable cause under section 2 or 2.5 of this chapter. As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.94-2005, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 6. Detention of Shoplifters by Owner or Agent35-33-6-5. Reliance on Information From Employee; Probable Cause

Sec. 5. An owner or agent of a store may act in the manner permitted by section 2 of this chapter on information received from any employee of the store, if that employee has probable cause to believe that a: (1) theft has occurred or is occurring in or about the store; and (2) specific person has committed or is committing the theft. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 6. Detention of Shoplifters by Owner or Agent35-33-6-6. Reliance on Information From Employee of Motion Picture Exhibition Facility

Sec. 6. An owner or agent of a motion picture exhibition facility may act in the manner allowed by section 2.5 of this chapter on information received from an employee of the motion picture exhibition facility if the employee has probable cause to believe that: (1) an unlawful recording under IC 35-46-8 has occurred or is occurring in the motion picture exhibition facility; and (2) a specific person has committed or is committing the unlawful recording. As added by P.L.94-2005, SEC.5.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 7. Probable Cause; Initial Hearing35-33-7-1. Arrest Without Warrant; Initial Hearing; Venue

Sec. 1. (a) A person arrested without a warrant for a crime shall be taken promptly before a judicial officer: (1) in the county in which the arrest is made; or (2) of any county believed to have venue over the offense committed; for an initial hearing in court. (b) Except as provided in subsection (c), if the person arrested makes bail before the person's initial hearing before a judicial officer, the initial hearing shall occur at any time within twenty (20) calendar days after the person's arrest. (c) If a person arrested under IC 9-30-5 makes bail before the person's initial hearing before a judicial officer, the initial hearing must occur within ten (10) calendar days after the person's arrest. As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.126-1989, SEC.27; P.L.2-1991, SEC.103.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 7. Probable Cause; Initial Hearing35-33-7-2. Probable Cause; Affidavit or Oral Presentation Under Oath; Record; Determination; Detention or Release

Sec. 2. (a) At or before the initial hearing of a person arrested without a warrant for a crime, the facts upon which the arrest was made shall be submitted to the judicial officer, ex parte, in a probable cause affidavit. In lieu of the affidavit or in addition to it, the facts may be submitted orally under oath to the judicial officer. If facts upon which the arrest was made are submitted orally, the proceeding shall be recorded by a court reporter, and, upon request of any party in the case or upon order of the court, the record of the proceeding shall be transcribed. (b) If the judicial officer determines that there is probable cause to believe that any crime was committed and that the arrested person committed it, the judicial officer shall order that the arrested person be held to answer in the proper court. If the facts submitted do not establish probable cause or if the prosecuting attorney informs the judicial officer on the record that no charge will be filed against the arrested person, the judicial officer shall order that the arrested person be released immediately. As added by Acts 1981, P.L.298, SEC.2. Amended by Acts 1982, P.L.204, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 7. Probable Cause; Initial Hearing35-33-7-3.5. Conformity of Initial Hearing to Summons; Probable Cause

Sec. 3.5. The initial hearing of a person issued a: (1) summons; or (2) summons and promise to appear; must take place according to the terms of the summons. At such an initial hearing, a determination of probable cause is not required unless the prosecuting attorney requests on the record that the person be held in custody before his trial. As added by P.L.320-1983, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 7. Probable Cause; Initial Hearing35-33-7-3. Filing of Indictment or Information; Recess or Continuation of Initial Hearing; Informing Accused of Rights

Sec. 3. (a) When a person is arrested for a crime before a formal charge has been filed, an information or indictment shall be filed or be prepared to be filed at or before the initial hearing, unless the prosecuting attorney has informed the court that there will be no charges filed in the case. (b) If the prosecuting attorney states that more time is required to evaluate the case and determine whether a charge should be filed, or if it is necessary to transfer the person to another court, then the court shall recess or continue the initial hearing for up to seventy-two (72) hours, excluding intervening Saturdays, Sundays, and legal holidays. (c) Before recessing the initial hearing and after the ex parte probable cause determination has been made, the court shall inform a defendant charged with a felony of the rights specified in section 5(a)(1), 5(a)(2), 5(a)(3), 5(a)(4), and 5(a)(5) of this chapter. As added by Acts 1981, P.L.298, SEC.2. Amended by Acts 1982, P.L.204, SEC.13; P.L.320-1983, SEC.8; P.L.166-2024, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 7. Probable Cause; Initial Hearing35-33-7-4. Arrest Under Warrant; Jurisdiction; Time of Initial Hearing

Sec. 4. A person arrested in accordance with the provisions of a warrant shall be taken promptly for an initial hearing before the court issuing the warrant or before a judicial officer having jurisdiction over the defendant. If the arrested person has been released in accordance with the provisions for release stated on the warrant, the initial hearing shall occur at any time within twenty (20) days after his arrest. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 7. Probable Cause; Initial Hearing35-33-7-5. Initial Hearing; Advisements; Referral of a Pregnant Woman Charged With a Drug Crime

Sec. 5. (a) At the initial hearing of a person, the judicial officer shall inform the person orally or in writing: (1) that the person has a right to retain counsel and if the person intends to retain counsel the person must do so within: (A) twenty (20) days if the person is charged with a felony; or (B) ten (10) days if the person is charged only with one (1) or more misdemeanors; after this initial hearing because there are deadlines for filing motions and raising defenses, and if those deadlines are missed, the legal issues and defenses that could have been raised will be waived; (2) that the person has a right to assigned counsel at no expense to the person if the person is indigent; (3) that the person has a right to a speedy trial; (4) of the amount and conditions of bail; (5) of the person's privilege against self-incrimination; (6) of the nature of the charge against the person; (7) that a preliminary plea of not guilty is

being entered for the person and the preliminary plea of not guilty will become a formal plea of not guilty: (A) twenty (20) days after the completion of the initial hearing; or (B) ten (10) days after the completion of the initial hearing if the person is charged only with one (1) or more misdemeanors; unless the defendant enters a different plea; and (8) that the person may request to petition for a specialized driving privileges hearing if the person is charged with: (A) any offense in which the operation of a motor vehicle is an element of the offense; (B) any offense under IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal); or (C) any offense under IC 35-42-1, IC 35-42-2, or IC 35-44.1-3-1 that involves the use of a vehicle. In addition, the judge shall direct the prosecuting attorney to give the defendant or the defendant's attorney a copy of any formal felony charges filed or ready to be filed. The judge shall, upon request of the defendant, direct the prosecuting attorney to give the defendant or the defendant's attorney a copy of any formal misdemeanor charges filed or ready to be filed. (b) This subsection applies to a pregnant woman charged with a drug crime. If the woman is otherwise qualified, including meeting any requirements under IC 33-23-16-13(3)(A), if applicable, the judge may, after consulting with the prosecuting attorney, refer the woman to the forensic diversion program (IC 11-12-3.7) or a drug court (IC 33-23-16). As added by Acts 1981, P.L.298, SEC.2. Amended by Acts 1982, P.L.204, SEC.14; P.L.320-1983, SEC.10; P.L.46-2018, SEC.6; P.L.166-2024, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 7. Probable Cause; Initial Hearing35-33-7-6.5. Procedure to Determine Indigency; Submission of Uniform Form; Prorated Payments

Sec. 6.5. (a) In determining whether a person is indigent, the court shall consider the following: (1) The person's assets. (2) The person's income. (3) The person's necessary expenses. (b) The court may consider that a person's eligibility for: (1) the federal Supplemental Nutrition Assistance Program (SNAP) (except for 21 U.S.C. 862a(a)); (2) the federal and Indiana TANF (Temporary Assistance for Needy Families) program (except for 21 U.S.C. 862a(a)); or (3) another need based public assistance program; constitutes sufficient evidence to establish that a person is indigent. (c) The court may issue an initial indigency determination pending receipt of documentary or other evidence from the person concerning the person's income, assets, expenses, or welfare eligibility. (d) Each court in a county receiving reimbursement under IC 33-40-6-5(c) shall require a person claiming indigency to submit a uniform form, prescribed by the office of judicial administration, to assist the court in determining whether the person is indigent. The court shall review or designate a staff member to review the form submitted to ensure the accuracy of the information contained in the form before issuing an indigency determination under this section. The court may request any additional information needed from the person to verify the accuracy of the information submitted in the form. (e) If the court finds that the person is able to pay some of the fines, fees, and court costs, the court may prorate the person's fine, fee, and court costs, and require the person to pay an amount that the person can reasonably afford. As added by P.L.140-2020, SEC.2. Amended by P.L.111-2024, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 7. Probable Cause; Initial Hearing35-33-7-6. Indigent Defendant; Assignment of Counsel; Ability to Pay; Transfer of Fees

Sec. 6. (a) Prior to the completion of the initial hearing, the judicial officer shall determine whether a person who requests assigned counsel is indigent under section 6.5 of this chapter. If the person is found to be indigent, the judicial officer shall assign counsel to the person. (b) If jurisdiction over an indigent defendant is transferred to another court, the receiving court shall assign counsel immediately upon acquiring jurisdiction over the defendant. (c) If the court finds that the person is able to pay part of the cost of representation by the assigned counsel, the court shall order the person to pay the following: (1) For a felony action, a fee of two hundred dollars ($200). (2) For a misdemeanor action, a fee of one hundred dollars ($100). (d) If the court orders the person to pay an amount described in subsection (c)(1) or (c)(2), the court shall inquire at sentencing whether the person has paid the required amount. (e) The clerk of the court shall deposit the first one hundred dollars ($100) in a felony case and the first fifty dollars ($50) in a misdemeanor case of the fees described in subsection (c) in the county's supplemental public defender services fund established by IC 33-40-3-1. (f) The clerk of the court shall transfer the remaining one hundred dollars ($100) in a felony case and the remaining fifty dollars ($50) in a misdemeanor case of the fees described in subsection (c) to the state comptroller for deposit in the public defense fund established by IC 33-40-6-1. (g) The court may review the finding of indigency at any time during the proceedings if: (1) the court receives evidence of a material change in the person's income or assets; or (2) the person has failed to provide the court with sufficient evidence, including documentary evidence, to sustain the court's initial indigency determination. As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.216-1996, SEC.11; P.L.98-2004, SEC.139; P.L.140-2020, SEC.1; P.L.111-2024, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 7. Probable Cause; Initial Hearing35-33-7-7. Order of Release Not to Bar Further Proceedings

Sec. 7. An order releasing a person under this chapter does not bar further proceedings in the case. As added by Acts 1981, P.L.298, SEC.2. Amended by Acts 1982, P.L.204, SEC.15.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8.5. Bail and Recognizance35-33-8.5-1. Sheriff; Approval of Bail

Sec. 1. When any person is committed for want of bail, and the amount of bail is specified in the warrant of commitment, the sheriff may take the recognizance and approve the bail. As added by P.L.5-1988, SEC.180.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8.5. Bail and Recognizance35-33-8.5-10. Subrogation

Sec. 10. Whenever any person has been compelled to pay to any prosecuting attorney, clerk of the court, or sheriff, under mere color of judicial proceedings in attachment or garnishment at the suit of the state, the amount of any forfeited recognizance, such person so paying shall, from the date of such payment, be subrogated as against the recognizors in such recognizance, to all the rights of the state under such recognizance, and shall have a cause of action against such recognizors for the amount so paid, as if such recognizance and all the rights of the state under the same had been assigned by the state to the person or persons so paying, at the date of such payment. As added by P.L.5-1988, SEC.180.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8.5. Bail and Recognizance35-33-8.5-11. Subrogation; Enforcement; Costs

Sec. 11. Whenever any claim or claims to which any person is subrogated under section 10 of this chapter shall be sought to be enforced by any action or legal proceedings, the proper prosecuting attorney shall be made a party to the action or proceedings, to answer as to the fact of such payment and to protect the interests of the state in such action or proceedings: provided, that nothing in this section or section 10 of this chapter shall, in any event, create any liability or authorize judgment against the state, or render the state, or the attorney, liable for any costs (including fees) in the action or proceedings. As added by P.L.5-1988, SEC.180. Amended by P.L.106-2010, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8.5. Bail and Recognizance35-33-8.5-12. Sheriff; Process; Powers and Duties

Sec. 12. The sheriff must return every process issued to the sheriff with the sheriff's doings fully endorsed thereon, and every process, judgment and commitment of the circuit and criminal courts must be executed by the sheriff. As added by P.L.5-1988, SEC.180.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8.5. Bail and Recognizance35-33-8.5-2. Recognizances; Recording

Sec. 2. Every recognizance taken by any peace officer must be delivered forthwith to the clerk of the court to which the defendant is recognized. The clerk must thereupon record the recognizance, and, from the time of filing, it shall have the same effect as if taken in open court. As added by P.L.5-1988, SEC.180.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8.5. Bail and Recognizance35-33-8.5-3. Recognizances; Sureties; Affidavit of Qualifications

Sec. 3. A court or officer required to take or accept any bail or recognizance or to approve the sureties offered on any bond or recognizance in any case of a criminal nature, may require any person offered as surety thereon to make affidavit of the person's qualifications or to be examined orally under oath touching the same, and such court or officer may take such affidavit or administer such oath. As added by P.L.5-1988, SEC.180.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8.5. Bail and Recognizance35-33-8.5-4. Sureties; Qualifications; Judgments and Decrees; Appeals

Sec. 4. (a) One (1) surety on every such recognizance must be a resident freeholder of the county in which the prosecution is pending, and the surety or sureties must be worth at least double the sum to be secured and must have property in this state liable to execution equal to the sum to be secured, and when two (2) or more sureties are offered to the same recognizance, they must have in the aggregate the qualifications prescribed in this section. Whenever by the laws of this state a surety company is authorized to become surety on recognizance bonds, such surety company may be accepted as sufficient surety on any such bond. (b) The recognizance shall be in form substantially as provided in IC 27-10-2-10, conditioned for judgment on ten (10) days notice to the surety. No pleadings shall be necessary and no change of judge or change of venue shall be granted. The obligor may except to the ruling of the court and appeal to the court of appeals as in civil cases without moving for a new trial. As added by P.L.5-1988, SEC.180.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8.5. Bail and Recognizance35-33-8.5-5. Pending Proceedings; Renewals

Sec. 5. The recognizance as provided for in IC 27-10-2-10 shall be continuing, and the defendant shall not be required to renew it during pendency of the proceedings, unless ordered to do so by the court for cause shown. But, at each term of the court, after such recognizance is taken, the court shall inquire into the sufficiency of the sureties. As added by P.L.5-1988, SEC.180.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8.5. Bail and Recognizance35-33-8.5-6. Murder; Admittance to Bail

Sec. 6. When any person is indicted for murder, the court in which the indictment is pending, upon motion, upon application by writ of habeas corpus, may admit the defendant to bail when it appears upon examination that the defendant is entitled to be let to bail. As added by P.L.5-1988, SEC.180.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8.5. Bail and Recognizance35-33-8.5-7. Surrender of Principal

Sec. 7. When a surety on any recognizance desires to surrender the surety's principal, the surety may procure a copy of the recognizance from the clerk, by virtue of which such surety, or any person authorized by the surety, may take the principal in any county within the state. As added by P.L.5-1988, SEC.180.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8.5. Bail and Recognizance35-33-8.5-8. Amount of Bond; Payment Into Court

Sec. 8. At any time after forfeiture and at any time before judgment upon the recognizance, the surety may pay the amount named in the bond to the clerk of the court, who shall give the surety a receipt therefor. As added by P.L.5-1988, SEC.180.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8.5. Bail and Recognizance35-33-8.5-9. Liens; Real Estate; Release

Sec. 9. All recognizances, taken to secure the appearance of a defendant in the circuit court to answer a criminal charge, shall be immediately recorded by the clerk of said court in the order book and entered in the judgment docket of said court, and from the date of such recording and entry such recognizance shall be a lien upon all the real estate in such county owned by the several obligors. If the real estate owned by any one or more of said obligors be situated in any county or counties of the state of Indiana, other than that in which such prosecution is pending, it shall then be the duty of the clerk of the court where said action is pending, upon order of such court and as such court may direct, to immediately transmit to the clerk of the circuit court of the county, or counties, where said real estate is situated, a certified copy of said recognizance, and the clerk or clerks, to whom such copies are so certified, shall immediately, upon receipt thereof, record the same and enter them upon the judgment docket of the circuit court of such county, in the same manner as required of the clerk of the court wherein said cause is pending, and the same shall become a lien upon all the real estate in such county, or counties, owned by any one or more of said obligors, in the same manner and to the same extent as if said lands were situated in the county where said cause is pending. The clerk to whom such document is transmitted shall be entitled to charge and collect the sum of one dollar ($1) for the services herein required of the clerk, which sum shall be paid by the defendant or the defendant's obligors, and which shall accompany said certified copy. Upon the final determination of said cause and the full and complete compliance with all of the requirements and conditions of said recognizance upon the part of the defendant, the court wherein said cause was determined shall order the release of all liens created by said recognizance as herein provided, and the clerk of said court shall transmit to the clerk of the circuit court of each county wherein said lien may have been recorded, as herein provided, and such order when recorded in any of said counties shall operate as a full and complete release thereof as to all lands of such obligors situated in any such county. The fee of any clerk for recording any such release shall be fifty cents ($0.50), which fee shall be paid by the obligor whose lands are thereby affected, and shall accompany the copy of such order when transmitted by the clerk of said court. Judgments, if any, rendered as in this article provided, in the event of the forfeiture of any recognizance bond affected by this article, shall bind and be a lien upon all the real estate of the principal and sureties, within the county in which such judgment is rendered, from the date of such entry and recording of such recognizance in the clerk's office, the date of which lien shall be stated in such judgment of the court. A transcript of such judgment shall also be filed in the office of the clerk of the circuit court of each other county, if any, where such recognizance may have been recorded as herein provided, and when so recorded shall be a lien upon all the lands of any obligor therein situated, from the date of the recording of such recognizance bond, in like manner as in the county of original jurisdiction, as herein provided, and shall be without relief from valuation or appraisement laws. Should such surety be relieved from liability from such bond as by law provided, such clerk shall proceed to release from the lien provided herein all the surety's such real estate as though such case had been completed and the case finally determined. As added by P.L.5-1988, SEC.180.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The following amendments to this chapter apply as follows: (1) The addition of section 8 of this chapter by P.L.36-1990 does not apply to any bail deposit made under section 3(a)(1) of this chapter (before its repeal) or section 3.1(a)(1) of this chapter (before its repeal) that is made before March 20, 1990. (2) The amendments made to section 3.1(d) of this chapter (before its repeal) by P.L.156-1994 apply only to the retention or collection of a fee for a bond executed or deposit made after March 11, 1994. As added by P.L.220-2011, SEC.585.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-0.5. Pretrial Risk Assessment; Rules; System

Sec. 0.5. (a) The following definitions apply throughout this chapter: (1) "Evidence based risk assessment" means an assessment: (A) that identifies factors relevant to determine whether an arrestee is likely to: (i) commit a new criminal offense; or (ii) fail to appear; if released on bail or pretrial supervision; and (B) that is based on empirical data derived through validated criminal justice scientific research. (2) "Indiana pretrial risk assessment system" means the statewide evidence based risk assessment system described in subsection (b). (b) Before January 1, 2020, the supreme court should adopt rules to establish a statewide evidence based risk assessment system to assist courts in selecting the appropriate level of bail or other pretrial supervision for arrestees eligible for pretrial release. The system must consist of: (1) an evidence based risk assessment tool; and (2) other rules as adopted by the supreme court. (c) The Indiana pretrial risk assessment system shall be designed to assist the courts in assessing an arrestee's likelihood of: (1) committing a new criminal offense; or (2) failing to appear. As added by P.L.187-2017, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-0.6. Prohibition Concerning the Use of Certain Public Funds for Bail; Charitable Bail Organizations May Not Accept Certain Public Funds

Sec. 0.6. (a) Neither the state nor a political subdivision (as defined in IC 36-1-2-13) may: (1) post bail for any person; or (2) for the purpose of posting bail for any person, provide a grant or other funding, directly or indirectly, to an entity that posts bail for any person. (b) A person that accepts donations for the purpose of depositing cash bail for another person may not accept a grant or other funding, directly or indirectly, from a political subdivision. As added by P.L.147-2022, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-1.5. "Publicly Paid Costs of Representation" Defined

Sec. 1.5. As used in this chapter, "publicly paid costs of representation" means the portion of all attorney's fees, expenses, or wages incurred by the county that are: (1) directly attributable to the defendant's defense; and (2) not overhead expenditures made in connection with the maintenance or operation of a governmental agency. As added by P.L.167-1987, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-1. "Bail Bond" Defined

Sec. 1. As used in this chapter, "bail bond" means a bond executed by a person who has been arrested for the commission of an offense, for the purpose of ensuring: (1) the person's appearance at the appropriate legal proceeding; (2) another person's physical safety; or (3) the safety of the community. As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.221-1996, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-10. Credit Card Service Fee

Sec. 10. In addition to any other condition of bail imposed under this chapter, a defendant who posts bail by means of a credit card shall pay the credit card service fee under IC 33-37-6. As added by P.L.65-2004, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-11. Authority to Require That Persons Charged With a Crime of Domestic Violence to Wear a Monitoring Device; Liability for Costs

Sec. 11. (a) A court may require a person who has been charged with a crime of domestic violence (as described in IC 35-31.5-2-78) to wear a monitoring device as a condition of bail. (b) A court may order a person who is required to wear a monitoring device under subsection (a) to pay any costs associated with the monitoring device. As added by P.L.94-2010, SEC.11. Amended by P.L.114-2012, SEC.71; P.L.84-2022, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-12. Collection of Data Concerning Bail and Rearrest

Sec. 12. (a) As used in this section, "disposition" has the meaning set forth in section 3.2(c) of this chapter. (b) The Indiana criminal justice institute shall collect the following data from each court exercising criminal jurisdiction in Indiana: (1) Of those defendants who are released on personal recognizance, the number of defendants who are charged with another offense before the disposition of the defendant's prior charges. (2) Of those defendants who are released pursuant to the payment of money bail, the number of defendants who are charged with another offense before the disposition of the defendant's prior charges. (c) Data collected under subsection (b) shall be compiled in such a manner to present the rate at which defendants are charged with another offense for: (1) the entire state; and (2) each county. (d) The Indiana criminal justice institute shall, before August 1, 2021, and before August 1 of each year thereafter, submit an annual report containing the information collected under this section to the legislative council in an electronic format under IC 5-14-6. The initial report submitted by the Indiana criminal justice institute before August 1, 2021, must

also include all data described in subsection (b) for the period beginning after December 31, 2019, through December 31, 2020. As added by P.L.138-2020, SEC.24. Amended by P.L.126-2024, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-2. Murder; Other Offenses

Sec. 2. Murder is not bailable if the state proves by a preponderance of the evidence that the proof is evident or the presumption strong. In all other cases, offenses are bailable. As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.41-2018, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-3.2. Pretrial Risk Assessment; Conditions to Assure Appearance; Remittance of Deposit; Collection of Fees

Sec. 3.2. (a) After considering the results of the Indiana pretrial risk assessment system (if available), other relevant factors, and bail guidelines described in section 3.8 of this chapter, a court may admit a defendant to bail and impose any of the following conditions to assure the defendant's appearance at any stage of the legal proceedings, or, upon a showing of clear and convincing evidence that the defendant poses a risk of physical danger to another person or the community, to assure the public's physical safety: (1) Require the defendant to: (A) execute a bail bond with sufficient solvent sureties; (B) deposit cash or securities in an amount equal to the bail; (C) execute a bond secured by real estate in the county, where thirty-three hundredths (0.33) of the true tax value less encumbrances is at least equal to the amount of the bail; (D) post a real estate bond; or (E) perform any combination of the requirements described in clauses (A) through (D). If the court requires the defendant to deposit cash or cash and another form of security as bail, the court may require the defendant and each person who makes the deposit on behalf of the defendant to execute an agreement that allows the court to retain all or a part of the cash to pay publicly paid costs of representation and fines, costs, fees, and restitution that the court may order the defendant to pay if the defendant is convicted. Before execution of the agreement, the defendant or person who makes the deposit on behalf of the defendant shall be advised that, upon conviction of the defendant, the court may retain from the cash deposited as bail all or a part of the cash to pay publicly paid costs of representation and fines, costs, fees, and restitution that the court may order the defendant to pay if the defendant is convicted. The defendant must also pay the fee required by subsection (d). (2) Require the defendant to execute: (A) a bail bond by depositing cash or securities with the clerk of the court in an amount not less than ten percent (10%) of the bail; and (B) an agreement that allows the court to retain all or a part of the cash or securities to pay fines, costs, fees, and restitution that the court may order the defendant to pay if the defendant is convicted. A portion of the deposit, not to exceed ten percent (10%) of the monetary value of the deposit or fifty dollars ($50), whichever is the lesser amount, may be retained as an administrative fee. The clerk shall also retain from the deposit under this subdivision fines, costs, fees, and restitution as ordered by the court, publicly paid costs of representation that shall be disposed of in accordance with subsection (b), and the fee required by subsection (d). In the event of the posting of a real estate bond, the bond shall be used only to insure the presence of the defendant at any stage of the legal proceedings, but shall not be foreclosed for the payment of fines, costs, fees, or restitution. The individual posting bail for the defendant or the defendant admitted to bail under this subdivision must be notified by the sheriff, court, or clerk that the defendant's deposit may be forfeited under section 7 of this chapter or retained under subsection (b). (3) Impose reasonable restrictions on the activities, movements, associations, and residence of the defendant during the period of release. (4) Except as provided in section 3.6 of this chapter, require the defendant to refrain from any direct or indirect contact with an individual and, if the defendant has been charged with an offense under IC 35-46-3, any animal belonging to the individual, including if the defendant has not been released from lawful detention. (5) Place the defendant under the reasonable supervision of a probation officer, pretrial services agency, or other appropriate public official. If the court places the defendant under the supervision of a probation officer or pretrial services agency, the court shall determine whether the defendant must pay the pretrial services fee under section 3.3 of this chapter. (6) Release the defendant into the care of a qualified person or organization responsible for supervising the defendant and assisting the defendant in appearing in court. The supervisor shall maintain reasonable contact with the defendant in order to assist the defendant in making arrangements to appear in court and, where appropriate, shall accompany the defendant to court. The supervisor need not be financially responsible for the defendant. (7) Release the defendant on personal recognizance unless: (A) the state presents evidence relevant to a risk by the defendant: (i) of nonappearance; or (ii) to the physical safety of the public; and (B) the court finds by a preponderance of the evidence that the risk exists. (8) Require a defendant charged with an offense under IC 35-46-3 to refrain from owning, harboring, or training an animal. (9) Require a defendant to participate in a mental health referral program under IC 33-23-18. (10) Impose any other reasonable restrictions designed to assure the defendant's presence in court or the physical safety of another person or the community. (b) Within thirty (30) days after disposition of the charges against the defendant, the court that admitted the defendant to bail shall order the clerk to remit the amount of the deposit remaining under subsection (a)(2) to the person who made the deposit. The portion of the deposit that is not remitted to the person who made the deposit shall be deposited by the clerk in the supplemental public defender services fund established under IC 33-40-3. (c) For purposes of subsection (b), "disposition" occurs when the indictment or information is dismissed or the defendant is acquitted or convicted of the charges. (d) Except as provided in subsection (e), the clerk of the court shall: (1) collect a fee of five dollars ($5) from each bond or deposit required under subsection (a)(1); and (2) retain a fee of five dollars ($5) from each deposit under subsection (a)(2). The clerk of the court shall semiannually remit the fees collected under this subsection to the board of trustees of the Indiana public retirement system for deposit in the special death benefit fund. The fee required by subdivision (2) is in addition to the administrative fee retained under subsection (a)(2). (e) With the approval of

the clerk of the court, the county sheriff may collect the bail posted under this section. The county sheriff shall remit the bail to the clerk of the court by the following business day and remit monthly the five dollar ($5) special death benefit fee to the county auditor. (f) When a court imposes a condition of bail described in subsection (a)(4): (1) the clerk of the court shall comply with IC 5-2-9; and (2) the prosecuting attorney shall file a confidential form prescribed or approved by the office of judicial administration with the clerk. (g) The clerk of the court shall record the name, address, and bail agent license number, if applicable, of the bail agent or a person authorized by the surety posting bail for the defendant in the county court electronic case management system. As added by P.L.107-1998, SEC.2. Amended by P.L.1-2001, SEC.36; P.L.1-2003, SEC.91; P.L.98-2004, SEC.140; P.L.10-2005, SEC.4; P.L.1-2006, SEC.528; P.L.97-2006, SEC.1; P.L.173-2006, SEC.42; P.L.1-2007, SEC.226; P.L.104-2008, SEC.6; P.L.111-2009, SEC.7; P.L.94-2010, SEC.9; P.L.35-2012, SEC.107; P.L.187-2017, SEC.5; P.L.161-2018, SEC.115; P.L.147-2022, SEC.6; P.L.205-2023, SEC.30.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-3.3. Pretrial Services Fee

Sec. 3.3. (a) This section does not apply to a defendant charged in a city or town court. (b) If a defendant who has a prior unrelated conviction for any offense is charged with a new offense and placed under the supervision of a probation officer or pretrial services agency, the court may order the defendant to pay the pretrial services fee prescribed under subsection (e) if: (1) the defendant has the financial ability to pay the fee; and (2) the court finds by clear and convincing evidence that supervision by a probation officer or pretrial services agency is necessary to ensure the: (A) defendant's appearance in court; or (B) physical safety of the community or of another person. (c) If a clerk of a court collects a pretrial services fee, the clerk may retain not more than three percent (3%) of the fee to defray the administrative costs of collecting the fee. The clerk shall deposit amounts retained under this subsection in the clerk's record perpetuation fund established under IC 33-37-5-2. (d) If a clerk of a court collects a pretrial services fee from a defendant, upon request of the county auditor, the clerk shall transfer not more than three percent (3%) of the fee to the county auditor for deposit in the county general fund. (e) The court may order a defendant who is supervised by a probation officer or pretrial services agency and charged with an offense to pay: (1) an initial pretrial services fee of at least twenty-five dollars ($25) and not more than one hundred dollars ($100); (2) a monthly pretrial services fee of at least fifteen dollars ($15) and not more than thirty dollars ($30) for each month the defendant remains on bail and under the supervision of a probation officer or pretrial services agency; and (3) an administrative fee of one hundred dollars ($100); to the probation department, pretrial services agency, or clerk of the court if the defendant meets the conditions set forth in subsection (b). (f) The probation department, pretrial services agency, or clerk of the court shall collect the administrative fee under subsection (e)(3) before collecting any other fee under subsection (e). Except for the money described in subsections (c) and (d), all money collected by the probation department, pretrial services agency, or clerk of the court under this section shall be transferred to the county treasurer, who shall deposit fifty percent (50%) of the money into the county supplemental adult probation services fund and fifty percent (50%) of the money into the county supplemental public defender services fund (IC 33-40-3-1). The fiscal body of the county shall appropriate money from the county supplemental adult probation services fund: (1) to the county, superior, or circuit court of the county that provides probation services or pretrial services to adults to supplement adult probation services or pretrial services; and (2) to supplement the salary of: (A) an employee of a pretrial services agency; or (B) a probation officer in accordance with the schedule adopted by the county fiscal body under IC 36-2-16.5. (g) The county supplemental adult probation services fund may be used only to supplement adult probation services or pretrial services and to supplement salaries for probation officers or employees of a pretrial services agency. A supplemental probation services fund may not be used to replace other probation services or pretrial services funding. Any money remaining in the fund at the end of a fiscal year does not revert to any other fund but continues in the county supplemental adult probation services fund. (h) A defendant who is charged with more than one (1) offense and who is supervised by the probation department or pretrial services agency as a condition of bail may not be required to pay more than: (1) one (1) initial pretrial services fee; and (2) one (1) monthly pretrial services fee per month. (i) A probation department or pretrial services agency may petition a court to: (1) impose a pretrial services fee on a defendant; or (2) increase a defendant's pretrial services fee; if the financial ability of the defendant to pay a pretrial services fee changes while the defendant is on bail and supervised by a probation officer or pretrial services agency. (j) An order to pay a pretrial services fee under this section: (1) is a judgment lien that, upon the defendant's conviction: (A) attaches to the property of the defendant; (B) may be perfected; (C) may be enforced to satisfy any payment that is delinquent under this section; and (D) expires; in the same manner as a judgment lien created in a civil proceeding; (2) is not discharged by the disposition of charges against the defendant or by the completion of a sentence, if any, imposed on the defendant; (3) is not discharged by the liquidation of a defendant's estate by a receiver under IC 32-30-5; and (4) is immediately terminated if a defendant is acquitted or if charges against the defendant are dropped. (k) If a court orders a defendant to pay a pretrial services fee, the court may, upon the defendant's conviction, enforce the order by garnishing the wages, salary, and other income earned by the defendant. (l) In addition to other methods of payment allowed by law, a probation department or pretrial services agency may accept payment of a pretrial services fee by credit card (as defined in IC 14-11-1-7(a)). The liability for payment is not discharged until the probation department or pretrial services agency receives payment or credit from the institution responsible for making the payment or credit. (m) The probation department or pretrial services agency may contract with a bank or credit card vendor for acceptance of a bank or credit card. However, if there is a vendor transaction charge or discount fee, whether billed to the probation department or pretrial services agency, or charged directly to the account of the probation department or pretrial services agency, the probation department or pretrial services agency may collect a credit card service fee from the person using the bank or credit card.

The fee collected under this subsection is a permitted additional charge to the fee or fees the defendant may be required to pay under subsection (e). (n) The probation department or pretrial services agency shall forward a credit card service fee collected under subsection (m) to the county treasurer in accordance with subsection (f). These funds may be used without appropriation to pay the transaction charge or discount fee charged by the bank or credit card vendor. As added by P.L.173-2006, SEC.43. Amended by P.L.217-2014, SEC.189.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-3.5. Bail Procedures for a Sexually Violent Predator Defendant

Sec. 3.5. (a) This section applies only to a sexually violent predator defendant. (b) As used in this section, "sexually violent predator defendant" means a person who: (1) is a sexually violent predator under IC 35-38-1-7.5; and (2) is arrested for or charged with the commission of an offense that would classify the person as a sex or violent offender (as defined in IC 11-8-8-5). (c) A court may not admit a: (1) sexually violent predator defendant; (2) person charged with child molesting (IC 35-42-4-3); or (3) person charged with child solicitation (IC 35-42-4-6); to bail until the court has conducted a bail hearing in open court. Except as provided in section 6 of this chapter, the court shall conduct a bail hearing not later than forty-eight (48) hours after the person has been arrested, unless exigent circumstances prevent holding the hearing within forty-eight (48) hours. (d) At the conclusion of the hearing described in subsection (c) and after consideration of the bail guidelines described in section 3.8 of this chapter, the court shall consider whether the factors described in section 4 of this chapter warrant the imposition of a bail amount that exceeds court or county guidelines, if applicable. As added by P.L.74-2008, SEC.1. Amended by P.L.187-2017, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-3.6. Automatic No Contact Order for Certain Defendants Placed on Bail; Time Limits; Modification

Sec. 3.6. (a) This section applies only to a defendant who is charged with committing a violent crime (as defined in IC 5-2-6.1-8) that results in bodily injury to a person. (b) If a court releases a defendant described in subsection (a) to bail without holding a bail hearing in open court, the court shall include as a condition of bail the requirement that the defendant refrain from any direct or indirect contact with the victim: (1) for ten (10) days after release; or (2) until the initial hearing; whichever occurs first. (c) At the initial hearing, the court may reinstate or modify the condition that the defendant refrain from direct or indirect contact with the victim. As added by P.L.94-2010, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-3.8. Bail Following Pretrial Risk Assessment

Sec. 3.8. (a) A court shall consider the results of the Indiana pretrial risk assessment system (if available) before setting or modifying bail for an arrestee. (b) If the court finds, based on the results of the Indiana pretrial risk assessment system (if available) and other relevant factors, that an arrestee does not present a substantial risk of flight or danger to the arrestee or others, the court shall consider releasing the arrestee without money bail or surety, subject to restrictions and conditions as determined by the court, unless one (1) or more of the following apply: (1) The arrestee is charged with murder or treason. (2) The arrestee is on pretrial release not related to the incident that is the basis for the present arrest. (3) The arrestee is on probation, parole, or other community supervision. The court is not required to administer an assessment before releasing an arrestee if administering the assessment will delay the arrestee's release. As added by P.L.187-2017, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-3.9. Money Bail; Conditions; Agreement

Sec. 3.9. (a) If the court determines that an arrestee is to be held subject to money bail, the court is authorized to determine the amount of bail and whether the bail may be satisfied by surety bond or cash deposit. (b) The court may set and accept a partial cash payment of the bail upon conditions set by the court, including the arrestee's agreement (and the agreement of a person who makes a cash payment on behalf of an arrestee, if applicable) that all court costs, fees, and expenses associated with the proceeding shall be paid from the partial payment. (c) If the court authorizes the acceptance of a cash partial payment to satisfy bail, the court shall first secure the arrestee's agreement (and the agreement of a person who makes a cash payment on behalf of an arrestee, if applicable) that, in the event of failure to appear as scheduled, the deposit shall be forfeited and the arrestee must also pay any additional amounts needed to satisfy the full amount of bail plus associated court costs, fees, and expenses. As added by P.L.187-2017, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-4.5. Foreign National Unlawfully Present; Bail; Insurer Released From Liability

Sec. 4.5. (a) If bail is set for a defendant who is a foreign national who is unlawfully present in the United States under federal immigration law, after considering the results of the Indiana pretrial risk assessment system (if available) and other relevant factors, and the bail guidelines described in section 3.8 of this chapter, the court shall consider requiring as bail a: (1) cash bond in an amount equal to the bail; (2) real estate bond in which the net equity in the real estate is at least two (2) times the amount of the bail; or (3) surety bond in the full amount of the bail that is written by a licensed and appointed agent of an insurer (as defined in IC 27-10-1-7). (b) If the defendant for whom bail has been posted under this section does not appear before the court as ordered

because the defendant has been: (1) taken into custody or deported by a federal agency; or (2) arrested and incarcerated for another offense; the bond posted under this section may not be declared forfeited by the court and the insurer (as defined in IC 27-10-1-7) that issued the bond is released from any liability regarding the defendant's failure to appear. As added by P.L.171-2011, SEC.22. Amended by P.L.187-2017, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-4. Amount of Bail; Order; Indorsement; Facts Taken Into Account

Sec. 4. (a) The court shall order the amount in which a person charged by an indictment or information is to be held to bail, and the clerk shall enter the order on the order book and indorse the amount on each warrant when issued. If no order fixing the amount of bail has been made, the sheriff shall present the warrant to the judge of an appropriate court of criminal jurisdiction, and the judge shall indorse on the warrant the amount of bail. (b) Bail may not be set higher than that amount reasonably required to assure the defendant's appearance in court or to assure the physical safety of another person or the community if the court finds by clear and convincing evidence that the defendant poses a risk to the physical safety of another person or the community. In setting and accepting an amount of bail, the judicial officer shall consider the bail guidelines described in section 3.8 of this chapter and take into account all facts relevant to the risk of nonappearance, including: (1) the length and character of the defendant's residence in the community; (2) the defendant's employment status and history and the defendant's ability to give bail; (3) the defendant's family ties and relationships; (4) the defendant's character, reputation, habits, and mental condition; (5) the defendant's criminal or juvenile record, insofar as it demonstrates instability and a disdain for the court's authority to bring the defendant to trial; (6) the defendant's previous record in not responding to court appearances when required or with respect to flight to avoid criminal prosecution; (7) the nature and gravity of the offense and the potential penalty faced, insofar as these factors are relevant to the risk of nonappearance; (8) the source of funds or property to be used to post bail or to pay a premium, insofar as it affects the risk of nonappearance; (9) that the defendant is a foreign national who is unlawfully present in the United States under federal immigration law; and (10) any other factors, including any evidence of instability and a disdain for authority, which might indicate that the defendant might not recognize and adhere to the authority of the court to bring the defendant to trial. As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.221-1996, SEC.3; P.L.171-2011, SEC.21; P.L.187-2017, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-5. Alteration or Revocation of Bail

Sec. 5. (a) Upon a showing of good cause, the state or the defendant may be granted an alteration or revocation of bail by application to the court before which the proceeding is pending. In reviewing a motion for alteration or revocation of bail, credible hearsay evidence is admissible to establish good cause. (b) When the state presents additional: (1) evidence relevant to a high risk of nonappearance, based on the factors set forth in section 4(b) of this chapter; or (2) clear and convincing evidence: (A) of the factors described in IC 35-40-6-6(1)(A) and IC 35-40-6-6(1)(B); or (B) that the defendant otherwise poses a risk to the physical safety of another person or the community; the court may increase bail. If the additional evidence presented by the state is DNA evidence tending to show that the defendant committed additional crimes that were not considered at the time the defendant was admitted to bail, the court may increase or revoke bail. (c) When the defendant presents additional evidence of substantial mitigating factors, based on the factors set forth in section 4(b) of this chapter, which reasonably suggests that the defendant recognizes the court's authority to bring the defendant to trial, the court may reduce bail. However, the court may not reduce bail if the court finds by clear and convincing evidence that the factors described in IC 35-40-6-6(1)(A) and IC 35-40-6-6(1)(B) exist or that the defendant otherwise poses a risk to the physical safety of another person or the community. (d) The court may revoke bail or an order for release on personal recognizance upon clear and convincing proof by the state that: (1) while admitted to bail the defendant: (A) or the defendant's agent threatened or intimidated a victim, prospective witnesses, or jurors concerning the pending criminal proceeding or any other matter; (B) or the defendant's agent attempted to conceal or destroy evidence relating to the pending criminal proceeding; (C) violated any condition of the defendant's current release order; (D) failed to appear before the court as ordered at any critical stage of the proceedings; or (E) committed a felony or a Class A misdemeanor that demonstrates instability and a disdain for the court's authority to bring the defendant to trial; (2) the factors described in IC 35-40-6-6(1)(A) and IC 35-40-6-6(1)(B) exist or that the defendant otherwise poses a risk to the physical safety of another person or the community; or (3) a combination of the factors described in subdivisions (1) and (2) exists. As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.36-1990, SEC.6; P.L.107-1998, SEC.3; P.L.98-2004, SEC.141; P.L.111-2017, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-6.5. Twenty-Four Hour Bail Holding Period for Person Arrested for Certain Domestic Violence Crimes

Sec. 6.5. The court may not release a person on bail for at least twenty-four (24) hours from the time of the person's arrest if the person is arrested for one (1) or more of the following offenses committed against a family or household member: (1) A crime of domestic violence (as described in IC 35-31.5-2-78). (2) Battery (IC 35-42-2-1). (3) Domestic battery (IC 35-42-2-1.3). (4) Aggravated battery (IC 35-42-2-1.5). (5) Strangulation (IC 35-42-2-9). (6) Rape (IC 35-42-4-1). (7) Sexual battery (IC 35-42-4-8). (8) Invasion of privacy (IC 35-46-1-15.1). (9) Criminal stalking (IC 35-45-10-5). (10) Criminal recklessness (IC 35-42-2-2). (11) Criminal confinement (IC 35-42-3-3). (12) Burglary (IC 35-43-2-1). (13) Residential entry (IC 35-43-2-1.5). As added by P.L.44-2008, SEC.2. Amended by P.L.114-2012, SEC.70; P.L.28-2023, SEC.1.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-6. Probationers, Parolees, or Persons on Other Community Supervision; Detention; Notice to Appropriate Authority; Revocation Proceedings

Sec. 6. The court may detain, for a maximum period of fifteen (15) calendar days, a person charged with any offense who comes before it for a bail determination, if the person is on probation, parole, or other community supervision. During the fifteen (15) day period, the prosecuting attorney shall notify the appropriate parole, probation, or other community supervision authority. If that authority fails to initiate probation or parole revocation proceedings during the fifteen (15) day period, the person shall be treated in accordance with the other sections of this chapter. As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.174-2021, SEC.39.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-7. Failure to Appear; Pending Civil Action or Unsatisfied Judgment; Same Transaction or Occurrence; Forfeiture; Order for Payment; Judgment; Transfer of Funds

Sec. 7. (a) If a defendant: (1) was admitted to bail under section 3.2(a)(2) of this chapter; and (2) has failed to appear before the court as ordered; the court shall, except as provided in subsection (b) or section 8(b) of this chapter, declare the bond forfeited not earlier than one hundred twenty (120) days or more than three hundred sixty-five (365) days after the defendant's failure to appear and issue a warrant for the defendant's arrest. (b) In a criminal case, if the court having jurisdiction over the criminal case receives written notice of a pending civil action or unsatisfied judgment against the criminal defendant arising out of the same transaction or occurrence forming the basis of the criminal case, funds deposited with the clerk of the court under section 3.2(a)(2) of this chapter may not be declared forfeited by the court, and the court shall order the deposited funds to be held by the clerk. If there is an entry of final judgment in favor of the plaintiff in the civil action, and if the deposit and the bond are subject to forfeiture, the criminal court shall order payment of all or any part of the deposit to the plaintiff in the action, as is necessary to satisfy the judgment. The court shall then order the remainder of the deposit, if any, and the bond forfeited. (c) Any proceedings concerning the bond, or its forfeiture, judgment, or execution of judgment, shall be held in the court that admitted the defendant to bail. (d) After a bond has been forfeited under subsection (a) or (b), the clerk shall mail notice of forfeiture to the defendant. In addition, unless the court finds that there was justification for the defendant's failure to appear, the court shall immediately enter judgment, without pleadings and without change of judge or change of venue, against the defendant for the amount of the bail bond, and the clerk shall record the judgment. (e) If a bond is forfeited and the court has entered a judgment under subsection (d), the clerk shall transfer to the state common school fund: (1) any amount remaining on deposit with the court (less the fees retained by the clerk); and (2) any amount collected in satisfaction of the judgment. (f) The clerk shall return a deposit, less the administrative fee, made under section 3.2(a)(2) of this chapter to the defendant, if the defendant appeared at trial and the other critical stages of the legal proceedings. As added by Acts 1982, P.L.204, SEC.17. Amended by P.L.167-1987, SEC.10; P.L.44-1988, SEC.3; P.L.1-1990, SEC.343; P.L.36-1990, SEC.7; P.L.107-1998, SEC.4; P.L.105-2010, SEC.9; P.L.187-2017, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 8. Bail and Bail Procedure35-33-8-8. Failure to Appear; Pending Civil Action or Unsatisfied Judgment; Same Transaction or Occurrence; Forfeiture; Order for Payment

Sec. 8. (a) If a defendant was admitted to bail under section 3.2(a) of this chapter and the defendant has knowingly and intentionally failed to appear before the court as ordered, the court: (1) shall issue a warrant for the defendant's arrest; (2) may not release the defendant on personal recognizance; and (3) may not set bail for the rearrest of the defendant on the warrant at an amount that is less than the greater of: (A) the amount of the original bail; or (B) two thousand five hundred dollars ($2,500); in the form of a bond issued by an entity defined in IC 27-10-1-7 or the full amount of the bond in cash. (b) In a criminal case, if the court having jurisdiction over the criminal case receives written notice of a pending civil action or unsatisfied judgment against the criminal defendant arising out of the same transaction or occurrence forming the basis of the criminal case, funds deposited with the clerk of the court under section 3.2(a)(2) of this chapter may not be declared forfeited by the court, and the court shall order the deposited funds to be held by the clerk. If there is an entry of final judgment in favor of the plaintiff in the civil action, and if the deposit is subject to forfeiture, the criminal court shall order payment of all or any part of the deposit to the plaintiff in the action, as is necessary to satisfy the judgment. The court shall then order the remainder of the deposit, if any, forfeited. As added by P.L.36-1990, SEC.8. Amended by P.L.224-1993, SEC.31; P.L.107-1998, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 9. Bail Upon Appeal35-33-9-0.5. Inapplicable Law

Sec. 0.5. The Indiana pretrial risk assessment system and the bail guidelines described in IC 35-33-8-3.8 do not apply to bail on appeal. As added by P.L.187-2017, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 9. Bail Upon Appeal35-33-9-1. Discretion of Court; Excepted Felonies

Sec. 1. A person convicted of an offense who has appealed or desires to appeal the conviction may file a petition to be admitted to bail pending appeal. The person may be admitted to bail pending appeal at the discretion of the court in which the case was tried, but the person may not be admitted to bail if the person has been convicted of a Class A felony (for a crime committed before July 1, 2014) or a Level 1 or Level 2 felony (for a crime committed after June 30, 2014). As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.158-2013, SEC.387.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 9. Bail Upon Appeal35-33-9-2. Petition; Filing

Sec. 2. When a person has been sentenced to a term of imprisonment and has filed an appeal, that person may file a petition for bail pending appeal unless he is barred from admission to bail pending appeal by section 1 of this chapter. The petition must be filed in the court in which the case was tried, and a copy shall be sent to the prosecuting attorney of the circuit where the judgment was rendered. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 9. Bail Upon Appeal35-33-9-3. Bond; Conditions of Undertaking

Sec. 3. (a) The sureties on all appeal bonds must possess the qualifications that are required of bail in criminal cases, except the undertaking must also include the defendant's promise to: (1) faithfully prosecute his appeal; (2) abide by the order and judgment of the court to which the cause is appealed; (3) surrender himself in execution of the judgment if the appeal be affirmed or dismissed; and (4) surrender himself to the trial court if required by the judgment upon reversal. (b) If undertaking is given before an appeal has been perfected, the undertaking must include a promise that an appeal will be perfected by the defendant. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 9. Bail Upon Appeal35-33-9-4. Amount; Order; Surrender by Surety and Recommitment; Failure to Comply

Sec. 4. (a) The court in which a petition to be admitted to bail is filed shall: (1) fix bail in a reasonable amount, considering the nature of the offense and the penalty adjudged, as will insure the compliance by the defendant with the terms of the bond; and (2) make an order containing the terms of bail. If the defendant furnishes bail to the satisfaction of the court, he shall be discharged from custody until he is required to surrender himself according to the terms of the order. (b) The sureties on the bail bond may, at any time, surrender the principal of the bond to the court and be released from liability. If the court so orders, the defendant shall immediately be committed to the institution to which he was sentenced unless the court approves a new bond. (c) If the defendant fails to comply with the terms of the bail bond: (1) the bond shall be forfeited in the court from which the appeal was taken; (2) a warrant shall be immediately issued for his arrest; and (3) upon arrest, he shall be committed to the institution to which he was originally sentenced. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 9. Bail Upon Appeal35-33-9-5. Stay of Judgment; Commencement of Sentence Upon Surrender; Prior Time Credit

Sec. 5. (a) Whenever any defendant is admitted to bail under the provisions of this chapter, the judgment of conviction shall be stayed until the appeal is disposed of. If the appeal is dismissed or the judgment affirmed, the term of imprisonment prescribed in the judgment shall commence to run from the time the defendant surrenders according to the terms of the bond. (b) If the defendant is surrendered by sureties under section 4 of this chapter, the judgment shall commence to run from the time of the surrender, and the defendant shall be immediately confined in the institution to which the defendant was committed by the original sentence. (c) If a defendant is admitted to bail under this chapter after the defendant has commenced to serve the sentence, and the appeal is dismissed or the judgment from which the appeal was taken is affirmed, the defendant shall receive accrued time and good time credit, if applicable, on the sentence for the time the defendant served before being admitted to bail. During the time any defendant is released from custody under this chapter, the judgment of conviction shall be stayed. As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.74-2015, SEC.19.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 9. Bail Upon Appeal35-33-9-6. Penalty of Fine Only; Stay

Sec. 6. Where a penalty in a criminal case is a fine only, the defendant may have a stay of execution on appeal as provided by law. As added by Acts 1981, P.L.298, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 33. Preliminary ProceedingsChapter 9. Bail Upon Appeal35-33-9-8. Credit Card Service Fee

Sec. 8. In addition to any other condition of bail imposed under this chapter, a defendant who posts bail by means of a credit card shall pay the credit card service fee under IC 33-37-6. As added by P.L.65-2004, SEC.12.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-1. Commencement of Prosecution; Filing; Sealing; Violation

Sec. 1. (a) All prosecutions of crimes shall be brought in the name of the state of Indiana. Any crime may be charged by indictment or information. (b) Except as provided in IC 12-15-23-6(d), all prosecutions of crimes shall be instituted by the filing of an information or indictment by the prosecuting attorney, in a court with jurisdiction over the crime charged. (c) Whenever an indictment or information is filed, the clerk of the court shall: (1) mark the date of filing on the instrument; (2) record it in a record book; and (3) upon request, make a copy of it available to the defendant or his attorney. (d) The court, upon motion of the prosecuting attorney, may order that the indictment or information be sealed. If a court has sealed an indictment or information, no person may disclose the fact that an indictment or information is in existence or pending until the defendant has been arrested or otherwise brought within the custody of the court. However, any person may make any disclosure necessarily incident to the arrest of the defendant. A violation of this subsection is punishable as a contempt. As added by Acts 1981, P.L.298, SEC.3. Amended by Acts 1982, P.L.204, SEC.18; P.L.10-1994, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-10. Motions; Joinder of Offenses; Dismissal of Offense Joinable for Trial or of Related Offenses; Requisites; Orders

Sec. 10. (a) When a defendant has been charged with two (2) or more offenses in two (2) or more indictments or informations and the offenses could be joined in the same indictment or information under section 9(a)(1) of this chapter, the court, upon motion of the defendant, may order that the indictments or informations be joined for trial. Such motion shall be made before commencement of trial on either of the offenses charged. (b) When a defendant has been charged with two (2) or more offenses in two (2) or more indictments or informations and the offenses could have been joined in the same indictment or information under section (9)(a)(2) of this chapter, the court, upon motion of the defendant or the prosecuting attorney, or on its own motion, shall join for trial all of such indictments or informations unless the court, in the interests of justice, orders that one (1) or more of such offenses shall be tried separately. Such motion shall be made before commencement of trial on either of the offenses charged. (c) A defendant who has been tried for one (1) offense may thereafter move to dismiss an indictment or information for an offense which could have been joined for trial with the prior offenses under section 9 of this chapter. The motion to dismiss shall be made prior to the second trial, and shall be granted if the prosecution is barred by reason of the former prosecution. (d) A defendant who has been sentenced on a plea of guilty to one (1) offense may move to dismiss an indictment or information for a related offense. The motion shall be granted if the plea of guilty was entered on the basis of a plea agreement in which the prosecutor agreed to seek or not to oppose dismissal of other related offenses or not to prosecute other potential related offenses. (e) Subject to the provisions of section 11(a) of this chapter, two (2) or more offenses which are within the jurisdiction of the same court and which could have been joined in one (1) prosecution constitute related offenses. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-11. Severance of Offenses or Separate Trial of Defendants Joined

Sec. 11. (a) Whenever two (2) or more offenses have been joined for trial in the same indictment or information solely on the ground that they are of the same or similar character, the defendant shall have a right to a severance of the offenses. In all other cases the court, upon motion of the defendant or the prosecutor, shall grant a severance of offenses whenever the court determines that severance is appropriate to promote a fair determination of the defendant's guilt or innocence of each offense considering: (1) the number of offenses charged; (2) the complexity of the evidence to be offered; and (3) whether the trier of fact will be able to distinguish the evidence and apply the law intelligently as to each offense. (b) Whenever two (2) or more defendants have been joined for trial in the same indictment or information and one (1) or more defendants move for a separate trial because another defendant has made an out-of-court statement which makes reference to the moving defendant but is not admissible as evidence against him, the court shall require the prosecutor to elect: (1) a joint trial at which the statement is not admitted into evidence; (2) a joint trial at which the statement is admitted into evidence only after all references to the moving defendant have been effectively deleted; or (3) a separate trial for the moving defendant. In all other cases, upon motion of the defendant or the prosecutor, the court shall order a separate trial of defendants whenever the court determines that a separate trial is necessary to protect a defendant's right to a speedy trial or is appropriate to promote a fair determination of the guilt or innocence of a defendant. (c) The court may order the prosecutor to disclose in camera any information concerning statements made by the defendants which the prosecutor intends to introduce in evidence at the trial if this information would assist the court in ruling on a motion for a separate trial. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-12. Motion for Severance or Separate Trial; Time; Waiver or Bar

Sec. 12. (a) A defendant's motion for severance of crimes or motion for a separate trial must be made before commencement of trial, except that the motion may be made before or at the close of all the evidence during trial if based upon a ground not previously known. The right to severance of offenses or separate trial is waived by failure to make the motion at the appropriate time. (b) If a

defendant's pretrial motion for severance of offenses or motion for a separate trial is overruled, the motion may be renewed on the same grounds before or at the close of all the evidence during trial. The right to severance of offenses or separate trial is waived by failure to renew the motion. (c) If a defendant's motion for severance of offenses or separate trial is granted during the trial, the granting of the motion shall not bar a subsequent trial of that defendant on the offenses charged. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-13. Motion to Dismiss by Prosecuting Attorney

Sec. 13. (a) Upon motion of the prosecuting attorney, the court shall order the dismissal of the indictment or information. The motion may be made at any time before sentencing and may be made on the record or in writing. The motion shall state the reason for dismissal. (b) In any case where an order sustaining a motion to dismiss would otherwise constitute a bar to further prosecution of the crime charged, unless the defendant objects to dismissal, the granting of the motion does not bar a subsequent trial of the defendant on the offense charged. As added by Acts 1981, P.L.298, SEC.3. Amended by Acts 1982, P.L.204, SEC.22.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-14. Pleading Special Matters; Sufficiency

Sec. 14. In any indictment or information, an averment substantially in compliance with the provisions of this section shall be sufficient. (a) The age of the defendant or the victim need not be alleged, except where the age of the defendant or the victim is an essential element of the offense charged. (b) Averments as to any money or bills or notes or postal orders issued by any lawful authority and intended to pass and circulate as money are sufficient to be alleged simply as money without further identification. (c) It is sufficient to describe a written instrument by any name or designation by which it is usually known or to aver generally the contents of such instrument. (d) Averments of dates and numbers may be by words or figures or both. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-15. Incorrect Name of Defendant Immaterial

Sec. 15. (a) If the stated name of the defendant in the indictment or information is incorrect: (1) this defect shall not be a ground for dismissal of the indictment or information; and (2) any variance between the allegations and the proof of the defendant's name shall not be considered material. (b) If at any time during the proceedings the true name of the defendant becomes known, the court shall order the indictment or information amended to show both the name by which the defendant was first charged and the name later alleged to be true. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-16. Perjury; Requisites

Sec. 16. (a) In an indictment or information for perjury, it is necessary to set forth only: (1) the substance of the controversy or the matter in respect to which the alleged offense was committed; and (2) in what court or before whom the false statement was made. It is not necessary to set forth any part of any record or proceeding, or the commission or authority of the court or person before whom the perjury was allegedly committed. (b) In an indictment or information for perjury, in swearing to any written instrument, it is necessary to set forth only that part of the instrument alleged to have been falsely sworn to, and to negative the same, with the name of the officer or court before whom the instrument was sworn. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-17. Forgery; Misdescription of Instrument Destroyed or Withheld by Defendant Immaterial

Sec. 17. When an instrument which is the subject of an indictment or information for forgery has been destroyed, or is withheld by the act or procurement of the defendant, and the fact of the destruction or withholding is alleged in the indictment or information, and established at trial, the misdescription of the instrument is immaterial. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-18. Names of Owners of Property

Sec. 18. The indictment or information for an offense which was committed upon or in relation to any property belonging to partners, or to several joint owners, or property which, when the offense was committed, was in possession of a bailee or tenant, is sufficient if it alleges the ownership of the property to be in the name of: (1) the partnership or any partner; (2) an owner; (3) a bailor; (4) a bailee; or (5) a tenant. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-19. Rules of Construction

Sec. 19. The words used in an indictment or information shall be construed using their ordinary and common meaning, except words and phrases defined by law, which are to be construed according to their legal meaning. As added by Acts 1981, P.L.298, SEC.3.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-2.4. Verified or Sworn Documents; Form of Oath; Administration; False Affirmation or Verification

Sec. 2.4. (a) If an indictment, information, pleading, motion, petition, probable cause affidavit, or other document is required to be verified or sworn under oath before it is submitted to the court in a criminal action, the document meets the requirements of the law as a sworn document if the following form or a substantially similar form is used: I swear (affirm), under penalty of perjury as specified by IC 35-44.1-2-1, that the foregoing (the following) representations are true. Signed _____ (b) If a document complies with subsection (a), the swearing or affirming need not be done before a notary or other officer empowered to administer oaths. (c) A person who makes a false affirmation or verification under this section may be prosecuted under IC 35-44.1-2-1. As added by P.L.181-1988, SEC.1. Amended by P.L.126-2012, SEC.47.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-2.5. Prior Convictions

Sec. 2.5. If the penalty for an offense is, by the terms of the statute, increased because the person was previously convicted of the offense, the state may seek to have the person sentenced to receive the increased penalty by alleging, on a page separate from the rest of the charging instrument, that the person was previously convicted of the offense. As added by P.L.50-1984, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-2. Contents; Requisites; Form

Sec. 2. (a) The indictment or information shall be in writing and allege the commission of an offense by: (1) stating the title of the action and the name of the court in which the indictment or information is filed; (2) stating the name of the offense in the words of the statute or any other words conveying the same meaning; (3) citing the statutory provision alleged to have been violated, except that any failure to include such a citation or any error in such a citation does not constitute grounds for reversal of a conviction where the defendant was not otherwise misled as to the nature of the charges against the defendant; (4) setting forth the nature and elements of the offense charged in plain and concise language without unnecessary repetition; (5) stating the date of the offense with sufficient particularity to show that the offense was committed within the period of limitations applicable to that offense; (6) stating the time of the offense as definitely as can be done if time is of the essence of the offense; (7) stating the place of the offense with sufficient particularity to show that the offense was committed within the jurisdiction of the court where the charge is to be filed; (8) stating the place of the offense as definitely as can be done if the place is of the essence of the offense; and (9) stating the name of every defendant, if known, and if not known, by designating the defendant by any name or description by which the defendant can be identified with reasonable certainty. (b) An indictment shall be signed by: (1) the foreman or five (5) members of the grand jury; and (2) the prosecuting attorney or the prosecuting attorney's deputy. (c) An information shall be signed by the prosecuting attorney or the prosecuting attorney's deputy. (d) An indictment or information shall have stated upon it the names of all the material witnesses. Other witnesses may afterwards be subpoenaed by the state, but unless the name of a witness is stated on the indictment or information, no continuance shall be granted to the state due to the absence of the witness. (e) The indictment or information shall be a plain, concise, and definite written statement of the essential facts constituting the offense charged. It need not contain a formal commencement, a formal conclusion, or any other matter not necessary to the statement. Presumptions of law and matters of which judicial notice is taken need not be stated. (f) The indictment may be substantially in the following form: IN THE _____ COURT OF INDIANA, 20____ STATE OF INDIANA vs. CAUSE NUMBER _____ A _____ B _____ The grand jury of the county of _____ upon their oath or affirmation do present that AB, on the _____ day of _____ 20____ at the county of _____ in the state of Indiana (HERE SET FORTH THE OFFENSE CHARGED). (g) The information may be substantially in the same form as the indictment, substituting for the words, "the grand jury of the county of _____, upon their oath or affirmation so present" the following: "CD, being duly sworn on his oath or having affirmed, says." It is not necessary in an information to state the reason why the proceeding is by information rather than indictment. (h) This section applies to a traffic offense (as defined in IC 9-13-2-183) if the traffic offense is: (1) a felony; or (2) a misdemeanor. As added by Acts 1981, P.L.298, SEC.3. Amended by Acts 1982, P.L.204, SEC.19; P.L.320-1983, SEC.11; P.L.158-1994, SEC.1; P.L.2-2005, SEC.119; P.L.85-2013, SEC.115; P.L.161-2018, SEC.117.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-3. Illegible or Lost Indictment or Information

Sec. 3. When an indictment or information which has been returned or presented to a court as authorized by law has become illegible or cannot be produced, the defendant may be tried using a copy certified by the clerk of the court. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-4. Motion to Dismiss by Defendant; Grounds; Requisites; Disposition; Effect of Order

Sec. 4. (a) The court may, upon motion of the defendant, dismiss the indictment or information upon any of the following grounds:

(1) The indictment or information, or any count thereof, is defective under section 6 of this chapter. (2) Misjoinder of offenses or parties defendant, or duplicity of allegation in counts. (3) The grand jury proceeding was defective. (4) The indictment or information does not state the offense with sufficient certainty. (5) The facts stated do not constitute an offense. (6) The defendant has immunity with respect to the offense charged. (7) The prosecution is barred by reason of a previous prosecution. (8) The prosecution is untimely brought. (9) The defendant has been denied the right to a speedy trial. (10) There exists some jurisdictional impediment to conviction of the defendant for the offense charged. (11) Any other ground that is a basis for dismissal as a matter of law. (b) Except as otherwise provided, a motion under this section shall be made no later than: (1) twenty (20) days if the defendant is charged with a felony; or (2) ten (10) days if the defendant is charged only with one (1) or more misdemeanors; prior to the omnibus date. A motion made thereafter may be summarily denied if based upon a ground specified in subdivision (a)(1), (a)(2), (a)(3), (a)(4), or (a)(5) of this section. A motion to dismiss based upon a ground specified in subdivision (a)(6), (a)(7), (a)(8), (a)(9), (a)(10), or (a)(11) of this section may be made or renewed at any time before or during trial. A motion to dismiss based upon lack of jurisdiction over the subject matter may be made at any time. (c) Upon the motion to dismiss, a defendant who is in a position adequately to raise more than one (1) ground in support thereof shall raise every ground upon which he intends to challenge the indictment or information. A subsequent motion based upon a ground not properly raised may be summarily denied. However, the court, in the interest of justice and for good cause shown, may entertain and dispose of such a motion on the merits. (d) Upon the motion to dismiss, the court shall: (1) overrule the motion to dismiss; (2) grant the motion to dismiss and discharge the defendant; or (3) grant the motion to dismiss and deny discharge of the defendant if the court determines that the indictment or information may be cured by amendment under section 5 of this chapter and the prosecuting attorney has moved for leave to amend. If the court grants the motion under subdivision (3) and grants the prosecuting attorney leave to amend, any prior order imposing conditions of release pending trial shall stand unless otherwise modified or removed by order of the court. (e) If the court grants a motion under subsection (a)(3) and the prosecuting attorney informs the court on the record that the charges will be refiled within seventy-two (72) hours by information: (1) the court may not discharge the defendant; and (2) any prior order concerning release pending trial remains in force unless it is modified or removed by the court. (f) An order of dismissal does not, of itself, constitute a bar to a subsequent prosecution of the same crime or crimes except as otherwise provided by law. As added by Acts 1981, P.L.298, SEC.3. Amended by Acts 1982, P.L.204, SEC.20; P.L.320-1983, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-5. Amendment of Charge; Procedures; Limitations

Sec. 5. (a) An indictment or information which charges the commission of an offense may not be dismissed but may be amended on motion by the prosecuting attorney at any time because of any immaterial defect, including: (1) any miswriting, misspelling, or grammatical error; (2) any misjoinder of parties defendant or offenses charged; (3) the presence of any unnecessary repugnant allegation; (4) the failure to negate any exception, excuse, or provision contained in the statute defining the offense; (5) the use of alternative or disjunctive allegations as to the acts, means, intents, or results charged; (6) any mistake in the name of the court or county in the title of the action, or the statutory provision alleged to have been violated; (7) the failure to state the time or place at which the offense was committed where the time or place is not of the essence of the offense; (8) the failure to state an amount of value or price of any matter where that value or price is not of the essence of the offense; or (9) any other defect which does not prejudice the substantial rights of the defendant. (b) The indictment or information may be amended in matters of substance and the names of material witnesses may be added, by the prosecuting attorney, upon giving written notice to the defendant at any time: (1) up to: (A) thirty (30) days if the defendant is charged with a felony; or (B) fifteen (15) days if the defendant is charged only with one (1) or more misdemeanors; before the omnibus date; or (2) before the commencement of trial; if the amendment does not prejudice the substantial rights of the defendant. When the information or indictment is amended, it shall be signed by the prosecuting attorney or a deputy prosecuting attorney. (c) Upon motion of the prosecuting attorney, the court may, at any time before, during, or after the trial, permit an amendment to the indictment or information in respect to any defect, imperfection, or omission in form which does not prejudice the substantial rights of the defendant. (d) Before amendment of any indictment or information other than amendment as provided in subsection (b), the court shall give all parties adequate notice of the intended amendment and an opportunity to be heard. Upon permitting such amendment, the court shall, upon motion by the defendant, order any continuance of the proceedings which may be necessary to accord the defendant adequate opportunity to prepare the defendant's defense. (e) An amendment of an indictment or information to include a habitual offender charge under IC 35-50-2-8 must be made at least thirty (30) days before the commencement of trial. However, upon a showing of good cause, the court may permit the filing of a habitual offender charge at any time before the commencement of the trial if the amendment does not prejudice the substantial rights of the defendant. If the court permits the filing of a habitual offender charge less than thirty (30) days before the commencement of trial, the court shall grant a continuance at the request of the: (1) state, for good cause shown; or (2) defendant, for any reason. As added by Acts 1981, P.L.298, SEC.3. Amended by Acts 1982, P.L.204, SEC.21; P.L.320-1983, SEC.13; P.L.164-1993, SEC.7; P.L.178-2007, SEC.1; P.L.24-2013, SEC.1; P.L.158-2013, SEC.389.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-6. Defective Indictment or Information; Dismissal; Exceptions

Sec. 6. (a) An indictment or information is defective when: (1) it does not substantially conform to the requirements of section 2(a) of this chapter; (2) the allegations demonstrate that the court does not have jurisdiction of the offense charged; or (3) the statute

defining the offense charged is unconstitutional or otherwise invalid. (b) An information is defective if: (1) the defendant was a grand jury target identified under IC 35-34-2-12(a)(1); (2) the offense alleged was identified on the record under IC 35-34-2-12(a)(2) as an offense that the defendant allegedly committed; and (3) the grand jury proceeded to deliberate on whether to issue an indictment, and voted not to indict the defendant for the offense identified on the record under IC 35-34-2-12(a)(2). However, if the prosecuting attorney shows that there is newly discovered material evidence that was not presented to the grand jury before the grand jury's failure to indict, then the information is not defective. (c) Except as provided in section 5 of this chapter, an indictment or information or a count thereof shall be dismissed upon motion when it is defective. As added by Acts 1981, P.L.298, SEC.3. Amended by P.L.312-1985, SEC.1; P.L.3-1990, SEC.121.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-7. Grand Jury Proceedings; Violation of Ic 35-34-2; Dismissal

Sec. 7. An indictment shall be dismissed upon motion when the grand jury proceeding which resulted in the indictment was conducted in violation of IC 35-34-2. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-8. Motion to Dismiss by Defendant; Requisites; Affidavits; Documentary Evidence; Hearing; Disposition; Procedures

Sec. 8. (a) A motion to dismiss an indictment or information under section 4 of this chapter shall be in writing. The prosecutor must be given reasonable notice of a motion to dismiss. If the motion is expressly or impliedly based upon the existence or occurrence of facts, the motion shall be accompanied by affidavits containing sworn allegations of these facts. The sworn allegations may be based upon personal knowledge of the affiant or upon information and belief, provided that in the latter event the affiant discloses the sources of the information and the grounds for the belief. If the motion is expressly or impliedly based upon the existence of any question of law, the motion shall be accompanied by a memorandum stating specifically the legal question in issue. The defendant may also submit documentary evidence tending to support the allegations of the motion. (b) The prosecutor may: (1) file with the court an answer denying or admitting any or all of the allegations of the motion; and (2) submit documentary evidence tending to refute the allegations. (c) After all papers of both parties have been filed, and after all documentary evidence has been submitted, the court shall determine whether, under subsections (d) and (e) of this section, a hearing is necessary to resolve questions of fact. (d) The court shall grant the motion without conducting a hearing only if: (1) the motion alleges a ground constituting a legal basis for the motion under section 4 of this chapter; (2) the ground, if expressly or impliedly based upon the existence or occurrence of facts, is supported by sworn allegations of all facts essential to support the motion; and (3) the sworn allegations of fact essential to support the motion are admitted as true by the prosecutor or are conclusively established by documentary evidence. (e) The court may deny the motion without conducting a hearing only if: (1) the motion does not allege a ground constituting a legal basis for the motion under section 4 of this chapter; (2) the motion is expressly or impliedly based upon the existence or occurrence of facts, and the motion does not contain sworn allegations supporting all the essential facts; or (3) an allegation of fact essential to support the motion is conclusively refuted by documentary evidence. (f) If a hearing is necessary to resolve questions of fact, the court shall conduct a hearing and make findings of fact essential to the determination of the motion. The defendant has a right to be present and represented by counsel at the hearing but may waive this right. The defendant has the burden of proving by a preponderance of the evidence every fact essential to support the motion. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 1. Indictment and Information35-34-1-9. Joinder of Offenses or Defendants

Sec. 9. (a) Two (2) or more offenses may be joined in the same indictment or information, with each offense stated in a separate count, when the offenses: (1) are of the same or similar character, even if not part of a single scheme or plan; or (2) are based on the same conduct or on a series of acts connected together or constituting parts of a single scheme or plan. (b) Two (2) or more defendants can be joined in the same indictment or information when: (1) each defendant is charged with each offense included; (2) each of the defendants is charged as a conspirator or party to the commission of the offense and some of the defendants are also charged with one (1) or more offenses alleged to be in furtherance of the conspiracy or common scheme or plan; however, a party to the commission of an offense or conspirator need not be designated as such in the indictment or information; or (3) conspiracy is not charged and not all of the defendants are charged in each count, if it is alleged in the indictment or information that the offenses charged: (A) were part of a common scheme or plan; or (B) were so closely connected in respect to time, place, and occasion that it would be difficult to separate proof of one (1) charge from proof of the others. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-1. "Target" Defined

Sec. 1. As used in this chapter: "Target" means a person who has been charged by information for an offense the grand jury is investigating, or who is a subject of the grand jury investigation. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-10. Unauthorized Disclosure of Grand Jury Information; Offense; Production of Transcript

Sec. 10. (a) Except when required to do so by law, a person who has been present at a grand jury proceeding and who knowingly or intentionally discloses: (1) any evidence or testimony given or produced; (2) what a grand juror said; or (3) the vote of any grand juror; to any other person, except to a person who was also present or entitled to be present at that proceeding or to the prosecuting attorney or his representative, commits unauthorized disclosure of grand jury information, a Class B misdemeanor. (b) The transcript of testimony of a witness before a grand jury may be produced only: (1) for the official use of the prosecuting attorney; or (2) upon order of: (A) the court which impaneled the grand jury; (B) the court trying a case upon an indictment of the grand jury; or (C) a court trying a prosecution for perjury; but only after a showing of particularized need for the transcript. As added by Acts 1981, P.L.298, SEC.3. Amended by P.L.312-1985, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-11. Access to Local Government Facilities for Care or Custody of Persons

Sec. 11. The grand jury shall have free access, at all reasonable times, to any county, city, or town facility where persons are held in care or custody of such county, city, or town, for the purpose of examining their condition and management. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-12. Identification of Target and Offense; Validity of Indictment; Concurrence of Five Grand Jurors; Signatures; Endorsement

Sec. 12. (a) Before the grand jury proceeds to deliberate on whether to issue an indictment, the prosecuting attorney shall, on the record: (1) identify each target of the grand jury proceeding; and (2) identify each offense that each target is alleged to have committed. (b) Before an indictment is valid, at least five (5) grand jurors must concur in the finding of the indictment, and it must be: (1) signed by the prosecuting attorney or his deputy; (2) endorsed with the phrase "a true bill"; and (3) signed by the foreman of the grand jury or five (5) members of the grand jury. (c) An indictment is not valid unless the offense that the indictment charges the defendant committed is an offense that is contained on the record under subsection (a). (d) An indictment is not valid if it indicts the target of a previous grand jury who: (1) was identified under subsection (a)(1); (2) was the target of a previous grand jury that proceeded to deliberate on whether to issue an indictment, and voted not to indict the defendant for the offense identified to the previous grand jury under subsection (a)(2); and (3) was alleged to have committed an offense identified to a previous grand jury under subsection (a)(2). However, if the prosecuting attorney shows that there is newly discovered material evidence that was not presented to the previous grand jury before the grand jury's failure to indict, then the indictment is not defective. As added by Acts 1981, P.L.298, SEC.3. Amended by P.L.312-1985, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-13. Extension of Term; Limitation

Sec. 13. The judge of any court having criminal jurisdiction may, upon due cause shown by petition of the prosecuting attorney of the judicial circuit, extend the terms of the members of a grand jury then convened for an additional term of three (3) months or more, as requested by the prosecuting attorney. The terms of the members of any grand jury may be so extended for successive periods of increments of three (3) months or more, to a total length of no more than two (2) years. As added by P.L.171-1984, SEC.75.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-14. Special Grand Jury; Powers and Duties; Term

Sec. 14. (a) The judge of any court having criminal jurisdiction may, upon due cause shown by petition of the prosecuting attorney of the judicial circuit, order the clerk of the courts, or jury administrator (as defined in IC 33-28-5-3) to draw the names of competent persons to be summoned to serve on a special grand jury, which shall serve in addition to the grand jury regularly summoned and convened pursuant to law. (b) A special grand jury has the powers and duties of a grand jury prescribed by law. (c) The members of the special grand jury serve terms of three (3) months or more, as requested by the prosecuting attorney. The terms of members of a special grand jury shall be extended for the same period of time and in the same manner in which the terms of grand jury members may be extended under section 13 of this chapter. As added by P.L.171-1984, SEC.76. Amended by P.L.98-2004, SEC.145; P.L.118-2007, SEC.30.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-15. Special Grand Jury; Number and Names to Be Drawn; Investigation of Panel; Issuance of Venires or Summonses

Sec. 15. When names of grand jurors are ordered drawn to be summoned under section 14 of this chapter, the judge shall specify the number of names to be drawn, and shall enter an order in sufficient time before the grand jury session to permit counsel to know and investigate the panel of special grand jurors. The order of names listed in the panel and called for service and entered in the order book of the court shall be the same as that provided in IC 33-28-5. The clerk shall issue summonses for such jurors as the courts may direct. The sheriff or bailiff shall then call the special grand jurors to the jury box in the same order as that in which their names

were drawn from the jury pool and certified thereto. As added by P.L.171-1984, SEC.77. Amended by P.L.98-2004, SEC.146; P.L.118-2007, SEC.31.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-2. Number; Impaneling; Scope of Function and Authority; Convening

Sec. 2. (a) A grand jury shall consist of six (6) grand jurors and one (1) alternate and may be impaneled by the circuit court or a superior court with criminal jurisdiction. A grand jury shall hear and examine evidence concerning crimes and shall take action with respect to this evidence as provided by law. (b) The court shall call the grand jury into session at the request of the prosecuting attorney. The court may also convene the grand jury without a request from the prosecuting attorney. The grand jury shall be convened by the judge issuing an order requiring the jury to meet at a time specified. (c) A grand jury may not remain in session for more than six (6) months. (d) An alternate impaneled under this section shall appear and hear all evidence presented to the grand jury but may not comment, deliberate, or vote unless there is not a quorum of grand jurors for a particular session. As added by Acts 1981, P.L.298, SEC.3. Amended by Acts 1982, P.L.204, SEC.23; P.L.4-1998, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-3. Drawing, Selecting, and Impaneling; Discharge of Panel or Juror; Grounds; Foreman and Clerk; Minutes; Record Transcript; Oath; Instructions; Report of Offense

Sec. 3. (a) The jurors on a grand jury and one (1) alternate shall be drawn, selected, and impaneled by the procedure set out in IC 33-28-5. (b) Whenever the court finds that the original panel was not selected in substantial conformity with the requirements of law for the selection of the panel, the court shall discharge the panel and summon another panel. (c) Whenever the court finds that a grand juror: (1) is disqualified from service under law; (2) is incapable of performing the juror's duties because of bias or prejudice; (3) is guilty of misconduct in the performance of the juror's duties that might impair the proper functioning of the grand jury; (4) is under the age of eighteen (18) years; (5) is not a resident of the county; (6) is an alien; (7) is a mentally incompetent person; (8) is a witness for the prosecution; (9) has such a state of mind in reference to a target that the juror cannot act impartially and without prejudice to the substantial rights of that person; (10) holds a juror's place on the grand jury by reason of the corruption of the officer who selected and impaneled the grand jury; or (11) has requested or otherwise caused any officer or an officer's deputy to place the juror upon the grand jury; the court shall refuse to swear that grand juror or, if the juror has been sworn, shall discharge that grand juror and swear another grand juror. (d) After a grand jury has been impaneled, the court that called the grand jury shall appoint one (1) of the grand jurors as foreman and one (1) as clerk. During any absence of the foreman or clerk, the grand jury shall select one (1) of their number to act as foreman or clerk. The clerk shall keep minutes of the grand jury proceedings. The court shall supply a means for recording the evidence presented before the grand jury and all of the other proceedings that occur before the grand jury, except for the deliberations and voting of the grand jury and other discussions when the members of the grand jury are the only persons present in the grand jury room. The evidence and proceedings shall be recorded in the same manner as evidence and proceedings are recorded in the court that impaneled the grand jury. When ordered by the court, a transcript or a copy of the recording shall be prepared and supplied to the requesting party. If the transcript is supplied, it shall be at the cost of the party requesting it. If a copy of the recording is supplied, the party requesting it is responsible for the actual cost of reproduction. If a transcript has already been prepared, the requesting party is responsible for the actual cost of obtaining the copy. If the court finds the requesting party is an indigent defendant, the cost of the transcript or copy of the recording supplied to the defendant shall be paid by the county. (e) The following oath must be administered to the grand jury: "You, and each of you, do solemnly swear or affirm that you will diligently inquire and make true presentment of all offenses committed or triable within this county, of which you have or can obtain legal evidence; that you will present no person through malice, hatred, ill will, nor leave any unpresented through fear, favor, or affection, or for any reward, or the promise or hope thereof, but in all your indictments you will present the truth, the whole truth, and nothing but the truth; that you will not disclose any evidence given or proceeding had before the grand jury; that you will keep secret whatever you or any other grand juror may have said or in what manner you or any other grand juror may have voted on a matter before the grand jury.". (f) The court shall provide a printed copy of the provisions of this chapter to the grand jury upon the request of any member of the grand jury. In addition, the court shall give the grand jurors any instructions relating to the proper performance of their duties that the court considers necessary. (g) If a member of the grand jury has reason to believe that an offense has been committed which is triable in the county, the member may report this information to fellow jurors, who may then investigate the alleged offense. As added by Acts 1981, P.L.298, SEC.3. Amended by Acts 1982, P.L.204, SEC.24; P.L.320-1983, SEC.14; P.L.312-1985, SEC.3; P.L.169-1988, SEC.6; P.L.33-1989, SEC.124; P.L.4-1998, SEC.13; P.L.98-2004, SEC.144; P.L.118-2007, SEC.29.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-4. Conduct of Proceedings

Sec. 4. (a) The proceedings of a grand jury are not valid unless at least five (5) of its members are present. (b) The foreman shall administer an oath to any witness appearing before the grand jury. (c) The prosecuting attorney, his staff and any witness the prosecuting attorney or the grand jury requests to be present may be present at any time during grand jury proceedings, except as provided in subsection (h). (d) The grand jury may request assistance from a clerk, or other public servant, authorized by the court to assist the grand jury in the administrative conduct of its proceedings. Such a clerk or other public servant may be present during any

grand jury proceedings, except as specified in subsection (h). (e) The person recording the proceedings may be present during the proceedings except as specified in subsection (h). (f) The grand jury may request the court to provide an interpreter to assist the grand jury in understanding the testimony of any witness, and the court shall provide an interpreter when requested. Before assuming his duties with the grand jury, an interpreter shall take an oath before the grand jury that he will faithfully interpret all testimony of the witness and that he will keep secret all matters before the grand jury that are within his knowledge. He may be present as requested by the grand jury, except as set out in subsection (h). (g) When a person held in official custody is a witness before the grand jury, a public servant assigned to guard him may accompany him in the grand jury room. However, before entering the grand jury room for that purpose, the public servant shall take an oath before the grand jury that he will keep secret all matters before the grand jury that are within his knowledge. (h) During the deliberations and voting of the grand jury, only the grand jurors may be present in the grand jury room. (i) Grand jury proceedings shall be secret, and no person present during a grand jury proceeding may, except in the lawful discharge of his duties or upon written order of the court impaneling the grand jury or the court trying the case on indictment presented by the grand jury, disclose: (1) the nature or substance of any grand jury testimony; or (2) any decision, result, or other matter attending the grand jury proceeding. However, any court may require any person present during a proceeding to disclose the testimony of a witness as direct evidence in a prosecution for perjury. (j) The grand jury shall be the exclusive judge of the facts with respect to any matter before it. (k) The court and the prosecuting attorney shall be the legal advisors of the grand jury, and the grand jury may not seek or receive legal advice from any other source. (l) The grand jury may not, without court permission, exercise any of its functions in any place other than that designated by the court. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-5.5. Target Witnesses; Right to Counsel; Removal of Attorney

Sec. 5.5. (a) A target subpoenaed under section 5 of this chapter is entitled to the assistance of his attorney when the person is questioned in the grand jury room, subject to this section. (b) The target's attorney: (1) must take an oath of secrecy administered by the foreman; (2) while in the grand jury room may not, without first obtaining the consent of the prosecutor and the foreman: (A) address the grand jury or the prosecuting attorney; (B) make objections or arguments; (C) question any person; or (D) otherwise participate in the proceeding; and (3) may advise the client so long as the conversation is not overheard by any member of the grand jury. (c) The court that impaneled the grand jury may remove any attorney from the grand jury room and may find him to be in contempt of court if the attorney has violated the requirements of subsection (b) or has otherwise disrupted or unnecessarily delayed the grand jury proceeding. As added by P.L.170-1984, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-5. Subpoenas; Contents; Failure to Obey; Contempt

Sec. 5. (a) A subpoena duces tecum or subpoena ad testificandum summoning a witness to appear before the grand jury shall be issued by the clerk upon the request of the grand jury or prosecuting attorney. The subpoena must contain a statement of the general nature of the grand jury inquiry. (b) If the subpoena is issued to a target, the subpoena shall also contain a statement informing the target that: (1) he is a subject of the grand jury investigation; (2) he has the right to consult with an attorney and to be assisted by an attorney under section 13 of this chapter; and (3) if he cannot afford an attorney, the court inpaneling the grand jury will appoint one for him, upon request. (c) If a witness fails to appear at the time and place stated in the subpoena, the court may hold him in contempt of court, unless he had filed a motion to quash the subpoena and the motion has been granted or was pending at the time he was to have appeared. As added by Acts 1981, P.L.298, SEC.3. Amended by P.L.320-1983, SEC.15; P.L.170-1984, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-6. Motion to Quash Subpoena Duces Tecum; Use Immunity

Sec. 6. (a) Any witness may file a motion to quash a subpoena duces tecum directed to that witness. The motion must include a statement of the facts and grounds in support of the objection to the subpoena. The court shall: (1) promptly conduct a hearing on the motion; and (2) at the conclusion of the hearing, enter findings in support of its ruling. (b) A target who is subpoenaed may move to quash a subpoena based upon his privilege against self-incrimination. The court shall grant the motion, unless the prosecuting attorney makes a written request that the target be granted use immunity in accordance with section 8 of this chapter. Upon request by the prosecuting attorney, the court shall grant use immunity to the target and order him to comply with the subpoena. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-7. Witnesses; Refusal to Answer; Compelling Testimony

Sec. 7. (a) If a witness before the grand jury refuses to answer any question or produce any item, the prosecutor may inform the court, in writing, of the question asked or item sought and the reason given for the refusal. The court shall, after a hearing, decide whether the witness is required to answer the question or produce the item and the witness shall be informed immediately of the court's decision. (b) If the court determines that the witness must answer the question or produce the item and the witness continues to refuse, he shall be brought before the court and the court shall proceed as if the witness had refused in open court. (c) If the court

determines that the witness may properly refuse to answer a question or produce an item based upon his privilege against self-incrimination, the prosecutor may request the court to grant use immunity to the witness under section 8 of this chapter. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-8. Witnesses; Use Immunity

Sec. 8. (a) Upon request by the prosecuting attorney, the court shall grant use immunity to a witness before the grand jury. The court shall instruct the witness by written order or in open court that any evidence the witness gives before the grand jury, or evidence derived from that evidence, may not be used in any criminal prosecution against that witness, unless the evidence is volunteered by the witness or is not responsive to a question by the grand jury or the prosecutor. The court shall then instruct the witness that the witness must answer the questions asked and produce the items requested. (b) A grant of use immunity does not prohibit the use of evidence the witness gives in a prosecution for perjury under IC 35-44.1-2-1. (c) If a witness refuses to give evidence after the witness has been granted use immunity, the witness shall be brought before the court and the court shall proceed as if the witness had refused in open court. As added by Acts 1981, P.L.298, SEC.3. Amended by P.L.126-2012, SEC.48.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 34. Bringing Criminal ChargesChapter 2. Grand Jury and Special Grand Jury35-34-2-9. Right to Testify Before Grand Jury; Target of Investigation; Notification; Waiver of Immunity; Calling of Witnesses

Sec. 9. (a) Except as provided by subsection (b) of this section, no person has a right to appear as a witness before the grand jury or to present any evidence or information to the grand jury. (b) A target of a grand jury investigation shall be given the right to testify before the grand jury, provided he signs a waiver of immunity. The prosecuting attorney shall notify a target of his opportunity to testify unless: (1) notification may result in flight or endanger other persons or obstruct justice; or (2) the prosecutor is unable, with reasonable diligence, to notify him. (c) The prosecuting attorney or grand jury may call as a witness in a grand jury proceeding any person believed to possess relevant information or knowledge. As added by Acts 1981, P.L.298, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 35. Pleading and ProcedureChapter 1. Pleas35-35-1-1. Guilty or Guilty but Mentally Ill at Time of Crime; Aid of Counsel

Sec. 1. A plea of guilty, or guilty but mentally ill at the time of the crime, shall not be accepted from a defendant unrepresented by counsel who has not freely and knowingly waived his right to counsel. As added by Acts 1981, P.L.298, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 35. Pleading and ProcedureChapter 1. Pleas35-35-1-2. Guilty Plea; Advisement of Rights

Sec. 2. (a) The court shall not accept a plea of guilty or guilty but mentally ill at the time of the crime without first determining that the defendant: (1) understands the nature of the charge against the defendant; (2) has been informed that by the defendant's plea the defendant waives the defendant's rights to: (A) a public and speedy trial by jury; (B) confront and cross-examine the witnesses against the defendant; (C) have compulsory process for obtaining witnesses in the defendant's favor; and (D) require the state to prove the defendant's guilt beyond a reasonable doubt at a trial at which the defendant may not be compelled to testify against himself or herself; (3) has been informed of the maximum possible sentence and minimum sentence for the crime charged and any possible increased sentence by reason of the fact of a prior conviction or convictions, and any possibility of the imposition of consecutive sentences; (4) has been informed that the person will lose the right to possess a firearm if the person is convicted of a crime of domestic violence (IC 35-31.5-2-78); and (5) has been informed that if: (A) there is a plea agreement as defined by IC 35-31.5-2-236; and (B) the court accepts the plea; the court is bound by the terms of the plea agreement at the time of sentencing and with respect to sentence modification under IC 35-38-1-17. (b) A defendant in a misdemeanor case may waive the rights under subsection (a) by signing a written waiver. (c) Any variance from the requirements of this section that does not violate a constitutional right of the defendant is not a basis for setting aside a plea of guilty. As added by Acts 1981, P.L.298, SEC.4. Amended by P.L.179-1984, SEC.1; P.L.313-1985, SEC.1; P.L.195-2003, SEC.3; P.L.114-2012, SEC.73; P.L.45-2018, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 35. Pleading and ProcedureChapter 1. Pleas35-35-1-3. Voluntary Plea; Factual Basis

Sec. 3. (a) The court shall not accept a plea of guilty or guilty but mentally ill at the time of the crime without first determining that the plea is voluntary. The court shall determine whether any promises, force, or threats were used to obtain the plea. (b) The court shall not enter judgment upon a plea of guilty or guilty but mentally ill at the time of the crime unless it is satisfied from its examination of the defendant or the evidence presented that there is a factual basis for the plea. (c) A plea of guilty or guilty but mentally ill at the time of the crime shall not be deemed to be involuntary under subsection (a) solely because it is the product of an agreement between the prosecution and the defense. As added by Acts 1981, P.L.298, SEC.4. Amended by P.L.320-1983, SEC.16; P.L.179-1984, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 35. Pleading and ProcedureChapter 1. Pleas35-35-1-4. Withdrawal of Plea; Motion; Requisites; Procedures

Sec. 4. (a) A motion to withdraw a plea of not guilty for the purpose of entering a plea of guilty, or guilty but mentally ill at the time of the crime, may be made orally in open court and need not state any reason for the withdrawal of the plea. (b) After entry of a plea of guilty, or guilty but mentally ill at the time of the crime, but before imposition of sentence, the court may allow the defendant by motion to withdraw his plea of guilty, or guilty but mentally ill at the time of the crime, for any fair and just reason unless the state has been substantially prejudiced by reliance upon the defendant's plea. The motion to withdraw the plea of guilty or guilty but mentally ill at the time of the crime made under this subsection shall be in writing and verified. The motion shall state facts in support of the relief demanded, and the state may file counter-affidavits in opposition to the motion. The ruling of the court on the motion shall be reviewable on appeal only for an abuse of discretion. However, the court shall allow the defendant to withdraw his plea of guilty, or guilty but mentally ill at the time of the crime, whenever the defendant proves that withdrawal of the plea is necessary to correct a manifest injustice. (c) After being sentenced following a plea of guilty, or guilty but mentally ill at the time of the crime, the convicted person may not as a matter of right withdraw the plea. However, upon motion of the convicted person, the court shall vacate the judgment and allow the withdrawal whenever the convicted person proves that withdrawal is necessary to correct a manifest injustice. A motion to vacate judgment and withdraw the plea made under this subsection shall be treated by the court as a petition for postconviction relief under the Indiana Rules of Procedure for Postconviction Remedies. For purposes of this section, withdrawal of the plea is necessary to correct a manifest injustice whenever: (1) the convicted person was denied the effective assistance of counsel; (2) the plea was not entered or ratified by the convicted person; (3) the plea was not knowingly and voluntarily made; (4) the prosecuting attorney failed to abide by the terms of a plea agreement; or (5) the plea and judgment of conviction are void or voidable for any other reason. The motion to vacate the judgment and withdraw the plea need not allege, and it need not be proved, that the convicted person is innocent of the crime charged or that he has a valid defense. (d) A plea of guilty, or guilty but mentally ill at the time of the crime, which is not accepted by the court or is withdrawn shall not be admissible as evidence in any criminal, civil, or administrative proceeding. (e) Upon any motion made under this section, the moving party has the burden of establishing his grounds for relief by a preponderance of the evidence. The order of the court upon a motion made under subsection (b) or (c) of this section shall constitute a final judgment from which the moving party or the state may appeal as otherwise provided by law. The order of the court upon a motion made under subsection (a) of this section is not a final judgment and is not appealable but is reviewable upon appeal from a final judgment subsequently entered. As added by Acts 1981, P.L.298, SEC.4. Amended by Acts 1982, P.L.204, SEC.25; P.L.320-1983, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 35. Pleading and ProcedureChapter 2. Pleadings35-35-2-1. Pleadings; Motions, Requisites, and Answers

Sec. 1. (a) Pleadings in criminal proceedings are: (1) an indictment; (2) an information; and (3) pleas of: (A) not guilty; (B) guilty; and (C) guilty but mentally ill at the time of the crime. Defenses and objections raised before trial which, before July 26, 1973, could have been raised by a plea in abatement, a plea in bar, a demurrer, a motion to quash, or any other plea not specifically allowed under this subsection may be raised only by motion to dismiss or to grant appropriate relief as provided in this title. (b) Except as provided in this title, an application to the court for an order must be by motion. A motion other than one made during a trial or hearing must be in writing unless the court permits it to be made orally. It must state the grounds upon which it is made and set forth the relief or order sought. It may be supported by affidavit. (c) Except as provided in this title, whenever the defendant files a motion, the state may file an answer to that motion. If no answer is filed by the state, all issues of fact and law raised by the motion stand at issue and the court shall proceed. As added by Acts 1981, P.L.298, SEC.4. Amended by Acts 1982, P.L.204, SEC.26.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 35. Pleading and ProcedureChapter 2. Pleadings35-35-2-2. Rules of Procedure Applicable

Sec. 2. In all criminal cases where no provision has been made in this title, the Indiana Rules of Trial Procedure govern. Where no procedure is provided by this title, the trial court may proceed in any manner consistent with applicable statutes or court rules. As added by Acts 1981, P.L.298, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 35. Pleading and ProcedureChapter 3. Plea Agreements35-35-3-2. Felony Charge; Duties of Prosecuting Attorney

Sec. 2. (a) In making a recommendation on a felony charge, a prosecuting attorney must: (1) inform the victim that he has entered into discussions with defense counsel or the court concerning a recommendation; (2) inform the victim of the contents of the recommendation before it is filed; and (3) notify the victim that the victim is entitled to be present and may address the court (in person or in writing) when the court considers the recommendation. (b) A court may consider a recommendation on a felony charge only if the prosecuting attorney has complied with this section. As added by Acts 1981, P.L.298, SEC.4. Amended by P.L.126-1985, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 35. Pleading and ProcedureChapter 3. Plea Agreements35-35-3-3. Conditions; Presentence Report; Acceptance or Rejection

Sec. 3. (a) No plea agreement may be made by the prosecuting attorney to a court on a felony charge except: (1) in writing; and (2) before the defendant enters a plea of guilty. The plea agreement shall be shown as filed, and if its contents indicate that the

prosecuting attorney anticipates that the defendant intends to enter a plea of guilty to a felony charge, the court shall order the presentence report required by IC 35-38-1-8 and may hear evidence on the plea agreement. (b) If the plea agreement is not accepted, the court shall reject it before the case may be disposed of by trial or by guilty plea. If the court rejects the plea agreement, subsequent plea agreements may be filed with the court, subject to the same requirements that this chapter imposes upon the initial plea agreement. (c) A plea agreement in a misdemeanor case may be submitted orally to the court. (d) In a misdemeanor case, if: (1) the court rejects a plea agreement; and (2) the prosecuting attorney or the defendant files a written motion for change of judge within ten (10) days after the plea agreement is rejected; the court shall grant the motion for change of judge and transfer the proceeding to a special judge under the Indiana Rules of Criminal Procedure. However, there may not be more than one (1) transfer of the proceeding to a special judge under this subsection. (e) If the court accepts a plea agreement, it shall be bound by its terms. As added by Acts 1981, P.L.298, SEC.4. Amended by P.L.320-1983, SEC.19; P.L.136-1987, SEC.4; P.L.50-2017, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 35. Pleading and ProcedureChapter 3. Plea Agreements35-35-3-4. Inadmissibility at Trial

Sec. 4. A plea agreement, or a verbal or written communication concerning the plea agreement, may not be admitted into evidence at the trial of the case, should the plea agreement not culminate in approval by the court. As added by Acts 1981, P.L.298, SEC.4. Amended by P.L.320-1983, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 35. Pleading and ProcedureChapter 3. Plea Agreements35-35-3-5. Presentation to and Opinion by Victim; Certification

Sec. 5. (a) As a part of the recommendation submitted to the court, the prosecuting attorney must certify that he has offered to show the proposed recommendation to the victims of the felony, if any, and that they have been offered an opportunity to present their opinion of the recommendation to the prosecuting attorney and the court. (b) A victim present at sentencing in a felony or misdemeanor case shall be advised by the court of a victim's right to make a statement concerning the crime and the sentence. The court shall also offer the victim, if present, an opportunity to make a statement concerning the crime and the sentence. If unable to attend the hearing, the victim may mail a written statement to the court, which must be included in the presentence report made with respect to the defendant. (c) However, this section gives no additional rights to the defendant. Failure to comply gives no grounds for postconviction relief. As added by Acts 1981, P.L.298, SEC.4. Amended by P.L.126-1985, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 35. Pleading and ProcedureChapter 3. Plea Agreements35-35-3-6. Procedure Required by Ic 35-35-3-5; Representatives of Deceased or Legal Entity Victims; Multiple Victims

Sec. 6. (a) If the victim is deceased or is under the age of eighteen (18) years, the prosecuting attorney shall certify that he has completed the procedure required by section 5 of this chapter with at least one (1) of the next of kin or the parent, guardian, or custodian of the victim. If the victim is a corporation, limited liability company, association, or governmental entity, the prosecuting attorney shall certify that he has completed the procedure with a responsible officer or agent of the entity. If the victim is a partnership, the prosecuting attorney shall certify that he has completed the procedure with at least one (1) partner. (b) If there are more than three (3) victims, the prosecuting attorney shall complete the procedure required by section 5 of this chapter with the three (3) who he believes have suffered the most. As added by Acts 1981, P.L.298, SEC.4. Amended by Acts 1982, P.L.204, SEC.28; P.L.8-1993, SEC.508.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 35. Pleading and ProcedureChapter 3. Plea Agreements35-35-3-7. Inability to Locate Victim or Next of Kin; Certification

Sec. 7. If the prosecuting attorney is unable to make a certification required under section 5 or 6 of this chapter because he was unable, after a reasonable effort, to locate the victim or his next of kin, then he shall certify this fact to the court. He may then submit the recommendation, and the court may act upon it. As added by Acts 1981, P.L.298, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 1. Definitions35-36-1-1. Definitions

Sec. 1. As used in this article: "Insanity" refers to the defense set out in IC 35-41-3-6. "Mentally ill" means having a psychiatric disorder which substantially disturbs a person's thinking, feeling, or behavior and impairs the person's ability to function. The term includes having an intellectual disability. "Omnibus date" refers to the omnibus date established under IC 35-36-8-1. As added by Acts 1981, P.L.298, SEC.5. Amended by P.L.117-2015, SEC.46.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 10. Child Pornography and Discovery35-36-10-1. Application

Sec. 1. This chapter applies only in a criminal proceeding. As added by P.L.148-2011, SEC.1.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 10. Child Pornography and Discovery35-36-10-2. "Child Pornography"

Sec. 2. As used in this chapter, "child pornography" includes: (1) material described in IC 35-42-4-4(d); and (2) material defined in 18 U.S.C. 2256(8). As added by P.L.148-2011, SEC.1. Amended by P.L.6-2012, SEC.223; P.L.13-2016, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 10. Child Pornography and Discovery35-36-10-3. Child Pornography Must Remain in Custody of the State or the Court

Sec. 3. In any criminal proceeding, material constituting child pornography must remain in the custody of the state or the court. As added by P.L.148-2011, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 10. Child Pornography and Discovery35-36-10-4. Reproducing Child Pornography Not Permitted

Sec. 4. A court shall deny any request by the defendant in a criminal proceeding to copy, photograph, duplicate, or otherwise reproduce any material that constitutes child pornography if the state provides ample opportunity for inspection, viewing, and examination of the material by: (1) the defendant; (2) the defendant's attorney; and (3) any individual the defendant seeks to qualify as an expert; at a state or local court or law enforcement facility as provided in section 5 of this chapter. As added by P.L.148-2011, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 10. Child Pornography and Discovery35-36-10-5. Defendant's Examination of Child Pornography Permitted Only in Court or Law Enforcement Facility

Sec. 5. (a) A court may permit a defendant to inspect, view, and examine material that constitutes child pornography at a state or local court or law enforcement facility if the defendant demonstrates that inspecting, viewing, and examining the material is necessary to the defendant's defense. (b) If a court permits a defendant to inspect, view, and examine material that constitutes child pornography, the court shall issue a protective order under Indiana Trial Rule 26 with respect to the material. The protective order must: (1) specifically describe which persons may have access to the material, and prohibit any person not described in the order from having access to the material; (2) permit only those persons whose access to the material is necessary for the purposes described in subsection (a) to have access to the material; (3) prohibit the further dissemination of the material; and (4) prohibit the defendant from having direct access to the material. The protective order may include any other provision to safeguard the material. As added by P.L.148-2011, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 11. Laboratory Reports35-36-11-1. "Laboratory Report"

Sec. 1. As used in this chapter, "laboratory report" means a written report or affidavit relating to the results of a scientific test that is prepared for use at trial or to assist in a law enforcement investigation. As added by P.L.44-2012, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 11. Laboratory Reports35-36-11-2. Prosecutor's Notice of Intent

Sec. 2. If the prosecuting attorney intends to introduce a laboratory report as evidence in a criminal trial, the prosecuting attorney must file a notice of intent to introduce the laboratory report not later than twenty (20) days before the trial date, unless the court establishes a different time. As added by P.L.44-2012, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 11. Laboratory Reports35-36-11-3. Defendant's Demand for Cross-Examination

Sec. 3. If the defendant wishes for the person who prepared the laboratory report to be present at the trial for cross-examination, the defendant must file a demand for cross-examination not later than ten (10) days after the defendant receives the notice filed under section 2 of this chapter, unless the court establishes a different time. As added by P.L.44-2012, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 11. Laboratory Reports35-36-11-4. Failure to File Notice of Intent

Sec. 4. If the prosecuting attorney does not comply with section 2 of this chapter, the prosecuting attorney may not introduce the laboratory report into evidence without the testimony of the person who conducted the test and prepared the laboratory report. As added by P.L.44-2012, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 11. Laboratory Reports35-36-11-5. Waiver

Sec. 5. If the prosecuting attorney complies with section 2 of this chapter and the defendant does not comply with section 3 of this chapter, the defendant waives the right to confront and cross-examine the person who prepared the laboratory report. As added by P.L.44-2012, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 12. Court Appointed Forensic Advocate for Persons With Intellectual Disabilities, Developmental Disabilities, or Autism Spectrum Disorders35-36-12-1. Court Appointment of Forensic Advocate

Sec. 1. A court may appoint a court appointed forensic advocate at any time to assist a person with an intellectual disability, a developmental disability, or an autism spectrum disorder who has been charged with a criminal offense. As added by P.L.187-2015, SEC.46.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 12. Court Appointed Forensic Advocate for Persons With Intellectual Disabilities, Developmental Disabilities, or Autism Spectrum Disorders35-36-12-10. Receipt of User Fee Payment

Sec. 10. If the court orders the person with an intellectual disability, a developmental disability, or an autism spectrum disorder to pay a user fee under this chapter, the program or the individual shall report to the court the receipt of payment not later than thirty (30) days after receiving the payment. As added by P.L.187-2015, SEC.46.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 12. Court Appointed Forensic Advocate for Persons With Intellectual Disabilities, Developmental Disabilities, or Autism Spectrum Disorders35-36-12-2. Court Appointed Forensic Advocate Duties

Sec. 2. A court appointed forensic advocate shall assist the person with an intellectual disability, a developmental disability, or an autism spectrum disorder to whom the advocate has been appointed. As added by P.L.187-2015, SEC.46.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 12. Court Appointed Forensic Advocate for Persons With Intellectual Disabilities, Developmental Disabilities, or Autism Spectrum Disorders35-36-12-3. Court Appointed Forensic Advocate Recommendations

Sec. 3. A court appointed forensic advocate may recommend to the court treatment programs and other services that may reduce recidivism and are available to the person with an intellectual disability, a developmental disability, or an autism spectrum disorder. As added by P.L.187-2015, SEC.46.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 12. Court Appointed Forensic Advocate for Persons With Intellectual Disabilities, Developmental Disabilities, or Autism Spectrum Disorders35-36-12-4. Court Appointed Forensic Advocate Term of Service

Sec. 4. A court appointed forensic advocate serves until the court enters an order for removal. As added by P.L.187-2015, SEC.46.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 12. Court Appointed Forensic Advocate for Persons With Intellectual Disabilities, Developmental Disabilities, or Autism Spectrum Disorders35-36-12-5. Court Appointed Forensic Advocate an Officer of the Court

Sec. 5. The court appointed forensic advocate is considered an officer of the court for the purpose of assisting the person with an intellectual disability, a developmental disability, or an autism spectrum disorder. As added by P.L.187-2015, SEC.46.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 12. Court Appointed Forensic Advocate for Persons With Intellectual Disabilities, Developmental Disabilities, or Autism Spectrum Disorders35-36-12-6. Court Appointed Special Advocate Assistance

Sec. 6. A court appointed forensic advocate appointed by a court under this chapter may continue to assist the person with an intellectual disability, a developmental disability, or an autism spectrum disorder while the person is undergoing treatment or serving the person's sentence, if applicable. As added by P.L.187-2015, SEC.46.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 12. Court Appointed Forensic Advocate for Persons With Intellectual Disabilities, Developmental Disabilities, or Autism Spectrum Disorders35-36-12-7. Immunity From Civil Liability

Sec. 7. Except for gross misconduct: (1) a court appointed forensic advocate; (2) an employee of a county court appointed forensic advocate program; and (3) a volunteer for a court appointed forensic advocate program; who performs in good faith duties relating to assistance of a person with an intellectual disability, a developmental disability, or an autism spectrum disorder is immune from any civil liability that may occur as a result of that person's performance. As added by P.L.187-2015, SEC.46.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 12. Court Appointed Forensic Advocate for Persons With Intellectual Disabilities, Developmental Disabilities, or Autism Spectrum Disorders35-36-12-8. User Fee

Sec. 8. The court may order the person assisted by the court appointed forensic advocate to pay a user fee to the: (1) court appointed forensic advocate program; or (2) individual who served as a court appointed forensic advocate; for the services provided under this chapter. As added by P.L.187-2015, SEC.46.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 12. Court Appointed Forensic Advocate for Persons With Intellectual Disabilities, Developmental Disabilities, or Autism Spectrum Disorders35-36-12-9. User Fee Collection

Sec. 9. The court shall establish one (1) of the following procedures to be used to collect the user fee: (1) The court may order the person with an intellectual disability, a developmental disability, or an autism spectrum disorder to pay the user fee to the court appointed forensic advocate program that provided the services. (2) The court may order the person with an intellectual disability, a developmental disability, or an autism spectrum disorder to pay the user fee to the individual court appointed forensic advocate that provided the services. As added by P.L.187-2015, SEC.46.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 2. Affirmative Defense of Insanity or Mental Illness; Pleadings, Orders, and Findings35-36-2-1. Time of Filing

Sec. 1. When the defendant in a criminal case intends to interpose the defense of insanity, he must file a notice of that intent with the trial court no later than: (1) twenty (20) days if the defendant is charged with a felony; or (2) ten (10) days if the defendant is charged only with one (1) or more misdemeanors; before the omnibus date. However, in the interest of justice and upon a showing of good cause, the court may permit the filing to be made at any time before commencement of the trial. As added by Acts 1981, P.L.298, SEC.5. Amended by Acts 1982, P.L.204, SEC.29.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 2. Affirmative Defense of Insanity or Mental Illness; Pleadings, Orders, and Findings35-36-2-2. Insanity Defense; Appointment of Psychiatrists, Psychologists, and Physicians; Admissibility of Evidence

Sec. 2. (a) At the trial of a criminal case in which the defendant intends to interpose the defense of insanity, evidence may be introduced to prove the defendant's sanity or insanity at the time at which the defendant is alleged to have committed the offense charged in the indictment or information. (b) When notice of an insanity defense is filed in a case in which the defendant is not charged with a homicide offense under IC 35-42-1, the court shall appoint two (2) or three (3) competent disinterested: (1) psychiatrists; (2) psychologists endorsed by the state psychology board as health service providers in psychology; or (3) physicians; who have expertise in determining insanity. At least one (1) of the individuals appointed under this subsection must be a psychiatrist or psychologist. The individuals appointed under this subsection shall examine the defendant and testify at the trial. This testimony shall follow the presentation of the evidence for the prosecution and for the defense, including the testimony of any mental health experts employed by the state or by the defense. (c) When notice of an insanity defense is filed in a case in which the defendant is charged with a homicide offense under IC 35-42-1, the court shall appoint two (2) or three (3) competent disinterested: (1) psychiatrists; (2) psychologists endorsed by the state psychology board as health service providers in psychology; or (3) physicians; who have expertise in determining insanity. At least one (1) individual appointed under this subsection must be a psychiatrist and at least one (1) individual appointed under this subsection must be a psychologist. The individuals appointed under this subsection shall examine the defendant and testify at the trial. This testimony must follow the presentation of the evidence for the prosecution and for the defense, including the testimony of any mental health experts employed by the state or by the defense. (d) If a defendant does not adequately communicate, participate, and cooperate with the mental health witnesses appointed by the court after being ordered to do so by the court, the defendant may not present as evidence the testimony of any other mental health witness: (1) with whom the defendant adequately communicated, participated, and cooperated; and (2) whose opinion is based upon examinations of the defendant; unless the defendant shows by a preponderance of the evidence that the defendant's failure to communicate, participate, or cooperate with the mental health witnesses appointed by the court was caused by the defendant's mental illness. (e) The mental health witnesses appointed by the court may be cross-examined by both the prosecution and the defense, and each side may introduce evidence in rebuttal to the testimony of a mental health witness. As added by Acts 1981, P.L.298, SEC.5. Amended by P.L.321-1983, SEC.2; P.L.19-1986, SEC.59; P.L.149-1987, SEC.119; P.L.77-2004, SEC.3; P.L.54-2014, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 2. Affirmative Defense of Insanity or Mental Illness; Pleadings, Orders, and Findings35-36-2-3. Finding of Jury

Sec. 3. In all cases in which the defense of insanity is interposed, the jury (or the court if tried by it) shall find whether the defendant is: (1) guilty; (2) not guilty; (3) not responsible by reason of insanity at the time of the crime; or (4) guilty but mentally ill at the time of the crime. As added by Acts 1981, P.L.298, SEC.5.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 2. Affirmative Defense of Insanity or Mental Illness; Pleadings, Orders, and Findings35-36-2-4. Finding of Nonresponsibility by Reason of Insanity; Commitment Procedures; Requirements of the Warden and Attending Physician; Transmittal of Information to Nics

Sec. 4. (a) Whenever a defendant is found not responsible by reason of insanity at the time of the crime, the prosecuting attorney shall file a written petition with the court under IC 12-26-6-2(a)(3) or under IC 12-26-7. If a petition is filed under IC 12-26-6-2(a)(3), the court shall hold a commitment hearing under IC 12-26-6. If a petition is filed under IC 12-26-7, the court shall hold a commitment hearing under IC 12-26-7. (b) The hearing shall be conducted at the earliest opportunity after the finding of not responsible by reason of insanity at the time of the crime, and the defendant shall be detained in custody until the completion of the hearing. The court may take judicial notice of evidence introduced during the trial of the defendant and may call the physicians appointed by the court to testify concerning whether the defendant is currently mentally ill and dangerous or currently mentally ill and gravely disabled, as those terms are defined by IC 12-7-2-96 and IC 12-7-2-130(1). The court may subpoena any other persons with knowledge concerning the issues presented at the hearing. (c) The defendant has all the rights provided by the provisions of IC 12-26 under which the petition against the defendant was filed. The prosecuting attorney may cross-examine the witnesses and present relevant evidence concerning the issues presented at the hearing. (d) If a court orders an individual to be committed under IC 12-26-6 or IC 12-26-7 following a verdict of not responsible by reason of insanity at the time of the crime, the warden of the facility to which the individual is committed and the attending physician are subject to the requirements of IC 12-26-15-1. (e) If a defendant is found not responsible by reason of insanity, the court shall transmit any information required by the office of judicial administration to the office of judicial administration for transmission to the NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3. As added by Acts 1981, P.L.298, SEC.5. Amended by P.L.200-1983, SEC.4; P.L.2-1992, SEC.869; P.L.77-2004, SEC.4; P.L.110-2009, SEC.13; P.L.67-2017, SEC.14; P.L.161-2018, SEC.118.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 2. Affirmative Defense of Insanity or Mental Illness; Pleadings, Orders, and Findings35-36-2-5. Finding or Plea of Guilty but Mentally Ill; Evaluation; Sentence; Treatment; Transmittal of Information to Nics

Sec. 5. (a) Except as provided by subsection (e), whenever a defendant is found guilty but mentally ill at the time of the crime or enters a plea to that effect that is accepted by the court, the court shall sentence the defendant in the same manner as a defendant found guilty of the offense. (b) Before sentencing the defendant under subsection (a), the court shall require the defendant to be evaluated by a physician licensed under IC 25-22.5 who practices psychiatric medicine, a licensed psychologist, or a community mental health center (as defined in IC 12-7-2-38). However, the court may waive this requirement if the defendant was evaluated by a physician licensed under IC 25-22.5 who practices psychiatric medicine, a licensed psychologist, or a community mental health center and the evaluation is contained in the record of the defendant's trial or plea agreement hearing. (c) If a defendant who is found guilty but mentally ill at the time of the crime is committed to the department of correction, the defendant shall be further evaluated and then treated in such a manner as is psychiatrically indicated for the defendant's mental illness. Treatment may be provided by: (1) the department of correction; or (2) the division of mental health and addiction after transfer under IC 11-10-4. (d) If a defendant who is found guilty but mentally ill at the time of the crime is placed on probation, the court may, in accordance with IC 35-38-2-2.3, require that the defendant undergo treatment. (e) As used in this subsection, "individual with an intellectual disability" means an individual who, before becoming twenty-two (22) years of age, manifests: (1) significantly subaverage intellectual functioning; and (2) substantial impairment of adaptive behavior; that is documented in a court ordered evaluative report. If a court determines under IC 35-36-9 that a defendant who is charged with a murder for which the state seeks a death sentence is an individual with an intellectual disability, the court shall sentence the defendant under IC 35-50-2-3(a). (f) If a defendant is found guilty but mentally ill, the court shall transmit any information required by the office of judicial administration to the office of judicial administration for transmission to the NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3. As added by Acts 1981, P.L.298, SEC.5. Amended by P.L.320-1983, SEC.21; P.L.1-1991, SEC.191; P.L.2-1992, SEC.870; P.L.1-1993, SEC.239; P.L.158-1994, SEC.2; P.L.121-1996, SEC.3; P.L.215-2001, SEC.108; P.L.99-2007, SEC.200; P.L.110-2009, SEC.14; P.L.114-2012, SEC.75; P.L.117-2015, SEC.47; P.L.161-2018, SEC.119.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 3. Comprehension to Stand Trial35-36-3-1. Hearing; Psychiatric Examination; Delay or Continuance of Trial; Confinement in Psychiatric Institution; Competency Restoration Services; Transmittal of Information to Nics

Sec. 1. (a) If at any time before the final submission of any criminal case to the court or the jury trying the case, the court has reasonable grounds for believing that the defendant lacks the ability to understand the proceedings and assist in the preparation of a defense, the court shall immediately fix a time for a hearing to determine whether the defendant has that ability. (b) This subsection applies to a defendant charged with murder or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony. When a court sets a hearing under subsection (a), the court shall appoint two (2) or three (3) individuals to determine the defendant's competency. Each of the appointed individuals must be a psychiatrist, or a psychologist endorsed by the Indiana state board of examiners in psychology as a health service provider in psychology. An individual appointed under this subsection must be competent and disinterested. (c) This

subsection applies to a defendant charged with a misdemeanor or a Level 6 felony. When a court sets a hearing under subsection (a), the court shall appoint one (1) individual who: (1) is a: (A) psychiatrist; or (B) psychologist endorsed by the Indiana state board of examiners in psychology as a health service provider in psychology; (2) is competent and disinterested; and (3) has expertise in determining competency. (d) In addition to the psychiatrist or psychologist appointed under subsection (c), the court may appoint not more than two (2) additional individuals to assist the court in determining competency. Upon request of either party, the court shall appoint at least one (1), but not more than two (2), additional individuals to assist the court in determining competency. An individual appointed under this subsection may be an individual: (1) described in subsection (c); or (2) who is competent and disinterested, has expertise in determining competency, and is: (A) licensed: (i) under IC 25-23 as an advanced practice registered nurse (APRN) with a certification as a psychiatric mental health nurse practitioner; (ii) under IC 25-27.5 as a physician assistant who specializes in psychiatry or mental health; or (iii) under IC 25-22.5 as a physician who specializes in psychiatry or mental health; and (B) certified by the division of mental health and addiction as a competency evaluator. (e) An individual appointed under this section may not be an employee or a contractor of a state institution (as defined in IC 12-7-2-184). The individuals who are appointed shall examine the defendant and testify at the hearing as to whether the defendant can understand the proceedings and assist in the preparation of the defendant's defense. (f) At the hearing, other evidence relevant to whether the defendant has the ability to understand the proceedings and assist in the preparation of the defendant's defense may be introduced. If the court finds that the defendant has the ability to understand the proceedings and assist in the preparation of the defendant's defense, the trial shall proceed. If the court finds that the defendant lacks this ability, it shall delay or continue the trial and order the defendant committed to the division of mental health and addiction. The division of mental health and addiction shall provide competency restoration services or enter into a contract for the provision of competency restoration services by a third party in the: (1) location where the defendant currently resides; or (2) least restrictive setting appropriate to the needs of the defendant and the safety of the defendant and others. However, if the defendant is serving an unrelated executed sentence in the department of correction at the time the defendant is committed to the division of mental health and addiction under this section, the division of mental health and addiction shall provide competency restoration services or enter into a contract for the provision of competency restoration services by a third party at a department of correction facility agreed upon by the division of mental health and addiction or the third party contractor and the department of correction. A contract entered into with a third party under this subsection may confer to the third party all authority the division would have in providing competency restoration services to the defendant at a state institution (as defined in IC 12-7-2-184). (g) If the court makes a finding under subsection (f), the court shall transmit any information required by the office of judicial administration to the office of judicial administration for transmission to the NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3. As added by Acts 1981, P.L.298, SEC.5. Amended by P.L.321-1983, SEC.3; P.L.19-1986, SEC.60; P.L.2-1992, SEC.871; P.L.215-2001, SEC.109; P.L.77-2004, SEC.5; P.L.110-2009, SEC.15; P.L.151-2011, SEC.1; P.L.161-2018, SEC.120; P.L.74-2022, SEC.16; P.L.85-2024, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 3. Comprehension to Stand Trial35-36-3-2. Attainment of Ability to Stand Trial; Certification; Return to Court; Order; Trial

Sec. 2. Whenever the defendant attains the ability to understand the proceedings and assist in the preparation of the defendant's defense: (1) the superintendent of the state institution (as defined in IC 12-7-2-184); or (2) if the division of mental health and addiction entered into a contract for the provision of competency restoration services, the director or medical director of the third party contractor; shall certify that fact to the proper court, which shall enter an order directing the sheriff to return the defendant. The court shall enter such an order immediately after being sufficiently advised of the defendant's attainment of the ability to understand the proceedings and assist in the preparation of the defendant's defense. Upon the return to court of any defendant committed under section 1 of this chapter, the court shall hold the trial as if no delay or postponement had occurred. As added by Acts 1981, P.L.298, SEC.5. Amended by P.L.2-1992, SEC.872; P.L.215-2001, SEC.110; P.L.77-2004, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 3. Comprehension to Stand Trial35-36-3-3. Substantial Probability of Attainment of Comprehension to Stand Trial; Certification; Motion to Dismiss; Commitment Proceedings; Duration of Retention

Sec. 3. (a) Within ninety (90) days after: (1) a defendant's admission to a state institution (as defined in IC 12-7-2-184); or (2) the initiation of competency restoration services to a defendant by a third party contractor; the superintendent of the state institution (as defined in IC 12-7-2-184) or the director or medical director of the third party contractor, if the division of mental health and addiction has entered into a contract for the provision of competency restoration services by a third party, shall certify to the proper court whether the defendant has a substantial probability of attaining the ability to understand the proceedings and assist in the preparation of the defendant's defense within the foreseeable future. (b) If a party files a motion to dismiss, the court may dismiss the charges against the defendant without prejudice if the: (1) defendant has been diagnosed with: (A) dementia; (B) Alzheimer's disease; or (C) a traumatic brain injury; (2) defendant's diagnosis substantially impacts the defendant's ability to understand the proceedings and assist in the preparation of the defendant's defense within the foreseeable future; and (3) defendant is charged with a misdemeanor or a Level 6 felony. (c) If a defendant's charges are not dismissed under subsection (b) and a substantial probability does not exist, the state institution (as defined in IC 12-7-2-184) or the third party contractor shall initiate regular commitment proceedings under IC 12-26. If a substantial probability does exist, the state institution (as defined in IC 12-7-2-184) or third party contractor shall retain the defendant: (1) until the defendant attains the ability to understand the proceedings and assist in the

preparation of the defendant's defense and is returned to the proper court for trial; or (2) for six (6) months from the date of the: (A) defendant's admission to a state institution (as defined in IC 12-7-2-184); or (B) initiation of competency restoration services by a third party contractor; whichever first occurs. As added by Acts 1981, P.L.298, SEC.5. Amended by P.L.2-1992, SEC.873; P.L.215-2001, SEC.111; P.L.77-2004, SEC.7; P.L.85-2024, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 3. Comprehension to Stand Trial35-36-3-4. Inability to Attain Comprehension to Stand Trial; Commitment Proceedings

Sec. 4. If a defendant who was found under section 3 of this chapter to have had a substantial probability of attaining the ability to understand the proceedings and assist in the preparation of the defendant's defense: (1) has not attained that ability within six (6) months after the date of the: (A) defendant's admission to a state institution (as defined in IC 12-7-2-184); or (B) initiation of competency restoration services by a third party contractor; or (2) has not had the criminal charges dismissed under section 3(b) of this chapter; the state institution (as defined in IC 12-7-2-184) or the third party contractor, if the division of mental health and addiction has entered into a contract for the provision of competency restoration services by a third party, shall institute regular commitment proceedings under IC 12-26. As added by Acts 1981, P.L.298, SEC.5. Amended by P.L.2-1992, SEC.874; P.L.215-2001, SEC.112; P.L.77-2004, SEC.8; P.L.85-2024, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 4. Notice of Alibi Defense35-36-4-1. Time of Filing; Requisite Information

Sec. 1. Whenever a defendant in a criminal case intends to offer in his defense evidence of alibi, the defendant shall, no later than: (1) twenty (20) days prior to the omnibus date if the defendant is charged with a felony; or (2) ten (10) days prior to the omnibus date if the defendant is charged only with one (1) or more misdemeanors; file with the court and serve upon the prosecuting attorney a written statement of his intention to offer such a defense. The notice must include specific information concerning the exact place where the defendant claims to have been on the date stated in the indictment or information. As added by Acts 1981, P.L.298, SEC.5. Amended by Acts 1982, P.L.204, SEC.30.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 4. Notice of Alibi Defense35-36-4-2. Reply by Prosecutor; Second Statement by Defendant; Filing and Service

Sec. 2. (a) When a defendant files a notice of alibi, the prosecuting attorney shall file with the court and serve upon the defendant, or upon his counsel, a specific statement containing: (1) the date the defendant was alleged to have committed the crime; and (2) the exact place where the defendant was alleged to have committed the crime; that he intends to present at trial. However, the prosecuting attorney need not comply with this requirement if he intends to present at trial the date and place listed in the indictment or information as the date and place of the crime. (b) If a reply by the prosecuting attorney is required by subsection (a) of this section, the prosecuting attorney shall serve such a statement upon the defendant, or his counsel, within seven (7) days after the filing of the defendant's first notice of alibi. (c) If the prosecuting attorney's statement to the defendant contains a date or place other than the date or place stated in the defendant's original statement, the defendant shall file a second statement of alibi if the defendant intends to produce at trial evidence of an alibi for the date or place contained in the prosecutor's statement. The defendant shall: (1) file the second statement with the court; and (2) serve the second statement upon the prosecuting attorney; within four (4) days after the filing of the prosecuting attorney's statement. The defendant's second statement must contain the same details required in the defendant's original statement. As added by Acts 1981, P.L.298, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 4. Notice of Alibi Defense35-36-4-3. Failure to File or Serve Statements; Extension of Time; Exclusion of Evidence

Sec. 3. (a) If either the defendant or the prosecuting attorney fails to file or serve statements in accordance with section 2 of this chapter, the judge may extend the time for filing. (b) If at the trial it appears that the defendant has failed to file and serve an original statement of alibi in accordance with section 1 of this chapter, and if the defendant does not show good cause for his failure, then the court shall exclude evidence offered by the defendant to establish an alibi. (c) If at the trial it appears that the prosecuting attorney has failed to file and serve his statement in accordance with section 2(a) of this chapter, and if the prosecuting attorney does not show good cause for his failure, then the court shall exclude evidence offered by the prosecuting attorney to show: (1) that the defendant was at a place other than the place stated in the information or indictment; and (2) that the date was other than the date stated in the information or indictment. (d) If at the trial it appears that the defendant has failed to file and serve a second statement in accordance with section 2(c) of this chapter, and if the defendant does not show good cause for his failure, then the court shall exclude evidence offered by the defendant to establish that: (1) he was at a place other than the place specified in the prosecuting attorney's statement; or (2) the date was other than the date stated in the prosecuting attorney's statement. As added by Acts 1981, P.L.298, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 5. Change of Judge35-36-5-1. Preemptory Change of Venue From Judge; Procedure

Sec. 1. In any criminal action, either the defendant or the state is entitled as a substantive right to a preemptory change of venue

from the judge without specifically stating the reason. The defendant or the state may obtain a change of judge under this section by motion filed in a manner and within the time limitations as specified in the Indiana Rules of Criminal Procedure. Each party is entitled to only one (1) change of judge under this section. As added by Acts 1981, P.L.298, SEC.5. Amended by P.L.170-1984, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 5. Change of Judge35-36-5-2. Other Grounds; Motion; Affidavit; Time Limitation

Sec. 2. The defendant and the state may obtain a change of judge if the judge: (1) is biased or prejudiced against the moving party and that the moving party cannot obtain a fair trial before the judge; (2) is related by blood or marriage to any party to the cause; (3) is unable to properly perform the functions of his office because of mental or physical disabilities; (4) is disqualified by reason of any conflict of interest; or (5) should be disqualified for any other cause. A motion made under this section must be verified or accompained by an affidavit specifically stating facts showing that at least one (1) of these causes exists. The motion must be filed within the time limitations specified in Indiana Rules of Criminal Procedure. As added by Acts 1981, P.L.298, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 6. Change of Venue35-36-6-1. Verified Motion by Defendant; Bias or Prejudice; Hearing; Duties of Clerk and Sheriff

Sec. 1. (a) In any criminal action, the defendant may request a change of venue from the county by filing a verified motion for change of venue alleging that bias or prejudice against the defendant exists in that county. (b) When a motion for a change of venue is filed, the court shall hold a hearing on the motion and may grant a change of venue to the most convenient county. When a change of venue is granted, the clerk shall immediately: (1) make a transcript of the proceedings and orders of the court; (2) seal the transcript with the original papers; and (3) deliver them to the sheriff. The sheriff shall immediately deliver them to the clerk's office of the proper county, and make his return accordingly. However, only one (1) change of venue from the county may be granted. As added by Acts 1981, P.L.298, SEC.5. Amended by P.L.311-1983, SEC.48; P.L.170-1984, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 6. Change of Venue35-36-6-10. Sheriff; Expenses of Transportation

Sec. 10. The sheriff of the county from which venue was taken shall receive actual and necessary expenses for transporting himself and his prisoner, in accordance with this chapter, from the county from which venue was taken to the county receiving the case. The court from which venue was taken shall allow these expenses. As added by Acts 1981, P.L.298, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 6. Change of Venue35-36-6-11. Murder, Level 1, or Level 2 Felony Proceedings; Selection of Jury; Verdict and Judgment

Sec. 11. (a) In any criminal proceeding wherein the defendant is charged with murder, a Level 1 felony, or a Level 2 felony, to be tried before a jury in which a motion for a change of venue from the county is filed, the court may recognize but decline to grant the motion, and order that the jury be drawn from the residents of a county other than the county in which the court is located. (b) Pursuant to an order under this section, the court may convene in any county in the state for purposes of jury selection. The venire may be drawn by the jury administrator of a court in the jurors' home county, or may be drawn by the court itself by random selection. (c) After a jury is selected, the trial shall be held in the county of the court's location. The verdict of the jury and the judgment based upon it have the same validity and effect as if the jury had been drawn from the county of the court's location. [Pre-1998 Recodification Citation: 34-2-9-2.] As added by P.L.1-1998, SEC.61. Amended by P.L.118-2007, SEC.32; P.L.158-2013, SEC.390.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 6. Change of Venue35-36-6-2. Trial in Court to Which Venued

Sec. 2. After a change of venue, the cause shall be docketed and stand for trial. The court to which the case has been venued shall proceed in all respects as if the indictment had been found and returned by a grand jury impaneled in that court, or as if the information had been originally filed in that court. As added by Acts 1981, P.L.298, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 6. Change of Venue35-36-6-3. Transfer of Custody of Defendant

Sec. 3. When ordered to do so by the court allowing a change of venue, the sheriff of the county from which change of venue is granted, when the defendant is in his custody, shall: (1) transfer and deliver custody of the defendant; and (2) deliver a certified copy of the order for change of venue at the same time the defendant is delivered; to the sheriff of the county to which change of venue has been granted. The sheriff of the county to which change of venue has been granted shall receive the defendant and detain him in custody until the defendant is discharged from his custody. The sheriff who receives the defendant shall give a certificate that he has received the defendant to the sheriff of the county from which change of venue has been granted. As added by Acts 1981, P.L.298, SEC.5.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 6. Change of Venue35-36-6-4. New Prosecution; Election of Court by Defendant; Alternative Disposition

Sec. 4. If it is necessary to institute a new prosecution for the same offense after a change of venue has been taken, the defendant in the case shall elect, when required to do so by the court, the court in which he prefers the new prosecution to be instituted. He may choose either the court from which venue was granted or the court to which venue was granted, and, after his choice, further prosecution shall be instituted in that court. The defendant may then be: (1) recognized to appear in the court which he elects; (2) committed for want of bail; (3) detained in custody; or (4) remanded to the county from which the change was taken; as the case may require and in accordance with the defendant's choice of courts. As added by Acts 1981, P.L.298, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 6. Change of Venue35-36-6-5. New Prosecution; Recognizance

Sec. 5. If in a new prosecution for the same offense, the defendant gives recognizance to appear before the court of the county from which the change of venue was taken, the recognizance shall be taken of record, and shall be recorded by the clerk of that court. As added by Acts 1981, P.L.298, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 6. Change of Venue35-36-6-6. New Prosecution; New Indictment or Information

Sec. 6. If on a new prosecution a defendant is prosecuted for the offense in the court to which the change of venue was taken, a new indictment may be found, or a new information may be filed, and the case may be prosecuted to final execution as if the offense had been committed in the county of that court. However, the indictment or information in such a case must state how the proceeding came into the court where the party elects to be tried, and that he has elected to be tried in that county. As added by Acts 1981, P.L.298, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 6. Change of Venue35-36-6-7. Failure of Defendant to Elect County of Trial; Remand

Sec. 7. If in a new prosecution for the same offense the defendant refuses to elect in which county the new prosecution is to be instituted, he shall be recognized to appear before or be remanded to the proper court of the county from which the change of venue was taken, as if he had elected to be proceeded against in the county from which the change of venue was taken. As added by Acts 1981, P.L.298, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 6. Change of Venue35-36-6-8. Costs and Expenses; Liability; Audit, Certification, and Collection

Sec. 8. (a) In all changes of venue from the county, the county from which the change is taken is liable for: (1) the expenses and charges of removing, delivering, and keeping the defendant; (2) the per diem allowance and expenses of: (A) the jury trying the cause; and (B) any of the regular panel in attendance and not engaged in the trial; and (3) all other expenses necessarily incurred by the county to which the change is taken that result from the change of venue. (b) All costs and charges included under subsection (a) shall be audited and allowed by the court trying the cause, certified to the auditor of the county from which the change of venue was first taken, and collected by the auditor of the county to which the change was taken. However, where specific fees are allowed by law for any duty or service, no additional costs may be allowed for that duty or service than could be legally taxed in the court from which the change was taken. As added by Acts 1981, P.L.298, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 6. Change of Venue35-36-6-9. Prosecuting Attorney; Pauper Counsel; Appointment; Reimbursement for Fees and Expenses

Sec. 9. (a) In a criminal prosecution, if a change of venue has been taken from the county in which the prosecution originated, the prosecuting attorney from the original county shall prosecute the case in the trial court to which the case was venued. The trial court to which the case was venued may appoint a prosecuting attorney to assist on the case. (b) In a case described in subsection (a), if the defendant is entitled to pauper counsel, the original trial court shall furnish pauper counsel. The trial court to which the case was venued may remove from the case the pauper counsel furnished by the original trial court, and: (1) request the original trial court to furnish another pauper counsel; (2) appoint pauper counsel of its choice; or (3) request the public defender of the state of Indiana to provide counsel under IC 33-40-2. (c) The original trial court shall determine the amount of the fee and the expenses incurred by the pauper counsel and shall order the appropriate reimbursement to be paid to him by the county in which the prosecution originated. The fees and expenses of a public defender appointed under IC 33-40-2 shall be paid in accordance with that chapter. As added by Acts 1981, P.L.298, SEC.5. Amended by P.L.98-2004, SEC.147.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 7. Continuances35-36-7-1. Motion by Defendant; Affidavit; Grounds; Requisite; Contents

Sec. 1. (a) A motion by a defendant to postpone a trial because of the absence of evidence may be made only on affidavit showing: (1) that the evidence is material; (2) that due diligence has been used to obtain the evidence; and (3) the location of the evidence. (b) If a defendant's motion to postpone is because of the absence of a witness, the affidavit required under subsection (a) must: (1) show the name and address of the witness, if known; (2) indicate the probability of procuring the witness's testimony within a reasonable time; (3) show that the absence of the witness has not been procured by the act of the defendant; (4) state the facts to which the defendant believes the witness will testify, and include a statement that the defendant believes these facts to be true; and (5) state that the defendant is unable to prove the facts specified in accordance with subdivision (4) through the use of any other witness whose testimony can be as readily procured. (c) The trial may not be postponed if: (1) after a motion by the defendant to postpone because of the absence of a witness, the prosecuting attorney admits that the absent witness would testify to the facts as alleged by the defendant in his affidavit in accordance with subsection (b)(4); or (2) after a motion by the defendant to postpone because of the absence of written or documentary evidence, the prosecuting attorney admits that the written or documentary evidence exists. (d) A defendant must file an affidavit for a continuance not later than five (5) days before the date set for trial. If a defendant fails to file an affidavit by this time, then he must establish, to the satisfaction of the court, that he is not at fault for failing to file the affidavit at an earlier date. (e) If a motion for a continuance is based on the illness of the defendant or of a witness, it must be accompanied by: (1) oral testimony, given in open court; or (2) a written statement; of a physician or hospital official having the care or custody of the defendant or witness, presenting the nature of the illness and the probable duration of the person's incapacity to attend trial. Such a written statement must be sworn to by the person making the statement before an officer authorized to administer an oath. The court may appoint a physician to examine the defendant or witness and report to the court on the nature of the person's illness and of his incapacity to attend trial. The court shall by order provide for compensation for such a physician. As added by Acts 1981, P.L.298, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 7. Continuances35-36-7-2. Motion by Prosecuting Attorney; Absence of Witness or Written or Documentary Evidence; Official Statement; Requisites

Sec. 2. (a) A prosecuting attorney may move to postpone the trial of a criminal cause because of the absence of a witness whose name is endorsed on the indictment or information, if he makes an official statement: (1) containing the requirements of subsections (b)(1) and (b)(2) of section 1 of this chapter; (2) showing that the absence of the witness has not been procured by the act of the prosecuting attorney; (3) stating the facts to which he believes the witness will testify, and include a statement that he believes these facts to be true; and (4) stating that the prosecuting attorney is unable to prove the facts specified in accordance with subdivision (3) through the use of any other witness whose testimony can be as readily procured. Upon request of the defendant the court shall order that the prosecuting attorney's motion and official statement be made in writing. (b) The trial may not be postponed if: (1) after a motion by the prosecuting attorney because of the absence of a witness, the defendant admits that the absent witness would testify to the facts as alleged by the prosecuting attorney in his official statement in accordance with subsection (a)(3); or (2) after a motion by the prosecuting attorney to postpone because of the absence of written or documentary evidence, the defendant admits that the written or documentary evidence exists. As added by Acts 1981, P.L.298, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 7. Continuances35-36-7-3. Postponements; Adverse Impact Upon Certain Children and Endangered Adults

Sec. 3. (a) This section applies to criminal actions for: (1) an offense listed in IC 11-8-8-4.5(a); (2) neglect of a dependent (IC 35-46-1-4); (3) a battery offense included in IC 35-42-2 if the victim is: (A) less than eighteen (18) years of age; or (B) an endangered adult (as defined in IC 12-10-3-2); and (4) attempts of the crimes listed in subdivisions (1) through (3). (b) If a motion is made to postpone a trial or other court proceeding that involves an offense listed in subsection (a), the court shall consider whether a postponement will have an adverse impact upon an endangered adult (as defined in IC 12-10-3-2) or a child who is less than sixteen (16) years of age and who: (1) is the alleged victim of an offense listed in subsection (a); or (2) will be a witness in the trial. As added by P.L.203-1986, SEC.1. Amended by P.L.11-1987, SEC.33; P.L.169-2009, SEC.1; P.L.65-2016, SEC.25.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 8. Omnibus Date, Pretrial Hearing, and Pretrial Conference35-36-8-1. Omnibus Date; Setting; Purpose; Notice; Time Limits

Sec. 1. (a) This subsection applies to persons charged with a felony. A date, known as the omnibus date: (1) must be set by the judicial officer at the initial hearing; and (2) must be no earlier than forty-five (45) days and no later than seventy-five (75) days after the completion of the initial hearing, unless the prosecuting attorney and the defendant agree to a different date. (b) The purpose of the omnibus date is to establish a point in time from which various deadlines under this article are established. The court shall direct the clerk to notify the defendant and all counsel of record of the omnibus date. (c) The omnibus date for persons charged only with one (1) or more misdemeanors: (1) must be set by the judicial officer at the completion of the initial hearing; (2) must be no earlier than thirty (30) days (unless the defendant and the prosecuting attorney agree to an earlier date), and no later than sixty-five (65) days, after the initial hearing; and (3) is the trial date. (d) Once the omnibus date is set, it remains the omnibus date for the case until final disposition, unless: (1) the defendant requests a trial within time limits established by the Indiana rules of criminal procedure for early trial motions; (2) subsequent counsel enters an appearance after the omnibus date and previous counsel withdrew or was removed due to: (A) a conflict of interest; or (B) a manifest necessity required that counsel withdraw from the case;

(3) the state has not complied with an order to compel discovery; or (4) the prosecuting attorney and the defendant agree to continue the omnibus date. As added by Acts 1981, P.L.298, SEC.5. Amended by Acts 1982, P.L.204, SEC.31; P.L.320-1983, SEC.22; P.L.314-1985, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 8. Omnibus Date, Pretrial Hearing, and Pretrial Conference35-36-8-2. Withdrawal by Counsel; Grounds; Time Limit; Restriction

Sec. 2. (a) Counsel for a defendant charged with a felony or misdemeanor may withdraw from the case for any reason, including failure of the defendant to fulfill an obligation with respect to counsel's fee, at any time up to thirty (30) days before the omnibus date. (b) However, the court shall allow counsel for the defendant to withdraw from the case at any time within thirty (30) days of, and at any time after, the omnibus date if there is a showing that: (1) counsel for the defendant has a conflict of interest in continued representation of the defendant; (2) other counsel has been retained or assigned to defend the case, substitution of new counsel would not cause any delay in the proceedings, and the defendant consents to or requests substitution of the new counsel; (3) the attorney-client relationship has deteriorated to a point such that counsel cannot render effective assistance to the defendant; (4) the defendant insists upon self representation and the defendant understands that the withdrawal of counsel will not be permitted to delay the proceedings; or (5) there is a manifest necessity requiring that counsel withdraw from the case. As added by Acts 1981, P.L.298, SEC.5. Amended by P.L.40-1990, SEC.56.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 8. Omnibus Date, Pretrial Hearing, and Pretrial Conference35-36-8-3. Pretrial Hearing and Conference; Time; Purposes; Memorandum of Matters Agreed Upon; Use of Admission

Sec. 3. (a) A pretrial hearing and pretrial conference, if one is necessary, may be held on the omnibus date or any other date that the court designates prior to the commencement of trial. The purpose of the pretrial hearing is to: (1) consolidate hearings on pretrial motions and other requests to the maximum extent practicable; (2) rule on the motions and requests and ascertain whether the case will be disposed of by guilty plea, jury trial, or bench trial; and (3) make any other orders appropriate under the circumstances to expedite the proceedings. (b) At the time of the pretrial hearing as provided under this section, or at any other time after the filing of the indictment or information and before the commencement of trial, the court, upon motion of any party or upon its own motion, may order conferences to consider any matters that will promote a fair and expeditious trial. The purpose of such a conference shall be to consider any matters related to the disposition of the proceedings, including the simplification of the issues to be tried and the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof. (c) At the conclusion of the conference the court shall prepare and file a memorandum of the matters agreed upon. Any admission made by the defendant or his attorney at the conference may not be used against the defendant unless the admission is reduced to writing and signed by the defendant and his attorney. As added by Acts 1981, P.L.298, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 9. Pretrial Determination of Intellectual Disability in Death Sentence Cases35-36-9-1. Applicability

Sec. 1. This chapter applies when a defendant is charged with a murder for which the state seeks a death sentence under IC 35-50-2-9. As added by P.L.158-1994, SEC.3. Amended by P.L.2-1996, SEC.283.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 9. Pretrial Determination of Intellectual Disability in Death Sentence Cases35-36-9-2. Individual With an Intellectual Disability

Sec. 2. As used in this chapter, "individual with an intellectual disability" means an individual who, before becoming twenty-two (22) years of age, manifests: (1) significantly subaverage intellectual functioning; and (2) substantial impairment of adaptive behavior; that is documented in a court ordered evaluative report. As added by P.L.158-1994, SEC.3. Amended by P.L.99-2007, SEC.201; P.L.117-2015, SEC.48.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 9. Pretrial Determination of Intellectual Disability in Death Sentence Cases35-36-9-3. Petition Alleging an Intellectual Disability

Sec. 3. (a) The defendant may file a petition alleging that the defendant is an individual with an intellectual disability. (b) The petition must be filed not later than twenty (20) days before the omnibus date. (c) Whenever the defendant files a petition under this section, the court shall order an evaluation of the defendant for the purpose of providing evidence of the following: (1) Whether the defendant has a significantly subaverage level of intellectual functioning. (2) Whether the defendant's adaptive behavior is substantially impaired. (3) Whether the conditions described in subdivisions (1) and (2) existed before the defendant became twenty-two (22) years of age. As added by P.L.158-1994, SEC.3. Amended by P.L.99-2007, SEC.202; P.L.117-2015, SEC.49.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 9. Pretrial Determination of Intellectual Disability in Death Sentence Cases35-36-9-4. Hearing on Petition

Sec. 4. (a) The court shall conduct a hearing on the petition under this chapter. (b) At the hearing, the defendant must prove by clear and convincing evidence that the defendant is an individual with an intellectual disability. As added by P.L.158-1994, SEC.3. Amended by P.L.99-2007, SEC.203; P.L.117-2015, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 9. Pretrial Determination of Intellectual Disability in Death Sentence Cases35-36-9-5. Determination Within Ten Days of Trial

Sec. 5. Not later than ten (10) days before the initial trial date, the court shall determine whether the defendant is an individual with an intellectual disability based on the evidence set forth at the hearing under section 4 of this chapter. The court shall articulate findings supporting the court's determination under this section. As added by P.L.158-1994, SEC.3. Amended by P.L.99-2007, SEC.204; P.L.117-2015, SEC.51.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 9. Pretrial Determination of Intellectual Disability in Death Sentence Cases35-36-9-6. Dismissal of Death Sentence Charging Instrument

Sec. 6. If the court determines that the defendant is an individual with an intellectual disability under section 5 of this chapter, the part of the state's charging instrument filed under IC 35-50-2-9(a) that seeks a death sentence against the defendant shall be dismissed. As added by P.L.158-1994, SEC.3. Amended by P.L.99-2007, SEC.205; P.L.117-2015, SEC.52.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 36. Pretrial Notices, Motions, and ProceduresChapter 9. Pretrial Determination of Intellectual Disability in Death Sentence Cases35-36-9-7. Sentencing

Sec. 7. If a defendant who is determined to be an individual with an intellectual disability under this chapter is convicted of murder, the court shall sentence the defendant under IC 35-50-2-3(a). As added by P.L.158-1994, SEC.3. Amended by P.L.99-2007, SEC.206; P.L.117-2015, SEC.53.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 1. Jury Selection35-37-1-1. Venire Called; Number of Jurors

Sec. 1. (a) The jury venire called by a court may be used in civil or criminal cases. (b) If a defendant is charged with: (1) murder or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony, the jury shall consist of twelve (12) qualified jurors unless the defendant and prosecuting attorney agree to a lesser number; or (2) any other crime, the jury shall consist of six (6) qualified jurors. As added by Acts 1981, P.L.298, SEC.6. Amended by P.L.158-2013, SEC.391.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 1. Jury Selection35-37-1-2. Trial by Court or Jury; Waiver of Right to Trial by Jury

Sec. 2. The defendant and prosecuting attorney, with the assent of the court, may submit the trial to the court. Unless a defendant waives the right to a jury trial under the Indiana Rules of Criminal Procedure, all other trials must be by jury. As added by Acts 1981, P.L.298, SEC.6. Amended by P.L.108-2015, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 1. Jury Selection35-37-1-3. Peremptory Challenges by Defendant

Sec. 3. (a) In prosecutions for murder where the death penalty is sought, the defendant may challenge, peremptorily, twenty (20) jurors. (b) In prosecutions for murder, where the death penalty is not sought, and Level 1, Level 2, Level 3, Level 4, or Level 5 felonies, the defendant may challenge, peremptorily, ten (10) jurors. (c) In prosecutions for all other crimes, the defendant may challenge, peremptorily, five (5) jurors. (d) When several defendants are tried together, they must join in their challenges. As added by Acts 1981, P.L.298, SEC.6. Amended by Acts 1982, P.L.204, SEC.32; P.L.158-2013, SEC.392.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 1. Jury Selection35-37-1-4. Peremptory Challenges of Prosecuting Attorney

Sec. 4. The prosecuting attorney shall have the same number of peremptory challenges as the defendant has in like cases. As added by Acts 1981, P.L.298, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 1. Jury Selection35-37-1-5. Good Causes for Challenge; Opinion on Guilt or Innocence

Sec. 5. (a) The following are good causes for challenge to any person called as a juror in any criminal trial: (1) That the person was a member of the grand jury that found the indictment. (2) That the person has formed or expressed an opinion as to the guilt or innocence of the defendant. However, such an opinion is subject to subsection (b). (3) If the state is seeking a death sentence, that the person entertains such conscientious opinions as would preclude the person from recommending that the death penalty be imposed. (4) That the person is related within the fifth degree to the person alleged to be the victim of the offense charged, to the person on whose complaint the prosecution was instituted, or to the defendant. (5) That the person has served on a trial jury which

was sworn in the same case against the same defendant, and which jury was discharged after hearing the evidence, or rendered a verdict which was set aside. (6) That the person served as a juror in a civil case brought against the defendant for the same act. (7) That the person has been subpoenaed in good faith as a witness in the case. (8) That the person is a mentally incompetent person. (9) That the person is an alien. (10) That the person has been called to sit on the jury at the person's own solicitation or that of another. (11) That the person is biased or prejudiced for or against the defendant. (12) That the person does not have the qualifications for a juror prescribed by law. (13) That, from defective sight or hearing, ignorance of the English language, or other cause, the person is unable to comprehend the evidence and the instructions of the court. (14) That the person has a personal interest in the result of the trial. (15) If the person is not a member of the regular panel, that the person has served on a jury within twelve (12) months immediately preceding the trial. (b) If a person called as a juror states that the person has formed or expressed an opinion as to the guilt or innocence of the defendant, the court or the parties shall proceed to examine the juror on oath as to the grounds of the juror's opinion. If the juror's opinion appears to have been founded upon reading newspaper statements, communications, comments, reports, rumors, or hearsay, and if: (1) the juror's opinion appears not to have been founded upon: (A) conversation with a witness of the transaction; (B) reading reports of a witness' testimony; or (C) hearing a witness testify; (2) the juror states on oath that the juror feels able, notwithstanding the juror's opinion, to render an impartial verdict upon the law and evidence; and (3) the court is satisfied that the juror will render an impartial verdict; the court may admit the juror as competent to serve in the case. As added by Acts 1981, P.L.298, SEC.6. Amended by P.L.169-1988, SEC.7; P.L.33-1989, SEC.125.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 1. Jury Selection35-37-1-6. Challenges for Cause; Time; Summary Trial

Sec. 6. All challenges for cause shall be made before the jury is sworn to try the cause, and shall be summarily tried by the court on the oath of the party challenged or other evidence. As added by Acts 1981, P.L.298, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 2. Trial Proceedings35-37-2-1. Preliminary Instructions

Sec. 1. The court shall give the jury preliminary instructions. As added by Acts 1981, P.L.298, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 2. Trial Proceedings35-37-2-2. Order of Trial; Statement of Case; Presentation of Evidence; Arguments of Counsel; Instructions

Sec. 2. After the jury is impaneled and sworn, the trial shall proceed in the following order: (1) The prosecuting attorney shall state the case of the prosecution and briefly state the evidence by which he expects to support it, and the defendant may then state his defense and briefly state the evidence he expects to offer in support of his defense. (2) The prosecuting attorney shall then offer the evidence in support of the prosecution, and the defendant shall then offer the evidence in support of his defense. (3) The parties may then respectively offer rebutting evidence only, unless the court, for good reason and in furtherance of justice, permits them to offer evidence upon their original case. (4) When the evidence is concluded the prosecuting attorney and the defendant or his counsel may, by agreement in open court, submit the case to the court or jury trying the case, without argument. If the case is not submitted without argument, the prosecuting attorney shall have the opening and closing of the argument. However, the prosecuting attorney shall disclose in the opening all the points relied on in the case, and if in the closing he refers to any new point or fact not disclosed in the opening, the defendant or his counsel may reply to that point or fact, and that reply shall close the argument of the case. If the prosecuting attorney refuses to open the argument, the defendant or his counsel may then argue the case. If the defendant or his counsel refuses to argue the case after the prosecuting attorney has made his opening argument, that shall be the only argument allowed in the case. (5) The court shall then charge the jury. The judge shall: (A) make the charge to the jury in writing; (B) number each instruction; and (C) sign the charge; if, at any time before the commencement of the argument, he has been requested to do so by the prosecuting attorney, the defendant, or the defendant's counsel. In charging the jury, the court must state to them all matters of law which are necessary for their information in giving their verdict. The judge shall inform the jury that they are the exclusive judges of all questions of fact, and that they have a right, also, to determine the law. The court may send the instructions to the jury room. (6) If the prosecuting attorney, the defendant, or the defendant's counsel desires special instructions to be given to the jury, these instructions must be: (A) reduced to writing; (B) numbered; (C) accompanied by an affixed cover sheet that refers to the instructions by number and that is signed by the party, or his attorney, who is requesting the special instructions; and (D) delivered to the court; before the commencement of the argument. A charge of the court or any special instructions, when written and given by the court under this subdivision, may not be orally qualified, modified, or in any manner orally explained to the jury by the court. If final instructions are submitted to the jury in written form after having been read by the court, no indication of the party or parties tendering any of the instructions may appear on any instruction. As added by Acts 1981, P.L.298, SEC.6. Amended by P.L.315-1985, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 2. Trial Proceedings35-37-2-3. Preliminary Instructions; Personal Knowledge of Material Fact by Juror; Disclosure; Examination; Excuse of Juror or Panel

Sec. 3. (a) As a part of the preliminary instructions, the court shall instruct the jurors that if a juror realizes, during the course of the

trial, that he has personal knowledge of any fact material to the cause, he shall inform the bailiff that he believes he has this knowledge at the next recess or upon adjournment, whichever is sooner. The bailiff shall inform the court of the juror's belief, and the court shall examine the juror under oath in the presence of the parties and outside the presence of the other jurors concerning his personal knowledge of any material fact. (b) If the court finds that the juror has personal knowledge of a material fact, the juror shall be excused and the court shall replace that juror with an alternate. If there is no alternate juror, then the court shall discharge the jury without prejudice, unless the parties agree to submit the cause to the remaining jurors. As added by Acts 1981, P.L.298, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 2. Trial Proceedings35-37-2-4. Preliminary Instructions; Admonition by Court; Separation

Sec. 4. (a) The court shall admonish the jurors in the preliminary instruction, before separating for meals, and at the end of the day, that it is their duty not to converse among themselves or permit others to converse with them on any subject connected with the trial, or to form or express any opinion about the case until the cause is finally submitted to them. (b) The jurors may separate when court is adjourned for the day, unless the court finds that the jurors should be sequestered in order to assure a fair trial. As added by Acts 1981, P.L.298, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 2. Trial Proceedings35-37-2-5. View by Jury

Sec. 5. Whenever: (1) the court believes that it is proper; or (2) a party to the case makes a motion; for the jury to have a view of the place in which any material fact occurred, the court may order the jury to be conducted in a body, under the charge of an officer, to the place, which shall be shown to them by some person appointed by the court for that purpose. While the jury is absent for this reason, no person, other than the officer and the person appointed to show them the place, may speak to the jurors on any subject connected with the trial. As added by Acts 1981, P.L.298, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 2. Trial Proceedings35-37-2-6. Retirement and Deliberation of Jury; Officer in Charge; Restrictions

Sec. 6. (a) After hearing the charge, the jury shall retire to the jury room for deliberation. They shall retire under the charge of an officer, who shall be sworn by the court to: (1) keep the jury together in the jury room or other place ordered by the court; (2) furnish them food as directed by the court; and (3) not permit any person to speak or communicate with them. (b) An officer may not communicate with a juror except: (1) as provided in sections 2 and 4 of this chapter; (2) to ask them if they have agreed on a verdict; or (3) when ordered to do so by the court. As added by Acts 1981, P.L.298, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 2. Trial Proceedings35-37-2-7. Verdict; Rendering in Open Court; Polling of Jury

Sec. 7. When the jury has agreed upon its verdict, the officer having the jurors in his charge shall conduct them into court. If all jurors appear, their verdict must be rendered in open court. If all do not appear, the court shall discharge the jury without prejudice. The prosecuting attorney and the parties are entitled, in all criminal cases, to have the jury polled. As added by Acts 1981, P.L.298, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 3. Witness Immunity35-37-3-1. Refusal of Witness to Answer or Produce Item; Hearing; Decision on Right to Refuse

Sec. 1. (a) If a witness, in any hearing or trial occurring after an indictment or information has been filed, refuses to answer any question or produce any item, the court shall remove the jury, if one is present, and immediately conduct a hearing on the witness's refusal. After such a hearing, the court shall decide whether the witness is required to answer the question or produce the item. (b) If the prosecuting attorney has reason to believe that a witness will refuse to answer a question or produce an item during any criminal trial, the prosecuting attorney may submit the question or request to the trial court. The court shall hold a hearing to determine if the witness may refuse to answer the question or produce the item. As added by Acts 1981, P.L.298, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 3. Witness Immunity35-37-3-2. Self-Incrimination; Request for Use Immunity

Sec. 2. If the court determines that the witness, based upon his privilege against self-incrimination, may properly refuse to answer a question or produce an item, the prosecuting attorney may make a written request that the court grant use immunity to the witness, in accordance with section 3 of this chapter. As added by Acts 1981, P.L.298, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 3. Witness Immunity35-37-3-3. Grant of Use Immunity; Instruction of Witness; Contempt; Perjury

Sec. 3. (a) Upon request of the prosecuting attorney, the court shall grant use immunity to a witness. The court shall instruct the witness, by written order or in open court, that any evidence the witness gives, or evidence derived from that evidence, may not be used in any criminal proceeding against that witness, unless the evidence is volunteered by the witness or is not responsive to a

question by the prosecuting attorney. The court shall instruct the witness that the witness must answer the questions asked and produce the items requested. (b) A grant of use immunity does not prohibit the use of evidence the witness has given in a prosecution for perjury under IC 35-44.1-2-1. (c) If a witness refuses to give the evidence after the witness has been granted use immunity, the court may find the witness in contempt. As added by Acts 1981, P.L.298, SEC.6. Amended by P.L.126-2012, SEC.49.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4.5. Sex Crimes Victims and Polygraph Examinations35-37-4.5-1. "Polygraph"

Sec. 1. As used in this chapter, "polygraph" means a device that permanently and simultaneously records, at a minimum, an individual's: (1) cardiovascular and respiratory patterns; and (2) galvanic skin responses; in order to determine truthfulness. As added by P.L.41-2007, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4.5. Sex Crimes Victims and Polygraph Examinations35-37-4.5-2. Prohibition Against Requiring a Sex Crime Victim to Submit to a Polygraph Examination

Sec. 2. A law enforcement officer may not require an alleged victim of an offense described in IC 35-42-4 to submit to a polygraph or other truth telling device examination. As added by P.L.41-2007, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4.5. Sex Crimes Victims and Polygraph Examinations35-37-4.5-3. Polygraph Refusal; Duties of Law Enforcement Officers

Sec. 3. A law enforcement officer may not refuse to investigate, charge, or prosecute an offense under IC 35-42-4 solely because the alleged victim of the offense has not submitted to a polygraph or other truth telling device examination. As added by P.L.41-2007, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4.5. Sex Crimes Victims and Polygraph Examinations35-37-4.5-4. Voluntary Submission to Polygraph Examination

Sec. 4. This chapter does not prohibit an alleged victim of an offense under IC 35-42-4 from voluntarily submitting to a polygraph or other truth telling device examination. As added by P.L.41-2007, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4. Evidence and Protection of Certain Witnesses35-37-4-1. Competency of Witness

Sec. 1. A person who is competent to testify in civil actions is also competent to testify in criminal proceedings. As added by Acts 1981, P.L.298, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4. Evidence and Protection of Certain Witnesses35-37-4-11. Safeguarding Victim From Contact With Accused and Relatives of Accused; Waiting Areas

Sec. 11. (a) During court proceedings a court shall provide safeguards necessary to minimize the contact of the victim of an offense or delinquent act with: (1) a defendant accused of the offense or a juvenile accused of committing the delinquent act; and (2) the relatives and friends of: (A) a defendant accused of the offense; or (B) a juvenile accused of committing the delinquent act. (b) The safeguards required under subsection (a) may include courthouse waiting areas for victims that are separated from those waiting areas specified for defendants, juveniles alleged to be delinquent children, and the relatives and friends of accused persons. (c) A county is not required under this section, or by mandate of a court, to expend any funds to change the physical configuration of a courthouse in the county to meet the requirements of this section. As added by P.L.36-1990, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4. Evidence and Protection of Certain Witnesses35-37-4-12. Physical Safety of Victim or Victim's Family in Danger; Exclusion of Evidence; Disclosure to Court

Sec. 12. (a) If the physical safety of a victim or the victim's immediate family is in danger, a victim may not be required to give personal information during the course of sworn testimony regarding the following: (1) Telephone numbers. (2) Place of employment. (3) Residential address. (b) In any hearing to determine the introduction into evidence of the personal information specified in subsection (a), the court, if the court finds an actual danger to the victim or the victim's immediate family exists, may require the party possessing the personal information to disclose the personal information to the court for in camera review. As added by P.L.1-1991, SEC.193.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4. Evidence and Protection of Certain Witnesses35-37-4-13. "Forensic DNA Analysis" Defined; Admissibility

Sec. 13. (a) As used in this section, "forensic DNA analysis" means an identification process in which the unique genetic code of an individual that is carried by the individual's deoxyribonucleic acid (DNA) is compared to genetic codes carried in DNA found in

bodily substance samples obtained by a law enforcement agency in the exercise of the law enforcement agency's investigative function. (b) In a criminal trial or hearing, the results of forensic DNA analysis are admissible in evidence without antecedent expert testimony that forensic DNA analysis provides a trustworthy and reliable method of identifying characteristics in an individual's genetic material. As added by P.L.1-1991, SEC.194.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4. Evidence and Protection of Certain Witnesses35-37-4-14. Evidence of a Previous Battery

Sec. 14. (a) This section applies even if no criminal charges were filed concerning the act that is the basis of the evidence of a previous battery. (b) As used in this section, "evidence of a previous battery" means evidence that a person charged with a crime described in subsection (c)(1) through (c)(5) committed a prior unrelated act of battery or attempted battery on the victim of a crime described in subsection (c)(1) through (c)(5) within five (5) years before the person allegedly committed the crime described in subsection (c)(1) through (c)(5). (c) In a prosecution for: (1) battery (IC 35-42-2-1); (2) domestic battery (IC 35-42-2-1.3); (3) aggravated battery (IC 35-42-2-1.5); (4) murder (IC 35-42-1-1); or (5) voluntary manslaughter (IC 35-42-1-3); evidence of a previous battery is admissible into evidence in the state's case-in-chief for purposes of proving motive, intent, identity, or common scheme and design. (d) If the state proposes to offer evidence described in subsection (b), the following procedure must be followed: (1) The state shall file a written motion not less than ten (10) days before trial stating that the state has an offer of proof concerning evidence described in subsection (b) and the relevancy of the evidence to the case. The motion must be accompanied by an affidavit in which the offer of proof is stated. (2) If the court finds that the offer of proof is sufficient, the court shall order a hearing out of the presence of the jury. At the hearing, the court shall allow the questioning of the victim or witness regarding the offer of proof made by the state. At the conclusion of the hearing, if the court finds that evidence proposed to be offered by the state is admissible, the court shall make an order stating what evidence may be introduced by the state and the nature of the questions to be permitted. The state may then offer evidence under the order of the court. (e) This section shall not be construed to limit the admissibility of evidence of a previous battery in any civil or criminal proceeding. As added by P.L.213-1991, SEC.1. Amended by P.L.65-2016, SEC.28.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4. Evidence and Protection of Certain Witnesses35-37-4-15. Child Molestation; Evidence of Prior Acts

Sec. 15. (a) In a prosecution for child molesting under IC 35-42-4-3, a prosecution for incest under IC 35-46-1-3, or a prosecution for an attempt or a conspiracy to commit child molesting or incest, evidence that the defendant has committed another crime or act of child molesting or incest or attempted or conspired to commit another crime or act of child molesting or incest: (1) against the same victim; or (2) that involves a similar crime or act of child molesting or incest against a different victim; is admissible. (b) If the state proposes to offer evidence described under subsection (a), the state must disclose the evidence to the defendant, including statements made by witnesses or a summary of the substance of any testimony that is expected to be offered at the defendant's trial: (1) at least fifteen (15) days before the date the defendant's trial is scheduled to begin; or (2) at a later date as determined by the court for good cause. (c) The court shall hold a hearing out of the presence of the jury regarding the admissibility of the evidence described under subsection (a). Even if the court determines that the evidence is relevant, the evidence may be excluded if the probative value of the evidence is substantially outweighed by: (1) the danger of: (A) unfair prejudice; (B) confusion of the issues; or (C) misleading the jury; or (2) considerations of: (A) undue delay; (B) waste of time; or (C) needless presentation of cumulative evidence. However, if the court finds that all or some of the evidence is admissible, the court shall enter an order stating what evidence may be introduced. (d) This section may not be construed to limit the right to introduce evidence at a trial that would otherwise be admissible to prove any of the following: (1) Motive. (2) Opportunity. (3) Intent. (4) Plan. (5) Knowledge. (6) Identity. (7) Absence of mistake or accident. As added by P.L.232-1993, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4. Evidence and Protection of Certain Witnesses35-37-4-2. Credibility; General Moral Character

Sec. 2. In all questions affecting the credibility of a witness, his general moral character may be given in evidence. As added by Acts 1981, P.L.298, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4. Evidence and Protection of Certain Witnesses35-37-4-3. Depositions

Sec. 3. The state and the defendant may take and use depositions of witnesses in accordance with the Indiana Rules of Trial Procedure. As added by Acts 1981, P.L.298, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4. Evidence and Protection of Certain Witnesses35-37-4-4. Sex Crimes; Admissibility of Evidence of Past Sexual Conduct; Procedure

Sec. 4. (a) In a prosecution for an offense described in IC 11-8-8-4.5(a): (1) evidence of the victim's past sexual conduct; (2) evidence of the past sexual conduct of a witness other than the accused; (3) opinion evidence of the victim's past sexual conduct; (4) opinion evidence of the past sexual conduct of a witness other than the accused; (5) reputation evidence of the victim's past sexual

conduct; and (6) reputation evidence of the past sexual conduct of a witness other than the accused; may not be admitted, nor may reference be made to this evidence in the presence of the jury, except as provided in this chapter. (b) Notwithstanding subsection (a), evidence: (1) of the victim's or a witness's past sexual conduct with the defendant; (2) which in a specific instance of sexual activity shows that some person other than the defendant committed the act upon which the prosecution is founded; or (3) that the victim's pregnancy at the time of trial was not caused by the defendant; may be introduced if the judge finds, under the procedure provided in subsection (c), that it is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value. (c) If the defendant or the state proposes to offer evidence described in subsection (b), the following procedure must be followed: (1) The defendant or the state shall file a written motion not less than ten (10) days before trial stating that it has an offer of proof concerning evidence described in subsection (b) and its relevancy to the case. This motion shall be accompanied by an affidavit in which the offer of proof is stated. (2) If the court finds that the offer of proof is sufficient, the court shall order a hearing out of the presence of the jury, and at the hearing allow the questioning of the victim or witness regarding the offer of proof made by the defendant or the state. At the conclusion of the hearing, if the court finds that evidence proposed to be offered by the defendant or the state regarding the sexual conduct of the victim or witness is admissible under subsection (b), the court shall make an order stating what evidence may be introduced by the defendant or the state and the nature of the questions to be permitted. The defendant or the state may then offer evidence under the order of the court. (d) If new information is discovered within ten (10) days before trial or during the course of the trial that might make evidence described in subsection (b) admissible, the judge shall order a hearing out of the presence of the jury to determine whether the proposed evidence is admissible under this chapter. (e) This section does not limit the right of either the state or the accused to impeach credibility by a showing of prior felony convictions. (f) If: (1) a defendant files a motion under subsection (c)(1) concerning evidence described in subsection (b)(3); and (2) the state acknowledges that the victim's pregnancy is not due to the conduct of the defendant; the court shall instruct the jury that the victim's pregnancy is not due to the conduct of the defendant. However, other evidence concerning the pregnancy may not be admitted, and further reference to the pregnancy may not be made in the presence of the jury. As added by Acts 1981, P.L.298, SEC.6. Amended by P.L.322-1983, SEC.1; P.L.144-2018, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4. Evidence and Protection of Certain Witnesses35-37-4-5. Evidence Unlawfully Obtained by Officer in Good Faith; Exclusion

Sec. 5. (a) In a prosecution for a crime or a proceeding to enforce an ordinance or a statute defining an infraction, the court may not grant a motion to exclude evidence on the grounds that the search or seizure by which the evidence was obtained was unlawful if the evidence was obtained by a law enforcement officer in good faith. (b) For purposes of this section, evidence is obtained by a law enforcement officer in good faith if: (1) it is obtained pursuant to: (A) a search warrant that was properly issued upon a determination of probable cause by a neutral and detached magistrate, that is free from obvious defects other than nondeliberate errors made in its preparation, and that was reasonably believed by the law enforcement officer to be valid; or (B) a state statute, judicial precedent, or court rule that is later declared unconstitutional or otherwise invalidated; and (2) the law enforcement officer, at the time he obtains the evidence, has satisfied applicable minimum basic training requirements established by rules adopted by the law enforcement training board under IC 5-2-1-9. (c) This section does not affect the right of a person to bring a civil action against a law enforcement officer or a governmental entity to recover damages for the violation of his rights by an unlawful search and seizure. As added by P.L.323-1983, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4. Evidence and Protection of Certain Witnesses35-37-4-6. Application of Section; "Protected Person"; Admissibility of Statement or Videotape; Notice to Defendant; Jury Instructions

Sec. 6. (a) This section applies to a criminal action involving the following offenses where the victim is a protected person under subsection (c)(1) or (c)(2): (1) Sex crimes (IC 35-42-4). (2) A battery offense included in IC 35-42-2 upon a child less than fourteen (14) years of age. (3) Kidnapping and confinement (IC 35-42-3). (4) Incest (IC 35-46-1-3). (5) Neglect of a dependent (IC 35-46-1-4). (6) Human and sexual trafficking crimes (IC 35-42-3.5). (b) This section applies to a criminal action involving the following offenses where the victim is a protected person under subsection (c)(3): (1) Exploitation of a dependent or endangered adult (IC 35-46-1-12). (2) A sex crime (IC 35-42-4). (3) A battery offense included in IC 35-42-2. (4) Kidnapping, confinement, or interference with custody (IC 35-42-3). (5) Home improvement fraud (IC 35-43-6). (6) Fraud (IC 35-43-5). (7) Identity deception (IC 35-43-5-3.5). (8) Synthetic identity deception (IC 35-43-5-3.8) (before its repeal). (9) Theft (IC 35-43-4-2). (10) Conversion (IC 35-43-4-3). (11) Neglect of a dependent (IC 35-46-1-4). (12) Human and sexual trafficking crimes (IC 35-42-3.5). (c) As used in this section, "protected person" means: (1) a child who is less than fourteen (14) years of age at the time of the offense but less than eighteen (18) years of age at the time of trial; (2) an individual with a mental disability who has a disability attributable to an impairment of general intellectual functioning or adaptive behavior that: (A) is manifested before the individual is eighteen (18) years of age; (B) is likely to continue indefinitely; (C) constitutes a substantial impairment of the individual's ability to function normally in society; and (D) reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated; or (3) an individual who is: (A) at least eighteen (18) years of age; and (B) incapable by reason of mental illness, intellectual disability, dementia, or other physical or mental incapacity of: (i) managing or directing the management of the individual's property; or (ii) providing or directing the provision of self-care. (d) As used in this section, "provider" means: (1) a psychiatrist or physician

licensed under IC 25-22.5; (2) a psychologist licensed under IC 25-33; (3) a marriage and family therapist licensed under IC 25-23.6-8; (4) an advanced practice registered nurse (APRN) with a certification as a psychiatric mental health nurse practitioner licensed under IC 25-23; or (5) a physician assistant specialized in psychiatry and mental health licensed under IC 25-27.5. (e) A statement or videotape that: (1) is made by a person who at the time of trial is a protected person, as defined in subsection (c); (2) concerns an act that is a material element of an offense listed in subsection (a) or (b) that was allegedly committed against the person; and (3) is not otherwise admissible in evidence; is admissible in evidence in a criminal action for an offense listed in subsection (a) or (b) if the requirements of subsection (f) are met. (f) A statement or videotape described in subsection (e) is admissible in evidence in a criminal action listed in subsection (a) or (b) if, after notice to the defendant of a hearing and of the defendant's right to be present, all of the following conditions are met: (1) The court finds, in a hearing: (A) conducted outside the presence of the jury; and (B) attended by the protected person in person or by using closed circuit television testimony as described in section 8(f) and 8(g) of this chapter; that the time, content, and circumstances of the statement or videotape provide sufficient indications of reliability. (2) The protected person: (A) testifies at the trial; or (B) is found by the court to be unavailable as a witness for one (1) of the following reasons: (i) From the testimony of a provider, and other evidence, if any, the court finds that the protected person's testifying in the physical presence of the defendant will cause the protected person to suffer serious emotional distress such that the protected person cannot reasonably communicate. (ii) The protected person cannot participate in the trial for medical reasons. (iii) The court has determined that the protected person is incapable of understanding the nature and obligation of an oath. (g) If a protected person is unavailable to testify at the trial for a reason listed in subsection (f)(2)(B), a statement or videotape may be admitted in evidence under this section only if the protected person was available for cross-examination: (1) at the hearing described in subsection (f)(1); or (2) when the statement or videotape was made. (h) A statement or videotape may not be admitted in evidence under this section unless the prosecuting attorney informs the defendant and the defendant's attorney at least ten (10) days before the trial of: (1) the prosecuting attorney's intention to introduce the statement or videotape in evidence; and (2) the content of the statement or videotape. (i) If a statement or videotape is admitted in evidence under this section, the court shall instruct the jury that it is for the jury to determine the weight and credit to be given the statement or videotape and that, in making that determination, the jury shall consider the following: (1) The mental and physical age of the person making the statement or videotape. (2) The nature of the statement or videotape. (3) The circumstances under which the statement or videotape was made. (4) Other relevant factors. (j) If a statement or videotape described in subsection (e) is admitted into evidence under this section, a defendant may introduce a: (1) transcript; or (2) videotape; of the hearing held under subsection (f)(1) into evidence at trial. As added by P.L.180-1984, SEC.1. Amended by P.L.316-1985, SEC.1; P.L.37-1990, SEC.22; P.L.23-1993, SEC.161; P.L.142-1994, SEC.7; P.L.43-2004, SEC.1; P.L.2-2005, SEC.120; P.L.173-2006, SEC.48; P.L.99-2007, SEC.207; P.L.137-2009, SEC.10; P.L.28-2011, SEC.1; P.L.117-2015, SEC.54; P.L.238-2015, SEC.11; P.L.149-2016, SEC.89; P.L.65-2016, SEC.26; P.L.142-2020, SEC.58; P.L.174-2021, SEC.40; P.L.153-2022, SEC.1; P.L.42-2023, SEC.2; P.L.9-2024, SEC.534.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4. Evidence and Protection of Certain Witnesses35-37-4-7. Pecuniary Loss or Gain; Proof

Sec. 7. (a) Except as provided in subsection (b), whenever an element of an offense involves a pecuniary loss or a pecuniary gain, then the element shall be established by proof of the fair market value of the property at the time of the offense. (b) For purposes of IC 35-43-1-8, "pecuniary loss" includes: (1) damage to the victim's property caused, directly or indirectly, by commission of the offense, based on the actual cost of securing, repairing, or replacing a computer, a computer system, computer software, a network, and data; and (2) revenue, salary, or wages lost by the victim as a result of the crime. As added by P.L.320-1985, SEC.2. Amended by P.L.153-2017, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4. Evidence and Protection of Certain Witnesses35-37-4-8. Application of Section; Testimony of Protected Person; Closed Circuit Television; Videotape; Notice to Defendant

Sec. 8. (a) This section applies to a criminal action under the following: (1) Sex crimes (IC 35-42-4). (2) A battery offense included in IC 35-42-2 upon a child less than fourteen (14) years of age. (3) Kidnapping and confinement (IC 35-42-3). (4) Incest (IC 35-46-1-3). (5) Neglect of a dependent (IC 35-46-1-4). (6) Human and sexual trafficking crimes (IC 35-42-3.5). (b) As used in this section, "protected person" has the meaning set forth in section 6 of this chapter. (c) On the motion of the prosecuting attorney, the court may order that the testimony of a protected person be taken in a room other than the courtroom, and that the questioning of the protected person by the prosecution and the defense be transmitted using a two-way closed circuit television arrangement that: (1) allows the protected person to see the accused and the trier of fact; and (2) allows the accused and the trier of fact to see and hear the protected person. (d) On the motion of the prosecuting attorney or the defendant, the court may order that the testimony of a protected person be videotaped for use at trial. The videotaping of the testimony of a protected person under this subsection must meet the requirements of subsection (c). (e) The court may not make an order under subsection (c) or (d) unless: (1) the testimony to be taken is the testimony of a protected person who: (A) is the alleged victim of an offense listed in subsection (a) for which the defendant is being tried or is a witness in a trial for an offense listed in subsection (a); and (B) is found by the court to be a protected person who should be permitted to testify outside the courtroom because: (i) the court finds from the testimony of a psychiatrist, physician, or psychologist and any other evidence that the protected person's testifying in the physical presence of the defendant would cause the protected person to suffer serious emotional harm and the court finds that the protected person could not reasonably

communicate in the physical presence of the defendant to the trier of fact; (ii) a physician has certified that the protected person cannot be present in the courtroom for medical reasons; or (iii) evidence has been introduced concerning the effect of the protected person's testifying in the physical presence of the defendant, and the court finds that it is more likely than not that the protected person's testifying in the physical presence of the defendant creates a substantial likelihood of emotional or mental harm to the protected person; (2) the prosecuting attorney has informed the defendant and the defendant's attorney of the intention to have the protected person testify outside the courtroom; and (3) the prosecuting attorney informed the defendant and the defendant's attorney under subdivision (2) at least ten (10) days before the trial of the prosecuting attorney's intention to have the protected person testify outside the courtroom. (f) If the court makes an order under subsection (c), only the following persons may be in the same room as the protected person during the protected person's testimony: (1) A defense attorney if: (A) the defendant is represented by the defense attorney; and (B) the prosecuting attorney is also in the same room. (2) The prosecuting attorney if: (A) the defendant is represented by a defense attorney; and (B) the defense attorney is also in the same room. (3) Persons necessary to operate the closed circuit television equipment. (4) Persons whose presence the court finds will contribute to the protected person's well-being. (5) A court bailiff or court representative. (g) If the court makes an order under subsection (d), only the following persons may be in the same room as the protected person during the protected person's videotaped testimony: (1) The judge. (2) The prosecuting attorney. (3) The defendant's attorney (or the defendant, if the defendant is not represented by an attorney). (4) Persons necessary to operate the electronic equipment. (5) The court reporter. (6) Persons whose presence the court finds will contribute to the protected person's well-being. (7) The defendant, who can observe and hear the testimony of the protected person with the protected person being able to observe or hear the defendant. However, if the defendant is not represented by an attorney, the defendant may question the protected person. (h) If the court makes an order under subsection (c) or (d), only the following persons may question the protected person: (1) The prosecuting attorney. (2) The defendant's attorney (or the defendant, if the defendant is not represented by an attorney). (3) The judge. As added by P.L.203-1986, SEC.2. Amended by P.L.37-1990, SEC.23; P.L.142-1994, SEC.8; P.L.2-2005, SEC.121; P.L.173-2006, SEC.49; P.L.238-2015, SEC.12; P.L.65-2016, SEC.27; P.L.142-2020, SEC.59.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 4. Evidence and Protection of Certain Witnesses35-37-4-9. Certificates of Title; Certified Copies as Prima Facie Evidence of Title

Sec. 9. (a) As used in this section, "certified copy of a certificate of title" means a document that is: (1) a copy of a certificate of title for a motor vehicle, by whatever name designated, that is issued by the bureau of motor vehicles or a governmental entity in another state; (2) prepared from a record of the governmental entity issuing the certificate of title; and (3) certified by the officer having legal custody of the record described in subdivision (2) or the officer's deputy. (b) In a criminal proceeding, a certified copy of a certificate of title is prima facie evidence of the ownership of a motor vehicle. As added by P.L.136-1987, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 5. Uniform Act to Secure the Attendance of Witnesses From Outside the State in Criminal Proceedings35-37-5-1. Definitions

Sec. 1. As used in this chapter: "State" includes any territory of the United States and the District of Columbia. "Subpoena" includes a summons in any state where a summons is used in lieu of a subpoena. "Witness" shall include a person whose testimony is desired in any proceeding or investigation by a grand jury or in a criminal action, prosecution, or proceeding. As added by P.L.311-1983, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 5. Uniform Act to Secure the Attendance of Witnesses From Outside the State in Criminal Proceedings35-37-5-2. Subpoena; Issuance; Service; Proof of Service; Fees; Contempt of Court

Sec. 2. (a) At the request of the state or a defendant, subpoenas for attendance at a hearing or trial shall be issued by the clerk of the court of the county in which the hearing or trial is to be held. A subpoena may be served at any place within the state. When permitted by the laws of the United States, this or another state, or foreign country, the court upon proper application and cause shown may authorize the service of a subpoena outside the state in accordance with such law. (b) Every subpoena shall: (1) be issued by the clerk under the seal of the court; (2) state the name of the court and the title of the action; (3) command each person to whom it is directed to attend and give testimony at a specified time and place; and (4) be signed by the clerk. The clerk shall issue a subpoena, or a subpoena for the production of documentary evidence, signed and sealed but otherwise in blank, to a party requesting it or his attorney, who shall fill it in before service. (c) A subpoena may also command the person to whom it is directed to produce the books, papers, documents, or tangible things designated therein. The court, upon motion made at or before the time specified in the subpoena for compliance, may: (1) quash or modify the subpoena if it is unreasonable and oppressive; or (2) condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable costs of producing the books, papers, documents, or tangible things. (d) A subpoena may be served by any person. Service of a subpoena upon a person shall be made in the same manner as provided in the Indiana Rules of Trial Procedure. (e) When a subpoena is served by the sheriff or his deputy, his return shall be proof of service. When served by any other person, the service must be shown by affidavit. No fees or costs for the service of a subpoena shall be collected or charged as costs except when service is made by the sheriff or his deputy. (f) Fees need not be first paid or tendered in order to compel the attendance of witnesses in a criminal proceeding. (g) Failure by any person without adequate excuse to obey a subpoena served upon him may be deemed a contempt of: (1) the court from which the subpoena is issued; or (2) the court of the county where the witness was required to appear or act. When duly subpoenaed, the

attendance of all witnesses may be enforced by attachment. As added by P.L.311-1983, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 5. Uniform Act to Secure the Attendance of Witnesses From Outside the State in Criminal Proceedings35-37-5-3. Subpoena; Persons Imprisoned or Institutionalized Within This State

Sec. 3. (a) When the testimony of a person who is imprisoned or institutionalized within this state is necessary in any criminal proceeding, the subpoena shall be delivered or mailed to the official in charge of the institution. (b) The official in charge of the institution shall bring the witness named in the subpoena before the court at the time and place specified and hold him until he is discharged by the court. When so discharged, the witness shall be returned to the custody of such official and returned to the institution. The official in charge of the institution may request from the court issuing the subpoena such assistance as he deems proper for the safe transportation of the witness. (c) When such witness is in attendance upon any court, he may be placed, for safe-keeping, in the jail of the county or any other suitable place pursuant to an order of the court. The county in which the proceeding is pending shall pay the actual and necessary expense of producing, keeping, and returning such witness. As added by P.L.311-1983, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 5. Uniform Act to Secure the Attendance of Witnesses From Outside the State in Criminal Proceedings35-37-5-4. Summoning Witness in This State to Testify in Another State

Sec. 4. (a) If a judge of a court of record in any state which has made provision for the commanding of persons within that state to attend and testify in this state certifies under the seal of the court that: (1) there is a criminal prosecution pending in the court, or that a grand jury investigation has commenced or is about to commence; (2) a person being within this state is a material witness in the prosecution or grand jury investigation; and (3) the person's presence will be required for a specified number of days; upon presentation of the certificate to a judge of a court of record with jurisdiction to try felony cases in the county in which the person is located, the judge shall fix a time and place for a hearing, and shall make an order directing the witness to appear at a time and place certain for the hearing. (b) If at the hearing the judge determines that: (1) the witness is material and necessary; (2) it will not cause undue hardship to the witness to be compelled to attend and testify in the prosecution or a grand jury investigation in the other state; and (3) the laws of the state in which the prosecution is pending, or grand jury investigation has commenced or is about to commence, will give to the person protection from arrest, and the service of civil and criminal process; the judge shall issue a subpoena, with a copy of the certificate attached, directing the witness to attend and testify in the court where the prosecution is pending, or where a grand jury investigation has commenced or is about to commence at a time and place specified in the subpoena. In any hearing the certificate is prima facie evidence of all the facts stated in it. (c) If the certificate recommends that the witness be taken into immediate custody and delivered to an officer of the requesting state to assure the attendance of the witness in the requesting state, the judge may, in lieu of notification of the hearing, direct that the witness be immediately brought before the judge for the hearing. If the judge is satisfied of the desirability of the custody and delivery, the judge may, in lieu of issuing a subpoena, order that the witness be immediately taken into custody and delivered to an officer of the requesting state. For this determination, the certificate is prima facie proof of such desirability. (d) If a witness subpoenaed as provided in this section is paid or tendered a sum for expenses and fails without good cause to attend and testify as directed in the subpoena, the witness shall be punished in the manner provided for the punishment of any witness who disobeys a subpoena issued from a court of record in this state. (e) The amount of the payment for expenses under subsection (d) of this section and section 4(b) of this chapter is set out in IC 33-37-10-2. As added by P.L.311-1983, SEC.2. Amended by P.L.171-1984, SEC.78; P.L.192-1986, SEC.38; P.L.305-1987, SEC.33; P.L.98-2004, SEC.148.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 5. Uniform Act to Secure the Attendance of Witnesses From Outside the State in Criminal Proceedings35-37-5-5. Witness From Another State Summoned to Testify in This State

Sec. 5. (a) If a person in any state that has made provision for commanding persons within its borders to attend and testify in criminal prosecutions in this state or grand jury investigations commenced or about to commence in this state is a material witness in a prosecution pending in a court of record in this state or in a grand jury investigation which has commenced or is about to commence in this state, a judge of the court may issue a certificate under the seal of the court stating these facts and specifying the number of days the witness will be required. This certificate shall be presented to a judge of a court of record in the county of the state in which the witness is found. (b) If the witness is summoned to attend and testify in this state, the witness shall be tendered a sum for expenses equal to the amount provided under IC 33-37-10-2. The fees shall be a proper charge upon the county in which the criminal prosecution or grand jury investigation is pending. (c) A witness who has appeared in accordance with the provisions of the subpoena shall not be required to remain within this state for a longer period of time than the period mentioned in the certificate, unless otherwise ordered by the court. (d) If the witness fails without good cause to attend and testify as directed in the subpoena, the witness shall be punished in the manner provided for the punishment of any witness who disobeys a subpoena issued from a court of record in this state. As added by P.L.311-1983, SEC.2. Amended by P.L.171-1984, SEC.79; P.L.192-1986, SEC.39; P.L.305-1987, SEC.34; P.L.98-2004, SEC.149.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 5. Uniform Act to Secure the Attendance of Witnesses From Outside the State in Criminal Proceedings35-37-5-6. Summoning Prisoners in This State to Testify in Another State; Prisoner From Another State Summoned to Testify in This State

Sec. 6. (a) If a judge of a court of record in any other state, which by its laws has made provision for commanding a prisoner within that state to attend and testify in this state, certifies under the seal of the court that: (1) there is a criminal prosecution pending in such court or that a grand jury investigation has commenced; (2) a person confined by the department of correction (other than a person awaiting execution of a sentence of death) is a material witness in such prosecution or investigation; and (3) his presence is required for a specified number of days; a judge of a court with jurisdiction to try felony cases in the county where the person is confined, after notice to the attorney general, shall fix a time and place for a hearing and shall order the person having custody of the prisoner to produce him at the hearing. (b) If at such hearing the judge determines that the prisoner is a material and necessary witness in the requesting state, the judge shall issue an order directing that the prisoner attend the court where the prosecution or investigation is pending, upon such terms and conditions as the judge prescribes, including: (1) provision for the return of the prisoner at the conclusion of his testimony; (2) proper safeguards on his custody; and (3) proper financial reimbursement or other payment by the demanding jurisdiction for all expenses incurred in the production and return of the prisoner. (c) The attorney general is authorized to enter into agreements with authorities of the demanding jurisdiction to insure proper compliance with the order of the court. (d) If: (1) a criminal action is pending in a court of record of this state by reason of the filing of an indictment or affidavit or by reason of the commencement of a grand jury proceeding or investigation; (2) there is reasonable cause to believe that a person confined in a correctional institution or prison of another state (other than a person awaiting execution of a sentence of death or one confined as mentally ill) possesses information material to such criminal action; (3) the attendance of such person as a witness in such action is desired by a party; and (4) the state in which such person is confined possesses a statute equivalent to this section; a judge of the court in which such action is pending may issue a certificate certifying all such facts and that the attendance of such person as a witness in such court is required for a specified number of days. Such a certificate may be issued upon application of either the state or defendant demonstrating all the facts specified in this section. (e) Upon issuing such a certificate, the court may deliver it to a court of such other state which, pursuant to the laws thereof, is authorized to undertake legal action for the delivery of such prisoners to this state as witnesses. As added by P.L.311-1983, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 5. Uniform Act to Secure the Attendance of Witnesses From Outside the State in Criminal Proceedings35-37-5-7. Federal Prisoner Summoned to Testify in This State

Sec. 7. When: (1) a criminal action is pending in a court of record of this state by reason of an indictment or affidavit, or by reason of the commencement of a grand jury proceeding or investigation; (2) there is reasonable cause to believe that a person confined in a federal prison or other federal custody, either within or outside this state, possesses information material to such criminal action; and (3) the attendance of such person as a witness in such action is desired by a party; the court may issue a certificate, known as a writ of habeas corpus ad testificandum, addressed to the attorney general of the United States, certifying all such facts and requesting the attorney general of the United States to cause the attendance of such person as a witness in such court for a specified number of days. Such a certificate may be issued upon application of either the state or a defendant demonstrating all facts specified in subdivision (1). Upon issuing such a certificate, the court may deliver it, or cause or authorize it to be delivered, to the attorney general of the United States or to his representative authorized to entertain the request. As added by P.L.311-1983, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 5. Uniform Act to Secure the Attendance of Witnesses From Outside the State in Criminal Proceedings35-37-5-8. Exemption From Arrest or Service of Process

Sec. 8. If a person comes into this state in obedience to a subpoena directing him to attend and testify in a criminal prosecution in this or any other state, he shall not while in this state pursuant to such subpoena be subject to arrest or the service of process, civil, or criminal, in connection with matters which arose before his entrance into this state under subpoena. As added by P.L.311-1983, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 5. Uniform Act to Secure the Attendance of Witnesses From Outside the State in Criminal Proceedings35-37-5-9. Uniformity of Construction

Sec. 9. This chapter shall be construed so as to effectuate its general purpose which is to make uniform the law of the states that enact it. As added by P.L.311-1983, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-1.5. "Confidential Information"

Sec. 1.5. (a) As used in this chapter, "confidential information" includes: (1) personally identifying information; (2) descriptions of physical appearance; (3) the case file; and (4) the case history; of a person who seeks, receives, or has received services from a

victim advocate. (b) The term does not include: (1) information disclosed to a victim service provider or a victim advocate if the victim: (A) files criminal charges; (B) institutes a civil lawsuit; or (C) reports allegations of criminal conduct to a law enforcement agency; against the victim service provider or victim advocate; and (2) alleged child abuse or neglect that is required to be reported under IC 31-33. As added by P.L.104-2008, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-1. "Confidential Communication"

Sec. 1. (a) As used in this chapter, "confidential communication" means any information: (1) exchanged between a victim and a victim advocate in the course of the relationship between the victim and the victim advocate; (2) exchanged or disclosed in a support group in which a victim is or was a participant; or (3) exchanged in the presence of a third person who facilitates or facilitated communication between a victim and a victim advocate. (b) The term includes communication that is verbal or written and includes: (1) advice; (2) notes; (3) reports; (4) statistical data; (5) memoranda; (6) working papers; (7) records; and (8) personally identifying information; produced in the course of advocating for a victim. As added by P.L.136-1987, SEC.5. Amended by P.L.104-2008, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-10. Waiver by Victim of Protections of Chapter

Sec. 10. (a) A victim does not waive the protections afforded by this chapter by testifying in court about an offense. However, if the victim partially discloses the contents of a confidential communication in the course of testifying, either party may request the court to rule that justice requires the protections of this chapter to be waived, to the extent they apply to that portion of the communication. (b) A waiver under this section applies only to the extent necessary to require any witness to respond to questions concerning the confidential communication that are relevant to the facts and circumstances of the case. As added by P.L.136-1987, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-11. Waiver by Victim Advocate of Protection of Chapter; Disclosure of Confidential Information

Sec. 11. A victim advocate may not waive the protections afforded to a victim under this chapter. However, if: (1) a victim brings suit against a victim advocate or victim service provider in which the victim advocate was employed or served as a volunteer at the time of the counseling relationship; and (2) the suit alleges malpractice during the relationship; the victim advocate may testify or produce records regarding confidential communications with the victim and is not liable for doing so. As added by P.L.136-1987, SEC.5. Amended by P.L.104-2008, SEC.15.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-13. Authorization of Release of Confidential Information

Sec. 13. (a) Except as provided in subsection (d): (1) a victim; or (2) in the case of a deceased victim, the victim's personal representative; may authorize a victim advocate or victim service provider to release confidential information or other information by signing a written authorization that specifies what information will be released and to whom the information will be released. (b) The authorization described in subsection (a) must include a date the authorization expires. (c) A victim advocate shall make reasonable attempts to notify a victim when a victim service provider or victim advocate is required to disclose confidential information or confidential communications. (d) A consent for release may not be given by a personal representative of the victim if the personal representative: (1) abused or killed the victim; (2) is alleged to have abused or killed the victim; or (3) assisted another person in abusing or killing the victim. As added by P.L.104-2008, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-14. Prosecuting Attorney Duty to Disclose; Victim Preserves Confidentiality

Sec. 14. (a) This section does not: (1) relieve a prosecuting attorney of the constitutional and ethical obligation to disclose exculpatory evidence; and (2) prohibit impeachment of a victim as permitted by the Indiana Rules of Evidence. (b) A victim does not waive any privileges or confidentiality protections under this chapter if the victim: (1) testifies about underlying acts of domestic violence, dating violence, sexual assault, or stalking; or (2) reveals that he or she used or attempted to use the services of a victim service provider or victim advocate. As added by P.L.104-2008, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-15. Partial Disclosure

Sec. 15. The partial disclosure of a confidential communication under this chapter does not waive any privilege concerning the remainder of the confidential communication. As added by P.L.104-2008, SEC.18.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-16. Refusal to Testify

Sec. 16. The fact that a victim or victim advocate refuses to testify or disclose information because of a privilege under this chapter does not raise any negative inferences or presumptions. As added by P.L.104-2008, SEC.19.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-17. Disclosure of Information in Aggregate Form

Sec. 17. A victim service provider may disclose information in the aggregate that does not identify a victim regarding services and demographic information to comply with federal or state data collection requirements. As added by P.L.104-2008, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-2.5. "Personally Identifying Information"

Sec. 2.5. (a) As used in this chapter, "personally identifying information" means information that identifies a victim or the location where domestic violence, dating violence, sexual assault, or stalking occurred, including the victim's: (1) name; (2) mailing and physical address; (3) electronic mail address; (4) Internet protocol address; (5) telephone numbers, including facsimile numbers; (6) Social Security number; (7) date of birth; (8) racial or ethnic background; and (9) religious affiliation. (b) The term includes any other information that, in combination with other nonpersonally identifying information, would identify an individual. As added by P.L.104-2008, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-2.7. "Student Advocate Office"

Sec. 2.7. As used in this chapter, "student advocate office" means a student services office, victim assistance office, or other victim counselor as designated by a state educational institution or an approved postsecondary educational institution. As added by P.L.70-2016, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-3.5. "Victim Advocate"

Sec. 3.5. (a) As used in this chapter, "victim advocate" means an individual employed or appointed by or who volunteers for: (1) a victim services provider; or (2) the student advocate office of a state educational institution or an approved postsecondary educational institution, if the individual provides services to a victim. (b) The term does not include: (1) a law enforcement officer; (2) an employee or agent of a law enforcement officer; (3) a prosecuting attorney; or (4) an employee or agent of a prosecuting attorney's office. (c) The term includes an employee, an appointee, or a volunteer of a: (1) victim services provider; (2) domestic violence program; (3) sexual assault program; (4) rape crisis center; (5) battered women's shelter; (6) transitional housing program for victims of domestic violence; or (7) program that has as one (1) of its primary purposes to provide services to an individual: (A) against whom an act of: (i) domestic or family violence; (ii) dating violence; (iii) sexual assault (as defined in IC 5-26.5-1-8); (iv) human and sexual trafficking (IC 35-42-3.5); or (v) stalking (IC 35-45-10-5); is committed; or (B) who: (i) is not accused of committing an act of domestic or family violence, dating violence, sexual assault (as defined in IC 5-26.5-1-8), human and sexual trafficking (IC 35-42-3.5), or stalking (IC 35-45-10-5); and (ii) is a member of the family of an individual described in clause (A) other than a family member who is accused of committing an act of domestic or family violence, dating violence, sexual assault (as defined in IC 5-26.5-1-8), human and sexual trafficking (IC 35-42-3.5), or stalking (IC 35-45-10-5). As added by P.L.104-2008, SEC.11. Amended by P.L.70-2016, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-3. "Victim"

Sec. 3. As used in this chapter, "victim" means: (1) an individual against whom an act of: (A) domestic or family violence; (B) dating violence; (C) sexual assault (as defined in IC 5-26.5-1-8); (D) human and sexual trafficking (IC 35-42-3.5); or (E) stalking (IC 35-45-10-5); is committed; or (2) an individual: (A) who is not accused of committing an act of domestic or family violence, dating violence, sexual assault (as defined in IC 5-26.5-1-8), human and sexual trafficking (IC 35-42-3.5), or stalking (IC 35-45-10-5); and (B) who: (i) is a member of the family of an individual described in subdivision (1); but (ii) is not a family member who is accused of committing an act of domestic or family violence, dating violence, sexual assault (as defined in IC 5-26.5-1-8), human and sexual trafficking (IC 35-42-3.5), or stalking (IC 35-45-10-5). As added by P.L.136-1987, SEC.5. Amended by P.L.104-2008, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-5. "Victim Service Provider"

Sec. 5. As used in this chapter, "victim service provider" means a person: (1) that is: (A) a public agency; (B) a unit of a public

agency; or (C) an organization that is exempt from federal income taxation under Section 501 of the Internal Revenue Code; (2) that is not affiliated with a law enforcement agency; (3) that has, as one (1) of its primary purposes, to provide services for emotional and psychological conditions that occur to an individual: (A) against whom an act of: (i) domestic or family violence; (ii) dating violence; (iii) sexual assault (as defined in IC 5-26.5-1-8); (iv) human and sexual trafficking (IC 35-42-3.5); or (v) stalking (IC 35-45-10-5); is committed; or (B) who: (i) is not accused of committing an act of domestic or family violence, dating violence, sexual assault (as defined in IC 5-26.5-1-8), human and sexual trafficking (IC 35-42-3.5), or stalking (IC 35-45-10-5); and (ii) is a member of the family of an individual described in clause (A) other than a family member who is accused of committing an act of domestic or family violence, dating violence, sexual assault (as defined in IC 5-26.5-1-8), human and sexual trafficking (IC 35-42-3.5), or stalking (IC 35-45-10-5). As added by P.L.136-1987, SEC.5. Amended by P.L.104-2008, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-7. Application of Chapter

Sec. 7. This chapter does not limit any other testimonial privilege available to a person. As added by P.L.136-1987, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-8. Duty of Victim Advocate to Report

Sec. 8. This chapter does not relieve a victim advocate of any duty to report suspected abuse, neglect, battery, or exploitation under IC 12-10-3, IC 31-33, or IC 35-46-1-13. As added by P.L.136-1987, SEC.5. Amended by P.L.3-1989, SEC.222; P.L.2-1992, SEC.875; P.L.1-1997, SEC.144; P.L.104-2008, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 37. Trial ProcedureChapter 6. Privileged Communications and Victim Counseling35-37-6-9. Confidential Communications; Compelling Testimony; Records; Temporary Emergency Shelters

Sec. 9. (a) The following persons or entities may not be compelled to give testimony, to produce records, or to disclose any information concerning confidential communications and confidential information to anyone or in any judicial, legislative, or administrative proceeding: (1) A victim. (2) A victim advocate or victim service provider unless the victim specifically consents to the disclosure in a written authorization that contains the date the consent expires. (b) A victim advocate, victim service provider, or victim may not be compelled to provide testimony in any judicial, legislative, or administrative proceeding that would identify the name, address, location, or telephone number of any facility that provided temporary emergency shelter to the victim of the offense or transaction that is the subject of the proceeding unless the facility is a party to the proceeding. (c) A victim service provider or victim advocate may not require a victim to consent to the disclosure of information concerning confidential communications and confidential information as a condition of the victim receiving services. (d) This section does not prohibit a victim from providing testimony concerning an offense. (e) The consent to disclose information on behalf of: (1) a child who is less than eighteen (18) years of age and is unemancipated; or (2) an incapacitated victim; may be made by a custodial parent, custodian, guardian, or guardian ad litem in a written authorization that contains the date the consent expires. (f) A consent under subsection (e) may not be given by a custodial parent, custodian, guardian, or guardian ad litem of the victim if the custodial parent, custodian, guardian, or guardian ad litem: (1) committed; or (2) is alleged to have committed; an offense against the victim. As added by P.L.136-1987, SEC.5. Amended by P.L.104-2008, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The following amendments to this chapter apply as follows: (1) The amendments made to section 7.1 of this chapter by P.L.280-2001 apply to all convictions for a crime entered after May 11, 2001. (2) Notwithstanding the amendments made to IC 10-13-6-10, IC 10-13-6-11, IC 35-38-2-2.3, IC 35-38-2.5-6, and IC 35-38-2.6-3, and the addition of section 27 of this chapter by P.L.140-2006, a probation department, community corrections department, or other agency supervising an offender on conditional release is not required to collect a DNA sample before October 1, 2006. However, a probation department, community corrections department, or other agency supervising an offender on conditional release is authorized to collect a DNA sample before October 1, 2006, and a DNA sample collected before October 1, 2006, may be analyzed and placed in the convicted offender data base. (3) Notwithstanding the amendments made to IC 10-13-6-10, IC 10-13-6-11, IC 35-38-2-2.3, IC 35-38-2.5-6, and IC 35-38-2.6-3, and the addition of section 27 of this chapter by P.L.173-2006, a probation department, community corrections department, or other agency supervising an offender on conditional release is not required to collect a DNA sample before October 1, 2006. However, a probation department, community corrections department, or other agency supervising an offender on conditional release is authorized to collect a DNA sample before October 1, 2006, and a DNA sample collected before October 1, 2006, may be analyzed and placed in the convicted offender data base. As added by P.L.220-2011, SEC.586. Amended by P.L.63-2012, SEC.42.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-1.3. Statement of Reasons for Imposing Particular Sentence; Not Required if Advisory Sentence Is Imposed

Sec. 1.3. After a court has pronounced a sentence for a felony conviction, the court shall issue a statement of the court's reasons for selecting the sentence that it imposes unless the court imposes the advisory sentence for the felony. As added by P.L.178-2007, SEC.2. Amended by P.L.168-2014, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-1.5. Converting Level 6 Felony to Class a Misdemeanor

Sec. 1.5. (a) A court may enter judgment of conviction as a Level 6 felony with the express provision that the conviction will be converted to a conviction as a Class A misdemeanor if the person fulfills certain conditions. A court may enter a judgment of conviction as a Level 6 felony with the express provision that the conviction will be converted to a conviction as a Class A misdemeanor only if the person pleads guilty to a Level 6 felony that qualifies for consideration as a Class A misdemeanor under IC 35-50-2-7, and the following conditions are met: (1) The prosecuting attorney consents. (2) The person agrees to the conditions set by the court. (b) For a judgment of conviction to be entered under subsection (a), the court, the prosecuting attorney, and the person must all agree to the conditions set by the court under subsection (a). (c) The court is not required to convert a judgment of conviction entered as a Level 6 felony to a Class A misdemeanor if, after a hearing, the court finds: (1) the person has violated a condition set by the court under subsection (a); or (2) the period that the conditions set by the court under subsection (a) are in effect expires before the person successfully completes each condition. However, the court may not convert a judgment of conviction entered as a Level 6 felony to a Class A misdemeanor if the person commits a new offense before the conditions set by the court under subsection (a) expire. (d) The court shall enter judgment of conviction as a Class A misdemeanor if the person fulfills the conditions set by the court under subsection (a). (e) The entry of a judgment of conviction under this section does not affect the application of any statute requiring the suspension of a person's driving privileges. (f) This section may not be construed to diminish or alter the rights of a victim (as defined in IC 35-40-4-8) in a sentencing proceeding under this chapter. As added by P.L.98-2003, SEC.2. Amended by P.L.159-2013, SEC.1; P.L.158-2013, SEC.393; P.L.168-2014, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-1. Judgment of Conviction; Pronouncement of Sentence

Sec. 1. (a) Except as provided in section 1.5 of this chapter, after a verdict, finding, or plea of guilty, if a new trial is not granted, the court shall enter a judgment of conviction. (b) When the court pronounces the sentence for murder or a Level 1 through Level 5 felony, the court shall advise the person of the number of days of pretrial confinement the person served while awaiting trial and sentencing on the felony charge, and whether the days of confinement were served in jail or on home detention. As added by P.L.311-1983, SEC.3. Amended by P.L.148-1995, SEC.3; P.L.98-2003, SEC.1; P.L.50-2017, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-10.5. Screening Test for Serious Diseases; Sex Crimes and Controlled Substances; Confirmatory Test; Presentence Investigation; Privileged Communications; Civil and Criminal Immunity

Sec. 10.5. (a) The court: (1) shall order that a person undergo a screening test for the human immunodeficiency virus (HIV) if the person is: (A) convicted of an offense relating to a criminal sexual act and the offense created an epidemiologically demonstrated risk of transmission of the human immunodeficiency virus (HIV); or (B) convicted of an offense relating to controlled substances and the offense involved: (i) the delivery by any person to another person; or (ii) the use by any person on another person; of a contaminated sharp (as defined in IC 16-41-16-2) or other paraphernalia that creates an epidemiologically demonstrated risk of transmission of HIV by involving percutaneous contact; and (2) may order that a person undergo a screening test for a serious disease (as defined in IC 16-41-8-5) in accordance with IC 16-41-8-5. (b) If the screening test required by this section indicates the presence of antibodies to HIV, the court shall order the person to undergo a confirmatory test. (c) If the confirmatory test confirms the presence of the HIV antibodies, the court shall report the results to the Indiana department of health and require a probation officer to conduct a presentence investigation to: (1) obtain the medical record of the convicted person from the Indiana department of health under IC 16-41-8-1(b)(3); and (2) determine whether the convicted person had received risk counseling that included information on the behavior that facilitates the transmission of HIV. (d) A person who, in good faith: (1) makes a report required to be made under this section; or (2) testifies in a judicial proceeding on matters arising from the report; is immune from both civil and criminal liability due to the offering of that report or testimony. (e) The privileged communication between a husband and wife or between a health care provider and the health care provider's patient is not a ground for excluding information required under this section. (f) A mental health service provider (as defined in IC 34-6-2-80) who discloses information that must be disclosed to comply with this section is immune from civil and criminal liability under Indiana statutes that protect patient privacy and confidentiality. As added by P.L.123-1988, SEC.26. Amended by P.L.184-1989, SEC.25; P.L.1-1990, SEC.347; P.L.2-1992, SEC.877; P.L.2-1993, SEC.183; P.L.1-1998, SEC.196; P.L.71-1998, SEC.2; P.L.125-2007, SEC.5; P.L.125-2009, SEC.5; P.L.86-2018, SEC.333; P.L.190-2021, SEC.11; P.L.56-2023, SEC.319.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-10.6. Crime Victims; Notice That Criminal Had Antibodies for Human Immunodeficiency Virus (Hiv); Counseling

Sec. 10.6. (a) The Indiana department of health shall notify victims of an offense relating to a criminal sexual act or an offense relating to controlled substances if tests conducted under section 10.5 of this chapter or IC 16-41-8-5 confirm that the person tested had antibodies for the human immunodeficiency virus (HIV). (b) The Indiana department of health shall provide counseling to persons notified under this section. As added by P.L.123-1988, SEC.27. Amended by P.L.1-1990, SEC.348; P.L.2-1992, SEC.878; P.L.71-1998, SEC.3; P.L.125-2007, SEC.6; P.L.125-2009, SEC.6; P.L.56-2023, SEC.320.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-10. Presentence Investigation; Physical or Mental Examination

Sec. 10. The court may order that the convicted person: (1) undergo a thorough physical or mental examination in a designated facility as part of the presentence investigation; and (2) remain in the facility for examination for not more than ninety (90) days. As added by P.L.311-1983, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-11. Presentence Memorandum by Convicted Person

Sec. 11. At any time before sentencing, the convicted person may file with the court a written memorandum setting forth any information he considers pertinent to the question of sentence. The convicted person may attach written statements by others in support of facts alleged in the memorandum. As added by P.L.311-1983, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-12. Presentence Investigation; Advising Defendant of Contents and Conclusions; Copy of Presentence Report; Opportunity for Victim to Make Statement; Sources of Confidential Information

Sec. 12. (a) Before imposing sentence, the court shall: (1) advise the defendant or his counsel and the prosecuting attorney of the factual contents and conclusions of the presentence investigation; or (2) provide the defendant or his counsel and the prosecuting attorney with a copy of the presentence report. The court also shall offer the victim, if present, an opportunity to make a statement concerning the crime and the sentence. (b) The sources of confidential information need not be disclosed. The court shall furnish the factual contents of the presentence investigation or a copy of the presentence report sufficiently in advance of sentencing so that the defendant will be afforded a fair opportunity to controvert the material included. As added by P.L.311-1983, SEC.3. Amended by P.L.131-1985, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-13. Confidentiality of Presentence Report or Memoranda

Sec. 13. (a) Any: (1) presentence report or memoranda; and (2) report of a physical or mental examination; submitted to the court in connection with sentencing shall be kept confidential. (b) The materials specified in subsection (a) may not be made available to any person or public or private agency other than: (1) the convicted person and his counsel; (2) the prosecuting attorney; (3) a probation department; (4) the community corrections program in which an offender is placed under IC 35-38-2.6; and (5) the Indiana criminal justice institute established under IC 5-2-6; except where specifically required or permitted by statute or upon specific authorization by the court and the convicted person. As added by P.L.311-1983, SEC.3. Amended by P.L.135-1993, SEC.5; P.L.292-1995, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-14. Imprisonment; Transmission of Certain Information to Department of Correction

Sec. 14. (a) If a convicted person is sentenced to a term of imprisonment, the court shall send a copy of: (1) the presentence report; (2) any presentence memorandum filed by the convicted person; (3) the report of any physical or mental examination made incident to the question of sentence; (4) any record made under IC 35-35-2 or IC 35-35-3; (5) the abstract of judgment; (6) the judgment of conviction; and (7) the sentencing order; to the department of correction. (b) Copies of the information sent to the department of correction under subsection (a) may be sent through any electronic means approved by the department of correction. As added by P.L.311-1983, SEC.3. Amended by P.L.119-2008, SEC.15.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-15. Erroneous Sentence; Nature; Correction

Sec. 15. If the convicted person is erroneously sentenced, the mistake does not render the sentence void. The sentence shall be corrected after written notice is given to the convicted person. The convicted person and his counsel must be present when the corrected sentence is ordered. A motion to correct sentence must be in writing and supported by a memorandum of law specifically pointing out the defect in the original sentence. As added by P.L.311-1983, SEC.3.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-16. Certified Copies of Corrected or Modified Sentence

Sec. 16. Whenever: (1) a court corrects an erroneous sentence or modifies a previously imposed sentence; and (2) the convicted person is incarcerated or is to be incarcerated by the department of correction; the court shall immediately send certified copies of the corrected or modified sentence to the department of correction. As added by P.L.311-1983, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-17. Sentence Modification; Conditions; Not Permitted for Certain Offenders

Sec. 17. (a) Notwithstanding IC 1-1-5.5-21, this section applies to a person who: (1) commits an offense; or (2) is sentenced; before July 1, 2014. (b) This section does not apply to a credit restricted felon. (c) Except as provided in subsections (k) and (m), this section does not apply to a violent criminal. (d) As used in this section, "violent criminal" means a person convicted of any of the following offenses: (1) Murder (IC 35-42-1-1). (2) Attempted murder (IC 35-41-5-1). (3) Voluntary manslaughter (IC 35-42-1-3). (4) Involuntary manslaughter (IC 35-42-1-4). (5) Reckless homicide (IC 35-42-1-5). (6) Aggravated battery (IC 35-42-2-1.5). (7) Kidnapping (IC 35-42-3-2). (8) Rape (IC 35-42-4-1). (9) Criminal deviate conduct (IC 35-42-4-2) (before its repeal). (10) Child molesting (IC 35-42-4-3). (11) Sexual misconduct with a minor as a Class A felony under IC 35-42-4-9(a)(2) or a Class B felony under IC 35-42-4-9(b)(2) (for a crime committed before July 1, 2014) or sexual misconduct with a minor as a Level 1 felony under IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2) (for a crime committed after June 30, 2014). (12) Robbery as a Class A felony or a Class B felony (IC 35-42-5-1) (for a crime committed before July 1, 2014) or robbery as a Level 2 felony or a Level 3 felony (IC 35-42-5-1) (for a crime committed after June 30, 2014). (13) Burglary as Class A felony or a Class B felony (IC 35-43-2-1) (for a crime committed before July 1, 2014) or burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC 35-43-2-1) (for a crime committed after June 30, 2014). (14) Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5). (e) At any time after: (1) a convicted person begins serving the person's sentence; and (2) the court obtains a report from the department of correction concerning the convicted person's conduct while imprisoned; the court may reduce or suspend the sentence and impose a sentence that the court was authorized to impose at the time of sentencing. However, if the convicted person was sentenced under the terms of a plea agreement, the court may not, without the consent of the prosecuting attorney, reduce or suspend the sentence and impose a sentence not authorized by the plea agreement. The court must incorporate its reasons in the record. (f) If the court sets a hearing on a petition under this section, the court must give notice to the prosecuting attorney and the prosecuting attorney must give notice to the victim (as defined in IC 35-31.5-2-348) of the crime for which the convicted person is serving the sentence. (g) The court may suspend a sentence for a felony under this section only if suspension is permitted under IC 35-50-2-2.2, or, if applicable, IC 35-50-2-2 (repealed). (h) The court may deny a request to suspend or reduce a sentence under this section without making written findings and conclusions. (i) The court is not required to conduct a hearing before reducing or suspending a sentence under this section if: (1) the prosecuting attorney has filed with the court an agreement of the reduction or suspension of the sentence; and (2) the convicted person has filed with the court a waiver of the right to be present when the order to reduce or suspend the sentence is considered. (j) This subsection applies only to a convicted person who is not a violent criminal. A convicted person who is not a violent criminal may file a petition for sentence modification under this section: (1) not more than one (1) time in any three hundred sixty-five (365) day period; and (2) a maximum of two (2) times during any consecutive period of incarceration; without the consent of the prosecuting attorney. (k) This subsection applies to a convicted person who is a violent criminal. Except as provided in subsection (n), a convicted person who is a violent criminal may, not later than three hundred sixty-five (365) days from the date of sentencing, file one (1) petition for sentence modification under this section without the consent of the prosecuting attorney. After the elapse of the three hundred sixty-five (365) day period, a violent criminal may not file a petition for sentence modification without the consent of the prosecuting attorney. (l) A person may not waive the right to sentence modification under this section as part of a plea agreement. Any purported waiver of the right to sentence modification under this section in a plea agreement is invalid and unenforceable as against public policy. This subsection does not prohibit the finding of a waiver of the right to: (1) have a court modify a sentence and impose a sentence not authorized by the plea agreement, as described under subsection (e); or (2) sentence modification for any other reason, including failure to comply with the provisions of this section. (m) Notwithstanding subsection (k), a person who commits an offense after June 30, 2014, and before May 15, 2015, may file one (1) petition for sentence modification without the consent of the prosecuting attorney, even if the person has previously filed a petition for sentence modification. (n) A person sentenced in a criminal court having jurisdiction over an offense committed when the person was less than eighteen (18) years of age may file an additional petition for sentence modification under this section without the consent of the prosecuting attorney if the person has served at least: (1) fifteen (15) years of the person's sentence, if the person is not serving a sentence for murder; or (2) twenty (20) years of the person's sentence, if the person is serving a sentence for murder. The time periods described in this subsection are computed on the basis of time actually served and do not include any reduction applied for good time credit or educational credit time. As added by P.L.311-1983, SEC.3. Amended by P.L.317-1985, SEC.1; P.L.204-1986, SEC.1; P.L.240-1991(ss2), SEC.92; P.L.291-2001, SEC.224; P.L.2-2005, SEC.123; P.L.1-2010, SEC.141; P.L.114-2012, SEC.78; P.L.158-2013, SEC.396; P.L.168-2014, SEC.58; P.L.164-2015, SEC.2; P.L.13-2016, SEC.12; P.L.45-2018, SEC.2; P.L.115-2023, SEC.11; P.L.148-2024, SEC.22.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-18. Fines and Costs; Suspension of Fines; Commitment Instead of Fine; Default

Sec. 18. (a) Except as provided in subsection (b), whenever the court imposes a fine, it shall conduct a hearing to determine whether the convicted person is indigent. If the person is not indigent, the court shall order: (1) that the person pay the entire amount at the time sentence is pronounced; (2) that the person pay the entire amount at some later date; (3) that the person pay specified parts at designated intervals; or (4) at the request of the person, commitment of the person to the county jail for a period of time set by the court in lieu of a fine. If the court orders a person committed to jail under this subdivision, the person's total confinement for the crime that resulted in the conviction must not exceed the maximum term of imprisonment prescribed for the crime under IC 35-50-2 or IC 35-50-3. (b) A court may impose a fine and suspend payment of all or part of the fine until the convicted person has completed all or part of the sentence. If the court suspends payment of the fine, the court shall conduct a hearing at the time the fine is due to determine whether the convicted person is indigent. If the convicted person is not indigent, the court shall order the convicted person to pay the fine: (1) at the time the fine is due; or (2) in a manner set forth in subsection (a)(2) through (a)(4). (c) If a court suspends payment of a fine under subsection (b), the court retains jurisdiction over the convicted person until the convicted person has paid the entire amount of the fine. (d) Upon any default in the payment of the fine: (1) an attorney representing the county may bring an action on a debt for the unpaid amount; (2) the court may direct that the person, if the person is not indigent, be committed to the county jail and credited toward payment at the rate of twenty dollars ($20) for each twenty-four (24) hour period the person is confined, until the amount paid plus the amount credited equals the entire amount due; or (3) the court may institute contempt proceedings or order the convicted person's wages, salary, and other income garnished in accordance with IC 24-4.5-5-105 to enforce the court's order for payment of the fine. As added by P.L.311-1983, SEC.3. Amended by P.L.204-1986, SEC.2; P.L.305-1987, SEC.35; P.L.137-1989, SEC.11; P.L.156-2007, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-2.5. Crime of Deception

Sec. 2.5. (a) As used in this section, "crime of deception" means any offense in which a person assumes the identity of another person, professes to be another person, uses the identifying information of another person, or falsely suggests that the person is acting with the authority of another person. The term includes an offense under IC 35-43-5. (b) This section applies to an offender who has been convicted of a crime of deception. (c) During or after the sentencing of a person convicted of a crime of deception, the court may, upon motion by the state or upon application by a victim or a victim's representative, issue an order: (1) describing the person whose credit history may be affected by the offender's crime of deception, with sufficient identifying information to assist another person in correcting the credit history; and (2) stating that the person described in subdivision (1) was the victim of a crime of deception that may have affected the person's credit history. (d) The order described in subsection (c) may be used to correct the credit history of any person described in the order. As added by P.L.22-2003, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-2. "Victim Representative" Defined; Sentencing; Date; Hearing for Increased Penalty; Imprisonment Pending Sentencing

Sec. 2. (a) As used in this chapter, "victim representative" means a person designated by a sentencing court who is: (1) a spouse, parent, child, sibling, or other relative of; or (2) a person who has had a close personal relationship with; the victim of a felony who is deceased, incapacitated, or less than eighteen (18) years of age. (b) Upon entering a conviction, the court shall set a date for sentencing within thirty (30) days, unless for good cause shown an extension is granted. If a presentence report is not required, the court may sentence the defendant at the time the judgment of conviction is entered. However, the court may not pronounce sentence at that time without: (1) inquiring as to whether an adjournment is desired by the defendant; and (2) informing the victim, if present, of a victim's right to make a statement concerning the crime and the sentence. When an adjournment is requested, the defendant shall state its purpose and the court may allow a reasonable time for adjournment. (c) If: (1) the state in the manner prescribed by IC 35-34-1-2.5 sought an increased penalty by alleging that the person was previously convicted of the offense; and (2) the person was convicted of the subsequent offense in a jury trial; the jury shall reconvene for the sentencing hearing. The person shall be sentenced to receive the increased penalty if the jury (or the court, if the trial is to the court alone) finds that the state has proved beyond a reasonable doubt that the person had a previous conviction for the offense. (d) If the felony is nonsuspendible under IC 35-50-2-2 (before its repeal) or IC 35-50-2-2.2, the judge shall order the defendant, if the defendant has previously been released on bail or recognizance, to be imprisoned in the county or local penal facility pending sentencing. (e) Upon entering a conviction for a felony, the court shall designate a victim representative if the victim is deceased, incapacitated, or less than eighteen (18) years of age. As added by P.L.311-1983, SEC.3. Amended by P.L.50-1984, SEC.8; P.L.131-1985, SEC.14; P.L.36-1990, SEC.11; P.L.168-2014, SEC.56.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-21. Home Detention; Petition and Hearing

Sec. 21. (a) A court that receives a petition from the department of correction under IC 35-38-3-5 may, after notice to the prosecuting attorney of the judicial circuit in which the defendant's case originated, hold a hearing for the purpose of determining whether the offender named in the petition may be placed in home detention under IC 35-38-2.5 instead of commitment to the department of correction for the remainder of the offender's minimum sentence. (b) Notwithstanding IC 35-35-3-3(e), and after a hearing held under this section, a sentencing court may order the offender named in the petition filed under IC 35-38-3-5 to be placed in home detention under IC 35-38-2.5 instead of commitment to the department of correction for the remainder of the offender's minimum sentence. As added by P.L.98-1988, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-22. Juveniles; Service of Misdemeanor Sentences in Juvenile Detention Facilities

Sec. 22. A court that imposes a sentence for conviction of a misdemeanor upon a person who is less than eighteen (18) years of age may enter an order requiring that the convicted person serve the sentence in a juvenile detention facility established under IC 31-31-8 (or IC 31-6-9-5 before its repeal). However, before an order may be entered under this section, the court must secure the written approval of the judge of the juvenile court allowing the detention of the person in the juvenile detention facility. As added by P.L.173-1988, SEC.2. Amended by P.L.271-1989, SEC.2; P.L.73-1992, SEC.11; P.L.1-1997, SEC.146.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-24. Community Transition Program; Level 5 or Level 6 Felony

Sec. 24. (a) This section applies to a person if the most serious offense for which the person is committed is a Class C or Class D felony (for a crime committed before July 1, 2014) or a Level 5 or Level 6 felony (for a crime committed after June 30, 2014). (b) Not later than forty-five (45) days after receiving a notice under IC 11-10-11.5-2, the sentencing court may order the department of correction to retain control over a person until the person completes the person's fixed term of imprisonment, less the credit time the person has earned with respect to the term, if the court makes specific findings that support a determination: (1) that placement of the person in a community transition program: (A) places the person in danger of serious bodily injury or death; or (B) represents a substantial threat to the safety of others; or (2) of other good cause. If the court issues an order under this section, the department of correction may not assign a person to a community transition program. (c) The court may make a determination under this section without a hearing. The court shall consider any written statement presented to the court by a victim of the offender's crime or by an offender under IC 11-10-11.5-4.5. The court in its discretion may consider statements submitted by a victim after the time allowed for the submission of statements under IC 11-10-11.5-4.5. (d) The court shall make written findings for a determination under this section, whether or not a hearing was held. (e) Not later than five (5) days after making a determination under this section, the court shall send a copy of the order to the: (1) prosecuting attorney where the person's case originated; and (2) department of correction. As added by P.L.273-1999, SEC.210. Amended by P.L.90-2000, SEC.17; P.L.158-2013, SEC.397.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-25. Community Transition Program; Murder and Level 1 Through Level 4 Felony

Sec. 25. (a) This section applies to a person if the most serious offense for which the person is committed is murder, a Class A felony, or a Class B felony (for a crime committed before July 1, 2014), or a Level 1, Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014). (b) A sentencing court may sentence a person or modify the sentence of a person to assign the person to a community transition program for any period that begins after the person's community transition program commencement date (as defined in IC 11-8-1-5.6) and ends when the person completes the person's fixed term of imprisonment, less the credit time the person has earned with respect to the term, if the court makes specific findings of fact that support a determination that it is in the best interests of justice to make the assignment. The order may include any other condition that the court could impose if the court had placed the person on probation under IC 35-38-2 or in a community corrections program under IC 35-38-2.6. (c) The court may make a determination under this section without a hearing. The court shall consider any written statement presented to the court by a victim of the offender's crime or by an offender under IC 11-10-11.5-4.5. The court in its discretion may consider statements submitted by a victim after the time allowed for the submission of statements under IC 11-10-11.5-4.5. (d) The court shall make written findings for a determination under this section, whether or not a hearing was held. (e) Not later than five (5) days after making a determination under this section, the court shall send a copy of the order to the: (1) prosecuting attorney where the person's case originated; and (2) department of correction. As added by P.L.273-1999, SEC.211. Amended by P.L.90-2000, SEC.18; P.L.85-2004, SEC.39; P.L.158-2013, SEC.398.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-27. Persons Required to Provide a DNA Sample as a Condition of a Sentence

Sec. 27. (a) If a court imposes a sentence that does not involve a commitment to the department of correction, the court shall require

a person: (1) who is described in IC 10-13-6-10(a); and (2) who has not previously provided a DNA sample in accordance with IC 10-13-6; to provide a DNA sample as a condition of the sentence. (b) If a person described in subsection (a) is confined at the time of sentencing, the court shall order the person to provide a DNA sample immediately after sentencing. (c) If a person described in subsection (a) is not confined at the time of sentencing, the agency supervising the person after sentencing shall establish the date, time, and location for the person to provide a DNA sample. However, the supervising agency must require that the DNA sample be provided not more than seven (7) days after sentencing. A supervising agency's failure to obtain a DNA sample not more than seven (7) days after sentencing does not permit a person required to provide a DNA sample to challenge the requirement that the person provide a DNA sample at a later date. (d) A person's failure to provide a DNA sample is grounds for revocation of the person's probation, community corrections placement, or other conditional release. As added by P.L.140-2006, SEC.22 and P.L.173-2006, SEC.22. Amended by P.L.111-2017, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-28. Fingerprinting Required After Sentencing; Exception; Transmission of Fingerprints to Prosecuting Attorney and Department of Correction; Immunity

Sec. 28. (a) Except as provided in subsection (c), immediately after sentencing a defendant for an offense, the court shall order the defendant to be fingerprinted by an individual qualified to take fingerprints. The fingerprints may be recorded in any reliable manner, including by the use of a digital fingerprinting device. (b) The court shall order a law enforcement officer to provide the fingerprints to the prosecuting attorney and the state police department, in hard copy or in an electronic format approved by the security and privacy council established by IC 10-13-3-34. (c) The court is not required to order the defendant to be fingerprinted if the defendant was previously arrested and processed at the county jail. (d) A clerk, court, law enforcement officer, or prosecuting attorney is immune from civil liability for an error or omission in the transmission of fingerprints, case history data, or sentencing data, unless the error or omission constitutes willful or wanton misconduct or gross negligence. As added by P.L.216-2007, SEC.38.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-29. Lifetime Parole for Sexually Violent Predators Not Committed to the Department of Correction

Sec. 29. (a) This section applies only to a sexually violent predator, including a person who is a sexually violent predator by operation of law for committing an offense under IC 35-38-1-7.5(b). (b) If a court imposes a sentence on a person described in subsection (a) that does not involve a commitment to the department of correction, the court shall order the parole board to place the person on lifetime parole and supervise the person in the same manner that the parole board supervises a sexually violent predator who has been released from imprisonment and placed on lifetime parole under IC 35-50-6-1(e). (c) If a person described in subsection (b) is also required to be supervised by a court, a probation department, a community corrections program, a community transition program, or another similar program upon the person's release from imprisonment, the parole board may: (1) supervise the person while the person is being supervised by the other supervising agency; or (2) permit the other supervising agency to exercise all or part of the parole board's supervisory responsibility during the period in which the other supervising agency is required to supervise the person; in accordance with IC 35-50-6-1(g). As added by P.L.216-2007, SEC.39.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-3. Presentence Hearing

Sec. 3. Before sentencing a person for a felony, the court must conduct a hearing to consider the facts and circumstances relevant to sentencing. The person is entitled to subpoena and call witnesses and to present information in his own behalf. The court shall make a record of the hearing, including: (1) a transcript of the hearing; (2) a copy of the presentence report; and (3) if the court finds aggravating circumstances or mitigating circumstances, a statement of the court's reasons for selecting the sentence that it imposes. As added by P.L.311-1983, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-30. Sentence; Refrain From Contact

Sec. 30. A sentencing court may require that, as a condition of a person's executed sentence, the person shall refrain from any direct or indirect contact with an individual. As added by P.L.104-2008, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-31. Abstracts of Judgment

Sec. 31. (a) If a court imposes on a person convicted of a felony a sentence that involves a commitment to the department of correction, the court shall complete an abstract of judgment in an electronic format approved by the department of correction and the office of judicial administration. The abstract of judgment must include, but not be limited to: (1) each offense the person is convicted of; (2) the sentence, including whether the sentence includes a suspended sentence, probation, or direct commitment to community corrections; and (3) whether the person is a credit restricted felon. (b) If a person convicted of a felony is committed to the department of correction by a court as a result of a violation of the terms of probation or other community placement, the court

shall state in the abstract of judgment the specific reasons for revocation if probation, parole, or a community corrections placement has been revoked. As added by P.L.147-2012, SEC.8. Amended by P.L.161-2018, SEC.122.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-32. Court Notification of Potential Habitual Violator Offenses

Sec. 32. A sentencing court shall inform a person who is convicted of or pleads guilty to the following offenses that the offense could qualify them as a habitual violator under IC 9-30-10: (1) Reckless homicide resulting from the operation of a motor vehicle. (2) Voluntary or involuntary manslaughter resulting from the operation of a motor vehicle. (3) Failure of the driver of a motor vehicle involved in an accident resulting in death or injury to any person to stop at the scene of the accident and give the required information and assistance. (4) Operation of a vehicle while intoxicated resulting in death. (5) Operation of a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per: (A) one hundred (100) milliliters of the blood; or (B) two hundred ten (210) liters of the breath; resulting in death. (6) Operation of a vehicle while intoxicated. (7) Operation of a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per: (A) one hundred (100) milliliters of the blood; or (B) two hundred ten (210) liters of the breath. (8) Reckless driving. (9) Criminal recklessness as a felony involving the operation of a motor vehicle. (10) Drag racing or engaging in a speed contest in violation of law. (11) Violating IC 9-26-1-1.1 (12) Any felony under an Indiana motor vehicle statute. (13) Operating a motor vehicle while the person's license to do so has been suspended or revoked as a result of the person's conviction of an offense under IC 9-1-4-52 (repealed July 1, 1991), IC 9-24-18-5(b) (repealed July 1, 2000), IC 9-24-19-2, or IC 9-24-19-3. (14) Operating a motor vehicle without ever having obtained a license to do so. As added by P.L.217-2014, SEC.190.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-33. Sex Offender Residency Waiver

Sec. 33. (a) As used in this section, "offender" means an individual convicted of a sex offense. (b) As used in this section, "sex offense" has the meaning set forth in IC 11-8-8-5.2. (c) An offender may petition for waiver of the residency restriction described in IC 35-46-1-15.1(c). The court may waive the residency restriction if the court, at a hearing at which the offender is present and of which the prosecuting attorney has been notified, determines that: (1) the offender has successfully completed a sex offender treatment program; and (2) good cause exists to allow the offender to reside within one (1) mile of the residence of the victim of the offender's sex offense. However, the court may not grant a waiver under this subsection if the offender is a sexually violent predator under IC 35-38-1-7.5 or if the offender is an offender against children under IC 35-42-4-11. (d) If the court grants a waiver under this section, the court shall determine the duration of the waiver. The offender may petition the court for an extension of the waiver not later than sixty (60) days before its expiration. However, if the court denies an offender's petition for waiver under this section, then the offender is subject to prosecution for the offense described in IC 35-46-1-15.1(c). (e) If the court grants a waiver under this section, the court shall state in writing the reasons for granting the waiver. The court's written statement of its reasons shall be incorporated into the record. (f) The address of the victim of the offender's sex offense is confidential even if the court grants a waiver under this section. As added by P.L.87-2018, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-4. Presence of Defendant When Sentence Pronounced; Pronouncement of Sentence Against Defendant Corporation

Sec. 4. (a) The defendant must be personally present at the time sentence is pronounced. If the defendant is not personally present when sentence is to be pronounced, the court may issue a warrant for his arrest. (b) Sentence may be pronounced against a defendant corporation in the absence of counsel, if counsel fails to appear on the date of sentencing after reasonable notice. As added by P.L.311-1983, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-5. Informing Defendant of Verdict and Court's Finding; Defendant's Statement

Sec. 5. When the defendant appears for sentencing, the court shall inform the defendant of the verdict of the jury or the finding of the court. The court shall afford counsel for the defendant an opportunity to speak on behalf of the defendant. The defendant may also make a statement personally in the defendant's own behalf and, before pronouncing sentence, the court shall ask the defendant whether the defendant wishes to make such a statement. Sentence shall then be pronounced, unless a sufficient cause is alleged or appears to the court for delay in sentencing. As added by P.L.311-1983, SEC.3. Amended by P.L.85-2004, SEC.6; P.L.105-2010, SEC.10; P.L.13-2013, SEC.137.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-6. Judgment and Sentence When Defendant Charged and Found Guilty of Offense and Included Offense

Sec. 6. Whenever: (1) a defendant is charged with an offense and an included offense in separate counts; and (2) the defendant is

found guilty of both counts; judgment and sentence may not be entered against the defendant for the included offense. As added by P.L.311-1983, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-7.1. Considerations in Imposing Sentence

Sec. 7.1. (a) In determining what sentence to impose for a crime, the court may consider the following aggravating circumstances: (1) The harm, injury, loss, or damage suffered by the victim of an offense was: (A) significant; and (B) greater than the elements necessary to prove the commission of the offense. (2) The person has a history of criminal or delinquent behavior. (3) The victim of the offense was less than twelve (12) years of age or at least sixty-five (65) years of age at the time the person committed the offense. (4) The person: (A) committed a crime of violence (IC 35-50-1-2); and (B) knowingly committed the offense in the presence or within hearing of an individual who: (i) was less than eighteen (18) years of age at the time the person committed the offense; and (ii) is not the victim of the offense. (5) The person violated a protective order issued against the person under IC 34-26-5 (or IC 31-1-11.5, IC 34-26-2, or IC 34-4-5.1 before their repeal), a workplace violence restraining order issued against the person under IC 34-26-6, or a no contact order issued against the person. (6) The person has recently violated the conditions of any probation, parole, pardon, community corrections placement, or pretrial release granted to the person. (7) The victim of the offense was: (A) a person with a disability (as defined in IC 27-7-6-12), and the defendant knew or should have known that the victim was a person with a disability; or (B) mentally or physically infirm. (8) The person was in a position having care, custody, or control of the victim of the offense. (9) The injury to or death of the victim of the offense was the result of shaken baby syndrome (as defined in IC 16-41-40-2) or abusive head trauma. (10) The person threatened to harm the victim of the offense or a witness if the victim or witness told anyone about the offense. (11) The person: (A) committed trafficking with an inmate under IC 35-44.1-3-5; and (B) is an employee of the penal facility. (12) The person committed the offense with bias due to the victim's or the group's real or perceived characteristic, trait, belief, practice, association, or other attribute the court chooses to consider, including but not limited to an attribute described in IC 10-13-3-1. (b) The court may consider the following factors as mitigating circumstances or as favoring suspending the sentence and imposing probation: (1) The crime neither caused nor threatened serious harm to persons or property, or the person did not contemplate that it would do so. (2) The crime was the result of circumstances unlikely to recur. (3) The victim of the crime induced or facilitated the offense. (4) There are substantial grounds tending to excuse or justify the crime, though failing to establish a defense. (5) The person acted under strong provocation. (6) The person has no history of delinquency or criminal activity, or the person has led a law-abiding life for a substantial period before commission of the crime. (7) The person is likely to respond affirmatively to probation or short term imprisonment. (8) The character and attitudes of the person indicate that the person is unlikely to commit another crime. (9) The person has made or will make restitution to the victim of the crime for the injury, damage, or loss sustained. (10) Imprisonment of the person will result in undue hardship to the person or the dependents of the person. (11) The person was convicted of a crime involving the use of force against a person who had repeatedly inflicted physical or sexual abuse upon the convicted person and evidence shows that the convicted person suffered from the effects of battery as a result of the past course of conduct of the individual who is the victim of the crime for which the person was convicted. (12) The person was convicted of a crime relating to a controlled substance and the person's arrest or prosecution was facilitated in part because the person: (A) requested emergency medical assistance; or (B) acted in concert with another person who requested emergency medical assistance; for an individual who reasonably appeared to be in need of medical assistance due to the use of alcohol or a controlled substance. (13) The person has posttraumatic stress disorder, traumatic brain injury, or a postconcussive brain injury. (14) The person is a person described in IC 31-30-1-4(d) who committed the offense while the person was a child but is now at least twenty-one (21) years of age. (c) The criteria listed in subsections (a) and (b) do not limit the matters that the court may consider in determining the sentence. (d) A court may impose any sentence that is: (1) authorized by statute; and (2) permissible under the Constitution of the State of Indiana; regardless of the presence or absence of aggravating circumstances or mitigating circumstances. (e) If a court suspends a sentence and orders probation for a person described in subsection (b)(13), the court may require the person to receive treatment for the person's injuries. As added by P.L.1-1990, SEC.345. Amended by P.L.1-1991, SEC.195; P.L.2-1993, SEC.181; P.L.21-1994, SEC.2; P.L.1-1997, SEC.145; P.L.210-1997, SEC.1; P.L.1-1998, SEC.195; P.L.51-1998, SEC.4; P.L.71-1998, SEC.1; P.L.31-1998, SEC.1; P.L.183-1999, SEC.1; P.L.17-2001, SEC.12; P.L.280-2001, SEC.51; P.L.133-2002, SEC.61; P.L.221-2003, SEC.16; P.L.71-2005, SEC.3; P.L.213-2005, SEC.3; P.L.119-2008, SEC.14; P.L.126-2012, SEC.50; P.L.156-2014, SEC.11; P.L.213-2015, SEC.261; P.L.5-2019, SEC.1; P.L.115-2023, SEC.10; P.L.148-2024, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-7.5. Sexually Violent Predators

Sec. 7.5. (a) As used in this section, "sexually violent predator" means a person who suffers from a mental abnormality or personality disorder that makes the individual likely to repeatedly commit a sex offense (as defined in IC 11-8-8-5.2). The term includes a person convicted in another jurisdiction who is identified as a sexually violent predator under IC 11-8-8-20. The term does not include a person no longer considered a sexually violent predator under subsection (g). (b) A person who: (1) being at least eighteen (18) years of age, commits an offense described in: (A) IC 35-42-4-1; (B) IC 35-42-4-2 (before its repeal); (C) IC 35-42-4-3 as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014); (D) IC 35-42-4-5(a)(1); (E) IC 35-42-4-5(a)(2); (F) IC 35-42-4-5(a)(3) (before

that provision was redesignated by P.L.158-2013, SECTION 441); (G) IC 35-42-4-5(b)(1) as a Class A or Class B felony (for a crime committed before July 1, 2014) or Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014); (H) IC 35-42-4-5(b)(2); or (I) IC 35-42-4-5(b)(3) as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014); (2) commits a sex offense (as defined in IC 11-8-8-5.2) while having a previous unrelated conviction for a sex offense for which the person is required to register as a sex or violent offender under IC 11-8-8; (3) commits a sex offense (as defined in IC 11-8-8-5.2) while having had a previous unrelated adjudication as a delinquent child for an act that would be a sex offense if committed by an adult, if, after considering expert testimony, a court finds by clear and convincing evidence that the person is likely to commit an additional sex offense; or (4) commits a sex offense (as defined in IC 11-8-8-5.2) while having had a previous unrelated adjudication as a delinquent child for an act that would be a sex offense if committed by an adult, if the person was required to register as a sex or violent offender under IC 11-8-8-5(b)(2); is a sexually violent predator. Except as provided in subsection (g) or (h), a person is a sexually violent predator by operation of law if an offense committed by the person satisfies the conditions set forth in subdivision (1) or (2) and the person was released from incarceration, secure detention, probation, or parole for the offense after June 30, 1994. (c) This section applies whenever a court sentences a person or a juvenile court issues a dispositional decree for a sex offense (as defined in IC 11-8-8-5.2) for which the person is required to register with the local law enforcement authority under IC 11-8-8. (d) At the sentencing hearing, the court shall indicate on the record whether the person has been convicted of an offense that makes the person a sexually violent predator under subsection (b). (e) If a person is not a sexually violent predator under subsection (b), the prosecuting attorney may request the court to conduct a hearing to determine whether the person (including a child adjudicated to be a delinquent child) is a sexually violent predator under subsection (a). If the court grants the motion, the court shall appoint two (2) psychologists or psychiatrists who have expertise in criminal behavioral disorders to evaluate the person and testify at the hearing. After conducting the hearing and considering the testimony of the two (2) psychologists or psychiatrists, the court shall determine whether the person is a sexually violent predator under subsection (a). A hearing conducted under this subsection may be combined with the person's sentencing hearing. (f) If a person is a sexually violent predator: (1) the person is required to register with the local law enforcement authority as provided in IC 11-8-8; and (2) the court shall send notice to the department of correction. (g) This subsection does not apply to a person who has two (2) or more unrelated convictions for an offense described in IC 11-8-8-4.5 for which the person is required to register under IC 11-8-8. A person who is a sexually violent predator may petition the court to consider whether the person should no longer be considered a sexually violent predator. The person may file a petition under this subsection not earlier than ten (10) years after: (1) the sentencing court or juvenile court makes its determination under subsection (e); or (2) the person is released from incarceration or secure detention. A person may file a petition under this subsection not more than one (1) time per year. A court may dismiss a petition filed under this subsection or conduct a hearing to determine if the person should no longer be considered a sexually violent predator. If the court conducts a hearing, the court shall appoint two (2) psychologists or psychiatrists who have expertise in criminal behavioral disorders to evaluate the person and testify at the hearing. After conducting the hearing and considering the testimony of the two (2) psychologists or psychiatrists, the court shall determine whether the person should no longer be considered a sexually violent predator under subsection (a). If a court finds that the person should no longer be considered a sexually violent predator, the court shall send notice to the department of correction that the person is no longer considered a sexually violent predator or an offender against children. Notwithstanding any other law, a condition imposed on a person due to the person's status as a sexually violent predator, including lifetime parole or GPS monitoring, does not apply to a person no longer considered a sexually violent predator. (h) A person is not a sexually violent predator by operation of law under subsection (b)(1) if all of the following conditions are met: (1) The victim was not less than twelve (12) years of age at the time the offense was committed. (2) The person is not more than four (4) years older than the victim. (3) The relationship between the person and the victim was a dating relationship or an ongoing personal relationship. The term "ongoing personal relationship" does not include a family relationship. (4) The offense committed by the person was not any of the following: (A) Rape (IC 35-42-4-1). (B) Criminal deviate conduct (IC 35-42-4-2) (before its repeal). (C) An offense committed by using or threatening the use of deadly force or while armed with a deadly weapon. (D) An offense that results in serious bodily injury. (E) An offense that is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge. (5) The person has not committed another sex offense (as defined in IC 11-8-8-5.2) (including a delinquent act that would be a sex offense if committed by an adult) against any other person. (6) The person did not have a position of authority or substantial influence over the victim. (7) The court finds that the person should not be considered a sexually violent predator. As added by P.L.56-1998, SEC.17. Amended by P.L.1-1999, SEC.77; P.L.238-2001, SEC.18; P.L.116-2002, SEC.20; P.L.6-2006, SEC.5; P.L.140-2006, SEC.21 and P.L.173-2006, SEC.21; P.L.216-2007, SEC.37; P.L.214-2013, SEC.33; P.L.158-2013, SEC.394; P.L.168-2014, SEC.57; P.L.86-2018, SEC.332; P.L.142-2020, SEC.60.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-7.7. Crime of Domestic Violence; Sentence Procedures

Sec. 7.7. (a) At the time of sentencing, a court shall determine whether a person has committed a crime of domestic violence (as defined in IC 35-31.5-2-78). (b) A determination under subsection (a) must be based upon: (1) evidence introduced at trial; or (2) a factual basis provided as part of a guilty plea. (c) Upon determining that a defendant has committed a crime of domestic violence, a court shall advise the defendant of the consequences of this finding. (d) A judge shall record a determination that a defendant has

committed a crime of domestic violence on a form prepared by the office of judicial administration. As added by P.L.195-2003, SEC.4. Amended by P.L.114-2012, SEC.76; P.L.161-2018, SEC.121.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-7.8. Credit Restricted Felons

Sec. 7.8. (a) At the time of sentencing, a court shall determine whether a person is a credit restricted felon (as defined in IC 35-31.5-2-72). (b) A determination under subsection (a) must be based upon: (1) evidence admitted at trial that is relevant to the credit restricted status; (2) evidence introduced at the sentencing hearing; or (3) a factual basis provided as part of a guilty plea. (c) Upon determining that a defendant is a credit restricted felon, a court shall advise the defendant of the consequences of this determination. As added by P.L.147-2012, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-8.5. Presentence Investigation; Notice to Victim; Victim Impact Statement; Contents

Sec. 8.5. (a) A probation officer who is conducting a presentence investigation shall send written notification of the following to each victim or each victim representative designated by the court under section 2(e) of this chapter: (1) The date, time, and place of the sentencing hearing set by the court. (2) The right of the victim or victim representative to make an oral or written statement to the court at the sentencing hearing. (3) The right of the victim or victim representative to submit or refuse to submit to the probation officer a written or oral statement of the impact of the crime upon the victim for inclusion by the probation officer in a victim impact statement. (b) The notification required by subsection (a) must be sent at least seven (7) days before the date of the sentencing hearing to the last known address of the victim or the victim representative. (c) The probation officer shall prepare a victim impact statement for inclusion in the convicted person's presentence report. The victim impact statement consists of information about each victim and the consequences suffered by a victim or a victim's family as a result of the crime. (d) Unless the probation officer certifies to the court under section 9 of this chapter that a victim or victim representative could not be contacted or elected not to submit a statement to the probation officer concerning the crime, the victim impact statement required under this section must include the following information about each victim: (1) A summary of the financial, emotional, and physical effects of the crime on the victim and the victim's family. (2) Personal information concerning the victim, excluding telephone numbers, place of employment, and residential address. (3) Any written statements submitted by a victim or victim representative to the probation officer. (4) If the victim desires restitution, the basis and amount of a request for victim restitution. (e) A victim or victim representative is not required to submit a statement or to cooperate in the preparation of the victim impact statement required under this section. As added by P.L.36-1990, SEC.12. Amended by P.L.216-1996, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-8. Presentence Report to Be Considered by Court Before Sentencing; Advisement of Victim of Right to Make Statement

Sec. 8. (a) Except as provided in subsection (c), a defendant convicted of a felony may not be sentenced before a written presentence report is prepared by a probation officer and considered by the sentencing court. Delay of sentence until a presentence report is prepared does not constitute an indefinite postponement or suspension of sentence. (b) A victim present at sentencing in a felony or misdemeanor case shall be advised by the court of a victim's right to make a statement concerning the crime and the sentence. (c) A court may sentence a person convicted of a Level 6 felony without considering a written presentence report prepared by a probation officer. However, if a defendant is committed to the department of correction or a community corrections program under IC 35-38-2.6, the probation officer shall prepare a report that meets the requirements of section 9 of this chapter to be sent with the offender to the department in lieu of the presentence investigation report required by section 14 of this chapter. As added by P.L.311-1983, SEC.3. Amended by P.L.131-1985, SEC.16; P.L.240-1991(ss2), SEC.90; P.L.104-1997, SEC.6; P.L.158-2013, SEC.395.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-9.5. Confidential Information; Individual With Human Immunodeficiency Virus (Hiv); Sex Crimes and Controlled Substances

Sec. 9.5. A probation officer shall obtain confidential information from the Indiana department of health under IC 16-41-8-1 to determine whether a convicted person was an individual with the human immunodeficiency virus (HIV) when the crime was committed if the person is: (1) convicted of an offense relating to a criminal sexual act and the offense created an epidemiologically demonstrated risk of transmission of the human immunodeficiency virus (HIV); or (2) convicted of an offense relating to controlled substances and the offense involved: (A) the delivery by any person to another person; or (B) the use by any person on another person; of a contaminated sharp (as defined in IC 16-41-16-2) or other paraphernalia that creates an epidemiologically demonstrated risk of transmission of HIV by involving percutaneous contact. As added by P.L.123-1988, SEC.25. Amended by P.L.184-1989, SEC.24; P.L.1-1990, SEC.346; P.L.2-1992, SEC.876; P.L.2-1993, SEC.182; P.L.125-2007, SEC.4; P.L.190-2021, SEC.10; P.L.56-2023, SEC.318.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 1. Entry of Judgment and Sentencing35-38-1-9. "Recommendation" and "Victim"; Presentence Investigation Matters; Certification by Probation Officer When No Written Statements Submitted

Sec. 9. (a) As used in this chapter, "recommendation" has the meaning set forth in IC 35-31.5-2-272, and "victim" has the meaning set forth in IC 35-31.5-2-348. (b) The presentence investigation consists of the gathering of information with respect to: (1) the circumstances attending the commission of the offense; (2) the convicted person's history of delinquency or criminality, social history, employment history, family situation, economic status, education, and personal habits; (3) the impact of the crime upon the victim; and (4) whether the convicted person is: (A) licensed or certified in a profession regulated by IC 25; (B) licensed under IC 20-28-5; or (C) employed, or was previously employed, as a teacher (as defined in IC 20-18-2-22(b)) in a school corporation, charter school, or nonpublic school. (c) The presentence investigation may include any matter that the probation officer conducting the investigation believes is relevant to the question of sentence, and must include: (1) any matters the court directs to be included; (2) any written statements submitted to the prosecuting attorney by a victim under IC 35-35-3; (3) any written statements submitted to the probation officer by a victim; and (4) preparation of the victim impact statement required under section 8.5 of this chapter. (d) If there are no written statements submitted to the probation officer, the probation officer shall certify to the court: (1) that the probation officer has attempted to contact the victim; and (2) that if the probation officer has contacted the victim, the probation officer has offered to accept the written statements of the victim or to reduce the victim's oral statements to writing, concerning the sentence, including the acceptance of any recommendation. (e) A presentence investigation report prepared by a probation officer must include the information and comply with any other requirements established in the rules adopted under IC 11-13-1-8. (f) The probation officer shall consult with a community corrections program officer or employee (if there is a community corrections program in the county) regarding services and programs available to the defendant while preparing the presentence investigation report. As added by P.L.311-1983, SEC.3. Amended by P.L.36-1990, SEC.13; P.L.240-1991(ss2), SEC.91; P.L.216-1996, SEC.13; P.L.155-2011, SEC.10; P.L.114-2012, SEC.77; P.L.179-2015, SEC.14; P.L.185-2017, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 10. Convictions of Trafficked Persons35-38-10-1. "Trafficked Person"

Sec. 1. As used in this chapter, "trafficked person" means a person who was the victim of human trafficking (IC 35-42-3.5), regardless of whether the person who committed the human trafficking offense was charged, tried, or convicted. As added by P.L.86-2017, SEC.12. Amended by P.L.142-2020, SEC.61.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 10. Convictions of Trafficked Persons35-38-10-2. Vacating Conviction of Trafficked Person; Requirements

Sec. 2. A person who committed an offense that did not result in bodily injury to another person is entitled to have the person's conviction vacated if the person proves by a preponderance of the evidence that: (1) the person was a trafficked person at the time the person committed the offense; (2) the offense did not result in bodily injury to another person; and (3) at the time the person committed the offense, the person was: (A) coerced; or (B) under the control of; another person. As added by P.L.86-2017, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 10. Convictions of Trafficked Persons35-38-10-3. Postconviction Relief Available to Vacate Conviction of Certain Trafficked Persons

Sec. 3. A person may bring an action to enforce the right described in section 2 of this chapter in accordance with the Indiana rules of postconviction relief. As added by P.L.86-2017, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-1. Offenders to Which Chapter Applies

Sec. 1. This chapter applies to adult offenders and to juveniles who have committed a delinquent act that would be a crime if committed by an adult. As added by P.L.98-1988, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-10. Violation of Home Detention; Violent Offender Status; Contract Agencies

Sec. 10. (a) Each probation department or community corrections program shall establish written criteria and procedures for determining whether an offender or alleged offender that the department or program supervises on home detention qualifies as a violent offender. (b) A probation department or community corrections program shall use the criteria and procedures established under subsection (a) to establish a record keeping system that allows the department or program to quickly determine whether an offender or alleged offender who violates the terms of a home detention order is a violent offender. (c) A probation department or a community corrections program charged by a court with supervision of offenders and alleged offenders ordered to undergo home detention shall provide all law enforcement agencies (including any contract agencies) having jurisdiction in the place where the

probation department or a community corrections program is located with a list of offenders and alleged offenders under home detention supervised by the probation department or the community corrections program. The list must include the following information about each offender and alleged offender: (1) The offender's name, any known aliases, and the location of the offender's home detention. (2) The crime for which the offender was convicted. (3) The date the offender's home detention expires. (4) The name, address, and telephone number of the offender's supervising probation or community corrections program officer for home detention. (5) An indication of whether the offender or alleged offender is a violent offender. (d) Except as provided under section 6(1) of this chapter, a probation department or community corrections program charged by a court with supervision of offenders and alleged offenders ordered to undergo home detention shall, at the beginning of a period of home detention, set the monitoring device and surveillance equipment to minimize the possibility that the offender or alleged offender can enter another residence or structure without a violation. (e) A probation department or community corrections program charged by a court with supervision of offenders and alleged offenders ordered to undergo home detention shall maintain or contract with a contract agency to maintain constant supervision of each offender and alleged offender in accordance with IC 35-38-2.7. (f) A probation department or community corrections program may contract with a contract agency under subsection (e) only if the contract agency can comply with the requirements described in IC 35-38-2.7. As added by P.L.98-1988, SEC.6. Amended by P.L.137-2001, SEC.7; P.L.1-2002, SEC.146; P.L.31-2005, SEC.5; P.L.84-2022, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-11. Monitoring Devices; Information to Offender

Sec. 11. Before entering an order for home detention that requires the use of a monitoring device described in section 3(3) of this chapter the court shall inform the offender and other persons residing in the home of the nature and extent of electronic surveillance provided by the monitoring device in the home. As added by P.L.98-1988, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-12. Supervision of Violent Offender on Home Detention

Sec. 12. (a) A probation department or community corrections program charged by a court with supervision of a violent offender placed on home detention under this chapter shall comply with IC 35-38-2.7. (b) A probation department or community corrections program may contract with a contract agency under subsection (a) only if the contract agency can comply with the requirements described in IC 35-38-2.7. As added by P.L.137-2001, SEC.8. Amended by P.L.31-2005, SEC.6; P.L.84-2022, SEC.15.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-2.3. "Constant Supervision"

Sec. 2.3. As used in this chapter, "constant supervision" means monitoring a violent offender in accordance with the requirements described in IC 35-38-2.7. As added by P.L.137-2001, SEC.2. Amended by P.L.84-2022, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-2.5. "Contract Agency"

Sec. 2.5. As used in this chapter, "contract agency" means an agency or a company that contracts with a community corrections program or a probation department to monitor an offender or alleged offender using a monitoring device. As added by P.L.31-2005, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-2. "Home"

Sec. 2. As used in this chapter, "home" means: (1) the interior living area of the temporary or permanent residence of an offender; or (2) if the offender's residence is a multi-family dwelling, the unit in which the offender resides, and not the: (A) halls or common areas outside the unit where the offender resides; or (B) other units, occupied or unoccupied, in the multi-family dwelling. The term includes a hospital, health care facility, hospice, group home, maternity home, residential treatment facility, and boarding house. The term does not include a public correctional facility. As added by P.L.98-1988, SEC.6. Amended by P.L.117-1990, SEC.5; P.L.137-2001, SEC.1; P.L.105-2010, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-3. "Monitoring Device"

Sec. 3. (a) As used in this chapter, "monitoring device" means an electronic device that: (1) can record or transmit information twenty-four (24) hours each day regarding an offender's precise location; (2) is minimally intrusive upon the privacy of the offender or other persons residing in the offender's home; (3) with the written consent of the offender and with the written consent of other persons residing in the home at the time an order for home detention is entered, may record or transmit: (A) a visual image; (B) an electronic communication or any sound; or (C) information regarding the offender's activities while inside the offender's home; and (4) can notify a probation department, a community corrections program, the parole board, a pretrial services agency, or a contract agency if the offender violates the terms of a home detention order. (b) The term includes any device that can reliably determine the

location of an offender and track the locations where the offender has been, including a device that uses a global positioning system satellite service. (c) The term does not include an unmanned aerial vehicle (as defined in IC 35-31.5-2-342.3). As added by P.L.98-1988, SEC.6. Amended by P.L.31-2005, SEC.2; P.L.170-2014, SEC.25; P.L.84-2022, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-4.5. "Security Risk"

Sec. 4.5. As used in this chapter, "security risk" has the meaning set forth in IC 35-31.5-2-290. As added by P.L.137-2001, SEC.3. Amended by P.L.240-2019, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-4.7. "Violent Offender"

Sec. 4.7. As used in this chapter, "violent offender" has the meaning set forth in IC 35-31.5-2-352. As added by P.L.137-2001, SEC.4. Amended by P.L.123-2002, SEC.32; P.L.55-2003, SEC.2; P.L.31-2005, SEC.3; P.L.126-2012, SEC.51; P.L.240-2019, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-4. "Offender"

Sec. 4. As used in this chapter, "offender" has the meaning set forth in IC 11-8-1-9. As added by P.L.98-1988, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-5.5. Home Detention

Sec. 5.5. (a) Except as provided in subsection (b), a court in one (1) county may not place an offender who resides in another county on home detention in the other county unless: (1) the offender is eligible for home detention in the county in which the person resides; and (2) supervision of the offender will be conducted by the probation department or community corrections program located in the county in which the offender resides. (b) If the offender described in subsection (a) resides in a county that is adjacent to the county in which the sentencing court is located, the supervision of the offender may be conducted by either the: (1) probation department; or (2) community corrections program; located in the county in which the sentencing court is located. (c) All home detention fees described in section 8 of this chapter shall be collected by the probation department or community corrections program that supervises the offender. (d) A probation department or community corrections program that supervises an offender on home detention is responsible for the expenses of the supervision. As added by P.L.137-2001, SEC.6. Amended by P.L.48-2008, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-5. Home Detention as Condition of Probation

Sec. 5. (a) Except as provided in section 5.5 of this chapter, as a condition of probation a court may order an offender confined to the offender's home for a period of home detention. (b) The period of home detention may be consecutive or nonconsecutive, as the court orders. However, the aggregate time actually spent in home detention must not exceed the maximum term of imprisonment prescribed for the crime committed by the offender. (c) The court may order supervision of an offender's home detention to be provided by the probation department for the court or by a community corrections program that provides supervision of home detention. (d) A person's term of confinement on home detention under this chapter is computed on the basis of accrued time on home detention plus any good time credit. (e) A person confined on home detention as a condition of probation receives one (1) day of accrued time for each day the person is confined on home detention. (f) In addition to accrued time under subsection (e), a person confined on home detention as a condition of probation is entitled to earn good time credit under IC 35-50-6-3 or IC 35-50-6-3.1. A person confined on home detention as a condition of probation may not earn educational credit under IC 35-50-6-3.3. (g) A person confined on home detention may be deprived of earned good time credit if the person violates a condition of probation. As added by P.L.98-1988, SEC.6. Amended by P.L.20-1994, SEC.2; P.L.137-2001, SEC.5; P.L.166-2001, SEC.2; P.L.168-2014, SEC.59; P.L.74-2015, SEC.22; P.L.149-2016, SEC.90; P.L.21-2018, SEC.1; P.L.72-2023, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-6. Orders for Home Detention; Contents

Sec. 6. An order for home detention of an offender under section 5 of this chapter must include the following: (1) A requirement that the offender be confined to the offender's home at all times except when the offender is: (A) working at employment approved by the court or traveling to or from approved employment; (B) unemployed and seeking employment approved for the offender by the court; (C) undergoing medical, psychiatric, mental health treatment, counseling, or other treatment programs approved for the offender by the court; (D) attending an educational institution or a program approved for the offender by the court; (E) attending a regularly scheduled religious service at a place of worship; (F) participating in a community work release or community restitution or service program approved for the offender by the court; or (G) participating in any other activity approved for the offender by the court. (2) Notice to the offender that violation of the order for home detention may subject the offender to prosecution for the crime

of escape under IC 35-44.1-3-4. (3) A requirement that the offender abide by a schedule prepared by the probation department, or by a community corrections program ordered to provide supervision of the offender's home detention, specifically setting forth the times when the offender may be absent from the offender's home and the locations the offender is allowed to be during the scheduled absences. (4) A requirement that the offender is not to commit another crime during the period of home detention ordered by the court. (5) A requirement that the offender obtain approval from the probation department or from a community corrections program ordered to provide supervision of the offender's home detention before the offender changes residence or the schedule described in subdivision (3). (6) A requirement that the offender maintain: (A) a working telephone, cellular telephone, or other wireless or cellular communications device in the offender's home; and (B) if ordered by the court, a monitoring device in the offender's home or on the offender's person, or both. (7) A requirement that the offender pay a home detention fee set by the court in addition to the probation user's fee required under IC 35-38-2-1 or IC 31-40. However, the fee set under this subdivision may not exceed the maximum fee specified by the department of correction under IC 11-12-2-12. (8) A requirement that the offender abide by other conditions of probation set by the court under IC 35-38-2-2.3. (9) A requirement that an offender: (A) who is described in IC 10-13-6-10(a); (B) who has not previously provided a DNA sample in accordance with IC 10-13-6; and (C) whose sentence does not involve a commitment to the department of correction; provide a DNA sample. As added by P.L.98-1988, SEC.6. Amended by P.L.1-1991, SEC.199; P.L.240-1991(ss2), SEC.95; P.L.1-1997, SEC.147; P.L.32-2000, SEC.24; P.L.140-2006, SEC.28 and P.L.173-2006, SEC.28; P.L.1-2007, SEC.228; P.L.126-2012, SEC.52; P.L.111-2017, SEC.11; P.L.21-2018, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-7. Home Detention; Where Permitted

Sec. 7. (a) A court may not order home detention for an offender unless the offender agrees to abide by all of the requirements set forth in the court's order issued under this chapter. (b) A court may not order home detention for an offender who is being held under a detainer, warrant, or process issued by a court of another jurisdiction. (c) A court may not order home detention for an offender who has been convicted of a sex offense under IC 35-42-4 or IC 35-46-1-3 unless: (1) the home detention is supervised by a court approved home detention program; and (2) the conditions of home detention: (A) include twenty-four (24) hour per day supervision of the offender; and (B) require the use of surveillance equipment and a monitoring device that can transmit information twenty-four (24) hours each day regarding an offender's precise location. As added by P.L.98-1988, SEC.6. Amended by P.L.144-1995, SEC.3; P.L.55-2003, SEC.3; P.L.31-2005, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-8. Home Detention Fees

Sec. 8. (a) All home detention fees collected by a county based probation department shall be transferred to the county treasurer who shall deposit the fees into the county supplemental adult or juvenile probation services fund. The expenses of administering a home detention program, including the purchase of monitoring devices and other supervision expenses shall be paid from the fund. (b) All home detention fees collected by the probation department of a city or town court shall be transferred to the fiscal officer of the city or town who shall deposit the fees into the local supplemental adult or juvenile probation services fund. The expenses of administering a home detention program, including the purchase of monitoring devices and other supervision expenses shall be paid from the fund. (c) All home detention fees collected by a community corrections program, except any funds received by a community corrections program under IC 11-12, shall be deposited into the community corrections home detention fund established for the county under IC 11-12-7-1. The expenses of administering a community corrections home detention program, including the purchase of monitoring devices and other supervision expenses shall be paid from the fund. As added by P.L.98-1988, SEC.6. Amended by P.L.104-1997, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.5. Home Detention35-38-2.5-9. Responsibility for Food, Housing, and Related Costs

Sec. 9. An offender ordered to undergo home detention under section 5 of this chapter is responsible for providing food, housing, clothing, medical care, and other treatment expenses. The offender is eligible to receive government benefits allowable for persons on probation, parole, or other conditional discharge from confinement. As added by P.L.98-1988, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.6. Direct Placement in Community Corrections Program35-38-2.6-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The amendments made to section 1 of this chapter by P.L.17-2001 shall not be construed to reduce or invalidate a sentence imposed before July 1, 2001. As added by P.L.220-2011, SEC.589.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.6. Direct Placement in Community Corrections Program35-38-2.6-1. Application of Chapter

Sec. 1. This chapter does not apply to persons convicted of any of the following offenses whenever any part of the sentence may not be suspended under IC 35-50-2-2.2: (1) Sex crimes under IC 35-42-4 or IC 35-46-1-3. (2) A Level 1 felony. (3) A Class A felony.

(4) Any of the following felonies: (A) Murder (IC 35-42-1-1). (B) A battery offense included in IC 35-42-2 with a deadly weapon or causing death. (C) Kidnapping (IC 35-42-3-2). (D) Criminal confinement (IC 35-42-3-3) with a deadly weapon. (E) Robbery (IC 35-42-5-1) resulting in serious bodily injury or with a deadly weapon. (F) Arson (IC 35-43-1-1) for hire resulting in serious bodily injury. (G) Burglary (IC 35-43-2-1) resulting in serious bodily injury. (H) Resisting law enforcement (IC 35-44.1-3-1) with a deadly weapon. (I) Aggravated battery (IC 35-42-2-1.5). (J) Disarming a law enforcement officer (IC 35-44.1-3-2). (K) A sentence for a crime that is enhanced by criminal organization (IC 35-50-2-15). As added by P.L.240-1991(ss2), SEC.96. Amended by P.L.144-1995, SEC.4; P.L.242-1999, SEC.9; P.L.17-2001, SEC.13; P.L.213-2005, SEC.6; P.L.151-2006, SEC.15; P.L.158-2013, SEC.400; P.L.185-2014, SEC.5; P.L.65-2016, SEC.29; P.L.72-2023, SEC.6; P.L.148-2024, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.6. Direct Placement in Community Corrections Program35-38-2.6-2. "Community Corrections Program" Defined

Sec. 2. As used in this chapter, "community corrections program" means a program consisting of residential centers and work release, home detention, or electronic monitoring that is: (1) operated under a community corrections plan of a county and funded at least in part by the state subsidy provided under IC 11-12-2; or (2) operated by or under contract with a court or county. As added by P.L.240-1991(ss2), SEC.96. Amended by P.L.135-1993, SEC.6; P.L.20-1994, SEC.3; P.L.45-2022, SEC.3; P.L.72-2023, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.6. Direct Placement in Community Corrections Program35-38-2.6-3. Order for Placement; Availability and Terms of Placement; DNA Sample Required

Sec. 3. (a) The court may, at the time of sentencing, order a person to be placed in a community corrections program as an alternative to commitment to the county jail or the department of correction. However, if a person has a nonsuspendible sentence, except for a nonsuspendible sentence under IC 35-50-2-2.2, a court may not order the person to serve the nonsuspendible portion of the person's sentence in a community corrections program. The court may impose reasonable terms on the placement or require the director of the community corrections program to impose reasonable terms on the placement. A court shall require a person: (1) who is described in IC 10-13-6-10(a); (2) who has not previously provided a DNA sample in accordance with IC 10-13-6; and (3) whose sentence does not involve a commitment to the department of correction; to provide a DNA sample as a term of placement. (b) Placement in a community corrections program under this chapter is subject to the availability of residential beds or electronic monitoring units in a community corrections program. However, this subsection does not prohibit placement on home detention without electronic monitoring. (c) A person placed under this chapter is responsible for the person's own medical care while in the placement program. (d) The community corrections program shall have access to and use an offender's written presentence report or memorandum from a county probation agency, if applicable, when determining the offender's eligibility for placement. As added by P.L.240-1991(ss2), SEC.96. Amended by P.L.135-1993, SEC.7; P.L.140-2006, SEC.29 and P.L.173-2006, SEC.29; P.L.179-2015, SEC.15; P.L.111-2017, SEC.12; P.L.45-2022, SEC.4; P.L.72-2023, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.6. Direct Placement in Community Corrections Program35-38-2.6-4.2. Community Corrections Direct Placement

Sec. 4.2. (a) A community corrections program shall establish written procedures for determining if an offender is eligible for direct placement supervision under this chapter. (b) The procedures established under subsection (a) must establish a record keeping system that allows the department or community corrections program to quickly determine if an offender is in violation of the terms of a direct placement order issued under this chapter. (c) A community corrections program charged by a court with supervision of offenders ordered to be placed directly in a community corrections program under this chapter shall provide all law enforcement agencies, including any contract agency (as defined in IC 35-38-2.5-2.5), having jurisdiction in the place where a community corrections program is located with a list of offenders under direct placement supervision. The list must include the following information about each offender: (1) The offender's name, any known aliases, and the location of the offender's direct placement under this chapter. (2) The crime for which the offender was convicted. (3) The date the offender's direct placement expires. (4) The name, address, and telephone number of the offender's supervising community corrections program officer for direct placement under this chapter. (5) An indication of whether the offender is a violent offender. (d) Except as provided in IC 35-38-2.5-6(1), a community corrections program charged by a court with supervision of offenders ordered to undergo direct placement under this chapter shall, at the beginning of a period of the direct placement, set any monitoring device (as defined in IC 35-38-2.5-3) and surveillance equipment to minimize the possibility that the offender may enter another residence or structure without the detection of a violation. (e) A community corrections program charged by a court with supervision of offenders ordered to undergo direct placement under this chapter shall: (1) maintain or contract with a contract agency to maintain constant supervision of each offender as described in subsection (f); and (2) have adequate staff available twenty-four (24) hours each day to respond if an offender violates the conditions of the direct placement order under this chapter. A community corrections program may contract with a contract agency under this subsection only if the contract agency is able to comply with subsection (f). (f) A contract agency: (1) that maintains supervision of an offender under subsection (e)(1) shall follow the rules set by the local community corrections advisory board as a part of community corrections program direct placement written procedures; and (2) shall notify the contracting

community corrections program within one (1) hour if the offender violates the conditions of the direct placement order. However, if a shorter notification time is required by the community corrections program, a community corrections advisory board must require a contract agency to comply with the shorter notification requirement for a direct placement order violation as if the offender were serving a direct placement order as part of a community corrections program. (g) A community corrections program or contract agency charged by a court with supervision of an offender placed under direct placement under this chapter shall cause a local law enforcement agency or contract agency described in this section to be the initial agency contacted upon determining that the offender is in violation of a direct placement order. As added by P.L.105-2010, SEC.12. Amended by P.L.45-2022, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.6. Direct Placement in Community Corrections Program35-38-2.6-4.5. Community Corrections Program Placement

Sec. 4.5. If a court places a person on any level of supervision as part of a community corrections program under this chapter, the placement must comply with all applicable provisions in IC 11-12 and IC 35-38-2.5. As added by P.L.137-2001, SEC.10. Amended by P.L.105-2010, SEC.13; P.L.45-2022, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.6. Direct Placement in Community Corrections Program35-38-2.6-5. Violation of Terms of Placement

Sec. 5. (a) If a person who is placed under this chapter violates the terms of the placement, the community corrections director may do any of the following: (1) Change the terms of the placement. (2) Continue the placement. (3) Reassign a person assigned to a specific community corrections program to a different community corrections program. (4) Request that the court revoke the placement and commit the person to the county jail or department of correction for the remainder of the person's sentence. The community corrections director shall notify the court if the director changes the terms of the placement, continues the placement, or reassigns the person to a different program. (b) If a person who is placed under this chapter violates the terms of the placement, the prosecuting attorney may request that the court revoke the placement and commit the person to the county jail or department of correction for the remainder of the person's sentence. As added by P.L.240-1991(ss2), SEC.96. Amended by P.L.179-2015, SEC.16; P.L.106-2020, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.6. Direct Placement in Community Corrections Program35-38-2.6-6. Credit Time

Sec. 6. (a) As used in this section, "home" means the actual living area of the temporary or permanent residence of a person. (b) A person confined on work release or home detention in a community corrections program receives one (1) day of accrued time for each day the person is confined on work release or home detention. (c) In addition to accrued time under subsection (b), a person who is placed on a level of supervision as part of a community corrections program under this chapter is entitled to earn good time credit under IC 35-50-6-3 and IC 35-50-6-3.1. A person placed on a level of supervision as part of a community corrections program may not earn educational credit under IC 35-50-6-3.3. (d) The department of correction shall adopt rules under IC 4-22-2 concerning the deprivation of earned good time credit for a person who is placed on a level of supervision as part of a community corrections program under this chapter. (e) A person who is placed on a level of supervision as part of a community corrections program under this chapter may be deprived of earned good time credit as provided under rules adopted by the department of correction under IC 4-22-2. As added by P.L.240-1991(ss2), SEC.96. Amended by P.L.135-1993, SEC.8; P.L.20-1994, SEC.4; P.L.105-2010, SEC.14; P.L.168-2014, SEC.60; P.L.74-2015, SEC.23; P.L.26-2019, SEC.1; P.L.45-2022, SEC.7; P.L.72-2023, SEC.10; P.L.93-2024, SEC.207.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.6. Direct Placement in Community Corrections Program35-38-2.6-7. Completion of Program; Probation

Sec. 7. When a person completes a placement program under this chapter, the court may place the person on probation. As added by P.L.240-1991(ss2), SEC.96. Amended by P.L.45-2022, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.7. Electronic Monitoring Standards35-38-2.7-1. Definitions

Sec. 1. The following definitions apply throughout this chapter: (1) "Backup verification method" means a method of determining whether a tracked individual is in an approved location in the event that the tracked individual's monitoring device loses communication with the supervising agency. The term may include making electronic or telephonic contact with an employer of a tracked individual. (2) "Monitoring device" has the meaning set forth in IC 35-38-2.5-3. (3) "Supervising agency" means: (A) a court, in the case of an individual who is required to wear a monitoring device as a condition of probation or pretrial release; (B) a community corrections program, in the case of an individual who is required to wear a monitoring device as a condition of community corrections; or (C) the parole board, in the case of an individual who is required to wear a monitoring device as a condition of parole. (4) "Tracked individual" means an individual required to wear a monitoring device. (5) "Vulnerable victim" means the victim of a crime committed or alleged to have been committed by a tracked individual: (A) under circumstances

suggesting that the tracked individual may disturb, harass, or harm the victim, as determined by a court or the supervising agency; (B) if the tracked individual is the subject of a protection order, restraining order, or no contact order with respect to the victim; or (C) that is a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5). As added by P.L.84-2022, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.7. Electronic Monitoring Standards35-38-2.7-2. Duties of a Supervising Agency

Sec. 2. (a) A supervising agency must do the following: (1) Except as provided in subdivision (2), an employee or contract employee of a supervising agency must provide notification to the supervising agency as soon as possible, but not later than twelve (12) hours, after: (A) the monitoring device of a tracked individual suffers an unexplained or undocumented loss of communication with the employee, and the employee is unable to verify the tracked individual's presence at an approved location by using a backup verification method, if applicable; (B) a tracked individual enters a prohibited exclusion zone; or (C) a tracked individual removes, disables, or otherwise interferes with a monitoring device. (2) An employee or contract employee of a supervising agency who is required to provide a notification to the supervising agency under subdivision (1) with respect to a tracked individual who is placed on electronic monitoring due to being charged with or convicted of: (A) a crime of violence (as defined in IC 35-50-1-2(a)); or (B) a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5); shall provide the notification as soon as possible, but not later than fifteen (15) minutes, after the occurrence of an event described in subdivision (1)(A) through (1)(C). In addition, if the tracked individual has committed or is alleged to have committed a crime against a vulnerable victim, the supervising agency shall notify the vulnerable victim and request local law enforcement to conduct a welfare check on the vulnerable victim in accordance with the protocol developed by the supervising agency under subdivision (5). (3) Verify in person the location of each tracked individual placed on electronic monitoring due to being charged with or convicted of: (A) a crime of violence (as defined in IC 35-50-1-2(a)); or (B) a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5); by making one (1) scheduled in person contact and one (1) unannounced in person contact with the individual in every thirty (30) day period. (4) Establish conditions relating to approved and unapproved locations for each tracked individual under the supervising agency's supervision. (5) Develop and establish a protocol for the supervising agency to use in contacting a vulnerable victim and local law enforcement with respect to a violation by a tracked individual. (6) Develop and publish a policy prohibiting certain relationships between a tracked individual and a supervising agency and employees of a supervising agency, including: (A) personal associations and relationships; and (B) business relationships. (7) Develop or approve detailed contingency plans for the supervising agency's operation in case of natural disaster, power outage, loss of telephone service, fire, flood, equipment malfunction, death, incapacitation, or personal emergency of an employee of a supervising agency, and, in the case of a supervising agency's contract with a third party contractor, the financial insolvency of the third party contractor. (8) Specify a backup verification method for a tracked individual if there is reason to believe that the tracked individual's monitoring device may lose communication with the supervising agency at an approved location. However, a supervising agency has the discretion to establish a backup verification method for any tracked individual regardless of whether the supervising agency has reason to believe that the monitoring device may lose communication at an approved location. (b) Beginning January 1, 2023, a supervising agency must transmit a quarterly report to the local justice reinvestment advisory council (established by IC 33-38-9.5-4) that includes information concerning: (1) the total number of tracked individuals under supervision, whether they are under pretrial, or postdisposition, supervision, and the charges they are facing or have been convicted of; (2) the number of tracked individuals under supervision assigned to each employee; (3) the total costs and fees levied and collected; (4) the number of tracked individuals under supervision whose supervision has been terminated and the reason for termination; and (5) the number of false location alerts, device malfunctions, or both, in the case of each tracked individual under supervision. The report must be submitted not later than fifteen (15) calendar days after the close of each quarter. In addition, the division of parole services shall report directly to the statewide justice reinvestment advisory council each quarter. The local justice reinvestment advisory council shall transmit each report electronically to the statewide justice reinvestment advisory council (established by IC 33-38-9.5-2), which shall publish a report quarterly. The statewide justice reinvestment advisory council shall compile the quarterly reports published under this subsection and electronically transmit an annual report to the legislative council and to the judicial conference of Indiana not later than March 15 of each year. The report to the legislative council must be in an electronic format under IC 5-14-6. As added by P.L.84-2022, SEC.16. Amended by P.L.9-2023, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.7. Electronic Monitoring Standards35-38-2.7-3. Vulnerable Victims

Sec. 3. (a) The supervising agency shall: (1) inform a vulnerable victim of where the tracked individual is not permitted to be; (2) if the vulnerable victim wishes to be informed if the tracked individual commits a violation as described in section 2(a)(1)(A) through 2(a)(1)(C) of this chapter, obtain the best manner of contacting the vulnerable victim from the vulnerable victim; and (3) advise the vulnerable victim that events such as power outages, Internet outages, and natural disasters may interfere with the ability of the supervising agency to notify the vulnerable victim in a timely manner. (b) Upon notice of a possible violation by a tracked individual as described in section 2(a)(1)(A) through 2(a)(1)(C) of this chapter, the supervising agency shall, as soon as practicable, seek a warrant for the arrest of the tracked individual. As added by P.L.84-2022, SEC.16. Amended by P.L.9-2023, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.7. Electronic Monitoring Standards35-38-2.7-4. Tracked Individuals

Sec. 4. (a) This subsection applies to a tracked individual who is charged with or convicted of a crime of violence (as defined in IC 35-50-1-2(a)) or a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5). As soon as possible, but not later than: (1) fifteen (15) minutes after a warrant has been issued for a tracked individual to whom this subsection applies, a local law enforcement agency shall transmit details of the warrant to all active units; and (2) sixty (60) minutes after a warrant has been issued for a tracked individual to whom this subsection applies, a local law enforcement agency shall dispatch a law enforcement officer to apprehend the tracked individual. (b) This subsection applies to a tracked individual who is not charged with or convicted of a crime of violence (as defined in IC 35-50-1-2(a)) or a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5). As soon as possible, but not later than: (1) sixty (60) minutes after a warrant has been issued for a tracked individual to whom this subsection applies, a local law enforcement agency shall transmit details of the warrant to all active units; and (2) forty-eight (48) hours after a warrant has been issued for a tracked individual to whom this subsection applies, a local law enforcement agency shall dispatch a law enforcement officer to apprehend the tracked individual. (c) The local law enforcement agency shall keep a record of each dispatch made under this section. As added by P.L.84-2022, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.7. Electronic Monitoring Standards35-38-2.7-5. Third Party Contractors

Sec. 5. A supervising agency may contract with a third party contractor to maintain consistent constant supervision of each tracked individual only if the third party contractor can comply with the requirements of a supervising agency in this chapter. A contract must specify the duties of the third party contractor and the duties of the supervising agency described in this chapter. A third party contractor: (1) may not employ or be owned by any person convicted of a felony within the previous seven (7) years; and (2) may not employ an individual who was a tracked individual within the previous one (1) year. As added by P.L.84-2022, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.7. Electronic Monitoring Standards35-38-2.7-6. Contract Cancellation

Sec. 6. (a) This subsection applies to contracts entered into and renewed after June 30, 2022. In addition to any penalties described in the contract, a supervising agency may cancel the contract of a third party contractor that fails to comply with the requirements of this chapter. (b) If: (1) the supervising agency is a court; and (2) the supervising agency has: (A) canceled a contract under this section; or (B) determined that it will not renew its contract with the third party contractor due to the contractor's performance; the supervising agency shall inform the office of judicial administration of its act or determination, along with a description of its reasons. The office of judicial administration shall inform every court that may act as a supervising agency of the identity of the third party contractor, of the act or determination made by the supervising agency, and of the reasons for the act or determination by the supervising agency. As added by P.L.84-2022, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2.7. Electronic Monitoring Standards35-38-2.7-7. Immunities

Sec. 7. (a) Except as described in subsection (b), the following are immune from civil liability for an act or omission that occurs in connection with the implementation of this chapter: (1) A supervising agency. (2) A law enforcement agency. (3) An employee of a person described in subdivisions (1) through (2). (b) The immunity described in subsection (a) does not apply if the person committed gross negligence or willful or wanton misconduct. As added by P.L.84-2022, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2. Probation35-38-2-0.2. Application of Certain Statutes to Individuals Placed on Probation After June 30, 2003

Sec. 0.2. The following statutes, as added or amended by P.L.277-2003, apply only to individuals who are placed on probation after June 30, 2003: (1) IC 31-40-1-1.7(b) (before its repeal). (2) IC 31-40-1-1.7(d) (before its repeal). (3) IC 31-40-2-1(a). (4) IC 31-40-2-1(b). (5) IC 31-40-2-1.5. (6) Section 1(c), 1(d), 1(e), and 1(i) of this chapter. (7) Section 1.5 of this chapter. (8) Section 1.7 of this chapter. As added by P.L.220-2011, SEC.588.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2. Probation35-38-2-1.5. Increased Probation User's Fee

Sec. 1.5. Notwithstanding the probation user's fee amounts established under section 1 of this chapter, a court may order a person to pay a probation user's fee that exceeds the maximum amount allowed under section 1 of this chapter if: (1) the person was placed on probation in another state and moved or was transferred to Indiana; (2) the other state allows a higher probation user's fee than the maximum amount allowed under section 1 of this chapter; and (3) the probation user's fee the court orders the person to pay does not exceed the maximum amount allowed in the other state. As added by P.L.277-2003, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2. Probation35-38-2-1.7. Early Payment of Probation User's Fee; Recalculation of Probation User's Fee; Discharge; Wage Garnishment

Sec. 1.7. (a) A person may pay a monthly probation user's fee under section 1 or 1.5 of this chapter before the date the payment is required to be made without obtaining the prior approval of a court or a probation department. However, if the person is discharged from probation before the date the person was scheduled to be released from probation, any monthly probation user's fee paid in advance by the person may not be refunded. (b) A probation department may petition a court to: (1) impose a probation user's fee on a person; or (2) increase a person's probation user's fee; under section 1 or 1.5 of this chapter if the financial ability of the person to pay a probation user's fee changes while the person is on probation. (c) An order to pay a probation user's fee under section 1 or 1.5 of this chapter: (1) is a judgment lien that: (A) attaches to the property of the person subject to the order; (B) may be perfected; (C) may be enforced to satisfy any payment that is delinquent under section 1 or 1.5 of this chapter; and (D) expires; in the same manner as a judgment lien created in a civil proceeding; (2) is not discharged by the completion of the person's probationary period or other sentence imposed on the person; and (3) is not discharged by the liquidation of a person's estate by a receiver under IC 32-30-5. (d) If a court orders a person to pay a probation user's fee under section 1 or 1.5 of this chapter, the court may garnish the wages, salary, and other income earned by the person to enforce the order. As added by P.L.277-2003, SEC.13. Amended by P.L.217-2014, SEC.191.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2. Probation35-38-2-1.8. New Probation Hearings Allowed at Any Time; Modification of Conditions; Deadlines

Sec. 1.8. (a) This section does not apply to the modification of a user's fee payment under section 1.7(b) of this chapter. (b) The court may hold a new probation hearing at any time during a probationer's probationary period: (1) upon motion of the probation department or upon the court's motion; and (2) after giving notice to the probationer. (c) At a probation hearing described in subsection (b), the court may modify the probationer's conditions of probation. If the court modifies the probationer's conditions of probation, the court shall: (1) specify in the record the conditions of probation; and (2) advise the probationer that if the probationer violates a condition of probation during the probationary period, a petition to revoke probation may be filed before the earlier of the following: (A) One (1) year after the termination of probation. (B) Forty-five (45) days after the state receives notice of the violation. (d) The court may hold a new probation hearing under this section even if: (1) the probationer has not violated the conditions of probation; or (2) the probation department has not filed a petition to revoke probation. As added by P.L.14-2005, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2. Probation35-38-2-1. Conditions of Probation; Advice on Violation Specification in Record; Administrative Costs; Transfer of Three Percent of Probation User's Fee; Administrative Fee; User's Fee; Collection of Administrative Fee; Disposition of Money Collected; Supplemental Adult Probation Services Fund; Payment by Credit Card; Credit Card Service Fee

Sec. 1. (a) Whenever it places a person on probation, the court shall: (1) specify in the record the conditions of the probation; and (2) advise the person that if the person violates a condition of probation during the probationary period, a petition to revoke probation may be filed before the earlier of the following: (A) One (1) year after the termination of probation. (B) Forty-five (45) days after the state receives notice of the violation. (b) In addition, if the person was convicted of a felony and is placed on probation, the court shall order the person to pay to the probation department the user's fee prescribed under subsection (d). If the person was convicted of a misdemeanor, the court may order the person to pay the user's fee prescribed under subsection (e). The court may: (1) modify the conditions (except a fee payment may only be modified as provided in section 1.7(b) of this chapter); or (2) terminate the probation; at any time. If the person commits an additional crime, the court may revoke the probation. (c) If a clerk of a court collects a probation user's fee, the clerk: (1) may keep not more than three percent (3%) of the fee to defray the administrative costs of collecting the fee and shall deposit any fee kept under this subsection in the clerk's record perpetuation fund established under IC 33-37-5-2; and (2) if requested to do so by the county auditor, city fiscal officer, or town fiscal officer under clause (A), (B), or (C), may transfer not more than three percent (3%) of the fee to the: (A) county auditor, who shall deposit the money transferred under this subdivision into the county general fund; (B) city general fund when requested by the city fiscal officer; or (C) town general fund when requested by the town fiscal officer. (d) In addition to any other conditions of probation, the court shall order each person convicted of a felony to pay: (1) not less than twenty-five dollars ($25) nor more than one hundred dollars ($100) as an initial probation user's fee; (2) a monthly probation user's fee of not less than fifteen dollars ($15) nor more than thirty dollars ($30) for each month that the person remains on probation; (3) the costs of the laboratory test or series of tests to detect and confirm the presence of the human immunodeficiency virus (HIV) antigen or antibodies to the human immunodeficiency virus (HIV) if such tests are required by the court under section 2.3 of this chapter; (4) an alcohol abuse deterrent fee and a medical fee set by the court under IC 9-30-9-8, if the court has referred the defendant to an alcohol abuse deterrent program; and (5) an administrative fee of one hundred dollars ($100); to either the probation department or the clerk. (e) In addition to any other conditions of probation, the court may order each person convicted of a misdemeanor to pay: (1) not more than a fifty dollar ($50) initial probation user's fee; (2) a monthly probation user's fee of not less than ten dollars ($10) nor more than twenty dollars ($20) for each month that the person remains on probation; (3) the costs of the laboratory test or series of tests to detect and confirm the presence of the human immunodeficiency virus (HIV) antigen or antibodies to the human immunodeficiency virus (HIV) if such tests are required by the court under section 2.3 of this chapter; and (4) an administrative fee of fifty dollars ($50); to either the probation department or the

clerk. (f) The probation department or clerk shall collect the administrative fees under subsections (d)(5) and (e)(4) before collecting any other fee under subsection (d) or (e). All money collected by the probation department or the clerk under this section shall be transferred to the county treasurer, who shall deposit the money into the county supplemental adult probation services fund. The fiscal body of the county shall appropriate money from the county supplemental adult probation services fund: (1) to the county, superior, circuit, or municipal court of the county that provides probation services to adults to supplement adult probation services; and (2) to supplement the salaries of probation officers in accordance with the schedule adopted by the county fiscal body under IC 36-2-16.5. (g) The probation department or clerk shall collect the administrative fee under subsection (e)(4) before collecting any other fee under subsection (e). All money collected by the probation department or the clerk of a city or town court under this section shall be transferred to the fiscal officer of the city or town for deposit into the local supplemental adult probation services fund. The fiscal body of the city or town shall appropriate money from the local supplemental adult probation services fund to the city or town court of the city or town for the court's use in providing probation services to adults or for the court's use for other purposes as may be appropriated by the fiscal body. Money may be appropriated under this subsection only to those city or town courts that have an adult probation services program. If a city or town court does not have such a program, the money collected by the probation department must be transferred and appropriated as provided under subsection (f). (h) Except as provided in subsection (j), the county or local supplemental adult probation services fund may be used only to supplement probation services and to supplement salaries for probation officers. A supplemental probation services fund may not be used to replace other funding of probation services. Any money remaining in the fund at the end of the year does not revert to any other fund but continues in the county or local supplemental adult probation services fund. (i) A person placed on probation for more than one (1) crime: (1) may be required to pay more than one (1) initial probation user's fee; and (2) may not be required to pay more than one (1) monthly probation user's fee per month; to the probation department or the clerk. (j) This subsection applies to a city or town located in a county having a population of more than two hundred thousand (200,000) and less than two hundred fifty thousand (250,000). Any money remaining in the local supplemental adult probation services fund at the end of the local fiscal year may be appropriated by the city or town fiscal body to the city or town court for use by the court for purposes determined by the fiscal body. (k) In addition to other methods of payment allowed by law, a probation department may accept payment of fees required under this section and section 1.5 of this chapter by credit card (as defined in IC 14-11-1-7). The liability for payment is not discharged until the probation department receives payment or credit from the institution responsible for making the payment or credit. (l) The probation department may contract with a bank or credit card vendor for acceptance of bank or credit cards. However, if there is a vendor transaction charge or discount fee, whether billed to the probation department or charged directly to the probation department's account, the probation department may collect a credit card service fee from the person using the bank or credit card. The fee collected under this subsection is a permitted additional charge to the money the probation department is required to collect under subsection (d) or (e). (m) The probation department shall forward the credit card service fees collected under subsection (l) to the county treasurer or city or town fiscal officer in accordance with subsection (f) or (g). These funds may be used without appropriation to pay the transaction charge or discount fee charged by the bank or credit card vendor. As added by P.L.311-1983, SEC.3. Amended by P.L.182-1984, SEC.1; P.L.296-1985, SEC.2; P.L.178-1986, SEC.2; P.L.305-1987, SEC.36; P.L.123-1988, SEC.28; P.L.67-1990, SEC.10; P.L.1-1991, SEC.196; P.L.18-1995, SEC.112; P.L.216-1996, SEC.14; P.L.117-1996, SEC.4; P.L.117-1996, SEC.6; P.L.170-2002, SEC.132; P.L.277-2003, SEC.11; P.L.98-2004, SEC.150; P.L.1-2006, SEC.529; P.L.119-2012, SEC.166; P.L.104-2022, SEC.141.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2. Probation35-38-2-2.1. Conditions of Probation; Payment of Alcohol and Drug Countermeasures Fee

Sec. 2.1. As a condition of probation for a person who is found to have: (1) committed an offense under IC 9-30-5; or (2) been adjudicated a delinquent for an act that would be an offense under IC 9-30-5, if committed by an adult; the court shall require the person to pay the alcohol and drug countermeasures fee under IC 33-37. As added by P.L.126-1989, SEC.28. Amended by P.L.2-1991, SEC.104; P.L.98-2004, SEC.151.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2. Probation35-38-2-2.2. Conditions of Probation; Registration With Local Law Enforcement Authority; Consent to Search of Computer

Sec. 2.2. (a) As a condition of probation for a sex offender (as defined in IC 11-8-8-4.5), the court shall: (1) require the sex offender to register with the local law enforcement authority under IC 11-8-8; (2) prohibit the sex offender from residing within one thousand (1,000) feet of school property (as defined in IC 35-31.5-2-285), as measured from the property line of the sex offender's residence to the property line of the school property, for the period of probation, unless the sex offender obtains written approval from the court; (3) require the sex offender to consent: (A) to the search of the sex offender's personal computer at any time; and (B) to the installation on the sex offender's personal computer or device with Internet capability, at the sex offender's expense, of one (1) or more hardware or software systems to monitor Internet usage; and (4) prohibit the sex offender from: (A) accessing or using certain web sites, chat rooms, or instant messaging programs frequented by children; and (B) deleting, erasing, or tampering with information on the sex offender's personal computer with intent to conceal an activity prohibited by clause (A). If the court allows the sex offender to reside within one thousand (1,000) feet of school property under subdivision (2), the court shall notify each school within one thousand (1,000) feet of the sex offender's residence of the order. However, a court may not allow a sex offender

who is a sexually violent predator (as defined in IC 35-38-1-7.5) or an offender against children under IC 35-42-4-11 to reside within one thousand (1,000) feet of school property. (b) As a condition of probation for a sex offender who is a sexually violent predator under IC 35-38-1-7.5 or an offender against children under IC 35-42-4-11, the court may: (1) subject to subdivision (2), prohibit the sex offender from having any: (A) unsupervised contact; or (B) contact; with a person less than sixteen (16) years of age; and (2) if the court finds it is in the best interests of the child, prohibit the sex offender from having any: (A) unsupervised contact; or (B) contact; with a child or stepchild of the sex offender, if the child or stepchild is less than sixteen (16) years of age. As added by P.L.11-1994, SEC.14. Amended by P.L.214-1999, SEC.3; P.L.238-2001, SEC.19; P.L.116-2002, SEC.21; P.L.140-2006, SEC.23 and P.L.173-2006, SEC.23; P.L.216-2007, SEC.40; P.L.119-2008, SEC.16; P.L.114-2012, SEC.79; P.L.220-2019, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2. Probation35-38-2-2.3. Conditions of Probation; Statement of Conditions; Term of Imprisonment; Intermittent Service; Transfers and Retransfers of Supervision

Sec. 2.3. (a) As a condition of probation, the court may require a person to do a combination of the following: (1) Work faithfully at suitable employment or faithfully pursue a course of study or career and technical education that will equip the person for suitable employment. (2) Undergo available medical or psychiatric treatment and remain in a specified institution if required for that purpose. (3) Attend or reside in a facility established for the instruction, recreation, or residence of persons on probation. (4) Participate in a treatment program, educational class, or rehabilitative service provided by a probation department or by referral to an agency. (5) Support the person's dependents and meet other family responsibilities. (6) Make restitution or reparation to the victim of the crime for damage or injury that was sustained by the victim. When restitution or reparation is a condition of probation, the court shall fix the amount, which may not exceed an amount the person can or will be able to pay, and shall fix the manner of performance. (7) Execute a repayment agreement with the appropriate governmental entity to repay the full amount of public relief or assistance wrongfully received, and make repayments according to a repayment schedule set out in the agreement. (8) Pay a fine authorized by IC 35-50. (9) Refrain from possessing a firearm or other deadly weapon unless granted written permission by the court or the person's probation officer. (10) Report to a probation officer at reasonable times as directed by the court or the probation officer. (11) Permit the person's probation officer to visit the person at reasonable times at the person's home or elsewhere. (12) Remain within the jurisdiction of the court, unless granted permission to leave by the court or by the person's probation officer. (13) Answer all reasonable inquiries by the court or the person's probation officer and promptly notify the court or probation officer of any change in address or employment. (14) Perform uncompensated work that benefits the community. (15) Satisfy other conditions reasonably related to the person's rehabilitation. (16) Undergo home detention under IC 35-38-2.5. (17) Undergo a laboratory test or series of tests approved by the Indiana department of health to detect and confirm the presence of the human immunodeficiency virus (HIV) antigen or antibodies to the human immunodeficiency virus (HIV), if: (A) the person had been convicted of an offense relating to a criminal sexual act and the offense created an epidemiologically demonstrated risk of transmission of the human immunodeficiency virus (HIV); or (B) the person had been convicted of an offense relating to a controlled substance and the offense involved: (i) the delivery by any person to another person; or (ii) the use by any person on another person; of a contaminated sharp (as defined in IC 16-41-16-2) or other paraphernalia that creates an epidemiologically demonstrated risk of transmission of HIV by involving percutaneous contact. (18) Refrain from any direct or indirect contact with an individual and, if convicted of an offense under IC 35-46-3, any animal belonging to the individual. (19) Execute a repayment agreement with the appropriate governmental entity or with a person for reasonable costs incurred because of the taking, detention, or return of a missing child (as defined in IC 10-13-5-4). (20) Periodically undergo a laboratory chemical test (as defined in IC 9-13-2-22) or series of chemical tests as specified by the court to detect and confirm the presence of a controlled substance (as defined in IC 35-48-1-9). The person on probation is responsible for any charges resulting from a test and shall have the results of any test under this subdivision reported to the person's probation officer by the laboratory. (21) If the person was confined in a penal facility, execute a reimbursement plan as directed by the court and make repayments under the plan to the authority that operates the penal facility for all or part of the costs of the person's confinement in the penal facility. The court shall fix an amount that: (A) may not exceed an amount the person can or will be able to pay; (B) does not harm the person's ability to reasonably be self supporting or to reasonably support any dependent of the person; and (C) takes into consideration and gives priority to any other restitution, reparation, repayment, or fine the person is required to pay under this section. (22) Refrain from owning, harboring, or training an animal. (23) Participate in a reentry court program. (24) Receive: (A) addiction counseling; (B) mental health counseling; (C) inpatient detoxification; and (D) medication assisted treatment, including a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence. (b) When a person is placed on probation, the person shall be given a written statement specifying: (1) the conditions of probation; and (2) that if the person violates a condition of probation during the probationary period, a petition to revoke probation may be filed before the earlier of the following: (A) One (1) year after the termination of probation. (B) Forty-five (45) days after the state receives notice of the violation. (c) As a condition of probation, the court may require that the person serve a term of imprisonment in an appropriate facility at the time or intervals (consecutive or intermittent) within the period of probation the court determines. (d) Intermittent service may be required only for a term of not more than sixty (60) days and must be served in the county or local penal facility. The intermittent term is computed on the basis of the actual days spent in confinement and shall be completed within one (1) year. A person does not earn good time credit while serving an intermittent term of imprisonment under this subsection. When the court orders intermittent service, the court shall state: (1) the term of imprisonment; (2) the days or parts of days during which a person is to be confined; and (3) the conditions. (e) Supervision

of a person may be transferred from the court that placed the person on probation to a court of another jurisdiction, with the concurrence of both courts. Retransfers of supervision may occur in the same manner. This subsection does not apply to transfers made under IC 11-13-4 or IC 11-13-5. (f) When a court imposes a condition of probation described in subsection (a)(18): (1) the clerk of the court shall comply with IC 5-2-9; and (2) the prosecuting attorney shall file a confidential form prescribed or approved by the office of judicial administration with the clerk. (g) As a condition of probation, a court shall require a person: (1) who is described in IC 10-13-6-10(a); (2) who has not previously provided a DNA sample in accordance with IC 10-13-6; and (3) whose sentence does not involve a commitment to the department of correction; to provide a DNA sample as a condition of probation. (h) If a court imposes a condition of probation described in subsection (a)(4), the person on probation is responsible for any costs resulting from the participation in a program, class, or service. Any costs collected for services provided by the probation department shall be deposited in the county or local supplemental adult services fund. As added by P.L.1-1991, SEC.198. Amended by P.L.2-1992, SEC.879; P.L.23-1994, SEC.16; P.L.1-1995, SEC.75; P.L.293-1995, SEC.1; P.L.76-2002, SEC.1; P.L.2-2003, SEC.91; P.L.60-2006, SEC.9; P.L.140-2006, SEC.24 and P.L.173-2006, SEC.24; P.L.1-2007, SEC.227; P.L.125-2007, SEC.8; P.L.234-2007, SEC.170; P.L.3-2008, SEC.249; P.L.111-2009, SEC.8; P.L.40-2012, SEC.20; P.L.147-2012, SEC.9; P.L.13-2013, SEC.138; P.L.74-2015, SEC.20; P.L.187-2015, SEC.47; P.L.209-2015, SEC.23; P.L.111-2017, SEC.10; P.L.161-2018, SEC.123; P.L.56-2023, SEC.321.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2. Probation35-38-2-2.4. Conditions of Probation for Sex Offenders

Sec. 2.4. As a condition of probation, the court may require a sex offender (as defined in IC 11-8-8-4.5) to: (1) participate in a treatment program for sex offenders approved by the court; and (2) avoid contact with any person who is less than sixteen (16) years of age unless the probationer: (A) receives the court's approval; or (B) successfully completes the treatment program referred to in subdivision (1). As added by P.L.11-1994, SEC.15. Amended by P.L.238-2001, SEC.20; P.L.116-2002, SEC.22; P.L.140-2006, SEC.25 and P.L.173-2006, SEC.25; P.L.1-2010, SEC.142.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2. Probation35-38-2-2.5. Residency Requirements for Certain Offenders

Sec. 2.5. (a) As used in this section, "offender" means an individual convicted of a sex offense. (b) As used in this section, "sex offense" means any of the following: (1) Rape (IC 35-42-4-1). (2) Criminal deviate conduct (IC 35-42-4-2) (repealed). (3) Child molesting (IC 35-42-4-3). (4) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)). (5) Vicarious sexual gratification (IC 35-42-4-5). (6) Child solicitation (IC 35-42-4-6). (7) Child seduction (IC 35-42-4-7). (8) Sexual battery (IC 35-42-4-8). (9) Sexual misconduct with a minor as a felony (IC 35-42-4-9). (10) Incest (IC 35-46-1-3). (c) A condition of remaining on probation or parole after conviction for a sex offense is that the offender not reside within one (1) mile of the residence of the victim of the offender's sex offense. (d) An offender: (1) who will be placed on probation shall provide the sentencing court and the probation department with the address where the offender intends to reside during the period of probation: (A) at the time of sentencing if the offender will be placed on probation without first being incarcerated; or (B) before the offender's release from incarceration if the offender will be placed on probation after completing a term of incarceration; or (2) who will be placed on parole shall provide the parole board with the address where the offender intends to reside during the period of parole. (e) An offender, while on probation or parole, may not establish a new residence within one (1) mile of the residence of the victim of the offender's sex offense unless the offender first obtains a waiver from the: (1) court, if the offender is placed on probation; or (2) parole board, if the offender is placed on parole; for the change of address under subsection (f). (f) The court or parole board may waive the requirement set forth in subsection (c) only if the court or parole board, at a hearing at which the offender is present and of which the prosecuting attorney has been notified, determines that: (1) the offender has successfully completed a sex offender treatment program during the period of probation or parole; (2) the offender is in compliance with all terms of the offender's probation or parole; and (3) good cause exists to allow the offender to reside within one (1) mile of the residence of the victim of the offender's sex offense. However, the court or parole board may not grant a waiver under this subsection if the offender is a sexually violent predator under IC 35-38-1-7.5 or if the offender is an offender against children under IC 35-42-4-11. (g) If the court or parole board grants a waiver under subsection (f), the court or parole board shall state in writing the reasons for granting the waiver. The court's written statement of its reasons shall be incorporated into the record. (h) The address of the victim of the offender's sex offense is confidential even if the court or parole board grants a waiver under subsection (f). As added by P.L.116-2002, SEC.23. Amended by P.L.6-2006, SEC.6; P.L.139-2006, SEC.4, P.L.140-2006, SEC.26, and P.L.173-2006, SEC.26; P.L.216-2007, SEC.41; P.L.158-2013, SEC.399; P.L.214-2013, SEC.34; P.L.13-2016, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2. Probation35-38-2-2.6. Conditions of Probation or Parole for Persons Convicted of Stalking

Sec. 2.6. (a) As a condition of remaining on probation or parole after a conviction for stalking (IC 35-45-10-5), a court may prohibit a person from residing within one thousand (1,000) feet of the residence of the victim of the stalking for a period that does not exceed five (5) years. (b) A person: (1) who will be placed on probation shall provide the sentencing court and the probation department with the address where the person intends to reside during the period of probation: (A) at the time of sentencing if the person will be placed on probation without first being incarcerated; or (B) before the person's release from incarceration if the

person will be placed on probation after completing a term of incarceration; or (2) who will be placed on parole shall provide the parole board with the address where the person intends to reside during the period of parole. (c) A person, while on probation or parole, may not reside within one thousand (1,000) feet of the residence of the victim of the stalking unless the person first obtains a waiver under subsection (d) from the: (1) court, if the person is placed on probation; or (2) parole board, if the person is placed on parole. (d) The court or parole board may waive the requirement set forth in subsection (c) only if the court or parole board, at a hearing at which the person is present and of which the prosecuting attorney has been notified, determines that: (1) the person is in compliance with all terms of the person's probation or parole; and (2) good cause exists to allow the person to reside within one thousand (1,000) feet of the residence of the victim of the stalking. (e) If the court or parole board grants a waiver under subsection (d), the court or parole board shall state in writing the reasons for granting the waiver. The court's written statement of its reasons shall be incorporated into the record. (f) The address of the victim of the stalking is confidential even if the court or parole board grants a waiver under subsection (d). As added by P.L.140-2006, SEC.27 and P.L.173-2006, SEC.27.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2. Probation35-38-2-2.7. Prohibition on Use of Social Media, Instant Messaging, or Chat Rooms

Sec. 2.7. As a condition of probation or parole after conviction for a sex offense (as defined in IC 11-8-8-5.2), the court shall prohibit the convicted person from using a social networking web site or an instant messaging or chat room program to communicate with a child less than sixteen (16) years of age. However, the court may permit the offender to communicate using a social networking web site or an instant messaging or chat room program with: (1) the offender's own child, stepchild, or sibling; or (2) another relative of the offender specifically named in the court's order. As added by P.L.247-2013, SEC.4. Amended by P.L.5-2022, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2. Probation35-38-2-2.8. Prohibition Against Owning, Harboring, or Training a Companion Animal as a Condition of Parole

Sec. 2.8. (a) The following definitions apply throughout this section: (1) "Animal abuse offense" means one (1) or more of the following: (A) IC 35-46-3-7 (abandonment or neglect of a vertebrate animal). (B) IC 35-46-3-8 (purchase or possession of an animal for use in an animal fighting contest). (C) IC 35-46-3-8.5 (possession of animal fighting paraphernalia). (D) IC 35-46-3-9 (promotion, use of animals, or attendance with animal at animal fighting contest). (E) IC 35-46-3-9.5 (promoting an animal fighting contest). (F) IC 35-46-3-11 (cruelty to a law enforcement animal). (G) IC 35-46-3-11.3 (cruelty to a search and rescue dog). (H) IC 35-46-3-11.5 (cruelty to a service animal). (I) IC 35-46-3-12 (torture or mutilation of a vertebrate animal; killing a domestic animal). (J) IC 35-46-3-12.5 (domestic violence animal cruelty). (K) IC 35-46-3-13 (removal of attack dog's vocal cords; animal cruelty). (L) IC 35-46-3-14 (bestiality). (M) IC 35-46-3-15 (electrocution or decompression of animals). (2) "Companion animal" means a dog or cat that is not a service animal (as defined in IC 35-46-3-11.5). (b) As a condition of probation or parole after conviction for an animal abuse offense, the court shall prohibit the convicted person from owning, harboring, or training a companion animal. As added by P.L.37-2019, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2. Probation35-38-2-2.9. Court Must Inform Offenders Against Children of Statutory Residency Restrictions

Sec. 2.9. As a condition of probation, the court shall inform an offender against children (as described in IC 35-42-4-11) of the residency restrictions described in IC 35-42-4-11(c)(1). As added by P.L.220-2019, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 2. Probation35-38-2-3. Violation of Conditions of Probation

Sec. 3. (a) The court may revoke a person's probation if: (1) the person has violated a condition of probation during the probationary period; and (2) the petition to revoke probation is filed during the probationary period or before the earlier of the following: (A) One (1) year after the termination of probation. (B) Forty-five (45) days after the state receives notice of the violation. (b) When a petition is filed charging a violation of a condition of probation, the court may: (1) order a summons to be issued to the person to appear; or (2) order a warrant for the person's arrest if there is a risk of the person's fleeing the jurisdiction or causing harm to others. (c) The issuance of a summons or warrant tolls the period of probation until the final determination of the charge. (d) Except as provided in subsection (e), the court shall conduct a hearing concerning the alleged violation. The court may admit the person to bail pending the hearing. A person who is not admitted to bail pending the hearing may not be held in jail for more than fifteen (15) days without a hearing on the alleged violation of probation. (e) A person may admit to a violation of probation and waive the right to a probation violation hearing after being offered the opportunity to consult with an attorney. If the person admits to a violation and requests to waive the probation violation hearing, the probation officer shall advise the person that by waiving the right to a probation violation hearing the person forfeits the rights provided in subsection (f). The sanction administered must follow the schedule of progressive probation violation sanctions adopted by the judicial conference of Indiana under IC 11-13-1-8. (f) Except as provided in subsection (e), the state must prove the violation by a preponderance of the evidence. The evidence shall be presented

in open court. The person is entitled to confrontation, cross-examination, and representation by counsel. (g) Probation may not be revoked for failure to comply with conditions of a sentence that imposes financial obligations on the person unless the person recklessly, knowingly, or intentionally fails to pay. (h) If the court finds that the person has violated a condition at any time before termination of the period, and the petition to revoke is filed within the probationary period, the court may impose one (1) or more of the following sanctions: (1) Continue the person on probation, with or without modifying or enlarging the conditions. (2) Extend the person's probationary period for not more than one (1) year beyond the original probationary period. (3) Order execution of all or part of the sentence that was suspended at the time of initial sentencing. (i) If the court finds that the person has violated a condition of home detention at any time before termination of the period, and the petition to revoke probation is filed within the probationary period, the court shall: (1) order one (1) or more sanctions as set forth in subsection (h); and (2) provide accrued time and good time credit, if applicable, as set forth under IC 35-38-2.5-5. (j) If the court finds that the person has violated a condition during any time before the termination of the period, and the petition is filed under subsection (a) after the probationary period has expired, the court may: (1) reinstate the person's probationary period, with or without enlarging the conditions, if the sum of the length of the original probationary period and the reinstated probationary period does not exceed the length of the maximum sentence allowable for the offense that is the basis of the probation; or (2) order execution of all or part of the sentence that was suspended at the time of the initial sentencing. (k) If the court finds that the person has violated a condition of home detention during any time before termination of the period, and the petition is filed under subsection (a) after the probation period has expired, the court shall: (1) order a sanction as set forth in subsection (j); and (2) provide accrued time and good time credit, if applicable, as set forth under IC 35-38-2.5-5. (l) A judgment revoking probation is a final appealable order. (m) Failure to pay fines or costs (including fees) required as a condition of probation may not be the sole basis for commitment to the department of correction. (n) Failure to pay fees or costs assessed against a person under IC 33-40-3-6, IC 33-37-2-3(e), or IC 35-33-7-6 is not grounds for revocation of probation. As added by P.L.311-1983, SEC.3. Amended by P.L.67-1990, SEC.12; P.L.214-1991, SEC.1; P.L.240-1991(ss2), SEC.94; P.L.1-1992, SEC.179; P.L.216-1996, SEC.15; P.L.166-2001, SEC.1; P.L.98-2004, SEC.152; P.L.13-2005, SEC.1; P.L.156-2007, SEC.5; P.L.48-2008, SEC.1; P.L.106-2010, SEC.11; P.L.147-2012, SEC.10; P.L.74-2015, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 3. Commitment to the Department of Correction and Maximum, Medium, and Minimum Security Assignments35-38-3-1. Definitions

Sec. 1. As used in this chapter: "Earliest possible release date" means the date, computed as of the date of sentencing, on which a person would be entitled to discharge or release on parole considering: (1) the term of the sentence; (2) the term of any other concurrent or consecutive sentence that the person must serve; (3) credit time that the person has earned before sentencing; and (4) the maximum amount of credit time that the person would earn if the person remained in a Class I, Class A, or Class B credit time assignment during the person's period of commitment. "Rated capacity" means the number of inmates that can be housed at the facility as determined by the most recent jail inspection report. "Receiving authority" means: (1) the department of correction; (2) a sheriff, if incarceration is authorized in a county jail; or (3) a facility or place designated by the department of correction. As added by P.L.311-1983, SEC.3. Amended by P.L.158-2013, SEC.401; P.L.168-2014, SEC.61.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 3. Commitment to the Department of Correction and Maximum, Medium, and Minimum Security Assignments35-38-3-2. Certification of Judgment of Conviction and Sentence to Receiving Authority; Contents of Judgment; Commencement of Term of Imprisonment

Sec. 2. (a) When a convicted person is sentenced to imprisonment, the court shall, without delay, certify, under the seal of the court or through any electronic means approved by the department of correction, copies of the judgment of conviction and sentence to the receiving authority. (b) The judgment must include: (1) the crime for which the convicted person is adjudged guilty and the classification of the criminal offense; (2) the period, if any, for which the person is rendered incapable of holding any office of trust or profit; (3) the amount of the fines or costs (including fees) assessed, if any, whether or not the convicted person is indigent, and the method by which the fines or costs (including fees) are to be satisfied; (4) the amount of credit time earned for time spent in confinement before sentencing, including time on pretrial home detention; and (5) the amount to be credited toward payment of the fines or costs (including fees) for time spent in confinement before sentencing. (c) The judgment may specify the degree of security recommended by the court. (d) A term of imprisonment begins on the date sentence is imposed, unless execution of the sentence is stayed according to law. As added by P.L.311-1983, SEC.3. Amended by P.L.119-2008, SEC.17; P.L.106-2010, SEC.12; P.L.74-2015, SEC.24; P.L.37-2023, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 3. Commitment to the Department of Correction and Maximum, Medium, and Minimum Security Assignments35-38-3-3. No Commitment of Misdemeanants to the Department of Correction; Exceptions; Sheriff's per Diem for Offenders Not Committed to the Department; Deposit in County General Fund; Use of Revenue

Sec. 3. (a) Except as provided by subsection (b), a person convicted of a misdemeanor may not be committed to the department of correction. (b) Upon a request from the sheriff, the commissioner may agree to accept custody of a misdemeanant: (1) if placement in the county jail: (A) places the inmate in danger of serious bodily injury or death; or (B) represents a substantial threat to the safety

of others; (2) for other good cause shown; or (3) if a person has more than five hundred forty-seven (547) days remaining before the person's earliest release date as a result of: (A) consecutive misdemeanor sentences; or (B) a sentencing enhancement applied to a misdemeanor sentence. (c) This subsection applies only to a person convicted of a Level 6 felony for an offense committed after June 30, 2022. A court may commit a person convicted of a Level 6 felony for an offense committed after June 30, 2022, to the department of correction. (d) This subsection applies only to a person convicted of a Level 6 felony for an offense committed before July 1, 2022. A court may not commit a person convicted of a Level 6 felony for an offense committed before July 1, 2022, to the department of correction unless: (1) the commitment is due to the revocation of the person's sentence for violating probation, parole, or community corrections and the revocation of the person's sentence is due to a new criminal offense; (2) the person is convicted of a Level 6 felony that was committed in a penal facility; or (3) the person: (A) is convicted of a Level 6 felony and the sentence for that felony is ordered to be served consecutively to the sentence for another felony; (B) is convicted of a Level 6 felony that is enhanced by an additional fixed term under IC 35-50-2-8 through IC 35-50-2-16; (C) has received an enhanced sentence under IC 9-30-15.5-2; (D) is a violent offender as defined in IC 35-31.5-2-352(1); or (E) has two (2) prior unrelated felony convictions; and the person's earliest possible release date is more than three hundred sixty-five (365) days after the date of sentencing; or (4) the commitment is due to an agreement made between the sheriff and the department of correction under IC 11-12-6.5. A person who may not be committed to the department of correction may be placed on probation, committed to the county jail, or placed in community corrections for assignment to an appropriate community corrections program. (e) Subject to appropriation from the general assembly, a sheriff is entitled to a per diem and medical expense reimbursement from the department of correction for the cost of incarcerating a person described in subsections (c) and (d) in a county jail. The sheriff is entitled to a per diem and medical expense reimbursement only for the time that the person described in subsections (c) and (d) is incarcerated in the county jail. (f) Per diem and medical expense reimbursements received by a county under this section or received by a county from the state under any other law for the purpose of reimbursing sheriffs for the cost of incarcerating in county jails persons convicted of felonies: (1) shall be deposited in the county general fund; and (2) upon appropriation by the county fiscal body, shall be used by the county sheriff only for the purposes of paying the costs of incarcerating in the county jail persons described in subsections (c) and (d) or other persons convicted of felonies. (g) The county auditor shall semiannually provide to the county fiscal body and the county sheriff an itemized record of the per diem and medical expense reimbursements received by the county under this section or under any other law for the purpose of reimbursing sheriffs for the cost of incarcerating persons convicted of felonies. As added by P.L.311-1983, SEC.3. Amended by P.L.242-1999, SEC.10; P.L.168-2014, SEC.62; P.L.179-2015, SEC.17; P.L.26-2016, SEC.2; P.L.7-2017, SEC.1; P.L.184-2018, SEC.12; P.L.239-2019, SEC.13; P.L.191-2019, SEC.1; P.L.211-2019, SEC.44; P.L.240-2019, SEC.5; P.L.156-2020, SEC.129; P.L.45-2022, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 3. Commitment to the Department of Correction and Maximum, Medium, and Minimum Security Assignments35-38-3-4. Duties of Sheriff

Sec. 4. (a) The sheriff shall: (1) transport the convicted person to a receiving authority; (2) deliver the person to the receiving authority; (3) deliver a copy of the judgment of conviction and sentence; and (4) take from the receiving authority a receipt for the convicted person. (b) The sheriff shall transport the convicted person within five (5) days after the day of sentencing, unless the court orders the sheriff to transport the person within some other specified period. As added by P.L.311-1983, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 3. Commitment to the Department of Correction and Maximum, Medium, and Minimum Security Assignments35-38-3-5. Determination of Degree of Security Assigned to Convicted Person; Change of Degree

Sec. 5. (a) The department, after diagnosis and classification, shall: (1) determine the degree of security (maximum, medium, or minimum) to which a convicted person will be assigned; (2) for each offender convicted of a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) whose sentence for the Class D felony or Level 6 felony is nonsuspendible at the time of the offense under: (A) IC 35-50-2-2.1(a)(1)(B); (B) IC 35-50-2-2.1(a)(1)(C); or (C) IC 35-50-2-2.1(a)(2); (before the repeal of IC 35-50-2-2.1) determine whether the offender is an appropriate candidate for home detention under IC 35-38-2.5; (3) for each offender: (A) committed to the department because the offender has been convicted for the first time of a Class C or Class D felony (for a crime committed before July 1, 2014) or a Level 5 or Level 6 felony (for a crime committed after June 30, 2014); and (B) whose sentence may be suspended; determine whether the offender is an appropriate candidate for home detention under IC 35-38-2.5; (4) notify the trial court and prosecuting attorney if the degree of security assigned differs from the court's recommendations; and (5) petition the sentencing court under IC 35-38-1-21 for review of the sentence of an offender who is not a habitual offender sentenced under IC 35-50-2-8 or IC 35-50-2-10 (repealed), and who the department has determined under subdivision (2) to be an appropriate candidate for home detention. (b) The department may change the degree of security to which the person is assigned. However, if the person is changed to a lesser degree of security during the first two (2) years of the commitment, the department shall notify the trial court and the prosecuting attorney not less than thirty (30) days before the effective date of the changed security assignment. As added by P.L.311-1983, SEC.3. Amended by P.L.182-1988, SEC.1; P.L.98-1988, SEC.7; P.L.164-1993, SEC.9; P.L.158-2013, SEC.402; P.L.10-2019, SEC.132; P.L.72-2023, SEC.11.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 3. Commitment to the Department of Correction and Maximum, Medium, and Minimum Security Assignments35-38-3-6. Classification of Penal Facilities and Programs

Sec. 6. (a) The department shall: (1) classify all penal facilities and programs to which convicted persons may be assigned for supervision or custodial care according to: (A) maximum, medium, or minimum security function; and (B) treatment program available; and (2) furnish the classifications to all judges with general criminal jurisdiction. (b) A maximum security assignment constitutes an assignment of a convicted person to a penal facility and correctional program that are designed to insure that the person remains within a walled or fenced facility where entry and exit of any person occurs only through department supervised gates and where periodic inmate population accounting and supervision by the department occurs each day. (c) A medium security assignment constitutes an assignment of a convicted person to a penal facility and correctional program that are designed to insure that if the person is permitted outside the supervised gates of a walled or fenced facility, the department will provide continuous staff supervision and the person will be accounted for throughout the day. (d) A minimum security assignment constitutes an assignment of a convicted person to a work release center or program, to intermittent service of a sentence, or to a program requiring weekly reporting to a designated official. Assignment to minimum security need not involve a penal facility. As added by P.L.311-1983, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 4. Appeals35-38-4-1. Appeals by Defendant as Matter of Right and According to This Chapter; Decisions and Orders Reviewable

Sec. 1. (a) An appeal to the supreme court or the court of appeals may be taken by the defendant: (1) as a matter of right from any judgment in a criminal action; and (2) in accordance with this chapter. (b) Any decision of the court or intermediate order made during the proceedings may be reviewed. As added by P.L.311-1983, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 4. Appeals35-38-4-2. Appeals by State as Provided by Court Rules for Certain Cases

Sec. 2. (a) Appeals to the supreme court or to the court of appeals, as provided by court rules, may be taken by the state as of right in the following cases: (1) From an order granting a motion to dismiss one (1) or more counts of an indictment or information. (2) From an order granting a motion to discharge a defendant before trial for any reason, including delay commencing trial or after the defendant's plea of former jeopardy. (3) From an order granting a motion to correct errors. (4) Upon a question reserved by the state, if the defendant is acquitted. (5) From an order granting a motion to suppress evidence, if the ultimate effect of the order is to preclude further prosecution of one (1) or more counts of an information or indictment. (b) The state may appeal an interlocutory order to the supreme court or to the court of appeals, as provided by court rules, if the trial court certifies the appeal and the court on appeal finds that: (1) the state will suffer substantial expense, damage, or injury if the order is erroneous and the determination thereof is withheld until after judgment; (2) the order involves a substantial question of law, the early determination of which will promote a more orderly disposition of the case; or (3) the remedy by appeal after judgment is otherwise inadequate. (c) An interlocutory order that may be appealed by the state under subsection (b) includes but is not limited to: (1) any order granting a motion to suppress evidence that is substantially important to the prosecution and does not have the ultimate effect of precluding further prosecution; and (2) any discovery order claimed to violate a court rule, statute, or case law. As added by P.L.311-1983, SEC.3. Amended by P.L.110-2015, SEC.2; P.L.112-2021, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 4. Appeals35-38-4-3. Appeals From Question Reserved on Part of State

Sec. 3. In case of an appeal from a question reserved on the part of the state, it is not necessary for the clerk of the court to certify in the transcript any part of the proceedings and record except the pleadings, the motion to correct errors, and the judgment of acquittal. When the question reserved is defectively stated, the supreme court or the court of appeals may direct any part of the proceedings and record to be certified to such court. As added by P.L.311-1983, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 4. Appeals35-38-4-4. Effect of Appeal Taken by State

Sec. 4. An appeal taken by the state does not stay, or affect the operation of, the judgment in favor of the defendant until the judgment is reversed. However, if an appeal is taken by the state from an order or judgment by which the defendant is discharged before trial, the order or judgment does not constitute a bar to further prosecution of the defendant. As added by P.L.311-1983, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 4. Appeals35-38-4-5. Defendants Tried Jointly; Appeal by One or More

Sec. 5. When defendants are tried jointly, any one (1) or more of them may take an appeal. However, those who do not join in the appeal are not affected by it. As added by P.L.311-1983, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 4. Appeals35-38-4-6. Stay of Execution of Sentence

Sec. 6. (a) An appeal to the supreme court or to the court of appeals from a judgment of conviction does not stay the execution of the sentence, unless: (1) the punishment is to be death; or (2) the judgment is for a fine and costs (including fees) only, in which case the execution of the sentence may be stayed by an order of the court. (b) If the punishment is to be imprisonment and a fine and costs (including fees), the execution of the sentence as to the fine and costs (including fees) only may be stayed by the court. (c) In the case of an appeal from a judgment in a capital case, the order of suspension must specify the day until which the execution of the sentence is stayed. As added by P.L.311-1983, SEC.3. Amended by P.L.106-2010, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 4. Appeals35-38-4-7. Reimbursement of Retrial Expenses

Sec. 7. (a) This section applies to state reimbursement of expenses for conducting a new trial if: (1) a defendant is convicted of an offense in a criminal proceeding conducted in a trial court; (2) the defendant appeals the defendant's conviction to the Indiana court of appeals or Indiana supreme court; and (3) the court of appeals or supreme court remands the case to the trial court for a new trial. (b) Subject to subsection (d), the state shall reimburse the trial court, the prosecuting attorney, and, if the defendant is represented by a public defender, the public defender for expenses: (1) incurred by the trial court, prosecuting attorney, and public defender in conducting a new trial described in subsection (a); and (2) that would ordinarily be paid by the county in which the trial court is located. (c) The expenses of a trial court, prosecuting attorney, and public defender reimbursed under this section: (1) may not include any salary or other remuneration paid to a trial court judge, prosecuting attorney, deputy prosecuting attorney, or public defender; and (2) must be paid from money in the state general fund. (d) The office of judicial administration (IC 33-24-6-1) shall administer a program to pay claims for reimbursement under this section. The maximum amount that may be reimbursed for all proceedings and all offenses arising out of the same facts is fifty thousand dollars ($50,000). The maximum amount that may be paid in any particular year for all expenses otherwise eligible for reimbursement under this section is one million dollars ($1,000,000). If the total of all claims that would otherwise be eligible for reimbursement under this section exceeds the maximum amount that may be reimbursed under this subsection, the office of judicial administration shall prorate reimbursement of eligible expenses, as determined by the office of judicial administration. As added by P.L.234-2007, SEC.71. Amended by P.L.3-2008, SEC.250; P.L.161-2018, SEC.124.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 5. Expungement of Arrest Records35-38-5-5. Petition to Limit Access to Limited Criminal History of Person Discharged From Probation, Imprisonment, or Parole

Sec. 5. (a) This section does not apply to a request to a law enforcement agency for the release or inspection of a limited criminal history to a noncriminal justice organization or individual whenever the subject of the request is described in IC 10-13-3-27(a)(8) or IC 10-13-3-27(a)(12). (b) A person may petition the state police department to limit access to the person's limited criminal history to criminal justice agencies if more than fifteen (15) years have elapsed since the date the person was discharged from probation, imprisonment, or parole (whichever is later) for the last conviction for a crime. (c) When a petition is filed under subsection (b), the state police department shall not release limited criminal history to noncriminal justice agencies under IC 10-13-3-27. As added by P.L.311-1983, SEC.3. Amended by P.L.56-1998, SEC.18; P.L.10-1999, SEC.3; P.L.2-2003, SEC.92; P.L.2-2005, SEC.124.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 5. Expungement of Arrest Records35-38-5-6. Violation of Chapter

Sec. 6. A law enforcement officer who violates this chapter commits a Class B misdemeanor. As added by P.L.311-1983, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 6. Execution of Death Sentence35-38-6-1. Execution of Death Sentence; Specified Time and Date; Executioner; Lethal Injection

Sec. 1. (a) The punishment of death shall be inflicted by intravenous injection of a lethal substance or substances into the convicted person: (1) in a quantity sufficient to cause the death of the convicted person; and (2) until the convicted person is dead. (b) The death penalty shall be inflicted before the hour of sunrise on a date fixed by the sentencing court. However, the execution must not occur until at least one hundred (100) days after the conviction. (c) The warden of the state prison, or persons designated by the warden, shall designate the person who is to serve as the executioner. (d) The department of correction may adopt rules under IC 4-22-2 necessary to implement subsection (a). (e) The department of correction may make and enter into a contract with an outsourcing facility, a wholesale drug distributor (as defined in IC 25-26-14-12), a pharmacy (as defined in IC 25-26-13-2), or a pharmacist (as defined in IC 25-26-13-2) for the issuance or compounding of a lethal substance necessary to carry out an execution by lethal injection. A lethal substance provided to the department of correction under this subsection may be used only for the

purpose of carrying out an execution by lethal injection. The issuance or compounding of a lethal substance under this subsection: (1) does not constitute the practice of pharmacy (as defined in IC 25-26-13-2); (2) is not subject to the jurisdiction of the Indiana board of pharmacy, the medical licensing board of Indiana, the Indiana department of health, or the Indiana professional licensing agency; and (3) is exempt from the provisions of IC 25. A pharmacist, a pharmacy, a wholesale drug distributor, or an outsourcing facility that provides a lethal substance to the department of correction under this subsection shall label the lethal substance with the name of the lethal substance, its dosage, a projected expiration date, and a statement that the lethal substance shall be used only by the department of correction for the purpose of carrying out an execution by lethal injection. (f) The following are confidential, are not subject to discovery, and may not be introduced as evidence in any civil or criminal proceeding: (1) The identity of a person described in subsection (e) that enters into a contract with the department of correction under subsection (e) for the issuance or compounding of lethal substances necessary to carry out an execution by lethal injection. (2) The identity of an officer, an employee, or a contractor of a person described in subdivision (1). (3) The identity of a person contracted by a person described in subdivision (1) to obtain equipment or a substance to facilitate the compounding of a lethal substance described in subsection (e). (4) Information reasonably calculated to lead to the identity of a person described in this subsection, including a: (A) name; (B) residential or business address; (C) residential or office telephone number; and (D) Social Security number or tax identification number. This subsection applies retroactively to any request for information, discovery request, or proceeding, no matter when made or initiated. As added by P.L.311-1983, SEC.3. Amended by P.L.294-1995, SEC.1; P.L.20-2002, SEC.1; P.L.217-2017, SEC.158; P.L.67-2017, SEC.15; P.L.86-2018, SEC.334; P.L.56-2023, SEC.322.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 6. Execution of Death Sentence35-38-6-10. Suspension of Execution of Sentence When Condemned Woman Is Pregnant; Certification of Physicians

Sec. 10. If the physician of the state prison and one (1) other physician certify in writing to the warden of the state prison and the sentencing court that a condemned woman is pregnant, the warden shall suspend the execution of the sentence. When the state prison physician and one (1) other physician certify in writing to the warden of the state prison and the sentencing court that the woman is no longer pregnant, the sentencing court shall immediately fix a new execution date. As added by P.L.311-1983, SEC.3. Amended by P.L.20-2002, SEC.8; P.L.67-2017, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 6. Execution of Death Sentence35-38-6-2. Court to Issue Warrant to Sheriff; Contents

Sec. 2. The court in which a death sentence is ordered shall issue a warrant to the sheriff within fourteen (14) days of the sentence: (1) that is under the seal of the court; (2) that contains notice of the conviction and the sentence; (3) that is directed to the warden of the state prison; and (4) that orders the warden to execute the convicted person at a specified time and date in the state prison. As added by P.L.311-1983, SEC.3. Amended by P.L.20-2002, SEC.2; P.L.67-2017, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 6. Execution of Death Sentence35-38-6-3. Delivery of Person to Warden; Receipt of Delivery of Person

Sec. 3. A sheriff who receives a warrant under section 2 or section 7 of this chapter shall immediately: (1) transport the person to the state prison; (2) deliver the person and the warrant to the warden of the prison; (3) obtain a receipt for the delivery of the person; and (4) deliver the receipt to the clerk of the sentencing court. As added by P.L.311-1983, SEC.3. Amended by P.L.20-2002, SEC.3; P.L.67-2017, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 6. Execution of Death Sentence35-38-6-4. Confinement of Convicted Person; Segregation of Female Prisoner; Visits by Certain Persons

Sec. 4. (a) The convicted person shall be confined in the state prison until the date of the convicted person's execution. The convicted person may temporarily be held in a maximum security facility for security purposes or during renovation of the state prison. A convicted female shall be confined in a maximum security women's prison until not more than thirty (30) days before the date of her execution. A convicted female shall be segregated from male prisoners after her transfer from the women's prison. (b) The convicted person's: (1) attorney; (2) physician; (3) relatives; (4) friends; and (5) spiritual advisor; may visit the convicted person while the convicted person is confined. The department of correction shall adopt rules, under IC 4-22-2, governing such visits. As added by P.L.311-1983, SEC.3. Amended by P.L.20-2002, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 6. Execution of Death Sentence35-38-6-5. Place of Execution of Death Sentence

Sec. 5. The execution must take place inside the walls of the state prison in a room arranged for that purpose. The department of correction shall provide the necessary room and appliances to carry out the execution as provided in this chapter. As added by P.L.311-1983, SEC.3. Amended by P.L.294-1995, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 6. Execution of Death Sentence35-38-6-6. Persons Permitted to Be Present at Execution of Death Sentence; Exclusion of Persons for Safety or Security Reasons; Confidentiality of Identity of Persons Assisting in Execution

Sec. 6. (a) Only the following persons may be present at the execution: (1) The warden of the state prison. (2) The person designated by the warden of the state prison and any assistants who are necessary to assist in the execution. (3) The prison physician. (4) One (1) other physician. (5) The spiritual advisor of the convicted person. (6) The prison chaplain. (7) Not more than five (5) friends or relatives of the convicted person who are invited by the convicted person to attend. (8) Except as provided in subsection (b), not more than eight (8) of the following members of the victim's immediate family who are at least eighteen (18) years of age: (A) The victim's spouse. (B) One (1) or more of the victim's children. (C) One (1) or more of the victim's parents. (D) One (1) or more of the victim's grandparents. (E) One (1) or more of the victim's siblings. (b) If there is more than one (1) victim, not more than eight (8) persons who are members of the victims' immediate families may be present at the execution. The department shall determine which persons may be present in accordance with procedures adopted under subsection (c). (c) The department shall develop procedures to determine which family members of a victim may be present at the execution if more than eight (8) family members of a victim desire to be present or if there is more than one (1) victim. Upon the request of a family member of a victim, the department shall establish a support room for the use of: (1) an immediate family member of the victim described in subsection (a)(8) who is not selected to be present at the execution; and (2) a person invited by an immediate family member of the victim described in subsection (a)(8) to offer support to the immediate family member. (d) The warden of the state prison may exclude a person from viewing the execution if the warden determines that the presence of the person would threaten the safety or security of the state prison and sets forth this determination in writing. (e) The department of correction: (1) shall keep confidential the identities of persons who assist the warden of the state prison in an execution; and (2) may: (A) classify as confidential; and (B) withhold from the public; any part of a document relating to an execution that would reveal the identity of a person who assists the warden in the execution. As added by P.L.311-1983, SEC.3. Amended by P.L.20-2002, SEC.5; P.L.56-2006, SEC.1; P.L.67-2017, SEC.18.

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Sec. 7. (a) If the convicted person: (1) escapes from custody before the date set for execution; and (2) is recaptured before the date set for execution; the convicted person shall be confined and executed according to the terms of the warrant. (b) If the convicted person: (1) escapes from custody before delivery to the warden of the state prison; and (2) is recaptured after the date set for execution; any person may arrest and commit the convicted person to the jail of the county in which the convicted person was sentenced. The sheriff shall notify the sentencing court of the recapture, and the court shall fix a new date for the execution. The new execution date must not be less than thirty (30) nor more than sixty (60) days after the recapture of the person. The court shall issue a new warrant in the form prescribed by section 2 of this chapter. (c) If the convicted person: (1) escapes from confinement; and (2) is recaptured after the date set for execution; any person may arrest and commit the convicted person to the department of correction. When the convicted person is returned to the department of correction or a facility or place designated by the department of correction, the department shall notify the sentencing court, and the court shall fix a new date for the execution. The new execution date must not be less than thirty (30) nor more than sixty (60) days after the recapture of the person. The court shall issue a warrant to the department of correction directing the superintendent of the state prison to execute the convicted person at a specified time and date in the state prison. As added by P.L.311-1983, SEC.3. Amended by P.L.20-2002, SEC.6; P.L.67-2017, SEC.19.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 6. Execution of Death Sentence35-38-6-8. Suspension of Execution of Death Sentence; Reason for Delay

Sec. 8. (a) If the execution of the death sentence is suspended, the department of correction shall note the reason for the delay on the warrant but shall proceed with the execution when the period of suspension ends. (b) The warrant shall be returned to the clerk of the sentencing court after: (1) the convicted person is executed; (2) the convicted person has been pardoned; (3) the convicted person's judgment has been reversed; (4) the convicted person's sentence has been commuted; or (5) the convicted person dies before his execution; with a statement concerning the completion of the execution or the reason why the person was not executed. As added by P.L.311-1983, SEC.3. Amended by P.L.20-2002, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 6. Execution of Death Sentence35-38-6-9. Application of Chapter to Women Convicted and Sentenced to Death

Sec. 9. The provisions of this chapter in relation to the infliction of the death penalty extend equally, so far as applicable, to the case of any woman convicted and sentenced to death. As added by P.L.311-1983, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-1. Applicability of Chapter

Sec. 1. This chapter applies only to an offense that is any of the following: (1) Murder. (2) A Class A felony (for a crime committed before July 1, 2014) or a Level 1 felony (for a crime committed after June 30, 2014). (3) A Class B felony (for a crime committed before July 1, 2014) or a Level 2 felony (for a crime committed after June 30, 2014). (4) A Class C felony (for a crime committed before July 1, 2014) or a Level 3 felony (for a crime committed after June 30, 2014). (5) A Level 4 felony (for a crime committed after June 30, 2014). (6) A Level 5 felony (for a crime committed after June 30, 2014). As added by P.L.49-2001, SEC.2. Amended by P.L.158-2013, SEC.403.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-10. Method and Payment for Testing

Sec. 10. If the court orders DNA testing and analysis under section 9 of this chapter, the court shall order the method and responsibility for the payment of any costs associated with the DNA testing and analysis. As added by P.L.49-2001, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-11. Appointment of Defense Counsel

Sec. 11. The court may appoint defense counsel for the person who was convicted of the offense at any time during any proceedings under this chapter if the person is indigent. As added by P.L.49-2001, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-12. Selection of Laboratory

Sec. 12. If the court orders DNA testing and analysis under this chapter, the court shall select a laboratory that meets the quality assurance and proficiency testing standards applicable to laboratories conducting forensic DNA analysis under IC 10-13-6. As added by P.L.49-2001, SEC.2. Amended by P.L.2-2003, SEC.94.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-13. Access to Laboratory Reports

Sec. 13. (a) If a prosecuting attorney or defense counsel has previously subjected relevant evidence to DNA testing and analysis, the court may order the prosecuting attorney or defense counsel to provide all the parties and the court with access to the laboratory reports that were prepared in connection with the testing and analysis, including underlying data and laboratory notes. (b) If the court orders DNA testing and analysis under this chapter, the court: (1) shall order the production of any laboratory reports that are prepared in connection with the testing and analysis; and (2) may order the production of any underlying data and laboratory notes. As added by P.L.49-2001, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-14. Preservation of Biological Evidence if a Petition for DNA Testing Is Filed; Preservation of Biological Evidence Following a Vacated Conviction

Sec. 14. (a) If a petition for DNA testing and analysis is filed under this chapter: (1) except as provided in IC 35-33-5-5(g), the court shall order the state to preserve during the pendency of the proceeding all evidence in the state's possession or control that could be subjected to DNA testing and analysis for the later of: (A) twenty (20) years from the date of the defendant's conviction; or (B) the period of the defendant's incarceration. (2) the state shall: (A) prepare an inventory of the evidence in the possession or control of the state that could be subjected to DNA testing and analysis; and (B) submit a copy of the inventory to defense counsel and the court; and (3) if evidence is intentionally destroyed after the court orders its preservation, the court may impose appropriate sanctions. (b) In the event that DNA testing and analysis required under this chapter results in a vacated conviction, all biological evidence shall continue to be preserved in accordance with IC 35-33-5-5(g), and for the latest of the following: (1) Twenty (20) years from the date the conviction was vacated. (2) The period of time the defendant is incarcerated for a subsequent conviction. (3) The remainder of the statute of limitations for the offense. However, the obligation to preserve biological evidence does not apply to a DNA sample taken from the defendant whose conviction was vacated. As added by P.L.49-2001, SEC.2. Amended by P.L.89-2022, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-15. Discretionary Orders by Court; Elimination Samples

Sec. 15. (a) The court may make any other orders under this chapter that the court considers appropriate, including designating any of the following: (1) The type of DNA testing and analysis to be used. (2) That the DNA testing and analysis satisfies the pertinent evidentiary rules concerning the admission of scientific evidence or testimony in the Indiana Rules of Evidence. (3) The procedures to be followed during the DNA testing and analysis. (4) The preservation of some of the sample for replicating the DNA testing and analysis. (5) Elimination samples from third parties. (b) Elimination samples from a third party shall be required only if: (1) the petitioner has been excluded as the perpetrator or accomplice by DNA testing and analysis; or (2) extraordinary circumstances are shown to require the DNA test and analysis. If the court orders elimination samples from a third party, the court shall offer the third

party the choice to provide a sample that can be obtained through the least intrusive method possible. As added by P.L.49-2001, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-16. Notice to Victims and Third Parties

Sec. 16. (a) The prosecuting attorney may provide notification under the procedures of IC 35-40-12 when: (1) the petitioner first files a petition for DNA testing and analysis under this chapter; and (2) the prosecuting attorney knows the name and address of the victim. If the court grants a petition for DNA testing and analysis, the prosecuting attorney shall provide notification if the name and address of the victim are known. A victim shall be notified of the results of the DNA testing and analysis. (b) The name and address of a victim are confidential for purposes of this chapter. (c) Notification of third parties regarding a court order to provide elimination samples shall be through the prosecuting attorney. (d) If a petitioner is exonerated by DNA testing and analysis, the victim shall be notified before the petitioner's release. As added by P.L.49-2001, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-17. Notification of Convicted Person

Sec. 17. Regardless of whether a petition has been filed under this chapter, if: (1) a prosecuting attorney decides to order forensic DNA testing or analysis that was not previously performed on biological evidence that is related to the investigation or prosecution that resulted in a person's conviction; and (2) the testing will consume the remaining biological evidence; the prosecuting attorney must notify the person of the proposed DNA testing and analysis. As added by P.L.49-2001, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-18. Unfavorable Results of Postconviction Testing

Sec. 18. If the results of the postconviction DNA testing and analysis are not favorable to the person who was convicted of the offense, the court: (1) shall dismiss the person's petition; and (2) may make any further orders that the court determines to be appropriate, including any of the following: (A) An order providing for notification of the parole board or a probation department. (B) An order requesting that the petitioner's sample be added to the Indiana data base established under IC 10-13-6. As added by P.L.49-2001, SEC.2. Amended by P.L.2-2003, SEC.95.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-19. Favorable Results of Postconviction Testing

Sec. 19. Notwithstanding any law that would bar a trial as untimely, if the results of postconviction DNA testing and analysis are favorable to the person who was convicted of the offense, the court shall order any of the following: (1) Upon motion of the prosecuting attorney and good cause shown, order retesting of the identified biological material and stay the petitioner's motion for a new trial pending the results of the DNA retesting. (2) Upon joint petition of the prosecuting attorney and the petitioner, order the release of the person. (3) Order a new trial or any other relief as may be appropriate under Indiana law or court rule. As added by P.L.49-2001, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-2. "Dna" Defined

Sec. 2. As used in this chapter, "DNA" refers to deoxyribonucleic acid. As added by P.L.49-2001, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-3. "Offense" Defined

Sec. 3. As used in this chapter, "offense" means a felony to which a petition under this chapter relates. As added by P.L.49-2001, SEC.2. Amended by P.L.1-2002, SEC.147.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-4. "Victim" Defined

Sec. 4. As used in this chapter, "victim" means an individual who would be entitled under IC 35-40-5-8 to receive information about a release of the petitioner. As added by P.L.49-2001, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-5. Petition to Require Testing

Sec. 5. A person who was convicted of and sentenced for an offense may file a written petition with the court that sentenced the petitioner for the offense to require the forensic DNA testing and analysis of any evidence that: (1) is: (A) in the possession or control of a court or the state; or (B) otherwise contained in the Indiana DNA data base established under IC 10-13-6; (2) is related to the investigation or prosecution that resulted in the person's conviction; and (3) may contain biological evidence. As added by P.L.49-2001, SEC.2. Amended by P.L.2-2003, SEC.93.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-6. Notice of Petition to Prosecuting Attorney

Sec. 6. A petitioner must give notice of the petition to the prosecuting attorney for the county where the offense was allegedly committed. As added by P.L.49-2001, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-7. Opportunity to Respond to Petition

Sec. 7. The court shall give the prosecuting attorney an opportunity to respond to the petition. The court may, in its discretion, order a hearing on the petition. As added by P.L.49-2001, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-8. Prima Facie Proof Required

Sec. 8. After complying with section 7 of this chapter, the court shall determine whether the petitioner has presented prima facie proof of the following: (1) That the evidence sought to be tested is material to identifying the petitioner as: (A) the perpetrator of; or (B) an accomplice to; the offense that resulted in the petitioner's conviction. (2) That a sample of the evidence that the petitioner seeks to subject to DNA testing and analysis is in the possession or control of either: (A) the state or a court; or (B) another person, and, if this clause applies, that a sufficient chain of custody for the evidence exists to suggest that the evidence has not been substituted, tampered with, replaced, contaminated, or degraded in any material aspect. (3) The evidence sought to be tested: (A) was not previously tested; or (B) was tested, but the requested DNA testing and analysis will: (i) provide results that are reasonably more discriminating and probative of the identity of the perpetrator or accomplice; or (ii) have a reasonable probability of contradicting prior test results. (4) A reasonable probability exists that the petitioner would not have: (A) been: (i) prosecuted for; or (ii) convicted of; the offense; or (B) received as severe a sentence for the offense; if exculpatory results had been obtained through the requested DNA testing and analysis. As added by P.L.49-2001, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 7. Postconviction DNA Testing and Analysis35-38-7-9. Order for Testing

Sec. 9. If the court makes the findings described in section 8(1), 8(2), 8(3), and 8(4) of this chapter, the court shall order DNA testing and analysis of the evidence. As added by P.L.49-2001, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-0.5. "Collateral Action"

Sec. 0.5. As used in this chapter, "collateral action" means an action or proceeding, including an administrative proceeding, that is factually or legally related to an arrest, a criminal charge, a juvenile delinquency allegation, a conviction, or a juvenile delinquency adjudication. The term includes a proceeding or action concerning a seizure, a civil forfeiture, and a petition for specialized driving privileges. As added by P.L.219-2019, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-0.6. Effect of Chapter; Supplemental Order of Expungement Due to Change in Laws

Sec. 0.6. (a) This chapter does not require any change or alteration in the following: (1) An internal record made by a: (A) law enforcement agency; or (B) public defender agency; that is not intended for release to the public. (2) A nonpublic record that relates to a diversion or deferral program. (3) A disciplinary record or proceeding as it relates to a licensing, certification, or public entity. (b) Except as provided in subsection (c), the changes in this chapter made in SEA 235-2019 as enacted in the 2019 session of the general assembly apply only to an expungement order granted after June 30, 2019. (c) A person whose petition for expungement was granted before July 1, 2019, may file a petition for a supplemental order of expungement under section 9 of this chapter to obtain the benefit of changes in SEA 235-2019 as enacted in the 2019 session of the general assembly, if applicable. As added by P.L.219-2019, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-1. Expunging Arrest Records

Sec. 1. (a) This section applies only to a person who has been arrested, charged with an offense, or alleged to be a delinquent child, if: (1) the arrest, criminal charge, or juvenile delinquency allegation: (A) did not result in a conviction or juvenile adjudication, even if the arrest, criminal charge, or juvenile delinquency allegation resulted in an adjudication for an infraction; or (B) resulted in a conviction or juvenile adjudication and the conviction or adjudication was expunged under sections 2 through 5 of this chapter, or was later vacated; and (2) the person is not currently participating in a pretrial diversion program, unless the prosecuting attorney authorizes the person to petition for an expungement under this section. (b) This subsection applies to a person charged with an

offense or alleged to be a delinquent child after June 30, 2022. If: (1) a court dismisses all: (A) criminal charges; or (B) juvenile delinquency allegations; filed and pending against a person; (2) one (1) year has passed since juvenile delinquency allegations were filed against a child, and: (A) there is no disposition or order of waiver; and (B) the state is not actively prosecuting the allegations; or (3) in a: (A) criminal trial a defendant is acquitted of all charges, or the defendant's conviction is later vacated; or (B) juvenile proceeding the court finds all allegations not true, or the juvenile's true finding is later vacated; the court shall immediately order all records related to the criminal charges or juvenile delinquency allegations expunged. An expungement order that is issued based on nonprosecution under subdivision (2) goes into effect immediately. An expungement order issued under subdivision (1) or (3) may not go into effect earlier than sixty (60) days from the date of the dismissal, acquittal, or no true finding. However, upon motion by the prosecuting attorney, if the court finds that specific facts exist in the particular case which justify a delay, the court may delay implementation of an expungement order under subdivision (1) or (3) for up to one (1) year from the date of the dismissal, acquittal, or no true finding. (c) This subsection applies to a person arrested after June 30, 2022. If: (1) a person is arrested; (2) one (1) year has elapsed since the date of the arrest; and (3) no charges are pending against the person; the person may petition a judge exercising criminal jurisdiction in the county (or a designated judge, if applicable) for expungement, setting forth these facts. Upon receipt of the petition, the judge shall immediately order the expungement of all records related to the arrest. Expungement under this subsection does not shorten the statute of limitations. A prosecuting attorney may still file a charge under this subsection. (d) Not earlier than one (1) year after the date of arrest, criminal charge, or juvenile delinquency allegation (whichever is later), if the person was not convicted or adjudicated a delinquent child, or the opinion vacating the conviction or adjudication becomes final, the person may petition the court for expungement of the records related to the arrest, criminal charge, or juvenile delinquency allegation. However, a person may petition the court for expungement at an earlier time if the prosecuting attorney agrees in writing to an earlier time. (e) A petition for expungement of records must be verified and filed in a circuit or superior court in the county where the criminal charges or juvenile delinquency allegation was filed, or if no criminal charges or juvenile delinquency allegation was filed, in the county where the arrest occurred. The petition must set forth: (1) the date of the arrest, criminal charges, or juvenile delinquency allegation, and conviction (if applicable); (2) the county in which the arrest occurred, the county in which the information or indictment was filed, and the county in which the juvenile delinquency allegation was filed, if applicable; (3) the law enforcement agency employing the arresting officer, if known; (4) the court in which the criminal charges or juvenile delinquency allegation was filed, if applicable; (5) any other known identifying information, such as: (A) the name of the arresting officer; (B) case number or court cause number; (C) any aliases or other names used by the petitioner; (D) the petitioner's driver's license number; and (E) a list of each criminal charge and its disposition, if applicable; (6) the date of the petitioner's birth; and (7) the petitioner's Social Security number. A person who files a petition under this section is not required to pay a filing fee. (f) The court shall serve a copy of the petition on the prosecuting attorney. (g) Upon receipt of a petition for expungement, the court: (1) may summarily deny the petition if the petition does not meet the requirements of this section, or if the statements contained in the petition indicate that the petitioner is not entitled to relief; and (2) shall grant the petition unless: (A) the conditions described in subsection (a) have not been met; or (B) criminal charges are pending against the person. (h) Whenever the petition of a person under this section is granted, or if an expungement order is issued without a petition under subsection (b): (1) no information concerning the arrest, criminal charges, juvenile delinquency allegation, vacated conviction, or vacated juvenile delinquency adjudication (including information from a collateral action that identifies the petitioner), may be placed or retained in any state central repository for criminal history information or in any other alphabetically arranged criminal history information system maintained by a local, regional, or statewide law enforcement agency; (2) the clerk of the supreme court shall seal or redact any records in the clerk's possession that relate to the arrest, criminal charges, juvenile delinquency allegation, vacated conviction, or vacated juvenile delinquency adjudication; (3) the records of: (A) the sentencing court; (B) a court that conducted a collateral action; (C) a juvenile court; (D) a court of appeals; and (E) the supreme court; concerning the person shall be redacted or permanently sealed from public access; and (4) with respect to the records of a person who is named as an appellant or an appellee in an opinion or memorandum decision by the supreme court or the court of appeals, or who is identified in a collateral action, the court shall: (A) redact the opinion or memorandum decision as it appears on the computer gateway administered by the office of technology so that it does not include the petitioner's name (in the same manner that opinions involving juveniles are redacted); and (B) provide a redacted copy of the opinion to any publisher or organization to whom the opinion or memorandum decision is provided after the date of the order of expungement. The supreme court and the court of appeals are not required to redact, destroy, or otherwise dispose of any existing copy of an opinion or memorandum decision that includes the petitioner's name. (i) If the court issues an order granting a petition for expungement under this section, or issues an order for expungement without a petition under subsection (b), the order must include the information described in subsection (e). (j) If a person whose records are expunged brings an action that might be defended with the contents of the expunged records, the defendant is presumed to have a complete defense to the action. In order for the plaintiff to recover, the plaintiff must show that the contents of the expunged records would not exonerate the defendant. The plaintiff may be required to state under oath whether the plaintiff had records in the criminal or juvenile justice system and whether those records were expunged. If the plaintiff denies the existence of the records, the defendant may prove their existence in any manner compatible with the law of evidence. (k) Records expunged or sealed under this section must be removed or sealed in accordance with this section, but may not be deleted or destroyed. Records expunged or sealed under this section remain available to the court and criminal justice agencies as needed to carry out their official duties. As added by P.L.159-2013, SEC.4. Amended by P.L.181-2014, SEC.7; P.L.142-2015, SEC.1; P.L.219-2019, SEC.7; P.L.14-2022, SEC.1; P.L.185-2023, SEC.5; P.L.9-2024, SEC.535.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-10. Unlawful Discrimination Against a Person Whose Record Has Been Expunged; Exceptions

Sec. 10. (a) This section does not apply to a person to whom sealed records may be disclosed under section 6(a)(3) of this chapter. With respect to a person seeking employment with a law enforcement agency or a probation or community corrections department, including volunteer employment, subsections (b), (d), (e), and (f) do not apply to the law enforcement agency or the probation or community corrections department. (b) It is unlawful discrimination for any person to: (1) suspend; (2) expel; (3) refuse to employ; (4) refuse to admit; (5) refuse to grant or renew a license, permit, or certificate necessary to engage in any activity, occupation, or profession; or (6) otherwise discriminate against; any person because of a conviction or arrest record expunged or sealed under this chapter. (c) Except as provided in section 6(f) of this chapter, the civil rights of a person whose conviction has been expunged shall be fully restored, including the right to vote, to hold public office, to be a proper person under IC 35-47-1-7(2), and to serve as a juror. (d) In any application for employment, a license, or other right or privilege, a person may be questioned about a previous criminal record only in terms that exclude expunged convictions or arrests, such as: "Have you ever been arrested for or convicted of a crime that has not been expunged by a court?". (e) A person whose record is expunged shall be treated as if the person had never been convicted of the offense. However, upon a subsequent arrest or conviction for an unrelated offense, the prior expunged conviction: (1) may be considered by the court in determining the sentence imposed for the new offense; (2) is a prior unrelated conviction for purposes of: (A) a habitual offender enhancement; and (B) enhancing the new offense based on a prior conviction; and (3) may be admitted as evidence in the proceeding for a new offense as if the conviction had not been expunged. (f) Any person that discriminates against a person as described in subsection (b) commits a Class C infraction and may be held in contempt by the court issuing the order of expungement or by any other court of general jurisdiction. Any person may file a written motion of contempt to bring an alleged violation of this section to the attention of a court. In addition, the person is entitled to injunctive relief. (g) In any judicial or administrative proceeding alleging negligence or other fault, an order of expungement may be introduced as evidence of the person's exercise of due care in hiring, retaining, licensing, certifying, admitting to a school or program, or otherwise transacting business or engaging in activity with the person to whom the order of expungement was issued. (h) A conviction, including any records relating to the conviction and any records concerning a collateral action, that has been expunged under this chapter is not admissible as evidence in an action for negligent hiring, admission, or licensure against a person or entity who relied on the order. (i) An expungement case, and all documents filed in the case, becomes confidential when the court issues an expungement order. However, until the court issues an expungement order, documents filed in the case are not confidential, and any hearing held in the case shall be open. As added by P.L.159-2013, SEC.4. Amended by P.L.181-2014, SEC.16; P.L.142-2015, SEC.11; P.L.219-2019, SEC.16; P.L.55-2020, SEC.11; P.L.14-2022, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-11. Waiver of Expungement in a Plea Agreement Invalid

Sec. 11. (a) A person may not waive the right to expungement under this chapter as part of a plea agreement. Any purported waiver of the right to expungement in a plea agreement is invalid and unenforceable as against public policy. (b) This section does not prohibit the finding of a waiver of the right to expungement based on a failure to comply with the provisions of this chapter. As added by P.L.181-2014, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-12. Penalties for Disclosing an Expunged Conviction

Sec. 12. A criminal history provider (as defined in IC 24-4-18-2) that provides a criminal history report containing an expunged conviction is subject to the penalties described in IC 24-4-18-8. As added by P.L.52-2021, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-2. Expunging Misdemeanor Convictions

Sec. 2. (a) Except as provided in subsection (b) and section 8.5 of this chapter, this section applies only to a person convicted of a misdemeanor, including a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) reduced to a misdemeanor. (b) This section does not apply to the following: (1) A person convicted of two (2) or more felony offenses that: (A) involved the unlawful use of a deadly weapon; and (B) were not committed as part of the same episode of criminal conduct. (2) A sex or violent offender (as defined in IC 11-8-8-5). (c) Not earlier than five (5) years after the date of conviction (unless the prosecuting attorney consents in writing to an earlier period) for the misdemeanor or the felony reduced to a misdemeanor pursuant to IC 35-38-1-1.5 or IC 35-50-2-7, the person convicted of the misdemeanor or the felony reduced to a misdemeanor may petition a court to expunge all conviction records, including records contained in: (1) a court's files; (2) the files of the department of correction; (3) the files of the bureau of motor vehicles; and (4) the files of any other person who provided treatment or services to the petitioning person under a court order; that relate to the person's misdemeanor conviction, including records of a collateral action. (d) A person who files a petition to expunge conviction records, including any records

relating to the conviction and any records concerning a collateral action, shall file the petition in a circuit or superior court in the county of conviction. (e) If the court finds by a preponderance of the evidence that: (1) the period required by this section has elapsed; (2) no charges are pending against the person; (3) the person has paid all fines, fees, and court costs, and satisfied any restitution obligation placed on the person as part of the sentence; and (4) the person has not been convicted of a crime within the previous five (5) years (or within a shorter period agreed to by the prosecuting attorney if the prosecuting attorney has consented to a shorter period under subsection (c)); the court shall order the conviction records described in subsection (c), including any records relating to the conviction and any records concerning a collateral action, expunged in accordance with section 6 of this chapter. As added by P.L.159-2013, SEC.4. Amended by P.L.181-2014, SEC.8; P.L.142-2015, SEC.2; P.L.95-2017, SEC.2; P.L.219-2019, SEC.8; P.L.55-2020, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-3. Expunging Minor Class D and Level 6 Felony Convictions

Sec. 3. (a) Except as provided in subsection (b) and section 8.5 of this chapter, this section applies only to a person convicted of a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014). This section does not apply to a person if the person's Class D felony or Level 6 felony was reduced to a Class A misdemeanor. (b) This section does not apply to the following: (1) An elected official convicted of an offense while serving the official's term or as a candidate for public office. (2) A sex or violent offender (as defined in IC 11-8-8-5). (3) A person convicted of a felony that resulted in bodily injury to another person. (4) A person convicted of perjury (IC 35-44.1-2-1) or official misconduct (IC 35-44.1-1-1). (5) A person convicted of an offense described in: (A) IC 35-42-1; (B) IC 35-42-3.5; or (C) IC 35-42-4. (6) A person convicted of two (2) or more felony offenses that: (A) involved the unlawful use of a deadly weapon; and (B) were not committed as part of the same episode of criminal conduct. (c) Not earlier than eight (8) years after the date of conviction (unless the prosecuting attorney consents in writing to an earlier period), the person convicted of the Class D felony or Level 6 felony may petition a court to expunge all conviction records, including records contained in: (1) a court's files; (2) the files of the department of correction; (3) the files of the bureau of motor vehicles; and (4) the files of any other person who provided treatment or services to the petitioning person under a court order; that relate to the person's Class D or Level 6 felony conviction, including records of a collateral action. (d) A person who files a petition to expunge conviction records, including any records relating to the conviction and any records concerning a collateral action, shall file the petition in a circuit or superior court in the county of conviction. (e) If the court finds by a preponderance of the evidence that: (1) the period required by this section has elapsed; (2) no charges are pending against the person; (3) the person has paid all fines, fees, and court costs, and satisfied any restitution obligation placed on the person as part of the sentence; and (4) the person has not been convicted of a felony or misdemeanor within the previous eight (8) years (or within a shorter period agreed to by the prosecuting attorney if the prosecuting attorney has consented to a shorter period under subsection (c)); the court shall order the conviction records described in subsection (c), including any records relating to the conviction and any records concerning a collateral action, expunged in accordance with section 6 of this chapter. As added by P.L.159-2013, SEC.4. Amended by P.L.181-2014, SEC.9; P.L.142-2015, SEC.3; P.L.219-2019, SEC.9; P.L.52-2021, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-4. Expunging Certain Less Serious Felony Convictions

Sec. 4. (a) Except as provided in subsection (b) and section 8.5 of this chapter, this section applies only to a person convicted of a felony who may not seek expungement of that felony under section 3 of this chapter. (b) This section does not apply to the following: (1) An elected official convicted of an offense while serving the official's term or as a candidate for public office. (2) A sex or violent offender (as defined in IC 11-8-8-5). (3) A person convicted of a felony that resulted in serious bodily injury to another person. (4) A person convicted of a felony that resulted in death to another person. (5) A person convicted of official misconduct (IC 35-44.1-1-1). (6) A person convicted of an offense described in: (A) IC 35-42-1; (B) IC 35-42-3.5; or (C) IC 35-42-4. (7) A person convicted of two (2) or more felony offenses that: (A) involved the unlawful use of a deadly weapon; and (B) were not committed as part of the same episode of criminal conduct. (c) Not earlier than the later of eight (8) years from the date of conviction, or three (3) years from the completion of the person's sentence, unless the prosecuting attorney consents in writing to an earlier period, the person convicted of the felony may petition a court to expunge all conviction records, including records contained in: (1) a court's files; (2) the files of the department of correction; (3) the files of the bureau of motor vehicles; and (4) the files of any other person who provided treatment or services to the petitioning person under a court order; that relate to the person's felony conviction, including records of a collateral action. (d) A person who files a petition to expunge conviction records, including any records relating to the conviction and any records concerning a collateral action, shall file the petition in a circuit or superior court in the county of conviction. (e) If the court finds by a preponderance of the evidence that: (1) the period required by this section has elapsed; (2) no charges are pending against the person; (3) the person has paid all fines, fees, and court costs, and satisfied any restitution obligation placed on the person as part of the sentence; and (4) the person has not been convicted of a felony or misdemeanor within the previous eight (8) years (or within a shorter period agreed to by the prosecuting attorney if the prosecuting attorney has consented to a shorter period under subsection (c)); the court may order the conviction records described in subsection (c), including any records relating to the conviction and any records concerning a collateral action, marked as expunged in

accordance with section 7 of this chapter. A person whose records have been ordered marked as expunged under this section is considered to have had the person's records expunged for all purposes other than the disposition of the records. As added by P.L.159-2013, SEC.4. Amended by P.L.181-2014, SEC.10; P.L.142-2015, SEC.4; P.L.219-2019, SEC.10; P.L.52-2021, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-5. Expunging Certain Serious Felony Convictions; Consent of Prosecutor Required

Sec. 5. (a) Except as provided in subsection (b) and section 8.5 of this chapter, this section applies to a person convicted of a felony, including: (1) an elected official convicted of an offense while serving the official's term or as a candidate for public office; and (2) a person convicted of a felony that resulted in serious bodily injury to another person. (b) This section does not apply to the following: (1) A sex or violent offender (as defined in IC 11-8-8-5). (2) A person convicted of official misconduct (IC 35-44.1-1-1). (3) A person convicted of an offense described in: (A) IC 35-42-1; (B) IC 35-42-3.5; or (C) IC 35-42-4. (4) A person convicted of two (2) or more felony offenses that: (A) involved the unlawful use of a deadly weapon; and (B) were not committed as part of the same episode of criminal conduct. (5) A person convicted of a felony that resulted in death to another person. (c) Not earlier than the later of ten (10) years from the date of conviction, or five (5) years from the completion of the person's sentence, unless the prosecuting attorney consents in writing to an earlier period, the person convicted of the felony may petition a court to expunge all conviction records, including records contained in: (1) a court's files; (2) the files of the department of correction; (3) the files of the bureau of motor vehicles; and (4) the files of any other person who provided treatment or services to the petitioning person under a court order; that relate to the person's felony conviction, including records of a collateral action. (d) A person who files a petition to expunge conviction records, including any records relating to the conviction and any records concerning a collateral action, shall file the petition in a circuit or superior court in the county of conviction. (e) If the court finds by a preponderance of the evidence that: (1) the period required by this section has elapsed; (2) no charges are pending against the person; (3) the person has paid all fines, fees, and court costs, and satisfied any restitution obligation placed on the person as part of the sentence; (4) the person has not been convicted of a felony or misdemeanor within the previous ten (10) years (or within a shorter period agreed to by the prosecuting attorney if the prosecuting attorney has consented to a shorter period under subsection (c)); and (5) the prosecuting attorney has consented in writing to the expungement of the person's criminal records; the court may order the conviction records described in subsection (c), including any records relating to the conviction and any records concerning a collateral action, marked as expunged in accordance with section 7 of this chapter. A person whose records have been ordered marked as expunged under this section is considered to have had the person's records expunged for all purposes other than the disposition of the records. As added by P.L.159-2013, SEC.4. Amended by P.L.181-2014, SEC.11; P.L.142-2015, SEC.5; P.L.219-2019, SEC.11; P.L.52-2021, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-6. Effect of Expunging Misdemeanor and Minor Class D and Level 6 Felony Convictions

Sec. 6. (a) If the court orders conviction records, including any records relating to the conviction and any records concerning a collateral action, expunged under sections 2 through 3 of this chapter, the court shall do the following with respect to the specific records expunged by the court: (1) Order: (A) the department of correction; (B) the bureau of motor vehicles; and (C) each: (i) law enforcement agency; and (ii) other person; who incarcerated, prosecuted, provided treatment for, or provided other services for the person under an order of the court; to prohibit the release of the person's records or information in the person's records to anyone without a court order, other than a law enforcement officer acting in the course of the officer's official duty. (2) Order the central repository for criminal history information maintained by the state police department to seal the person's expunged conviction records, including information related to: (A) an arrest or offense: (i) in which no conviction was entered; and (ii) that was committed as part of the same episode of criminal conduct as the case ordered expunged; and (B) any other references to any matters related to the case ordered expunged, including in a collateral action. This subdivision does not require the state police department to seal any record the state police department does not have legal authority to seal. (3) Records sealed under subdivision (2) may be disclosed only to: (A) a prosecuting attorney, if: (i) authorized by a court order; and (ii) needed to carry out the official duties of the prosecuting attorney; (B) a defense attorney, if: (i) authorized by a court order; and (ii) needed to carry out the professional duties of the defense attorney; (C) a probation department, if: (i) authorized by a court order; and (ii) necessary to prepare a presentence report; (D) the Federal Bureau of Investigation and the Department of Homeland Security, if disclosure is required to comply with an agreement relating to the sharing of criminal history information; (E) the: (i) supreme court; (ii) members of the state board of law examiners; (iii) executive director of the state board of law examiners; and (iv) employees of the state board of law examiners, in accordance with rules adopted by the state board of law examiners; for the purpose of determining whether an applicant possesses the necessary good moral character for admission to the bar; (F) a person required to access expunged records to comply with the Secure and Fair Enforcement for Mortgage Licensing Act (12 U.S.C. 5101 et seq.) or regulations adopted under the Secure and Fair Enforcement for Mortgage Licensing Act; (G) the bureau of motor vehicles, the Federal Motor Carrier Administration, and the Commercial Drivers License Information System (CDLIS), if disclosure is required to comply with federal law relating to reporting a conviction for a violation of a traffic control law; and (H) a school (as defined in IC 22-4-2-37), for the purpose of determining whether to: (i) employ a person seeking employment, including volunteer employment, with the school; (ii) continue a person's employment, including volunteer employment at the school; or (iii) grant

access or admission to the school to an applicant contractor or a contractor; if the person, contractor, or applicant contractor is likely to have contact with a student enrolled in the school, regardless of the age of the student. (4) Notify the clerk of the supreme court to seal any records in the clerk's possession that relate to the conviction, including any records concerning a collateral action. A probation department may provide an unredacted version of a presentence report disclosed under subdivision (3)(C) to any person authorized by law to receive a presentence report. (b) Except as provided in subsection (c), if a petition to expunge conviction records, including any records relating to the conviction and any records concerning a collateral action, is granted under sections 2 through 3 of this chapter, the records of: (1) the sentencing court; (2) a court that conducted a collateral action; (3) a juvenile court; (4) a court of appeals; and (5) the supreme court; concerning the person shall be permanently sealed. However, a petition for expungement granted under sections 2 through 3 of this chapter does not affect an existing or pending driver's license suspension. (c) If a petition to expunge conviction records, including any records relating to the conviction and any records concerning a collateral action, is granted under sections 2 through 3 of this chapter with respect to the records of a person who is named as an appellant or an appellee in an opinion or memorandum decision by the supreme court or the court of appeals, or who is identified in a collateral action, the court shall: (1) redact the opinion or memorandum decision as it appears on the computer gateway administered by the office of technology so that it does not include the petitioner's name (in the same manner that opinions involving juveniles are redacted); and (2) provide a redacted copy of the opinion to any publisher or organization to whom the opinion or memorandum decision is provided after the date of the order of expungement. The supreme court and court of appeals are not required to destroy or otherwise dispose of any existing copy of an opinion or memorandum decision that includes the petitioner's name. (d) Notwithstanding subsection (b), a prosecuting attorney may submit a written application to a court that granted an expungement petition under this chapter to gain access to any records that were permanently sealed under subsection (b), if the records are relevant in a new prosecution of the person. If a prosecuting attorney who submits a written application under this subsection shows that the records are relevant for a new prosecution of the person, the court that granted the expungement petition shall: (1) order the records to be unsealed; and (2) allow the prosecuting attorney who submitted the written application to have access to the records. If a court orders records to be unsealed under this subsection, the court shall order the records to be permanently resealed at the earliest possible time after the reasons for unsealing the records cease to exist. However, if the records are admitted as evidence against the person in a new prosecution that results in the person's conviction, or are used to enhance a sentence imposed on the person in a new prosecution, the court is not required to reseal the records. (e) If a person whose conviction records, including any records relating to the conviction and any records concerning a collateral action, are expunged under sections 2 through 5 of this chapter is required to register as a sex offender based on the commission of a felony which has been expunged: (1) the expungement does not affect the operation of the sex offender registry web site, any person's ability to access the person's records, records required to be maintained concerning sex or violent offenders, or any registration requirement imposed on the person; and (2) the expunged conviction records must be clearly marked as expunged on the sex offender registry web site. (f) Expungement of a crime of domestic violence under section 2 of this chapter does not restore a person's right to possess a firearm. The right of a person convicted of a crime of domestic violence to possess a firearm may be restored only in accordance with IC 35-47-4-7. (g) If a court issues an order granting a petition for expungement under sections 2 through 3 of this chapter, the court shall also order any related records described in section 1(h) of this chapter sealed or redacted in the manner described in section 1 of this chapter, unless the records described in section 1(h) of this chapter have been ordered sealed and redacted under this section. (h) If the court issues an order granting a petition for expungement under sections 2 through 3 of this chapter, the court shall include in its order the information described in section 8(b) of this chapter. (i) If the court issues an order granting a petition for expungement under sections 2 through 5 of this chapter, the court shall include in its order the information described in section 10(c) of this chapter. As added by P.L.159-2013, SEC.4. Amended by P.L.181-2014, SEC.12; P.L.142-2015, SEC.6; P.L.198-2016, SEC.671; P.L.219-2019, SEC.12; P.L.14-2022, SEC.2; P.L.185-2023, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-7. Effect of Expunging Serious and Less Serious Felony Convictions

Sec. 7. (a) This section applies only to a person who has filed a petition for expungement under section 4 or 5 of this chapter and whose records have been ordered marked as expunged. (b) The court records and other public records relating to the arrest, conviction, or sentence of a person whose conviction records, including any records relating to the conviction and any records concerning a collateral action, have been marked as expunged remain public records. However, the court shall order that the records be clearly and visibly marked or identified as being expunged. A petition for expungement granted under sections 4 through 5 of this chapter does not affect an existing or pending driver's license suspension. (c) The state police department, the bureau of motor vehicles, and any other law enforcement agency in possession of records that relate to the conviction, including any records concerning a collateral action, ordered to be marked as expunged shall add an entry to the person's record of arrest, conviction, or sentence in the criminal history data base stating that the record is marked as expunged. Nothing in this chapter prevents the bureau of motor vehicles from reporting information about a conviction for a violation of a traffic control law to the Commercial Drivers License Information System (CDLIS), in accordance with federal law, even if the conviction has been expunged under section 4 or 5 of this chapter. (d) If the court issues an order granting a petition for expungement under section 4 or 5 of this chapter, the court shall include in its order the information described in section 8(b) of this chapter. (e) If a court issues an order granting a petition for expungement under sections 4 through 5 of this chapter, the court shall also order any related records described in section 1(h) of

this chapter marked as expunged, unless the records described in section 1(h) of this chapter have been ordered marked as expunged under this section. As added by P.L.159-2013, SEC.4. Amended by P.L.181-2014, SEC.13; P.L.142-2015, SEC.7; P.L.198-2016, SEC.672; P.L.219-2019, SEC.13; P.L.14-2022, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-8.5. Expungement of Certain Offenses Punishable by an Indeterminate Sentence

Sec. 8.5. (a) This section applies only to a person seeking to expunge an Indiana offense punishable by an indeterminate sentence under a law other than IC 35-50. (b) If the offense for which the person was convicted is a misdemeanor at the time the person files the petition for expungement, the person may file the petition for expungement under section 2 of this chapter. (c) If the offense for which the person was convicted: (1) is a Level 6 felony at the time the person files the petition for expungement; and (2) is not substantially similar to an offense described in section 3(b) of this chapter; the person may file the petition under section 3 of this chapter. (d) If: (1) the person to whom this chapter applies may not seek expungement under section 3 of this chapter; and (2) the offense the person seeks to expunge is not substantially similar to an offense described in section 4(b) of this chapter; the person may file the petition under section 4 of this chapter. (e) If the offense for which the person was convicted: (1) is a felony at the time of filing the petition, including a felony described in section 5(a) of this chapter; and (2) is not substantially similar to an offense described in section 5(b) of this chapter; the person may file the petition under section 5 of this chapter. As added by P.L.142-2015, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-8. Petition to Expunge Conviction Records

Sec. 8. (a) This section applies only to a petition to expunge conviction records, including any records relating to the conviction and any records concerning a collateral action, under sections 2 through 5 of this chapter. This section does not apply to a petition to expunge records related to the arrest, criminal charge, or juvenile delinquency allegation under section 1 of this chapter. (b) Any person may seek an expungement under sections 2 through 5 of this chapter by filing a verified petition for expungement. The petition must include the following: (1) The petitioner's full name and all other legal names or aliases by which the petitioner is or has been known. (2) The petitioner's date of birth. (3) The petitioner's addresses from the date of the offense to the date of the petition. (4) The case number or court cause number, if available. (5) The petitioner shall affirm that no criminal investigation or charges are pending against the petitioner. (6) The petitioner shall affirm that the petitioner has not committed another felony or misdemeanor within the period required for expungement. (7) The petitioner shall list all convictions, all collateral actions, the cause number of each conviction, if known, the date of the conviction, and any appeals from the conviction and the date any appellate opinion was handed down, if applicable. (8) The petitioner shall include: (A) the petitioner's Social Security number; (B) the petitioner's driver's license number; (C) the date of the petitioner's arrest, if applicable; and (D) the date on which the petitioner was convicted. (9) The petitioner shall affirm that the required period has elapsed or attach a copy of the prosecuting attorney's written consent to a shorter period. (10) The petitioner shall describe any other petitions that the petitioner has filed under this chapter. (11) For a petition filed under section 5 of this chapter, the petitioner shall attach a copy of the prosecuting attorney's written consent. (c) The petitioner may include any other information that the petitioner believes may assist the court. (d) A person who files a petition under this section is required to pay the filing fee required in civil cases. The court may reduce or waive this fee if the person is indigent. (e) The petitioner shall serve a copy of the petition upon the prosecuting attorney in accordance with the Indiana Rules of Trial Procedure. (f) The prosecuting attorney shall inform the victim of the victim's rights under IC 35-40-6 by contacting the victim at the victim's last known address. However, if a court has no discretion in granting an expungement petition under this chapter, the prosecuting attorney is not required to inform the victim of the victim's rights under this subsection. (g) The prosecuting attorney shall reply to the petition not later than thirty (30) days after receipt. If the prosecuting attorney fails to timely reply to the petition: (1) the prosecuting attorney has waived any objection to the petition; and (2) the court shall proceed to consider the petition under section 9 of this chapter. As added by P.L.159-2013, SEC.4. Amended by P.L.181-2014, SEC.14; P.L.142-2015, SEC.8; P.L.219-2019, SEC.14; P.L.52-2021, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-9.5. Collateral Action in a Different County

Sec. 9.5. (a) This section applies to a collateral action adjudicated or conducted in a county other than the county in which a court granted an expungement. (b) Upon receipt of a request to expunge records related to a collateral action and a properly certified expungement order, a circuit or superior court in the county in which the collateral action occurred shall: (1) notify the prosecuting attorney of the county in which the court is located of the request to expunge records related to a collateral action and set the matter for hearing; or (2) if it conclusively appears from the court's records that the person is entitled to expungement as described in subsection (c), order the records expunged without a hearing. (c) The circuit or superior court in the county in which the collateral action was adjudicated or conducted shall order records of the collateral action expunged (for an expungement granted under sections 1 through 3 of this chapter) or marked as expunged (for an expungement granted under sections 4 through 5 of this chapter), unless the court finds that the collateral action does not relate to the expunged arrest or conviction. (d) A request to expunge records of a collateral action may be made at any time after the original expungement order is issued. (e) A request to expunge records shall

be filed under the cause number of the collateral action, if applicable. A person who requests expungement of records of a collateral action under this section is not required to pay a filing fee, even if the request is filed under a new cause of action. As added by P.L.55-2020, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 38. Proceedings Following Dismissal, Verdict, or FindingChapter 9. Sealing and Expunging Conviction Records35-38-9-9. Duties of Court in Ruling on Expungement Petitions

Sec. 9. (a) If the prosecuting attorney does not object, or has waived objection to the petition under section 8 of this chapter, the court may grant the petition for expungement without a hearing. (b) The court may summarily deny a petition, if the petition does not meet the requirements of section 8 of this chapter, or if the statements contained in the petition demonstrate that the petitioner is not entitled to relief. (c) If the prosecuting attorney objects to the petition, the prosecuting attorney shall file the reasons for objecting to the petition with the court and serve a copy of the objections on the petitioner at the time the prosecuting attorney objects to the petition. The court shall set the matter for hearing not sooner than sixty (60) days after service of the petition on the prosecuting attorney. (d) A victim of the offense for which expungement is sought may submit an oral or written statement in support of or in opposition to the petition at the time of the hearing. The petitioner must prove by a preponderance of the evidence that the facts alleged in the verified petition are true. (e) The grant or denial of a petition is an appealable final order. (f) If the court grants the petition for expungement, the court shall issue an order of expungement as described in sections 6 and 7 of this chapter. (g) The order granting the petition for expungement described in sections 6 and 7 of this chapter must include the information described in section 8(b) of this chapter. (h) This subsection applies only to a petition to expunge conviction records filed under sections 2 through 5 of this chapter. This subsection does not apply to a petition to expunge records related to the arrest, criminal charge, or juvenile delinquency allegation under section 1 of this chapter. A petitioner may seek to expunge more than one (1) conviction at the same time. The petitioner shall consolidate all convictions that the petitioner wishes to expunge from the same county in one (1) petition. A petitioner who wishes to expunge convictions from separate counties must file a petition in each county in which a conviction was entered. (i) This subsection applies only to a petition to expunge conviction records filed under sections 2 through 5 of this chapter. This subsection does not apply to a petition to expunge records related to the arrest, criminal charge, or juvenile delinquency allegation under section 1 of this chapter. Except as provided in subsections (j) and (k), a petitioner may file a petition for expungement only one (1) time during the petitioner's lifetime. For purposes of this subsection, all petitions for expungement filed in separate counties for offenses committed in those counties count as one (1) petition if they are filed in one (1) three hundred sixty-five (365) day period. (j) A petitioner whose petition for expungement has been denied, in whole or in part, may refile that petition for expungement, in whole or in part, with respect to one (1) or more convictions included in the initial expungement petition that were not expunged. However, if the petition was denied due to the court's exercise of its discretion under section 4 or 5 of this chapter, a petition for expungement may be refiled only after the elapse of three (3) years from the date on which the previous expungement petition was denied. Except as provided in subsection (k), a refiled petition for expungement may not include any conviction that was not included in the initial expungement petition. (k) A court may permit a petitioner to file an amended petition for expungement with respect to one (1) or more convictions that were not included in the initial expungement petition only if the court finds that: (1) the petitioner intended in good faith to comply with subsections (h) and (i); (2) the petitioner's failure to comply with subsections (h) and (i) was due to: (A) excusable neglect; or (B) circumstances beyond the petitioner's control; and (3) permitting the petitioner to file a subsequent petition for expungement is in the best interests of justice. (l) If: (1) the information required to be expunged, marked as expunged, or otherwise sealed or restricted under this chapter changes as the result of an amendment to this chapter; and (2) a person whose petition for expungement was granted before the effective date of the amendment wishes to obtain the benefits of that amendment; the person may file a petition for a supplemental order of expungement with the court that granted the petition for expungement. A petition for a supplemental order of expungement must include a copy of the expungement order, succinctly set forth the relief the petitioner seeks, and include any other information required by the court. If the court finds that the person was granted an order for expungement before the effective date of the amendment and is otherwise entitled to relief, the court shall issue a supplemental order for expungement consistent with the amendment. As added by P.L.159-2013, SEC.4. Amended by P.L.181-2014, SEC.15; P.L.142-2015, SEC.10; P.L.219-2019, SEC.15.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40.5. Rights of Sexual Assault VictimsChapter 1. Definitions35-40.5-1-1. Definitions

Sec. 1. The following definitions apply throughout this article: (1) "Law enforcement officer" means any of the following: (A) A law enforcement officer (as defined in IC 35-31.5-2-185). (B) A state educational institution police officer appointed under IC 21-39-4. (C) A school corporation police officer appointed under IC 20-26-16. (D) A school resource officer (as defined in IC 20-26-18.2-1). (E) A police officer of a private postsecondary educational institution whose governing board has appointed the police officer under IC 21-17-5-2. (2) "Provider" has the meaning set forth in IC 16-21-8-0.2. (3) "Relative" has the meaning set forth in IC 35-42-2-1(b). (4) "Sexual assault forensic evidence" means the results collected from a forensic medical examination of a victim by a provider. (5) "State sexual assault response team" means the statewide sexual assault response team coordinated by the Indiana prosecuting attorneys council and the Indiana criminal justice institute. (6) "Victim" means an individual: (A) who is a victim of sexual assault (as defined in IC 5-26.5-1-8); or (B) who: (i) is a relative of or a person who has had a close personal relationship

with the individual described under clause (A); and (ii) is designated by the individual described under clause (A) as a representative. The term does not include an individual who is accused of committing an act of sexual assault (as defined in IC 5-26.5-1-8) against the individual described under clause (A). (7) "Victim advocate" has the meaning set forth in IC 35-37-6-3.5. (8) "Victim service provider" has the meaning set forth in IC 35-37-6-5. As added by P.L.58-2020, SEC.6. Amended by P.L.32-2021, SEC.94.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40.5. Rights of Sexual Assault VictimsChapter 2. Attachment and Duration of Rights35-40.5-2-1. When Rights Attach

Sec. 1. The rights provided to victims under this article attach whenever a victim is subject to: (1) a forensic medical exam; or (2) an interview by a law enforcement officer; in relation to injuries, trauma, or an investigation resulting from an alleged sexual assault. As added by P.L.58-2020, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40.5. Rights of Sexual Assault VictimsChapter 2. Attachment and Duration of Rights35-40.5-2-2. Victim Continuously Retains Rights

Sec. 2. A victim continuously retains all the rights under this article regardless of whether the victim: (1) agrees to participate in any civil or criminal proceeding related to the alleged sexual assault; or (2) consents to a forensic medical exam to collect forensic evidence related to the alleged sexual assault. As added by P.L.58-2020, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40.5. Rights of Sexual Assault VictimsChapter 3. Right to a Victim Advocate or Victim Service Provider35-40.5-3-1. Victim's Right to Speak With Certain Persons

Sec. 1. A victim has the right to: (1) speak with a victim advocate or victim service provider during any hospital visit for the purpose of receiving a sexual assault examination; and (2) speak with a victim advocate or victim service provider during the course of the investigation. If a victim advocate or victim service provider is not available, a victim has the right to speak with victims assistance or a social worker. A victim retains these rights even if the victim has waived one (1) or more of these rights in a previous examination or interview. As added by P.L.58-2020, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40.5. Rights of Sexual Assault VictimsChapter 3. Right to a Victim Advocate or Victim Service Provider35-40.5-3-2. Certain Communications Inadmissible as Evidence

Sec. 2. A victim's communications with a victim advocate, victim service provider, victims assistance, or a social worker are not admissible into evidence for any purpose except with consent of the victim. As added by P.L.58-2020, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40.5. Rights of Sexual Assault VictimsChapter 4. Collection of Sexual Assault Forensic Evidence35-40.5-4-1. Services Provided to Victim Without Charge

Sec. 1. As described in IC 16-21-8-6, a provider shall provide forensic medical exams and additional forensic services to a victim without charge. As added by P.L.58-2020, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40.5. Rights of Sexual Assault VictimsChapter 4. Collection of Sexual Assault Forensic Evidence35-40.5-4-2. Provider's Duty to Inform Victim of Certain Rights

Sec. 2. Before a provider commences a forensic medical examination, or as soon as possible, the provider shall inform the victim of the following: (1) The victim's rights under this article and other relevant law in a document to be developed by the state sexual assault response team, which shall be signed by the victim to confirm receipt, unless the victim has already been provided with the document under IC 35-40.5-5-1. (2) The victim's right to speak with a victim advocate or victim service provider. If a victim advocate or victim service provider is not available, a victim has the right to speak with victims assistance or a social worker. As added by P.L.58-2020, SEC.6. Amended by P.L.133-2020, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40.5. Rights of Sexual Assault VictimsChapter 4. Collection of Sexual Assault Forensic Evidence35-40.5-4-3. Provider to Notify Victim Advocate

Sec. 3. Before a provider commences a forensic medical examination, or as soon as possible, the provider shall notify a victim advocate or a victim service provider. If a victim advocate or victim service provider is not available, the provider shall notify victims assistance or a social worker. As added by P.L.58-2020, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40.5. Rights of Sexual Assault VictimsChapter 5. Interview With a Law Enforcement Officer35-40.5-5-1. Law Enforcement Duty to Inform

Sec. 1. Before a law enforcement officer commences an interview of a victim, the law enforcement officer shall inform the victim of the following: (1) The victim's rights under this article and other relevant law in a document to be developed by the state sexual assault response team, which shall be signed by the victim to confirm receipt, unless the victim has already been provided with the document under IC 35-40.5-4-2. (2) The victim's right to speak with a victim advocate or victim service provider during the course of the investigation, and that the victim has the right to speak to victims assistance or a social worker if a victim advocate or victim

service provider is not available. As added by P.L.58-2020, SEC.6. Amended by P.L.133-2020, SEC.15.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40.5. Rights of Sexual Assault VictimsChapter 6. Compliance35-40.5-6-1. Defendant May Not Object to Failure to Comply

Sec. 1. (a) A defendant or a person accused or convicted of a crime against a victim may not object to any failure in complying with this article. (b) The failure to provide a right or notice to a victim under this section may not be used by a defendant to seek to have the conviction or sentence set aside. As added by P.L.58-2020, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40.5. Rights of Sexual Assault VictimsChapter 7. Notice to Victims35-40.5-7-1. Duty of Law Enforcement to Inform Victim of Rights

Sec. 1. (a) Upon initial interaction with a victim, a law enforcement officer or provider shall provide the victim with a document developed by the state sexual assault response team that explains the rights of victims: (1) under this article and other relevant law; (2) in a format accessible to persons with visual disabilities; and (3) in English, Spanish, and German. (b) The document described in subsection (a) shall include the following: (1) A clear statement that a victim is not required to receive a medical evidentiary or physical examination in order to retain the rights provided under this article or any other relevant law. (2) Information concerning state and federal victim compensation funds for medical and other costs associated with the sexual assault. As added by P.L.58-2020, SEC.6. Amended by P.L.133-2020, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 1. Legislative Intent35-40-1-1. Intent to Protect Rights of Victims

Sec. 1. The legislature recognizes that many innocent persons suffer economic loss and personal injury or death as a result of criminal or delinquent acts. It is the intent of the general assembly to do the following: (1) Enact laws that define, implement, preserve, and protect the rights guaranteed to victims by Article 1, Section 13 of the Constitution of the State of Indiana. (2) Ensure that Article 1, Section 13 of the Constitution of the State of Indiana is fully and fairly implemented. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 10. Request for Notice35-40-10-1. Responsibilities of Victims

Sec. 1. (a) A victim shall provide to and maintain with the agency that is responsible for providing notice to the victim a request for notice on a form that is provided by that agency. The form must include a telephone number, electronic mail address, and mailing address for the victim. If the victim fails to keep the victim's telephone number and address current, the agency may withdraw the victim's request for notice. (b) A victim may restore a request for notice of subsequent proceedings by filing, on a request form provided by an agency, the victim's current telephone number, electronic mail address, and mailing address. As added by P.L.139-1999, SEC.1. Amended by P.L.162-2011, SEC.57.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 10. Request for Notice35-40-10-2. Forms Designated by Prosecuting Attorney

Sec. 2. A notice provided to a victim under this article must be on a form designated by the prosecuting attorney. The prosecuting attorneys council of Indiana established by IC 33-39-8-2 shall develop and disseminate model notice forms for use by prosecuting attorneys. As added by P.L.139-1999, SEC.1. Amended by P.L.98-2004, SEC.153.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 11. Victim's Discretion; Form of Statement35-40-11-1. Victim's Right to Be Heard at Court Proceedings

Sec. 1. It is at the victim's discretion to exercise the victim's rights under this article to be present and to be heard at court proceedings, and the absence of the victim at a court proceeding does not preclude the court from holding the proceeding. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 11. Victim's Discretion; Form of Statement35-40-11-2. Oral, Written, or Taped Statements Allowed

Sec. 2. Except as provided in section 3 of this chapter, a victim's right to be heard may be exercised, at the victim's discretion, through an oral statement, submission of a written statement, or submission of a statement through audiotape or videotape. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 11. Victim's Discretion; Form of Statement35-40-11-3. Statement When Victim in Custody

Sec. 3. If a victim is in custody for committing or allegedly committing an offense, the victim may be heard by submitting a written statement to the court. As added by P.L.139-1999, SEC.1.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 12. Procedures Related to Notices and Consultations35-40-12-1. Consultation With Victim's Next of Kin, Parent, or Guardian

Sec. 1. (a) This section applies if: (1) the victim is an individual; (2) the victim is incompetent, deceased, less than eighteen (18) years of age, or otherwise incapable of receiving or understanding a notice or consultation required under this article; and (3) a person has not been designated under IC 35-40-13 to exercise the rights of the victim under this article. (b) A notice or consultation required under this article may be performed by notifying or consulting with at least one (1) of the next of kin or the parent, guardian, or custodian of the victim. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 12. Procedures Related to Notices and Consultations35-40-12-2. Notice to Victim's Agent

Sec. 2. (a) This section applies if the victim is an entity other than an individual. (b) A notice or consultation required under this article may be performed by notifying or consulting with a responsible officer or agent of the entity. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 12. Procedures Related to Notices and Consultations35-40-12-3. Notice When Victim Is a Partnership

Sec. 3. (a) This section applies if the victim is a partnership. (b) A notice or consultation required under this article may be performed by notifying or consulting with at least one (1) partner. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 12. Procedures Related to Notices and Consultations35-40-12-4. Name and Address of Person to Receive Notice

Sec. 4. (a) This section applies if the victim is an entity other than an individual. (b) A request for notice under IC 35-40-10 must identify the name, electronic mail address, and mailing address of the person who is to receive notices and consultations on behalf of the entity. As added by P.L.139-1999, SEC.1. Amended by P.L.162-2011, SEC.58.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 12. Procedures Related to Notices and Consultations35-40-12-5. Notice to Multiple Victims

Sec. 5. (a) This section applies if there are multiple victims that are entitled to notices or consultations under this article. (b) The prosecuting attorney for the county in which the crime occurred may adopt procedures that afford to a group of victims the rights afforded by this article. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 13. Inability to Exercise Rights; Designation of Others; Representative of a Minor35-40-13-1. Victim Physically or Emotionally Unable to Exercise Rights; Designation of Representative

Sec. 1. (a) If a victim is physically or emotionally unable to exercise any right but is able to designate a lawful representative who is not a bona fide witness, the designated person may exercise the same rights that the victim is entitled to exercise. (b) A victim may revoke the designation of a representative at any time and exercise the victim's rights. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 13. Inability to Exercise Rights; Designation of Others; Representative of a Minor35-40-13-2. Appointment of Representative by Court

Sec. 2. If a victim is incompetent, deceased, or otherwise incapable of designating another person to act in the victim's place, the court may appoint, upon request of the prosecuting attorney, a lawful representative who is not a witness. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 13. Inability to Exercise Rights; Designation of Others; Representative of a Minor35-40-13-3. Victim a Minor

Sec. 3. If the victim is a minor, the victim's parents or legal guardian may exercise all of the victim's rights on behalf of the victim. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 13. Inability to Exercise Rights; Designation of Others; Representative of a Minor35-40-13-4. Victim Not a Minor; Appointment of Representative by Court

Sec. 4. If section 3 of this chapter does not apply, the court shall consider appointing a relative of the incompetent, deceased, or otherwise incapable victim as the lawful representative. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 13. Inability to Exercise Rights; Designation of Others; Representative of a Minor35-40-13-5. Guidelines for Court When Appointing Representatives

Sec. 5. The court shall consider the following guidelines in appointing a person to represent an incompetent or deceased victim: (1) Any conflict occasioned by the allegation of criminal conduct that substantially or adversely affected the person. (2) The person's willingness and ability to do all of the following: (A) Work with and accompany the victim through all proceedings, including criminal, civil, and dependency proceedings. (B) Communicate with the victim. (C) Express the concerns of the victim to those authorized to come in contact with the victim as a result of the proceedings. (3) The person's training, if any, to serve as a representative of the incompetent victim. (4) The likelihood of the person being called as a witness in the criminal case involving the incompetent victim. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 14. Rights of Victims of Identity Deception35-40-14-1. "Identity Theft"

Sec. 1. As used in this chapter, "identity theft" means: (1) identity deception (IC 35-43-5-3.5); or (2) synthetic identity deception (IC 35-43-5-3.8) (before its repeal). As added by P.L.137-2009, SEC.11. Amended by P.L.142-2020, SEC.62; P.L.174-2021, SEC.41.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 14. Rights of Victims of Identity Deception35-40-14-2. "Unit"

Sec. 2. As used in this chapter, "unit" refers to the identity theft unit established under IC 4-6-13-2. As added by P.L.137-2009, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 14. Rights of Victims of Identity Deception35-40-14-3. Duties of Law Enforcement Agencies Concerning Identity Theft

Sec. 3. (a) A person who has learned or reasonably suspects that the person has been the victim of identity theft may contact the local law enforcement agency that has jurisdiction over the person's residence. The local law enforcement agency shall take an official report of the matter and provide the complainant with a copy of that report. Even if jurisdiction lies elsewhere for investigation and prosecution of a crime of theft, the local law enforcement agency shall take the complaint and provide the person with a copy of the complaint. The law enforcement authority may refer the complaint to a law enforcement agency in a different jurisdiction. (b) This section does not affect the discretion of a local law enforcement agency to allocate resources for investigation of crimes. A complaint filed under this section is not required to be counted as an open case for purposes of compiling open case statistics. As added by P.L.137-2009, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 14. Rights of Victims of Identity Deception35-40-14-4. Protections for Victims of Identity Theft

Sec. 4. (a) A person who is injured by a crime of identity theft or who has filed a police report alleging commission of an offense of identity theft may file an application with the court in the jurisdiction where the person resides for the issuance of a court order declaring that the person is a victim of identity theft. A person may file an application under this section regardless of whether the person is able to identify each person who allegedly obtained, possessed, transferred, or used the person's identifying information in an unlawful manner. (b) A person filing an application under subsection (a) shall file a copy of the application with the unit. The unit may appear at and present evidence in a hearing conducted under this section if the unit determines that a court order declaring the applicant a victim of identity theft would be inappropriate. (c) A person is presumed to be a victim of identity theft under this section if another person is charged with and convicted of an offense of identity theft for unlawfully obtaining, possessing, transferring, or using the person's identifying information. (d) After notice and hearing, if the court is satisfied by a preponderance of the evidence that the applicant has been injured by a crime of identity theft, the court shall enter an order containing: (1) a declaration that the person filing the application is a victim of identity theft resulting from the commission of a crime of identity theft; (2) any known information identifying the violator or person charged with the offense; (3) the specific personal identifying information and any related document or record used to commit the alleged offense; and (4) information identifying any financial account or transaction affected by the alleged offense, including: (A) the name of the financial institution in which the account is established or of the merchant or creditor involved in the transaction, as appropriate; (B) any relevant account numbers; (C) the dollar amount of the account or transaction affected by the alleged offense; and (D) the date or dates of the offense. (e) Except as provided in subsection (h), an order issued under this section must be sealed because of the confidential nature of the information required to be included in the order. The order may be opened and the order or a copy of the order may be released only: (1) to the proper officials in a civil proceeding brought by or against the victim arising or resulting from the commission of a crime of identity theft, including a proceeding to set aside a judgment obtained against the victim; (2) to the victim for the purpose of submitting the copy of the order to a governmental entity or private business to: (A) prove that a financial transaction or account of the victim was directly affected by the commission of a crime of identity theft; and (B) correct any record of the entity or business that contains inaccurate or false information as a result of the offense; (3) on order of the judge; or (4) as otherwise required by law. (f) A court at any time may vacate an order issued under this section if the court finds that the application or any information submitted to the court by the applicant contains a fraudulent misrepresentation or a material misrepresentation of fact. (g) Except as provided in subsection (h), a copy of the order provided to a person under subsection (e)(1) must remain sealed throughout and after the civil proceeding. Information contained in a copy of an order provided to a governmental entity or business under subsection (e)(2) is

confidential and may not be released to another person except as otherwise required by law. (h) The following information regarding an application filed under this section may be released to the public: (1) The name of the applicant. (2) The county of residence of the applicant. (3) Whether the application was approved or denied by the court. As added by P.L.137-2009, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 15. Right to Request a New Investigation35-40-15-1. Application

Sec. 1. (a) This chapter does not apply to the death of a person: (1) under the care of a physician; or (2) if the person's death may be the result of medical malpractice. (b) This chapter does not affect the authority of the state police department to conduct a new investigation. As added by P.L.71-2021, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 15. Right to Request a New Investigation35-40-15-2. Right of an Immediate Family Member to Request an Investigation Into an Uncharged Death

Sec. 2. An immediate family member: (1) of a person whose death is an uncharged death; and (2) who has reasonable suspicion that the uncharged death was caused by the criminal act of a third person; has the right to request the superintendent of the state police department to conduct a new investigation to determine whether the death was the result of a criminal act committed by a third person. An immediate family member has the right to request a new investigation even if the state police department assisted the local law enforcement agency in the earlier investigation of the uncharged death. As added by P.L.71-2021, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 15. Right to Request a New Investigation35-40-15-3. Manner of Requesting an Investigation Into an Uncharged Death

Sec. 3. (a) An immediate family member who wishes the state police department to conduct a new investigation as described in section 2 of this chapter must: (1) request the new investigation in writing; (2) describe the immediate family member's relationship to the deceased; (3) describe the determination made by the local law enforcement agency; (4) concisely set forth the basis of the immediate family member's reasonable suspicion that the death was the result of a criminal act committed by a third person, including: (A) describing the criminal act or acts that the immediate family member believes caused the death; (B) listing every fact that forms the basis of the immediate family member's reasonable suspicion; and (C) explaining any reasonable inferences drawn from the facts described in clause (B); and (5) notify the local law enforcement agency and the prosecuting attorney that the immediate family member has requested a new investigation. (b) An immediate family member is entitled to request a new investigation under this chapter even if another immediate family member objects to the request. As added by P.L.71-2021, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 15. Right to Request a New Investigation35-40-15-4. Duties of Superintendent

Sec. 4. (a) Upon receipt of a request for a new investigation, the superintendent of the state police department shall, as soon as practicable, review the written request and, if warranted, conduct any further investigation. (b) If the state police department assisted the local law enforcement agency in the earlier investigation, the superintendent of the state police department shall consider assigning an officer to review the request who did not participate in the earlier investigation, unless assigning a new officer is impracticable. (c) The review of a request under this chapter shall be conducted without regard to the conclusions of the earlier investigation. However, an officer conducting the new investigation may rely on forensic and other evidence collected during the earlier investigation. (d) At the conclusion of the review, the superintendent of the state police department shall provide the immediate family member who requested the investigation with a concise written summary of the determination made by the state police department. A determination made by the state police department under this section is not subject to judicial review. As added by P.L.71-2021, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 15. Right to Request a New Investigation35-40-15-5. Duties of Coroner and Local Law Enforcement

Sec. 5. A coroner and a local law enforcement agency shall, upon request by the superintendent of the state police department, exchange information with, cooperate with, and assist the state police department in reviewing the request and, if applicable, conducting the new investigation. As added by P.L.71-2021, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 15. Right to Request a New Investigation35-40-15-6. Limitations on New Investigations

Sec. 6. (a) An immediate family member is only entitled to request a new investigation under this chapter if the earlier investigation resulted in an uncharged death. An immediate family member is not entitled to request a new investigation under this chapter because the family member is dissatisfied with any other aspect of the earlier investigation, including: (1) the failure to identify a suspect, or the identification or exclusion of a particular person as a criminal suspect; and (2) a conclusion concerning which criminal offense resulting in death was committed. (b) The superintendent of the state police department is only required to consider a request to conduct one (1) new investigation, regardless of the number of immediate family members who request a new investigation. As added by P.L.71-2021, SEC.10.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 2. Applicability; Standing to Invoke Rights35-40-2-1. Standing of Victims

Sec. 1. A victim has standing to assert the rights established by this article. However, this article does not do any of the following: (1) Provide grounds for a victim to challenge a charging decision or a conviction, obtain a stay of trial, or compel a new trial. (2) Give rise to a claim for damages against the state of Indiana, a political subdivision, or any public official. (3) Provide grounds for a person accused of or convicted of a crime or an act of delinquency to obtain any form of relief. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 3. Statutory Construction35-40-3-1. Construction of Article

Sec. 1. This article shall be construed to preserve and protect the rights to which a victim is entitled without interfering with the rights of the accused to receive a fair trial or the duty of the prosecuting attorney to represent the people of Indiana. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 3. Statutory Construction35-40-3-2. Victims Confined by Law Enforcement

Sec. 2. This article may not be construed to imply that a victim who is confined by the department of correction or by any local law enforcement agency has a right to be released to attend a hearing or that the department of correction or the local law enforcement agency has a duty to transport the confined victim to a hearing. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 3. Statutory Construction35-40-3-3. Delinquent Acts

Sec. 3. In cases involving a delinquent act, a reference in this article to: (1) a criminal court shall be treated as a reference to the juvenile court; and (2) a criminal proceeding or an action related to a criminal proceeding shall be treated as a reference to the equivalent proceeding or action under IC 31. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 4. Definitions35-40-4-1. Applicability of Definitions

Sec. 1. The definitions in this chapter apply throughout this article. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 4. Definitions35-40-4-2. "Accused"

Sec. 2. "Accused" means that an indictment or information charging a person with a crime or a petition alleging that a child is a delinquent child has been filed. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 4. Definitions35-40-4-3. "Crime"

Sec. 3. "Crime" includes a delinquent act. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 4. Definitions35-40-4-4.5. "Immediate Family Member"

Sec. 4.5. "Immediate family member" means a spouse, child, parent, or sibling. As added by P.L.71-2021, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 4. Definitions35-40-4-4.7. "Local Law Enforcement Agency"

Sec. 4.7. "Local law enforcement agency" means a law enforcement agency other than the state police department. As added by P.L.71-2021, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 4. Definitions35-40-4-4. "Delinquent Act"

Sec. 4. "Delinquent act" has the meaning set forth in IC 31-37-1-2. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 4. Definitions35-40-4-5. "Postarrest Release"

Sec. 5. "Postarrest release" means the discharge on recognizance, bond, or other condition imposed under IC 31 or IC 35-33 of an accused person from confinement. As added by P.L.139-1999, SEC.1.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 4. Definitions35-40-4-6. "Postconviction Release"

Sec. 6. "Postconviction release" means parole, work release, home detention, or any other permanent, conditional, or temporary discharge from confinement of a person who is confined in: (1) the custody of: (A) the department of correction; or (B) a sheriff; (2) a county jail; (3) a secure mental health facility; or (4) a secure juvenile facility or shelter care facility. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 4. Definitions35-40-4-7.3. "Reasonable Suspicion"

Sec. 7.3. "Reasonable suspicion" means an objectively reasonable basis for believing that a death was caused by the criminal act of a third person, based on: (1) concrete, articulable facts that support the belief; and (2) specific reasonable inferences that may be drawn from these facts. As added by P.L.71-2021, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 4. Definitions35-40-4-7.5. "Uncharged Death"

Sec. 7.5. "Uncharged death" means the death of a person that a local law enforcement agency has determined was not the result of a criminal act committed by a third person. As added by P.L.71-2021, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 4. Definitions35-40-4-7. "Public Court Proceeding"

Sec. 7. "Public court proceeding" means a hearing, an argument, or another matter scheduled by and held before a trial court. The term does not include: (1) a deposition; (2) a lineup; (3) a grand jury proceeding; or (4) any other procedure not held in the presence of a court having jurisdiction. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 4. Definitions35-40-4-8. "Victim"

Sec. 8. "Victim" means a person that has suffered harm as a result of a crime that was perpetrated directly against the person. The term does not include a person that has been charged with a crime arising out of the same occurrence. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 5. Victim Rights35-40-5-1. Right to Fairness, Dignity, and Respect; Right to Freedom From Harassment and Intimidation

Sec. 1. A victim has the right to be: (1) treated with fairness, dignity, and respect; and (2) free from intimidation, harassment, and abuse; throughout the criminal justice process. As added by P.L.139-1999, SEC.1. Amended by P.L.169-2009, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 5. Victim Rights35-40-5-11.5. Deposition of Child Victims of Sex Crimes

Sec. 11.5. (a) This section applies only to a criminal case involving a child less than sixteen (16) years of age who is the victim or alleged victim of a sex offense. (b) The following definitions apply throughout this section: (1) "Accused" or "the accused" means a person charged with committing a sex offense against a child victim. The term does not include an attorney who represents the accused. (2) "Child victim" means a child less than sixteen (16) years of age who is the victim or alleged victim of a sex offense. (3) "Defendant" means a person charged with committing a sex offense against a child victim and an attorney who represents the defendant. (4) "Deposition" or "depose" means a deposition or taking a deposition pursuant to Indiana Trial Rule 30 or Indiana Trial Rule 31, or any other formal or informal statement or interview. (5) "Sex offense" has the meaning set forth in IC 11-8-8-5.2. (c) A defendant may depose a child victim only in accordance with this section. (d) A defendant may not take the deposition of a child victim unless the defendant contacts the prosecuting attorney before contacting the child, and one (1) or more of the following apply: (1) The prosecuting attorney agrees to the deposition. The prosecuting attorney may condition the prosecuting attorney's agreement to the deposition upon the defendant's acceptance of the manner in which the deposition shall be conducted. (2) The court authorizes the deposition after finding, following a hearing under subsection (f), that there is a reasonable likelihood that the child victim will be unavailable for trial and the deposition is necessary to preserve the child victim's testimony. (3) The court authorizes the deposition after finding, following a hearing under subsection (g), that the deposition is necessary: (A) due to the existence of extraordinary circumstances; and (B) in the interest of justice. (e) If the prosecuting attorney does not agree to the deposition, the defendant may petition the court for authorization to depose the child victim under subsection (d)(2), (d)(3), or both subsection (d)(2) and (d)(3). Upon receipt of the petition, the court shall notify the prosecuting attorney and set a hearing to determine whether to authorize a deposition of the child victim, and, if applicable, to determine the manner in which the deposition shall be conducted. (f) The court shall authorize the deposition of a child victim under subsection (d)(2) if the defendant proves by a preponderance of the evidence that there is a reasonable likelihood that the child victim will be unavailable for trial and the deposition is necessary to

preserve the child victim's testimony. (g) The court may not authorize the deposition of a child victim under subsection (d)(3) unless the defendant establishes by a preponderance of the evidence that the deposition is necessary: (1) due to the existence of extraordinary circumstances; and (2) in the interest of justice. (h) If the court authorizes the deposition of a child victim under subsection (f) or (g), the court shall determine the manner in which the deposition shall be conducted, after considering: (1) the age of the child; (2) the rights of the victim under IC 35-40-5-1; and (3) any other relevant factors or special considerations. (i) If the court denies a petition to depose a child victim, the court shall issue a written order describing the reason for the denial. (j) If the court grants a request to depose a child victim, the court shall issue a written order describing the reason for granting the petition and setting forth the manner in which the deposition shall be conducted. The order shall: (1) expressly prohibit the accused from deposing or being present at the deposition of the child victim unless: (A) there is a reasonable likelihood that the child victim will be unavailable for trial; (B) the deposition is necessary to preserve the child victim's testimony; and (C) the presence of the accused is necessary to preserve the constitutional rights of the accused under the Sixth Amendment of the Constitution of the United States or Article 1, Section 13 of the Constitution of the State of Indiana; (2) describe the manner in which the deposition shall be conducted; and (3) if applicable, issue a protective order under Indiana Trial Rule 26(C). As added by P.L.62-2020, SEC.8. Amended by P.L.42-2023, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 5. Victim Rights35-40-5-12. Designation of Certain Victims in Public Documents

Sec. 12. (a) The following shall be identified by means of a designation omitting the victim's name, such as "Victim 1", in court documents open to the public: (1) A victim of a sex crime under IC 35-42-4. (2) A child victim of a crime of violence (as defined in IC 35-50-1-2). (b) The state shall provide to the court a confidential document identifying the victims named in the court documents. As added by P.L.40-2019, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 5. Victim Rights35-40-5-13. Use of Comfort Item by Child Witness

Sec. 13. When a child less than sixteen (16) years of age is summoned as a witness to any hearing in any criminal matter, including a preliminary hearing, a comfort item or comfort animal shall be allowed to remain in the courtroom with the child during the child's testimony unless the court finds that the defendant's constitutional right to a fair trial will be unduly prejudiced. As added by P.L.40-2019, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 5. Victim Rights35-40-5-2. Release or Escape From Custody of Perpetrator

Sec. 2. (a) A victim has the right to be informed, upon request, when a person who is: (1) accused of committing; or (2) convicted of committing; a crime perpetrated directly against the victim is released from custody or has escaped. (b) Whenever a person accused or convicted of committing a crime is released or escapes from the custody of a mental health treatment agency or a hospital that is not operated by a county sheriff or the department of correction, the court committing the accused or convicted person to the mental health treatment agency or hospital shall carry out this section to inform the victim of the release or escape. The mental health treatment agency or hospital shall provide the court with sufficient information about the release or escape to allow the court to carry out this section. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 5. Victim Rights35-40-5-3. Right to Confer With Prosecuting Attorney's Office

Sec. 3. (a) This section applies if either of the following has occurred: (1) The alleged felony or delinquent act that would have been a felony if committed by an adult was directly perpetrated against the victim. (2) The alleged felony, misdemeanor, or delinquent act that would have been a felony or misdemeanor if committed by an adult was: (A) a violation of IC 35-42-2 (offenses against the person), IC 35-45-2-1 (intimidation), IC 35-45-2-2 (harassment), IC 35-46-1-15.1 (invasion of privacy), IC 35-46-1-15.3, or IC 35-47-4-3 (pointing a firearm); and (B) directly perpetrated against the victim by a person who: (i) is or was a spouse of the victim; (ii) is or was living as if a spouse of the victim; or (iii) has a child in common with the victim. (3) The alleged misdemeanor or delinquent act that would have been a misdemeanor if committed by an adult, other than a misdemeanor described in subdivision (2), was directly perpetrated against the victim, and the victim has complied with the notice requirements under IC 35-40-10. (b) A victim has the right to confer with a representative of the prosecuting attorney's office: (1) after a crime allegedly committed against the victim has been charged; (2) before the trial of a crime allegedly committed against the victim; and (3) before any disposition of a criminal case involving the victim. This right does not include the authority to direct the prosecution of a criminal case involving the victim. (c) A child victim (as defined in section 11.5 of this chapter) has the right to confer with a representative of the prosecuting attorney's office before being deposed. The representative of the prosecuting attorney's office may not instruct the child victim to refuse to participate in the deposition. As added by P.L.139-1999, SEC.1. Amended by P.L.65-2016, SEC.30; P.L.62-2020, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 5. Victim Rights35-40-5-4. Consideration of Victim's Safety

Sec. 4. A victim has the right to have the victim's safety considered in determining release from custody of a person accused of committing a crime against the victim. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 5. Victim Rights35-40-5-5. Right to Be Heard at Sentencing or Release

Sec. 5. A victim has the right to be heard at any proceeding involving sentencing, a postconviction release decision, or a pre-conviction release decision under a forensic diversion program. As added by P.L.139-1999, SEC.1. Amended by P.L.85-2004, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 5. Victim Rights35-40-5-6. Presentence Reports

Sec. 6. (a) A victim has the right to make a written or oral statement for use in preparation of the presentence report. (b) Notwithstanding IC 35-38-1-13, the victim has the right to read presentence reports relating to the crime committed against the victim, except those parts of the reports containing the following: (1) The source of confidential information. (2) Information about another victim. (3) Other information determined confidential or privileged by the judge in a proceeding. The information given to the victim must afford the victim a fair opportunity to respond to the material included in the presentence report. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 5. Victim Rights35-40-5-7. Order of Restitution

Sec. 7. A victim has the right to pursue an order of restitution and other civil remedies against the person convicted of a crime against the victim. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 5. Victim Rights35-40-5-8.5. Victim's Right to an Electronic Transcript

Sec. 8.5. (a) This section applies if: (1) a defendant has filed an appeal of the defendant's conviction; or (2) the state has filed an appeal in connection with criminal proceedings against a defendant. (b) A: (1) victim or alleged victim; or (2) spouse or member of the immediate family (as defined in IC 27-14-1-17 (before its repeal) or IC 27-14.5-1-16) of the victim or alleged victim, if: (A) the victim or alleged victim is deceased; and (B) the spouse or the immediate family member is not a defendant in the criminal case; in a case described in subsection (a) is entitled, at no charge, to an electronic copy of the transcript prepared for appeal in the case described in subsection (a). (c) The trial court clerk shall provide the victim or alleged victim (or spouse or immediate family member) with an electronic copy of the transcript as soon as practicable after the court reporter has filed the transcript with the clerk. (d) The victim or alleged victim (or spouse or immediate family member) is not entitled to any confidential information that the court has excluded from public access under the Indiana rules of appellate procedure, the court administrative rules adopted by the supreme court, or any other statute or court rule. As added by P.L.78-2018, SEC.1. Amended by P.L.226-2023, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 5. Victim Rights35-40-5-8. Right to Information About Criminal Case or Perpetrator

Sec. 8. A victim has the right to information, upon request, about the disposition of the criminal case involving the victim or the conviction, sentence, and release of a person accused of committing a crime against the victim. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 5. Victim Rights35-40-5-9. Right to Be Informed of Victim's Rights

Sec. 9. A victim has the right to be informed of the victim's constitutional and statutory rights. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 6. Prosecuting Attorney Duties and Victim Assistance Programs35-40-6-1. Applicability of Chapter

Sec. 1. This chapter applies when: (1) law enforcement officials have received a report of an alleged offense not later than five (5) days after the alleged offense occurred or was discovered, unless the prosecuting attorney having jurisdiction finds that the report was not made within the five (5) day period due to circumstances beyond the control of a victim of the alleged offense; and (2) a victim fully cooperates with and responds to reasonable requests from law enforcement officials and the prosecuting attorney. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 6. Prosecuting Attorney Duties and Victim Assistance Programs35-40-6-10. Victim to Be Informed of Status of Case

Sec. 10. If a person convicted of a crime against the victim seeks appellate review or attacks the person's conviction or sentence, the prosecuting attorney or the office of the attorney general, whichever is appropriate, shall inform the victim, upon request, of the status of the case and of the decision of the court. As added by P.L.139-1999, SEC.1.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 6. Prosecuting Attorney Duties and Victim Assistance Programs35-40-6-2. Victims to Be Treated With Dignity

Sec. 2. A prosecuting attorney shall provide that: (1) victims are treated with dignity, respect, and sensitivity at all stages of the criminal justice process; and (2) the rights of victims are protected. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 6. Prosecuting Attorney Duties and Victim Assistance Programs35-40-6-3. Victim Assistance Program; Contract to Operate

Sec. 3. A prosecuting attorney may contract with a person to operate a victim assistance program to provide the services required under this chapter. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 6. Prosecuting Attorney Duties and Victim Assistance Programs35-40-6-4. Victim Assistance Program; Purposes

Sec. 4. A prosecuting attorney or a victim assistance program shall do the following: (1) Inform a victim that the victim may be present at all public stages of the criminal justice process to the extent that: (A) the victim's presence and statements do not interfere with a defendant's constitutional rights; and (B) there has not been a court order restricting, limiting, or prohibiting attendance at the criminal proceedings. (2) Timely notify a victim of all criminal justice hearings and proceedings that are scheduled for a criminal matter in which the victim was involved. (3) Promptly notify a victim when a criminal court proceeding has been rescheduled or canceled. (4) Obtain an interpreter or translator, if necessary, to advise a victim of the rights granted to a victim under the law. (5) Coordinate efforts of local law enforcement agencies that are designed to promptly inform a victim after an offense occurs of the availability of, and the application process for, community services for victims and the families of victims, including information concerning services such as the following: (A) Victim compensation funds. (B) Victim assistance resources. (C) Legal resources. (D) Mental health services. (E) Social services. (F) Health resources. (G) Rehabilitative services. (H) Financial assistance services. (I) Crisis intervention services. (J) Transportation and child care services to promote the participation of a victim or a member of the victim's immediate family in the criminal proceedings. (6) Inform the victim that the court may order a defendant convicted of the offense involving the victim to pay restitution to the victim under IC 35-50-5-3. (7) Upon request of the victim, inform the victim of the terms and conditions of release of the person accused of committing a crime against the victim. (8) Upon request of the victim, give the victim notice of the criminal offense for which: (A) the defendant accused of committing the offense against the victim was convicted or acquitted; or (B) the charges were dismissed against the defendant accused of committing the offense against the victim. (9) In a county having a victim-offender reconciliation program (VORP), provide an opportunity for a victim, if the accused person or the offender agrees, to: (A) meet with the accused person or the offender in a safe, controlled environment; (B) give to the accused person or the offender, either orally or in writing, a summary of the financial, emotional, and physical effects of the offense on the victim and the victim's family; and (C) negotiate a restitution agreement to be submitted to the sentencing court for damages incurred by the victim as a result of the offense. (10) Assist a victim in preparing verified documentation necessary to obtain a restitution order under IC 35-50-5-3. (11) Inform a victim (or the spouse or an immediate family member of a deceased victim) of the victim's right to a copy of the trial transcript, and assist the victim, spouse, or immediate family member in obtaining a transcript as described in IC 35-40-5-8.5. (12) Advise a victim of other rights granted to a victim under the law. (13) Assist a local law enforcement authority in notifying a victim (or the spouse or an immediate family member of a deceased victim) under IC 11-8-8-23 of an offender's name change. As added by P.L.139-1999, SEC.1. Amended by P.L.78-2018, SEC.2; P.L.244-2019, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 6. Prosecuting Attorney Duties and Victim Assistance Programs35-40-6-5. Victim-Offender Reconciliation Program

Sec. 5. (a) If a victim participates in a victim-offender reconciliation program (VORP) operated by a victim assistance program under section 4(9) of this chapter, the victim shall execute a waiver releasing: (1) the prosecuting attorney responsible for the victim assistance program; and (2) the victim assistance program; from civil and criminal liability for actions taken by the victim, an accused person, or an offender as a result of participation by the victim, the accused person, or the offender in a victim-offender reconciliation program (VORP). (b) A victim is not required to participate in a victim-offender reconciliation program (VORP) under section 4(9) of this chapter. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 6. Prosecuting Attorney Duties and Victim Assistance Programs35-40-6-6. Threat of Harm to Victim

Sec. 6. If: (1) a victim submits to the prosecuting attorney an affidavit asserting: (A) that an act or threat of physical violence or intimidation has been made against the victim or the immediate family of the victim; and (B) that the act or threat described in clause (A) has been made by the defendant or at the direction of the defendant; and (2) the prosecuting attorney has reason to believe the allegations in the affidavit are true and warrant the filing of a motion for bond revocation; the prosecuting attorney shall file a motion under IC 35-33-8-5 requesting the court to revoke the defendant's bond or order for personal recognizance. As added by P.L.139-1999, SEC.1.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 6. Prosecuting Attorney Duties and Victim Assistance Programs35-40-6-7. Notification Requested by Victim

Sec. 7. If the defendant is convicted, and upon the victim's request, the victim shall be notified, if applicable, of the following: (1) The function of the presentence report. (2) The name and telephone number of the probation department that is preparing the presentence report. (3) The right to make a victim impact statement under IC 35-38-1-8.5. (4) The defendant's right to review the presentence report. (5) The victim's right to review the presentence report, except those parts excised by the court or made confidential by IC 35-40-5-6. (6) The victim's right to be present and heard at any sentencing procedure under IC 35-40-5-5. (7) The time, place, and date of the sentencing proceeding. As added by P.L.139-1999, SEC.1. Amended by P.L.14-2000, SEC.71.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 6. Prosecuting Attorney Duties and Victim Assistance Programs35-40-6-8. Request Form for Revocation of Bond

Sec. 8. The prosecuting attorney or a victim assistance program shall advise a victim on how the request form completed under section 6 of this chapter may be filed with the appropriate agencies and departments. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 6. Prosecuting Attorney Duties and Victim Assistance Programs35-40-6-9. Contact Between Victim and Probation Department

Sec. 9. (a) Notice provided under this chapter does not relieve a probation department of responsibility under IC 35-38-1-8.5 to initiate the contact between a victim and the probation department concerning the consequences suffered by the victim as a result of the crime. (b) At the time of contact with a victim, a probation department shall advise the victim of the date, time, and place of sentencing and of the victim's right to be present and to be heard at the proceeding. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 7. Notice of Release on Bond or Escape35-40-7-1. Responsibility of Law Enforcement Agency With Custody

Sec. 1. The law enforcement agency having custody of a person accused of committing a crime against a victim shall notify the victim if the accused person escapes from the custody of the law enforcement agency. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 7. Notice of Release on Bond or Escape35-40-7-2. Notifying Victim of a Bond Hearing, Escape, Death, or Release

Sec. 2. Upon request of a victim, the office of the prosecuting attorney having jurisdiction or a law enforcement agency having custody of a person accused of a crime against the victim shall notify the victim of the scheduling of a bond hearing, the escape or death of a person accused of committing a crime against the victim, release of a person convicted of a crime against the victim to a work release program, or any other type of postarrest release of a person convicted of a crime or charged with a crime against the victim. As added by P.L.139-1999, SEC.1. Amended by P.L.162-2011, SEC.56.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 7. Notice of Release on Bond or Escape35-40-7-3. Notice; Timing

Sec. 3. A notice under this chapter must be given by a law enforcement agency that has custody of the person at the time of the escape or release to a victim: (1) before the person is released by the law enforcement agency, if possible; or (2) as soon as practicable after the person escapes or has been released by the law enforcement agency. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 8. Notice of Probation Modification, Revocation, or Termination35-40-8-1. Victim Notification of Termination of Probation or Forensic Diversion

Sec. 1. Upon request of a victim, a criminal court shall notify the victim of any probation or forensic diversion revocation disposition proceeding or proceeding in which the court is asked to terminate the probation or forensic diversion of a person who is convicted of a crime against the victim. As added by P.L.139-1999, SEC.1. Amended by P.L.85-2004, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 8. Notice of Probation Modification, Revocation, or Termination35-40-8-2. Victim Notification of Certain Probation or Forensic Diversion Program Modifications

Sec. 2. Upon request of a victim, a criminal court shall notify the victim of a modification of the terms of probation or a forensic diversion program of a person convicted of a crime against the victim only if: (1) the modification will substantially affect the person's contact with or safety of the victim; or (2) the modification affects the person's restitution or confinement status. As added by P.L.139-1999, SEC.1. Amended by P.L.85-2004, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 9. Notice of Release, Discharge, or Escape From a Mental Health Treatment Agency35-40-9-1. Mental Health Treatment Agency to Notify Victim

Sec. 1. If the court described in IC 35-40-5-2 has received a request for notice from a victim and has communicated the request to a mental health treatment agency, the mental health treatment agency shall mail a notification to the court described in IC 35-40-5-2 not later than ten (10) days before the release or discharge of a person: (1) accused or convicted of committing a criminal offense against the victim; and (2) placed by court order with the mental health treatment agency. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 9. Notice of Release, Discharge, or Escape From a Mental Health Treatment Agency35-40-9-2. Mental Health Treatment Agency to Notify Court

Sec. 2. A mental health treatment agency shall immediately notify the court described in IC 35-40-5-2 after the escape or subsequent readmission of a person: (1) accused or convicted of committing a criminal offense against the victim; and (2) placed by court order with the mental health treatment agency. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 40. Victim RightsChapter 9. Notice of Release, Discharge, or Escape From a Mental Health Treatment Agency35-40-9-3. Court to Give Notice on Behalf of Mental Health Treatment Agency

Sec. 3. The court described in IC 35-40-5-2 shall give the notice required under IC 35-40-5-2 on behalf of the mental health treatment agency. As added by P.L.139-1999, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 1. Jurisdiction and Definitions35-41-1-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The addition of section 5.5 of this chapter by P.L.80-2008 applies only to persons convicted after June 30, 2008. As added by P.L.220-2011, SEC.590. Amended by P.L.63-2012, SEC.44.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 1. Jurisdiction and Definitions35-41-1-1. Jurisdiction

Sec. 1. (a) As used in this section, "Indiana" includes: (1) the area within the boundaries of the state of Indiana, as set forth in Article 14, Section 1 of the Constitution of the State of Indiana; (2) the portion of the Ohio River on which Indiana possesses concurrent jurisdiction with the state of Kentucky under Article 14, Section 2 of the Constitution of the State of Indiana; and (3) the portion of the Wabash River on which Indiana possesses concurrent jurisdiction with the state of Illinois under Article 14, Section 2 of the Constitution of the State of Indiana. (b) A person may be convicted under Indiana law of an offense if: (1) either the conduct that is an element of the offense, the result that is an element, or both, occur in Indiana; (2) conduct occurring outside Indiana is sufficient under Indiana law to constitute an attempt to commit an offense in Indiana; (3) conduct occurring outside Indiana is sufficient under Indiana law to constitute a conspiracy to commit an offense in Indiana, and an overt act in furtherance of the conspiracy occurs in Indiana; (4) conduct occurring in Indiana establishes complicity in the commission of, or an attempt or conspiracy to commit, an offense in another jurisdiction that also is an offense under Indiana law; (5) the offense consists of the omission to perform a duty imposed by Indiana law with respect to domicile, residence, or a relationship to a person, thing, or transaction in Indiana; (6) conduct that is an element of the offense or the result of conduct that is an element of the offense, or both, involve the use of the Internet or another computer network (as defined in IC 35-43-2-3) and access to the Internet or other computer network occurs in Indiana; or (7) conduct: (A) involves the use of: (i) the Internet or another computer network (as defined in IC 35-43-2-3); or (ii) another form of electronic communication; (B) occurs outside Indiana and the victim of the offense resides in Indiana at the time of the offense; and (C) is sufficient under Indiana law to constitute an offense in Indiana. (c) When the offense is homicide, either the death of the victim or bodily impact causing death constitutes a result under subsection (b)(1). If the body of a homicide victim is found in Indiana, it is presumed that the result occurred in Indiana. (d) If the offense is identity deception or synthetic identity deception (before its repeal), the lack of the victim's consent constitutes conduct that is an element of the offense under subsection (b)(1). If a victim of identity deception or synthetic identity deception (before its repeal) resides in Indiana when a person knowingly or intentionally obtains, possesses, transfers, or uses the victim's identifying information, it is presumed that the conduct that is the lack of the victim's consent occurred in Indiana. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.1; P.L.295-1995, SEC.1; P.L.115-2005, SEC.3; P.L.125-2006, SEC.8; P.L.137-2009, SEC.12; P.L.174-2021, SEC.42.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 2. Basis of Criminal Liability35-41-2-1. Voluntary Conduct

Sec. 1. (a) A person commits an offense only if he voluntarily engages in conduct in violation of the statute defining the offense. However, a person who omits to perform an act commits an offense only if he has a statutory, common law, or contractual duty to perform the act. (b) If possession of property constitutes any part of the prohibited conduct, it is a defense that the person who possessed the property was not aware of his possession for a time sufficient for him to have terminated his possession. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.3; Acts 1978, P.L.144, SEC.3; P.L.311-1983, SEC.30.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 2. Basis of Criminal Liability35-41-2-2. Culpability

Sec. 2. (a) A person engages in conduct "intentionally" if, when he engages in the conduct, it is his conscious objective to do so. (b) A person engages in conduct "knowingly" if, when he engages in the conduct, he is aware of a high probability that he is doing so. (c) A person engages in conduct "recklessly" if he engages in the conduct in plain, conscious, and unjustifiable disregard of harm that might result and the disregard involves a substantial deviation from acceptable standards of conduct. (d) Unless the statute defining the offense provides otherwise, if a kind of culpability is required for commission of an offense, it is required with respect to every material element of the prohibited conduct. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 2. Basis of Criminal Liability35-41-2-3. Liability of Corporation, Partnership, or Unincorporated Association

Sec. 3. (a) A corporation, limited liability company, partnership, or unincorporated association may be prosecuted for any offense; it may be convicted of an offense only if it is proved that the offense was committed by its agent acting within the scope of his authority. (b) Recovery of a fine, costs (including fees), or forfeiture from a corporation, limited liability company, partnership, or unincorporated association is limited to the property of the corporation, limited liability company, partnership, or unincorporated association. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.5; P.L.8-1993, SEC.510; P.L.106-2010, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 2. Basis of Criminal Liability35-41-2-4. Aiding, Inducing, or Causing an Offense

Sec. 4. A person who knowingly or intentionally aids, induces, or causes another person to commit an offense commits that offense, even if the other person: (1) has not been prosecuted for the offense; (2) has not been convicted of the offense; or (3) has been acquitted of the offense. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 2. Basis of Criminal Liability35-41-2-5. Intoxication

Sec. 5. Intoxication is not a defense in a prosecution for an offense and may not be taken into consideration in determining the existence of a mental state that is an element of the offense unless the defendant meets the requirements of IC 35-41-3-5. As added by P.L.210-1997, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 2. Basis of Criminal Liability35-41-2-6. Penalty for Certain Offenses

Sec. 6. (a) This section applies to an offense with a penalty that may be enhanced due to the value of the property involved in the offense. (b) Offenses that are committed in a thirty (30) day period may be charged in a single count. The value of property involved in offenses: (1) committed in a thirty (30) day period; and (2) charged in a single count; may be aggregated. As added by P.L.166-2017, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 3. Defenses Relating to Culpability35-41-3-1. Legal Authority

Sec. 1. A person is justified in engaging in conduct otherwise prohibited if he has legal authority to do so. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 3. Defenses Relating to Culpability35-41-3-10. Abandonment

Sec. 10. With respect to a charge under IC 35-41-2-4, IC 35-41-5-1, or IC 35-41-5-2, it is a defense that the person who engaged in the prohibited conduct voluntarily abandoned his effort to commit the underlying crime and voluntarily prevented its commission. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.15.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 3. Defenses Relating to Culpability35-41-3-11. Mental Disease or Defect; Use of Justifiable Reasonable Force

Sec. 11. (a) As used in this section, "defendant" refers to an individual charged with any crime involving the use of force against a person. (b) This section applies under the following circumstances when the defendant in a prosecution raises the issue that the defendant was at the time of the alleged crime suffering from the effects of battery as a result of the past course of conduct of the individual who is the victim of the alleged crime: (1) The defendant raises the issue that the defendant was not responsible as a result of mental disease or defect under section 6 of this chapter, rendering the defendant unable to appreciate the wrongfulness of the conduct at the time of the crime. (2) The defendant claims to have used justifiable reasonable force under section 2 of this chapter. The defendant has the burden of going forward to produce evidence from which a trier of fact could find support for the reasonableness of the defendant's belief in the imminence of the use of unlawful force or, when deadly force is employed, the imminence of serious bodily injury to the defendant or a third person or the commission of a forcible felony. (c) If a defendant

proposes to claim the use of justifiable reasonable force under subsection (b)(2), the defendant must file a written motion of that intent with the trial court not later than: (1) twenty (20) days if the defendant is charged with a felony; or (2) ten (10) days if the defendant is charged only with one (1) or more misdemeanors; before the omnibus date. However, in the interest of justice and upon a showing of good cause, the court may permit the filing to be made at any time before the commencement of the trial. (d) The introduction of any expert testimony under this section shall be in accordance with the Indiana Rules of Evidence. As added by P.L.210-1997, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 3. Defenses Relating to Culpability35-41-3-12. Defense to Crime Involving the Death of or Injury to a Fetus; Exceptions

Sec. 12. (a) It is a defense to any crime involving the death of or injury to a fetus that the defendant was a pregnant woman who committed the unlawful act with the intent to terminate her pregnancy. (b) Except as provided in subsection (c), it is a defense to any crime involving the death of or injury to a fetus that the mother of the fetus requested that the defendant terminate her pregnancy, and that the death or injury to the fetus was the result of the defendant's termination or attempted termination of her pregnancy. (c) Subsection (b) is not a defense to: (1) performing an unlawful abortion under IC 16-34-2-7; or (2) feticide (IC 35-42-1-6). As added by P.L.179-2022(ss), SEC.48.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 3. Defenses Relating to Culpability35-41-3-2. Use of Force to Protect Person or Property

Sec. 2. (a) In enacting this section, the general assembly finds and declares that it is the policy of this state to recognize the unique character of a citizen's home and to ensure that a citizen feels secure in his or her own home against unlawful intrusion by another individual or a public servant. By reaffirming the long standing right of a citizen to protect his or her home against unlawful intrusion, however, the general assembly does not intend to diminish in any way the other robust self-defense rights that citizens of this state have always enjoyed. Accordingly, the general assembly also finds and declares that it is the policy of this state that people have a right to defend themselves and third parties from physical harm and crime. The purpose of this section is to provide the citizens of this state with a lawful means of carrying out this policy. Provisions concerning civil immunity for the justified use of force as defined in this section are codified under IC 34-30-31. (b) As used in this section, "public servant" means a person described in IC 35-31.5-2-129 or IC 35-31.5-2-185. (c) A person is justified in using reasonable force against any other person to protect the person or a third person from what the person reasonably believes to be the imminent use of unlawful force. However, a person: (1) is justified in using deadly force; and (2) does not have a duty to retreat; if the person reasonably believes that that force is necessary to prevent serious bodily injury to the person or a third person or the commission of a forcible felony. No person, employer, or estate of a person in this state shall be placed in legal jeopardy of any kind whatsoever for protecting the person or a third person by reasonable means necessary. (d) A person: (1) is justified in using reasonable force, including deadly force, against any other person; and (2) does not have a duty to retreat; if the person reasonably believes that the force is necessary to prevent or terminate the other person's unlawful entry of or attack on the person's dwelling, curtilage, or occupied motor vehicle. (e) With respect to property other than a dwelling, curtilage, or an occupied motor vehicle, a person is justified in using reasonable force against any other person if the person reasonably believes that the force is necessary to immediately prevent or terminate the other person's trespass on or criminal interference with property lawfully in the person's possession, lawfully in possession of a member of the person's immediate family, or belonging to a person whose property the person has authority to protect. However, a person: (1) is justified in using deadly force; and (2) does not have a duty to retreat; only if that force is justified under subsection (c). (f) A person is justified in using reasonable force, including deadly force, against any other person and does not have a duty to retreat if the person reasonably believes that the force is necessary to prevent or stop the other person from hijacking, attempting to hijack, or otherwise seizing or attempting to seize unlawful control of an aircraft in flight. For purposes of this subsection, an aircraft is considered to be in flight while the aircraft is: (1) on the ground in Indiana: (A) after the doors of the aircraft are closed for takeoff; and (B) until the aircraft takes off; (2) in the airspace above Indiana; or (3) on the ground in Indiana: (A) after the aircraft lands; and (B) before the doors of the aircraft are opened after landing. (g) Notwithstanding subsections (c) through (e), a person is not justified in using force if: (1) the person is committing or is escaping after the commission of a crime; (2) the person provokes unlawful action by another person with intent to cause bodily injury to the other person; or (3) the person has entered into combat with another person or is the initial aggressor unless the person withdraws from the encounter and communicates to the other person the intent to do so and the other person nevertheless continues or threatens to continue unlawful action. (h) Notwithstanding subsection (f), a person is not justified in using force if the person: (1) is committing, or is escaping after the commission of, a crime; (2) provokes unlawful action by another person, with intent to cause bodily injury to the other person; or (3) continues to combat another person after the other person withdraws from the encounter and communicates the other person's intent to stop hijacking, attempting to hijack, or otherwise seizing or attempting to seize unlawful control of an aircraft in flight. (i) A person is justified in using reasonable force against a public servant if the person reasonably believes the force is necessary to: (1) protect the person or a third person from what the person reasonably believes to be the imminent use of unlawful force; (2) prevent or terminate the public servant's unlawful entry of or attack on the person's dwelling, curtilage, or occupied motor vehicle; or (3) prevent or terminate the public servant's unlawful trespass on or criminal interference with property lawfully in the person's possession, lawfully in possession of a member of the person's immediate family, or belonging to a person whose property the person has authority to protect. (j) Notwithstanding subsection (i), a person is not justified in using force against a public servant if: (1) the person is

committing or is escaping after the commission of a crime; (2) the person provokes action by the public servant with intent to cause bodily injury to the public servant; (3) the person has entered into combat with the public servant or is the initial aggressor, unless the person withdraws from the encounter and communicates to the public servant the intent to do so and the public servant nevertheless continues or threatens to continue unlawful action; or (4) the person reasonably believes the public servant is: (A) acting lawfully; or (B) engaged in the lawful execution of the public servant's official duties. (k) A person is not justified in using deadly force against a public servant whom the person knows or reasonably should know is a public servant unless: (1) the person reasonably believes that the public servant is: (A) acting unlawfully; or (B) not engaged in the execution of the public servant's official duties; and (2) the force is reasonably necessary to prevent serious bodily injury to the person or a third person. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.8; Acts 1979, P.L.297, SEC.1; P.L.59-2002, SEC.1; P.L.189-2006, SEC.1; P.L.161-2012, SEC.1; P.L.13-2013, SEC.139; P.L.107-2019, SEC.7; P.L.9-2024, SEC.536.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 3. Defenses Relating to Culpability35-41-3-3. Use of Force Relating to Arrest or Escape

Sec. 3. (a) The following definitions apply throughout this section: (1) "Chokehold" means applying pressure to the throat or neck of another person in a manner intended to obstruct the airway of the other person. (2) "Deadly force" includes a chokehold. (b) A person other than a law enforcement officer is justified in using reasonable force against another person to effect an arrest or prevent the other person's escape if: (1) a felony has been committed; and (2) there is probable cause to believe the other person committed that felony. However, such a person is not justified in using deadly force unless that force is justified under section 2 of this chapter. (c) A law enforcement officer is justified in using reasonable force if the officer reasonably believes that the force is necessary to enforce a criminal law or to effect a lawful arrest. However, an officer is justified in using deadly force only if the officer: (1) has probable cause to believe that that deadly force is necessary: (A) to prevent the commission of a forcible felony; or (B) to effect an arrest of a person who the officer has probable cause to believe poses a threat of serious bodily injury to the officer or a third person; and (2) has given a warning, if feasible, to the person against whom the deadly force is to be used. (d) A law enforcement officer making an arrest under an invalid warrant is justified in using force as if the warrant was valid, unless the officer knows that the warrant is invalid. (e) A law enforcement officer who has an arrested person in custody is justified in using the same force to prevent the escape of the arrested person from custody that the officer would be justified in using if the officer was arresting that person. However, an officer is justified in using deadly force only if the officer: (1) has probable cause to believe that deadly force is necessary to prevent the escape from custody of a person who the officer has probable cause to believe poses a threat of serious bodily injury to the officer or a third person; and (2) has given a warning, if feasible, to the person against whom the deadly force is to be used. (f) A guard or other official in a penal facility or a law enforcement officer is justified in using reasonable force, including deadly force, if the officer has probable cause to believe that the force is necessary to prevent the escape of a person who is detained in the penal facility. (g) Notwithstanding subsection (c), (e), or (f), a guard, penal facility official, or law enforcement officer who is a defendant in a criminal prosecution has the same right as a person who is not a guard, penal facility official, or law enforcement officer to assert self-defense under IC 35-41-3-2. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.9; Acts 1979, P.L.297, SEC.2; P.L.245-1993, SEC.1; P.L.12-2021, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 3. Defenses Relating to Culpability35-41-3-5. Intoxication

Sec. 5. It is a defense that the person who engaged in the prohibited conduct did so while he was intoxicated, only if the intoxication resulted from the introduction of a substance into his body: (1) without his consent; or (2) when he did not know that the substance might cause intoxication. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.10; Acts 1980, P.L.205, SEC.1; P.L.210-1997, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 3. Defenses Relating to Culpability35-41-3-6. Mental Disease or Defect

Sec. 6. (a) A person is not responsible for having engaged in prohibited conduct if, as a result of mental disease or defect, he was unable to appreciate the wrongfulness of the conduct at the time of the offense. (b) As used in this section, "mental disease or defect" means a severely abnormal mental condition that grossly and demonstrably impairs a person's perception, but the term does not include an abnormality manifested only by repeated unlawful or antisocial conduct. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.11; P.L.184-1984, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 3. Defenses Relating to Culpability35-41-3-7. Mistake of Fact

Sec. 7. It is a defense that the person who engaged in the prohibited conduct was reasonably mistaken about a matter of fact, if the mistake negates the culpability required for commission of the offense. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 3. Defenses Relating to Culpability35-41-3-8. Duress

Sec. 8. (a) It is a defense that the person who engaged in the prohibited conduct was compelled to do so by threat of imminent serious bodily injury to himself or another person. With respect to offenses other than felonies, it is a defense that the person who engaged in the prohibited conduct was compelled to do so by force or threat of force. Compulsion under this section exists only if the force, threat, or circumstances are such as would render a person of reasonable firmness incapable of resisting the pressure. (b) This section does not apply to a person who: (1) recklessly, knowingly, or intentionally placed himself in a situation in which it was foreseeable that he would be subjected to duress; or (2) committed an offense against the person as defined in IC 35-42. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 3. Defenses Relating to Culpability35-41-3-9. Entrapment

Sec. 9. (a) It is a defense that: (1) the prohibited conduct of the person was the product of a law enforcement officer, or his agent, using persuasion or other means likely to cause the person to engage in the conduct; and (2) the person was not predisposed to commit the offense. (b) Conduct merely affording a person an opportunity to commit the offense does not constitute entrapment. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 4. Standard of Proof and Bars to Prosecution35-41-4-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The following amendments to this chapter apply as follows: (1) The amendments made to section 2 of this chapter by P.L.309-1985 do not apply to violations occurring before April 9, 1985. (2) The amendments made to section 2 of this chapter by P.L.48-2001 apply to all crimes regardless of whether the crime was committed before, on, or after July 1, 2001. (3) The amendments made to section 2(f) of this chapter by P.L.97-2004 do not apply to offenses committed under IC 35-42-4-3(c) and IC 35-42-4-3(d) as those provisions existed before the amendment of IC 35-42-4-3 by P.L.79-1994. As added by P.L.220-2011, SEC.591. Amended by P.L.63-2012, SEC.45.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 4. Standard of Proof and Bars to Prosecution35-41-4-1. Standard of Proof; Insanity Defense

Sec. 1. (a) A person may be convicted of an offense only if his guilt is proved beyond a reasonable doubt. (b) Notwithstanding subsection (a), the burden of proof is on the defendant to establish the defense of insanity (IC 35-41-3-6) by a preponderance of the evidence. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.16; Acts 1978, P.L.145, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 4. Standard of Proof and Bars to Prosecution35-41-4-2. Periods of Limitation

Sec. 2. (a) Except as otherwise provided in this section, a prosecution for an offense is barred unless it is commenced: (1) within five (5) years after the commission of the offense, in the case of a Class B, Class C, or Class D felony (for a crime committed before July 1, 2014) or a Level 3, Level 4, Level 5, or Level 6 felony (for a crime committed after June 30, 2014); or (2) within two (2) years after the commission of the offense, in the case of a misdemeanor. (b) A prosecution for a Class B or Class C felony (for a crime committed before July 1, 2014) or a Level 3, Level 4, or Level 5 felony (for a crime committed after June 30, 2014) that would otherwise be barred under this section may be commenced within one (1) year after the earlier of the date on which the state: (1) first discovers evidence sufficient to charge the offender with the offense through DNA (deoxyribonucleic acid) analysis; or (2) could have discovered evidence sufficient to charge the offender with the offense through DNA (deoxyribonucleic acid) analysis by the exercise of due diligence. However, if the offense is a sex offense against a child described in subsection (m), a prosecution otherwise barred under this section may be prosecuted in accordance with subsection (p). (c) Except as provided in subsection (e), a prosecution for a Class A felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 2 felony (for a crime committed after June 30, 2014) may be commenced at any time. (d) A prosecution for murder may be commenced: (1) at any time; and (2) regardless of the amount of time that passes between: (A) the date a person allegedly commits the elements of murder; and (B) the date the alleged victim of the murder dies. (e) Except as provided in subsection (p), a prosecution for the following offenses is barred unless commenced before the date that the alleged victim of the offense reaches thirty-one (31) years of age: (1) IC 35-42-4-3 (Child molesting). (2) IC 35-42-4-5 (Vicarious sexual gratification). (3) IC 35-42-4-6 (Child solicitation). (4) IC 35-42-4-7 (Child seduction). (5) IC 35-42-4-9 (Sexual misconduct with a minor). (6) IC 35-46-1-3 (Incest). (f) A prosecution for forgery of an instrument for payment of money, or for the uttering of a forged instrument, under IC 35-43-5-2, is barred unless it is commenced within five (5) years after the maturity of the instrument. (g) If a complaint, indictment, or information is dismissed because of an error, defect, insufficiency, or irregularity, a new prosecution may be commenced within ninety (90) days after the dismissal even if the period of limitation has expired at the time of dismissal, or will expire within ninety (90) days after the dismissal. (h) The period within which a prosecution must be commenced does not include any period in which: (1) the accused person is not usually and publicly resident in Indiana or so conceals himself or herself that process cannot be served; (2) the accused person conceals evidence of the offense, and evidence sufficient to charge the person with that offense is unknown to the prosecuting authority and could not have been discovered by that authority by exercise of due diligence; or (3) the accused person is a person elected or appointed to office under statute or constitution, if the offense charged is theft or conversion of public funds or

bribery while in public office. (i) For purposes of tolling the period of limitation only, a prosecution is considered commenced on the earliest of these dates: (1) The date of filing of an indictment, information, or complaint before a court having jurisdiction. (2) The date of issuance of a valid arrest warrant. (3) The date of arrest of the accused person by a law enforcement officer without a warrant, if the officer has authority to make the arrest. (j) A prosecution is considered timely commenced for any offense to which the defendant enters a plea of guilty, notwithstanding that the period of limitation has expired. (k) The following apply to the specified offenses: (1) A prosecution for an offense under IC 30-2-9-7(b) (misuse of funeral trust funds) is barred unless commenced within five (5) years after the date of death of the settlor (as described in IC 30-2-9). (2) A prosecution for an offense under IC 30-2-10-9(b) (misuse of funeral trust funds) is barred unless commenced within five (5) years after the date of death of the settlor (as described in IC 30-2-10). (3) A prosecution for an offense under IC 30-2-13-38(f) (misuse of funeral trust or escrow account funds) is barred unless commenced within five (5) years after the date of death of the purchaser (as defined in IC 30-2-13-9). (l) A prosecution for an offense under IC 23-2-6, IC 23-2.5, IC 23-14-48-9, or IC 23-19 is barred unless commenced within five (5) years after the earlier of the date on which the state: (1) first discovers evidence sufficient to charge the offender with the offense; or (2) could have discovered evidence sufficient to charge the offender with the offense by the exercise of due diligence. (m) Except as provided in subsection (p), a prosecution for a sex offense listed in IC 11-8-8-4.5 that is committed against a child and that is not: (1) a Class A felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 2 felony (for a crime committed after June 30, 2014); or (2) listed in subsection (e); is barred unless commenced within ten (10) years after the commission of the offense, or within four (4) years after the person ceases to be a dependent of the person alleged to have committed the offense, whichever occurs later. (n) A prosecution for rape (IC 35-42-4-1) as a Class B felony (for a crime committed before July 1, 2014) or as a Level 3 felony (for a crime committed after June 30, 2014) that would otherwise be barred under this section may be commenced not later than five (5) years after the earlier of the date on which: (1) the state first discovers evidence sufficient to charge the offender with the offense through DNA (deoxyribonucleic acid) analysis; (2) the state first becomes aware of the existence of a recording (as defined in IC 35-31.5-2-273) that provides evidence sufficient to charge the offender with the offense; or (3) a person confesses to the offense. (o) A prosecution for criminal deviate conduct (IC 35-42-4-2) (repealed) as a Class B felony for a crime committed before July 1, 2014, that would otherwise be barred under this section may be commenced not later than five (5) years after the earliest of the date on which: (1) the state first discovers evidence sufficient to charge the offender with the offense through DNA (deoxyribonucleic acid) analysis; (2) the state first becomes aware of the existence of a recording (as defined in IC 35-31.5-2-273) that provides evidence sufficient to charge the offender with the offense; or (3) a person confesses to the offense. (p) A prosecution for an offense described in subsection (e) or subsection (m) that would otherwise be barred under this section may be commenced not later than five (5) years after the earliest of the date on which: (1) the state first discovers evidence sufficient to charge the offender with the offense through DNA (deoxyribonucleic acid) analysis; (2) the state first becomes aware of the existence of a recording (as defined in IC 35-31.5-2-273) that provides evidence sufficient to charge the offender with the offense; or (3) a person confesses to the offense. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.17; P.L.309-1985, SEC.2; P.L.232-1993, SEC.3; P.L.9-2000, SEC.1; P.L.48-2001, SEC.1; P.L.1-2002, SEC.149; P.L.97-2004, SEC.124; P.L.6-2006, SEC.7; P.L.140-2006, SEC.30; P.L.173-2006, SEC.30; P.L.143-2009, SEC.47; P.L.44-2013, SEC.2; P.L.158-2013, SEC.407; P.L.168-2014, SEC.63; P.L.72-2015, SEC.1; P.L.70-2016, SEC.4; P.L.158-2017, SEC.15; P.L.40-2019, SEC.7; P.L.175-2019, SEC.9; P.L.211-2019, SEC.45; P.L.31-2020, SEC.2; P.L.3-2023, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 4. Standard of Proof and Bars to Prosecution35-41-4-3. When Prosecution Barred for Same Offense

Sec. 3. (a) A prosecution is barred if there was a former prosecution of the defendant based on the same facts and for commission of the same offense and if: (1) the former prosecution resulted in an acquittal or a conviction of the defendant (A conviction of an included offense constitutes an acquittal of the greater offense, even if the conviction is subsequently set aside.); or (2) the former prosecution was terminated after the jury was impaneled and sworn or, in a trial by the court without a jury, after the first witness was sworn, unless (i) the defendant consented to the termination or waived, by motion to dismiss or otherwise, his right to object to the termination, (ii) it was physically impossible to proceed with the trial in conformity with law, (iii) there was a legal defect in the proceedings that would make any judgment entered upon a verdict reversible as a matter of law, (iv) prejudicial conduct, in or outside the courtroom, made it impossible to proceed with the trial without injustice to either the defendant or the state, (v) the jury was unable to agree on a verdict, or (vi) false statements of a juror on voir dire prevented a fair trial. (b) If the prosecuting authority brought about any of the circumstances in subdivisions (a)(2)(i) through (a)(2)(vi) of this section, with intent to cause termination of the trial, another prosecution is barred. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 4. Standard of Proof and Bars to Prosecution35-41-4-4. When Prosecution Barred for Different Offense

Sec. 4. (a) A prosecution is barred if all of the following exist: (1) There was a former prosecution of the defendant for a different offense or for the same offense based on different facts. (2) The former prosecution resulted in an acquittal or a conviction of the defendant or in an improper termination under section 3 of this chapter. (3) The instant prosecution is for an offense with which the defendant should have been charged in the former prosecution. (b) A prosecution is not barred under this section if the offense on which it is based was not consummated when the trial under the former prosecution began. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.19.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 4. Standard of Proof and Bars to Prosecution35-41-4-5. Former Prosecution in Another Jurisdiction a Bar

Sec. 5. In a case in which the alleged conduct constitutes an offense within the concurrent jurisdiction of Indiana and another jurisdiction, a former prosecution in any other jurisdiction is a bar to a subsequent prosecution for the same conduct in Indiana, if the former prosecution resulted in an acquittal or a conviction of the defendant or in an improper termination under section 3 of this chapter. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 4. Standard of Proof and Bars to Prosecution35-41-4-6. Invalid or Fraudulently Procured Prosecution Not a Bar

Sec. 6. A former prosecution is not a bar under section 3, 4, or 5 of this chapter if: (1) it was before a court that lacked jurisdiction over the defendant or the offense; (2) it was procured by the defendant without the knowledge of the prosecuting authority and with intent to avoid a more severe sentence that might otherwise have been imposed; or (3) it resulted in a conviction that was set aside, reversed, vacated, or held invalid in a subsequent proceeding, unless the defendant was adjudged not guilty or ordered discharged. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 5. Offenses of General Applicability35-41-5-1. Attempt

Sec. 1. (a) A person attempts to commit a crime when, acting with the culpability required for commission of the crime, the person engages in conduct that constitutes a substantial step toward commission of the crime. An attempt to commit a crime is a felony or misdemeanor of the same level or class as the crime attempted. However, an attempt to commit murder is a Level 1 felony. (b) It is no defense that, because of a misapprehension of the circumstances, including the age of the intended victim in a prosecution for attempted child molesting (IC 35-42-4-3), it would have been impossible for the accused person to commit the crime attempted. (c) For purposes of subsection (a), a person engages in conduct that constitutes a substantial step if the person, with the intent to commit a sex crime against a child or an individual the person believes to be a child: (1) communicates with the child or individual the person believes to be a child concerning the sex crime; and (2) travels to another location to meet the child or individual the person believes to be a child. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.22; P.L.158-2013, SEC.408; P.L.247-2013, SEC.5; P.L.168-2014, SEC.64.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 5. Offenses of General Applicability35-41-5-2. Conspiracy

Sec. 2. (a) A person conspires to commit a felony when, with intent to commit the felony, the person agrees with another person to commit the felony. A conspiracy to commit a felony is a felony of the same level as the underlying felony. However, a conspiracy to commit murder is: (1) a Level 2 felony if the conspiracy does not result in the death of a person; and (2) a Level 1 felony if the conspiracy results in the death of another person. (b) The state must allege and prove that either the person or the person with whom he or she agreed performed an overt act in furtherance of the agreement. (c) It is no defense that the person with whom the accused person is alleged to have conspired: (1) has not been prosecuted; (2) has not been convicted; (3) has been acquitted; (4) has been convicted of a different crime; (5) cannot be prosecuted for any reason; or (6) lacked the capacity to commit the crime. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.23; P.L.158-2013, SEC.409.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 41. Substantive Criminal ProvisionsChapter 5. Offenses of General Applicability35-41-5-3. Multiple Convictions

Sec. 3. (a) A person may not be convicted of both a conspiracy and an attempt with respect to the same underlying crime. (b) A person may not be convicted of both a crime and an attempt to commit the same crime. As added by Acts 1976, P.L.148, SEC.1. Amended by Acts 1977, P.L.340, SEC.24.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 1. Homicide35-42-1-0.5. Abortions Exempt

Sec. 0.5. Sections 1, 3, and 4 of this chapter do not apply to an abortion performed in compliance with: (1) IC 16-34; or (2) IC 35-1-58.5 (before its repeal). As added by P.L.261-1997, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 1. Homicide35-42-1-1.5. Dealing in a Controlled Substance Resulting in Death

Sec. 1.5. (a) A person who knowingly or intentionally manufactures or delivers a controlled substance or controlled substance analog, in violation of: (1) IC 35-48-4-1 (dealing in cocaine or a narcotic drug); (2) IC 35-48-4-1.1 (dealing in methamphetamine); (3) IC 35-48-4-1.2 (manufacturing methamphetamine); or (4) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled substance); that, when the controlled substance is used, injected, inhaled, absorbed, or ingested, results in the death of a human being who used

the controlled substance, commits dealing in a controlled substance resulting in death, a Level 1 felony. (b) A person who knowingly or intentionally manufactures or delivers a controlled substance, in violation of IC 35-48-4-3, that, when the controlled substance is used, injected, inhaled, absorbed, or ingested, results in the death of a human being who used the controlled substance, commits dealing in a controlled substance resulting in death, a Level 2 felony. (c) A person who knowingly or intentionally manufactures or delivers a controlled substance, in violation of IC 35-48-4-4, an offense under IC 35-48-4 involving a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-1-9.3), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6), that, when the controlled substance is used, injected, inhaled, absorbed, or ingested, results in the death of a human being who used the controlled substance, commits dealing in a controlled substance resulting in death, a Level 3 felony. (d) It is not a defense to an offense described in this section that the human being died: (1) after voluntarily using, injecting, inhaling, absorbing, or ingesting a controlled substance or controlled substance analog; or (2) as a result of using the controlled substance or controlled substance analog in combination with alcohol or another controlled substance or with any other compound, mixture, diluent, or substance. As added by P.L.198-2018, SEC.7. Amended by P.L.80-2019, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 1. Homicide35-42-1-1. Murder

Sec. 1. A person who: (1) knowingly or intentionally kills another human being; (2) kills another human being while committing or attempting to commit arson, burglary, child molesting, consumer product tampering, criminal deviate conduct (under IC 35-42-4-2 before its repeal), kidnapping, rape, robbery, human trafficking, promotion of human labor trafficking, promotion of human sexual trafficking, promotion of child sexual trafficking, promotion of sexual trafficking of a younger child, child sexual trafficking, or carjacking (before its repeal); (3) kills another human being while committing or attempting to commit: (A) dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1); (B) dealing in methamphetamine (IC 35-48-4-1.1); (C) manufacturing methamphetamine (IC 35-48-4-1.2); (D) dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2); (E) dealing in a schedule IV controlled substance (IC 35-48-4-3); or (F) dealing in a schedule V controlled substance; or (4) except as provided in section 6.5 of this chapter, knowingly or intentionally kills a fetus in any stage of development; commits murder, a felony. As added by Acts 1976, P.L.148, SEC.2. Amended by Acts 1977, P.L.340, SEC.25; P.L.326-1987, SEC.2; P.L.296-1989, SEC.1; P.L.230-1993, SEC.2; P.L.261-1997, SEC.3; P.L.17-2001, SEC.15; P.L.151-2006, SEC.16; P.L.173-2006, SEC.51; P.L.1-2007, SEC.230; P.L.158-2013, SEC.410; P.L.214-2013, SEC.35; P.L.168-2014, SEC.65; P.L.252-2017, SEC.10; P.L.144-2018, SEC.18; P.L.203-2018, SEC.1; P.L.215-2018(ss), SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 1. Homicide35-42-1-2.5. Assisting Suicide

Sec. 2.5. (a) This section does not apply to the following: (1) A licensed health care provider who administers, prescribes, or dispenses medications or procedures to relieve a person's pain or discomfort, even if the medication or procedure may hasten or increase the risk of death, unless such medications or procedures are intended to cause death. (2) The withholding or withdrawing of medical treatment or life-prolonging procedures by a licensed health care provider, including pursuant to IC 16-36-4 (living wills and life-prolonging procedures), IC 16-36-1 (health care consent), IC 16-36-7 (advance directive), or IC 30-5 (health care power of attorney). (b) A person who has knowledge that another person intends to commit or attempt to commit suicide and who intentionally does either of the following commits assisting suicide, a Level 5 felony: (1) Provides the physical means by which the other person attempts or commits suicide. (2) Participates in a physical act by which the other person attempts or commits suicide. As added by P.L.246-1993, SEC.1. Amended by P.L.1-1994, SEC.167; P.L.158-2013, SEC.412; P.L.50-2021, SEC.81.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 1. Homicide35-42-1-2. Causing Suicide

Sec. 2. A person who intentionally causes another human being, by force, duress, or deception, to commit suicide commits causing suicide, a Level 3 felony. As added by Acts 1976, P.L.148, SEC.2. Amended by Acts 1977, P.L.340, SEC.26; P.L.158-2013, SEC.411.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 1. Homicide35-42-1-3. Voluntary Manslaughter

Sec. 3. (a) A person who knowingly or intentionally: (1) kills another human being; or (2) except as provided in section 6.5 of this chapter, kills a fetus in any stage of development; while acting under sudden heat commits voluntary manslaughter, a Level 2 felony. (b) The existence of sudden heat is a mitigating factor that reduces what otherwise would be murder under section 1(1) of this chapter to voluntary manslaughter. As added by Acts 1976, P.L.148, SEC.2. Amended by Acts 1977, P.L.340, SEC.27; P.L.321-1987, SEC.1; P.L.261-1997, SEC.4; P.L.158-2013, SEC.413; P.L.203-2018, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 1. Homicide35-42-1-4. Involuntary Manslaughter

Sec. 4. (a) As used in this section, "fetus" means a fetus in any stage of development. (b) A person who kills another human being while committing or attempting to commit: (1) a Level 5 or Level 6 felony that inherently poses a risk of serious bodily injury; (2) a Class A misdemeanor that inherently poses a risk of serious bodily injury; or (3) battery; commits involuntary manslaughter, a Level 5 felony. (c) Except as provided in section 6.5 of this chapter, a person who kills a fetus while committing or attempting to commit: (1) a Level 5 or Level 6 felony that inherently poses a risk of serious bodily injury; (2) a Class A misdemeanor that inherently poses a risk of serious bodily injury; (3) a battery offense included in IC 35-42-2; or (4) a violation of IC 9-30-5-1 through IC 9-30-5-5 (operating a vehicle while intoxicated); commits involuntary manslaughter, a Level 5 felony. As added by Acts 1976, P.L.148, SEC.2. Amended by Acts 1977, P.L.340, SEC.28; P.L.261-1997, SEC.5; P.L.133-2002, SEC.65; P.L.7-2010, SEC.1; P.L.158-2013, SEC.414; P.L.65-2016, SEC.31; P.L.203-2018, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 1. Homicide35-42-1-5. Reckless Homicide

Sec. 5. A person who recklessly kills another human being commits reckless homicide, a Level 5 felony. As added by Acts 1976, P.L.148, SEC.2. Amended by Acts 1977, P.L.340, SEC.29; Acts 1980, P.L.83, SEC.6; P.L.158-2013, SEC.415.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 1. Homicide35-42-1-6.5. Application of Certain Sections of the Chapter

Sec. 6.5. (a) The following sections of this chapter do not apply to an abortion performed in compliance with IC 16-34-2: (1) Section 1 (murder). (2) Section 3 (voluntary manslaughter). (3) Section 4 (involuntary manslaughter). (4) Section 6 (feticide). (b) The following sections of this chapter do not apply to a pregnant woman who terminates her own pregnancy or kills a fetus that she is carrying: (1) Section 1 (murder). (2) Section 3 (voluntary manslaughter). (3) Section 4 (involuntary manslaughter). (4) Section 6 (feticide). As added by P.L.203-2018, SEC.5. Amended by P.L.179-2022(ss), SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 1. Homicide35-42-1-6. Feticide; Exemptions

Sec. 6. (a) This section does not apply to: (1) the pregnant mother whose pregnancy is terminated; (2) a person who in good faith provides medical treatment to a pregnant woman that results in the accidental or unintentional termination of the pregnancy; or (3) a physician licensed under IC 25-22.5 who, upon the request of a pregnant woman, performs a medical procedure to terminate her pregnancy, even if the procedure is not authorized under IC 16-34-2-1. (b) A person who knowingly or intentionally terminates a human pregnancy with an intention other than to produce a live birth or to remove a dead fetus commits feticide, a Level 3 felony. As added by Acts 1979, P.L.153, SEC.3. Amended by P.L.2-1995, SEC.126; P.L.40-2009, SEC.1; P.L.158-2013, SEC.416; P.L.203-2018, SEC.4; P.L.179-2022(ss), SEC.49.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 2. Battery and Related Offenses35-42-2-0.5. "Relative"

Sec. 0.5. "Relative", for purposes of IC 35-42-2-1, has the meaning set forth in IC 35-42-2-1(b). As added by P.L.65-2016, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 2. Battery and Related Offenses35-42-2-1.3. Domestic Battery

Sec. 1.3. (a) Except as provided in subsections (b) through (f), a person who knowingly or intentionally: (1) touches a family or household member in a rude, insolent, or angry manner; or (2) in a rude, insolent, or angry manner places any bodily fluid or waste on a family or household member; commits domestic battery, a Class A misdemeanor. (b) The offense under subsection (a)(1) or (a)(2) is a Level 6 felony if one (1) or more of the following apply: (1) The person who committed the offense has a previous, unrelated conviction: (A) for a battery offense included in this chapter; or (B) for a strangulation offense under IC 35-42-2-9. (2) The person who committed the offense is at least eighteen (18) years of age and committed the offense against a family or household member in the physical presence of a child less than sixteen (16) years of age, knowing that the child was present and might be able to see or hear the offense. (3) The offense results in moderate bodily injury to a family or household member. (4) The offense is committed against a family or household member who is less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age. (5) The offense is committed against a family or household member of any age who has a mental or physical disability and is committed by a person having the care of the family or household member with the mental or physical disability, whether the care is assumed voluntarily or because of a legal obligation. (6) The offense is committed against a family or household member who is an endangered adult (as defined in IC 12-10-3-2). (7) The offense is committed against a family or household member: (A) who has been issued a protection order (as defined in IC 34-26-7.5-2) that protects the family or household member from the person and the protection order was in effect at the time the person committed the offense; or (B) while a no contact order issued by the court directing the person to refrain from having any direct or indirect contact with the family or household member was in effect at the time the person committed the offense. (c) The offense described in subsection (a)(1) or (a)(2) is a Level 5 felony if one (1) or more of the following apply: (1) The offense results in serious bodily injury to a family or household member. (2) The offense is committed with a deadly weapon against a family or household member. (3) The offense

results in bodily injury to a pregnant family or household member if the person knew of the pregnancy. (4) The person has a previous conviction for a battery offense or strangulation (as defined in section 9 of this chapter) included in this chapter against the same family or household member. (5) The offense results in bodily injury to one (1) or more of the following: (A) A family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age. (B) A family or household member who has a mental or physical disability if the offense is committed by an individual having care of the family or household member with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation. (C) A family or household member who is an endangered adult (as defined in IC 12-10-3-2). (d) The offense described in subsection (a)(1) or (a)(2) is a Level 4 felony if it results in serious bodily injury to a family or household member who is an endangered adult (as defined in IC 12-10-3-2). (e) The offense described in subsection (a)(1) or (a)(2) is a Level 3 felony if it results in serious bodily injury to a family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age. (f) The offense described in subsection (a)(1) or (a)(2) is a Level 2 felony if it results in the death of one (1) or more of the following: (1) A family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age. (2) A family or household member who is an endangered adult (as defined in IC 12-10-3-2). As added by P.L.188-1999, SEC.6. Amended by P.L.47-2000, SEC.3; P.L.221-2003, SEC.18; P.L.129-2006, SEC.1; P.L.6-2012, SEC.225; P.L.158-2013, SEC.421; P.L.65-2016, SEC.34; P.L.40-2019, SEC.8; P.L.142-2020, SEC.64; P.L.67-2021, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 2. Battery and Related Offenses35-42-2-1.5. Aggravated Battery

Sec. 1.5. A person who knowingly or intentionally inflicts injury on a person that creates a substantial risk of death or causes: (1) serious permanent disfigurement; (2) protracted loss or impairment of the function of a bodily member or organ; or (3) the loss of a fetus; commits aggravated battery, a Level 3 felony. However, the offense is a Level 1 felony if it results in the death of a child less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age. As added by P.L.213-1991, SEC.2. Amended by P.L.261-1997, SEC.6; P.L.158-2013, SEC.422.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 2. Battery and Related Offenses35-42-2-1. Battery

Sec. 1. (a) As used in this section, "public safety official" means: (1) a law enforcement officer, including an alcoholic beverage enforcement officer; (2) an employee of a penal facility or a juvenile detention facility (as defined in IC 31-9-2-71); (3) an employee of the department of correction; (4) a probation officer; (5) a parole officer; (6) a community corrections worker; (7) a home detention officer; (8) a department of child services employee; (9) a firefighter; (10) an emergency medical services provider; (11) a judicial officer; (12) a bailiff of any court; or (13) a special deputy (as described in IC 36-8-10-10.6). (b) As used in this section, "relative" means an individual related by blood, half-blood, adoption, marriage, or remarriage, including: (1) a spouse; (2) a parent or stepparent; (3) a child or stepchild; (4) a grandchild or stepgrandchild; (5) a grandparent or stepgrandparent; (6) a brother, sister, stepbrother, or stepsister; (7) a niece or nephew; (8) an aunt or uncle; (9) a daughter-in-law or son-in-law; (10) a mother-in-law or father-in-law; or (11) a first cousin. (c) Except as provided in subsections (d) through (k), a person who knowingly or intentionally: (1) touches another person in a rude, insolent, or angry manner; or (2) in a rude, insolent, or angry manner places any bodily fluid or waste on another person; commits battery, a Class B misdemeanor. (d) The offense described in subsection (c)(1) or (c)(2) is a Class A misdemeanor if it: (1) results in bodily injury to any other person; or (2) is committed against a member of a foster family home (as defined in IC 35-31.5-2-139.3) by a person who is not a resident of the foster family home if the person who committed the offense is a relative of a person who lived in the foster family home at the time of the offense. (e) The offense described in subsection (c)(1) or (c)(2) is a Level 6 felony if one (1) or more of the following apply: (1) The offense results in moderate bodily injury to any other person. (2) The offense is committed against a public safety official while the official is engaged in the official's official duty, unless the offense is committed by a person detained or committed under IC 12-26. (3) The offense is committed against a person less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age. (4) The offense is committed against a person of any age who has a mental or physical disability and is committed by a person having the care of the person with the mental or physical disability, whether the care is assumed voluntarily or because of a legal obligation. (5) The offense is committed against an endangered adult (as defined in IC 12-10-3-2). (6) The offense: (A) is committed against a member of a foster family home (as defined in IC 35-31.5-2-139.3) by a person who is not a resident of the foster family home if the person who committed the offense is a relative of a person who lived in the foster family home at the time of the offense; and (B) results in bodily injury to the member of the foster family. (f) The offense described in subsection (c)(2) is a Level 6 felony if the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus. (g) The offense described in subsection (c)(1) or (c)(2) is a Level 5 felony if one (1) or more of the following apply: (1) The offense results in serious bodily injury to another person. (2) The offense is committed with a deadly weapon. (3) The offense results in bodily injury to a pregnant woman if the person knew of the pregnancy. (4) The person has a previous conviction for a battery or strangulation offense included in this chapter against the same victim. (5) The offense results in bodily injury to one (1) or more of the following: (A) A public safety official while the official is engaged in the official's official duties, unless the offense is committed by a person detained or committed under IC 12-26. (B) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age. (C) A person who has a mental or physical

disability if the offense is committed by an individual having care of the person with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation. (D) An endangered adult (as defined in IC 12-10-3-2). (h) The offense described in subsection (c)(2) is a Level 5 felony if: (1) the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus; and (2) the person placed the bodily fluid or waste on a public safety official, unless the offense is committed by a person detained or committed under IC 12-26. (i) The offense described in subsection (c)(1) or (c)(2) is a Level 4 felony if it results in serious bodily injury to an endangered adult (as defined in IC 12-10-3-2). (j) The offense described in subsection (c)(1) or (c)(2) is a Level 3 felony if it results in serious bodily injury to a person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age. (k) The offense described in subsection (c)(1) or (c)(2) is a Level 2 felony if it results in the death of one (1) or more of the following: (1) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age. (2) An endangered adult (as defined in IC 12-10-3-2). As added by Acts 1976, P.L.148, SEC.2. Amended by Acts 1977, P.L.340, SEC.30; Acts 1979, P.L.298, SEC.1; Acts 1979, P.L.83, SEC.10; Acts 1981, P.L.299, SEC.1; P.L.185-1984, SEC.1; P.L.205-1986, SEC.1; P.L.322-1987, SEC.1; P.L.164-1993, SEC.10; P.L.59-1995, SEC.2; P.L.31-1996, SEC.20; P.L.32-1996, SEC.20; P.L.255-1996, SEC.25; P.L.212-1997, SEC.1; P.L.37-1997, SEC.2; P.L.56-1999, SEC.1; P.L.188-1999, SEC.5; P.L.43-2000, SEC.1; P.L.222-2001, SEC.4; P.L.175-2003, SEC.2; P.L.281-2003, SEC.3; P.L.2-2005, SEC.125; P.L.99-2007, SEC.209; P.L.164-2007, SEC.1; P.L.120-2008, SEC.93; P.L.131-2009, SEC.73; P.L.114-2012, SEC.137; P.L.158-2013, SEC.420; P.L.147-2014, SEC.2; P.L.65-2016, SEC.33; P.L.80-2018, SEC.3; P.L.142-2020, SEC.63; P.L.209-2023, SEC.2; P.L.148-2024, SEC.24.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 2. Battery and Related Offenses35-42-2-10. Female Genital Mutilation

Sec. 10. (a) As used in this section, "female genital mutilation" means any procedure that involves the partial or total removal of the external female genitalia, or any harmful procedure to the female genitalia, including the following: (1) Clitoridectomy. (2) Partial or total removal of the clitoris or the prepuce. (3) Excision or the partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora. (4) Infibulation or the narrowing of the vaginal orifice with the creation of a covering seal by cutting and appositioning the labia minora or the labia majora, with or without excision of the clitoris. (5) Pricking, incising, or scraping, and cauterizing the genital area. (6) Any other procedure intended to alter the structure or function of the female genitalia for nonmedical reasons. (b) A person who: (1) knowingly or intentionally performs the act of female genital mutilation on a child who is less than eighteen (18) years of age; (2) is a parent, guardian, or custodian of the child and consents to, permits, or facilitates an act described in subdivision (1) to be performed on the child; or (3) knowingly transports or facilitates the transportation of the child for the purpose of having an act described in subdivision (1) performed on the child; commits the offense of female genital mutilation, a Level 3 felony. (c) It is a defense to a prosecution described in this section that: (1) the person performing the act is a physician (as defined in IC 16-18-2-282) or a licensed health care professional (as defined in IC 16-18-2-162) and the act is within the scope of the person's license and official duties; or (2) the act is performed for medical purposes to preserve or protect the physical health of the child. (d) It is not a defense to a prosecution described in this section that: (1) the child or the child's parent, guardian, or custodian consented to the act described in subsection (b); or (2) the act described in subsection (b) is: (A) required by custom or is standard practice of a particular group; or (B) performed in connection with a religious ritual. (e) In addition to any criminal and civil penalties, a violation under this section shall result in the permanent revocation of the license of the physician or licensed health care professional. (f) A person who has reason to believe that a child may be a victim of female genital mutilation shall immediately make a report as required under IC 31-33-5. As added by P.L.51-2021, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 2. Battery and Related Offenses35-42-2-2.5. Hazing; Good Faith Reporting

Sec. 2.5. (a) As used in this section, "hazing" means forcing or requiring another person: (1) with or without the consent of the other person; and (2) as a condition of association with a group or organization; to perform an act that creates a substantial risk of bodily injury. (b) A person who knowingly or intentionally performs hazing commits a Class B misdemeanor. However, the offense is a Level 6 felony if it results in serious bodily injury to another person, and a Level 5 felony if it is committed by means of a deadly weapon. (c) A person, other than a person who has committed an offense under this section or a delinquent act that would be an offense under this section if the violator were an adult, who: (1) makes a report of hazing in good faith; (2) participates in good faith in a judicial proceeding resulting from a report of hazing; (3) employs a reporting or participating person described in subdivision (1) or (2); or (4) supervises a reporting or participating person described in subdivision (1) or (2); is not liable for civil damages or criminal penalties that might otherwise be imposed because of the report or participation. (d) A person described in subsection (c)(1) or (c)(2) is presumed to act in good faith. (e) A person described in subsection (c)(1) or (c)(2) may not be treated as acting in bad faith solely because the person did not have probable cause to believe that a person committed: (1) an offense under this section; or (2) a delinquent act that would be an offense under this section if the offender were an adult. As added by P.L.158-2013, SEC.424.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 2. Battery and Related Offenses35-42-2-2. Criminal Recklessness

Sec. 2. (a) A person who recklessly, knowingly, or intentionally performs an act that creates a substantial risk of bodily injury to another person commits criminal recklessness. Except as provided in subsection (b), criminal recklessness is a Class B

misdemeanor. (b) The offense of criminal recklessness as defined in subsection (a) is: (1) a Level 6 felony if: (A) it is committed while armed with a deadly weapon; or (B) the person committed aggressive driving (as defined in IC 9-21-8-55) that results in serious bodily injury to another person; or (2) a Level 5 felony if: (A) it is committed by shooting a firearm into an inhabited dwelling or other building or place where people are likely to gather; or (B) the person committed aggressive driving (as defined in IC 9-21-8-55) that results in the death or catastrophic injury of another person. As added by Acts 1976, P.L.148, SEC.2. Amended by Acts 1977, P.L.340, SEC.31; Acts 1981, P.L.300, SEC.1; P.L.323-1987, SEC.1; P.L.216-1996, SEC.17; P.L.1-2003, SEC.94; P.L.75-2006, SEC.3; P.L.158-2013, SEC.423; P.L.184-2019, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 2. Battery and Related Offenses35-42-2-3. Provocation

Sec. 3. A person who recklessly, knowingly, or intentionally engages in conduct that is likely to provoke a reasonable person to commit battery commits provocation, a Class C infraction. As added by Acts 1976, P.L.148, SEC.2. Amended by Acts 1977, P.L.340, SEC.32; P.L.158-2013, SEC.425.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 2. Battery and Related Offenses35-42-2-5. Overpass Mischief

Sec. 5. (a) As used in this section, "overpass" means a bridge or other structure designed to carry vehicular or pedestrian traffic over any roadway, railroad track, or waterway. (b) A person who knowingly, intentionally, or recklessly: (1) drops, causes to drop, or throws an object from an overpass; or (2) with intent that the object fall, places on an overpass an object that falls off the overpass; causing bodily injury to another person commits overpass mischief, a Level 5 felony. However, the offense is a Level 4 felony if it results in serious bodily injury to another person. As added by P.L.297-1995, SEC.1. Amended by P.L.158-2013, SEC.427.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 2. Battery and Related Offenses35-42-2-9. Strangulation

Sec. 9. (a) This section does not apply to a medical procedure. (b) As used in this section, "torso" means any part of the upper body from the collarbone to the hips. (c) A person who, in a rude, angry, or insolent manner, knowingly or intentionally: (1) applies pressure to the throat or neck of another person; (2) obstructs the nose or mouth of the another person; or (3) applies pressure to the torso of another person; in a manner that impedes the normal breathing or the blood circulation of the other person commits strangulation, a Level 6 felony. (d) However, the offense under subsection (c) is a Level 5 felony if: (1) the offense is committed by a person: (A) against a pregnant woman; and (B) who knew the victim was pregnant at the time of the offense; or (2) the person has a prior unrelated conviction under this section. As added by P.L.129-2006, SEC.2. Amended by P.L.158-2013, SEC.432; P.L.252-2017, SEC.11; P.L.40-2019, SEC.9; P.L.142-2020, SEC.65.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 3.5. Human and Sexual Trafficking35-42-3.5-0.5. Definitions

Sec. 0.5. (a) The following definitions apply throughout this chapter: (1) "Human trafficking" means an offense described in sections 1 through 1.4 of this chapter. (2) "Human trafficking victim" means a person who is the victim of human trafficking. (3) "Sexual conduct" has the meaning set forth in IC 35-42-4-4. (b) As used in this chapter, "force", "threat of force", "coercion", or "fraud" means but is not limited to a person: (1) causing or threatening to cause physical harm to a human trafficking victim; (2) physically restraining or threatening to physically restrain a human trafficking victim; (3) abusing or threatening to abuse the law or legal process to further the act of human trafficking; (4) knowingly destroying, concealing, removing, confiscating, or possessing any actual or purported passport or other immigration document, or any other actual or purported government identification document of the human trafficking victim; (5) using blackmail or threatening to cause financial harm for the purpose of exercising financial control over the human trafficking victim; or (6) facilitating or controlling a human trafficking victim's access to a controlled substance. As added by P.L.144-2018, SEC.19.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 3.5. Human and Sexual Trafficking35-42-3.5-1.1. Promotion of Human Sexual Trafficking

Sec. 1.1. A person who knowingly or intentionally uses force, threat of force, coercion, or fraud to recruit, entice, harbor, or transport an individual with the intent of causing the individual to: (1) marry another person; (2) engage in prostitution; or (3) participate in sexual conduct; commits promotion of human sexual trafficking, a Level 4 felony. As added by P.L.144-2018, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 3.5. Human and Sexual Trafficking35-42-3.5-1.2. Promotion of Child Sexual Trafficking; Promotion of Sexual Trafficking of a Younger Child

Sec. 1.2. (a) A person who knowingly or intentionally recruits, entices, harbors, or transports a child less than eighteen (18) years of age with the intent of causing the child to engage in: (1) prostitution or juvenile prostitution; or (2) a performance or incident that

includes sexual conduct in violation of IC 35-42-4-4(b) or IC 35-42-4-4(c) (child exploitation); commits promotion of child sexual trafficking, a Level 3 felony. (b) It is not a defense to a prosecution under this section that the: (1) child consented to engage in prostitution or juvenile prostitution or to participate in sexual conduct; or (2) intended victim of the offense is a law enforcement officer. (c) A person who knowingly or intentionally recruits, entices, harbors, or transports a child less than sixteen (16) years of age with the intent of inducing or causing the child to participate in sexual conduct commits promotion of sexual trafficking of a younger child, a Level 3 felony. It is a defense to a prosecution under this subsection if: (1) the child is at least fourteen (14) years of age but less than sixteen (16) years of age and the person is less than eighteen (18) years of age; or (2) all the following apply: (A) The person is not more than four (4) years older than the victim. (B) The relationship between the person and the victim was a dating relationship or an ongoing personal relationship. The term "ongoing personal relationship" does not include a family relationship. (C) The crime: (i) was not committed by a person who is at least twenty-one (21) years of age; (ii) was not committed by using or threatening the use of deadly force; (iii) was not committed while armed with a deadly weapon; (iv) did not result in serious bodily injury; (v) was not facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge; and (vi) was not committed by a person having a position of authority or substantial influence over the victim. (D) The person has not committed another sex offense (as defined in IC 11-8-8-5.2), including a delinquent act that would be a sex offense if committed by an adult, against any other person. (E) The person is not promoting prostitution (as defined in IC 35-45-4-4) with respect to the victim even though the person has not been charged with or convicted of the offense. As added by P.L.144-2018, SEC.22.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 3.5. Human and Sexual Trafficking35-42-3.5-1.3. Child Sexual Trafficking

Sec. 1.3. A person who is at least eighteen (18) years of age who knowingly or intentionally sells or transfers custody of a child less than eighteen (18) years of age for the purpose of prostitution, juvenile prostitution, or participating in sexual conduct commits child sexual trafficking, a Level 2 felony. As added by P.L.144-2018, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 3.5. Human and Sexual Trafficking35-42-3.5-1.4. Human Trafficking

Sec. 1.4. (a) A person who knowingly or intentionally: (1) pays, or offers or agrees to pay, money or other property; or (2) offers a benefit; to or for a human trafficking victim with the specific intent to induce or obtain the product or act for which the human trafficking victim was trafficked commits human trafficking, a Level 4 felony. (b) It is not a defense to a prosecution under this section that the human trafficking victim consented. As added by P.L.144-2018, SEC.24. Amended by P.L.153-2022, SEC.2; P.L.3-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 3.5. Human and Sexual Trafficking35-42-3.5-1. Promotion of Human Labor Trafficking

Sec. 1. A person who, by force, threat of force, coercion, or fraud, knowingly or intentionally recruits, harbors, provides, obtains, or transports an individual to engage the individual in labor or services commits promotion of human labor trafficking, a Level 4 felony. As added by P.L.173-2006, SEC.52. Amended by P.L.1-2012, SEC.4; P.L.72-2012, SEC.3; P.L.55-2013, SEC.1; P.L.158-2013, SEC.436; P.L.168-2014, SEC.66; P.L.13-2016, SEC.14; P.L.86-2017, SEC.13; P.L.144-2018, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 3.5. Human and Sexual Trafficking35-42-3.5-2. Restitution Orders

Sec. 2. In addition to any sentence or fine imposed for a conviction of an offense under sections 1 through 1.4 of this chapter, the court shall order the person convicted to make restitution to the victim of the crime under IC 35-50-5-3. As added by P.L.173-2006, SEC.52. Amended by P.L.144-2018, SEC.25.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 3.5. Human and Sexual Trafficking35-42-3.5-3. Civil Cause of Action

Sec. 3. (a) If a person is convicted of an offense under sections 1 through 1.4 of this chapter, the victim of the offense: (1) has a civil cause of action against the person convicted of the offense; and (2) may recover the following from the person in the civil action: (A) Actual damages. (B) Court costs (including fees). (C) Punitive damages, when determined to be appropriate by the court. (D) Reasonable attorney's fees. (b) An action under this section must be brought not more than two (2) years after the date the person is convicted of the offense under sections 1 through 1.4 of this chapter. As added by P.L.173-2006, SEC.52. Amended by P.L.106-2010, SEC.15; P.L.144-2018, SEC.26.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 3.5. Human and Sexual Trafficking35-42-3.5-4. Rights of Alleged Victims

Sec. 4. (a) An alleged victim of an offense under sections 1 through 1.4 of this chapter: (1) may not be detained in a facility that is

inappropriate to the victim's status as a crime victim; (2) may not be jailed, fined, or otherwise penalized due to having been the victim of the offense; and (3) shall be provided protection if the victim's safety is at risk or if there is danger of additional harm by recapture of the victim by the person who allegedly committed the offense, including: (A) taking measures to protect the alleged victim and the victim's family members from intimidation and threats of reprisals and reprisals from the person who allegedly committed the offense or the person's agent; and (B) ensuring that the names and identifying information of the alleged victim and the victim's family members are not disclosed to the public. This subsection shall be administered by law enforcement agencies and the Indiana criminal justice institute as appropriate. (b) Not more than fifteen (15) days after the date a law enforcement agency first encounters an alleged victim of an offense under sections 1 through 1.4 of this chapter, the law enforcement agency shall provide the alleged victim with a completed Declaration of Law Enforcement Officer for Victim of Trafficking in Persons (LEA Declaration, Form I-914 Supplement B) in accordance with 8 CFR 214.11(f)(1). However, if the law enforcement agency finds that the grant of an LEA Declaration is not appropriate for the alleged victim, the law enforcement agency shall, not more than fifteen (15) days after the date the agency makes the finding, provide the alleged victim with a letter explaining the grounds for the denial of the LEA Declaration. After receiving a denial letter, the alleged victim may submit additional evidence to the law enforcement agency. If the alleged victim submits additional evidence, the law enforcement agency shall reconsider the denial of the LEA Declaration not more than seven (7) days after the date the agency receives the additional evidence. (c) If a law enforcement agency detains an alleged victim of an offense under sections 1 through 1.4 of this chapter who is less than eighteen (18) years of age, the law enforcement agency shall immediately notify the department of child services that the alleged victim: (1) has been detained; and (2) may be a victim of child abuse or neglect. As added by P.L.173-2006, SEC.52. Amended by P.L.130-2009, SEC.27; P.L.23-2015, SEC.3; P.L.144-2018, SEC.27.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 3.5. Human and Sexual Trafficking35-42-3.5-5. Reporting of Human Trafficking Investigations to the Attorney General

Sec. 5. Not more than thirty (30) days after the date a law enforcement agency begins an investigation regarding a violation of: (1) section 1 of this chapter; (2) section 1.1 of this chapter; (3) section 1.2 of this chapter; (4) section 1.3 of this chapter; or (5) section 1.4 of this chapter; the law enforcement agency shall notify the attorney general of the investigation, so that the attorney general may assist the law enforcement agency pursuant to IC 4-6-2-12. As added by P.L.153-2022, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 3. Kidnapping and Confinement35-42-3-1. Definition

Sec. 1. As used in this chapter, "confine" means to substantially interfere with the liberty of a person. As added by Acts 1976, P.L.148, SEC.2. Amended by Acts 1977, P.L.340, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 3. Kidnapping and Confinement35-42-3-2. Kidnapping

Sec. 2. (a) A person who knowingly or intentionally removes another person, by fraud, enticement, force, or threat of force, from one place to another commits kidnapping. Except as provided in subsection (b), the offense of kidnapping is a Level 6 felony. (b) The offense described in subsection (a) is: (1) a Level 5 felony if: (A) the person removed is less than fourteen (14) years of age and is not the removing person's child; (B) it is committed by using a vehicle; or (C) it results in bodily injury to a person other than the removing person; (2) a Level 4 felony if it results in moderate bodily injury to a person other than the removing person; (3) a Level 3 felony if it: (A) is committed while armed with a deadly weapon; (B) results in serious bodily injury to a person other than the removing person; or (C) is committed on an aircraft; and (4) a Level 2 felony if it is committed: (A) with intent to obtain ransom; (B) while hijacking a vehicle; (C) with intent to obtain the release, or intent to aid in the escape, of any person from lawful incarceration; or (D) with intent to use the person removed as a shield or hostage. As added by Acts 1976, P.L.148, SEC.2. Amended by Acts 1977, P.L.340, SEC.34; Acts 1978, P.L.144, SEC.4; P.L.158-2013, SEC.433; P.L.40-2019, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 3. Kidnapping and Confinement35-42-3-3. Criminal Confinement

Sec. 3. (a) A person who knowingly or intentionally confines another person without the other person's consent commits criminal confinement. Except as provided in subsection (b), the offense of criminal confinement is a Level 6 felony. (b) The offense of criminal confinement defined in subsection (a) is: (1) a Level 5 felony if: (A) the person confined is less than fourteen (14) years of age and is not the confining person's child; (B) it is committed by using a vehicle; or (C) it results in bodily injury to a person other than the confining person; (2) a Level 4 felony if it results in moderate bodily injury to a person other than the confining person; (3) a Level 3 felony if it: (A) is committed while armed with a deadly weapon; (B) results in serious bodily injury to a person other than the confining person; or (C) is committed on an aircraft; and (4) a Level 2 felony if it is committed: (A) with intent to obtain ransom; (B) while hijacking a vehicle; (C) with intent to obtain the release, or intent to aid in the escape, of any person from lawful incarceration; or (D) with intent to use the person confined as a shield or hostage. As added by Acts 1976, P.L.148, SEC.2. Amended by Acts 1977, P.L.340, SEC.35; Acts 1979, P.L.299, SEC.1; P.L.183-1984, SEC.2; P.L.278-1985, SEC.8; P.L.49-1989, SEC.21; P.L.59-2002, SEC.2; P.L.70-2006, SEC.1; P.L.158-2013, SEC.434; P.L.40-2019, SEC.11.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 3. Kidnapping and Confinement35-42-3-4. Interference With Custody

Sec. 4. (a) A person who, with the intent to deprive another person of child custody rights, knowingly or intentionally: (1) removes another person who is less than eighteen (18) years of age to a place outside Indiana when the removal violates a child custody order of a court; or (2) violates a child custody order of a court by failing to return a person who is less than eighteen (18) years of age to Indiana; commits interference with custody, a Level 6 felony. However, the offense is a Level 5 felony if the other person is less than fourteen (14) years of age and is not the person's child, and a Level 4 felony if the offense is committed while armed with a deadly weapon or results in serious bodily injury to another person. (b) A person who with the intent to deprive another person of custody or parenting time rights: (1) knowingly or intentionally takes; (2) knowingly or intentionally detains; or (3) knowingly or intentionally conceals; a person who is less than eighteen (18) years of age commits interference with custody, a Class C misdemeanor. However, the offense is a Class B misdemeanor if the taking, concealment, or detention is in violation of a court order. (c) With respect to a violation of this section, a court may consider as a mitigating circumstance the accused person's return of the other person in accordance with the child custody order or parenting time order within seven (7) days after the removal. (d) The offenses described in this section continue as long as the child is concealed or detained or both. (e) If a person is convicted of an offense under this section, a court may impose against the defendant reasonable costs incurred by a parent or guardian of the child because of the taking, detention, or concealment of the child. (f) It is a defense to a prosecution under this section that the accused person: (1) was threatened; or (2) reasonably believed the child was threatened; which resulted in the child not being timely returned to the other parent resulting in a violation of a child custody order. As added by P.L.49-1989, SEC.22. Amended by P.L.162-1990, SEC.1; P.L.68-2005, SEC.60; P.L.164-2007, SEC.2; P.L.158-2013, SEC.435.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 4. Sex Crimes35-42-4-1. Rape; Restitution

Sec. 1. (a) Except as provided in subsection (b), a person who knowingly or intentionally has sexual intercourse with another person or knowingly or intentionally causes another person to perform or submit to other sexual conduct (as defined in IC 35-31.5-2-221.5) when: (1) the other person is compelled by force or imminent threat of force; (2) the other person is unaware that the sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) is occurring; (3) the other person is so mentally disabled or deficient that consent to sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) cannot be given; or (4) the person disregarded the other person's attempts to physically, verbally, or by other visible conduct refuse the person's acts; commits rape, a Level 3 felony. (b) An offense described in subsection (a) is a Level 1 felony if: (1) it is committed by using or threatening the use of deadly force; (2) it is committed while armed with a deadly weapon; (3) it results in serious bodily injury to a person other than a defendant; or (4) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge. (c) In addition to any other penalty imposed for a violation of this section, the court shall order the person to pay restitution under IC 35-50-5-3 for expenses related to pregnancy and childbirth if the pregnancy is a result of the offense. As added by Acts 1976, P.L.148, SEC.2. Amended by Acts 1977, P.L.340, SEC.36; P.L.320-1983, SEC.23; P.L.16-1984, SEC.19; P.L.297-1989, SEC.1; P.L.31-1998, SEC.3; P.L.158-2013, SEC.437; P.L.214-2013, SEC.36; P.L.168-2014, SEC.67; P.L.78-2022, SEC.8; P.L.92-2022, SEC.1; P.L.105-2022, SEC.27.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 4. Sex Crimes35-42-4-10. Unlawful Employment by a Sexual Predator

Sec. 10. (a) As used in this section, "offender against children" means a person who is an offender against children under section 11 of this chapter. (b) As used in this section, "sexually violent predator" means a person who is a sexually violent predator under IC 35-38-1-7.5. (c) A sexually violent predator or an offender against children who knowingly or intentionally works for compensation or as a volunteer: (1) on school property; (2) at a youth program center; (3) at a public park; (4) as a child care provider (as defined by IC 31-33-26-1); (5) for a child care provider (as defined by IC 31-33-26-1); or (6) as a provider of: (A) respite care services and other support services for primary or family caregivers; or (B) adult day care services; commits unlawful employment by a sexual predator, a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior unrelated conviction based on the person's failure to comply with any requirement imposed on an offender under IC 11-8-8. As added by P.L.6-2006, SEC.3; P.L.140-2006, SEC.31 and P.L.173-2006, SEC.31. Amended by P.L.1-2007, SEC.231; P.L.216-2007, SEC.46; P.L.158-2013, SEC.446; P.L.220-2019, SEC.3; P.L.156-2020, SEC.130.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 4. Sex Crimes35-42-4-11. Sex Offender Residency Restrictions

Sec. 11. (a) As used in this section, and except as provided in subsection (d), "offender against children" means a person required to register as a sex or violent offender under IC 11-8-8 who has been: (1) found to be a sexually violent predator under IC 35-38-1-7.5; or (2) convicted of one (1) or more of the following offenses: (A) Child molesting (IC 35-42-4-3). (B) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)). (C) Child solicitation (IC 35-42-4-6). (D) Child seduction (IC 35-42-4-7). (E) Kidnapping (IC

35-42-3-2), if the victim is less than eighteen (18) years of age, and the person is not the child's parent or guardian. A person is an offender against children by operation of law if the person meets the conditions described in subdivision (1) or (2) at any time. (b) As used in this section, "reside" means to spend more than three (3) nights in: (1) a residence; or (2) if the person does not reside in a residence, a particular location; in any thirty (30) day period. (c) An offender against children who knowingly or intentionally: (1) resides within one thousand (1,000) feet of: (A) school property, not including property of an institution providing post-secondary education; (B) a youth program center; (C) a public park; or (D) a day care center licensed under IC 12-17.2; (2) establishes a residence within one (1) mile of the residence of the victim of the offender's sex offense; or (3) resides in a residence where a child care provider (as defined by IC 31-33-26-1) provides child care services; commits a sex offender residency offense, a Level 6 felony. (d) This subsection does not apply to an offender against children who has two (2) or more unrelated convictions for an offense described in subsection (a). A person who is an offender against children may petition the court to consider whether the person should no longer be considered an offender against children. The person may file a petition under this subsection not earlier than ten (10) years after the person is released from incarceration or parole, whichever occurs last (or, if the person is not incarcerated, not earlier than ten (10) years after the person is released from probation). A person may file a petition under this subsection not more than one (1) time per year. A court may dismiss a petition filed under this subsection or conduct a hearing to determine if the person should no longer be considered an offender against children. If the court conducts a hearing, the court shall appoint two (2) psychologists or psychiatrists who have expertise in criminal behavioral disorders to evaluate the person and testify at the hearing. After conducting the hearing and considering the testimony of the two (2) psychologists or psychiatrists, the court shall determine whether the person should no longer be considered an offender against children. If a court finds that the person should no longer be considered an offender against children, the court shall send notice to the department of correction that the person is no longer considered an offender against children. As added by P.L.6-2006, SEC.8. Amended by P.L.140-2006, SEC.32 and P.L.173-2006, SEC.32; P.L.216-2007, SEC.47; P.L.214-2013, SEC.39; P.L.158-2013, SEC.447; P.L.168-2014, SEC.72; P.L.13-2016, SEC.16; P.L.220-2019, SEC.4; P.L.142-2020, SEC.66.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 4. Sex Crimes35-42-4-12.5. Sex Offender Unmanned Aerial Vehicle Offense

Sec. 12.5. (a) This section applies only to a sex offender (as defined in IC 11-8-8-4.5). (b) A sex offender who: (1) knowingly or intentionally operates an unmanned aerial vehicle for the purpose of: (A) following; (B) contacting; or (C) capturing images or recordings of; one (1) or more other individuals; and (2) is subject to a: (A) condition of probation; (B) condition of parole; (C) condition or rule of a community corrections program; or (D) rule of a community transition program; that prohibits the sex offender from following, contacting, or capturing images or recordings of one (1) or more other individuals, regardless of whether the means of engaging in any of those activities is specified in the condition or rule, commits a sex offender unmanned aerial vehicle offense, a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated conviction under this section. As added by P.L.107-2017, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 4. Sex Crimes35-42-4-12. Sex Offender Internet Offense

Sec. 12. (a) This section applies only to a sex offender (as defined in IC 11-8-8-4.5). (b) A sex offender who knowingly or intentionally violates a: (1) condition of probation; (2) condition of parole; or (3) rule of a community transition program; that prohibits the offender from using a social networking web site or an instant messaging or chat room program to communicate with a child less than sixteen (16) years of age commits a sex offender Internet offense, a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated conviction under this section. (c) It is a defense to a prosecution under subsection (b) that the person reasonably believed that the child was at least sixteen (16) years of age. As added by P.L.119-2008, SEC.18. Amended by P.L.247-2013, SEC.8; P.L.158-2013, SEC.448; P.L.168-2014, SEC.73; P.L.5-2022, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 4. Sex Crimes35-42-4-13. Inappropriate Communication With a Child

Sec. 13. (a) This section does not apply to the following: (1) A parent, guardian, or custodian of a child. (2) A person who acts with the permission of a child's parent, guardian, or custodian. (3) A person to whom a child makes a report of abuse or neglect. (4) A person to whom a child reports medical symptoms that relate to or may relate to sexual activity. (b) As used in this section, "sexual activity" means sexual intercourse, other sexual conduct (as defined in IC 35-31.5-2-221.5), or the fondling or touching of the buttocks, genitals, or female breasts. (c) A person at least eighteen (18) years of age who knowingly or intentionally communicates with an individual whom the person believes to be a child less than fourteen (14) years of age concerning sexual activity with the intent to gratify the sexual desires of the person or the individual commits inappropriate communication with a child, a Class B misdemeanor. However, the offense is: (1) a Class A misdemeanor if the person commits the offense by using a computer network (as defined in IC 35-43-2-3(a); and (2) a Level 6 felony if the person has a prior unrelated conviction for a sex offense (as defined in IC 11-8-8-5.2). As added by P.L.119-2008, SEC.19. Amended by P.L.247-2013, SEC.9; P.L.158-2013, SEC.449; P.L.168-2014, SEC.74.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 4. Sex Crimes35-42-4-14. Unlawful Entry of School Property by a Serious Sex Offender

Sec. 14. (a) As used in this section, "serious sex offender" means a person required to register as a sex offender under IC 11-8-8 who is: (1) found to be a sexually violent predator under IC 35-38-1-7.5; or (2) convicted of one (1) or more of the following offenses: (A) Child molesting (IC 35-42-4-3). (B) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)). (C) Possession of child pornography (IC 35-42-4-4(d) or IC 35-42-4-4(e)). (D) Vicarious sexual gratification (IC 35-42-4-5(a) and IC 35-42-4-5(b)). (E) Performing sexual conduct in the presence of a minor (IC 35-42-4-5(c)). (F) Child solicitation (IC 35-42-4-6). (G) Child seduction (IC 35-42-4-7). (H) Sexual misconduct with a minor (IC 35-42-4-9). (b) A serious sex offender who knowingly or intentionally enters school property commits unlawful entry by a serious sex offender, a Level 6 felony. (c) It is a defense to a prosecution under subsection (b) that: (1) a religious institution or house of worship is located on the school property; and (2) the person: (A) enters the school property or other entity described in IC 35-31.5-2-285(1)(A) through IC 35-31.5-2-285(1)(D) when classes, extracurricular activities, or any other school activities are not being held: (i) for the sole purpose of attending worship services or receiving religious instruction; and (ii) not earlier than thirty (30) minutes before the beginning of the worship services or religious instruction; and (B) leaves the school property not later than thirty (30) minutes after the conclusion of the worship services or religious instruction. As added by P.L.235-2015, SEC.4. Amended by P.L.13-2016, SEC.17; P.L.87-2018, SEC.2; P.L.142-2020, SEC.67.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 4. Sex Crimes35-42-4-3. Child Molesting

Sec. 3. (a) A person who, with a child under fourteen (14) years of age, knowingly or intentionally performs or submits to sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) commits child molesting, a Level 3 felony. However, the offense is a Level 1 felony if: (1) it is committed by a person at least twenty-one (21) years of age; (2) it is committed by using or threatening the use of deadly force or while armed with a deadly weapon; (3) it results in serious bodily injury; (4) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge; or (5) it results in the transmission of a serious sexually transmitted disease and the person knew that the person was infected with the disease. (b) A person who, with a child under fourteen (14) years of age, performs or submits to any fondling or touching, of either the child or the older person, with intent to arouse or to satisfy the sexual desires of either the child or the older person, commits child molesting, a Level 4 felony. However, the offense is a Level 2 felony if: (1) it is committed by using or threatening the use of deadly force; (2) it is committed while armed with a deadly weapon; or (3) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge. (c) A person may be convicted of attempted child molesting of an individual at least fourteen (14) years of age if the person believed the individual to be a child under fourteen (14) years of age at the time the person attempted to commit the offense. (d) It is a defense to a prosecution under this section that the accused person reasonably believed that the child was sixteen (16) years of age or older at the time of the conduct, unless: (1) the offense is committed by using or threatening the use of deadly force or while armed with a deadly weapon; (2) the offense results in serious bodily injury; or (3) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge. (e) In addition to any other penalty imposed for a violation of this section, the court shall order the person to pay restitution under IC 35-50-5-3 for expenses related to pregnancy and childbirth if the pregnancy is a result of the offense. As added by Acts 1976, P.L.148, SEC.2. Amended by Acts 1977, P.L.340, SEC.38; Acts 1978, P.L.82, SEC.2; Acts 1981, P.L.301, SEC.1; P.L.79-1994, SEC.12; P.L.33-1996, SEC.8; P.L.216-1996, SEC.18; P.L.31-1998, SEC.5; P.L.216-2007, SEC.42; P.L.158-2013, SEC.439; P.L.247-2013, SEC.6; P.L.168-2014, SEC.68; P.L.187-2015, SEC.48; P.L.190-2021, SEC.12; P.L.78-2022, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 4. Sex Crimes35-42-4-4. Child Exploitation; Possession of Child Pornography; Exemptions; Defenses

Sec. 4. (a) The following definitions apply throughout this section: (1) "Disseminate" means to transfer possession for free or for a consideration. (2) "Image" means the following: (A) A picture. (B) A drawing. (C) A photograph. (D) A negative image. (E) An undeveloped film. (F) A motion picture. (G) A videotape. (H) A digitized image. (I) A computer generated image. (J) Any pictorial representation. (3) "Matter" has the same meaning as in IC 35-49-1-3. (4) "Performance" has the same meaning as in IC 35-49-1-7. (5) "Sexual conduct" means: (A) sexual intercourse; (B) other sexual conduct (as defined in IC 35-31.5-2-221.5); (C) exhibition of the: (i) uncovered genitals; or (ii) female breast with less than a fully opaque covering of any part of the nipple; intended to satisfy or arouse the sexual desires of any person; (D) sadomasochistic abuse; (E) sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with an animal; or (F) any fondling or touching of a child by another person or of another person by a child intended to arouse or satisfy the sexual desires of either the child or the other person. (b) A person who: (1) knowingly or intentionally manages, produces, sponsors, presents, exhibits, photographs, films, videotapes, or creates a digitized image of any

performance or incident that includes sexual conduct by a child under eighteen (18) years of age; (2) knowingly or intentionally disseminates, exhibits to another person, offers to disseminate or exhibit to another person, or sends or brings into Indiana for dissemination or exhibition matter that depicts or describes sexual conduct by a child under eighteen (18) years of age; (3) knowingly or intentionally makes available to another person a computer, knowing that the computer's fixed drive or peripheral device contains matter that depicts or describes sexual conduct by a child less than eighteen (18) years of age; (4) with the intent to satisfy or arouse the sexual desires of any person: (A) knowingly or intentionally: (i) manages; (ii) produces; (iii) sponsors; (iv) presents; (v) exhibits; (vi) photographs; (vii) films; (viii) videotapes; or (ix) creates a digitized image of; any performance or incident that includes the uncovered genitals of a child less than eighteen (18) years of age or the exhibition of the female breast with less than a fully opaque covering of any part of the nipple by a child less than eighteen (18) years of age; (B) knowingly or intentionally: (i) disseminates to another person; (ii) exhibits to another person; (iii) offers to disseminate or exhibit to another person; or (iv) sends or brings into Indiana for dissemination or exhibition; matter that depicts the uncovered genitals of a child less than eighteen (18) years of age or the exhibition of the female breast with less than a fully opaque covering of any part of the nipple by a child less than eighteen (18) years of age; or (C) makes available to another person a computer, knowing that the computer's fixed drive or peripheral device contains matter that depicts the uncovered genitals of a child less than eighteen (18) years of age or the exhibition of the female breast with less than a fully opaque covering of any part of the nipple by a child less than eighteen (18) years of age; or (5) knowingly or intentionally produces, disseminates, or possesses with intent to disseminate an image that depicts or describes sexual conduct: (A) by a child who the person knows is less than eighteen (18) years of age; (B) by a child less than eighteen (18) years of age, or by a person who appears to be a child less than eighteen (18) years of age, if the image is obscene (as described in IC 35-49-2-1); or (C) that is simulated sexual conduct involving a representation that appears to be a child less than eighteen (18) years of age, if the representation of the image is obscene (as described in IC 35-49-2-1); commits child exploitation, a Level 5 felony. It is not a required element of an offense under subdivision (5)(C) that the child depicted actually exists. (c) However, the offense of child exploitation described in subsection (b) is a Level 4 felony if: (1) the sexual conduct, matter, performance, or incident depicts or describes a child less than eighteen (18) years of age who: (A) engages in bestiality (as described in IC 35-46-3-14); (B) is mentally disabled or deficient; (C) participates in the sexual conduct, matter, performance, or incident by use of force or the threat of force; (D) physically or verbally resists participating in the sexual conduct, matter, performance, or incident; (E) receives a bodily injury while participating in the sexual conduct, matter, performance, or incident; or (F) is less than twelve (12) years of age; or (2) the child less than eighteen (18) years of age: (A) engages in bestiality (as described in IC 35-46-3-14); (B) is mentally disabled or deficient; (C) participates in the sexual conduct, matter, performance, or incident by use of force or the threat of force; (D) physically or verbally resists participating in the sexual conduct, matter, performance, or incident; (E) receives a bodily injury while participating in the sexual conduct, matter, performance, or incident; or (F) is less than twelve (12) years of age. (d) A person who, with intent to view the image, knowingly or intentionally possesses or accesses an image that depicts or describes sexual conduct: (1) by a child who the person knows is less than eighteen (18) years of age; (2) by a child less than eighteen (18) years of age, or by a person who appears to be a child less than eighteen (18) years of age, if the representation of the image is obscene (as described in IC 35-49-2-1); or (3) that is simulated sexual conduct involving a representation that appears to be a child less than eighteen (18) years of age, if the representation of the image is obscene (as described in IC 35-49-2-1); commits possession of child pornography, a Level 6 felony. It is not a required element of an offense under subdivision (3) that the child depicted actually exists. (e) However, the offense of possession of child pornography described in subsection (d) is a Level 5 felony if: (1) the sexual conduct, matter, performance, or incident depicts or describes a child who the person knows is less than eighteen (18) years of age, or who appears to be less than eighteen (18) years of age, who: (A) engages in bestiality (as described in IC 35-46-3-14); (B) is mentally disabled or deficient; (C) participates in the sexual conduct, matter, performance, or incident by use of force or the threat of force; (D) physically or verbally resists participating in the sexual conduct, matter, performance, or incident; (E) receives a bodily injury while participating in the sexual conduct, matter, performance, or incident; or (F) is less than twelve (12) years of age; or (2) the child less than eighteen (18) years of age: (A) engages in bestiality (as described in IC 35-46-3-14); (B) is mentally disabled or deficient; (C) participates in the sexual conduct, matter, performance, or incident by use of force or the threat of force; (D) physically or verbally resists participating in the sexual conduct, matter, performance, or incident; (E) receives a bodily injury while participating in the sexual conduct, matter, performance, or incident; or (F) is less than twelve (12) years of age. (f) Subsections (b), (c), (d), and (e) do not apply to a bona fide school, museum, or public library that qualifies for certain property tax exemptions under IC 6-1.1-10, or to an employee of such a school, museum, or public library acting within the scope of the employee's employment when the possession of the listed materials is for legitimate scientific or educational purposes. (g) It is a defense to a prosecution under this section that: (1) the person is a school employee, a department of child services employee, or an attorney acting in the attorney's capacity as legal counsel for a client; and (2) the acts constituting the elements of the offense were performed solely within the scope of the person's employment as a school employee, a department of child services employee, or an attorney acting in the attorney's capacity as legal counsel for a client. (h) Except as provided in subsection (i), it is a defense to a prosecution under subsection (b), (c), (d), or (e) if all of the following apply: (1) A cellular telephone, another wireless or cellular communications device, or a social networking web site was used to possess, produce, or disseminate the image. (2) The defendant is not more than four (4) years older or younger than the person who is depicted in the image or who received the image. (3) The relationship between the defendant and the person who received the image or who is depicted in the image was a dating relationship or an ongoing personal relationship. For purposes of this subdivision, the term "ongoing personal relationship" does not include a family relationship. (4) The crime was committed by a person less than twenty-two (22) years of age. (5) The person receiving the

image or who is depicted in the image acquiesced in the defendant's conduct. (i) The defense to a prosecution described in subsection (h) does not apply if: (1) the person who receives the image disseminates it to a person other than the person: (A) who sent the image; or (B) who is depicted in the image; (2) the image is of a person other than the person who sent the image or received the image; or (3) the dissemination of the image violates: (A) a protective order to prevent domestic or family violence or harassment issued under IC 34-26-5 (or, if the order involved a family or household member, under IC 34-26-2 or IC 34-4-5.1-5 before their repeal); (B) an ex parte protective order issued under IC 34-26-5 (or, if the order involved a family or household member, an emergency order issued under IC 34-26-2 or IC 34-4-5.1 before their repeal); (C) a workplace violence restraining order issued under IC 34-26-6; (D) a no contact order in a dispositional decree issued under IC 31-34-20-1, IC 31-37-19-1, or IC 31-37-5-6 (or IC 31-6-4-15.4 or IC 31-6-4-15.9 before their repeal) or an order issued under IC 31-32-13 (or IC 31-6-7-14 before its repeal) that orders the person to refrain from direct or indirect contact with a child in need of services or a delinquent child; (E) a no contact order issued as a condition of pretrial release, including release on bail or personal recognizance, or pretrial diversion, and including a no contact order issued under IC 35-33-8-3.6; (F) a no contact order issued as a condition of probation; (G) a protective order to prevent domestic or family violence issued under IC 31-15-5 (or IC 31-16-5 or IC 31-1-11.5-8.2 before their repeal); (H) a protective order to prevent domestic or family violence issued under IC 31-14-16-1 in a paternity action; (I) a no contact order issued under IC 31-34-25 in a child in need of services proceeding or under IC 31-37-25 in a juvenile delinquency proceeding; (J) an order issued in another state that is substantially similar to an order described in clauses (A) through (I); (K) an order that is substantially similar to an order described in clauses (A) through (I) and is issued by an Indian: (i) tribe; (ii) band; (iii) pueblo; (iv) nation; or (v) organized group or community, including an Alaska Native village or regional or village corporation as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); that is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians; (L) an order issued under IC 35-33-8-3.2; or (M) an order issued under IC 35-38-1-30. (j) It is a defense to a prosecution under this section that: (1) the person was less than eighteen (18) years of age at the time the alleged offense was committed; and (2) the circumstances described in IC 35-45-4-6(a)(2) through IC 35-45-4-6(a)(4) apply. (k) A person is entitled to present the defense described in subsection (j) in a pretrial hearing. If a person proves by a preponderance of the evidence in a pretrial hearing that the defense described in subsection (j) applies, the court shall dismiss the charges under this section with prejudice. As added by Acts 1978, P.L.148, SEC.5. Amended by P.L.325-1983, SEC.1; P.L.206-1986, SEC.1; P.L.37-1990, SEC.25; P.L.59-1995, SEC.3; P.L.216-1996, SEC.19; P.L.3-2002, SEC.2; P.L.216-2007, SEC.43; P.L.180-2011, SEC.3; P.L.6-2012, SEC.226; P.L.181-2013, SEC.1; P.L.214-2013, SEC.38; P.L.158-2013, SEC.440; P.L.168-2014, SEC.69; P.L.80-2015, SEC.1; P.L.13-2016, SEC.15; P.L.132-2017, SEC.1; P.L.266-2019, SEC.13; P.L.105-2022, SEC.47; P.L.172-2022, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 4. Sex Crimes35-42-4-5. Vicarious Sexual Gratification; Sexual Conduct in Presence of a Minor

Sec. 5. (a) A person eighteen (18) years of age or older who knowingly or intentionally directs, aids, induces, or causes a child under the age of sixteen (16) to touch or fondle himself or herself or another child under the age of sixteen (16) with intent to arouse or satisfy the sexual desires of a child or the older person commits vicarious sexual gratification, a Level 5 felony. However, the offense is: (1) a Level 4 felony if a child involved in the offense is under the age of fourteen (14); and (2) a Level 3 felony if: (A) the offense is committed by using or threatening the use of deadly force or while armed with a deadly weapon; (B) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge; or (C) the commission of the offense results in serious bodily injury. (b) A person eighteen (18) years of age or older who knowingly or intentionally directs, aids, induces, or causes a child under the age of sixteen (16) to: (1) engage in sexual intercourse with another child under sixteen (16) years of age; (2) engage in sexual conduct with an animal other than a human being; or (3) engage in other sexual conduct (as defined in IC 35-31.5-2-221.5) with another person; with intent to arouse or satisfy the sexual desires of a child or the older person commits vicarious sexual gratification, a Level 4 felony. However, the offense is a Level 3 felony if any child involved in the offense is less than fourteen (14) years of age, and the offense is a Level 2 felony if the offense is committed by using or threatening the use of deadly force, if the offense is committed while armed with a deadly weapon, if the offense results in serious bodily injury, or if the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge. (c) A person eighteen (18) years of age or older who knowingly or intentionally: (1) engages in sexual intercourse; (2) engages in other sexual conduct (as defined in IC 35-31.5-2-221.5); or (3) touches or fondles the person's own body; in the presence of a child less than fourteen (14) years of age with the intent to arouse or satisfy the sexual desires of the child or the older person commits performing sexual conduct in the presence of a minor, a Level 6 felony. As added by P.L.183-1984, SEC.4. Amended by P.L.79-1994, SEC.13; P.L.31-1998, SEC.6; P.L.118-2002, SEC.1; P.L.123-2003, SEC.1; P.L.158-2013, SEC.441.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 4. Sex Crimes35-42-4-6. Child Solicitation

Sec. 6. (a) As used in this section, "solicit" means to command, authorize, urge, incite, request, lure, entice, or advise an individual: (1) in person; (2) by telephone or wireless device; (3) in writing; (4) by using a computer network (as defined in IC 35-43-2-3(a));

(5) by advertisement of any kind; or (6) by any other means; to perform an act described in subsection (b) or (c). (b) A person eighteen (18) years of age or older who knowingly or intentionally solicits a child under fourteen (14) years of age, or an individual the person believes to be a child under fourteen (14) years of age, to engage in sexual intercourse, other sexual conduct (as defined in IC 35-31.5-2-221.5), or any fondling or touching intended to arouse or satisfy the sexual desires of either the child or the older person, commits child solicitation, a Level 5 felony. However, the offense is a Level 4 felony if the person solicits the child or individual the person believes to be a child under fourteen (14) years of age to engage in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) and: (1) commits the offense by using a computer network (as defined in IC 35-43-2-3(a)) and travels to meet the child or individual the person believes to be a child; or (2) has a previous unrelated conviction for committing an offense under this section. (c) A person at least twenty-one (21) years of age who knowingly or intentionally solicits a child at least fourteen (14) years of age but less than sixteen (16) years of age, or an individual the person believes to be a child at least fourteen (14) years of age but less than sixteen (16) years of age, to engage in sexual intercourse, other sexual conduct (as defined in IC 35-31.5-2-221.5), or any fondling or touching intended to arouse or satisfy the sexual desires of either the child or the older person, commits child solicitation, a Level 5 felony. However, the offense is a Level 4 felony if the person solicits the child or individual the person believes to be a child at least fourteen (14) but less than sixteen (16) years of age to engage in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5), and: (1) commits the offense by using a computer network (as defined in IC 35-43-2-3(a)) and travels to meet the child or individual the person believes to be a child; or (2) has a previous unrelated conviction for committing an offense under this section. (d) In a prosecution under this section, including a prosecution for attempted solicitation, the state is not required to prove that the person solicited the child to engage in an act described in subsection (b) or (c) at some immediate time. As added by P.L.183-1984, SEC.5. Amended by P.L.11-1994, SEC.16; P.L.79-1994, SEC.14; P.L.216-1996, SEC.20; P.L.118-2002, SEC.2; P.L.124-2005, SEC.1; P.L.216-2007, SEC.44; P.L.158-2013, SEC.442; P.L.247-2013, SEC.7; P.L.168-2014, SEC.70; P.L.133-2023, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 4. Sex Crimes35-42-4-7. Child Seduction

Sec. 7. (a) As used in this section, "adoptive parent" has the meaning set forth in IC 31-9-2-6. (b) As used in this section, "adoptive grandparent" means the parent of an adoptive parent. (c) As used in this section, "charter school" has the meaning set forth in IC 20-18-2-2.5. (d) As used in this section, "child care worker" means a person who: (1) provides care, supervision, or instruction to a child within the scope of the person's employment in a shelter care facility; (2) is employed by a: (A) school corporation; (B) charter school; (C) nonpublic school; or (D) special education cooperative; attended by a child who is the victim of a crime under this chapter; or (3) is: (A) affiliated with a: (i) school corporation; (ii) charter school; (iii) nonpublic school; or (iv) special education cooperative; attended by a child who is the victim of a crime under this chapter, regardless of how or whether the person is compensated; (B) in a position of trust in relation to a child who attends the school or cooperative; (C) engaged in the provision of care or supervision to a child who attends the school or cooperative; and (D) at least four (4) years older than the child who is the victim of a crime under this chapter. The term does not include a student who attends the school or cooperative. (e) As used in this section, "coach" means a person who: (1) provides care, supervision, or instruction to a child within the scope of the person's employment in a youth sports organization; (2) is employed by a youth sports organization attended by a child who is the victim of a crime under this chapter; or (3) is: (A) affiliated with a youth sports organization attended by a child who is the victim of a crime under this chapter, regardless of how or whether the person is compensated; (B) in a position of trust in relation to a child who participates in the youth sports organization; (C) engaged in the provision of care or supervision to a child who participates in the youth sports organization; and (D) at least four (4) years older than the child who is the victim of a crime under this chapter. This term includes a coach who is nonteaching or a volunteer. (f) As used in this section, "custodian" means any person who resides with a child and is responsible for the child's welfare. (g) As used in this section, "mental health professional" means: (1) a mental health counselor licensed under IC 25-23.6-8.5; (2) a psychologist; or (3) a psychiatrist. (h) As used in this section, "military recruiter" means a member of: (1) the United States Air Force; (2) the United States Army; (3) the United States Coast Guard; (4) the United States Marine Corps; (5) the United States Navy; (6) any reserve components of the military forces listed in subdivisions (1) through (5); or (7) the Indiana National Guard; whose primary job function, classification, or specialty is recruiting individuals to enlist with an entity listed in subdivisions (1) through (7). (i) As used in this section, "nonpublic school" has the meaning set forth in IC 20-18-2-12. (j) For purposes of this section, a person has a "professional relationship" with a child if: (1) the person: (A) has a license issued by the state or a political subdivision on the basis of the person's training and experience that authorizes the person to carry out a particular occupation; or (B) is employed in a position in which counseling, supervising, instructing, or recruiting children forms a significant part of the employment; and (2) the person has a relationship with a child that is based on the person's employment or licensed status as described in subdivision (1). The term includes a relationship between a child and a mental health professional or military recruiter. The term does not include a coworker relationship between a child and a person described in subdivision (1)(B). (k) As used in this section, "school corporation" has the meaning set forth in IC 20-18-2-16. (l) As used in this section, "special education cooperative" has the meaning set forth in IC 20-35-5-1. (m) As used in this section, "stepparent" means an individual who is married to a child's custodial or noncustodial parent and is not the child's adoptive parent. (n) As used in this section, "workplace supervisor" means an individual who has authority over a child while the child is employed at the child's place of employment. The term includes a person who is responsible for determining the child's wages (including whether the child will receive a raise) or who otherwise has the authority to take an adverse employment action against the child. (o) As used in this

section, "youth sports organization" means an athletic or recreational program that is organized for: (1) competition against another team, club, or entity; or (2) athletic instruction; predominantly for children less than eighteen (18) years of age. (p) If a person who: (1) is at least eighteen (18) years of age; and (2) is the: (A) guardian, adoptive parent, adoptive grandparent, custodian, or stepparent of; (B) child care worker for; or (C) coach of; a child less than eighteen (18) years of age; engages with the child in sexual intercourse, other sexual conduct (as defined in IC 35-31.5-2-221.5), or any fondling or touching with the intent to arouse or satisfy the sexual desires of either the child or the adult, the person commits child seduction. (q) A person who: (1) has or had a professional relationship with a child less than eighteen (18) years of age whom the person knows to be less than eighteen (18) years of age; (2) may exert undue influence on the child because of the person's current or previous professional relationship with the child; and (3) uses or exerts the person's professional relationship to engage in sexual intercourse, other sexual conduct (as defined in IC 35-31.5-2-221.5), or any fondling or touching with the child with the intent to arouse or satisfy the sexual desires of the child or the person; commits child seduction. (r) A law enforcement officer who: (1) is at least four (4) years older than a child who is less than eighteen (18) years of age; (2) has contact with the child while acting within the scope of the law enforcement officer's official duties with respect to the child; and (3) uses or exerts the law enforcement officer's professional relationship with the child to engage with the child in: (A) sexual intercourse; (B) other sexual conduct (as defined in IC 35-31.5-2-221.5); or (C) any fondling or touching with the child with the intent to arouse or satisfy the sexual desires of the child or the law enforcement officer; commits child seduction. (s) In determining whether a person used or exerted the person's professional relationship with the child to engage in sexual intercourse, other sexual conduct (as defined in IC 35-31.5-2-221.5), or any fondling or touching with the intent to arouse or satisfy the sexual desires of the child or the person under this section, the trier of fact may consider one (1) or more of the following: (1) The age difference between the person and the child. (2) Whether the person was in a position of trust with respect to the child. (3) Whether the person's conduct with the child violated any ethical obligations of the person's profession or occupation. (4) The authority that the person had over the child. (5) Whether the person exploited any particular vulnerability of the child. (6) Any other evidence relevant to the person's ability to exert undue influence over the child. (t) This subsection does not apply to a workplace supervisor who had a dating relationship with the child before the child was employed at the place of employment. A workplace supervisor who: (1) is at least four (4) years older than a child who is less than eighteen (18) years of age; (2) supervises the child at the child's place of employment; and (3) uses or exerts the workplace supervisor's supervisory relationship with the child to engage with the child in: (A) sexual intercourse; (B) other sexual conduct (as defined in IC 35-31.5-2-221.5); or (C) any fondling or touching with the child with the intent to arouse or satisfy the sexual desires of the child or the workplace supervisor; commits child seduction. (u) In determining whether a workplace supervisor used or exerted the workplace supervisor's relationship with the child to engage in sexual intercourse, other sexual conduct (as defined in IC 35-31.5-2-221.5), or any fondling or touching with the intent to arouse or satisfy the sexual desires of the child or the workplace supervisor, the trier of fact may consider one (1) or more of the following: (1) The age difference between the workplace supervisor and the child. (2) Whether the workplace supervisor was in a position of trust with respect to the child. (3) Whether the workplace supervisor suggested to the child that engaging or not engaging in sexual activity with the workplace supervisor would or could affect the child at the child's place of employment. (4) The authority that the workplace supervisor had over the child. (5) Whether the workplace supervisor exploited any particular vulnerability of the child. (6) Any other evidence relevant to the workplace supervisor's ability to exert undue influence over the child. (v) Child seduction under this section is: (1) a Level 6 felony if the child is at least sixteen (16) years of age but less than eighteen (18) years of age and the person or law enforcement officer engaged in any fondling or touching with the intent to arouse or satisfy the sexual desires of: (A) the child; or (B) the person or law enforcement officer; (2) a Level 5 felony if the child is at least sixteen (16) years of age but less than eighteen (18) years of age and the person or law enforcement officer engaged in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with the child; (3) a Level 5 felony if the child is at least fourteen (14) years of age but less than sixteen (16) years of age and the person or law enforcement officer engaged in any fondling or touching with the intent to arouse or satisfy the sexual desires of: (A) the child; or (B) the person or law enforcement officer; (4) a Level 4 felony if the child is at least fourteen (14) years of age but less than sixteen (16) years of age and the person or law enforcement officer engaged in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with the child; (5) a Level 3 felony if the child is thirteen (13) years of age or under and the person or law enforcement officer engaged in any fondling or touching with the intent to arouse or satisfy the sexual desires of: (A) the child; or (B) the person or law enforcement officer; and (6) a Level 2 felony if the child is thirteen (13) years of age or under and the person or law enforcement officer engaged in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with the child. As added by P.L.158-1987, SEC.4. Amended by P.L.1-1997, SEC.148; P.L.71-1998, SEC.5; P.L.228-2001, SEC.5; P.L.161-2003, SEC.10; P.L.1-2005, SEC.228; P.L.125-2009, SEC.7; P.L.114-2012, SEC.138; P.L.208-2013, SEC.8; P.L.158-2013, SEC.443; P.L.168-2014, SEC.71; P.L.226-2014(ts), SEC.5; P.L.233-2015, SEC.324; P.L.40-2019, SEC.12; P.L.133-2023, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 4. Sex Crimes35-42-4-8. Sexual Battery

Sec. 8. (a) A person who, with intent to arouse or satisfy the person's own sexual desires or the sexual desires of another person: (1) touches another person when that person is: (A) compelled to submit to the touching by force or the imminent threat of force; or (B) so mentally disabled or deficient that consent to the touching cannot be given; or (2) touches another person's genitals, pubic area, buttocks, or female breast when that person is unaware that the touching is occurring; commits sexual battery, a Level 6 felony. (b) An offense described in subsection (a) is a Level 4 felony if: (1) it is committed by using or threatening the use of deadly force; (2)

it is committed while armed with a deadly weapon; or (3) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge. As added by P.L.322-1987, SEC.2. Amended by P.L.31-1998, SEC.7; P.L.72-2012, SEC.4; P.L.158-2013, SEC.444.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 4. Sex Crimes35-42-4-9. Sexual Misconduct With a Minor

Sec. 9. (a) A person at least eighteen (18) years of age who knowingly or intentionally performs or submits to sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with a child less than sixteen (16) years of age, commits sexual misconduct with a minor, a Level 5 felony. However, the offense is: (1) a Level 4 felony if it is committed by a person at least twenty-one (21) years of age; and (2) a Level 1 felony if it is committed by using or threatening the use of deadly force, if it is committed while armed with a deadly weapon, if it results in serious bodily injury, or if the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge. (b) A person at least eighteen (18) years of age who knowingly or intentionally performs or submits to any fondling or touching with a child less than sixteen (16) years of age with intent to arouse or to satisfy the sexual desires of either the child or the older person, commits sexual misconduct with a minor, a Level 6 felony. However, the offense is: (1) a Level 5 felony if it is committed by a person at least twenty-one (21) years of age; and (2) a Level 2 felony if it is committed by using or threatening the use of deadly force, while armed with a deadly weapon, or if the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge. (c) It is a defense that the accused person reasonably believed that the child was at least sixteen (16) years of age at the time of the conduct. However, this subsection does not apply to an offense described in subsection (a)(2) or (b)(2). (d) It is a defense that the child is or has ever been married. However, this subsection does not apply to an offense described in subsection (a)(2) or (b)(2). (e) It is a defense to a prosecution under this section if all the following apply: (1) The person is not more than four (4) years older than the victim. (2) The relationship between the person and the victim was a dating relationship or an ongoing personal relationship. The term "ongoing personal relationship" does not include a family relationship. (3) The crime: (A) was not committed by a person who is at least twenty-one (21) years of age; (B) was not committed by using or threatening the use of deadly force; (C) was not committed while armed with a deadly weapon; (D) did not result in serious bodily injury; (E) was not facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge; and (F) was not committed by a person having a position of authority or substantial influence over the victim. (4) The person has not committed another sex offense (as defined in IC 11-8-8-5.2) (including a delinquent act that would be a sex offense if committed by an adult) against any other person. (5) The person is not promoting prostitution (as defined in IC 35-45-4-4) with respect to the victim even though the person has not been charged with or convicted of the offense. As added by P.L.79-1994, SEC.15. Amended by P.L.33-1996, SEC.9; P.L.216-1996, SEC.21; P.L.31-1998, SEC.8; P.L.266-2003, SEC.1; P.L.216-2007, SEC.45; P.L.158-2013, SEC.445; P.L.144-2018, SEC.28; P.L.40-2019, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 42. Offenses Against the PersonChapter 5. Robbery35-42-5-1. Robbery

Sec. 1. (a) Except as provided in subsection (b), a person who knowingly or intentionally takes property from another person or from the presence of another person: (1) by using or threatening the use of force on any person; or (2) by putting any person in fear; commits robbery, a Level 5 felony. However, the offense is a Level 3 felony if it is committed while armed with a deadly weapon or results in bodily injury to any person other than a defendant, and a Level 2 felony if it results in serious bodily injury to any person other than a defendant. (b) A person who knowingly or intentionally takes a controlled substance from a pharmacist acting in an official capacity or from a pharmacy by: (1) using or threatening the use of force on any person; or (2) putting any person in fear; commits robbery, a Level 4 felony. However, the offense is a Level 2 felony if it is committed while armed with a deadly weapon or results in bodily injury to any person other than the defendant, and the offense is a Level 1 felony if it results in serious bodily injury to any person other than the defendant. As added by Acts 1977, P.L.340, SEC.39. Amended by Acts 1982, P.L.204, SEC.34; P.L.186-1984, SEC.1; P.L.158-2013, SEC.450; P.L.202-2017, SEC.25.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 1. Arson, Mischief, and Tampering35-43-1-1. Arson

Sec. 1. (a) A person who, by means of fire, explosive, or destructive device, knowingly or intentionally damages: (1) a dwelling of another person without the other person's consent; (2) property of any person under circumstances that endanger human life; (3) property of another person without the other person's consent if the pecuniary loss is at least five thousand dollars ($5,000); or (4) a structure used for religious worship without the consent of the owner of the structure; commits arson, a Level 4 felony. However, the offense is a Level 3 felony if it results in bodily injury to any person other than a defendant and a Level 2 felony if it results in serious bodily injury to any person other than a defendant. (b) A person who commits arson for hire commits a Level 4 felony.

However, the offense is: (1) a Level 3 felony if it results in bodily injury to any other person; and (2) a Level 2 felony if it results in serious bodily injury to any other person. (c) A person who, by means of fire, explosive, or destructive device, knowingly or intentionally damages property of any person with intent to defraud commits arson, a Level 6 felony. (d) A person who, by means of fire, explosive, or destructive device, knowingly or intentionally damages property of another person without the other person's consent so that the resulting pecuniary loss is at least two hundred fifty dollars ($250) but less than five thousand dollars ($5,000) commits arson, a Level 6 felony. (e) A person who commits an offense under subsection (a), (b), (c), or (d) commits a separate offense for each person who suffers a bodily injury or serious bodily injury that is caused by the violation of subsection (a), (b), (c), or (d). As added by Acts 1976, P.L.148, SEC.3. Amended by Acts 1977, P.L.340, SEC.40; Acts 1980, P.L.159, SEC.4; Acts 1981, P.L.302, SEC.1; Acts 1982, P.L.204, SEC.35; P.L.88-1999, SEC.1; P.L.123-2002, SEC.36; P.L.158-2013, SEC.452; P.L.168-2014, SEC.75.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 1. Arson, Mischief, and Tampering35-43-1-2.1. Cemetery Mischief

Sec. 2.1. (a) This section does not apply to the following: (1) A person who acts in a proper and acceptable manner as authorized by IC 14-21 other than a person who disturbs the earth for an agricultural purpose under the exemption to IC 14-21 that is provided in IC 14-21-1-24. (2) A person who acts in a proper and acceptable manner as authorized by IC 23-14. (b) A person who recklessly, knowingly, or intentionally: (1) damages a cemetery, a burial ground (as defined in IC 14-21-1-3), or a facility used for memorializing the dead; (2) damages the grounds owned or rented by a cemetery or facility used for memorializing the dead; or (3) disturbs, defaces, or damages a cemetery monument, grave marker, grave artifact, grave ornamentation, or cemetery enclosure; commits cemetery mischief, a Class A misdemeanor. However, the offense is a Level 6 felony if the pecuniary loss is at least seven hundred fifty dollars ($750) but less than fifty thousand dollars ($50,000), and a Level 5 felony if the pecuniary loss is at least fifty thousand dollars ($50,000). As added by P.L.100-1999, SEC.3. Amended by P.L.177-2001, SEC.4; P.L.158-2013, SEC.454; P.L.252-2017, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 1. Arson, Mischief, and Tampering35-43-1-2.3. Railroad Mischief

Sec. 2.3. A person who, without the consent of the owner of the property, recklessly, knowingly, or intentionally damages or defaces: (1) a locomotive, a railroad car, a train, or equipment of a railroad company being operated on a railroad right-of-way; (2) a part of any railroad signal system, train control system, centralized dispatching system, or highway railroad grade crossing warning signal on a railroad right-of-way owned, leased, or operated by a railroad company; or (3) any rail, switch, roadbed, viaduct, bridge, trestle, culvert, or embankment on a right-of-way owned, leased, or operated by a railroad company; commits railroad mischief, a Level 6 felony. However, the offense is a Level 5 felony if the offense results in serious bodily injury to another person and a Level 2 felony if the offense results in the death of another person. As added by P.L.158-2013, SEC.455.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 1. Arson, Mischief, and Tampering35-43-1-2. Criminal Mischief; Institutional Criminal Mischief; Controlled Substances Criminal Mischief

Sec. 2. (a) A person who recklessly, knowingly, or intentionally damages or defaces property of another person without the other person's consent commits criminal mischief, a Class B misdemeanor. However, the offense is: (1) a Class A misdemeanor if the pecuniary loss is at least seven hundred fifty dollars ($750) but less than fifty thousand dollars ($50,000); and (2) a Level 6 felony if: (A) the pecuniary loss is at least fifty thousand dollars ($50,000); (B) the damage causes a substantial interruption or impairment of utility service rendered to the public; (C) the damage is to a public record; (D) the damage is to a law enforcement animal (as defined in IC 35-46-3-4.5); or (E) the damage is to a component of an automatic building fire suppression system that is located in a penal facility. (b) A person who recklessly, knowingly, or intentionally damages: (1) a structure used for religious worship without the consent of the owner, possessor, or occupant of the property that is damaged; (2) a school or community center without the consent of the owner, possessor, or occupant of the property that is damaged; (3) the property of an agricultural operation (as defined in IC 32-30-6-1) without the consent of the owner, possessor, or occupant of the property that is damaged; (4) the property of a scientific research facility (as defined in IC 35-31.5-2-287) without the consent of, or with consent which was fraudulently obtained from, the owner, possessor, or occupant of the property that is damaged; (5) the grounds: (A) adjacent to; and (B) owned or rented in common with; a structure or facility identified in subdivisions (1) through (4) without the consent of the owner, possessor, or occupant of the property that is damaged; (6) personal property contained in a structure or located at a facility identified in subdivisions (1) through (4) without the consent of the owner, possessor, or occupant of the property that is damaged; (7) property that is vacant real property (as defined in IC 36-7-36-5) or a vacant structure (as defined in IC 36-7-36-6); or (8) property after the person has been denied entry to the property by a court order that was issued: (A) to the person; or (B) to the general public by conspicuous posting on or around the property in areas where a person could observe the order when the property has been designated by a municipality or county enforcement authority to be a vacant property, an abandoned property, or an abandoned structure (as defined in IC 36-7-36-1); commits institutional criminal mischief, a Class A misdemeanor. However, the offense is a Level 6 felony if the pecuniary loss (or property damage, in the case of an agricultural operation or a scientific research facility) is at least seven hundred fifty dollars ($750) but less than fifty thousand dollars ($50,000), and a Level 5 felony if the pecuniary loss (or property damage, in the case of an agricultural operation or a scientific research facility) is at least fifty thousand dollars ($50,000).

(c) A person who recklessly, knowingly, or intentionally damages property: (1) during the dealing or manufacture of or attempted dealing or manufacture of a controlled substance; and (2) by means of a fire or an explosion; commits controlled substances criminal mischief, a Level 6 felony. However, the offense is a Level 5 felony if the offense results in moderate bodily injury to any person other than a defendant. (d) If a person is convicted of an offense under this section that involves the use of graffiti, the court may, in addition to any other penalty, order that the person's driver's license be suspended or invalidated by the bureau of motor vehicles for not more than one (1) year. (e) The court may rescind an order for suspension or invalidation under subsection (d) and allow the person to receive a license or permit before the period of suspension or invalidation ends if the court determines that the person has removed or painted over the graffiti or has made other suitable restitution. (f) For purposes of this section, "pecuniary loss" includes: (1) the total costs incurred in inspecting, cleaning, and decontaminating property contaminated by a pollutant; and (2) a reasonable estimate of all additional costs not already incurred under subdivision (1) that are necessary to inspect, clean, and decontaminate property contaminated by a pollutant, to the extent that the property has not already been: (A) cleaned; (B) decontaminated; or (C) both cleaned and decontaminated. The term includes inspection, cleaning, or decontamination conducted by a person certified under IC 16-19-3.1. As added by Acts 1976, P.L.148, SEC.3. Amended by Acts 1977, P.L.340, SEC.41; P.L.326-1983, SEC.1; P.L.319-1985, SEC.1; P.L.151-1989, SEC.11; P.L.180-1991, SEC.6; P.L.94-1996, SEC.5; P.L.213-1997, SEC.1; P.L.100-1999, SEC.2; P.L.108-2002, SEC.1; P.L.116-2002, SEC.24; P.L.123-2002, SEC.37; P.L.1-2003, SEC.95; P.L.140-2006, SEC.33 and P.L.173-2006, SEC.33; P.L.216-2007, SEC.48; P.L.158-2013, SEC.453; P.L.21-2014, SEC.2; P.L.76-2016, SEC.4; P.L.252-2017, SEC.12; P.L.111-2018, SEC.15; P.L.111-2021, SEC.104; P.L.79-2023, SEC.2; P.L.100-2024, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 1. Arson, Mischief, and Tampering35-43-1-3. Unlawful Acts Relating to Caves; Offense

Sec. 3. (a) As used in this section: "Cave" means any naturally occurring subterranean cavity, including a cavern, pit, pothole, sinkhole, well, grotto, and tunnel whether or not it has a natural entrance. "Owner" means the person who holds title to or is in possession of the land on or under which a cave is located, or his lessee, or agent. "Scientific purposes" means exploration and research conducted by persons affiliated with recognized scientific organizations with the intent to advance knowledge and with the intent to publish the results of said exploration or research in an appropriate medium. (b) A person who knowingly and without the express consent of the cave owner: (1) disfigures, destroys, or removes any stalagmite, stalactite, or other naturally occurring mineral deposit or formation, or archeological or paleontological artifact in a cave, for other than scientific purposes; (2) breaks any lock, gate, fence, or other structure designed to control or prevent access to a cave; or (3) destroys, injures, removes, or harasses any cave-dwelling animal for other than scientific purposes; commits a Class A misdemeanor. (c) A person who knowingly and without the express consent of the cave owner deposits trash, rubbish, chemicals, or other litter in a cave commits a Class C infraction. However, the violation is a Class C misdemeanor if it is committed knowingly or intentionally and the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. As added by P.L.177-1983, SEC.2. Amended by P.L.32-2019, SEC.27.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 1. Arson, Mischief, and Tampering35-43-1-5. Tampering With a Water Supply; Poisoning

Sec. 5. (a) A person who, with the intent to cause serious bodily injury, tampers with a: (1) water supply; (2) water treatment plant (as defined in IC 13-11-2-264); or (3) water distribution system (as defined in IC 13-11-2-259); commits tampering with a water supply, a Level 4 felony. However, the offense is a Level 2 felony if it results in the death of any person. (b) A person who recklessly, knowingly, or intentionally poisons a public water supply with the intent to cause serious bodily injury commits poisoning, a Level 3 felony. As added by P.L.137-2007, SEC.35. Amended by P.L.231-2007, SEC.3; P.L.158-2013, SEC.457.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 1. Arson, Mischief, and Tampering35-43-1-6. Altering Historic Property

Sec. 6. A person who knowingly or intentionally alters, without a permit, historic property located on property owned or leased by the state commits a Class B misdemeanor. As added by P.L.167-2011, SEC.30.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 1. Arson, Mischief, and Tampering35-43-1-7. Offense Against Intellectual Property

Sec. 7. A person who knowingly or intentionally and who without authorization: (1) modifies data, a computer program, or supporting documentation; (2) destroys data, a computer program, or supporting documentation; or (3) discloses or takes data, a computer program, or supporting documentation that is: (A) a trade secret (as defined in IC 24-2-3-2); or (B) otherwise confidential as provided by law; and that resides or exists internally or externally on a computer, computer system, or computer network, commits an offense against intellectual property, a Level 6 felony. As added by P.L.158-2013, SEC.458. Amended by P.L.168-2014, SEC.76.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 1. Arson, Mischief, and Tampering35-43-1-8. Offense Against Computer Users

Sec. 8. (a) A person who knowingly or intentionally and who without authorization: (1) disrupts, denies, or causes the disruption or denial of computer system services to an authorized user of the computer system services that are: (A) owned by; (B) under contract to; or (C) operated for, on behalf of, or in conjunction with; another person in whole or part; (2) destroys, takes, or damages equipment or supplies used or intended to be used in a computer, computer system, or computer network; (3) destroys or damages a computer, computer system, or computer network; or (4) introduces a computer contaminant into a computer, computer system, or computer network; commits an offense against computer users, a Level 6 felony. (b) However, the offense is: (1) a Level 5 felony if: (A) the pecuniary loss caused by the offense is at least seven hundred fifty dollars ($750) but less than fifty thousand dollars ($50,000); (B) the offense was committed for the purpose of devising or executing any scheme or artifice to defraud or obtain property; or (C) the offense interrupts or impairs: (i) a governmental operation; or (ii) the public communication, transportation, or supply of water, gas, or another public service; and (2) a Level 4 felony if: (A) the pecuniary loss caused by the offense is at least fifty thousand dollars ($50,000); or (B) the offense endangers human life. (c) In addition to any criminal penalties imposed for a violation of this section, a person who commits an offense described in subsection (b) commits a deceptive act that is actionable by the attorney general under IC 24-5-0.5 and is subject to the remedies and penalties under IC 24-5-0.5. As added by P.L.158-2013, SEC.459. Amended by P.L.153-2017, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 10. Legend Drug Deception35-43-10-1. Definitions

Sec. 1. The definitions in IC 25-26-14 apply throughout this chapter. As added by P.L.212-2005, SEC.76.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 10. Legend Drug Deception35-43-10-2. Application of Chapter

Sec. 2. Except as provided by federal law or regulation, this chapter does not apply to a pharmaceutical manufacturer that is approved by the federal Food and Drug Administration. As added by P.L.212-2005, SEC.76.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 10. Legend Drug Deception35-43-10-3. Legend Drug Deception; Penalty

Sec. 3. A person who knowingly or intentionally: (1) possesses a contraband legend drug; (2) sells, delivers, or possesses with intent to sell or deliver a contraband legend drug; (3) forges, counterfeits, or falsely creates a label for a legend drug or falsely represents a factual matter contained on a label of a legend drug; or (4) manufactures, purchases, sells, delivers, brings into Indiana, or possesses a contraband legend drug; commits legend drug deception, a Level 6 felony. As added by P.L.212-2005, SEC.76. Amended by P.L.158-2013, SEC.494.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 10. Legend Drug Deception35-43-10-4. Legend Drug Deception Resulting in Death; Penalty

Sec. 4. A person: (1) who knowingly or intentionally manufactures, purchases, sells, delivers, brings into Indiana, or possesses a contraband legend drug; and (2) whose act under subdivision (1) results in the death of an individual; commits legend drug deception resulting in death, a Level 2 felony. As added by P.L.212-2005, SEC.76. Amended by P.L.158-2013, SEC.495.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 2. Burglary and Trespass35-43-2-1.5. Residential Entry

Sec. 1.5. A person who knowingly or intentionally breaks and enters the dwelling of another person commits residential entry, a Level 6 felony. As added by P.L.215-1991, SEC.1. Amended by P.L.158-2013, SEC.461.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 2. Burglary and Trespass35-43-2-1. Burglary

Sec. 1. A person who breaks and enters the building or structure of another person, with intent to commit a felony or theft in it, commits burglary, a Level 5 felony. However, the offense is: (1) a Level 4 felony if the building or structure is a dwelling; (2) a Level 3 felony if it results in bodily injury to any person other than a defendant; (3) a Level 2 felony if it: (A) is committed while armed with a deadly weapon; or (B) results in serious bodily injury to any person other than a defendant; and (4) a Level 1 felony if: (A) the building or structure is a dwelling; and (B) it results in serious bodily injury to any person other than a defendant. As added by Acts 1976, P.L.148, SEC.3. Amended by Acts 1977, P.L.340, SEC.42; Acts 1982, P.L.204, SEC.36; P.L.88-1999, SEC.2; P.L.158-2013, SEC.460.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 2. Burglary and Trespass35-43-2-2. Criminal Trespass; Denial of Entry; Denial by Posting With Purple Marks; Permission to Enter; Exceptions

Sec. 2. (a) As used in this section, "authorized person" means a person authorized by an agricultural operation or a scientific research facility to act on behalf of the agricultural operation or the scientific research facility. (b) A person who: (1) not having a

contractual interest in the property, knowingly or intentionally enters the real property of another person after having been denied entry by the other person or that person's agent; (2) not having a contractual interest in the property, knowingly or intentionally refuses to leave the real property of another person after having been asked to leave by the other person or that person's agent; (3) accompanies another person in a vehicle, with knowledge that the other person knowingly or intentionally is exerting unauthorized control over the vehicle; (4) knowingly or intentionally interferes with the possession or use of the property of another person without the person's consent; (5) not having a contractual interest in the property, knowingly or intentionally enters the: (A) property of an agricultural operation that is used for the production, processing, propagation, packaging, cultivation, harvesting, care, management, or storage of an animal, plant, or other agricultural product, including any pasturage or land used for timber management, without the consent of the owner of the agricultural operation or an authorized person; or (B) dwelling of another person without the person's consent; (6) knowingly or intentionally: (A) travels by train without lawful authority or the railroad carrier's consent; and (B) rides on the outside of a train or inside a passenger car, locomotive, or freight car, including a boxcar, flatbed, or container without lawful authority or the railroad carrier's consent; (7) not having a contractual interest in the property, knowingly or intentionally enters or refuses to leave the property of another person after having been prohibited from entering or asked to leave the property by a law enforcement officer when the property is: (A) vacant real property (as defined in IC 36-7-36-5) or a vacant structure (as defined in IC 36-7-36-6); or (B) designated by a municipality or county enforcement authority to be: (i) abandoned property or an abandoned structure (as defined in IC 36-7-36-1); or (ii) an unsafe building or an unsafe premises (as described in IC 36-7-9); (8) not having a contractual interest in the property, knowingly or intentionally enters the real property of an agricultural operation (as defined in IC 32-30-6-1) without the permission of the owner of the agricultural operation or an authorized person, and knowingly or intentionally engages in conduct that causes property damage to: (A) the owner of or a person having a contractual interest in the agricultural operation; (B) the operator of the agricultural operation; or (C) a person having personal property located on the property of the agricultural operation; (9) not having a contractual interest in the property, knowingly or intentionally enters the real property of a scientific research facility (as defined in IC 35-31.5-2-287) without the permission of, or with permission which was fraudulently obtained from, the owner of the scientific research facility or an authorized person, and knowingly or intentionally engages in conduct that causes property damage to: (A) the owner of or a person having a contractual interest in the scientific research facility; (B) the operator of the scientific research facility; or (C) a person having personal property located on the property of the scientific research facility; (10) knowingly or intentionally enters the property of another person after being denied entry by a court order that has been issued to the person or issued to the general public by conspicuous posting on or around the premises in areas where a person can observe the order when the property has been designated by a municipality or county enforcement authority to be: (A) a vacant property; (B) an abandoned property; (C) an abandoned structure (as defined in IC 36-7-36-1); or (D) an unsafe building or an unsafe premises (as described in IC 36-7-9); (11) knowingly or intentionally enters or refuses to leave the polls (as defined in IC 3-5-2-39) or chute (as defined in IC 3-5-2-10) after having been prohibited from entering or asked to leave the polls or chute by a precinct election officer (as defined in IC 3-5-2-40.1) or a law enforcement officer acting on behalf of a precinct election officer; or (12) knowingly or intentionally: (A) without permission or prior authorization, enters an area of property that is locked; or (B) refuses to leave an area of a property that is otherwise not accessible to the public, after being asked to leave the area of a property by a law enforcement officer or an employee or agent of the owner or operator of the property; commits criminal trespass, a Class A misdemeanor. However, the offense is a Level 6 felony if it is committed on a scientific research facility, on a facility belonging to a public utility (as defined in IC 32-24-1-5.9(a)), on school property, or on a school bus or the person has a prior unrelated conviction for an offense under this section concerning the same property. The offense is a Level 6 felony, for purposes of subdivision (8), if the property damage is more than seven hundred fifty dollars ($750) and less than fifty thousand dollars ($50,000). The offense is a Level 5 felony, for purposes of subdivisions (8) and (9), if the property damage is at least fifty thousand dollars ($50,000). (c) A person has been denied entry under subsection (b)(1) when the person has been denied entry by means of: (1) personal communication, oral or written; (2) posting or exhibiting a notice at the main entrance in a manner that is either prescribed by law or likely to come to the attention of the public; (3) a hearing authority or court order under IC 32-30-6, IC 32-30-7, IC 32-30-8, IC 36-7-9, or IC 36-7-36; or (4) posting the property by placing identifying purple marks on trees or posts around the area where entry is denied. (d) For the purposes of subsection (c)(4): (1) each purple mark must be readily visible to any person approaching the property and must be placed: (A) on a tree: (i) as a vertical line of at least eight (8) inches in length and with the bottom of the mark at least three (3) feet and not more than five (5) feet from the ground; and (ii) not more than one hundred (100) feet from the nearest other marked tree; or (B) on a post: (i) with the mark covering at least the top two (2) inches of the post, and with the bottom of the mark at least three (3) feet and not more than five (5) feet six (6) inches from the ground; and (ii) not more than thirty-six (36) feet from the nearest other marked post; and (2) before a purple mark that would be visible from both sides of a fence shared by different property owners or lessees may be applied, all of the owners or lessees of the properties must agree to post the properties with purple marks under subsection (c)(4). (e) A law enforcement officer may not deny entry to property or ask a person to leave a property under subsection (b)(7) unless there is reasonable suspicion that criminal activity has occurred or is occurring. (f) A person described in subsection (b)(7) or (b)(10) violates subsection (b)(7) or (b)(10), as applicable, unless the person has the written permission of the owner, the owner's agent, an enforcement authority, or a court to come onto the property for purposes of performing maintenance, repair, or demolition. (g) A person described in subsection (b)(10) violates subsection (b)(10) unless the court that issued the order denying the person entry grants permission for the person to come onto the property. (h) Subsections (b), (c), and (g) do not apply to the following: (1) A passenger on a train. (2) An employee of a railroad carrier while engaged in the performance of official duties. (3) A law

enforcement officer, firefighter, or emergency response personnel while engaged in the performance of official duties. (4) A person going on railroad property in an emergency to rescue a person or animal from harm's way or to remove an object that the person reasonably believes poses an imminent threat to life or limb. (5) A person on the station grounds or in the depot of a railroad carrier: (A) as a passenger; or (B) for the purpose of transacting lawful business. (6) A: (A) person; or (B) person's: (i) family member; (ii) invitee; (iii) employee; (iv) agent; or (v) independent contractor; going on a railroad's right-of-way for the purpose of crossing at a private crossing site approved by the railroad carrier to obtain access to land that the person owns, leases, or operates. (7) A person having written permission from the railroad carrier to go on specified railroad property. (8) A representative of the Indiana department of transportation while engaged in the performance of official duties. (9) A representative of the federal Railroad Administration while engaged in the performance of official duties. (10) A representative of the National Transportation Safety Board while engaged in the performance of official duties. As added by Acts 1976, P.L.148, SEC.3. Amended by Acts 1977, P.L.340, SEC.43; P.L.151-1989, SEC.12; P.L.242-1993, SEC.2; P.L.164-1993, SEC.11; P.L.1-1994, SEC.168; P.L.259-1999, SEC.3; P.L.158-2009, SEC.7; P.L.88-2009, SEC.4; P.L.203-2013, SEC.25; P.L.158-2013, SEC.462; P.L.21-2014, SEC.3; P.L.32-2016, SEC.1; P.L.181-2018, SEC.20; P.L.276-2019, SEC.5; P.L.75-2021, SEC.8; P.L.209-2021, SEC.12; P.L.220-2021, SEC.10; P.L.79-2023, SEC.3; P.L.171-2024, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 2. Burglary and Trespass35-43-2-3. Computer Trespass; Computer Hoarding Programs

Sec. 3. (a) As used in this section: "Access" means to: (1) approach; (2) instruct; (3) communicate with; (4) store data in; (5) retrieve data from; or (6) make use of resources of; a computer, computer system, or computer network. "Computer network" means the interconnection of communication lines or wireless telecommunications with a computer or wireless telecommunication device through: (1) remote terminals; (2) a complex consisting of two (2) or more interconnected computers; or (3) a worldwide collection of interconnected networks operating as the Internet. "Computer system" means a set of related computer equipment, software, or hardware. "Hoarding program" means a computer program designed to bypass or neutralize a security measure, access control system, or similar system used by the owner of a computer network or computer system to limit the amount of merchandise that one (1) person may purchase by means of a computer network. (b) A person who knowingly or intentionally accesses: (1) a computer system; (2) a computer network; or (3) any part of a computer system or computer network; without the consent of the owner of the computer system or computer network, or the consent of the owner's licensee, commits computer trespass, a Class A misdemeanor. (c) A person who knowingly or intentionally uses a hoarding program to purchase merchandise by means of a computer network commits computer merchandise hoarding, a Class C infraction. A person commits a separate infraction for each item of merchandise purchased. However, the violation is a Class A misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. It is a defense to a prosecution under this subsection that the person used the hoarding program with the permission of the person selling the merchandise. (d) A person who knowingly or intentionally sells, purchases, or distributes a hoarding program commits unlawful distribution of a hoarding program, a Class C infraction. A person commits a separate infraction for each sale, purchase, or distribution of a hoarding program. However, the violation is a Class C misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. It is a defense to a prosecution under this subsection that the hoarding program was sold, purchased, or distributed for legitimate scientific or educational purposes. As added by P.L.35-1986, SEC.3. Amended by P.L.29-2001, SEC.1; P.L.79-2009, SEC.1; P.L.32-2019, SEC.28.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 4. Theft, Conversion, and Receiving Stolen Property35-43-4-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The amendments made to section 4 of this chapter by P.L.84-2001 are intended to specify that the scope of the amended terms includes retail sales receipts, universal product codes (UPC), and other product identification codes. The amendment of these definitions shall not be construed to mean that these terms did not cover retail sales receipts, universal product codes (UPC), and other product identification codes before July 1, 2001. As added by P.L.220-2011, SEC.598. Amended by P.L.63-2012, SEC.52.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 4. Theft, Conversion, and Receiving Stolen Property35-43-4-1. Definitions

Sec. 1. (a) As used in this chapter, "exert control over property" means to obtain, take, carry, drive, lead away, conceal, abandon, sell, convey, encumber, or possess property, or to secure, transfer, or extend a right to property. (b) Under this chapter, a person's control over property of another person is "unauthorized" if it is exerted: (1) without the other person's consent; (2) in a manner or to an extent other than that to which the other person has consented; (3) by transferring or encumbering other property while failing to disclose a lien, adverse claim, or other legal impediment to the enjoyment of that other property; (4) by creating or confirming a false impression in the other person; (5) by failing to correct a false impression that the person knows is influencing the other person, if the person stands in a relationship of special trust to the other person; (6) by promising performance that the person knows will not be performed; (7) by expressing an intention to damage the property or impair the rights of any other person; or (8) by transferring or reproducing: (A) recorded sounds; or (B) a live performance; without consent of the owner of the master recording or the live performance, with intent to distribute the reproductions for a profit. (c) As used in this chapter, "receiving" means acquiring possession or control of or title to property, or lending on the security of property. As added by Acts 1976, P.L.148, SEC.3.

Amended by Acts 1977, P.L.340, SEC.44; Acts 1979, P.L.300, SEC.1; P.L.180-1991, SEC.7; P.L.32-2021, SEC.95.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 4. Theft, Conversion, and Receiving Stolen Property35-43-4-2.1. Organized Theft

Sec. 2.1. (a) A person who, with the intent to commit theft under section 2 of this chapter: (1) agrees with at least two (2) other persons to commit theft; and (2) performs an overt act in furtherance of the agreement; commits organized theft, a Level 6 felony. (b) It is not a defense to a prosecution under this section that one (1) or more persons with whom the accused person is alleged to have agreed: (1) has not been prosecuted; (2) has not been convicted; (3) has been acquitted; (4) has been convicted of a different crime; (5) cannot be prosecuted for any reason; or (6) lacked the capacity to commit the crime. (c) A person may not be convicted of an offense under this section and: (1) an attempt to commit theft; or (2) a conspiracy to commit theft; with respect to the same underlying theft. As added by P.L.148-2024, SEC.26.

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Sec. 2.2. (a) As used in this section, "retail merchant" has the meaning set forth in IC 6-2.5-1-8. (b) A person who exercises unauthorized control over the property of a retail merchant with the intent to directly or indirectly distribute the property for resale commits organized retail theft, a Level 6 felony. (c) The offense committed under subsection (b) is a Level 5 felony if: (1) the value of the property is at least fifty thousand dollars ($50,000); (2) the property is a firearm; or (3) the person has a prior unrelated conviction for: (A) organized retail theft under this section; (B) theft under section 2 of this chapter; or (C) criminal conversion under section 3 of this chapter. (d) In determining the value of the property under this section, acts of organized retail theft committed in a single episode of criminal conduct (as defined in IC 35-50-1-2(b)) may be charged in a single count. (e) For purposes of this section, "the value of the property" means: (1) the fair market value of the property at the time and place the offense was committed; or (2) if the fair market value of the property cannot be satisfactorily determined, the cost to replace the property within a reasonable time after the offense was committed. A price tag or price marking on property displayed or offered for sale constitutes prima facie evidence of the value of the property. As added by P.L.185-2023, SEC.7.

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Sec. 2.3. (a) As used in this section, "dealer" means a person who buys or sells, or offers to buy or sell, personal property. The term does not include the original retailer of personal property. (b) A dealer who recklessly, knowingly, or intentionally buys or sells personal property in which the identification number or manufacturer's serial number has been removed, altered, obliterated, or defaced commits dealing in altered property, a Class A misdemeanor. However, the offense is a Level 6 felony if the dealer has a prior conviction of an offense under this chapter or if the fair market value of the property is at least one thousand dollars ($1,000). As added by P.L.294-1989, SEC.2. Amended by P.L.158-2013, SEC.464.

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Sec. 2.7. (a) This section does not apply to the following: (1) A public safety officer (as defined in IC 35-47-4.5-3) or state police motor carrier inspector acting within the scope of the officer's or inspector's duties. (2) A motor vehicle that must be moved because the motor vehicle is abandoned, inoperable, or improperly parked. (3) An employee or agent of an entity that possesses a valid lien on a motor vehicle who is expressly authorized by the lienholder to repossess the motor vehicle based upon the failure of the owner or lessee of the motor vehicle to abide by the terms and conditions of the loan or lease agreement. (b) As used in this section, "authorized operator" means a person who is authorized to operate a motor vehicle by an owner or a lessee of the motor vehicle. (c) As used in this section, "motor vehicle" has the meaning set forth in IC 9-13-2-105(a). (d) A person who: (1) enters a motor vehicle knowing that the person does not have the permission of an owner, a lessee, or an authorized operator of the motor vehicle to enter the motor vehicle; and (2) does not have a contractual interest in the motor vehicle; commits unauthorized entry of a motor vehicle, a Class B misdemeanor. (e) The offense under subsection (d) is: (1) a Class A misdemeanor if the motor vehicle has visible steering column damage or ignition switch alteration as a result of an act described in subsection (d)(1); or (2) a Level 6 felony if a person occupies the motor vehicle while the motor vehicle is used to further the commission of a crime, if the person knew or should have known that a person intended to use the motor vehicle in the commission of a crime. (f) It is a defense to a prosecution under this section that the accused person reasonably believed that the person's entry into the vehicle was necessary to prevent bodily injury or property damage. (g) There is a rebuttable presumption that the person did not have the permission of an owner, a lessee, or an authorized operator of the motor vehicle to enter the motor vehicle if the motor vehicle has visible steering column damage or ignition switch alteration. As added by P.L.143-2005, SEC.1. Amended by P.L.158-2013, SEC.466.

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Sec. 2. (a) A person who knowingly or intentionally exerts unauthorized control over property of another person, with intent to

deprive the other person of any part of its value or use, commits theft, a Class A misdemeanor. However, the offense is: (1) a Level 6 felony if: (A) the value of the property is at least seven hundred fifty dollars ($750) and less than fifty thousand dollars ($50,000); (B) the property is a: (i) motor vehicle (as defined in IC 9-13-2-105(a)); or (ii) component part (as defined in IC 9-13-2-34) of a motor vehicle; or (C) the person has a prior unrelated conviction for: (i) theft under this section; (ii) criminal conversion under section 3 of this chapter; (iii) robbery under IC 35-42-5-1; or (iv) burglary under IC 35-43-2-1; (2) a Level 5 felony if: (A) the value of the property is at least fifty thousand dollars ($50,000); (B) the property that is the subject of the theft is a valuable metal (as defined in IC 25-37.5-1-1) and: (i) relates to transportation safety; (ii) relates to public safety; or (iii) is taken from a hospital or other health care facility, telecommunications provider, public utility (as defined in IC 32-24-1-5.9(a)), or critical infrastructure facility; and the absence of the property creates a substantial risk of bodily injury to a person; or (C) the property is a: (i) motor vehicle (as defined in IC 9-13-2-105(a)); or (ii) component part (as defined in IC 9-13-2-34) of a motor vehicle; and the person has a prior unrelated conviction for theft of a motor vehicle (as defined in IC 9-13-2-105(a)) or theft of a component part (as defined in IC 9-13-2-34); and (3) a Level 5 felony if the property is a firearm. (b) For purposes of this section, "the value of property" means: (1) the fair market value of the property at the time and place the offense was committed; or (2) if the fair market value of the property cannot be satisfactorily determined, the cost to replace the property within a reasonable time after the offense was committed. A price tag or price marking on property displayed or offered for sale constitutes prima facie evidence of the value of the property. (c) If the offense described in subsection (a) is committed by a public servant who exerted unauthorized control over public funds (as defined by IC 5-22-2-23) from the public servant's employer, the employer may be reimbursed in accordance with IC 2-3.5-4-11, IC 2-3.5-5-9, IC 5-10-5.5-19, IC 5-10.3-8-9, IC 5-10.4-5-14, IC 10-12-2-10, IC 33-38-6-19.5, IC 33-39-7-10.5, IC 36-8-6-14, IC 36-8-7-22, IC 36-8-7.5-19, or IC 36-8-8-17. As added by Acts 1976, P.L.148, SEC.3. Amended by Acts 1977, P.L.340, SEC.45; Acts 1979, P.L.300, SEC.2; P.L.320-1985, SEC.1; P.L.158-2009, SEC.8; P.L.158-2013, SEC.463; P.L.152-2014, SEC.1; P.L.166-2017, SEC.2; P.L.176-2018, SEC.6; P.L.203-2019, SEC.6; P.L.211-2019, SEC.46; P.L.276-2019, SEC.6; P.L.70-2021, SEC.3; P.L.175-2022, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 4. Theft, Conversion, and Receiving Stolen Property35-43-4-3.5. Failure to Return or Pay for Articles Borrowed From Library, Gallery, Museum, Collection, or Exhibition

Sec. 3.5. (a) If a person: (1) borrows any article which belongs to or is in the care of any library, gallery, museum, collection, or exhibition; (2) borrows the article under an agreement to return the article within a specified period of time; and (3) fails to return the article within that specified period of time; then the lender shall comply with subsection (b). (b) If a person commits those acts specified in subsection (a), the lender shall: (1) send written notification of the violation of the agreement to the borrower; (2) attach a copy of this section to the notice; (3) include in the notice a request for return of the article within fifteen (15) days of receipt of the notice; and (4) mail the notice to the last known address of the borrower or deliver it to the borrower in person. The lender shall send the notice required by this subsection by certified or registered mail, return receipt requested. (c) If the borrower willfully or knowingly fails to return the article, or reimburse the lender for the value of the article, within thirty (30) days of receipt of the notice required in subsection (b), he commits a Class C infraction. (d) A person who commits an offense under this section may not be charged with an offense under section 2 or 3 of this chapter for the same act. As added by Acts 1980, P.L.206, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 4. Theft, Conversion, and Receiving Stolen Property35-43-4-3. Conversion

Sec. 3. (a) A person who knowingly or intentionally exerts unauthorized control over property of another person commits criminal conversion, a Class A misdemeanor. (b) The offense under subsection (a) is a Level 6 felony if committed by a person who exerts unauthorized control over the motor vehicle of another person with the intent to use the motor vehicle to assist the person in the commission of a crime. (c) The offense under subsection (a) is a Level 5 felony if: (1) committed by a person who exerts unauthorized control over the motor vehicle of another person; and (2) the person uses the motor vehicle to assist the person in the commission of a felony. (d) The offense under subsection (a) is a Level 6 felony if: (1) the person acquires the property by lease; (2) the property is a motor vehicle; (3) the person signs a written agreement to return the property to a specified location within a specified time; and (4) the person fails to return the property: (A) within thirty (30) days after the specified time; or (B) within three (3) days after a written demand for return of the property is either: (i) personally served on the person; or (ii) sent by registered mail to the person's address that is provided by the person in the written agreement. As added by Acts 1976, P.L.148, SEC.3. Amended by Acts 1977, P.L.340, SEC.46; P.L.143-2005, SEC.2; P.L.227-2011, SEC.1; P.L.158-2013, SEC.467.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 4. Theft, Conversion, and Receiving Stolen Property35-43-4-4. Evidence

Sec. 4. (a) The price tag or price marking on property displayed or offered for sale constitutes prima facie evidence of the value and ownership of the property. (b) Evidence that a person: (1) altered, substituted, or transferred a universal product code (UPC) or another product identification code, label, price tag, or price marking on property displayed or offered for sale or hire; or (2) transferred property displayed or offered for sale or hire from the package, bag, or container in or on which the property was displayed or offered to another package, bag, or container; constitutes prima facie evidence of intent to deprive the owner of the property of a part of its value and that the person exerted unauthorized control over the property. (c) Evidence that a person: (1)

concealed property displayed or offered for sale or hire; and (2) removed the property from any place within the business premises at which it was displayed or offered to a point beyond that at which payment should be made; constitutes prima facie evidence of intent to deprive the owner of the property of a part of its value and that the person exerted unauthorized control over the property. (d) Except as provided in subsection (e) of this section, evidence of failure to perform as promised, by itself, does not constitute evidence that the promisor knew that the promise would not be performed. (e) Except as provided in section 5(b) of this chapter, a person who has insufficient funds in or no account with a drawee credit institution and who makes, draws, or utters a check, draft, or order for payment on the credit institution may be inferred: (1) to have known that the credit institution would refuse payment upon presentment in the usual course of business; and (2) to have intended to deprive the owner of any property acquired by making, drawing, or uttering the check, draft, or order for payment of a part of the value of that property. (f) Evidence that a person, after renting or leasing any property under a written agreement providing for the return of the property to a particular place at a particular time, failed to return the property to the place within seventy-two (72) hours after the agreed time constitutes prima facie evidence that he exerted unauthorized control over the property. (g) A judge may find that a photograph of property over which a person is alleged to have exerted unauthorized control or to have otherwise obtained unlawfully is competent evidence, if the photograph: (1) will serve the purpose of demonstrating the nature of the property; and (2) is otherwise admissible into evidence under all other rules of law governing the admissibility of photographs into evidence. The fact that it is impractical to introduce into evidence the actual property for any reason, including its size, weight, or unavailability, need not be established for a judge to find a photograph of that property to be competent evidence. If a photograph is found to be competent evidence under this subsection, it is admissible into evidence in place of the property and to the same extent as the property itself. (h) A law enforcement agency that is holding as evidence property over which a person is alleged to have exerted unauthorized control or to have otherwise obtained unlawfully, may return that property to its owner if: (1) the property has been photographed in a manner that will serve the purpose of demonstrating the nature of the property, and if these photographs are filed with or retained by the law enforcement agency in place of the property; (2) receipt for the property is obtained from the owner upon delivery by the law enforcement agency; (3) the prosecuting attorney who is prosecuting a case that involves the property has not requested the law enforcement agency to decline requests for return of the property to its owner; and (4) the property may be lawfully possessed by the owner. As added by Acts 1976, P.L.148, SEC.3. Amended by Acts 1977, P.L.340, SEC.47; Acts 1980, P.L.200, SEC.2; P.L.322-1985, SEC.1; P.L.84-2001, SEC.1.

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Sec. 5. (a) An owner in possession of encumbered property does not commit a crime under this chapter, as against a person having only a security interest in the property, by removing or otherwise dealing with the property contrary to the terms of the security agreement, even if title is in the credit institution under a mortgage, conditional sales contract, or bailment lease. (b) It is a defense under this chapter if a maker or drawer: (1) who has an account in a credit institution but does not have sufficient funds in that account; and (2) who makes, draws, or utters a check, draft, or order for payment on the credit institution; pays the credit institution the amount due, together with protest fees, within ten (10) days after receiving notice that the check, draft, or order has not been paid by the credit institution. Notice sent to either (i) the address printed or written on the check, draft, or order or (ii) the address given in writing to the recipient at the time the check, draft, or order was issued or delivered constitutes notice that the check, draft, or order has not been paid by the credit institution. (c) A person who transfers or reproduces recorded sounds in connection with a broadcast or telecast, or for archival purposes, does not commit a crime under this chapter, even if he does not have the consent of the owner of the master recording. (d) A person who receives, retains, or disposes of personal property that has been the subject of theft with the purpose of restoring it to the owner, does not commit a crime under this chapter. As added by Acts 1976, P.L.148, SEC.3. Amended by Acts 1977, P.L.340, SEC.48; Acts 1979, P.L.300, SEC.3; P.L.323-1985, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 4. Theft, Conversion, and Receiving Stolen Property35-43-4-6. Unauthorized Control Over Property of Benefit Provider; Prima Facie Evidence

Sec. 6. (a) As used in this section: "Benefit" includes any accident, sickness, or other health care or reimbursement therefor to which a person is entitled. "Benefit identification card" means a writing that identifies a person, his spouse, or his dependent as being entitled to a benefit. "Benefit provider" includes an employer, insurer, or health care provider who has agreed to provide or has provided a benefit to a person who has a benefit identification card. (b) Evidence that a person: (1) permitted a person who was not entitled to a benefit to use his benefit identification card to obtain a benefit; or (2) uses his benefit identification card to obtain a benefit for a person who was not entitled to the benefit; constitutes prima facie evidence that such person exerted unauthorized control over property of the benefit provider. As added by P.L.327-1983, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 4. Theft, Conversion, and Receiving Stolen Property35-43-4-8. Suspension of Driving Privileges for Fuel Theft

Sec. 8. (a) A conviction for an offense under section 2 or 3 of this chapter that involves exerting unauthorized control over gasoline or motor vehicle fuel: (1) by operation of a motor vehicle to leave the premises of an establishment at which gasoline or motor vehicle fuel is offered for sale after the gasoline or motor vehicle fuel has been dispensed into the fuel tank of the motor vehicle; and (2) without payment or authorization of payment by a credit card, debit card, charge card, or similar method of payment; shall result

in the suspension of the driving privileges of the person. (b) The court imposing a sentence for a violation under subsection (a) shall issue an order to the bureau of motor vehicles: (1) stating that the person has been convicted of an offense under section 2 or 3 of this chapter involving the unauthorized taking of gasoline or motor vehicle fuel; and (2) ordering the suspension of the person's driving privileges under IC 9-30-13-8. The suspension of a person's driving privileges under this section is in addition to other penalties prescribed by IC 35-50-3-2 for a Class A misdemeanor or by IC 35-50-2-7 for a Level 6 felony. As added by P.L.117-2001, SEC.6. Amended by P.L.125-2012, SEC.414; P.L.158-2013, SEC.468.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 4. Theft, Conversion, and Receiving Stolen Property35-43-4-9. Foreclosure Mischief

Sec. 9. (a) This section applies only to real property in foreclosure. (b) The following definitions apply throughout this section: (1) "Damages, permanently removes an object from, or defaces real property" means to damage, permanently remove, or deface one (1) or more of the following: (A) Fixtures (as defined in IC 26-1-2.1-309) of the real property. (B) A component or subsystem of the heating, ventilation, or air conditioning system of the real property. (C) Wiring of the real property. (D) Pipes, fittings, or another part of the plumbing system of the real property. (E) The structure, including the roof and foundation, of the real property. (F) The windows of the real property. (G) The floors, ceilings, walls, or doors of the real property. (H) The landscaping of the real property. (I) An unattached structure, carport, patio, fence, or swimming pool located on the real property. (2) "Real property in foreclosure" means real property with respect to which a foreclosure action has been filed or joined by a person having a security interest in the property that is used to secure: (A) a mortgage; (B) a land contract; or (C) another agreement similar to a mortgage or a land contract. The term does not include property that is the subject of a foreclosure action brought by a person having any other type of security interest in the property, including a mechanic's lien, a tax lien, or a lien placed by a homeowners association, unless the property is also the subject of a foreclosure action described in clauses (A) through (C). (c) A person who knowingly or intentionally damages, permanently removes an object from, or defaces real property in foreclosure commits foreclosure mischief, a Class B misdemeanor. However, the offense is: (1) a Class A misdemeanor if the pecuniary loss is at least seven hundred fifty dollars ($750) but less than fifty thousand dollars ($50,000); and (2) a Level 6 felony if the pecuniary loss is at least fifty thousand dollars ($50,000). (d) It is a defense to a prosecution under this section that the damage, removal, or defacement was the result of repair, renovation, replacement, or maintenance performed in good faith. As added by P.L.32-2016, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 5. Forgery, Fraud, and Other Deceptions35-43-5-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The amendments made to section 1 of this chapter by P.L.84-2001 are intended to specify that the scope of the amended terms includes retail sales receipts, universal product codes (UPC), and other product identification codes. The amendment of these definitions shall not be construed to mean that these terms did not cover retail sales receipts, universal product codes (UPC), and other product identification codes before July 1, 2001. As added by P.L.220-2011, SEC.599. Amended by P.L.63-2012, SEC.53.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 5. Forgery, Fraud, and Other Deceptions35-43-5-1. Definitions

Sec. 1. (a) The definitions set forth in this section apply throughout this chapter. (b) "Claim statement" means an insurance policy, a document, or a statement made in support of or in opposition to a claim for payment or other benefit under an insurance policy, or other evidence of expense, injury, or loss. The term includes statements made orally, in writing, or electronically, including the following: (1) An account. (2) A bill for services. (3) A bill of lading. (4) A claim. (5) A diagnosis. (6) An estimate of property damages. (7) A hospital record. (8) An invoice. (9) A notice. (10) A proof of loss. (11) A receipt for payment. (12) A physician's records. (13) A prescription. (14) A statement. (15) A test result. (16) X-rays. (c) "Coin machine" means a coin box, vending machine, or other mechanical or electronic device or receptacle designed: (1) to receive a coin, bill, or token made for that purpose; and (2) in return for the insertion or deposit of a coin, bill, or token automatically: (A) to offer, provide, or assist in providing; or (B) to permit the acquisition of; some property. (d) "Credit card" means an instrument or device (whether known as a credit card or charge plate, or by any other name) issued by an issuer for use by or on behalf of the credit card holder in obtaining property. (e) "Credit card holder" means the person to whom or for whose benefit the credit card is issued by an issuer. (f) "Customer" means a person who receives or has contracted for a utility service. (g) "Drug or alcohol screening test" means a test that: (1) is used to determine the presence or use of alcohol, a controlled substance, or a drug in a person's bodily substance; and (2) is: (A) administered in the course of monitoring a person who is: (i) incarcerated in a prison or jail; (ii) placed in a community corrections program; (iii) on probation or parole; (iv) participating in a court ordered alcohol or drug treatment program; or (v) on court ordered pretrial release; or (B) ordered by a court as part of a civil action. (h) "Entrusted" means held in a fiduciary capacity or placed in charge of a person engaged in the business of transporting, storing, lending on, or otherwise holding property of others. (i) "Identifying information" means information, genuine or fabricated, that identifies or purports to identify a person, including: (1) a name, address, date of birth, place of employment, employer identification number, mother's maiden name, Social Security number, or any identification number issued by a governmental entity; (2) unique biometric data, including a fingerprint, voice print, or retina or iris image; (3) unique electronic identification number, address, or routing code; (4) telecommunication identifying information; or (5) telecommunication access device, including a card, a plate, a code, a telephone number, an account number, a personal identification number, an electronic serial number, a mobile identification number, or another telecommunications service

or device or means of account access that may be used to: (A) obtain money, goods, services, or any other thing of value; or (B) initiate a transfer of funds. (j) "Insurance policy" includes the following: (1) An insurance policy. (2) A contract with a health maintenance organization (as defined in IC 27-13-1-19) or a limited service health maintenance organization (as defined in IC 27-13-1-27). (3) A written agreement entered into under IC 27-1-25. (k) "Insurer" has the meaning set forth in IC 27-1-2-3(x). The term also includes the following: (1) A reinsurer. (2) A purported insurer or reinsurer. (3) A broker. (4) An agent of an insurer, a reinsurer, a purported insurer or reinsurer, or a broker. (5) A health maintenance organization. (6) A limited service health maintenance organization. (l) "Manufacturer" means a person who manufactures a recording. The term does not include a person who manufactures a medium upon which sounds or visual images can be recorded or stored. (m) "Make" means to draw, prepare, complete, counterfeit, copy or otherwise reproduce, or alter any written instrument in whole or in part. (n) "Metering device" means a mechanism or system used by a utility to measure or record the quantity of services received by a customer. (o) "Public relief or assistance" means any payment made, service rendered, hospitalization provided, or other benefit extended to a person by a governmental entity from public funds and includes township assistance, food stamps, direct relief, unemployment compensation, and any other form of support or aid. (p) "Recording" means a tangible medium upon which sounds or visual images are recorded or stored. The term includes the following: (1) An original: (A) phonograph record; (B) compact disc; (C) wire; (D) tape; (E) audio cassette; (F) video cassette; or (G) film. (2) Any other medium on which sounds or visual images are or can be recorded or otherwise stored. (3) A copy or reproduction of an item in subdivision (1) or (2) that duplicates an original recording in whole or in part. (q) "Slug" means an article or object that is capable of being deposited in a coin machine as an improper substitute for a genuine coin, bill, or token. (r) "Utility" means a person who owns or operates, for public use, any plant, equipment, property, franchise, or license for the production, storage, transmission, sale, or delivery of electricity, water, steam, telecommunications, information, or gas. (s) "Written instrument" means a paper, a document, or other instrument containing written matter and includes money, coins, tokens, stamps, seals, credit cards, badges, trademarks, medals, retail sales receipts, labels or markings (including a universal product code (UPC) or another product identification code), or other objects or symbols of value, right, privilege, or identification. As added by Acts 1976, P.L.148, SEC.3. Amended by Acts 1977, P.L.340, SEC.49; P.L.321-1983, SEC.4; P.L.182-1984, SEC.3; P.L.180-1991, SEC.8; P.L.216-1991, SEC.1; P.L.193-1991, SEC.2; P.L.247-1993, SEC.1; P.L.150-1994, SEC.2; P.L.2-1995, SEC.127; P.L.84-2001, SEC.2; P.L.180-2001, SEC.1; P.L.22-2003, SEC.1; P.L.160-2003, SEC.27; P.L.73-2005, SEC.170; P.L.171-2005, SEC.1; P.L.181-2005, SEC.5; P.L.137-2009, SEC.13; P.L.43-2017, SEC.1; P.L.174-2021, SEC.43.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 5. Forgery, Fraud, and Other Deceptions35-43-5-13. Deception Involving Out of Hospital Do Not Resuscitate Declarations

Sec. 13. Certain offenses concerning forgery and other deceptions involving out of hospital do not resuscitate declarations and orders are described in IC 16-36-5. As added by P.L.148-1999, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 5. Forgery, Fraud, and Other Deceptions35-43-5-18. Possession of Device or Substance to Interfere With Drug or Alcohol Screening Test

Sec. 18. A person who knowingly or intentionally possesses a: (1) device; or (2) substance; designed or intended to be used to interfere with a drug or alcohol screening test commits possession of a device or substance used to interfere with a drug or alcohol screening test, a Class B misdemeanor. As added by P.L.171-2005, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 5. Forgery, Fraud, and Other Deceptions35-43-5-19.5. "Synthetic Urine"

Sec. 19.5. (a) As used in this section, "adulterant" means any substance that is designed to be added to human urine for the purpose of defrauding an alcohol, drug, or urine screening test. (b) As used in this section, "synthetic urine" means any substance that is designed to simulate the: (1) composition; (2) chemical properties; (3) physical appearance; or (4) physical properties; of human urine for the purpose of defrauding an alcohol, drug, or urine screening test. (c) An owner who knowingly or intentionally distributes, keeps, offers for sale, sells, delivers, or finances the delivery of: (1) an adulterant; or (2) synthetic urine; with the intent to defraud or assist an individual in defrauding an alcohol, drug, or urine screening test commits a Class B misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated conviction under this section. As added by P.L.134-2017, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 5. Forgery, Fraud, and Other Deceptions35-43-5-19. Interfering With Drug or Alcohol Screening Test

Sec. 19. A person who interferes with or attempts to interfere with a drug or alcohol screening test by: (1) using a: (A) device; or (B) substance; (2) substituting a human bodily substance that is tested in a drug or alcohol screening test; or (3) adulterating a substance used in a drug or alcohol screening test; commits interfering with a drug or alcohol screening test, a Class B misdemeanor. As added by P.L.171-2005, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 5. Forgery, Fraud, and Other Deceptions35-43-5-2.5. False Government Issued Identification

Sec. 2.5. A person who knowingly or intentionally possesses, produces, or distributes a document not issued by a government entity that purports to be a government issued identification commits a Class A misdemeanor. As added by P.L.109-2006, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 5. Forgery, Fraud, and Other Deceptions35-43-5-2. Counterfeiting; Forgery

Sec. 2. (a) A person who knowingly or intentionally: (1) makes or utters a written instrument in such a manner that it purports to have been made: (A) by another person; (B) at another time; (C) with different provisions; or (D) by authority of one who did not give authority; or (2) possesses more than one (1) written instrument knowing that the written instruments were made in a manner that they purport to have been made: (A) by another person; (B) at another time; (C) with different provisions; or (D) by authority of one who did not give authority; commits counterfeiting, a Level 6 felony. (b) A person who, with intent to defraud, makes, utters, or possesses a written instrument in such a manner that it purports to have been made: (1) by another person; (2) at another time; (3) with different provisions; or (4) by authority of one who did not give authority; commits forgery, a Level 6 felony. As added by Acts 1976, P.L.148, SEC.3. Amended by Acts 1977, P.L.340, SEC.50; P.L.45-2005, SEC.2; P.L.106-2006, SEC.3; P.L.158-2013, SEC.469; P.L.197-2015, SEC.21; P.L.174-2021, SEC.44.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 5. Forgery, Fraud, and Other Deceptions35-43-5-23. Notary Fraud; Notarial Fraud

Sec. 23. (a) The following terms are defined for this section: (1) "Acknowledgment" has the meaning set forth in IC 33-42-0.5-2. (2) "Notarial officer" has the meaning set forth in IC 33-42-0.5-19. (b) A notarial officer who, with intent to defraud, knowingly or intentionally: (1) affixes a person's signature to a blank affidavit or certificate of acknowledgment; and (2) delivers that affidavit or certificate to another person; with the intent that it be used as an affidavit or acknowledgment commits notary fraud, a Level 6 felony. (c) A person who knowingly or intentionally uses an affidavit or certificate described in subsection (b) for any purpose commits notarial fraud, a Level 6 felony. As added by P.L.128-2017, SEC.26. Amended by P.L.59-2018, SEC.65.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 5. Forgery, Fraud, and Other Deceptions35-43-5-3.5. Identity Deception

Sec. 3.5. (a) Except as provided in subsection (c), a person who, with intent to harm or defraud another person, knowingly or intentionally obtains, possesses, transfers, or uses identifying information to profess to be another person, commits identity deception, a Level 6 felony. (b) However, the offense defined in subsection (a) is a Level 5 felony if: (1) a person obtains, possesses, transfers, or uses the identifying information of more than one hundred (100) persons; (2) the fair market value of the fraud or harm caused by the offense is at least fifty thousand dollars ($50,000); or (3) a person obtains, possesses, transfers, or uses the identifying information of a person who is less than eighteen (18) years of age and is: (A) the person's son or daughter; (B) a dependent of the person; (C) a ward of the person; or (D) an individual for whom the person is a guardian. (c) The conduct prohibited in subsections (a) and (b) does not apply to: (1) a person less than twenty-one (21) years of age who uses identifying information to acquire an alcoholic beverage (as defined in IC 7.1-1-3-5); (2) a minor (as defined in IC 35-49-1-4) who uses identifying information to acquire: (A) a cigarette, an electronic cigarette (as defined in IC 35-46-1-1.5), or a tobacco product (as defined in IC 6-7-2-5); (B) a periodical, a videotape, or other communication medium that contains or depicts nudity (as defined in IC 35-49-1-5); (C) admittance to a performance (live or film) that prohibits the attendance of the minor based on age; or (D) an item that is prohibited by law for use or consumption by a minor; or (3) any person who uses identifying information for a lawful purpose. (d) It is not a defense in a prosecution under subsection (a) or (b) that no person was harmed or defrauded. As added by P.L.180-2001, SEC.2. Amended by P.L.22-2003, SEC.2; P.L.125-2006, SEC.9; P.L.137-2009, SEC.14; P.L.20-2013, SEC.3; P.L.158-2013, SEC.471; P.L.174-2021, SEC.46.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 5. Forgery, Fraud, and Other Deceptions35-43-5-3.7. Notario Publico Deception

Sec. 3.7. A person who violates IC 33-42-13-4 commits notario publico deception, a Class A misdemeanor. As added by P.L.85-2007, SEC.3. Amended by P.L.128-2017, SEC.25.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 5. Forgery, Fraud, and Other Deceptions35-43-5-4.7. Insurance Fraud

Sec. 4.7. (a) A person who, knowingly or intentionally: (1) solicits or accepts new or renewal insurance risks by or for an insolvent insurer or other entity regulated under IC 27; (2) removes: (A) the assets; (B) the record of assets, transactions, and affairs; or (C) a material part of the assets or the record of assets, transactions, and affairs; of an insurer or another entity regulated under IC 27, from the home office, other place of business, or place of safekeeping of the insurer or other regulated entity, or conceals or attempts to conceal from the department of insurance assets or records referred to in clauses (A) through (B); or (3) diverts funds of an insurer or another person in connection with: (A) the transaction of insurance or reinsurance; (B) the conduct of business activities by an insurer or another entity regulated under IC 27; or (C) the formation, acquisition, or dissolution of an insurer or another entity regulated under IC 27; commits insurance fraud, a Class A infraction. (b) Notwithstanding IC 34-28-5-4, a judgment of up to one

hundred thousand dollars ($100,000) may be entered for a violation of this section. In determining the amount of the judgment, the court shall consider: (1) whether the person who commits the violation has a prior unrelated judgment under this section or conviction under this article; (2) the: (A) value of property, services, or other benefits obtained or attempted to be obtained by the person as a result of the violation; (B) economic loss suffered by another person as a result of the violation; and (C) risk and magnitude of economic loss to another person which could have resulted as a consequence of the violation; and (3) whether the judgment imposed is proportional to the gravity of the offense. As added by P.L.174-2021, SEC.52.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 5. Forgery, Fraud, and Other Deceptions35-43-5-4.8. Sale or Possession of Sales Suppression Devices

Sec. 4.8. (a) The following definitions apply throughout this section: (1) "Automated sales suppression device" means a software program: (A) carried on a memory stick or removable compact disc; (B) accessed through an Internet link; or (C) accessed through any other means; that falsifies the electronic records of electronic cash registers and other point of sale systems, including transaction data and transaction reports. (2) "Electronic cash register" means a device that keeps a register or supporting documents through the means of an electronic device or a computer system designed to record transaction data for the purpose of computing, compiling, or processing retail sales transaction data in any manner. (3) "Phantom-ware" means a hidden, a preinstalled, or an installed at a later time programming option embedded in the operating system of an electronic cash register, or hardwired into the electronic cash register that: (A) can be used to create a virtual second till; or (B) may eliminate or manipulate transaction records that may or may not be preserved in digital formats to represent the true or manipulated record of transactions in the electronic cash register. (4) "Transaction data" includes information regarding: (A) items purchased by a customer; (B) the price for each item; (C) a taxability determination for each item; (D) a segregated tax amount for each of the taxed items; (E) the amount of cash or credit tendered; (F) the net amount returned to the customer in change; (G) the date and time of the purchase; (H) the name, address, and identification number of the vendor; and (I) the receipt or invoice number of the transaction. (5) "Transaction report" means: (A) a report that includes: (i) the sales; (ii) taxes collected; (iii) media totals; and (iv) discount voids; at an electronic cash register that is printed on cash register tape at the end of a day or shift; or (B) a report documenting every action at an electronic cash register that is stored electronically. (6) "Zapper" refers to an automated sales suppression device. (b) A person who knowingly or intentionally sells, purchases, installs, transfers, or possesses: (1) an automated sales suppression device or a zapper; or (2) phantom-ware; after June 30, 2023, commits unlawful sale or possession of a transaction manipulation device, a Class A misdemeanor, except as provided in subsection (c). (c) The offense under subsection (b) is: (1) a Level 6 felony if: (A) the pecuniary loss caused by the offense is at least seven hundred fifty dollars ($750) and less than fifty thousand dollars ($50,000); or (B) the person has a prior unrelated conviction for: (i) a violation of this section; (ii) theft under IC 35-43-4-2; (iii) criminal conversion under IC 35-43-4-3; (iv) robbery under IC 35-42-5-1; or (v) burglary under IC 35-43-2-1; and (2) a Level 5 felony if the pecuniary loss caused by the offense is at least fifty thousand dollars ($50,000). As added by P.L.194-2023, SEC.35.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 5. Forgery, Fraud, and Other Deceptions35-43-5-4. Fraud

Sec. 4. (a) A person who: (1) with the intent to obtain property or data, or an educational, governmental, or employment benefit to which the person is not entitled, knowingly or intentionally: (A) makes a false or misleading statement; or (B) creates a false impression in another person; (2) with the intent to cause another person to obtain property, knowingly or intentionally: (A) makes a false or misleading statement; (B) creates a false impression in a third person; or (C) causes to be presented a claim that: (i) contains a false or misleading statement; or (ii) creates a false or misleading impression in a third person; (3) possesses, manufactures, uses, or alters a document, instrument, computer program, or device with the intent to obtain: (A) property; (B) data; or (C) an educational, governmental, or employment benefit; to which the person is not entitled; or (4) knowingly or intentionally engages in a scheme or artifice to commit an offense described in subdivisions (1) through (3); commits fraud, a Class A misdemeanor except as otherwise provided in this section. (b) The offense described in subsection (a) is a Level 6 felony if one (1) or more of the following apply: (1) The offense is committed not later than seven (7) years from the date the person: (A) was convicted of a prior unrelated conviction for an offense under this article; or (B) was released from a term of incarceration, probation, or parole (whichever occurred last) imposed for a prior unrelated conviction for an offense under this article; whichever occurred last. (2) The pecuniary loss is at least seven hundred fifty dollars ($750) but less than fifty thousand dollars ($50,000). (3) The victim is: (A) an endangered adult (as defined in IC 12-10-3-2(a)); or (B) less than eighteen (18) years of age. (4) The person makes a false or misleading statement representing an entity as: (A) a disadvantaged business enterprise (as defined in IC 5-16-6.5-1); or (B) a women-owned business enterprise (as defined in IC 5-16-6.5-3); in order to qualify for certification as such an enterprise under a program conducted by a public agency (as defined in IC 5-16-6.5-2) designed to assist disadvantaged business enterprises or women-owned business enterprises in obtaining contracts with public agencies for the provision of goods and services. (5) The person makes a false or misleading statement representing an entity with which the person will subcontract all or part of a contract with a public agency (as defined in IC 5-16-6.5-2) as: (A) a disadvantaged business enterprise (as defined in IC 5-16-6.5-1); or (B) a women-owned business enterprise (as defined in IC 5-16-6.5-3); in order to qualify for certification as an eligible bidder under a program that is conducted by a public agency designed to assist disadvantaged business enterprises or women-owned business enterprises in obtaining contracts with public agencies for the provision of goods and services. (6) The offense is committed by a person who is confined in: (A) the department of correction; (B) a county jail; or (C) a secure juvenile facility. (7) The document or instrument that

the person possesses, manufactures, uses, or alters is a document or instrument: (A) issued by a public servant or a governmental entity; (B) that has been manufactured or altered to appear to have been issued by a public servant or a governmental entity; or (C) that the person tendered to, or intends to tender to a public servant or a governmental entity. (8) Except as provided in subsection (e), the person: (A) made the false or misleading statement; or (B) created the false impression in another person; on or by means of a document or written instrument. (9) The agreement is unconscionable. (10) The offense involves human reproductive material (as defined in IC 34-24-5-1). (c) The offense described in subsection (a) is a Level 5 felony if one (1) or more of the following apply: (1) The pecuniary loss is at least fifty thousand dollars ($50,000) and less than one hundred thousand dollars ($100,000). (2) The pecuniary loss is at least seven hundred fifty dollars ($750) and less than fifty thousand dollars ($50,000) and the victim is: (A) an endangered adult (as defined in IC 12-10-3-2(a)); or (B) less than eighteen (18) years of age. (3) The victim was a financial institution. (d) The offense described in subsection (a) is a Level 4 felony if one (1) or more of the following apply: (1) The pecuniary loss is at least one hundred thousand dollars ($100,000). (2) The pecuniary loss is at least fifty thousand dollars ($50,000) and the victim is: (A) an endangered adult (as defined in IC 12-10-3-2(a)); or (B) less than eighteen (18) years of age. (e) The offense described in subsection (b)(8) is a Class A misdemeanor if the defendant proves by a preponderance of the evidence that the: (1) value of the property, data, or benefit intended to be obtained; and (2) actual pecuniary loss; is less than seven hundred fifty dollars ($750). As added by Acts 1976, P.L.148, SEC.3. Amended by Acts 1977, P.L.340, SEC.52; Acts 1978, P.L.82, SEC.3; P.L.180-1991, SEC.9; P.L.193-1991, SEC.3; P.L.1-1992, SEC.180; P.L.180-2001, SEC.3; P.L.181-2005, SEC.6; P.L.158-2013, SEC.474; P.L.174-2021, SEC.48; P.L.148-2024, SEC.27.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 6. Home Improvement Fraud35-43-6-1. Application of Chapter

Sec. 1. This chapter applies only to residential property, which means real property used in whole or in part as a dwelling by a consumer and includes all fixtures to, structures on, and improvements to the real property. As added by P.L.251-1987, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 6. Home Improvement Fraud35-43-6-10. Fair Market Value of Improvement

Sec. 10. For the purposes of this chapter, the fair market value of a home improvement is that amount which in commercial judgment or under usage of trade would be reasonable for services, materials, and work of similar quality and workmanship. As added by P.L.251-1987, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 6. Home Improvement Fraud35-43-6-11. Determination of Fair Market Value

Sec. 11. For the purposes of this chapter, fair market value shall be determined as of the time either the home improvement contract was formed or at the time any of the work commenced under the home improvement contract, whichever is earlier. However, if such evidence is not readily available, the fair market value prevailing within any reasonable time before or after the time described, which in commercial judgment or under usage of trade would serve as a reasonable substitute, may be used. As added by P.L.251-1987, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 6. Home Improvement Fraud35-43-6-2. "Consumer" Defined

Sec. 2. As used in the chapter, "consumer" means an individual who owns, leases, or rents the residential property that is the subject of a home improvement contract. As added by P.L.251-1987, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 6. Home Improvement Fraud35-43-6-3. "Home Improvement" Defined

Sec. 3. As used in this chapter, "home improvement" means any alteration, repair, or other modification of residential property. However, this chapter does not apply to the original construction of a dwelling. As added by P.L.251-1987, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 6. Home Improvement Fraud35-43-6-4. "Home Improvement Contract" Defined

Sec. 4. As used in this chapter, "home improvement contract" means an oral or written agreement between a home improvement supplier and a consumer to make a home improvement and for which the contract price exceeds one hundred fifty dollars ($150). Multiple contracts entered into by a home improvement supplier with a consumer are considered a home improvement contract for the purposes of this chapter if the multiple contracts arise from the same transaction. As added by P.L.251-1987, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 6. Home Improvement Fraud35-43-6-5. "Home Improvement Contract Price" Defined

Sec. 5. As used in this chapter, "home improvement contract price" means the amount actually charged for the services, materials, and work to be performed under the home improvement contract but does not include financing costs, loan consolidation amounts,

taxes, and governmental fees paid by or on behalf of the consumer, amounts returned to or on behalf of the consumer, or similar costs not related to the home improvement. As added by P.L.251-1987, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 6. Home Improvement Fraud35-43-6-6. "Home Improvement Supplier" Defined

Sec. 6. As used in this chapter, "home improvement supplier" means a person who engages in or solicits home improvement contracts whether or not the person deals directly with the consumer. As added by P.L.251-1987, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 6. Home Improvement Fraud35-43-6-7. "Person" Defined

Sec. 7. As used in this chapter, "person" means an individual, corporation, business trust, estate, trust, partnership, association, cooperative, or any other legal entity. As added by P.L.251-1987, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 6. Home Improvement Fraud35-43-6-8. Unconscionable Contract

Sec. 8. For the purposes of this chapter, a home improvement contract is unconscionable if an unreasonable difference exists between the fair market value of the services, materials, and work performed or to be performed and the home improvement contract price. As added by P.L.251-1987, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 6. Home Improvement Fraud35-43-6-9. Prima Facie Unconscionability

Sec. 9. For the purposes of this chapter, a home improvement contract price in excess of four (4) times greater than the fair market value of the services, materials, or work performed or to be performed is prima facie evidence of an unconscionable home improvement contract. As added by P.L.251-1987, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 7. Impairment of Identification35-43-7-1. "Consent of the Original Manufacturer" Defined

Sec. 1. As used in this chapter, "consent of the original manufacturer" includes consent: (1) directly from the original manufacturer; (2) from an appointed direct representative of the original manufacturer; or (3) from a person operating under specific authorization of the original manufacturer. As added by P.L.294-1989, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 7. Impairment of Identification35-43-7-2. "Identification Number" Defined

Sec. 2. As used in this chapter, "identification number" means a number, letter, or number and letter assigned to a product by the manufacturer of the product for the purpose of identifying the item. As added by P.L.294-1989, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 7. Impairment of Identification35-43-7-3. "Product" Defined

Sec. 3. As used in this chapter, "product" means the following items: (1) Radio. (2) Piano. (3) Phonograph. (4) Sewing machine. (5) Washing machine. (6) Typewriter. (7) Adding machine. (8) Comptometer. (9) Bicycle. (10) Safe. (11) Vacuum cleaner. (12) Dictaphone. (13) Watch. (14) Watch movement. (15) Watch case. (16) Any mechanical or electrical device, appliance, contrivance, material, piece of apparatus, or equipment not described in subdivisions (1) through (15). (17) Integrated chip or panel. (18) Printed circuit. (19) Any other part of a computer. As added by P.L.294-1989, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 7. Impairment of Identification35-43-7-4. Impairment of Identification

Sec. 4. A person who intentionally or knowingly conceals, alters, damages, or removes an identification number of a product with the intent to conceal the identity of the product and without the consent of the original manufacturer of the product commits impairment of identification, a Class A misdemeanor. As added by P.L.294-1989, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 7. Impairment of Identification35-43-7-5. Receiving Unidentified Property

Sec. 5. A person who intentionally or knowingly receives or possesses a product on which the identification number of the product has been concealed, altered, damaged, or removed with the intent to conceal the identity of the product and without the consent of the original manufacturer of the product commits receiving unidentified property, a Class A misdemeanor. As added by P.L.294-1989, SEC.3.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 8. Timber Spiking35-43-8-1. "Timber" Defined

Sec. 1. As used in this chapter, "timber" includes standing or felled trees and logs that can be used for any of the following: (1) Sawing or processing into lumber for building or structural purposes. (2) Posts, poles, bolts, pulpwood, or cordwood. (3) The manufacture of wood products. As added by P.L.139-1992, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 8. Timber Spiking35-43-8-2. Criminal Offense; Punishment

Sec. 2. (a) A person who recklessly, knowingly, or intentionally, without claim or right or consent of the owner, drives, places, or fastens in timber a device of metal, ceramic, or other substance sufficiently hard to damage equipment used in the processing of timber into wood products, with the intent to hinder the felling, logging, or processing of timber, commits timber spiking, a Level 6 felony. (b) However, the offense under subsection (a) is a Level 5 felony if the offense causes bodily injury to another person. (c) In addition to a penalty imposed under subsection (a) or (b), the court may order a person convicted of violating this section to pay attorney's fees and restitution to the owner of property damaged because of the action of the person. As added by P.L.139-1992, SEC.1. Amended by P.L.158-2013, SEC.491.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 8. Timber Spiking35-43-8-4. Infractions

Sec. 4. A person commits a Class A infraction who: (1) possesses a device of metal, ceramic, or other substance commonly used to damage saws, wood processing, manufacturing, or transportation equipment with the intent to use the device to hinder the logging or the processing of timber; or (2) possesses a chemical or biological substance, mechanical equipment, or a tool with the intent to use the substance, equipment, or tool or permit the use of the substance, equipment, or tool to damage timber processing, manufacturing, or transportation equipment. As added by P.L.139-1992, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 9. Conversion or Misappropriation of Title Insurance Escrow Funds35-43-9-1. "Party"

Sec. 1. As used in this chapter, "party" means an individual who is: (1) buying; (2) selling; or (3) refinancing; a dwelling in a residential real property transaction. As added by P.L.300-1995, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 9. Conversion or Misappropriation of Title Insurance Escrow Funds35-43-9-2. "Person"

Sec. 2. As used in this chapter, "person" means an individual, a corporation, a limited liability company, a partnership, a firm, an association, or another organization. As added by P.L.300-1995, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 9. Conversion or Misappropriation of Title Insurance Escrow Funds35-43-9-3. "Residential Real Property Transaction"

Sec. 3. As used in this chapter, "residential real property transaction" means the purchase, sale, or refinancing of a dwelling that has been or will be the residence of a party in the purchase, sale, or refinancing. As added by P.L.300-1995, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 9. Conversion or Misappropriation of Title Insurance Escrow Funds35-43-9-4. "Title Insurance Agent"

Sec. 4. As used in this chapter, "title insurance agent" means a person who holds a limited lines producer's license issued under IC 27-1-15.6-18(3) and disburses funds from a title insurance escrow account to a party in connection with a residential real property transaction. As added by P.L.300-1995, SEC.2. Amended by P.L.132-2001, SEC.25; P.L.178-2003, SEC.97; P.L.276-2013, SEC.35.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 9. Conversion or Misappropriation of Title Insurance Escrow Funds35-43-9-5. "Title Insurance Escrow Account"

Sec. 5. As used in this chapter, "title insurance escrow account" means an account in which written instruments, money, or other items are deposited and held in escrow or trust for disbursement to a party in connection with a residential real property transaction upon the performance of a specified condition or the happening of a certain event. As added by P.L.300-1995, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 43. Offenses Against PropertyChapter 9. Conversion or Misappropriation of Title Insurance Escrow Funds35-43-9-6. "Title Insurer"

Sec. 6. As used in this chapter, "title insurer" means a person holding a valid certificate of authority issued under IC 27-7-3-6. As added by P.L.300-1995, SEC.2.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 1. General Public Administration35-44.1-1-1. Official Misconduct

Sec. 1. A public servant who knowingly or intentionally: (1) commits an offense in the performance of the public servant's official duties; (2) solicits, accepts, or agrees to accept from an appointee or employee any property other than what the public servant is authorized by law to accept as a condition of continued employment; (3) acquires or divests himself or herself of a pecuniary interest in any property, transaction, or enterprise or aids another person to do so based on information obtained by virtue of the public servant's office that official action that has not been made public is contemplated; or (4) fails to deliver public records and property in the public servant's custody to the public servant's successor in office when that successor qualifies; commits official misconduct, a Level 6 felony. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.496.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 1. General Public Administration35-44.1-1-2. Bribery

Sec. 2. (a) A person who: (1) confers, offers, or agrees to confer on a public servant, either before or after the public servant becomes appointed, elected, or qualified, any property, except property the public servant is authorized by law to accept, with intent to control the performance of an act related to the employment or function of the public servant or because of any official act performed or to be performed by the public servant, former public servant, or person selected to be a public servant; (2) being a public servant, solicits, accepts, or agrees to accept, either before or after the person becomes appointed, elected, or qualified, any property, except property the person is authorized by law to accept, with intent to control the performance of an act related to the person's employment or function as a public servant; (3) confers, offers, or agrees to confer on a person any property, except property the person is authorized by law to accept, with intent to cause that person to control the performance of an act related to the employment or function of a public servant; (4) solicits, accepts, or agrees to accept any property, except property the person is authorized by law to accept, with intent to control the performance of an act related to the employment or function of a public servant; (5) confers, offers, or agrees to confer any property on a person participating or officiating in, or connected with, an athletic contest, sporting event, or exhibition, with intent that the person will fail to use the person's best efforts in connection with that contest, event, or exhibition; (6) being a person participating in, officiating in, or connected with an athletic contest, sporting event, or exhibition, solicits, accepts, or agrees to accept any property with intent that the person will fail to use the person's best efforts in connection with that contest, event, or exhibition; (7) being a witness or informant in an official proceeding or investigation, solicits, accepts, or agrees to accept any property, with intent to: (A) withhold any testimony, information, document, or thing; (B) avoid legal process summoning the person to testify or supply evidence; or (C) absent the person from the proceeding or investigation to which the person has been legally summoned; (8) confers, offers, or agrees to confer any property on a witness or informant in an official proceeding or investigation, with intent that the witness or informant: (A) withhold any testimony, information, document, or thing; (B) avoid legal process summoning the witness or informant to testify or supply evidence; or (C) absent himself or herself from any proceeding or investigation to which the witness or informant has been legally summoned; or (9) confers or offers or agrees to confer any property on an individual for: (A) casting a ballot or refraining from casting a ballot; or (B) voting for a political party, for a candidate, or for or against a public question; in an election described in IC 3-5-1-2 or at a convention of a political party authorized under IC 3; commits bribery, a Level 5 felony. (b) It is not a defense that the person whom the accused person sought to control was not qualified to act in the desired way. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.497.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 1. General Public Administration35-44.1-1-3. Ghost Employment

Sec. 3. (a) A public servant who knowingly or intentionally: (1) hires an employee for the governmental entity that the public servant serves; and (2) fails to assign to the employee any duties, or assigns to the employee any duties not related to the operation of the governmental entity; commits ghost employment, a Level 6 felony. (b) A public servant who knowingly or intentionally assigns to an employee under the public servant's supervision any duties not related to the operation of the governmental entity that the public servant serves commits ghost employment, a Level 6 felony. (c) A person employed by a governmental entity who, knowing that the person has not been assigned any duties to perform for the entity, accepts property from the entity commits ghost employment, a Level 6 felony. (d) A person employed by a governmental entity who knowingly or intentionally accepts property from the entity for the performance of duties not related to the operation of the entity commits ghost employment, a Level 6 felony. (e) Any person who accepts property from a governmental entity in violation of this section and any public servant who permits the payment of property in violation of this section are jointly and severally liable to the governmental entity for that property. The attorney general may bring a civil action to recover that property in the county where the governmental entity is located or the person or public servant resides. (f) For the purposes of this section, an employee of a governmental entity who voluntarily performs services: (1) that do not: (A) promote religion; (B) attempt to influence legislation or governmental policy; or (C) attempt to influence elections to public office; (2) for the benefit of: (A) another governmental entity; or (B) an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code; (3) with the approval of the employee's supervisor; and (4) in compliance with a policy or regulation that: (A) is in writing; (B) is issued by the executive officer of the

governmental entity; and (C) contains a limitation on the total time during any calendar year that the employee may spend performing the services during normal hours of employment; is considered to be performing duties related to the operation of the governmental entity. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.498.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 1. General Public Administration35-44.1-1-4. Conflict of Interest

Sec. 4. (a) The following definitions apply throughout this section: (1) "Dependent" means any of the following: (A) The spouse of a public servant. (B) A child, stepchild, or adoptee (as defined in IC 31-9-2-2) of a public servant who is: (i) unemancipated; and (ii) less than eighteen (18) years of age. (C) An individual more than one-half (1/2) of whose support is provided during a year by the public servant. (2) "Governmental entity served by the public servant" means the immediate governmental entity being served by a public servant. (3) "Pecuniary interest" means an interest in a contract or purchase if the contract or purchase will result or is intended to result in an ascertainable increase in the income or net worth of: (A) the public servant; or (B) a dependent of the public servant who: (i) is under the direct or indirect administrative control of the public servant; or (ii) receives a contract or purchase order that is reviewed, approved, or directly or indirectly administered by the public servant. (b) A public servant who knowingly or intentionally: (1) has a pecuniary interest in; or (2) derives a profit from; a contract or purchase connected with an action by the governmental entity served by the public servant commits conflict of interest, a Level 6 felony. (c) It is not an offense under this section if any of the following apply: (1) The public servant or the public servant's dependent receives compensation through salary or an employment contract for: (A) services provided as a public servant; or (B) expenses incurred by the public servant as provided by law. (2) The public servant's interest in the contract or purchase and all other contracts and purchases made by the governmental entity during the twelve (12) months before the date of the contract or purchase was two hundred fifty dollars ($250) or less. (3) The contract or purchase involves utility services from a utility whose rate structure is regulated by the state or federal government. (4) The public servant: (A) acts in only an advisory capacity for a state supported college or university; and (B) does not have authority to act on behalf of the college or university in a matter involving a contract or purchase. (5) A public servant under the jurisdiction of the state ethics commission (as provided in IC 4-2-6-2.5) obtains from the state ethics commission, following full and truthful disclosure, written approval that the public servant will not or does not have a conflict of interest in connection with the contract or purchase under IC 4-2-6 and this section. The approval required under this subdivision must be: (A) granted to the public servant before action is taken in connection with the contract or purchase by the governmental entity served; or (B) sought by the public servant as soon as possible after the contract is executed or the purchase is made and the public servant becomes aware of the facts that give rise to a question of conflict of interest. (6) A public servant makes a disclosure that meets the requirements of subsection (d) or (e) and is: (A) not a member or on the staff of the governing body empowered to contract or purchase on behalf of the governmental entity, and functions and performs duties for the governmental entity unrelated to the contract or purchase; (B) appointed by an elected public servant; (C) employed by the governing body of a school corporation and the contract or purchase involves the employment of a dependent or the payment of fees to a dependent; (D) elected; or (E) a member of, or a person appointed by, the board of trustees of a state supported college or university. (7) The public servant is a member of the governing board of, or is a physician employed or contracted by, a hospital organized or operated under IC 16-22-1 through IC 16-22-5 or IC 16-23-1. (d) A disclosure must: (1) be in writing; (2) describe the contract or purchase to be made by the governmental entity; (3) describe the pecuniary interest that the public servant has in the contract or purchase; (4) be affirmed under penalty of perjury; (5) be submitted to the governmental entity and be accepted by the governmental entity in a public meeting of the governmental entity before final action on the contract or purchase; (6) be filed within fifteen (15) days after final action on the contract or purchase with: (A) the state board of accounts; and (B) if the governmental entity is a governmental entity other than the state or a state supported college or university, the clerk of the circuit court in the county where the governmental entity takes final action on the contract or purchase; and (7) contain, if the public servant is appointed, the written approval of the elected public servant (if any) or the board of trustees of a state supported college or university (if any) that appointed the public servant. (e) This subsection applies only to a person who is a member of, or a person appointed by, the board of trustees of a state supported college or university. A person to whom this subsection applies complies with the disclosure requirements of this chapter with respect to the person's pecuniary interest in a particular type of contract or purchase which is made on a regular basis from a particular vendor if the individual files with the state board of accounts and the board of trustees a statement of pecuniary interest in that particular type of contract or purchase made with that particular vendor. The statement required by this subsection must be made on an annual basis. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.499.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 1. General Public Administration35-44.1-1-5. Profiteering From Public Service

Sec. 5. (a) As used in this section, "pecuniary interest" has the meaning set forth in section 4(a)(3) of this chapter. (b) A person who knowingly or intentionally: (1) obtains a pecuniary interest in a contract or purchase with an agency within one (1) year after separation from employment or other service with the agency; and (2) is not a public servant for the agency but who as a public servant approved, negotiated, or prepared on behalf of the agency the terms or specifications of: (A) the contract; or (B) the purchase; commits profiteering from public service, a Level 6 felony. (c) This section does not apply to negotiations or other activities related to an economic development grant, loan, or loan guarantee. (d) This section does not apply if the person receives less than two hundred fifty dollars ($250) of the profits from the contract or purchase. (e) It is a defense to a prosecution under this

section that: (1) the person was screened from any participation in the contract or purchase; (2) the person has not received a part of the profits of the contract or purchase; and (3) notice was promptly given to the agency of the person's interest in the contract or purchase. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.500.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 2. Interference With General Government Operations35-44.1-2-1. Perjury

Sec. 1. (a) A person who: (1) makes a false, material statement under oath or affirmation, knowing the statement to be false or not believing it to be true; or (2) has knowingly made two (2) or more material statements, in a proceeding before a court or grand jury, which are inconsistent to the degree that one (1) of them is necessarily false; commits perjury, a Level 6 felony. (b) In a prosecution under subsection (a)(2): (1) the indictment or information need not specify which statement is actually false; and (2) the falsity of a statement may be established sufficiently for conviction by proof that the defendant made irreconcilably contradictory statements which are material to the point in question. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.501.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 2. Interference With General Government Operations35-44.1-2-10. Failure to Respond to a Summons

Sec. 10. (a) A person who, having been issued: (1) a complaint and summons in connection with an infraction or ordinance violation; or (2) a summons, or summons and promise to appear, in connection with a misdemeanor violation; notifying the person to appear at a specific time and place, intentionally fails to appear at the specified time and place commits failure to respond to a summons, a Class C misdemeanor. (b) It is no defense that judgment was entered in favor of the person in the infraction or ordinance proceeding or that the person was acquitted of the misdemeanor for which the person was summoned to appear. As added by P.L.126-2012, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 2. Interference With General Government Operations35-44.1-2-11. Interference With Jury Service

Sec. 11. A person who knowingly or intentionally: (1) dismisses an employee; (2) deprives an employee of employment benefits; or (3) threatens such a dismissal or deprivation; because the employee has received or responded to a summons, served as a juror, or attended court for prospective jury service commits interference with jury service, a Class B misdemeanor. As added by P.L.126-2012, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 2. Interference With General Government Operations35-44.1-2-12. Interference With Witness Service

Sec. 12. A person who knowingly or intentionally: (1) dismisses an employee; (2) deprives an employee of employment benefits; or (3) threatens such a dismissal or deprivation; because the employee has received or responded to a subpoena in a criminal proceeding commits interference with witness service, a Class B misdemeanor. As added by P.L.126-2012, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 2. Interference With General Government Operations35-44.1-2-13. Obstruction of Traffic

Sec. 13. (a) Except as provided in subsection (b), a person who, with the intent to obstruct vehicular or pedestrian traffic, obstructs vehicular or pedestrian traffic commits obstruction of traffic, a Class B misdemeanor. (b) The offense described in subsection (a) is: (1) a Class A misdemeanor if the offense includes the use of a motor vehicle; (2) a Level 6 felony if: (A) the offense results in serious bodily injury; (B) the person blocks an authorized emergency vehicle (as defined in IC 9-13-2-6) while the vehicle is: (i) responding to an emergency call; (ii) in the pursuit of an actual or suspected violator of the law; or (iii) responding to, but not returning from, a fire alarm; if the vehicle is using visible or audible signals as required by law; or (C) the person obstructs the entryway to a facility that provides emergency medical services; and (3) a Level 5 felony if the offense results in catastrophic bodily injury or death. (c) A person who unreasonably obstructs vehicular or pedestrian traffic commits a Class C infraction. (d) It is a defense to an action under subsection (c) that the obstruction was caused by a vehicle malfunction. As added by P.L.158-2013, SEC.508. Amended by P.L.188-2015, SEC.130; P.L.174-2021, SEC.76.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 2. Interference With General Government Operations35-44.1-2-14. Unlawful Encroachment on an Investigation

Sec. 14. A person who knowingly or intentionally approaches within twenty-five (25) feet of a law enforcement officer lawfully engaged in the execution of the law enforcement officer's duties after the law enforcement officer has ordered the person to stop approaching commits unlawful encroachment on an investigation, a Class C misdemeanor. As added by P.L.67-2023, SEC.1.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 2. Interference With General Government Operations35-44.1-2-2.5. Disabling a Law Enforcement Recording Device

Sec. 2.5. A law enforcement officer who, with the intent to commit or conceal the commission of a criminal act, turns off or disables a law enforcement recording device in violation of regulations or a policy adopted by the law enforcement agency that employs the officer commits disabling a law enforcement recording device, a Class A misdemeanor. As added by P.L.12-2021, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 2. Interference With General Government Operations35-44.1-2-2. Obstruction of Justice

Sec. 2. (a) A person who: (1) knowingly or intentionally induces, by threat, coercion, false statement, or offer of goods, services, or anything of value, a witness or informant in a legal proceeding or an administrative or criminal investigation to: (A) withhold or unreasonably delay in producing any testimony, information, document, or thing that the witness or informant is legally required to produce; (B) avoid legal process summoning the person to testify or supply evidence; (C) absent the person from a proceeding or investigation to which the person has been legally summoned; or (D) give a false or materially misleading statement; (2) knowingly or intentionally in a legal proceeding or an administrative or criminal investigation: (A) withholds or unreasonably delays in producing any testimony, information, document, or thing after a court orders the person to produce the testimony, information, document, or thing; (B) avoids legal process summoning the person to testify or supply evidence; or (C) absents the person from a proceeding or investigation to which the person has been legally summoned; (3) alters, damages, or removes any record, document, or thing, with intent to prevent it from being produced or used as evidence in any legal proceeding or administrative or criminal investigation; (4) makes, presents, or uses a false record, document, or thing with intent that the record, document, or thing, material to the point in question, appear in evidence in a legal proceeding or an administrative or criminal investigation to mislead a public servant; (5) communicates with a juror otherwise than as authorized by law, with intent to influence the juror regarding any matter that is or may be brought before the juror; or (6) being employed by a court or law enforcement agency, notifies the subject of a warrant of the warrant, with the intent to interfere with the execution of the warrant; commits obstruction of justice, a Level 6 felony, except as provided in subsection (b). (b) Except as provided in subsection (e), the offense is a Level 5 felony if, during the investigation or pendency of a domestic violence or child abuse case under subsection (c), a person knowingly or intentionally: (1) offers, gives, or promises any benefit to; (2) communicates a threat as defined by IC 35-45-2-1(c) to; or (3) intimidates, unlawfully influences, or unlawfully persuades; any witness to abstain from attending or giving testimony, or to give a false or materially misleading statement, at any hearing, trial, deposition, probation, or other criminal proceeding or from giving testimony or other statements, including giving a false or materially misleading statement, to a court or law enforcement officer under IC 35-31.5-2-185. (c) As used in this section, "domestic violence or child abuse case" means any case involving an allegation of: (1) the commission of a crime involving domestic or family violence under IC 35-31.5-2-76 involving a family or household member under IC 35-31.5-2-128; (2) the commission of a crime of domestic violence under IC 35-31.5-2-78 involving a family or household member under IC 35-31.5-2-128; or (3) physical abuse, sexual abuse, or child neglect, including crimes listed under IC 35-31.5-2-76 involving a victim who was less than eighteen (18) years of age at the time of the offense, whether or not the person is a family or household member under IC 35-31.5-2-128. (d) Subsection (a)(2)(A) does not apply to: (1) a person who qualifies for a special privilege under IC 34-46-4 with respect to the testimony, information, document, or thing; or (2) a person who, as: (A) an attorney; (B) a physician; (C) a member of the clergy; or (D) a husband or wife; is not required to testify under IC 34-46-3-1. (e) Subsections (a) and (b) do not apply to: (1) an attorney; (2) an investigator; (3) a law enforcement officer; or (4) a judge; engaged in that person's professional or official duties. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.502; P.L.252-2017, SEC.15; P.L.174-2021, SEC.74; P.L.5-2022, SEC.5; P.L.209-2023, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 2. Interference With General Government Operations35-44.1-2-3. False Reporting; False Informing

Sec. 3. (a) As used in this section, "consumer product" has the meaning set forth in IC 35-45-8-1. (b) As used in this section, "misconduct" means a violation of a departmental rule or procedure of a law enforcement agency. (c) A person who reports that: (1) the person or another person has placed or intends to place an explosive, a destructive device, or other destructive substance in a building or transportation facility; (2) there has been or there will be tampering with a consumer product introduced into commerce; or (3) there has been or will be placed or introduced a weapon of mass destruction in a building or a place of assembly; knowing the report to be false, commits false reporting, a Level 6 felony. (d) A person who: (1) gives: (A) a false report of the commission of a crime; or (B) false information to a law enforcement officer that relates to the commission of a crime; knowing the report or information to be false; (2) gives a false alarm of fire to the fire department of a governmental entity, knowing the alarm to be false; (3) makes a false request for ambulance service to an ambulance service provider, knowing the request to be false; (4) gives a false report concerning a missing child (as defined in IC 10-13-5-4), missing veteran at risk (as defined in IC 12-7-2-197.3), or missing endangered adult (as defined in IC 12-7-2-131.3) or gives false information to a law enforcement officer or a governmental entity that relates to a missing child, missing veteran at risk, or missing endangered adult knowing the report or information to be false; (5) makes a complaint against a law enforcement officer to the state or municipality (as defined in IC 8-1-13-3(b)) that employs the

officer: (A) alleging the officer engaged in misconduct while performing the officer's duties; and (B) knowing the complaint to be false; (6) makes a false report of a missing person, knowing the report or information is false; (7) gives a false report of actions, behavior, or conditions concerning: (A) a septic tank soil absorption system under IC 8-1-2-125 or IC 13-26-5-2.5; or (B) a septic tank soil absorption system or constructed wetland septic system under IC 36-9-23-30.1; knowing the report or information to be false; or (8) makes a false report that a person is dangerous (as defined in IC 35-47-14-1) knowing the report or information to be false; commits false informing, a Class B misdemeanor except as provided in subsection (e). (e) The offense described in subsection (d) is: (1) a Class A misdemeanor if it: (A) substantially hinders any law enforcement process; (B) results in harm to another person; or (C) is committed under subsection (d)(8); (2) a Level 6 felony if it: (A) is committed under subsection (d)(8); and (B) either: (i) substantially hinders any law enforcement process; or (ii) results in harm to another person; and (3) a Level 5 felony if it is committed under subsection (d)(8) and results in serious bodily injury or death to another person. As added by P.L.126-2012, SEC.54. Amended by P.L.292-2013, SEC.11; P.L.158-2013, SEC.503; P.L.168-2014, SEC.79; P.L.107-2016, SEC.7; P.L.142-2020, SEC.70; P.L.174-2021, SEC.75; P.L.40-2024, SEC.34; P.L.104-2024, SEC.44; P.L.119-2024, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 2. Interference With General Government Operations35-44.1-2-4. False Identity Statement

Sec. 4. (a) A person who: (1) with intent to mislead public servants; (2) in a five (5) year period; and (3) in one (1) or more official proceedings or investigations; has knowingly made at least two (2) material statements concerning the person's identity that are inconsistent to the degree that one (1) of them is necessarily false commits false identity statement, a Class A misdemeanor. (b) It is a defense to a prosecution under this section that the material statements that are the basis of a prosecution under subsection (a) concerning the person's identity are accurate or were accurate in the past. (c) In a prosecution under subsection (a): (1) the indictment or information need not specify which statement is actually false; and (2) the falsity of a statement may be established sufficiently for conviction by proof that the defendant made irreconcilably contradictory statements concerning the person's identity. As added by P.L.126-2012, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 2. Interference With General Government Operations35-44.1-2-5. Assisting a Criminal

Sec. 5. (a) A person not standing in the relation of parent, child, or spouse to another person who has committed a crime or is a fugitive from justice who, with intent to hinder the apprehension or punishment of the other person, harbors, conceals, or otherwise assists the person commits assisting a criminal, a Class A misdemeanor. However, the offense is: (1) a Level 6 felony, if: (A) the person assisted has committed a Class B, Class C, or Class D felony before July 1, 2014, or a Level 3, Level 4, Level 5, or Level 6 felony after June 30, 2014; or (B) the person or the person assisted is a member of a criminal organization; and (2) a Level 5 felony, if the person assisted has committed murder or has committed a Class A felony before July 1, 2014, or a Level 1 or Level 2 felony after June 30, 2014, or if the assistance was providing a deadly weapon. (b) It is not a defense to a prosecution under this section that the person assisted: (1) has not been prosecuted for the offense; (2) has not been convicted of the offense; or (3) has been acquitted of the offense by reason of insanity. However, the acquittal of the person assisted for other reasons may be a defense. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.504; P.L.25-2016, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 2. Interference With General Government Operations35-44.1-2-6. Impersonation of a Public Servant

Sec. 6. (a) A person who, with intent to: (1) deceive; or (2) induce compliance with the person's instructions, orders, or requests; falsely represents that the person is a public servant, commits impersonation of a public servant, a Class A misdemeanor, except as provided in subsection (b). (b) The offense described in subsection (a) is a Level 6 felony if the person falsely represents that the person is: (1) a law enforcement officer; or (2) an agent or employee of the department of state revenue, and collects any property from another person. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.505; P.L.31-2016, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 2. Interference With General Government Operations35-44.1-2-7. Unlawful Use of a Police Radio

Sec. 7. (a) A person who knowingly or intentionally: (1) possesses a police radio; (2) transmits over a frequency assigned for police emergency purposes; or (3) possesses or uses a police radio or a police radio mobile application: (A) while committing a crime; (B) to further the commission of a crime; or (C) to avoid detection by a law enforcement agency; commits unlawful use of a police radio, a Class B misdemeanor. (b) Subsection (a)(1) and (a)(2) do not apply to: (1) a governmental entity; (2) a regularly employed law enforcement officer; (3) a common carrier of persons for hire whose vehicles are used in emergency service; (4) a public service or utility company whose vehicles are used in emergency service; (5) a person who has written permission from the chief executive officer of a law enforcement agency to possess a police radio; (6) a person who holds an amateur radio license issued by the Federal Communications Commission if the person is not transmitting over a frequency assigned for police emergency purposes; (7) a person who uses a police radio only in the person's dwelling or place of business; (8) a person: (A) who is regularly engaged in newsgathering activities; (B) who is employed by a newspaper qualified to receive legal advertisements under IC 5-3-1, a wire

service, or a licensed commercial or public radio or television station; and (C) whose name is furnished by the person's employer to the chief executive officer of a law enforcement agency in the county in which the employer's principal office is located; (9) a person engaged in the business of manufacturing or selling police radios; or (10) a person who possesses or uses a police radio during the normal course of the person's lawful business. (c) As used in this section, "police radio" means a radio that is capable of sending or receiving signals transmitted on frequencies assigned by the Federal Communications Commission for police emergency purposes and that: (1) can be installed, maintained, or operated in a vehicle; or (2) can be operated while it is being carried by an individual. The term does not include a radio designed for use only in a dwelling. (d) As used in this section, "police radio mobile application" means an application installed on a mobile device that allows a person to listen to the contents of traffic carried on police radio frequencies. As added by P.L.126-2012, SEC.54. Amended by P.L.66-2019, SEC.15.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 2. Interference With General Government Operations35-44.1-2-8. Unlawful Manufacture or Sale of Police or Fire Insignia

Sec. 8. (a) A person who knowingly or intentionally manufactures and sells or manufactures and offers for sale: (1) an official badge or a replica of an official badge that is currently used by a law enforcement agency or fire department of the state or of a political subdivision of the state; or (2) a document that purports to be an official employment identification that is used by a law enforcement agency or fire department of the state or of a political subdivision of the state; without the written permission of the chief executive officer of the law enforcement agency commits unlawful manufacture or sale of a police or fire insignia, a Class A misdemeanor. (b) However, the offense described in subsection (a) is: (1) a Level 6 felony if the person commits the offense with the knowledge or intent that the badge or employment identification will be used to further the commission of an offense under section 6 of this chapter; and (2) a Level 4 felony if the person commits the offense with the knowledge or intent that the badge or employment identification will be used to further the commission of an offense under IC 35-47-12 (before its repeal) or a felony terrorist offense (as defined in IC 35-50-2-18). (c) It is a defense to a prosecution under subsection (a)(1) if the area of the badge or replica that is manufactured and sold or manufactured and offered for sale as measured by multiplying the greatest length of the badge by the greatest width of the badge is: (1) less than fifty percent (50%); or (2) more than one hundred fifty percent (150%); of the area of an official badge that is used by a law enforcement agency or fire department of the state or a political subdivision of the state as measured by multiplying the greatest length of the official badge by the greatest width of the official badge. As added by P.L.126-2012, SEC.54. Amended by P.L.13-2013, SEC.140; P.L.158-2013, SEC.506; P.L.66-2019, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 2. Interference With General Government Operations35-44.1-2-9. Failure to Appear

Sec. 9. (a) A person who, having been released from lawful detention on condition that the person appear at a specified time and place in connection with a charge of a crime, intentionally fails to appear at that time and place commits failure to appear, a Class A misdemeanor. However, the offense is a Level 6 felony if the charge was a felony charge. (b) It is no defense that the accused person was not convicted of the crime with which the person was originally charged. (c) This section does not apply to obligations to appear incident to release under suspended sentence or on probation or parole. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.507.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 3. Detention35-44.1-3-1. Resisting Law Enforcement; Interfering With Public Safety

Sec. 1. (a) A person who knowingly or intentionally: (1) forcibly resists, obstructs, or interferes with a law enforcement officer or a person assisting the officer while the officer is lawfully engaged in the execution of the officer's duties; (2) forcibly resists, obstructs, or interferes with the authorized service or execution of a civil or criminal process or order of a court; or (3) flees from a law enforcement officer after the officer has, by visible or audible means, including operation of the law enforcement officer's siren or emergency lights, identified himself or herself and ordered the person to stop; commits resisting law enforcement, a Class A misdemeanor, except as provided in subsection (c). (b) A person who, having been denied entry by a firefighter, an emergency medical services provider, or a law enforcement officer, knowingly or intentionally enters an area that is marked off with barrier tape or other physical barriers, commits interfering with public safety, a Class B misdemeanor, except as provided in subsection (c) or (k). (c) The offense under subsection (a) or (b) is a: (1) Level 6 felony if: (A) the person uses a vehicle to commit the offense; or (B) while committing the offense, the person: (i) draws or uses a deadly weapon; (ii) inflicts bodily injury on or otherwise causes bodily injury to another person; or (iii) operates a vehicle in a manner that creates a substantial risk of bodily injury to another person; (2) Level 5 felony if: (A) while committing the offense, the person operates a vehicle in a manner that causes serious bodily injury to another person; or (B) the person uses a vehicle to commit the offense and the person has a prior unrelated conviction under this section involving the use of a vehicle in the commission of the offense; (3) Level 3 felony if, while committing the offense, the person operates a vehicle in a manner that causes the death or catastrophic injury of another person; and (4) Level 2 felony if, while committing any offense described in subsection (a), the person operates a vehicle in a manner that causes the death or catastrophic injury of a firefighter, an emergency medical services provider, or a law enforcement officer while the firefighter, emergency medical services provider, or law enforcement officer is engaged in the firefighter's, emergency medical services provider's, or officer's official duties. (d) The offense under subsection (a) is a Level 6 felony if, while committing an offense under:

(1) subsection (a)(1) or (a)(2), the person: (A) creates a substantial risk of bodily injury to the person or another person; and (B) has two (2) or more prior unrelated convictions under subsection (a); or (2) subsection (a)(3), the person has two (2) or more prior unrelated convictions under subsection (a). (e) If a person uses a vehicle to commit a felony offense under subsection (c)(1)(B), (c)(2), (c)(3), or (c)(4), as part of the criminal penalty imposed for the offense, the court shall impose a minimum executed sentence of at least: (1) thirty (30) days, if the person does not have a prior unrelated conviction under this section; (2) one hundred eighty (180) days, if the person has one (1) prior unrelated conviction under this section; or (3) one (1) year, if the person has two (2) or more prior unrelated convictions under this section. (f) Notwithstanding IC 35-50-2-2.2 and IC 35-50-3-1, the mandatory minimum sentence imposed under subsection (e) may not be suspended. (g) If a person is convicted of an offense involving the use of a motor vehicle under: (1) subsection (c)(1)(A), if the person exceeded the speed limit by at least twenty (20) miles per hour while committing the offense; (2) subsection (c)(2); or (3) subsection (c)(3); the court may notify the bureau of motor vehicles to suspend or revoke the person's driver's license in accordance with IC 9-30-4-6.1(b) for the period described in IC 9-30-4-6.1(d)(1) or IC 9-30-4-6.1(d)(2). The court shall inform the bureau whether the person has been sentenced to a term of incarceration. At the time of conviction, the court may obtain the person's current driver's license and return the license to the bureau of motor vehicles. (h) A person may not be charged or convicted of a crime under subsection (a)(3) if the law enforcement officer is a school resource officer acting in the officer's capacity as a school resource officer. (i) A person who commits an offense described in subsection (c) commits a separate offense for each person whose bodily injury, serious bodily injury, catastrophic injury, or death is caused by a violation of subsection (c). (j) A court may order terms of imprisonment imposed on a person convicted of more than one (1) offense described in subsection (c) to run consecutively. Consecutive terms of imprisonment imposed under this subsection are not subject to the sentencing restrictions set forth in IC 35-50-1-2(c) through IC 35-50-1-2(d). (k) As used in this subsection, "family member" means a child, grandchild, parent, grandparent, or spouse of the person. It is a defense to a prosecution under subsection (b) that the person reasonably believed that the person's family member: (1) was in the marked off area; and (2) had suffered bodily injury or was at risk of suffering bodily injury; if the person is not charged as a defendant in connection with the offense, if applicable, that caused the area to be secured by barrier tape or other physical barriers. As added by P.L.126-2012, SEC.54. Amended by P.L.172-2013, SEC.11; P.L.158-2013, SEC.509; P.L.168-2014, SEC.80; P.L.198-2016, SEC.673; P.L.184-2019, SEC.12; P.L.201-2019, SEC.3; P.L.95-2020, SEC.1; P.L.116-2020, SEC.4; P.L.133-2020, SEC.20; P.L.124-2021, SEC.1; P.L.32-2021, SEC.96; P.L.174-2021, SEC.77; P.L.141-2024, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 3. Detention35-44.1-3-10. Sexual Misconduct With a Service Provider

Sec. 10. (a) The following definitions apply throughout this section: (1) "Lawful supervision" means supervision by: (A) the department of correction; (B) a court; (C) a probation department; (D) a community corrections program, a community transition program, or another similar program; or (E) parole. (2) "Service provider" means: (A) with respect to a person subject to lawful detention: (i) a public servant; (ii) a person employed by a governmental entity; or (iii) a person who provides goods or services to a person who is subject to lawful detention; and (B) with respect to a person subject to lawful supervision: (i) a public servant whose official duties include the supervision of the person subject to lawful supervision; (ii) a person employed by a governmental entity to provide supervision for the person subject to lawful supervision; or (iii) a person who is employed by or contracts with a governmental entity to provide treatment or other services to the person subject to lawful supervision as a condition of the person's lawful supervision. (b) A service provider who knowingly or intentionally engages in any fondling or touching with a person who is subject to lawful detention or lawful supervision with the intent to arouse or satisfy the sexual desires of the service provider or the person commits sexual misconduct, a Level 6 felony. However, the offense is a Level 5 felony if the service provider engages in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with the person who is subject to lawful detention or lawful supervision. (c) A service provider at least eighteen (18) years of age who knowingly or intentionally engages in any fondling or touching with the intent to arouse or satisfy the sexual desires of the service provider or the other person, with a person who is: (1) less than eighteen (18) years of age; and (2) subject to lawful detention or lawful supervision; commits sexual misconduct, a Level 5 felony. However, the offense is a Level 4 felony if the service provider engages in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with the person. (d) In addition to any other penalty imposed for a violation of this section, the court shall order the person to pay restitution under IC 35-50-5-3 for expenses related to pregnancy and childbirth if the pregnancy is a result of the offense. (e) It is not a defense that an act described in subsection (b) or (c) was consensual. (f) This section does not apply to fondling, touching, sexual intercourse, or other sexual conduct (as defined in IC 35-31.5-2-221.5) between spouses. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.516; P.L.185-2014, SEC.6; P.L.78-2022, SEC.10; P.L.11-2023, SEC.113; P.L.209-2023, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 3. Detention35-44.1-3-2. Disarming a Law Enforcement Officer

Sec. 2. (a) As used in this section, "officer" includes the following: (1) A person employed by: (A) the department of correction; (B) a law enforcement agency; (C) a probation department; (D) a county jail; or (E) a circuit, superior, county, probate, city, or town court; who is required to carry a firearm in performance of the person's official duties. (2) A law enforcement officer. (b) A person who: (1) knows that another person is an officer; and (2) knowingly or intentionally takes or attempts to take a firearm (as defined in IC 35-47-1-5) or weapon that the officer is authorized to carry from the officer or from the immediate proximity of the officer: (A)

without the consent of the officer; and (B) while the officer is engaged in the performance of the officer's official duties; commits disarming a law enforcement officer, a Level 5 felony. However, the offense is a Level 3 felony if it results in serious bodily injury to a law enforcement officer, and the offense is a Level 1 felony if it results in death to a law enforcement officer. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.510.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 3. Detention35-44.1-3-3. Refusal to Aid an Officer

Sec. 3. A person who, when ordered by a law enforcement officer to assist the officer in the execution of the officer's duties, knowingly or intentionally, and without a reasonable cause, refuses to assist commits refusal to aid an officer, a Class B misdemeanor. As added by P.L.126-2012, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 3. Detention35-44.1-3-4. Escape

Sec. 4. (a) This section does not apply to a child who: (1) flees from lawful detention (as defined in IC 35-31.5-2-186) where the child has been placed; (2) violates a home detention order imposed on the child; (3) removes, disables, or interferes with the operation of an electronic monitoring device or GPS tracking device that the child is required to wear; or (4) fails to return to lawful detention following temporary leave granted for a specified purpose or limited period; due to an allegation or adjudication that the child committed an act described in IC 31-37-2-3 through IC 31-37-2-7 (status offenses), unless the child, while committing the offense, draws or uses a deadly weapon or inflicts bodily injury on another person. (b) A person, except as provided in subsection (c), who intentionally flees from lawful detention commits escape, a Level 5 felony. However, the offense is a Level 4 felony if, while committing it, the person draws or uses a deadly weapon or inflicts bodily injury on another person. (c) A person who: (1) knowingly or intentionally: (A) leaves the person's home; (B) remains outside of the person's home; or (C) travels to an unauthorized location; in violation of a home detention order and without written or documented authorization by the supervising entity; or (2) knowingly or intentionally removes, disables, or interferes with the operation of an electronic monitoring device or GPS tracking device; commits escape, a Level 6 felony. (d) A person who knowingly or intentionally fails to return to lawful detention following temporary leave granted for a specified purpose or limited period commits failure to return to lawful detention, a Level 6 felony. However, the offense is a Level 5 felony if, while committing it, the person draws or uses a deadly weapon or inflicts bodily injury on another person. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.511; P.L.84-2022, SEC.17; P.L.72-2023, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 3. Detention35-44.1-3-5. Trafficking With an Inmate; Carrying Contraband Into a Correctional Facility

Sec. 5. (a) The following definitions apply throughout this section: (1) "Chemical intoxicant" means a substance that, when introduced into a person's body, causes intoxication or a similar physical effect. The term does not include an alcoholic beverage or a cigarette or tobacco product (as defined in IC 6-7-2-5). (2) "Juvenile facility" means the following: (A) A secure facility (as defined in IC 31-9-2-114) in which a child is detained under IC 31 or used for a child awaiting adjudication or adjudicated under IC 31 as a child in need of services or a delinquent child. (B) A shelter care facility (as defined in IC 31-9-2-117) in which a child is detained under IC 31 or used for a child awaiting adjudication or adjudicated under IC 31 as a child in need of services or a delinquent child. (b) A person who, without the prior authorization of the person in charge of a penal facility or juvenile facility, knowingly or intentionally: (1) delivers, or carries into the penal facility or juvenile facility with intent to deliver, an article to an inmate or child of the facility; (2) carries, or receives with intent to carry out of the penal facility or juvenile facility, an article from an inmate or child of the facility; or (3) delivers, or carries to a worksite with the intent to deliver, alcoholic beverages to an inmate or child of a jail work crew or community work crew; (including delivering, carrying, or receiving through the use of an unmanned aerial vehicle) commits trafficking with an inmate, a Class A misdemeanor. However, the offense is a Level 5 felony under subdivision (1) or (2) if the article is a controlled substance, a chemical intoxicant, a deadly weapon, or a cellular telephone or other wireless or cellular communications device. (c) If: (1) the person who committed the offense under subsection (b) is an employee of: (A) the department of correction; or (B) a penal facility; and the article is a cigarette or tobacco product (as defined in IC 6-7-2-5), the court shall order the person to pay a fine of at least five hundred dollars ($500) and not more than five thousand dollars ($5,000) under IC 35-50-3-2, in addition to any term of imprisonment imposed under IC 35-50-3-2; or (2) a person is convicted of committing a Level 5 felony under subsection (b)(1) or (b)(2) because the article was a cellular telephone or other wireless or cellular communication device, the court shall order the person to pay a fine of at least five hundred dollars ($500) and not more than ten thousand dollars ($10,000) under IC 35-50-2-6(a) in addition to any term of imprisonment imposed on the person under IC 35-50-2-6(a). (d) A person who: (1) is not an inmate of a penal facility or a child of a juvenile facility; and (2) knowingly or intentionally possesses in, or carries or causes to be brought into, the penal facility or juvenile facility a deadly weapon without the prior authorization of the person in charge of the penal facility or juvenile facility; commits carrying a deadly weapon into a correctional facility, a Level 5 felony. As added by P.L.126-2012, SEC.54. Amended by P.L.5-2013, SEC.1; P.L.158-2013, SEC.512; P.L.168-2014, SEC.81; P.L.22-2024, SEC.1; P.L.71-2024, SEC.3; P.L.104-2024, SEC.41.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 3. Detention35-44.1-3-6. Trafficking With an Inmate Outside a Facility

Sec. 6. (a) As used in this section, "contraband" means the following: (1) Alcohol. (2) A cigarette or tobacco product. (3) A controlled substance. (4) An item that may be used as a weapon. (b) As used in this section, "inmate outside a facility" means a person who is incarcerated in a penal facility or detained in a juvenile facility on a full-time basis as the result of a conviction or a juvenile adjudication but who has been or is being transported to another location to participate in or prepare for a judicial proceeding. The term does not include the following: (1) An adult or juvenile pretrial detainee. (2) A person serving an intermittent term of imprisonment or detention. (3) A person serving a term of imprisonment or detention as: (A) a condition of probation; (B) a condition of a community corrections program; (C) part of a community transition program; (D) part of a reentry court program; (E) part of a work release program; or (F) part of a community based program that is similar to a program described in clauses (A) through (E). (4) A person who has escaped from incarceration or walked away from secure detention. (5) A person on temporary leave (as described in IC 11-10-9) or temporary release (as described in IC 11-10-10). (c) A person who, with the intent of providing contraband to an inmate outside a facility: (1) delivers contraband to an inmate outside a facility; or (2) places contraband in a location where an inmate outside a facility could obtain the contraband; (including delivering or placing through the use of an unmanned aerial vehicle) commits trafficking with an inmate outside a facility, a Class A misdemeanor. However, the offense is a Level 6 felony if the contraband is an item described in subsection (a)(3), and a Level 5 felony if the contraband is an item described in subsection (a)(4). As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.513; P.L.22-2024, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 3. Detention35-44.1-3-7. Possession of a Dangerous Device While Incarcerated

Sec. 7. A person who knowingly or intentionally while incarcerated in a penal facility possesses a device, equipment, a chemical substance, or other material that: (1) is used; or (2) is intended to be used; in a manner that is readily capable of causing bodily injury commits a Level 5 felony. However, the offense is a Level 4 felony if the device, equipment, chemical substance, or other material is a deadly weapon. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.514.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 3. Detention35-44.1-3-8. Possession of a Cellular Telephone While Incarcerated

Sec. 8. A person who knowingly or intentionally possesses a cellular telephone or other wireless or cellular communications device while incarcerated in a penal facility commits a Class A misdemeanor. As added by P.L.126-2012, SEC.54. Amended by P.L.5-2013, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 3. Detention35-44.1-3-9. Criminal Violation of a Lifetime Parole Condition

Sec. 9. A person who is being supervised on lifetime parole (as described in IC 35-50-6-1) and who knowingly or intentionally: (1) violates a condition (including a special condition imposed by the parole board) of lifetime parole; or (2) without the authorization of the parole board, has direct or indirect contact with: (A) a child less than sixteen (16) years of age; or (B) the victim of a sex offense committed by the person; commits criminal violation of a lifetime parole condition, a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior unrelated conviction under this section. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.515; P.L.74-2015, SEC.25; P.L.95-2017, SEC.3; P.L.45-2022, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 4. Firefighting and Emergency Services35-44.1-4-1.5. "Emergency Incident"

Sec. 1.5. As used in this chapter, "emergency incident" includes: (1) a structure or vehicle that is on fire; (2) a motor vehicle accident; (3) an accident involving hazardous materials; (4) a crime scene; (5) a police investigation; and (6) a location where an individual is being arrested. As added by P.L.63-2016, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 4. Firefighting and Emergency Services35-44.1-4-1. "Dispatched Firefighter"

Sec. 1. As used in this chapter, "dispatched firefighter" means a member of: (1) the fire company having jurisdiction over an emergency incident area; or (2) a fire company that has entered into a mutual aid agreement with the fire company having jurisdiction over an emergency incident area; who has been dispatched by the local fire department having jurisdiction over the particular emergency incident area. As added by P.L.126-2012, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 4. Firefighting and Emergency Services35-44.1-4-10. Public Safety Remote Aerial Interference

Sec. 10. A person who operates an unmanned aerial vehicle in a manner that is intended to obstruct or interfere with: (1) a law

enforcement officer, including a correctional officer as defined in IC 5-10-10-1.5; (2) a firefighter; (3) an emergency medical person; or (4) a member of a search and rescue team or mission; while the individual described in subdivisions (1) through (4) is performing or attempting to perform the individual's official duties, commits public safety remote aerial interference, a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated conviction under this section. As added by P.L.107-2017, SEC.7. Amended by P.L.22-2024, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 4. Firefighting and Emergency Services35-44.1-4-2. "Emergency Incident Area"

Sec. 2. As used in this chapter, "emergency incident area" means the area surrounding a structure, vehicle, property, or area that: (1) is: (A) defined by police or firefighters with flags, barricades, barrier tape, or other markers; or (B) twenty-five (25) feet in all directions from the perimeter of the emergency incident; whichever is greater; or (2) is a specific distance less than twenty-five (25) feet in all directions from the perimeter of the emergency incident that is articulated by a law enforcement officer. As added by P.L.126-2012, SEC.54. Amended by P.L.63-2016, SEC.5; P.L.67-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 4. Firefighting and Emergency Services35-44.1-4-3. "Firefighter"

Sec. 3. As used in this chapter, "firefighter" means an individual who is: (1) a full-time, salaried firefighter; or (2) a volunteer firefighter (as defined in IC 36-8-12-2). As added by P.L.126-2012, SEC.54. Amended by P.L.257-2017, SEC.46; P.L.147-2018, SEC.27.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 4. Firefighting and Emergency Services35-44.1-4-4. "Fire Protective Clothing and Fire Protective Gear"

Sec. 4. As used in this chapter, "fire protective clothing and fire protective gear" includes any of the following items generally used by firefighters: (1) Outer fire retardant clothing and headgear. (2) Fire gloves. (3) Self contained breathing apparatus. (4) Emergency medical services protective gear. (5) Hazardous materials protective gear. As added by P.L.126-2012, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 4. Firefighting and Emergency Services35-44.1-4-5. Refusal to Leave an Emergency Incident Area

Sec. 5. A person who is not a firefighter who knowingly or intentionally refuses to leave an emergency incident area immediately after being requested to do so by a firefighter or law enforcement officer commits a Class A misdemeanor. As added by P.L.126-2012, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 4. Firefighting and Emergency Services35-44.1-4-6. Refusal to Leave an Emergency Incident Area by a Nondispatched Firefighter

Sec. 6. A firefighter who: (1) has not been dispatched to an emergency incident area; (2) enters an emergency incident area; and (3) refuses to leave an emergency incident area immediately after being requested to do so by a dispatched firefighter or law enforcement officer; commits a Class C infraction. As added by P.L.126-2012, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 4. Firefighting and Emergency Services35-44.1-4-7. Impersonating a Firefighter at an Emergency Incident Area

Sec. 7. A person other than a firefighter who, with intent to mislead a firefighter or law enforcement officer as to the person's status as a dispatched firefighter, knowingly or intentionally enters an emergency incident area while wearing, transporting, or otherwise possessing a uniform, fire protective clothing, or fire protective gear commits a Class A misdemeanor. However, the offense is a Level 6 felony if, as a proximate result of the person entering the emergency incident area, a person or firefighter suffers bodily injury. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.517.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 4. Firefighting and Emergency Services35-44.1-4-8. Obstructing a Firefighter

Sec. 8. A person who knowingly or intentionally obstructs or interferes with a firefighter performing or attempting to perform the firefighter's emergency functions or duties as a firefighter commits obstructing a firefighter, a Class A misdemeanor. As added by P.L.126-2012, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 4. Firefighting and Emergency Services35-44.1-4-9. Obstructing an Emergency Medical Person

Sec. 9. (a) As used in this section, "emergency medical person" means a person who holds a certificate issued by the Indiana

emergency medical services commission to provide emergency medical services. (b) A person who knowingly or intentionally obstructs or interferes with an emergency medical person performing or attempting to perform the emergency medical person's emergency functions or duties commits obstructing an emergency medical person, a Class A misdemeanor. As added by P.L.126-2012, SEC.54. Amended by P.L.13-2013, SEC.141; P.L.32-2019, SEC.30.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 5. Illegal Alien Offenses35-44.1-5-1. Application

Sec. 1. This chapter does not apply to the following: (1) A church or religious organization conducting an activity that is protected by the First Amendment to the United States Constitution. (2) The provision of assistance for health care items and services that are necessary for the treatment of an emergency medical condition of an individual. (3) A health care provider (as defined in IC 16-18-2-163(a)) that is providing health care services. (4) An attorney or other person that is providing legal services. (5) A person who: (A) is a spouse of an alien or who stands in relation of parent or child to an alien; and (B) would otherwise commit an offense under this chapter with respect to the alien. (6) A provider that: (A) receives federal or state funding to provide services to victims of domestic violence, sexual assault, human trafficking, or stalking; and (B) is providing the services described in clause (A). (7) An employee of Indiana or a political subdivision (as defined in IC 36-1-2-13) if the employee is acting within the scope of the employee's employment. (8) An employee of a school acting within the scope of the employee's employment. As added by P.L.126-2012, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 5. Illegal Alien Offenses35-44.1-5-2. "Alien"

Sec. 2. As used in this chapter, "alien" has the meaning set forth in 8 U.S.C. 1101(a). As added by P.L.126-2012, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 5. Illegal Alien Offenses35-44.1-5-3. Transporting an Illegal Alien

Sec. 3. (a) A person who knowingly or intentionally: (1) transports; or (2) moves; an alien, for the purpose of commercial advantage or private financial gain, knowing or in reckless disregard of the fact that the alien has come to, entered, or remained in the United States in violation of the law commits transporting an illegal alien, a Class A misdemeanor. (b) If a violation under this section involves more than nine (9) aliens, the violation is a Level 6 felony. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.518.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 5. Illegal Alien Offenses35-44.1-5-4. Harboring an Illegal Alien

Sec. 4. (a) A person who knowingly or intentionally: (1) conceals; (2) harbors; or (3) shields from detection; an alien in any place, including a building or means of transportation, for the purpose of commercial advantage or private financial gain, knowing or in reckless disregard of the fact that the alien has come to, entered, or remained in the United States in violation of law, commits harboring an illegal alien, a Class A misdemeanor. (b) If a violation under this section involves more than nine (9) aliens, the violation is a Level 6 felony. (c) A landlord that rents real property to a person who is an alien does not violate this section as a result of renting the property to the person. As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.519.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 5. Illegal Alien Offenses35-44.1-5-5. Exceptions Involving the Care of a Child

Sec. 5. A person who transports, moves, or cares for a child (as defined in IC 35-47-10-3) who is an alien does not violate this chapter as a result of transporting, moving, or caring for the child. As added by P.L.126-2012, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 5. Illegal Alien Offenses35-44.1-5-6. Effect of a Determination by the United States Department of Homeland Security

Sec. 6. A determination by the United States Department of Homeland Security that an alien has come to, entered, or remained in the United States in violation of law is evidence that the alien is in the United States in violation of law. As added by P.L.126-2012, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.1. Offenses Against General Public AdministrationChapter 5. Illegal Alien Offenses35-44.1-5-7. Authority to Impound Certain Vehicles

Sec. 7. A law enforcement officer shall impound a motor vehicle, other than a motor vehicle used in public transportation and owned or operated by the state or a political subdivision, that is used to commit a violation of section 3 or 4 of this chapter. As added by P.L.126-2012, SEC.54.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 1. Interference With State Government35-44.2-1-1. Retaliation for Reporting a Violation

Sec. 1. (a) As used in this section, "supervisor" has the meaning set forth in IC 4-15-10-1. (b) As used in this section, "violation" means: (1) a violation of a federal law or regulation; (2) a violation of a state law or rule; (3) a violation of an ordinance of a political subdivision (as defined in IC 36-1-2-13); or (4) the misuse of public resources. (c) A state supervisor who knowingly or intentionally: (1) dismisses from employment; (2) withholds a salary increase or employment related benefit of; (3) transfers or reassigns; (4) denies a promotion that would have been received by; or (5) demotes; a state employee in retaliation for the state employee reporting in writing the existence of a violation commits retaliation for reporting a violation, a Class A misdemeanor. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 1. Interference With State Government35-44.2-1-10. False Financial Disclosure

Sec. 10. A person who makes a false or deficient financial disclosure statement is subject to a civil action for an infraction under IC 4-2-6-8. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 1. Interference With State Government35-44.2-1-11. Failure to Respond to a Demand for an Accounting

Sec. 11. A person who fails to respond to the attorney general upon a demand of an accounting is subject to a civil action for an infraction under IC 4-6-2-6. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 1. Interference With State Government35-44.2-1-13. Failure to Follow Notice Publication Rules

Sec. 13. A person who fails to follow the publication of notices rules is subject to a civil action for an infraction under IC 5-3-1-9. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 1. Interference With State Government35-44.2-1-14. Failure of a Consultant to Make a Disclosure Concerning a Public Works Project

Sec. 14. A consultant who fails to file a disclosure concerning a public works project is subject to a civil action for an infraction under IC 5-16-11-11. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 1. Interference With State Government35-44.2-1-2. Retaliation for Reporting to the Inspector General

Sec. 2. (a) As used in this section, "state employee" means: (1) an employee (as defined in IC 4-2-6-1); (2) a special state appointee (as defined in IC 4-2-6-1); or (3) a state officer (as defined in IC 4-2-6-1). (b) A state employee who knowingly or intentionally retaliates or threatens to retaliate against another state employee or former state employee for: (1) filing a complaint with the state ethics commission or the inspector general; (2) providing information to the state ethics commission or the inspector general; or (3) testifying at a state ethics commission proceeding; commits retaliation for reporting to the inspector general, a Class A misdemeanor. (c) It is a defense to a prosecution under this section that the reporting state employee or former state employee: (1) did not act in good faith; or (2) knowingly, intentionally, or recklessly provided false information or testimony to the state ethics commission or the inspector general. As added by P.L.126-2012, SEC.55. Amended by P.L.9-2022, SEC.78.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 1. Interference With State Government35-44.2-1-3. Obstructing the Inspector General

Sec. 3. A person who: (1) knowingly or intentionally induces or attempts to induce, by threat, coercion, suggestion, or false statement, a witness or informant in a state ethics commission proceeding or investigation conducted by the inspector general to do any of the following: (A) Withhold or unreasonably delay the production of any testimony, information, document, or thing. (B) Avoid legal process summoning the person to testify or supply evidence. (C) Fail to appear at a proceeding or investigation to which the person has been summoned. (D) Make, present, or use a false record, document, or thing with the intent that the record, document, or thing appear in a state ethics commission proceeding or inspector general investigation to mislead a state ethics commissioner or inspector general employee; (2) alters, damages, or removes a record, document, or thing except as permitted or required by law, with the intent to prevent the record, document, or thing from being produced or used in a state ethics commission proceeding or inspector general investigation; or (3) makes, presents, or uses a false record, document, or thing with the intent that the record, document, or thing appear in a state ethics commission proceeding or inspector general investigation to mislead a state ethics commissioner or inspector general employee; commits obstructing the inspector general, a Class A misdemeanor. As added by P.L.126-2012, SEC.55.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 1. Interference With State Government35-44.2-1-4. Obstructing the Department of Correction Ombudsman

Sec. 4. A person who: (1) intentionally interferes with or prevents the completion of the work of the department of correction ombudsman; (2) knowingly offers compensation to the department of correction ombudsman in an effort to affect the outcome of an investigation or a potential investigation; (3) knowingly or intentionally retaliates against an offender or another person who provides information to the department of correction ombudsman; or (4) makes threats because of an investigation or potential investigation against: (A) the department of correction ombudsman; (B) a person who has filed a complaint; or (C) a person who provides information to the department of correction ombudsman; commits obstructing the department of correction ombudsman, a Class A misdemeanor. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 1. Interference With State Government35-44.2-1-5. Interference With the Department of Child Services Ombudsman

Sec. 5. (a) A person who knowingly or intentionally: (1) interferes with or prevents the completion of the work of a department of child services ombudsman; (2) offers compensation to a department of child services ombudsman in an effort to affect the outcome of an investigation or a potential investigation; (3) retaliates against another person who provides information to a department of child services ombudsman; or (4) threatens a department of child services ombudsman, a person who has filed a complaint, or a person who provides information to a department of child services ombudsman, because of an investigation or potential investigation; commits interference with the department of child services ombudsman, a Class A misdemeanor. (b) It is a defense to a prosecution under subsection (a) if the conduct is the expungement of records held by the department of child services that occurs by statutory mandate, judicial order or decree, administrative review or process, automatic operation of the Indiana Child Welfare Information System (ICWIS) computer system or any successor statewide automated child welfare information system, or in the normal course of business. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 1. Interference With State Government35-44.2-1-6. Interfering With the State Examiner

Sec. 6. A person who interferes with the state examiner is subject to a civil action for an infraction under IC 5-11-1-10. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 1. Interference With State Government35-44.2-1-7. Refusing to Follow the State Examiner's Directives

Sec. 7. A person who refuses to follow the state examiner's directives is subject to a civil action for an infraction under IC 5-11-1-21. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 1. Interference With State Government35-44.2-1-8. Failure to Provide an Annual Report to the State Examiner

Sec. 8. A person who fails to provide an annual report to the state examiner is subject to a civil action for an infraction under IC 5-11-13-3. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 1. Interference With State Government35-44.2-1-9. False Certification by an Agency Special Deputy

Sec. 9. A state agency's special deputy who makes a false certification of an oath or affirmation is subject to a civil action for an infraction under IC 4-2-4-3. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 2. Purchasing Offenses35-44.2-2-1. Violation of the Depository Rule

Sec. 1. A public servant who knowingly or intentionally fails to deposit public funds (as defined in IC 5-13-4-20) not later than one (1) business day following the receipt of the funds, in a depository in the name of the state or political subdivision by the public servant having control of the funds, commits a violation of the depository rule, a Class C infraction. However, the violation is a Class A misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. As added by P.L.126-2012, SEC.55. Amended by P.L.158-2013, SEC.520; P.L.32-2019, SEC.31.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 2. Purchasing Offenses35-44.2-2-2. Violation of the Cashbook Rule

Sec. 2. A public servant who receives public funds (as defined in IC 5-13-4-20) and fails to: (1) keep a cashbook (as defined in IC 5-13-5-1); (2) not later than one (1) business day following the receipt of the funds, enter into the cashbook, by item, all receipts of public funds; or (3) balance the cashbook daily to show funds on hand at the close of each day; commits a violation of the cashbook

rule, a Class C infraction. However, the violation is a Class B misdemeanor if it is committed knowingly or intentionally and the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. As added by P.L.126-2012, SEC.55. Amended by P.L.32-2019, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 2. Purchasing Offenses35-44.2-2-3. Violation of the Itemization and Certification Rule

Sec. 3. (a) This subsection does not apply to the following: (1) A state educational institution (as defined in IC 21-7-13-32). (2) A municipality (as defined in IC 36-1-2-11). (3) A county. (4) An airport authority operating in a consolidated city. (5) A capital improvements board of managers operating in a consolidated city. (6) A board of directors of a public transportation corporation operating in a consolidated city. (7) A municipal corporation organized under IC 16-22-8-6. (8) A public library. (9) A library services authority. (10) A hospital organized under IC 16-22 or a hospital organized under IC 16-23. (11) A school corporation (as defined in IC 36-1-2-17). (12) A regional water or sewer district organized under IC 13-26 or under IC 13-3-2 (before its repeal). (13) A municipally owned utility (as defined in IC 8-1-2-1). (14) A board of an airport authority under IC 8-22-3. (15) A conservancy district. (16) A board of aviation commissioners under IC 8-22-2. (17) A public transportation corporation under IC 36-9-4. (18) A commuter transportation district under IC 8-5-15. (19) A solid waste management district established under IC 13-21 or IC 13-9.5 (before its repeal). (20) A county building authority under IC 36-9-13. (21) A soil and water conservation district established under IC 14-32. (22) The northwestern Indiana regional planning commission established by IC 36-7-7.6-3. (b) A disbursing officer (as described in IC 5-11-10) who knowingly or intentionally pays a claim that is not: (1) fully itemized; and (2) properly certified to by the claimant or some authorized person in the claimant's behalf, with the following words of certification: I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid; commits a violation of the itemization and certification rule, a Class C infraction. However, the violation is a Class A misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. As added by P.L.126-2012, SEC.55. Amended by P.L.121-2016, SEC.31; P.L.32-2019, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 2. Purchasing Offenses35-44.2-2-4. Unlawful Competitive Bidding

Sec. 4. (a) As used in this section, a "purchase" means: (1) the purchase of materials, equipment, goods and supplies for at least ten thousand dollars ($10,000); or (2) the leasing of equipment for at least five thousand dollars ($5,000). (b) A state purchaser of materials (as described in IC 5-17-1) who fails to advertise (as defined in IC 5-3-1) for, receive, or consider bids for purchase commits unlawful competitive bidding, a Class C infraction. However, the violation is a Class A misdemeanor if it is committed knowingly or intentionally and the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. As added by P.L.126-2012, SEC.55. Amended by P.L.32-2019, SEC.34.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 2. Purchasing Offenses35-44.2-2-5. Improper Teacher's Retirement Fund Accounting

Sec. 5. A person who knowingly, intentionally, or recklessly violates: (1) IC 5-10.4-3-10; (2) IC 5-10.4-3-12; (3) IC 5-10.4-3-14; or (4) IC 5-10.4-3-15; commits improper teacher's retirement fund accounting, a Class C infraction. However, the violation is a Class A misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. As added by P.L.126-2012, SEC.55. Amended by P.L.32-2019, SEC.35.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 2. Purchasing Offenses35-44.2-2-6. Unauthorized Borrowing by a Board of Trustees or Correctional Facility

Sec. 6. A board of trustees or correctional facility that borrows without legislative approval under IC 4-10-14-1 is subject to a civil action for an infraction under IC 4-10-14-1. As added by P.L.126-2012, SEC.55. Amended by P.L.215-2016, SEC.102.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 2. Purchasing Offenses35-44.2-2-7. Improper Disposal of a Law Enforcement Vehicle

Sec. 7. A person who improperly disposes of a law enforcement vehicle is subject to a civil action for an infraction under IC 5-22-22-9. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 3. State Public Works Contracting35-44.2-3-1. Violation of State Public Works Contracting Rules

Sec. 1. A person who violates provisions relating to state public works contracts is subject to criminal prosecution under IC 4-13.6-4-14. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 3. State Public Works Contracting35-44.2-3-2. Hospital Bonding Conflict of Interest

Sec. 2. A person who has a conflict of interest with respect to a hospital bonding authority contract is subject to criminal prosecution under IC 5-1-4-22. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 3. State Public Works Contracting35-44.2-3-3. Law Enforcement Academy Conflict of Interest

Sec. 3. A member or person employed by the law enforcement academy building commission who has a conflict of interest with respect to an action by the commission is subject to criminal prosecution under IC 5-2-2-11. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 3. State Public Works Contracting35-44.2-3-6. Improper Employee Organization Activities

Sec. 6. A person who improperly engages in certain employee organization activities is subject to a civil action for an infraction under IC 4-15-17-9. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 4. Confidentiality of Records and Meetings35-44.2-4-1. Disclosure of Confidential Information

Sec. 1. A person who discloses confidential information is subject to action under IC 5-14-3-10. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 4. Confidentiality of Records and Meetings35-44.2-4-2. Offenses Concerning Social Security Numbers

Sec. 2. (a) An employee of a state agency who unlawfully discloses a Social Security number is subject to criminal prosecution under IC 4-1-10-8. (b) An employee of a state agency who makes a false representation to obtain a Social Security number from the state agency is subject to criminal prosecution under IC 4-1-10-9. (c) An employee of a state agency who negligently discloses a Social Security number is subject to a civil action for an infraction under IC 4-1-10-10. As added by P.L.126-2012, SEC.55. Amended by P.L.13-2013, SEC.142.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 4. Confidentiality of Records and Meetings35-44.2-4-3. Disclosure of Confidential Inspector General Information

Sec. 3. A person who unlawfully discloses confidential inspector general information is subject to criminal prosecution under IC 4-2-7-8. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 4. Confidentiality of Records and Meetings35-44.2-4-4. Unlawful Disclosure of Criminal Intelligence Information

Sec. 4. A person who unlawfully discloses criminal intelligence information is subject to criminal prosecution under IC 5-2-4-7. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 4. Confidentiality of Records and Meetings35-44.2-4-5. Unlawful Disclosure of Enterprise Zone Information or Entrepreneur and Enterprise District Information

Sec. 5. (a) A person who unlawfully discloses enterprise zone information is subject to criminal prosecution under IC 5-28-15-8. (b) A person who unlawfully discloses entrepreneur and enterprise district information is subject to criminal prosecution under IC 5-28-15.5-6. As added by P.L.126-2012, SEC.55. Amended by P.L.238-2017, SEC.22.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 4. Confidentiality of Records and Meetings35-44.2-4-6. Advance Notice of a State Examiner Investigation

Sec. 6. A person who unlawfully discloses advance notice of a state examiner investigation is subject to criminal prosecution under IC 5-11-1-18. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 44.2. Offenses Against State Public AdministrationChapter 4. Confidentiality of Records and Meetings35-44.2-4-7. Unlawful Destruction of Public Records

Sec. 7. A person who unlawfully destroys certain public records is subject to criminal prosecution under IC 5-15-6-8. As added by P.L.126-2012, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 1. Offenses Against Public Order35-45-1-1. Definitions

Sec. 1. As used in this chapter: "Tumultuous conduct" means conduct that results in, or is likely to result in, serious bodily injury to a person or substantial damage to property. "Unlawful assembly" means an assembly of five (5) or more persons whose common object is to commit an unlawful act, or a lawful act by unlawful means. Prior concert is not necessary to form an unlawful assembly.

As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.68.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 1. Offenses Against Public Order35-45-1-2. Rioting

Sec. 2. A person who, being a member of an unlawful assembly, recklessly, knowingly, or intentionally engages in tumultuous conduct commits rioting, a Class A misdemeanor. However, the offense is: (1) a Level 6 felony if it: (A) is committed while armed with a deadly weapon; (B) results in serious bodily injury; or (C) causes property damage of at least seven hundred fifty dollars ($750) and less than fifty thousand dollars ($50,000); and (2) a Level 5 felony if it: (A) results in catastrophic injury or death; or (B) causes property damage of at least fifty thousand dollars ($50,000). As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.69; P.L.158-2013, SEC.521; P.L.94-2021, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 1. Offenses Against Public Order35-45-1-3. Disorderly Conduct

Sec. 3. (a) A person who recklessly, knowingly, or intentionally: (1) engages in fighting or in tumultuous conduct; (2) makes unreasonable noise and continues to do so after being asked to stop; or (3) disrupts a lawful assembly of persons; commits disorderly conduct, a Class B misdemeanor. (b) The offense described in subsection (a) is a Level 6 felony if it: (1) adversely affects airport security; and (2) is committed in an airport (as defined in IC 8-21-1-1) or on the premises of an airport, including in a parking area, a maintenance bay, or an aircraft hangar. (c) The offense described in subsection (a) is a Level 6 felony if it: (1) is committed within five hundred (500) feet of: (A) the location where a burial is being performed; (B) a funeral procession, if the person described in subsection (a) knows that the funeral procession is taking place; or (C) a building in which: (i) a funeral or memorial service; or (ii) the viewing of a deceased person; is being conducted; and (2) adversely affects the funeral, burial, viewing, funeral procession, or memorial service. As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.70; P.L.92-1988, SEC.8; P.L.123-2002, SEC.40; P.L.3-2006, SEC.1; P.L.158-2013, SEC.522.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 1. Offenses Against Public Order35-45-1-4. Flag Desecration

Sec. 4. (a) A person who knowingly or intentionally mutilates, defaces, burns, or tramples any United States flag, standard, or ensign commits flag desecration, a Class A misdemeanor. (b) This section does not apply to a person who disposes of a flag in accordance with 4 U.S.C. 8(k). As added by Acts 1977, P.L.26, SEC.22. Amended by P.L.163-1990, SEC.1; P.L.7-2015, SEC.56.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 1. Offenses Against Public Order35-45-1-5. Visiting a Common Nuisance; Maintaining a Common Nuisance

Sec. 5. (a) As used in this section, "common nuisance" means a building, structure, vehicle, or other place that is used for (1) or more of the following purposes: (1) To buy an alcoholic beverage in violation of IC 7.1-5-10-5. (2) To unlawfully use, keep, or sell a legend drug. (3) To unlawfully: (A) use; (B) manufacture; (C) keep; (D) offer for sale; (E) sell; (F) deliver; or (G) finance the delivery of; a controlled substance or an item of drug paraphernalia (as described in IC 35-48-4-8.5). (4) To provide a location for a person to pay, offer to pay, or agree to pay money or other property to another person for a human trafficking victim or an act performed by a human trafficking victim. (5) To provide a location for a person to commit a violation of IC 35-42-3.5-1 through IC 35-42-3.5-1.4 (human trafficking). (b) A person who knowingly or intentionally visits a common nuisance described in subsections (a)(1) through (a)(4) commits visiting a common nuisance. The offense is a: (1) Class B misdemeanor if the common nuisance is used for the unlawful: (A) sale of an alcoholic beverage as set forth in subsection (a)(1); (B) use, keeping, or sale of a legend drug as set forth in subsection (a)(2); or (C) use, manufacture, keeping, offer for sale, sale, delivery, or financing the delivery of a controlled substance or item of drug paraphernalia (as described in IC 35-48-4-8.5), as set forth in subsection (a)(3); (2) Class A misdemeanor if: (A) the common nuisance is used as a location for a person to pay, offer to pay, or agree to pay for a human trafficking victim or an act performed by a human trafficking victim as set forth in subsection (a)(4); or (B) the person knowingly, intentionally, or recklessly takes a person less than eighteen (18) years of age or an endangered adult (as defined in IC 12-10-3-2) into a common nuisance used to unlawfully: (i) use; (ii) manufacture; (iii) keep; (iv) offer for sale; (v) sell; (vi) deliver; or (vii) finance the delivery of; a controlled substance or an item of drug paraphernalia, as set forth in subsection (a)(3); and (3) Level 6 felony if the person: (A) knowingly, intentionally, or recklessly takes a person less than eighteen (18) years of age or an endangered adult (as defined in IC 12-10-3-2) into a common nuisance used to unlawfully: (i) use; (ii) manufacture; (iii) keep; (iv) offer for sale; (v) sell; (vi) deliver; or (vii) finance the delivery of; a controlled substance or an item of drug paraphernalia, as set forth in subsection (a)(3); and (B) has a prior unrelated conviction for a violation of this section involving a controlled substance or drug paraphernalia. (c) A person who knowingly or intentionally maintains a common nuisance commits maintaining a common nuisance, a Level 6 felony. (d) It is a defense to a prosecution under subsection (c) that: (1) the offense involves only the unlawful use or keeping of: (A) less than: (i) thirty (30) grams of marijuana; or (ii) five (5) grams of hash oil, hashish, or salvia; or (B) an item of drug paraphernalia (as described in IC 35-48-4-8.5) that is designed for use with, or intended to be used for, marijuana, hash oil, hashish, or salvia; and (2) the person does not have a prior unrelated conviction for a violation of subsection (c). As added by P.L.59-2016, SEC.7. Amended

by P.L.86-2017, SEC.14; P.L.144-2018, SEC.29.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 10. Stalking35-45-10-1. "Stalk" Defined

Sec. 1. As used in this chapter, "stalk" means a knowing or an intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened. The term does not include statutorily or constitutionally protected activity. As added by P.L.242-1993, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 10. Stalking35-45-10-2. "Harassment" Defined

Sec. 2. As used in this chapter, "harassment" means conduct directed toward a victim that includes but is not limited to repeated or continuing impermissible contact that would cause a reasonable person to suffer emotional distress and that actually causes the victim to suffer emotional distress. Harassment does not include statutorily or constitutionally protected activity, such as lawful picketing pursuant to labor disputes or lawful employer-related activities pursuant to labor disputes. As added by P.L.242-1993, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 10. Stalking35-45-10-3. "Impermissible Contact" Defined

Sec. 3. (a) As used in this chapter, "impermissible contact" includes the following: (1) Following or pursuing the victim. (2) Communicating with the victim. (3) Posting on social media, if the post: (A) is directed to the victim; or (B) refers to the victim, directly or indirectly. (b) The list in subsection (a) is nonexclusive. As added by P.L.242-1993, SEC.4. Amended by P.L.266-2019, SEC.14; P.L.5-2022, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 10. Stalking35-45-10-4. "Victim" Defined

Sec. 4. As used in this chapter, "victim" means a person who is the object of stalking. As added by P.L.242-1993, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 10. Stalking35-45-10-5. Criminal Stalking

Sec. 5. (a) A person who stalks another person commits stalking, a Level 6 felony. (b) The offense is a Level 5 felony if at least one (1) of the following applies: (1) A person: (A) stalks a victim; and (B) makes an explicit or an implicit threat with the intent to place the victim in reasonable fear of: (i) sexual battery (as defined in IC 35-42-4-8); (ii) serious bodily injury; or (iii) death. (2) A protective order to prevent domestic or family violence, a no contact order, or other judicial order under any of the following statutes has been issued by the court to protect the same victim or victims from the person and the person has been given actual notice of the order: (A) IC 31-15 and IC 34-26-5 or IC 31-1-11.5 before its repeal (dissolution of marriage and legal separation). (B) IC 31-34, IC 31-37, or IC 31-6-4 before its repeal (delinquent children and children in need of services). (C) IC 31-32 or IC 31-6-7 before its repeal (procedure in juvenile court). (D) IC 34-26-5 or IC 34-26-2 and IC 34-4-5.1 before their repeal (protective order to prevent abuse). (E) IC 34-26-6 (workplace violence restraining orders). (3) The person's stalking of another person violates an order issued as a condition of pretrial release, including release on bail or personal recognizance, or pretrial diversion if the person has been given actual notice of the order. (4) The person's stalking of another person violates a no contact order issued as a condition of probation if the person has been given actual notice of the order. (5) The person's stalking of another person violates a protective order issued under IC 31-14-16-1 and IC 34-26-5 in a paternity action if the person has been given actual notice of the order. (6) The person's stalking of another person violates an order issued in another state that is substantially similar to an order described in subdivisions (2) through (5) if the person has been given actual notice of the order. (7) The person's stalking of another person violates an order that is substantially similar to an order described in subdivisions (2) through (5) and is issued by an Indian: (A) tribe; (B) band; (C) pueblo; (D) nation; or (E) organized group or community, including an Alaska Native village or regional or village corporation as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); that is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians if the person has been given actual notice of the order. (8) A criminal complaint of stalking that concerns an act by the person against the same victim or victims is pending in a court and the person has been given actual notice of the complaint. (9) The offense was committed or facilitated by the use of a tracking device. (c) The offense is a Level 4 felony if: (1) the act or acts were committed while the person was armed with a deadly weapon; or (2) the person has an unrelated conviction for an offense under this section against the same victim or victims. As added by P.L.242-1993, SEC.4. Amended by P.L.225-1996, SEC.1; P.L.1-1997, SEC.150; P.L.1-1998, SEC.198; P.L.280-2001, SEC.52; P.L.133-2002, SEC.66; P.L.158-2013, SEC.541; P.L.172-2023, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 10. Stalking35-45-10-6. Remote Aerial Harassment

Sec. 6. A person who operates an unmanned aerial vehicle in a manner that is intended to subject another person to harassment commits remote aerial harassment, a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated conviction under this section. As added by P.L.107-2017, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 11. Abuse of a Corpse35-45-11-1. Applicability of Chapter

Sec. 1. (a) This chapter does not apply to the use of a corpse for: (1) scientific; (2) medical; (3) organ transplantation; (4) historical; (5) forensic; or (6) investigative; purposes. (b) This chapter does not apply to: (1) a funeral director; (2) an embalmer; or (3) an employee of an individual described in subdivision (1) or (2); engaged in the individual's normal scope of practice and employment. As added by P.L.249-1993, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 11. Abuse of a Corpse35-45-11-2. Abuse of Corpse

Sec. 2. A person who knowingly or intentionally: (1) mutilates a corpse; (2) has sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with the corpse; or (3) opens a casket with the intent to commit an act described in subdivision (1) or (2); commits abuse of a corpse, a Level 6 felony. As added by P.L.249-1993, SEC.1. Amended by P.L.52-1997, SEC.56; P.L.158-2013, SEC.542.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 12. Code Grabbing Devices35-45-12-1. "Code Grabbing Device" Defined

Sec. 1. As used in this chapter, "code grabbing device" means a device that is capable of: (1) receiving and recording the code signal sent by the transmitter of: (A) a motor vehicle security alarm system; (B) a motor vehicle automatic door locking system; or (C) a residential or commercial automatic garage door opening system; and (2) disarming: (A) a motor vehicle security alarm system; (B) a motor vehicle automatic door locking system; or (C) a residential or commercial automatic garage door opening system. As added by P.L.302-1995, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 12. Code Grabbing Devices35-45-12-2. Criminal Use or Possession of Code Grabbing Device

Sec. 2. A person who, while committing a crime or to further the commission of a crime, knowingly or intentionally: (1) possesses a code grabbing device; or (2) uses a code grabbing device to disarm the security alarm system of a motor vehicle; commits a Class C infraction. However, the violation is a Class C misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. As added by P.L.302-1995, SEC.1. Amended by P.L.32-2019, SEC.37.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 13. Unauthorized Use of Telecommunications Services35-45-13-1. "Manufacture of an Unlawful Telecommunications Device" Defined

Sec. 1. As used in this chapter, "manufacture of an unlawful telecommunications device" means: (1) the production or assembly of an unlawful telecommunications device; or (2) the modification, alteration, programming, or reprogramming of a telecommunications device to render it capable of acquiring or facilitating the acquisition of telecommunications service without the consent of the telecommunications service provider. As added by P.L.216-1996, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 13. Unauthorized Use of Telecommunications Services35-45-13-2. "Publish" Defined

Sec. 2. As used in this chapter, "publish" means the communication or dissemination of information to at least one (1) person by any of the following methods: (1) Orally. (2) In person. (3) By telephone, radio, or television. (4) In a writing of any kind, including a letter, memorandum, circular handbill, newspaper, magazine article, or book. As added by P.L.216-1996, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 13. Unauthorized Use of Telecommunications Services35-45-13-3. "Telecommunications Device" Defined

Sec. 3. As used in this chapter, "telecommunications device" means: (1) a type of instrument, device, machine, or piece of equipment that is capable of transmitting or receiving telephonic, electronic, or radio communications; (2) a part of an instrument, a device, a machine, or a piece of equipment that is capable of transmitting or receiving telephonic, electronic, or radio communications; or (3) a computer circuit, a computer chip, an electronic mechanism, or any other component that is capable of facilitating the transmission or reception of telephonic, electronic, or radio communications. As added by P.L.216-1996, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 13. Unauthorized Use of Telecommunications Services35-45-13-4. "Telecommunications Service" Defined

Sec. 4. As used in this chapter, "telecommunications service" means a service provided for a charge or compensation to facilitate the

origination, transmission, emission, or reception of signs, signals, data, writings, images, sounds, or intelligence of any nature by: (1) telephone, including cellular or other wireless telephones; (2) wire; (3) radio; or (4) an electromagnetic, a photoelectronic, or a photo-optical system. As added by P.L.216-1996, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 13. Unauthorized Use of Telecommunications Services35-45-13-5. "Telecommunications Service Provider" Defined

Sec. 5. As used in this chapter, "telecommunications service provider" means a person or an entity: (1) providing telecommunications service, including a cellular, paging, or other wireless communications company; or (2) that, for a fee, supplies the facility, cell site, mobile telephone switching office, or other equipment for a telecommunications service. As added by P.L.216-1996, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 13. Unauthorized Use of Telecommunications Services35-45-13-6. "Unlawful Telecommunications Device" Defined

Sec. 6. (a) As used in this chapter, "unlawful telecommunications device" means a telecommunications device that: (1) is capable of; or (2) has been altered, modified, programmed, or reprogrammed, alone or in conjunction with another access device or other equipment, to render the telecommunications device capable of; acquiring or facilitating the acquisition of an electronic serial number, a mobile identification number, or a personal identification number of any telecommunications service without the consent of a telecommunications service provider. (b) The term does not include a device operated by a law enforcement agency in the course of its activities. As added by P.L.216-1996, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 13. Unauthorized Use of Telecommunications Services35-45-13-7. Unauthorized Use of Telecommunications Services

Sec. 7. (a) A person who knowingly or intentionally makes, distributes, possesses, uses, or assembles an unlawful telecommunications device that is designed, adapted, or used to commit a theft of telecommunications service commits criminal use of telecommunications services, a Class A misdemeanor. However, if the commission of the offense involves at least five (5) unlawful telecommunications devices, the offense is a Level 6 felony. (b) A person who knowingly or intentionally: (1) makes, distributes, possesses, uses, or assembles an unlawful telecommunications device that is designed, adapted, or used to: (A) acquire or facilitate the acquisition of telecommunications service without the consent of the telecommunications service provider; or (B) conceal, or assist another in concealing, from a telecommunications services provider or authority, or from another person with enforcement authority, the existence or place of origin or destination of telecommunications; (2) sells, possesses, distributes, gives, transports, or otherwise transfers to another or offers or advertises for sale: (A) an unlawful telecommunications device, with the intent to use the unlawful telecommunications device or allow the device to be used for a purpose described in this section, or while knowing or having reason to believe that the device is intended to be so used; (B) plans or instructions for making or assembling an unlawful telecommunications device, knowing or having reason to believe that the plans or instructions are intended to be used for making or assembling an unlawful telecommunications device; or (C) material, including hardware, cables, tools, data, computer software, or other information or equipment, knowing that the purchaser or a third person intends to use the material in the manufacture of an unlawful telecommunications device; or (3) publishes: (A) the number or code of an existing, a canceled, a revoked, or a nonexistent telephone number, credit number, or other credit device; or (B) the method of numbering or coding that is employed in the issuance of telephone numbers, credit numbers, or other credit devices; with knowledge or reason to believe that the information may be used to avoid the payment of a lawful telephone or telegraph toll charge; commits unauthorized use of telecommunications services, a Class C infraction. A person commits a separate violation for each unlawful telecommunications device involved. However, the offense is a Class A misdemeanor if the person has a prior adjudication or conviction under this section within the previous five (5) years, and a Level 6 felony if the person has a prior adjudication or conviction under this section within the previous five (5) years and the commission of the offense involves at least five (5) unlawful telecommunications devices. As added by P.L.216-1996, SEC.23. Amended by P.L.158-2013, SEC.543; P.L.32-2019, SEC.38; P.L.156-2020, SEC.131.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 13. Unauthorized Use of Telecommunications Services35-45-13-8. Restitution; Civil Action to Obtain Relief

Sec. 8. (a) The court may, in addition to any other sentence imposed for a conviction under this chapter, order a person convicted under this chapter to make restitution for the offense. (b) A person or an entity that is the victim of an offense under this chapter may, in a civil action brought in the circuit or superior court in the county in which the person who committed the offense under this chapter was convicted, obtain appropriate relief, including preliminary and other equitable or declaratory relief, compensatory and punitive damages, reasonable investigation expense, court costs (including fees), and attorney's fees. As added by P.L.216-1996, SEC.23. Amended by P.L.106-2010, SEC.16.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 15. Money Laundering35-45-15-1. "Criminal Activity" Defined

Sec. 1. As used in this chapter, "criminal activity" means any offense that: (1) is classified as a felony under Indiana or United States law; or (2) occurs in another state and is punishable by confinement for more than one (1) year under the laws of that state. As added by P.L.112-1998, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 15. Money Laundering35-45-15-2. "Funds" Defined

Sec. 2. As used in this chapter, "funds" includes the following: (1) Coin or paper money of the United States or any other country that is designated as legal tender and that circulates and is customarily used and accepted as a medium of exchange in the country of issue. (2) United States silver certificates, United States Treasury notes, and Federal Reserve System notes. (3) Official foreign bank notes that are customarily used and accepted as a medium of exchange in a foreign country. (4) Foreign bank drafts. As added by P.L.112-1998, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 15. Money Laundering35-45-15-3. "Law Enforcement Officer" Defined

Sec. 3. As used in this chapter, "law enforcement officer" includes a federal enforcement officer. As added by P.L.112-1998, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 15. Money Laundering35-45-15-4. "Proceeds" Defined

Sec. 4. As used in this chapter, "proceeds" means funds acquired or derived directly or indirectly from, produced through, or realized through an act. As added by P.L.112-1998, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 15. Money Laundering35-45-15-5. Money Laundering; Defenses

Sec. 5. (a) A person that knowingly or intentionally: (1) acquires or maintains an interest in, receives, conceals, possesses, transfers, or transports the proceeds of criminal activity; (2) conducts, supervises, or facilitates a transaction involving the proceeds of criminal activity; or (3) invests, expends, receives, or offers to invest, expend, or receive, the proceeds of criminal activity or funds that are the proceeds of criminal activity, and the person knows that the proceeds or funds are the result of criminal activity; commits money laundering, a Level 6 felony. However, the offense is: (A) a Level 5 felony if the value of the proceeds or funds is at least fifty thousand dollars ($50,000); (B) a Level 5 felony if a person commits the crime with the intent to: (i) commit or promote an act of terrorism; or (ii) obtain or transport a weapon of mass destruction; and (C) a Level 4 felony if the value of the proceeds or funds is at least fifty thousand dollars ($50,000) and a person commits the crime with the intent to: (i) commit or promote an act of terrorism; or (ii) obtain or transport a weapon of mass destruction. (b) It is a defense to prosecution under this section that the person acted with intent to facilitate the lawful seizure, forfeiture, or disposition of funds or other legitimate law enforcement purpose under Indiana or United States law. (c) It is a defense to prosecution under this section that: (1) the transaction was necessary to preserve a person's right to representation as guaranteed by the Sixth Amendment of the United States Constitution or Article 1, Section 13, of the Constitution of the State of Indiana; or (2) the funds were received as bona fide legal fees by a licensed attorney and, at the time of the receipt of the funds, the attorney did not have actual knowledge that the funds were derived from criminal activity. As added by P.L.112-1998, SEC.2. Amended by P.L.123-2002, SEC.42; P.L.158-2013, SEC.544.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 16. Malicious Mischief35-45-16-1. "Hiv"

Sec. 1. As used in this chapter, "HIV" refers to the human immunodeficiency virus. As added by P.L.88-2002, SEC.2. Amended by P.L.190-2021, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 16. Malicious Mischief35-45-16-2. Malicious Mischief

Sec. 2. (a) As used in this section, "body fluid" means: (1) blood; (2) saliva; (3) sputum; (4) semen; (5) vaginal secretions; (6) human milk; (7) urine; (8) sweat; (9) tears; (10) any other liquid produced by the body; or (11) any aerosol generated form of liquids listed in this subsection. (b) As used in this section, "infectious hepatitis" means: (1) hepatitis A; (2) hepatitis B; (3) hepatitis C; (4) hepatitis D; (5) hepatitis E; or (6) hepatitis G. (c) A person who recklessly, knowingly, or intentionally places human: (1) body fluid; or (2) fecal waste; in a location with the intent that another person will involuntarily touch the body fluid or fecal waste commits malicious mischief, a Class B misdemeanor. (d) An offense described in subsection (c) is a: (1) Level 6 felony if the person knew or recklessly failed to know that the body fluid or fecal waste was infected with: (A) infectious hepatitis; (B) HIV; or (C) tuberculosis; (2) Level 5 felony if: (A) the person knew or recklessly failed to know that the body fluid or fecal waste was infected with infectious

hepatitis and the offense results in the transmission of infectious hepatitis to the other person; or (B) the person knew or recklessly failed to know that the body fluid or fecal waste was infected with tuberculosis and the offense results in the transmission of tuberculosis to the other person; and (3) Level 4 felony if: (A) the person knew or recklessly failed to know that the body fluid or fecal waste was infected with HIV; and (B) the offense results in the transmission of HIV to the other person. (e) A person who recklessly, knowingly, or intentionally places human: (1) body fluid; or (2) fecal waste; in a location with the intent that another person will ingest the body fluid or fecal waste commits malicious mischief with food, a Class A misdemeanor. (f) An offense described in subsection (e) is: (1) a Level 6 felony if the person knew or recklessly failed to know that the body fluid or fecal waste was infected with: (A) infectious hepatitis; (B) HIV; or (C) tuberculosis; (2) a Level 5 felony if: (A) the person knew or recklessly failed to know that the body fluid or fecal waste was infected with infectious hepatitis and the offense results in the transmission of infectious hepatitis to the other person; or (B) the person knew or recklessly failed to know that the body fluid or fecal waste was infected with tuberculosis and the offense results in the transmission of tuberculosis to the other person; and (3) a Level 4 felony if: (A) the person knew or recklessly failed to know that the body fluid or fecal waste was infected with HIV; and (B) the offense results in the transmission of HIV to the other person. As added by P.L.88-2002, SEC.2. Amended by P.L.158-2013, SEC.545.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 17.1. Aggressive Harassment35-45-17.1-1. "Harasses"

Sec. 1. As used in this chapter, "harasses" means unwanted contact with a person that would cause a reasonable person to suffer emotional distress or fear. As added by P.L.75-2021, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 17.1. Aggressive Harassment35-45-17.1-2. Aggressive Harassment

Sec. 2. An individual who harasses another person with the intent to obtain property from the other person commits aggressive harassment, a Class C misdemeanor. As added by P.L.75-2021, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 18. Combative Fighting35-45-18-1. "Combative Fighting"

Sec. 1. (a) As used in this chapter, "combative fighting" (also known as "toughman fighting", "badman fighting", and "extreme fighting") means a match, contest, or exhibition that involves at least (2) contestants, with or without gloves or protective headgear, in which the contestants: (1) use their: (A) hands; (B) feet; or (C) both hands and feet; to strike each other; and (2) compete for a financial prize or any item of pecuniary value. (b) The term does not include: (1) a boxing, sparring, or unarmed combat match regulated under IC 4-33-22; (2) mixed martial arts (as defined by IC 4-33-22-2); (3) martial arts, as regulated by the gaming commission in rules adopted under IC 4-33-22; (4) professional wrestling, as regulated by the gaming commission in rules adopted under IC 4-33-22; or (5) a match, contest, or game in which a fight breaks out among the participants as an unplanned, spontaneous event and not as an intended part of the match, contest, or game. As added by P.L.112-2007, SEC.2. Amended by P.L.160-2009, SEC.49; P.L.113-2010, SEC.107.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 18. Combative Fighting35-45-18-2. Combative Fighting

Sec. 2. A person who knowingly or intentionally participates in combative fighting commits unlawful combative fighting, a Class C infraction. However, the violation is a Class C misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. As added by P.L.112-2007, SEC.2. Amended by P.L.32-2019, SEC.39.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 18. Combative Fighting35-45-18-3. Unlawful Promotion or Organization of Combative Fighting

Sec. 3. A person who knowingly or intentionally promotes or organizes combative fighting commits unlawful promotion or organization of combative fighting, a Class C infraction. However, the offense is a Class A misdemeanor if, within the five (5) years preceding the commission of the offense, the person had a prior unrelated adjudication or conviction under this section. As added by P.L.112-2007, SEC.2. Amended by P.L.158-2013, SEC.546; P.L.32-2019, SEC.40.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 19. Failure to Report a Dead Body35-45-19-1.5. "Human Remains"

Sec. 1.5. As used in this chapter, "human remains" means any part of the body of a deceased human being in any stage of decomposition or state of preservation. As added by P.L.47-2019, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 19. Failure to Report a Dead Body35-45-19-1. Applicability of Chapter

Sec. 1. This chapter does not: (1) apply to the driver of a vehicle involved in an accident that: (A) results in the death of a person; and (B) must be reported under IC 9-26-1-1.1; or (2) supersede any law governing the reporting of a death by a hospital, health care

facility, or provider. As added by P.L.68-2008, SEC.1. Amended by P.L.217-2014, SEC.193.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 19. Failure to Report a Dead Body35-45-19-2. "Public Safety Officer"

Sec. 2. As used in this chapter, "public safety officer" means: (1) a law enforcement officer; (2) a correctional officer; (3) a state university police officer; (4) a firefighter; (5) an emergency medical technician; or (6) a paramedic. As added by P.L.68-2008, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 19. Failure to Report a Dead Body35-45-19-3. Discovery or Handling of Human Remains; Failure to Report

Sec. 3. A person who: (1) discovers or handles human remains when it appears the deceased person died: (A) by violence, suicide, or accident; (B) suddenly, while in apparent good health; (C) while unattended; (D) from poisoning or an overdose of drugs; (E) as the result of a disease that may constitute a threat to public health; (F) as the result of: (i) a disease; (ii) an injury; (iii) a toxic effect; or (iv) unusual exertion; incurred within the scope of the deceased person's employment; (G) due to sudden infant death syndrome; (H) as the result of a diagnostic or therapeutic procedure; or (I) under any other suspicious or unusual circumstances; and (2) knowingly or intentionally fails to report the discovery or handling of the human remains to a: (A) public safety officer; (B) coroner; (C) funeral director; (D) physician; or (E) 911 telephone call center; within three (3) hours after finding the human remains; commits failure to report the discovery or handling of human remains, a Class A misdemeanor. As added by P.L.68-2008, SEC.1. Amended by P.L.47-2019, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 2. Intimidation and Other Offenses Relating to Communications35-45-2-1. Intimidation

Sec. 1. (a) A person who communicates a threat with the intent: (1) that another person engage in conduct against the other person's will; (2) that another person be placed in fear of retaliation for a prior lawful act; (3) of: (A) causing: (i) a dwelling, a building, or other structure; or (ii) a vehicle; to be evacuated; or (B) interfering with the occupancy of: (i) a dwelling, building, or other structure; or (ii) a vehicle; or (4) that another person be placed in fear that the threat will be carried out, if the threat is a threat described in: (A) subsection (c)(1) through (c)(5); or (B) subsection (c)(7) through (c)(8); commits intimidation, a Class A misdemeanor. (b) However, the offense is a: (1) Level 6 felony if: (A) the threat is to commit a forcible felony; (B) the subject of the threat or the person to whom the threat is communicated is a witness (or the spouse or child of a witness) in any pending criminal proceeding against the person making the threat; (C) the threat is communicated because of the occupation, profession, employment status, or ownership status of a person or the threat relates to or is made in connection with the occupation, profession, employment status, or ownership status of a person; (D) the person has a prior unrelated conviction for an offense under this section concerning the same victim; or (E) the threat is communicated using property, including electronic equipment or systems, of a school corporation or other governmental entity; and (2) Level 5 felony if: (A) while committing it, the person draws or uses a deadly weapon; (B) the subject of the threat or the person to whom the threat is communicated: (i) is a judicial officer or bailiff of any court; or (ii) is a prosecuting attorney or a deputy prosecuting attorney; and the threat relates to the person's status as a judicial officer, bailiff, prosecuting attorney, or deputy prosecuting attorney, or is made in connection with the official duties of the judicial officer, bailiff, prosecuting attorney, or deputy prosecuting attorney; or (C) the threat is: (i) to commit terrorism; or (ii) made in furtherance of an act of terrorism. (c) "Threat" means an expression, by words or action, of an intention to: (1) unlawfully injure the person threatened or another person, or damage property; (2) unlawfully subject a person to physical confinement or restraint; (3) commit a crime; (4) unlawfully withhold official action, or cause such withholding; (5) unlawfully withhold testimony or information with respect to another person's legal claim or defense, except for a reasonable claim for witness fees or expenses; (6) expose the person threatened to hatred, contempt, disgrace, or ridicule; (7) falsely harm the credit or business reputation of a person; or (8) cause the evacuation of a dwelling, a building, another structure, or a vehicle. For purposes of this subdivision, the term includes an expression that would cause a reasonable person to consider the evacuation of a dwelling, a building, another structure, or a vehicle, even if the dwelling, building, structure, or vehicle is not evacuated. As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.71; Acts 1981, P.L.300, SEC.3; P.L.183-1984, SEC.6; P.L.325-1985, SEC.1; P.L.242-1993, SEC.3; P.L.164-1993, SEC.12; P.L.1-1994, SEC.169; P.L.241-2001, SEC.3; P.L.175-2003, SEC.3; P.L.3-2006, SEC.2; P.L.123-2013, SEC.3; P.L.158-2013, SEC.523; P.L.168-2014, SEC.82; P.L.85-2017, SEC.114; P.L.66-2019, SEC.17; P.L.5-2022, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 2. Intimidation and Other Offenses Relating to Communications35-45-2-2. Harassment; "Obscene Message" Defined

Sec. 2. (a) A person who, with intent to harass, annoy, or alarm another person but with no intent of legitimate communication: (1) makes a telephone call, whether or not a conversation ensues; (2) communicates with a person by telegraph, mail, or other form of written communication; (3) transmits an obscene message, or indecent or profane words, on a Citizens Radio Service channel; or (4) uses a computer network (as defined in IC 35-43-2-3(a)) or other form of electronic communication to: (A) communicate with a

person; or (B) transmit an obscene message or indecent or profane words to a person; commits harassment, a Class B misdemeanor. (b) A message is obscene if: (1) the average person, applying contemporary community standards, finds that the dominant theme of the message, taken as a whole, appeals to the prurient interest in sex; (2) the message refers to sexual conduct in a patently offensive way; and (3) the message, taken as a whole, lacks serious artistic, literary, political, or scientific value. As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.72; Acts 1977, P.L.343, SEC.1; Acts 1978, P.L.82, SEC.4; P.L.216-1996, SEC.22.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 2. Intimidation and Other Offenses Relating to Communications35-45-2-4. Unlawful Disclosure

Sec. 4. (a) This section does not apply to an employee who discloses information under IC 35-33.5. (b) An employee of a telegraph company who knowingly or intentionally discloses the contents of a message sent or received, to a person other than a sender or receiver or authorized agent of either, commits unlawful disclosure, a Class A infraction. (c) An employee of a telephone company who knowingly or intentionally discloses the contents of a conversation over a line of the company commits unlawful disclosure, a Class A infraction. As added by Acts 1977, P.L.26, SEC.23. Amended by P.L.161-1990, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 2. Intimidation and Other Offenses Relating to Communications35-45-2-5. Interference With the Reporting of a Crime

Sec. 5. A person who, with the intent to commit, conceal, or aid in the commission of a crime, knowingly or intentionally interferes with or prevents an individual from: (1) using a 911 emergency telephone system; (2) obtaining medical assistance; or (3) making a report to a law enforcement officer; commits interference with the reporting of a crime, a Class A misdemeanor. As added by P.L.71-2002, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 20. Dispensing Contact Lenses Without a Prescription35-45-20-1. "Prescription"

Sec. 1. As used in this chapter, "prescription" means a written or electronically transmitted contact lens prescription or order that: (1) is issued by an optometrist licensed under IC 25-24 or a physician licensed under IC 25-22.5; and (2) was issued within the previous year. As added by P.L.49-2009, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 20. Dispensing Contact Lenses Without a Prescription35-45-20-2. Unlawful Contact Lens Dispensing

Sec. 2. A person who dispenses a contact lens, including a contact lens without corrective power, to an individual who does not have a prescription for the contact lens being dispensed commits a Class A infraction. As added by P.L.49-2009, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 21. Offenses Against Public Health35-45-21-1. Transferring Contaminated Body Fluids

Sec. 1. (a) As used in this section, "blood" has the meaning set forth in IC 16-41-12-2.5. (b) A person who recklessly, knowingly, or intentionally donates, sells, or transfers blood or semen for artificial insemination (as defined in IC 16-41-14-2) that contains the human immunodeficiency virus (HIV) commits transferring contaminated body fluids, a Level 5 felony. (c) However, the offense under subsection (b) is a Level 3 felony if it results in the transmission of the human immunodeficiency virus (HIV) to any person other than the defendant. (d) This section does not apply to: (1) a person who, for reasons of privacy, donates, sells, or transfers blood at a blood center (as defined in IC 16-41-12-3) after the person has notified the blood center that the blood must be disposed of and may not be used for any purpose; (2) a person who transfers blood semen, or another body fluid that contains the human immunodeficiency virus (HIV) for research purposes; or (3) a person who is an autologous blood donor for stem cell transplantation. As added by P.L.158-2013, SEC.547. Amended by P.L.213-2013, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 21. Offenses Against Public Health35-45-21-2. Sale or Distribution of HIV Testing Equipment

Sec. 2. (a) The sale or distribution of: (1) diagnostic testing equipment or apparatus; or (2) a blood collection kit; intended for home use to diagnose or confirm human immunodeficiency virus (HIV) infection or disease is prohibited unless the testing equipment, apparatus, or kit has been approved for such use by the federal Food and Drug Administration. (b) A person who recklessly, knowingly, or intentionally violates this section commits a Class C infraction. As added by P.L.158-2013, SEC.547. Amended by P.L.174-2021, SEC.79.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 21. Offenses Against Public Health35-45-21-3. Failure of Individuals With Serious Communicable Diseases to Inform Persons at Risk

Sec. 3. (a) A person who recklessly violates or fails to comply with IC 16-41-7 commits a Class B misdemeanor. (b) A person who

knowingly or intentionally violates or fails to comply with IC 16-41-7-1 commits a Level 6 felony. (c) Each day a violation described in this section continues constitutes a separate offense. As added by P.L.158-2013, SEC.547.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 21. Offenses Against Public Health35-45-21-4. Tattooing or Body Piercing a Minor

Sec. 4. (a) As used in this section, "tattoo" means: (1) any indelible design, letter, scroll, figure, symbol, or other mark placed with the aid of needles or other instruments; or (2) any design, letter, scroll, figure, or symbol done by scarring; upon or under the skin. (b) As used in this section, "body piercing" means the perforation of any human body part other than an earlobe for the purpose of inserting jewelry or other decoration or for some other nonmedical purpose. (c) Except as provided in subsection (e), a person who recklessly, knowingly, or intentionally provides a tattoo to a person who is less than eighteen (18) years of age commits tattooing a minor, a Class A misdemeanor. (d) This subsection does not apply to an act of a health care professional (as defined in IC 16-27-2-1) licensed under IC 25 when the act is performed in the course of the health care professional's practice. Except as provided in subsection (e), a person who recklessly, knowingly, or intentionally performs body piercing upon a person who is less than eighteen (18) years of age commits body piercing a minor, a Class A misdemeanor. (e) A person may provide a tattoo to a person who is less than eighteen (18) years of age or perform body piercing upon a person who is less than eighteen (18) years of age if a parent or legal guardian of the person receiving the tattoo or undergoing the body piercing: (1) is present at the time the tattoo is provided or the body piercing is performed; and (2) provides written permission for the person to receive the tattoo or undergo the body piercing. (f) Notwithstanding IC 36-1-3-8(a), a unit (as defined in IC 36-1-2-23) may adopt an ordinance that is at least as restrictive or more restrictive than this section or a rule adopted under IC 16-19-3-4(c). As added by P.L.158-2013, SEC.547. Amended by P.L.143-2022, SEC.76.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 21. Offenses Against Public Health35-45-21-5. Obstruction of Delivery of Prescription Drug

Sec. 5. (a) The following definitions apply throughout this section: (1) "Health care provider" refers to a health care provider (as defined in IC 16-18-2-163(a), IC 16-18-2-163(b), or IC 16-18-2-163(c)) or a qualified medication aide as described in IC 16-28-1-11. (2) "Licensed health professional" has the meaning set forth in IC 25-23-1-27.1. (3) "Practitioner" has the meaning set forth in IC 16-42-19-5. However, the term does not include a veterinarian. (4) "Prescription drug" has the meaning set forth in IC 35-48-1-25. (b) A person who knowingly or intentionally physically interrupts, obstructs, or alters the delivery or administration of a prescription drug: (1) prescribed or ordered by a practitioner for a person who is a patient of the practitioner; and (2) without the prescription or order of a practitioner; commits interference with medical services, a Class A misdemeanor, except as provided in subsection (c). (c) An offense described in subsection (b) is: (1) a Level 6 felony if the offense results in bodily injury; (2) a Level 5 felony if it is committed by a person who is a licensed health care provider or licensed health professional; (3) a Level 4 felony if it results in serious bodily injury to the patient; and (4) a Level 2 felony if it results in the death of the patient. (d) A person is justified in engaging in conduct otherwise prohibited under this section if the conduct is performed by: (1) a health care provider or licensed health professional who acts in good faith within the scope of the person's practice or employment; or (2) a person who is rendering emergency care at the scene of an emergency or accident in a good faith attempt to avoid or minimize serious bodily injury to the patient. As added by P.L.158-2013, SEC.547.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 3. Littering and Pollution35-45-3-2. Littering a Class B Infraction; Littering as a Class a Infraction When Certain Bodies of Water Involved; "Refuse" Defined; Littering From a Moving Vehicle

Sec. 2. (a) A person who recklessly, knowingly, or intentionally places or leaves refuse on property of another person, except in a container provided for refuse, commits littering, a Class B infraction. However, the offense is a Class A infraction if the refuse is placed or left in, on, or within one hundred (100) feet of a body of water that is under the jurisdiction of the: (1) department of natural resources; or (2) United States Army Corps of Engineers. Notwithstanding IC 34-28-5-4(a), a judgment of not more than one thousand dollars ($1,000) shall be imposed for each Class A infraction committed under this section. (b) "Refuse" includes solid and semisolid wastes, dead animals, and offal. (c) Evidence that littering was committed from a moving vehicle other than a public conveyance constitutes prima facie evidence that it was committed by the operator of that vehicle. As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.75; P.L.155-1985, SEC.2; P.L.137-2007, SEC.36; P.L.231-2007, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 3. Littering and Pollution35-45-3-3. Throwing Burning Material From a Moving Motor Vehicle

Sec. 3. A person who throws from a moving motor vehicle: (1) a lighted cigarette, cigar, or match; or (2) other burning material; commits a Class A infraction. As added by P.L.35-2002, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 4. Indecent Acts and Prostitution35-45-4-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The enhanced penalty under section 5(b)(2) of this chapter, as added by P.L.7-2005, applies only if at least one (1) of the

offenses is committed after June 30, 2005. As added by P.L.220-2011, SEC.605. Amended by P.L.63-2012, SEC.59.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 4. Indecent Acts and Prostitution35-45-4-1.5. Public Nudity

Sec. 1.5. (a) As used in this section, "nudity" has the meaning set forth in section 1(d) of this chapter. (b) A person who knowingly or intentionally appears in a public place in a state of nudity commits public nudity, a Class C misdemeanor. (c) A person who knowingly or intentionally appears in a public place in a state of nudity with the intent to be seen by another person commits a Class B misdemeanor. (d) A person who knowingly or intentionally appears in a state of nudity: (1) in or on school grounds; (2) in a public park; or (3) with the intent to arouse the sexual desires of the person or another person, in a department of natural resources owned or managed property; commits a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated conviction under this subsection or under subsection (c). As added by P.L.123-2003, SEC.3. Amended by P.L.158-2013, SEC.525.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 4. Indecent Acts and Prostitution35-45-4-1. Public Indecency

Sec. 1. (a) A person who knowingly or intentionally, in a public place: (1) engages in sexual intercourse; (2) engages in other sexual conduct (as defined in IC 35-31.5-2-221.5); (3) appears in a state of nudity with the intent to arouse the sexual desires of the person or another person; or (4) fondles the person's genitals or the genitals of another person; commits public indecency, a Class A misdemeanor. (b) A person at least eighteen (18) years of age who knowingly or intentionally, in a public place, appears in a state of nudity with the intent to be seen by a child less than sixteen (16) years of age commits public indecency, a Class A misdemeanor. (c) However, the offense under subsection (a) or (b) is a Level 6 felony if the person who commits the offense has a prior unrelated conviction under subsection (a) or (b). (d) As used in this section, "nudity" means the showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of covered male genitals in a discernibly turgid state. (e) A person who, in a place other than a public place, with the intent to be seen by persons other than invitees and occupants of that place: (1) engages in sexual intercourse; (2) engages in other sexual conduct (as defined in IC 35-31.5-2-221.5); (3) fondles the person's genitals or the genitals of another person; or (4) appears in a state of nudity; where the person can be seen by persons other than invitees and occupants of that place commits indecent exposure, a Class C misdemeanor. As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.76; P.L.189-1984, SEC.1; P.L.215-1997, SEC.1; P.L.121-2000, SEC.1; P.L.123-2003, SEC.2; P.L.158-2013, SEC.524; P.L.142-2020, SEC.71.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 4. Indecent Acts and Prostitution35-45-4-2. Prostitution

Sec. 2. (a) A person at least eighteen (18) years of age who knowingly or intentionally: (1) performs, or offers or agrees to perform, sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5); or (2) fondles, or offers or agrees to fondle, the genitals of another person; for money or other property commits prostitution, a Class A misdemeanor. However, the offense is a Level 6 felony if the person has two (2) prior convictions under this section. (b) It is a defense to a prosecution under this section that the person was a victim or an alleged victim of an offense under IC 35-42-3.5-1 through IC 35-42-3.5-1.4 at the time the person engaged in the prohibited conduct. As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.77; Acts 1979, P.L.301, SEC.1; P.L.310-1983, SEC.3; P.L.158-2013, SEC.526; P.L.23-2015, SEC.4; P.L.86-2017, SEC.15; P.L.144-2018, SEC.30.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 4. Indecent Acts and Prostitution35-45-4-3. Making an Unlawful Proposition

Sec. 3. (a) A person who knowingly or intentionally pays, or offers or agrees to pay, money or other property to another person: (1) for having engaged in, or on the understanding that the other person will engage in, sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with the person or with any other person; or (2) for having fondled, or on the understanding that the other person will fondle, the genitals of the person or any other person; commits making an unlawful proposition, a Class A misdemeanor. However, the offense is a Level 6 felony if the person has two (2) prior convictions under this section. (b) It is not a defense to a prosecution under this section that the: (1) victim consented to engage in prostitution; or (2) intended victim of the offense is a law enforcement officer. As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.78; Acts 1979, P.L.301, SEC.2; P.L.310-1983, SEC.4; P.L.158-2013, SEC.527; P.L.48-2017, SEC.2; P.L.144-2018, SEC.31; P.L.215-2018(ss), SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 4. Indecent Acts and Prostitution35-45-4-4. Promoting Prostitution

Sec. 4. (a) As used in this section, "juvenile prostitution victim" means a person less than eighteen (18) years of age who engages in juvenile prostitution. (b) A person who: (1) knowingly or intentionally entices or compels another person to become a prostitute or juvenile prostitution victim; (2) knowingly or intentionally procures, or offers or agrees to procure, a person for another person for

the purpose of prostitution or juvenile prostitution; (3) having control over the use of a place, knowingly or intentionally permits another person to use the place for prostitution or juvenile prostitution; (4) receives money or other property from a prostitute or juvenile prostitution victim, without lawful consideration, knowing it was earned in whole or in part from prostitution or juvenile prostitution; or (5) knowingly or intentionally conducts or directs another person to a place for the purpose of prostitution or juvenile prostitution; commits promoting prostitution, a Level 5 felony. However, the offense is a Level 4 felony under subdivision (1) if the person enticed or compelled is less than eighteen (18) years of age. As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.79; Acts 1978, P.L.148, SEC.6; P.L.158-2013, SEC.528; P.L.86-2017, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 4. Indecent Acts and Prostitution35-45-4-5. Voyeurism; Public Voyeurism; Aerial Voyeurism

Sec. 5. (a) The following definitions apply throughout this section: (1) "Camera" means a camera, a video camera, a device that captures a digital image, or any other type of video recording device. (2) "Peep" means: (A) any looking of a clandestine, surreptitious, prying, or secretive nature; or (B) using a concealed camera with the intent of capturing an intimate image (as defined by IC 34-21.5-2-1). (3) "Private area" means the naked or undergarment clad genitals, pubic area, or buttocks of an individual. (b) A person: (1) who knowingly or intentionally: (A) peeps; or (B) goes upon the land of another with the intent to peep; into an occupied dwelling of another person; or (2) who knowingly or intentionally peeps in or into an area where an occupant of the area reasonably can be expected to disrobe or is actually expected to disrobe, including: (A) restrooms; (B) baths; (C) showers; and (D) dressing rooms; without the consent of the other person, commits voyeurism, a Class B misdemeanor. (c) However, the offense under subsection (b) is a Level 6 felony if: (1) it is knowingly or intentionally committed by means of a camera; or (2) the person who commits the offense has a prior unrelated conviction under this section. (d) A person who: (1) without the consent of the individual; and (2) with intent to peep at the private area of an individual; peeps at the private area of an individual and records an image by means of a camera commits public voyeurism, a Class A misdemeanor. (e) The offense under subsection (d) is a Level 6 felony if the person has a prior unrelated conviction under this section or if the person: (1) publishes the image; (2) makes the image available on the Internet; or (3) transmits or disseminates the image to another person. (f) It is a defense to a prosecution under subsection (d) that the individual deliberately exposed the individual's private area. (g) A person who, with the intent to peep, operates an unmanned aerial vehicle in a manner that is intended to cause the unmanned aerial vehicle to enter the space above or surrounding another person's occupied dwelling for the purpose of capturing images, photographs, video recordings, or audio recordings of the other person while the other person is: (1) within the other person's occupied dwelling; or (2) on the land or premises: (A) on which the other person's occupied dwelling is located; and (B) in a location that is not visible from an area: (i) open to the general public; or (ii) where a member of the general public has the right to be; commits remote aerial voyeurism, a Class A misdemeanor. (h) The offense under subsection (g) is a Level 6 felony if the person has a prior unrelated conviction under this section or if the person: (1) publishes the images, photographs, or recordings captured; (2) makes the images, photographs, or recordings captured available on the Internet; or (3) transmits or disseminates the images, photographs, or recordings captured to another person. As added by P.L.311-1983, SEC.31. Amended by P.L.301-1995, SEC.1; P.L.215-1997, SEC.2; P.L.7-2005, SEC.1; P.L.75-2011, SEC.1; P.L.158-2013, SEC.529; P.L.107-2017, SEC.8; P.L.142-2020, SEC.72; P.L.79-2024, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 4. Indecent Acts and Prostitution35-45-4-6. Indecent Display by a Youth

Sec. 6. (a) This section applies only to a person to whom all of the following apply: (1) The person is less than eighteen (18) years of age. (2) The person is not more than four (4) years older than the individual who is depicted in the image or who received the image. (3) The relationship between the person and the individual who received the image or who is depicted in the image was a dating relationship or an ongoing personal relationship. For purposes of this subdivision, the term "ongoing personal relationship" does not include a family relationship. (4) The individual receiving the image or who is depicted in the image acquiesced in the person's conduct. (b) The following definitions apply throughout this section: (1) "Disseminate" means to transfer possession for no direct or indirect consideration. (2) "Matter" has the meaning set forth in IC 35-49-1-3. (3) "Performance" has the meaning set forth in IC 35-49-1-7. (4) "Sexual conduct" means sexual intercourse, other sexual conduct, exhibition of the uncovered genitals intended to satisfy or arouse the sexual desires of any person, sadomasochistic abuse, sexual intercourse or other sexual conduct with an animal, or any fondling or touching of a child by another person or of another person by a child intended to arouse or satisfy the sexual desires of either the child or the other person. (c) A person who, on or by means of a cellular telephone, social media web site, or another wireless or cellular communications device, knowingly or intentionally: (1) produces, presents, exhibits, photographs, records, or creates a digitized image of any performance or incident that includes sexual conduct by a child at least twelve (12) years of age; (2) disseminates, exhibits to another person, or offers to disseminate or exhibit to another person, matter that depicts or describes sexual conduct by a child at least twelve (12) years of age; or (3) possesses: (A) a picture; (B) a drawing; (C) a photograph; (D) a motion picture; (E) a digitized image; or (F) any pictorial representation; that depicts or describes sexual conduct by a child at least twelve (12) years of age who the person knows is less than sixteen (16) years of age or who appears to be less than sixteen (16) years of age, and that lacks serious literary, artistic, political, or scientific value; commits indecent display by a youth, a Class A misdemeanor. (d) Subsection (c) does not apply to a bona fide school, museum, or public library that qualifies for certain property tax exemptions under IC 6-1.1-10, or to an employee of that school, museum, or public library acting within the scope of the employee's employment when the possession of the listed materials is for legitimate scientific or educational purposes. As added

by P.L.168-2014, SEC.83.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 4. Indecent Acts and Prostitution35-45-4-7. Rights of Alleged Victims

Sec. 7. If a law enforcement agency detains an alleged victim of an offense under this chapter who is less than eighteen (18) years of age, the law enforcement agency shall immediately notify the department of child services that the alleged victim: (1) has been detained; and (2) may be a victim of child abuse or neglect. As added by P.L.144-2018, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 4. Indecent Acts and Prostitution35-45-4-8. Distribution of an Intimate Image

Sec. 8. (a) This section does not apply to: (1) a photograph, digital image, or video that is distributed: (A) to report a possible criminal act; (B) in connection with a criminal investigation; (C) under a court order; (D) to a location that is: (i) intended solely for the storage or backup of personal data, including photographs, digital images, and video; and (ii) password protected; or (E) by a news reporting or an entertainment medium (as defined in IC 32-36-1-4); (2) a newspaper or news service that publishes news related information through a website; (3) a cloud service provider; or (4) an Internet provider, an affiliate or subsidiary of an Internet provider, or a search engine that: (A) solely provides access or connection to a website or other Internet content that is not under the control of that Internet service provider, affiliate or subsidiary, or search engine; and (B) is not responsible for creating or publishing the content that constitutes material harmful to minors. (b) As used in this section, "distribute" means to transfer to another person in, or by means of, any medium, forum, telecommunications device or network, or website, including posting an image on a website or application. (c) As used in this section, "intimate image" means a photograph, digital image, computer generated image, or video: (1) that depicts: (A) sexual intercourse; (B) other sexual conduct (as defined in IC 35-31.5-2-221.5); or (C) exhibition of the uncovered buttocks, genitals, or female breast; of an individual; (2) taken, captured, created, disseminated, or recorded by: (A) an individual depicted in the photograph, digital image, or video and given or transmitted directly to the person described in subsection (d); (B) the person described in subsection (d) in the physical presence of an individual depicted in the photograph, digital image, or video; or (C) the person described in subsection (d) with respect to a photograph, digital image, computer generated image, or video of an individual created or modified by means of a computer software program, artificial intelligence, application, or other digital editing tools; and (3) that is of a quality, characteristic, or condition such that it appears to depict the alleged victim. (d) A person who: (1) knows or reasonably should know that an individual depicted in an intimate image does not consent to the distribution of the intimate image; and (2) distributes the intimate image; commits distribution of an intimate image, a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated conviction under this section. (e) It is not a necessary element of the offense described in subsection (d) that the individual depicted in the intimate image actually sent the image. As added by P.L.185-2019, SEC.3. Amended by P.L.79-2024, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-1. Definitions

Sec. 1. (a) The definitions in this section apply throughout this chapter. (b) "Electronic gaming device" means any electromechanical device, electrical device, or machine that satisfies at least one (1) of the following requirements: (1) It is a contrivance which for consideration affords the player an opportunity to obtain money or other items of value, the award of which is determined by chance even if accomplished by some skill, whether or not the prize is automatically paid by the contrivance. (2) It is a slot machine or any simulation or variation of a slot machine. (3) It is a matchup or lineup game machine or device operated for consideration, in which two (2) or more numerals, symbols, letters, or icons align in a winning combination on one (1) or more lines vertically, horizontally, diagonally, or otherwise, without assistance by the player. The use of a skill stop is not considered assistance by the player. (4) It is a video game machine or device operated for consideration to play poker, blackjack, any other card game, keno, or any simulation or variation of these games, including any game in which numerals, numbers, pictures, representations, or symbols are used as an equivalent or substitute for the cards used in these games. The term does not include a toy crane machine or any other device played for amusement that rewards a player exclusively with a toy, a novelty, candy, other noncash merchandise, or a ticket or coupon redeemable for a toy, a novelty, or other noncash merchandise that has a wholesale value of not more than the lesser of ten (10) times the amount charged to play the amusement device one (1) time or twenty-five dollars ($25). (c) "Gain" means the direct realization of winnings. (d) "Gambling" means risking money or other property for gain, contingent in whole or in part upon lot, chance, or the operation of a gambling device, but it does not include participating in: (1) bona fide contests of skill, speed, strength, or endurance in which awards are made only to entrants or the owners of entries; or (2) bona fide business transactions that are valid under the law of contracts. (e) "Gambling device" means: (1) a mechanism by the operation of which a right to money or other property may be credited, in return for consideration, as the result of the operation of an element of chance; (2) a mechanism that, when operated for a consideration, does not return the same value or property for the same consideration upon each operation; (3) a mechanism, furniture, fixture, construction, or installation designed primarily for use in connection with professional gambling; (4) a policy ticket or wheel; or (5) a subassembly or essential part designed or intended for use in connection with such a device, mechanism, furniture, fixture, construction, or installation. In the application of this definition, an immediate and unrecorded right to replay mechanically conferred on players of pinball machines and similar amusement devices is presumed to be without value. (f) "Gambling information" means: (1) a communication with respect to a wager made in the course of professional gambling; or (2)

information intended to be used for professional gambling. (g) "Interactive computer service" means an Internet service, an information service, a system, or an access software provider that provides or enables computer access to a computer served by multiple users. The term includes the following: (1) A service or system that provides access or is an intermediary to the Internet. (2) A system operated or services offered by a library, school, state educational institution, or private postsecondary educational institution. (h) "Operator" means a person who owns, maintains, or operates an Internet site that is used for interactive gambling. (i) "Profit" means a realized or unrealized benefit (other than a gain) and includes benefits from proprietorship or management and unequal advantage in a series of transactions. (j) "Tournament" means a contest in which: (1) the consideration to enter the contest may take the form of a separate entry fee or the deposit of the required consideration to play in any manner accepted by the: (A) video golf machine; or (B) pinball machine or similar amusement device described in subsection (m)(2); on which the entrant will compete; (2) each player's score is recorded; and (3) the contest winner and other prize winners are determined by objectively comparing the recorded scores of the competing players. (k) "Toy crane machine" means a device that is used to lift prizes from an enclosed space by manipulating a mechanical claw. (l) For purposes of this chapter: (1) a card game; or (2) an electronic version of a card game; is a game of chance and may not be considered a bona fide contest of skill. (m) In the application of the definition of gambling set forth in subsection (d), the payment of consideration to participate in a tournament conducted on: (1) video golf games; or (2) pinball machines and similar amusement devices that award no prizes other than to mechanically confer an immediate and unrecorded right to replay on players that is presumed to be without value under this section; is not considered gambling even if the value of a prize awarded in the course of the tournament exceeds the amount of the player's consideration. As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.80; P.L.70-2005, SEC.2; P.L.2-2007, SEC.377; P.L.227-2007, SEC.64; P.L.3-2008, SEC.252.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-10. Riverboat Gambling

Sec. 10. This chapter does not apply to riverboat gambling authorized by IC 4-33. As added by P.L.277-1993(ss), SEC.132.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-11. Slot Machines at Racetracks

Sec. 11. This chapter does not apply to a gambling game authorized by IC 4-35. As added by P.L.233-2007, SEC.34.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-12. Authorized Gaming in Taverns

Sec. 12. This chapter does not apply to the following gambling games licensed or authorized under IC 4-36: (1) Raffles and winner take all drawings conducted under IC 4-36-5-1. (2) Type II gambling games. As added by P.L.95-2008, SEC.16. Amended by P.L.108-2009, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-13. Prize Linked Savings Programs

Sec. 13. This chapter does not apply to a prize linked savings program that: (1) is offered or conducted by an eligible financial institution under IC 28-1-23.2; (2) is: (A) offered or conducted by a credit union organized or reorganized under United States law; and (B) conducted in the same manner as a prize linked savings program under IC 28-1-23.2; or (3) is: (A) offered or conducted by an insured depository institution (as defined in 12 U.S.C. 1813) that is: (i) a national bank formed under 12 U.S.C. 21; (ii) a state member bank (as defined in 12 U.S.C. 1813); (iii) a state nonmember bank (as defined in 12 U.S.C. 1813); or (iv) a savings association (as defined in 12 U.S.C. 1813); and (B) conducted in the same manner as a prize linked savings program under IC 28-1-23.2. As added by P.L.135-2014, SEC.5. Amended by P.L.186-2015, SEC.52.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-14. Application of Chapter

Sec. 14. This chapter does not apply to sports wagering conducted under IC 4-38. As added by P.L.293-2019, SEC.46.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-2. Unlawful Gambling

Sec. 2. (a) A person who knowingly or intentionally engages in gambling commits unlawful gambling. (b) Except as provided in subsection (c), unlawful gambling is a Class B misdemeanor. (c) An operator who knowingly or intentionally uses the Internet to engage in unlawful gambling: (1) in Indiana; or (2) with a person located in Indiana; commits a Level 6 felony. As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.81; P.L.70-2005, SEC.3; P.L.158-2013, SEC.530.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-3.5. Possession of Electronic Gaming Device; Maintaining a Professional Gambling Site; Exception for Antique Slot Machines Possessed for Decorative, Historic, or Nostalgic Purposes

Sec. 3.5. (a) Except as provided in subsection (c), a person who possesses an electronic gaming device commits a Class A infraction. (b) A person who knowingly or intentionally accepts or offers to accept for profit, money, or other property risked in gambling on an electronic gaming device possessed by the person commits maintaining a professional gambling site, a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior unrelated conviction under this subsection. (c) Subsection (a) does not apply to a person who: (1) possesses an antique slot machine; (2) restricts display and use of the antique slot machine to the person's private residence; and (3) does not use the antique slot machine for profit. (d) As used in this section, "antique slot machine" refers to a slot machine that is: (1) at least forty (40) years old; and (2) possessed and used for decorative, historic, or nostalgic purposes. As added by P.L.227-2007, SEC.66. Amended by P.L.158-2013, SEC.532.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-3. Professional Gambling; Professional Gambling Over the Internet

Sec. 3. (a) A person who knowingly or intentionally: (1) engages in pool-selling; (2) engages in bookmaking; (3) maintains, in a place accessible to the public, slot machines, one-ball machines or variants thereof, pinball machines that award anything other than an immediate and unrecorded right of replay, roulette wheels, dice tables, or money or merchandise pushcards, punchboards, jars, or spindles; (4) conducts lotteries or policy or numbers games or sells chances therein; (5) conducts any banking or percentage games played with cards, dice, or counters, or accepts any fixed share of the stakes therein; or (6) accepts, or offers to accept, for profit, money, or other property risked in gambling; commits professional gambling, a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior unrelated conviction under this subsection. (b) An operator who knowingly or intentionally uses the Internet to: (1) engage in pool-selling: (A) in Indiana; or (B) in a transaction directly involving a person located in Indiana; (2) engage in bookmaking: (A) in Indiana; or (B) in a transaction directly involving a person located in Indiana; (3) maintain, on an Internet site accessible to residents of Indiana, the equivalent of: (A) slot machines; (B) one-ball machines or variants of one-ball machines; (C) pinball machines that award anything other than an immediate and unrecorded right of replay; (D) roulette wheels; (E) dice tables; or (F) money or merchandise pushcards, punchboards, jars, or spindles; (4) conduct lotteries or policy or numbers games or sell chances in lotteries or policy or numbers games: (A) in Indiana; or (B) in a transaction directly involving a person located in Indiana; (5) conduct any banking or percentage games played with the computer equivalent of cards, dice, or counters, or accept any fixed share of the stakes in those games: (A) in Indiana; or (B) in a transaction directly involving a person located in Indiana; or (6) accept, or offer to accept, for profit, money or other property risked in gambling: (A) in Indiana; or (B) in a transaction directly involving a person located in Indiana; commits professional gambling over the Internet, a Level 6 felony. As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.82; P.L.70-2005, SEC.4; P.L.227-2007, SEC.65; P.L.158-2013, SEC.531.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-4.5. Notice of Illegal Gambling to Operator

Sec. 4.5. (a) A prosecuting attorney may send written notice to an operator described in section 2(c) or 3(b) of this chapter. The notice must: (1) specify the illegal gambling activity; (2) state that the operator has not more than thirty (30) days after the date the notice is received to remove the illegal gambling activity; and (3) state that failure to remove the illegal gambling activity not more than thirty (30) days after receiving the notice may result in the filing of criminal charges against the operator. A prosecuting attorney who sends a notice under this section shall forward a copy of the notice to the attorney general. The attorney general shall maintain a depository to collect, maintain, and retain each notice sent under this section. (b) The manner of service of a notice under subsection (a) must be: (1) in compliance with Rule 4.1, 4.4, 4.6, or 4.7 of the Indiana Rules of Trial Procedure; or (2) by publication in compliance with Rule 4.13 of the Indiana Rules of Trial Procedure if service cannot be made under subdivision (1) after a diligent search for the operator. (c) A notice served under subsection (a): (1) is admissible in a criminal proceeding under this chapter; and (2) constitutes prima facie evidence that the operator had knowledge that illegal gambling was occurring on the operator's Internet site. (d) A person outside Indiana who transmits information on a computer network (as defined in IC 35-43-2-3) and who knows or should know that the information is broadcast in Indiana submits to the jurisdiction of Indiana courts for prosecution under this section. As added by P.L.70-2005, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-4.6. Blocking Certain Electronic Mail Messages

Sec. 4.6. (a) An interactive computer service may, on its own initiative, block the receipt or transmission through its service of any commercial electronic mail message that it reasonably believes is or will be sent in violation of this chapter. (b) An interactive computer service is not liable for such action. As added by P.L.70-2005, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-4.7. Right of Action by Interactive Computer Service; Defenses; Remedies; Jurisdiction

Sec. 4.7. (a) An interactive computer service that handles or retransmits a commercial electronic mail message has a right of action against a person who initiates or assists the transmission of the commercial electronic mail message that violates this chapter. (b)

This chapter does not provide a right of action against: (1) an interactive computer service; (2) a telephone company; (3) a CMRS provider (as defined in IC 36-8-16.7-6); (4) a cable operator (as defined in 47 U.S.C. 522(5)); or (5) any other entity that primarily provides connectivity to an operator; if the entity's equipment is used only to transport, handle, or retransmit information that violates this chapter and is not capable of blocking the retransmission of information that violates this chapter. (c) It is a defense to an action under this section if the defendant shows by a preponderance of the evidence that the violation of this chapter resulted from a good faith error and occurred notwithstanding the maintenance of procedures reasonably adopted to avoid violating this chapter. (d) If the plaintiff prevails in an action filed under this section, the plaintiff is entitled to the following: (1) An injunction to enjoin future violations of this chapter. (2) Compensatory damages equal to any actual damage proven by the plaintiff to have resulted from the initiation of the commercial electronic mail message. If the plaintiff does not prove actual damage, the plaintiff is entitled to presumptive damages of five hundred dollars ($500) for each commercial electronic mail message that violates this chapter and that is sent by the defendant: (A) to the plaintiff; or (B) through the plaintiff's interactive computer service. (3) The plaintiff's reasonable attorney's fees and other litigation costs reasonably incurred in connection with the action. (e) A person outside Indiana who: (1) initiates or assists the transmission of a commercial electronic mail message that violates this chapter; and (2) knows or should know that the commercial electronic mail message will be received in Indiana; submits to the jurisdiction of Indiana courts for purposes of this chapter. As added by P.L.70-2005, SEC.7. Amended by P.L.27-2006, SEC.60; P.L.132-2012, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-4. Promoting Professional Gambling; Acts Constituting; Boat Manufacturers; Public Utilities

Sec. 4. (a) Except as provided in subsections (b) and (d), a person who: (1) knowingly or intentionally owns, manufactures, possesses, buys, sells, rents, leases, repairs, or transports a gambling device, or offers or solicits an interest in a gambling device; (2) before a race, game, contest, or event on which gambling may be conducted, knowingly or intentionally transmits or receives gambling information by any means, or knowingly or intentionally installs or maintains equipment for the transmission or receipt of gambling information; or (3) having control over the use of a place, knowingly or intentionally permits another person to use the place for professional gambling; commits promoting professional gambling, a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior unrelated conviction under this section. (b) Subsection (a)(1) does not apply to a boat manufacturer who: (1) transports or possesses a gambling device solely for the purpose of installing that device in a boat that is to be sold and transported to a buyer; and (2) does not display the gambling device to the general public or make the device available for use in Indiana. (c) When a public utility is notified by a law enforcement agency acting within its jurisdiction that any service, facility, or equipment furnished by it is being used or will be used to violate this section, it shall discontinue or refuse to furnish that service, facility, or equipment, and no damages, penalty, or forfeiture, civil or criminal, may be found against a public utility for an act done in compliance with such a notice. This subsection does not prejudice the right of a person affected by it to secure an appropriate determination, as otherwise provided by law, that the service, facility, or equipment should not be discontinued or refused, or should be restored. (d) Subsection (a)(1) does not apply to a person who: (1) possesses an antique slot machine; (2) restricts display and use of the antique slot machine to the person's private residence; and (3) does not use the antique slot machine for profit. (e) As used in this section, "antique slot machine" refers to a slot machine that is: (1) at least forty (40) years old; and (2) possessed and used for decorative, historic, or nostalgic purposes. As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.83; P.L.164-1990, SEC.1; P.L.20-1995, SEC.19; P.L.227-2007, SEC.67; P.L.158-2013, SEC.533.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-5. Pari-Mutuel Wagering; Wagering Through Advance Deposit Wagering; Application of Chapter

Sec. 5. The provisions of this chapter do not apply to: (1) pari-mutuel wagering conducted at racetrack locations or satellite facilities licensed for pari-mutuel wagering under IC 4-31; or (2) wagering on horse races conducted through advance deposit wagering accounts authorized by IC 4-31-7.5. As added by Acts 1977, P.L.47, SEC.3. Amended by P.L.341-1989(ss), SEC.13; P.L.24-1992, SEC.61; P.L.268-2017, SEC.41.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-6. Sale of Lottery Tickets; Application of Chapter

Sec. 6. This chapter does not apply to the sale of lottery tickets authorized by IC 4-30. As added by P.L.341-1989(ss), SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-7. Applicability; Advertisements

Sec. 7. This chapter does not apply to the publication or broadcast of an advertisement, a list of prizes, or other information concerning: (1) pari-mutuel wagering on horse races or a lottery authorized by the law of any state; (2) a game of chance operated in accordance with IC 4-32.3; (3) a gambling game operated in accordance with IC 4-35; or (4) a prize linked savings program that: (A) is offered or conducted by an eligible financial institution under IC 28-1-23.2; (B) is: (i) offered or conducted by a credit union

organized or reorganized under United States law; and (ii) conducted in the same manner as a prize linked savings program under IC 28-1-23.2; or (C) is offered or conducted by an insured depository institution (as defined in 12 U.S.C. 1813) that is: (i) a national bank formed under 12 U.S.C. 21; (ii) a state member bank (as defined in 12 U.S.C. 1813); (iii) a state nonmember bank (as defined in 12 U.S.C. 1813); or (iv) a savings association (as defined in 12 U.S.C. 1813); if the prize linked savings program is conducted in the same manner as a prize linked savings program under IC 28-1-23.2. As added by P.L.217-1991, SEC.1. Amended by P.L.91-2006, SEC.13; P.L.233-2007, SEC.33; P.L.135-2014, SEC.4; P.L.186-2015, SEC.51; P.L.58-2019, SEC.30.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 5. Gambling35-45-5-8. Sale and Use of Gambling Devices; Application of Chapter

Sec. 8. This chapter does not apply to the sale or use of gambling devices authorized under IC 4-32.3. As added by P.L.24-1992, SEC.62. Amended by P.L.91-2006, SEC.14; P.L.58-2019, SEC.31.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 6. Racketeer Influenced and Corrupt Organizations35-45-6-1. Definitions

Sec. 1. (a) The definitions in this section apply throughout this chapter. (b) "Documentary material" means any document, drawing, photograph, recording, or other tangible item containing compiled data from which information can be either obtained or translated into a usable form. (c) "Enterprise" means: (1) a sole proprietorship, corporation, limited liability company, partnership, business trust, or governmental entity; or (2) a union, an association, or a group, whether a legal entity or merely associated in fact. (d) "Pattern of racketeering activity" means engaging in at least two (2) incidents of racketeering activity that have the same or similar intent, result, accomplice, victim, or method of commission, or that are otherwise interrelated by distinguishing characteristics that are not isolated incidents. However, the incidents are a pattern of racketeering activity only if at least one (1) of the incidents occurred after August 31, 1980, and if the last of the incidents occurred within five (5) years after a prior incident of racketeering activity. (e) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit a violation of, or aiding and abetting in a violation of any of the following: (1) A provision of IC 23-19, or of a rule or order issued under IC 23-19. (2) A violation of IC 35-45-9. (3) A violation of IC 35-47. (4) A violation of IC 35-49-3. (5) Murder (IC 35-42-1-1). (6) Battery as a Class C felony before July 1, 2014, or a Level 5 felony after June 30, 2014 (IC 35-42-2-1). (7) Kidnapping (IC 35-42-3-2). (8) Human and sexual trafficking crimes (IC 35-42-3.5). (9) Child exploitation (IC 35-42-4-4). (10) Robbery (IC 35-42-5-1). (11) Carjacking (IC 35-42-5-2) (before its repeal). (12) Arson (IC 35-43-1-1). (13) Burglary (IC 35-43-2-1). (14) Theft (IC 35-43-4-2). (15) Receiving stolen property (IC 35-43-4-2) (before its amendment on July 1, 2018). (16) Forgery (IC 35-43-5-2). (17) An offense under IC 35-43-5. (18) Bribery (IC 35-44.1-1-2). (19) Official misconduct (IC 35-44.1-1-1). (20) Conflict of interest (IC 35-44.1-1-4). (21) Perjury (IC 35-44.1-2-1). (22) Obstruction of justice (IC 35-44.1-2-2). (23) Intimidation (IC 35-45-2-1). (24) Promoting prostitution (IC 35-45-4-4). (25) Professional gambling (IC 35-45-5-3). (26) Maintaining a professional gambling site (IC 35-45-5-3.5(b)). (27) Promoting professional gambling (IC 35-45-5-4). (28) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1). (29) Dealing in methamphetamine (IC 35-48-4-1.1). (30) Manufacturing methamphetamine (IC 35-48-4-1.2). (31) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2). (32) Dealing in a schedule IV controlled substance (IC 35-48-4-3). (33) Dealing in a schedule V controlled substance (IC 35-48-4-4). (34) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10). (35) Money laundering (IC 35-45-15-5). (36) A violation of IC 35-47.5-5. (37) A violation of any of the following: (A) IC 23-14-48-9. (B) IC 30-2-9-7(b). (C) IC 30-2-10-9(b). (D) IC 30-2-13-38(f). (38) Practice of law by a person who is not an attorney (IC 33-43-2-1). (39) An offense listed in IC 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-1-9.3), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6). (40) Dealing in a controlled substance resulting in death (IC 35-42-1-1.5). (41) Organized retail theft (IC 35-43-4-2.2). As added by Acts 1980, P.L.199, SEC.2. Amended by P.L.190-1984, SEC.1; P.L.180-1991, SEC.10; P.L.230-1993, SEC.4; P.L.8-1993, SEC.511; P.L.112-1998, SEC.1; P.L.17-2001, SEC.16; P.L.123-2002, SEC.41; P.L.151-2006, SEC.17; P.L.173-2006, SEC.53; P.L.1-2007, SEC.234; P.L.227-2007, SEC.68; P.L.27-2007, SEC.31; P.L.3-2008, SEC.253; P.L.143-2009, SEC.48; P.L.138-2011, SEC.11; P.L.182-2011, SEC.11; P.L.126-2012, SEC.56; P.L.149-2012, SEC.19; P.L.13-2013, SEC.143; P.L.196-2013, SEC.18; P.L.158-2013, SEC.534; P.L.168-2014, SEC.84; P.L.252-2017, SEC.16; P.L.198-2018, SEC.8; P.L.176-2018, SEC.8; P.L.80-2019, SEC.17; P.L.25-2022, SEC.1; P.L.185-2023, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 6. Racketeer Influenced and Corrupt Organizations35-45-6-2. Corrupt Business Influence

Sec. 2. A person: (1) who has knowingly or intentionally received any proceeds directly or indirectly derived from a pattern of racketeering activity, and who uses or invests those proceeds or the proceeds derived from them to acquire an interest in property or to establish or to operate an enterprise; (2) who through a pattern of racketeering activity, knowingly or intentionally acquires or maintains, either directly or indirectly, an interest in or control of property or an enterprise; or (3) who is employed by or associated with an enterprise, and who knowingly or intentionally conducts or otherwise participates in the activities of that enterprise through a pattern of racketeering activity; commits corrupt business influence, a Level 5 felony. As added by Acts 1980, P.L.199, SEC.2. Amended by P.L.211-1991, SEC.9; P.L.158-2013, SEC.535.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 7. Loansharking35-45-7-1. Definitions

Sec. 1. As used in this chapter: "Loan" means any transaction described in section 3 of this chapter, whether or not the transaction is in the form of a loan as defined in IC 24-4.5-3-106, and without regard to whether the person making the loan is regularly engaged in making consumer loans, consumer credit sales, or consumer leases. "Principal" includes the monetary value of property which has been loaned from one (1) person to another person. "Rate" means the monetary value of the consideration received per annum or due per annum, calculated according to the actuarial method on the unpaid balance of the principal. As added by Acts 1980, P.L.207, SEC.1. Amended by P.L.247-1983, SEC.24.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 7. Loansharking35-45-7-2. Loansharking

Sec. 2. A person who, in exchange for the loan of any property, knowingly or intentionally receives or contracts to receive from another person any consideration, at a rate greater than two (2) times the rate specified in IC 24-4.5-3-508(2)(a)(i), commits loansharking, a Level 6 felony. However, loansharking is a Level 5 felony if force or the threat of force is used to collect or to attempt to collect any of the property loaned or any of the consideration for the loan. As added by Acts 1980, P.L.207, SEC.1. Amended by P.L.158-2013, SEC.536.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 7. Loansharking35-45-7-3. Application of Chapter

Sec. 3. (a) This chapter applies only: (1) to consumer loans, consumer related loans, consumer credit sales, consumer related sales, and consumer leases, as those terms are defined in IC 24-4.5, subject to adjustment, where applicable, of the dollar amounts set forth in those definitions under IC 24-4.5-1-106; (2) to any loan primarily secured by an interest in land or sale of an interest in land that is a mortgage transaction (as defined in IC 24-4.5-1-301.5) if the transaction is otherwise a consumer loan or consumer credit sale; and (3) to any other loan transaction or extension of credit, regardless of the amount of the principal of the loan or extension of credit, if unlawful force or the threat of force is used to collect or to attempt to collect any of the property loaned or any of the consideration for the loan or extension of credit in question. (b) This chapter applies regardless of whether the contract is made directly or indirectly, and whether the receipt of the consideration is received or is due to be received before or after the maturity date of the loan. As added by Acts 1980, P.L.207, SEC.1. Amended by P.L.247-1983, SEC.25; P.L.14-1992, SEC.164; P.L.122-1994, SEC.121; P.L.35-2010, SEC.208.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 7. Loansharking35-45-7-4. Contracts Void

Sec. 4. A loan or a contract for a loan which is made through loansharking is void. As added by Acts 1980, P.L.207, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 8. Consumer Product Tampering35-45-8-1. "Consumer Product" Defined

Sec. 1. As used in this chapter, "consumer product" means: (1) a food, drug, device, or cosmetic (as defined under IC 16-18-2-82, IC 16-18-2-94, IC 16-18-2-101(a), or IC 16-18-2-135(a)); or (2) an item designed to be consumed for personal care or for performing household services. As added by P.L.326-1987, SEC.4. Amended by P.L.2-1993, SEC.186.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 8. Consumer Product Tampering35-45-8-2. "Labeling" Defined

Sec. 2. As used in this chapter, "labeling" has the meaning set forth in IC 16-18-2-198(a). As added by P.L.326-1987, SEC.4. Amended by P.L.2-1993, SEC.187.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 8. Consumer Product Tampering35-45-8-3. Consumer Product Tampering; Offenses

Sec. 3. A person who: (1) recklessly, knowingly, or intentionally introduces a poison, a harmful substance, or a harmful foreign object into a consumer product; or (2) with intent to mislead a consumer of a consumer product, tampers with the labeling of a consumer product; that has been introduced into commerce commits consumer product tampering, a Level 6 felony. However, the offense is a Level 5 felony if it results in harm to a person, and it is a Level 4 felony if it results in serious bodily injury to another person. As added by P.L.326-1987, SEC.4. Amended by P.L.158-2013, SEC.537.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 9. Criminal Organization Control35-45-9-1. "Criminal Organization"

Sec. 1. As used in this chapter, "criminal organization" means a formal or informal group with at least three (3) members that

specifically: (1) either: (A) promotes, sponsors, or assists in; (B) participates in; or (C) has as one (1) of its goals; or (2) requires as a condition of membership or continued membership; the commission of a felony, an act that would be a felony if committed by an adult, or a battery offense included in IC 35-42-2. As added by P.L.180-1991, SEC.11. Amended by P.L.140-1994, SEC.5; P.L.192-2007, SEC.9; P.L.25-2016, SEC.21; P.L.65-2016, SEC.35.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 9. Criminal Organization Control35-45-9-2. "Threatens"

Sec. 2. As used in this chapter, "threatens" includes a communication made with the intent to harm a person or the person's property or any other person or the property of another person. As added by P.L.180-1991, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 9. Criminal Organization Control35-45-9-3. Participation in Criminal Organization; Offense

Sec. 3. (a) As used in this section, "benefit, promote, or further the interests of a criminal organization" means to commit a felony or misdemeanor that would cause a reasonable person to believe results in: (1) a benefit to a criminal organization or a member of a criminal organization; (2) the promotion of a criminal organization; or (3) furthering the interests of a criminal organization. (b) As used in this section, "purpose of increasing a person's own standing or position within a criminal organization" means committing a felony or misdemeanor that would cause a reasonable person to believe results in increasing the person's standing or position within a criminal organization. (c) A person who knowingly or intentionally commits an offense: (1) with the intent to benefit, promote, or further the interests of a criminal organization; or (2) for the purpose of increasing the person's own standing or position within a criminal organization; commits criminal organization activity, a Level 6 felony. However, the offense is a Level 5 felony if the offense involves, directly or indirectly, the unlawful use of a firearm (including assisting a criminal (IC 35-44.1-2-5) if the offense committed by the person assisted involves the unlawful use of a firearm). (d) In determining whether a person committed an offense under this section, the trier of fact may consider a person's association with a criminal organization, including: (1) an admission of criminal organization membership by the person; (2) a statement by: (A) a member of the person's family; (B) the person's guardian; or (C) a reliable member of the criminal organization; stating the person is a member of a criminal organization; (3) the person having tattoos identifying the person as a member of a criminal organization; (4) the person having a style of dress that is particular to members of a criminal organization; (5) the person associating with one (1) or more members of a criminal organization; (6) physical evidence indicating the person is a member of a criminal organization; (7) an observation of the person in the company of a known criminal organization member on at least three (3) occasions; (8) communications authored by the person indicating criminal organization membership, promotion of the membership in a criminal organization, or responsibility for an offense committed by a criminal organization; (9) the person's use of the hand signs of a criminal organization; and (10) the person's involvement in recruiting criminal organization members. As added by P.L.180-1991, SEC.11. Amended by P.L.158-2013, SEC.538; P.L.25-2016, SEC.22.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 9. Criminal Organization Control35-45-9-4. Threats; Refusal to Join or Withdrawal From Organization; Intimidation Offense

Sec. 4. A person who knowingly or intentionally threatens another person because the other person: (1) refuses to join a criminal organization; (2) has withdrawn from a criminal organization; or (3) wishes to withdraw from a criminal organization; commits criminal organization intimidation, a Level 5 felony. As added by P.L.180-1991, SEC.11. Amended by P.L.158-2013, SEC.539; P.L.25-2016, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 9. Criminal Organization Control35-45-9-5. Criminal Organization Recruitment

Sec. 5. (a) Except as provided in subsection (b), an individual who knowingly or intentionally solicits, recruits, entices, or intimidates another individual to join a criminal organization or remain in a criminal organization commits criminal organization recruitment, a Level 6 felony. (b) The offense under subsection (a) is a Level 5 felony if: (1) the solicitation, recruitment, enticement, or intimidation occurs within one thousand (1,000) feet of school property; or (2) the individual who is solicited, recruited, enticed, or intimidated is less than eighteen (18) years of age. As added by P.L.192-2007, SEC.10. Amended by P.L.158-2013, SEC.540; P.L.25-2016, SEC.24.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 45. Offenses Against Public Health, Order, and DecencyChapter 9. Criminal Organization Control35-45-9-6. Restitution

Sec. 6. In addition to any sentence or fine imposed on a criminal organization member for committing a felony or misdemeanor, the court shall order a criminal organization member convicted of a felony or misdemeanor to make restitution to the victim of the crime under IC 35-50-5-3. As added by P.L.192-2007, SEC.11. Amended by P.L.25-2016, SEC.25.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46.5. TerrorismChapter 1. Definitions35-46.5-1-1. Definitions

Sec. 1. The following definitions apply throughout this article: (1) "Benefit, promote, or further the interests of a terrorist organization" means to commit a felony or misdemeanor that would cause a reasonable person to believe results in: (A) a benefit to a terrorist organization or a member of a terrorist organization; (B) the promotion of a terrorist organization; or (C) furthering the interests of a terrorist organization. (2) "Identifying information" has the meaning set forth in IC 35-43-5-1. (3) "Purpose of increasing a person's own standing or position within a terrorist organization" means committing a felony or misdemeanor that would cause a reasonable person to believe results in increasing the person's standing or position within a terrorist organization. (4) "Terrorism" has the meaning set forth in IC 35-31.5-2-329. (5) "Terrorist organization" means a formal or informal group with at least three (3) members that specifically: (A) either: (i) promotes, sponsors, or assists in; (ii) participates in; or (iii) has as one (1) of its goals; terrorism; or (B) requires as a condition of membership or continued membership the commission of an act of terrorism, or the commission of a misdemeanor or felony, to assist in the commission of an act of terrorism. As added by P.L.66-2019, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46.5. TerrorismChapter 2. Offenses35-46.5-2-1. Terrorism

Sec. 1. A person who knowingly or intentionally: (1) possesses; (2) manufactures; (3) places; (4) disseminates; or (5) detonates; a weapon of mass destruction with the intent to carry out terrorism commits a Level 3 felony. However, the offense is a Level 1 felony if the conduct results in serious bodily injury or death of any person. As added by P.L.66-2019, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46.5. TerrorismChapter 2. Offenses35-46.5-2-2. Agricultural Terrorism

Sec. 2. A person who knowingly or intentionally: (1) possesses; (2) manufactures; (3) places; (4) disseminates; or (5) detonates; a weapon of mass destruction with the intent to damage, destroy, sicken, or kill crops or livestock of another person without the consent of the other person commits agricultural terrorism, a Level 5 felony. As added by P.L.66-2019, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46.5. TerrorismChapter 2. Offenses35-46.5-2-3. Terroristic Mischief

Sec. 3. A person who knowingly or intentionally places or disseminates a device or substance with the intent to cause a reasonable person to believe that the device or substance is a weapon of mass destruction (as defined in IC 35-31.5-2-354) commits terroristic mischief, a Level 5 felony. However, the offense is a Level 4 felony if, as a result of the terroristic mischief: (1) a physician prescribes diagnostic testing or medical treatment for any person other than the person who committed the terroristic mischief; or (2) a person suffers serious bodily injury. As added by P.L.66-2019, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46.5. TerrorismChapter 2. Offenses35-46.5-2-4. Terroristic Deception

Sec. 4. A person who knowingly or intentionally obtains, possesses, transfers, or uses the identifying information of another person with intent to: (1) commit terrorism; or (2) obtain or transport a weapon of mass destruction; commits terroristic deception, a Level 5 felony. As added by P.L.66-2019, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46.5. TerrorismChapter 2. Offenses35-46.5-2-5. Providing Support for a Terrorist Act

Sec. 5. A person who provides material support to another person with the intent to assist the person in planning or carrying out terrorism commits providing support for a terrorist act, a Level 5 felony. However the offense is a Level 2 felony if: (1) the material support involves the commission of a felony; or (2) the act of terrorism is reasonably likely to cause serious bodily injury to any person. As added by P.L.66-2019, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46.5. TerrorismChapter 2. Offenses35-46.5-2-6. Harboring a Terrorist

Sec. 6. A person who, with the intent to hinder the apprehension or punishment of another person who has committed an act of terrorism, harbors, conceals, or otherwise assists the other person commits harboring a terrorist, a Level 6 felony. However, the offense is a Level 3 felony if the act of terrorism resulted in serious bodily injury or death to any person. As added by P.L.66-2019, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46.5. TerrorismChapter 2. Offenses35-46.5-2-7. Terrorist Organization Activity

Sec. 7. (a) A person who knowingly or intentionally commits an offense: (1) with the intent to benefit, promote, or further the interests of a terrorist organization; or (2) for the purpose of increasing the person's own standing or position within a terrorist organization; commits terrorist organization activity, a Level 5 felony. However, the offense is a Level 3 felony if the offense involves, directly or indirectly, the unlawful use of a firearm or weapon of mass destruction. (b) In determining whether a person committed an offense under this section, the trier of fact may consider a person's association with a terrorist organization, including: (1) an admission of terrorist organization membership by the person; (2) a statement by: (A) a member of the person's family; (B)

the person's guardian; or (C) a reliable member of the terrorist organization; stating the person is a member of a terrorist organization; (3) the person associating with one (1) or more members of a terrorist organization; (4) physical evidence indicating the person is a member of a terrorist organization; (5) an observation of the person in the company of a known terrorist organization member on at least three (3) occasions; (6) communications authored by the person indicating terrorist organization membership, promotion of membership in a terrorist organization, or responsibility for an offense committed by a terrorist organization; and (7) the person's involvement in recruiting terrorist organization members. As added by P.L.66-2019, SEC.18. Amended by P.L.156-2020, SEC.132.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-1.3. "Dissolvable Tobacco Product"

Sec. 1.3. As used in this chapter, "dissolvable tobacco product" means a smokeless tobacco product that dissolves in the mouth of the user. As added by P.L.10-2011, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-1.4. "E-Liquid"

Sec. 1.4. As used in this chapter, "e-liquid" has the meaning set forth in IC 7.1-7-2-10. As added by P.L.49-2020, SEC.29.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-1.5. "Electronic Cigarette"

Sec. 1.5. As used in this chapter, "electronic cigarette" means a device that is capable of providing an inhalable dose of nicotine by delivering a vaporized solution. The term includes the components and cartridges. As added by P.L.20-2013, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-1.7. "Tobacco"

Sec. 1.7. As used in this chapter, "tobacco" includes: (1) chewing tobacco; (2) cigars, cigarettes, and snuff that contain tobacco; (3) pipe tobacco; and (4) a dissolvable tobacco product. As added by P.L.318-1987, SEC.2. Amended by P.L.10-2011, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-1. Definitions

Sec. 1. As used in this chapter: "Dependent" means: (1) an unemancipated person who is under eighteen (18) years of age; or (2) a person of any age who has a mental or physical disability. "Endangered adult" has the meaning set forth in IC 12-10-3-2. "Support" means food, clothing, shelter, or medical care. "Tobacco and vaping business" means a sole proprietorship, partnership, or other enterprise in which: (1) the primary activity is the sale of: (A) e-liquids; (B) e-liquid accessories; (C) electronic cigarettes; (D) tobacco; (E) tobacco products; (F) tobacco accessories; or (G) any combination of the products listed in clauses (A) through (F); and (2) the sale of other products is incidental. "Tobacco business" means a sole proprietorship, corporation, partnership, or other enterprise in which: (1) the primary activity is the sale of tobacco, tobacco products, and tobacco accessories; and (2) the sale of other products is incidental. As added by Acts 1976, P.L.148, SEC.6. Amended by Acts 1977, P.L.340, SEC.84; P.L.185-1984, SEC.2; P.L.208-1986, SEC.1; P.L.41-1987, SEC.19; P.L.2-1992, SEC.881; P.L.256-1996, SEC.10; P.L.99-2007, SEC.210; P.L.49-2020, SEC.28.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-10.1. Establishment's Selling or Furnishing Alcoholic Beverages to Minors; Civil Penalties; Defenses

Sec. 10.1. (a) If a permit holder or an agent or employee of a permit holder violates IC 7.1-5-7-8 on the licensed premises, in addition to any other penalty, a civil judgment may be imposed against the permit holder as follows: (1) If the licensed premises at that specific business location has not been issued a citation or summons for a violation of IC 7.1-5-7-8 in the previous one hundred eighty (180) days, a civil penalty of up to two hundred dollars ($200). (2) If the licensed premises at that specific business location has had one (1) citation or summons for a violation of IC 7.1-5-7-8 in the previous one hundred eighty (180) days, a civil penalty of up to four hundred dollars ($400). (3) If the licensed premises at that specific business location has had two (2) citations or summonses for a violation of IC 7.1-5-7-8 in the previous one hundred eighty (180) days, a civil penalty of up to seven hundred dollars ($700). (4) If the licensed premises at that specific business location has had three (3) or more citations or summonses for a violation of IC 7.1-5-7-8 in the previous one hundred eighty (180) days, a civil penalty of up to one thousand dollars ($1,000). (b) The defenses set forth in IC 7.1-5-7-5.1 are available to a permit holder in an action under this section. (c) Unless a person less than twenty-one (21) years of age buys or receives an alcoholic beverage under the direction of a law enforcement officer as part of an enforcement action, a permit holder that sells alcoholic beverages is not liable under this section unless the person less than twenty-one (21) years of age who bought or received the alcoholic beverage is charged for violating IC 7.1-5-7-7. (d) All civil penalties collected under this section shall be deposited in the alcohol and tobacco commission's enforcement and administration fund under IC 7.1-4-10. As added by P.L.94-2008, SEC.61.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-10.2. Retail Establishment's Sale or Distribution of Tobacco, an E-Liquid, or an Electronic Cigarette to a Minor; Defenses

Sec. 10.2. (a) A person may not be charged with a violation under this section and a violation under IC 7.1-7-6-5. (b) A retail establishment that sells or distributes tobacco, an e-liquid, or an electronic cigarette to a person less than twenty-one (21) years of age commits a Class C infraction. For a sale to take place under this section, the buyer must pay the retail establishment for the tobacco, e-liquid, or electronic cigarette. (c) Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows: (1) If the retail establishment at that specific business location has not been issued a citation or summons for a violation of this section in the previous one (1) year, a civil penalty of up to four hundred dollars ($400). (2) If the retail establishment at that specific business location has had one (1) citation or summons issued for a violation of this section in the previous one (1) year, a civil penalty of up to eight hundred dollars ($800). (3) If the retail establishment at that specific business location has had two (2) citations or summonses issued for a violation of this section in the previous one (1) year, a civil penalty of up to one thousand four hundred dollars ($1,400). (4) If the retail establishment at that specific business location has had three (3) or more citations or summonses issued for a violation of this section in the previous one (1) year, a civil penalty of up to two thousand dollars ($2,000). A retail establishment may not be issued a citation or summons for a violation of this section more than once every twenty-four (24) hours for each specific business location. (d) It is not a defense that the person to whom the tobacco, e-liquid, or electronic cigarette was sold or distributed did not smoke, chew, inhale, or otherwise consume the tobacco, e-liquid, or electronic cigarette. (e) The following defenses are available to a retail establishment accused of selling or distributing tobacco, an e-liquid, or an electronic cigarette to a person who is less than twenty-one (21) years of age: (1) The buyer or recipient produced a driver's license bearing the purchaser's or recipient's photograph showing that the purchaser or recipient was of legal age to make the purchase. (2) The buyer or recipient produced a photographic identification card issued under IC 9-24-16-1 or a similar card issued under the laws of another state or the federal government showing that the purchaser or recipient was of legal age to make the purchase. (3) The appearance of the purchaser or recipient was such that an ordinary prudent person would believe that the purchaser or recipient was not less than thirty (30) years of age. (f) It is a defense that the accused retail establishment sold or delivered the tobacco, e-liquid, or electronic cigarette to a person who acted in the ordinary course of employment or a business concerning tobacco, an e-liquid, or electronic cigarettes for the following activities: (1) Agriculture. (2) Processing. (3) Transporting. (4) Wholesaling. (5) Retailing. (g) As used in this section, "distribute" means to give tobacco, an e-liquid, or an electronic cigarette to another person as a means of promoting, advertising, or marketing the tobacco or electronic cigarette to the general public. (h) Unless a person buys or receives tobacco, an e-liquid, or an electronic cigarette under the direction of a law enforcement officer as part of an enforcement action, a retail establishment that sells or distributes tobacco, an e-liquid, or an electronic cigarette is not liable for a violation of this section unless the person less than twenty-one (21) years of age who bought or received the tobacco, e-liquid, or electronic cigarette is issued a citation or summons under section 10.5 of this chapter. (i) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund (IC 7.1-6-2-6). (j) A person who violates subsection (b) at least six (6) times in any one (1) year commits habitual illegal sale of tobacco, a Class B infraction. As added by P.L.177-1999, SEC.11. Amended by P.L.14-2000, SEC.72; P.L.1-2001, SEC.38; P.L.250-2003, SEC.17; P.L.252-2003, SEC.18; P.L.94-2008, SEC.62; P.L.20-2013, SEC.6; P.L.49-2020, SEC.31; P.L.32-2021, SEC.98.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-10.5. Purchase, Acceptance, or Possession of Tobacco, an E-Liquid, or an Electronic Cigarette by a Minor; Defenses

Sec. 10.5. (a) A person less than twenty-one (21) years of age who: (1) purchases tobacco, an e-liquid, or an electronic cigarette; (2) accepts tobacco, an e-liquid, or an electronic cigarette for personal use; or (3) possesses tobacco, an e-liquid, or an electronic cigarette on the person's person; commits a Class C infraction. (b) It is a defense under subsection (a) that the accused person acted in the ordinary course of employment in a business concerning tobacco, an e-liquid, or an electronic cigarette for the following activities: (1) Agriculture. (2) Processing. (3) Transporting. (4) Wholesaling. (5) Retailing. As added by P.L.125-1988, SEC.5. Amended by P.L.256-1996, SEC.13; P.L.20-2013, SEC.7; P.L.49-2020, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-10. Sale or Distribution of Tobacco, an E-Liquid, or Electronic Cigarettes to a Minor; Defenses

Sec. 10. (a) A person may not be charged with a violation under this section and a violation under IC 7.1-7-6-5. (b) A person who knowingly: (1) sells or distributes tobacco, an e-liquid, or an electronic cigarette to a person less than twenty-one (21) years of age; or (2) purchases tobacco, an e-liquid, or an electronic cigarette for delivery to another person who is less than twenty-one (21) years of age; commits a Class C infraction. For a sale to take place under this section, the buyer must pay the seller for the tobacco, e-liquid, or electronic cigarette. (c) It is not a defense that the person to whom the tobacco, e-liquid, or electronic cigarette was sold or distributed did not smoke, chew, inhale, or otherwise consume the tobacco, e-liquid, or electronic cigarette. (d) The following defenses are available to a person accused of selling or distributing tobacco, an e-liquid, or an electronic cigarette to a person who is

less than twenty-one (21) years of age: (1) The buyer or recipient produced a driver's license bearing the purchaser's or recipient's photograph, showing that the purchaser or recipient was of legal age to make the purchase. (2) The buyer or recipient produced a photographic identification card issued under IC 9-24-16-1, or a similar card issued under the laws of another state or the federal government, showing that the purchaser or recipient was of legal age to make the purchase. (3) The appearance of the purchaser or recipient was such that an ordinary prudent person would believe that the purchaser or recipient was not less than thirty (30) years of age. (e) It is a defense that the accused person sold or delivered the tobacco, e-liquid, or electronic cigarette to a person who acted in the ordinary course of employment or a business concerning tobacco, an e-liquid, or electronic cigarettes including the following activities: (1) Agriculture. (2) Processing. (3) Transporting. (4) Wholesaling. (5) Retailing. (f) As used in this section, "distribute" means to give tobacco, an e-liquid, or an electronic cigarette to another person as a means of promoting, advertising, or marketing the tobacco, e-liquid, or electronic cigarette to the general public. (g) Unless the person buys or receives tobacco, an e-liquid, or an electronic cigarette under the direction of a law enforcement officer as part of an enforcement action, a person who sells or distributes tobacco, an e-liquid, or an electronic cigarette is not liable for a violation of this section unless the person less than twenty-one (21) years of age who bought or received the tobacco, e-liquid, or electronic cigarette is issued a citation or summons under section 10.5 of this chapter. (h) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund (IC 7.1-6-2-6). As added by Acts 1980, P.L.209, SEC.1. Amended by P.L.330-1983, SEC.1; P.L.318-1987, SEC.3; P.L.125-1988, SEC.4; P.L.177-1999, SEC.10; P.L.1-2001, SEC.37; P.L.204-2001, SEC.65; P.L.252-2003, SEC.17; P.L.20-2013, SEC.5; P.L.49-2020, SEC.30; P.L.32-2021, SEC.97.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-11.2. Operation of Tobacco Business Near School Prohibited

Sec. 11.2. (a) This section does not apply to a tobacco business: (1) operating as a tobacco business before April 1, 1996; (2) that began operating as a tobacco business after April 1, 1996, if at the time the tobacco business began operating the tobacco business was not located in an area prohibited under this section; or (3) that began operating after June 30, 2020. (b) A person may not operate a tobacco business within two hundred (200) feet of a public or private elementary or secondary school, as measured between the nearest point of the premises occupied by the tobacco business and the nearest point of a building used by the school for instructional purposes. (c) A person who violates this section commits a Class C misdemeanor. As added by P.L.256-1996, SEC.11. Amended by P.L.49-2020, SEC.34.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-11.4. Operation of Tobacco and Vaping Business Near School Prohibited

Sec. 11.4. (a) Subsection (b) does not apply to a tobacco and vaping business: (1) operating as a tobacco and vaping business before July 1, 2020; or (2) that began operating as a tobacco and vaping business after June 30, 2020, and before July 1, 2024, if at the time the tobacco and vaping business began operating the tobacco and vaping business was not located in an area prohibited under this section. (b) A person may not operate a tobacco and vaping business within one thousand (1,000) feet of a public or private elementary or secondary school, as measured between the nearest point of the premises occupied by the tobacco and vaping business and the nearest point of a building used by the school for instructional purposes. (c) Subsection (d) does not apply to a tobacco and vaping business: (1) operating as a tobacco and vaping business before July 1, 2024; or (2) that began operating as a tobacco and vaping business after June 30, 2024, if at the time the tobacco and vaping business began operating the tobacco and vaping business was not located in an area prohibited under this section. (d) A person may not operate a tobacco and vaping business within one thousand (1,000) feet of school property, measured from the nearest point of the premises occupied by the tobacco and vaping business. (e) A person who violates this section commits a Class C misdemeanor. As added by P.L.49-2020, SEC.35. Amended by P.L.107-2024, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-11.5. Coin Machines for Sale or Distribution of Tobacco or Electronic Cigarettes; Penalty

Sec. 11.5. (a) Except for a coin machine that is placed in or directly adjacent to an entranceway or an exit, or placed in a hallway, a restroom, or another common area that is accessible to persons who are less than twenty-one (21) years of age, this section does not apply to a coin machine that is located in the following: (1) That part of a licensed premises (as defined in IC 7.1-1-3-20) where entry is limited to persons who are at least twenty-one (21) years of age. (2) Private industrial or office locations that are customarily accessible only to persons who are at least twenty-one (21) years of age. (3) Private clubs if the membership is limited to persons who are at least twenty-one (21) years of age. (4) Riverboats where entry is limited to persons who are at least twenty-one (21) years of age and on which lawful gambling is authorized. (b) As used in this section, "coin machine" has the meaning set forth in IC 35-43-5-1. (c) Except as provided in subsection (a), an owner of a retail establishment may not: (1) distribute or sell tobacco or electronic cigarettes by use of a coin machine; or (2) install or maintain a coin machine that is intended to be used for the sale or distribution of tobacco or electronic cigarettes. (d) An owner of a retail establishment who violates this section commits a Class C infraction. A citation or summons issued under this section must provide notice that the coin machine must be moved within two (2) business days. Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows: (1) If the owner of the retail establishment has not been issued a citation or summons for a violation of this section in the previous ninety (90) days, a civil penalty of fifty dollars ($50). (2) If the owner of the retail establishment has had one (1) citation or

summons issued for a violation of this section in the previous ninety (90) days, a civil penalty of two hundred fifty dollars ($250). (3) If the owner of the retail establishment has had two (2) citations or summonses issued for a violation of this section in the previous ninety (90) days for the same machine, the coin machine shall be removed or impounded by a law enforcement officer having jurisdiction where the violation occurs. An owner of a retail establishment may not be issued a citation or summons for a violation of this section more than once every two (2) business days for each business location. (e) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund established under IC 7.1-6-2-6. As added by P.L.49-1990, SEC.20. Amended by P.L.177-1999, SEC.13; P.L.14-2000, SEC.73; P.L.1-2001, SEC.40; P.L.252-2003, SEC.20; P.L.20-2013, SEC.9; P.L.49-2020, SEC.36.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-11.7. Minors Prohibited From Entering Retail Establishments That Primarily Sell Tobacco, E-Liquids, and Electronic Cigarettes; Posting Notices Required; Civil Penalties

Sec. 11.7. (a) A retail establishment in which tobacco products, electronic cigarettes, and e-liquids account for at least eighty-five percent (85%) of the retail establishment's gross sales may not allow an individual who is less than twenty-one (21) years of age to enter the retail establishment. (b) An individual who is less than twenty-one (21) years of age may not enter a retail establishment described in subsection (a). (c) A retail establishment described in subsection (a) must conspicuously post on all entrances to the retail establishment the following: (1) A sign in boldface type that states "NOTICE: It is unlawful for a person less than 21 years old to enter this store.". (2) A sign printed in letters and numbers at least one-half (1/2) inch high that displays a toll free phone number for assistance to callers in quitting smoking, as determined by the Indiana department of health. (d) A person who violates this section commits a Class C infraction. Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows: (1) If the person has not been cited for a violation of this section in the previous one (1) year, a civil penalty of up to four hundred dollars ($400). (2) If the person has had one (1) violation in the previous one (1) year, a civil penalty of up to eight hundred dollars ($800). (3) If the person has had two (2) violations in the previous one (1) year, a civil penalty of up to one thousand four hundred dollars ($1,400). (4) If the person has had three (3) or more violations in the previous one (1) year, a civil penalty of up to two thousand dollars ($2,000). A person may not be cited more than once every twenty-four (24) hours. (e) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund established under IC 7.1-6-2-6. (f) A person who violates subsection (a) at least six (6) times in any one (1) year period commits habitual illegal entrance by a minor, a Class B infraction. As added by P.L.177-1999, SEC.14. Amended by P.L.14-2000, SEC.74; P.L.1-2001, SEC.41; P.L.252-2003, SEC.21; P.L.94-2008, SEC.64; P.L.49-2020, SEC.37; P.L.56-2023, SEC.324.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-11.8. Tobacco and Electronic Cigarette Displays; Exceptions; Penalty

Sec. 11.8. (a) As used in this section, "self-service display" means a display that contains tobacco or electronic cigarettes in an area where a customer: (1) is permitted; and (2) has access to the tobacco or electronic cigarettes without assistance from a sales person. (b) This section does not apply to a self-service display located in a retail establishment: (1) in which tobacco products, electronic cigarettes, and e-liquids account for at least eighty-five percent (85%) of the retail establishment's gross sales; and (2) that prohibits entry by persons who are less than twenty-one (21) years of age. (c) The owner of a retail establishment that sells or distributes tobacco or electronic cigarettes through a self-service display, other than a coin operated machine operated under IC 35-46-1-11 or IC 35-46-1-11.5, commits a Class C infraction. (d) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund (IC 7.1-6-2-6). As added by P.L.37-2007, SEC.1. Amended by P.L.10-2011, SEC.3; P.L.20-2013, SEC.10; P.L.49-2020, SEC.38.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-11.9. Sale of Tobacco, an E-Liquid, or an Electronic Cigarette That Contains Vitamin E Acetate

Sec. 11.9. A person who knowingly sells tobacco, an e-liquid, or an electronic cigarette that contains vitamin E acetate commits a Class B infraction. As added by P.L.49-2020, SEC.39.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-11. Tobacco or Electronic Cigarette Vending Machine Sales; Warning Notices; Penalty

Sec. 11. (a) A tobacco or electronic cigarette vending machine that is located in a public place must bear the following conspicuous notices: (1) A notice: (A) that reads as follows, with the capitalization indicated: "If you are under 21 years of age, YOU ARE FORBIDDEN by Indiana law to buy tobacco or electronic cigarettes from this machine."; or (B) that: (i) conveys a message substantially similar to the message described in clause (A); and (ii) is formatted with words and in a form authorized under the rules adopted by the alcohol and tobacco commission. (2) A notice that reads as follows, "Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, and Low Birth Weight.". (3) A notice printed in letters and numbers at least one-half (1/2) inch high that displays a toll free phone number for assistance to callers in quitting smoking, as determined by the Indiana department of health. (b) A person who owns or has control over a tobacco or electronic cigarette vending machine in a public place and who: (1)

fails to post a notice required by subsection (a) on the vending machine; or (2) fails to replace a notice within one (1) month after it is removed or defaced; commits a Class C infraction. (c) An establishment selling tobacco or electronic cigarettes at retail shall post and maintain in a conspicuous place, at the point of sale, the following: (1) Signs printed in letters at least one-half (1/2) inch high, reading as follows: (A) "The sale of tobacco or electronic cigarettes to persons under 21 years of age is forbidden by Indiana law.". (B) "Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, and Low Birth Weight.". (2) A sign printed in letters and numbers at least one-half (1/2) inch high that displays a toll free phone number for assistance to callers in quitting smoking, as determined by the Indiana department of health. (d) A person who: (1) owns or has control over an establishment selling tobacco or electronic cigarettes at retail; and (2) fails to post and maintain the sign required by subsection (c); commits a Class C infraction. As added by P.L.330-1983, SEC.2. Amended by P.L.318-1987, SEC.4; P.L.204-2001, SEC.66; P.L.94-2008, SEC.63; P.L.20-2013, SEC.8; P.L.49-2020, SEC.33; P.L.56-2023, SEC.323.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-12. Exploitation of a Dependent or an Endangered Adult

Sec. 12. (a) The following definitions apply throughout this section: (1) "Person in a position of trust" means a person who has or had: (A) the care of: (i) an endangered adult; or (ii) a dependent; whether assumed voluntarily or because of a legal obligation; or (B) a professional relationship with: (i) an endangered adult; or (ii) a dependent; that may permit the person to exert undue influence over the endangered adult or dependent. (2) "Self-dealing" means a person using the property of another person to gain a benefit that is grossly disproportionate to the goods or services provided to the other person. The term does not include an incidental benefit. (b) A person who recklessly uses or exerts control over the personal services or the property of: (1) an endangered adult; or (2) a dependent; for the person's own profit or advantage or for the profit or advantage of another person, but not for the profit or advantage of a person described in subdivision (1) or (2), commits exploitation of a dependent or an endangered adult, a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated conviction under this section. (c) A person in a position of trust who recklessly engages in self-dealing with the property of: (1) an endangered adult; or (2) a dependent; commits exploitation of a dependent or an endangered adult, a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated conviction under this section. (d) It is a defense to an offense committed under this section if the accused person: (1) has been granted a durable power of attorney or has been appointed a legal guardian to manage the affairs of an endangered adult or a dependent; and (2) was acting within the scope of the accused person's fiduciary responsibility. As added by Acts 1981, P.L.299, SEC.3. Amended by P.L.185-1984, SEC.3; P.L.37-1990, SEC.26; P.L.2-1992, SEC.883; P.L.4-1993, SEC.327; P.L.5-1993, SEC.334; P.L.145-2001, SEC.1; P.L.145-2006, SEC.372; P.L.146-2008, SEC.684; P.L.158-2013, SEC.556; P.L.70-2020, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-13. Battery, Neglect, or Exploitation of Endangered Adult or Person With Mental or Physical Disability; Failure to Report; Unlawful Disclosure; Referrals; Retaliation

Sec. 13. (a) A person who: (1) believes or has reason to believe that an endangered adult or person of any age who has a mental or physical disability is the victim of battery, neglect, or exploitation as prohibited by this chapter or IC 35-42-2-1; and (2) knowingly fails to report the facts supporting that belief to the division of disability and rehabilitative services, the division of aging, the adult protective services unit designated under IC 12-10-3, or a law enforcement agency having jurisdiction over battery, neglect, or exploitation of an endangered adult; commits a Class B misdemeanor. (b) An officer or employee of the division or adult protective services unit who unlawfully discloses information contained in the records of the division of aging under IC 12-10-3-12 through IC 12-10-3-15 commits a Class C infraction. (c) A law enforcement agency that receives a report that an endangered adult or person of any age who has a mental or physical disability is or may be a victim of battery, neglect, or exploitation as prohibited by this chapter or IC 35-42-2-1 shall immediately transmit the report to the adult protective services unit designated under IC 12-10-3. (d) An individual who discharges, demotes, transfers, prepares a negative work performance evaluation, reduces benefits, pay, or work privileges, or takes other action to retaliate against an individual who in good faith makes a report under IC 12-10-3-9 concerning an endangered individual commits a Class A infraction. As added by Acts 1981, P.L.299, SEC.4. Amended by P.L.185-1984, SEC.4; P.L.39-1985, SEC.3; P.L.41-1987, SEC.20; P.L.42-1987, SEC.14; P.L.2-1992, SEC.884; P.L.4-1993, SEC.328; P.L.5-1993, SEC.335; P.L.2-1997, SEC.75; P.L.281-2003, SEC.4; P.L.141-2006, SEC.112; P.L.153-2011, SEC.19; P.L.238-2015, SEC.14; P.L.5-2022, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-14. Reporting or Documenting Battery, Neglect, or Exploitation; Immunity From Civil or Criminal Liability

Sec. 14. Any person acting in good faith who: (1) makes or causes to be made a report of neglect, a battery offense included in IC 35-42-2, or exploitation under this chapter concerning an endangered adult or person of any age who has a mental or physical disability; (2) makes or causes to be made photographs or x-rays of a victim of suspected neglect or a battery offense included in IC 35-42-2 of an endangered adult or a dependent eighteen (18) years of age or older; or (3) participates in any official proceeding or a proceeding resulting from a report of neglect, a battery offense included in IC 35-42-2, or exploitation of an endangered adult or a dependent eighteen (18) years of age or older relating to the subject matter of that report; is immune from any civil or criminal liability that might otherwise be imposed because of these actions. However, this section does not apply to a person accused of

neglect, a battery offense, or exploitation of an endangered adult or a dependent eighteen (18) years of age or older. As added by Acts 1981, P.L.299, SEC.5. Amended by P.L.185-1984, SEC.5; P.L.2-1997, SEC.76; P.L.2-1998, SEC.81; P.L.2-2005, SEC.127; P.L.238-2015, SEC.15; P.L.65-2016, SEC.36.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-15.1. Invasion of Privacy; Offense; Penalties

Sec. 15.1. (a) A person who knowingly or intentionally violates: (1) a protective order to prevent domestic or family violence or harassment issued under IC 34-26-5 (or, if the order involved a family or household member, under IC 34-26-2 or IC 34-4-5.1-5 before their repeal); (2) an ex parte protective order issued under IC 34-26-5 (or, if the order involved a family or household member, an emergency order issued under IC 34-26-2 or IC 34-4-5.1 before their repeal); (3) a workplace violence restraining order issued under IC 34-26-6; (4) a no contact order in a dispositional decree issued under IC 31-34-20-1, IC 31-37-19-1, or IC 31-37-5-6 (or IC 31-6-4-15.4 or IC 31-6-4-15.9 before their repeal) or an order issued under IC 31-32-13 (or IC 31-6-7-14 before its repeal) that orders the person to refrain from direct or indirect contact with a child in need of services or a delinquent child; (5) a no contact order issued as a condition of pretrial release, including release on bail or personal recognizance, or pretrial diversion, and including a no contact order issued under IC 35-33-8-3.6; (6) a no contact order issued as a condition of probation; (7) a protective order to prevent domestic or family violence issued under IC 31-15-5 (or IC 31-16-5 or IC 31-1-11.5-8.2 before their repeal); (8) a protective order to prevent domestic or family violence issued under IC 31-14-16-1 in a paternity action; (9) an order issued in another state that is substantially similar to an order described in subdivisions (1) through (8); (10) an order that is substantially similar to an order described in subdivisions (1) through (8) and is issued by an Indian: (A) tribe; (B) band; (C) pueblo; (D) nation; or (E) organized group or community, including an Alaska Native village or regional or village corporation as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); that is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians; (11) an order issued under IC 35-33-8-3.2; or (12) an order issued under IC 35-38-1-30; commits invasion of privacy, a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated conviction for an offense under this subsection or IC 35-45-10-5 (stalking). (b) It is not a defense to a prosecution under subsection (a) that the accused person used or operated an unmanned aerial vehicle in committing the violation. (c) A sex offender under IC 11-8-8-4.5 who: (1) establishes a new residence within a one (1) mile radius of the residence of the victim of the offender's sex offense; (2) intends to reside (as defined in IC 35-42-4-11(b)) at the residence; and (3) at the time the sex offender established the residence, knew or reasonably should have known that the residence was located within a one (1) mile radius of the residence of the victim of the offender's sex offense; commits invasion of privacy, a Class A misdemeanor. However, the offense is a Level 6 felony if the sex offender has a prior unrelated conviction under this subsection. (d) The victim of the sex offender's sex offense may not be prosecuted under subsection (c) if the victim's liability is based on aiding, inducing, or causing the offender to commit the offense described in subsection (c). (e) Subsection (c) does not apply to a sex offender who has obtained a waiver of residency under IC 35-38-2-2.5 or IC 35-38-1-33. As added by P.L.1-1991, SEC.201. Amended by P.L.49-1993, SEC.14; P.L.242-1993, SEC.5; P.L.1-1994, SEC.170; P.L.23-1994, SEC.17; P.L.303-1995, SEC.1; P.L.1-1997, SEC.153; P.L.37-1997, SEC.3; P.L.1-1998, SEC.199; P.L.1-2001, SEC.42; P.L.280-2001, SEC.53; P.L.1-2002, SEC.150; P.L.133-2002, SEC.67; P.L.104-2008, SEC.22; P.L.94-2010, SEC.12; P.L.158-2013, SEC.557; P.L.65-2016, SEC.37; P.L.107-2017, SEC.10; P.L.87-2018, SEC.3; P.L.266-2019, SEC.15; P.L.28-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-15.3. Violation of Certain No Contact Orders; Offense; Penalty

Sec. 15.3. A person who knowingly or intentionally violates: (1) a no contact order issued under IC 31-34-25 in a child in need of services proceeding or under IC 31-37-25 in a juvenile delinquency proceeding; (2) an order issued in another state that is substantially similar to an order described in subdivision (1); or (3) an order that is substantially similar to an order described in subdivision (1) and is issued by an Indian: (A) tribe; (B) band; (C) pueblo; (D) nation; or (E) organized group or community, including an Alaska Native village or regional or village corporation as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); that is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians; commits a Level 6 felony. As added by P.L.65-2016, SEC.38.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-16. Invasion of Privacy Convictions; Record of Persons Protected by Orders

Sec. 16. The law enforcement agency with custody of a person who is sentenced to a term of imprisonment of more than ten (10) days following conviction of a crime under section 15.1 or 15.3 of this chapter shall maintain a confidential record of the: (1) name; (2) address; and (3) telephone number; of each person that the person convicted under section 15.1 or 15.3 of this chapter (as appropriate) is required to refrain from direct or indirect contact with under an order described by section 15.1 or 15.3 of this chapter (as appropriate). As added by P.L.53-1989, SEC.10. Amended by P.L.1-1991, SEC.202; P.L.85-2017, SEC.115.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-17. Persons Convicted of Invasion of Privacy; Denial of Access to Protective Order Information

Sec. 17. A person convicted of a crime under section 15.1 or 15.3 of this chapter may not have access to the information maintained under section 16 of this chapter. As added by P.L.53-1989, SEC.11. Amended by P.L.1-1991, SEC.203; P.L.85-2017, SEC.116.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-18. Invasion of Privacy Convictions; Release and Hearings; Notice to Persons Protected by Orders

Sec. 18. The law enforcement agency having custody of a person who is sentenced to a term of imprisonment of more than ten (10) days following conviction of a crime under section 15.1 or 15.3 of this chapter shall: (1) provide each person described in section 16 of this chapter with written notification of: (A) the release of a person convicted of a crime under section 15.1 or 15.3 of this chapter (as appropriate); and (B) the date, time, and place of any substantive hearing concerning a violation of section 15.1 or 15.3 of this chapter (as appropriate) by a person who is sentenced to a term of imprisonment of more than ten (10) days following conviction of a crime under section 15.1 or 15.3 of this chapter (as appropriate); and (2) attempt to notify each person described in section 16 of this chapter by telephone to provide the information described in subdivision (1). As added by P.L.53-1989, SEC.12. Amended by P.L.1-1991, SEC.204; P.L.85-2017, SEC.117.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-19. Invasion of Privacy Convictions; Time of Notice to Persons Protected by Orders

Sec. 19. The law enforcement agency shall: (1) provide written notice; and (2) attempt notification by telephone; under section 18 of this chapter at least twenty-four (24) hours before the release or hearing. As added by P.L.53-1989, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-2. Bigamy

Sec. 2. (a) A person who, being married and knowing that the person's spouse is alive, marries again commits bigamy, a Level 6 felony. (b) It is a defense that the accused person reasonably believed that the person was eligible to remarry. As added by Acts 1976, P.L.148, SEC.6. Amended by Acts 1977, P.L.340, SEC.85; P.L.158-2013, SEC.548.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-20. Enforcement of Foreign Protection Orders

Sec. 20. A law enforcement officer shall enforce a foreign protection order (as defined in IC 34-6-2-48.5) in conformity with the procedures in IC 34-26-5-17. As added by P.L.280-2001, SEC.54. Amended by P.L.133-2002, SEC.68.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-21. Unauthorized Adoption Advertising

Sec. 21. (a) As used in this section, "advertisement" means any communication by any medium within the borders of Indiana, including print advertisements, digital advertisements, radio, television, and outdoor advertising signs. (b) Except as provided in subsection (d), only a person that is an attorney licensed to practice law in Indiana or a child placing agency licensed under the laws of Indiana may place an advertisement that: (1) a child is offered or wanted for adoption; or (2) the person is able to place, locate, or receive a child for adoption. (c) A person who knowingly or intentionally violates subsection (b) commits unauthorized adoption advertising, a Level 6 felony. (d) Subsection (b) may not be enforced against: (1) a federal agency; (2) the Indiana department of child services; or (3) an Indiana resident seeking to adopt a child on the resident's own behalf. As added by P.L.146-2007, SEC.20. Amended by P.L.21-2010, SEC.10; P.L.113-2017, SEC.17; P.L.163-2019, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-22. Unauthorized Adoption Facilitation

Sec. 22. (a) As used in this section, "adoption services" means at least one (1) of the following services that is provided for compensation, an item of value, or reimbursement, either directly or indirectly, and provided either before or after the services are rendered: (1) Arranging for the placement of a child. (2) Identifying a child for adoption. (3) Matching adoptive parents with biological parents. (4) Arranging or facilitating an adoption. (5) Taking or acknowledging consents or surrenders for termination of parental rights for adoption purposes. (6) Performing background studies on: (A) a child who is going to be adopted; or (B) adoptive parents. (7) Making determinations concerning the best interests of a child and the appropriateness in placing the child for adoption. (8) Postplacement monitoring of a child before the child is adopted. (b) As used in this section, the term "adoption services" does not include the following: (1) Legal services provided by an attorney licensed in Indiana. (2) Adoption related services provided by a governmental entity or a person appointed to perform an investigation by the court. (3) General education and training on adoption issues. (4) Postadoption services, including supportive services to families to promote the well-being of members of adoptive families or birth families. (c) Subsection (d) does not apply to the following persons: (1) The department of child services, an agency or person authorized to act on behalf of the department of child services, or a similar agency or county office with similar responsibilities in another state. (2) The division of family resources, an agency or person authorized to act on behalf of the division of family resources, or a similar agency or county office with similar responsibilities in another state. (3) A child placing agency licensed under the laws of Indiana. (4) An attorney licensed to practice law in Indiana. (5) A prospective biological parent or

adoptive parent acting on the individual's own behalf. (d) A person who knowingly or intentionally provides, engages in, or facilitates adoption services to a birth parent who lives in Indiana commits unauthorized adoption facilitation, a Class A misdemeanor. (e) Subsection (f) does not apply to the following persons: (1) The department of child services, an agency or person authorized to act on behalf of the department of child services, or a similar agency or county office with similar responsibilities in another state. (2) The division of family resources, an agency or person authorized to act on behalf of the division of family resources, or a similar agency or county office with similar responsibilities in another state. (3) A child placing agency licensed under the laws of Indiana or another state. (4) An attorney licensed to practice law in Indiana or another state. (5) A prospective biological parent or adoptive parent acting on the individual's own behalf. (f) A person who knowingly or intentionally provides, engages in, or facilitates adoption services to a prospective adoptive parent who lives in Indiana commits unauthorized adoption facilitation, a Class A misdemeanor. As added by P.L.146-2007, SEC.21. Amended by P.L.146-2008, SEC.685; P.L.21-2010, SEC.11; P.L.31-2011, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-3. Incest

Sec. 3. (a) A person eighteen (18) years of age or older who engages in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with another person, when the person knows that the other person is related to the person biologically as a parent, child, grandparent, grandchild, sibling, aunt, uncle, niece, or nephew, commits incest, a Level 5 felony. However, the offense is a Level 4 felony if the other person is less than sixteen (16) years of age. (b) It is a defense that the accused person's otherwise incestuous relation with the other person was based on their marriage, if the marriage was valid where it was entered into. As added by Acts 1976, P.L.148, SEC.6. Amended by Acts 1977, P.L.340, SEC.86; P.L.158-1987, SEC.5; P.L.79-1994, SEC.16; P.L.158-2013, SEC.549.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-4.1. Reckless Supervision

Sec. 4.1. (a) As used in this section, "child care provider" means a person who provides child care in or on behalf of: (1) a child care center (as defined in IC 12-7-2-28.4); or (2) a child care home (as defined in IC 12-7-2-28.6); regardless of whether the child care center or child care home is licensed. (b) A child care provider who recklessly supervises a child commits reckless supervision, a Class B misdemeanor. However, the offense is a Class A misdemeanor if the offense results in serious bodily injury to a child, and a Level 6 felony if the offense results in the death of a child. As added by P.L.158-2013, SEC.551.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-4. Neglect of a Dependent; Child Selling

Sec. 4. (a) A person having the care of a dependent, whether assumed voluntarily or because of a legal obligation, who knowingly or intentionally: (1) places the dependent in a situation that endangers the dependent's life or health; (2) abandons or cruelly confines the dependent; (3) deprives the dependent of necessary support; or (4) deprives the dependent of education as required by law; commits neglect of a dependent, a Level 6 felony. (b) However, the offense is: (1) a Level 5 felony if it is committed under subsection (a)(1), (a)(2), or (a)(3) and: (A) results in bodily injury; or (B) is: (i) committed in a location where a person is violating IC 35-48-4-1 (dealing in cocaine or a narcotic drug), IC 35-48-4-1.1 (dealing in methamphetamine), or IC 35-48-4-1.2 (manufacturing methamphetamine); or (ii) the result of a violation of IC 35-48-4-1 (dealing in cocaine or a narcotic drug), IC 35-48-4-1.1 (dealing in methamphetamine), or IC 35-48-4-1.2 (manufacturing methamphetamine); (2) a Level 3 felony if it is committed under subsection (a)(1), (a)(2), or (a)(3) and results in serious bodily injury; (3) a Level 1 felony if it is committed under subsection (a)(1), (a)(2), or (a)(3) by a person at least eighteen (18) years of age and results in the death or catastrophic injury of a dependent who is less than fourteen (14) years of age or in the death or catastrophic injury of a dependent of any age who has a mental or physical disability; and (4) a Level 5 felony if it is committed under subsection (a)(2) and consists of cruel confinement or abandonment that: (A) deprives a dependent of necessary food, water, or sanitary facilities; (B) consists of confinement in an area not intended for human habitation; or (C) involves the unlawful use of handcuffs, a rope, a cord, tape, or a similar device to physically restrain a dependent. (c) It is a defense to a prosecution based on an alleged act under this section that: (1) the accused person left a dependent child who was, at the time the alleged act occurred, not more than thirty (30) days of age: (A) in a newborn safety device described in IC 31-34-2.5-1(a)(2), IC 31-34-2.5-1(a)(3), IC 31-34-2.5-1(a)(4), or IC 31-34-2.5-1(a)(5); or (B) with a person who is an emergency medical services provider (as defined in IC 16-41-10-1) who took custody of the child under IC 31-34-2.5; when the prosecution is based solely on the alleged act of leaving the child in the newborn safety device or with the emergency medical services provider and the alleged act did not result in bodily injury or serious bodily injury to the child; or (2) the accused person, in the legitimate practice of the accused person's religious belief, provided treatment by spiritual means through prayer, in lieu of medical care, to the accused person's dependent. (d) Except for property transferred or received: (1) under a court order made in connection with a proceeding under IC 31-15, IC 31-16, IC 31-17, or IC 31-35 (or IC 31-1-11.5 or IC 31-6-5 before their repeal); or (2) under section 9(d) of this chapter; a person who transfers or receives any property in consideration for the termination of the care, custody, or control of a person's dependent child commits child selling, a Level 6 felony. As added by Acts 1976, P.L.148, SEC.6. Amended by Acts 1977, P.L.340, SEC.87; Acts 1978, P.L.144, SEC.8; Acts 1980, P.L.208, SEC.1; Acts 1981, P.L.299, SEC.2; Acts 1981, P.L.301, SEC.3; P.L.1-1997, SEC.151; P.L.197-1999, SEC.6; P.L.133-2000, SEC.10;

P.L.46-2004, SEC.1; P.L.26-2006, SEC.2; P.L.15-2007, SEC.1; P.L.109-2007, SEC.1; P.L.6-2012, SEC.227; P.L.193-2013, SEC.6; P.L.158-2013, SEC.550; P.L.168-2014, SEC.85; P.L.113-2017, SEC.14; P.L.183-2017, SEC.58; P.L.263-2017, SEC.3; P.L.252-2017, SEC.17; P.L.205-2018, SEC.13; P.L.184-2019, SEC.13; P.L.170-2021, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-5. Nonsupport of a Dependent Child

Sec. 5. (a) A person who knowingly or intentionally fails to provide support to the person's dependent child commits nonsupport of a child, a Level 6 felony. However, the offense is a Level 5 felony if the person has a previous conviction under this section. (b) It is a defense that the child had abandoned the home of the child's family without the consent of the child's parent or on the order of a court, but it is not a defense that the child had abandoned the home of the child's family if the cause of the child's leaving was the fault of the child's parent. (c) It is a defense that the accused person, in the legitimate practice of the person's religious belief, provided treatment by spiritual means through prayer, in lieu of medical care, to the person's dependent child. (d) It is a defense that the accused person was unable to provide support. As added by Acts 1976, P.L.148, SEC.6. Amended by Acts 1977, P.L.340, SEC.88; Acts 1978, P.L.144, SEC.9; P.L.213-1996, SEC.4; P.L.123-2001, SEC.4; P.L.158-2013, SEC.552; P.L.148-2014, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-6. Nonsupport of a Spouse

Sec. 6. (a) A person who knowingly or intentionally fails to provide support to the person's spouse, when the spouse needs support, commits nonsupport of a spouse, a Level 6 felony. (b) It is a defense that the accused person was unable to provide support. As added by Acts 1976, P.L.148, SEC.6. Amended by Acts 1977, P.L.340, SEC.89; Acts 1978, P.L.144, SEC.10; P.L.158-2013, SEC.553.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-7. Nonsupport of a Parent

Sec. 7. (a) A person who knowingly or intentionally fails to provide support to his parent, when the parent is unable to support himself, commits nonsupport of a parent, a Class A misdemeanor. (b) It is a defense that the accused person had not been supported by the parent during the time he was a dependent child under eighteen (18) years of age, unless the parent was unable to provide support. (c) It is a defense that the accused person was unable to provide support. As added by Acts 1976, P.L.148, SEC.6. Amended by Acts 1977, P.L.340, SEC.90; Acts 1978, P.L.144, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-8. Contributing to the Delinquency of a Minor

Sec. 8. (a) A person at least eighteen (18) years of age who knowingly or intentionally encourages, aids, induces, or causes a child to commit an act of delinquency (as defined by IC 31-37-1 or IC 31-37-2) commits contributing to delinquency, a Class A misdemeanor, except as provided in subsections (b) through (e). (b) If the delinquent act described in subsection (a) would be a felony if committed by an adult, the offense described in subsection (a) is a felony of the same level as the delinquent act would be if committed by an adult. (c) The offense described in subsection (a) is a Level 5 felony if: (1) the person committing the offense is at least twenty-one (21) years of age and knowingly or intentionally furnishes: (A) an alcoholic beverage to a child in violation of IC 7.1-5-7-8 when the person committing the offense knew or reasonably should have known that the person furnished the alcoholic beverage was a child; or (B) a controlled substance (as defined in IC 35-48-1-9) or a drug (as defined in IC 9-13-2-49.1) in violation of Indiana law; and (2) the consumption, ingestion, or use of the alcoholic beverage, controlled substance, or drug is the proximate cause of the death of any person. (d) Except as provided in subsection (c), the offense described in subsection (a) is a Level 6 felony if: (1) the person committing the offense is at least twenty-one (21) years of age; (2) the child who commits the delinquent act is less than sixteen (16) years of age; and (3) the act would be a misdemeanor if committed by an adult. (e) If the person who commits the offense described in subsection (a) is at least twenty-one (21) years of age, and the child who commits the delinquent act is less than sixteen (16) years of age, the offense is: (1) a Level 5 felony if the delinquent act would be a Level 6 felony if committed by an adult; (2) a Level 4 felony if the delinquent act would be a Level 5 felony if committed by an adult; (3) a Level 3 felony if the delinquent act would be a Level 4 felony if committed by an adult; (4) a Level 2 felony if the delinquent act would be a Level 3 felony if committed by an adult; (5) a Level 1 felony if the delinquent act would be a Level 1 or 2 felony if committed by an adult; or (6) punishable under IC 35-50-2-3(a) (penalty for murder) if the delinquent act would be murder if committed by an adult. As added by Acts 1976, P.L.148, SEC.6. Amended by Acts 1977, P.L.340, SEC.91; Acts 1978, P.L.144, SEC.12; Acts 1979, P.L.276, SEC.58; P.L.216-1996, SEC.24; P.L.1-1997, SEC.152; P.L.46-2004, SEC.2; P.L.2-2005, SEC.126; P.L.1-2006, SEC.533; P.L.151-2006, SEC.18; P.L.158-2013, SEC.554; P.L.252-2017, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-9.5. Adoption Deception

Sec. 9.5. A person who is a birth mother, or a woman who holds herself out to be a birth mother, and who knowingly or intentionally benefits from adoption related expenses paid: (1) when the person knows or should have known that the person is not

pregnant; (2) by or on behalf of a prospective adoptive parent who is unaware that at the same time another prospective adoptive parent is also paying adoption related expenses described under section 9(d) of this chapter in an effort to adopt the same child; or (3) when the person does not intend to make an adoptive placement; commits adoption deception, a Level 6 felony. In addition to any other penalty imposed under this section, a court may order the person who commits adoption deception to make restitution to a prospective adoptive parent, attorney, or licensed child placing agency that incurs an expense as a result of the offense. As added by P.L.200-1999, SEC.33. Amended by P.L.61-2003, SEC.21; P.L.146-2007, SEC.19; P.L.113-2017, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 1. Offenses Against the Family35-46-1-9. Profiting From Adoption

Sec. 9. (a) As used in this section, "resident" means an individual who has a physical presence in a state with the intention of remaining indefinitely in that state. (b) This section does not apply if the: (1) birth mother is not a resident of Indiana; and (2) adoption takes place in a jurisdiction outside Indiana. (c) Except as provided in subsection (d), a person who, with respect to an adoption, transfers or receives any property in connection with the waiver of parental rights, the termination of parental rights, the consent to adoption, or the petition for adoption commits profiting from an adoption, a Level 6 felony. (d) This section does not apply to the transfer or receipt of: (1) reasonable attorney's fees; (2) hospital and medical expenses concerning childbirth and pregnancy incurred by the adopted person's birth mother; (3) reasonable charges and fees levied by a child placing agency licensed under IC 31-27 or the department of child services, including reasonable charges and fees for adoption services (as described in section 22 of this chapter); (4) reasonable expenses for psychological counseling relating to adoption incurred by the adopted person's birth parents; (5) reasonable costs of housing, utilities, and phone service for the adopted person's birth mother during the second or third trimester of pregnancy and not more than six (6) weeks after childbirth; (6) reasonable costs of maternity clothing for the adopted person's birth mother; (7) reasonable travel expenses incurred by the adopted person's birth mother that relate to the pregnancy or adoption; (8) any additional itemized necessary living expenses for the adopted person's birth mother during the second or third trimester of pregnancy and not more than six (6) weeks after childbirth, not listed in subdivisions (5) through (7) in an amount not to exceed one thousand dollars ($1,000); (9) other charges and fees approved by the court supervising the adoption, including reimbursement of not more than actual wages lost as a result of the inability of the adopted person's birth mother to work at her regular, existing employment due to a medical condition, excluding a psychological condition, if: (A) the attending physician of the adopted person's birth mother has ordered or recommended that the adopted person's birth mother discontinue her employment; and (B) the medical condition and its direct relationship to the pregnancy of the adopted person's birth mother are documented by her attending physician; or (10) reasonable charges and fees for adoption services (as described in section 22 of this chapter) provided by an attorney licensed to practice law in Indiana. In determining the amount of reimbursable lost wages, if any, that are reasonably payable to the adopted person's birth mother under subdivision (9), the court shall offset against the reimbursable lost wages any amounts paid to the adopted person's birth mother under subdivisions (5) and (8) and any unemployment compensation received by or owed to the adopted person's birth mother. (e) Except as provided in this subsection, payments made under subsection (d)(5) through (d)(9) may not exceed four thousand dollars ($4,000) and must be disclosed to the court supervising the adoption. The amounts paid under subsection (d)(5) through (d)(9) may exceed four thousand dollars ($4,000) to the extent that a court with jurisdiction over the child who is the subject of the adoption approves the expenses after determining that: (1) the expenses are not being offered as an inducement to proceed with an adoption; and (2) failure to make the payments may seriously jeopardize the health of either the child or the mother of the child and the direct relationship is documented by a licensed social worker or the attending physician. (f) The payment limitation under subsection (e) applies to the total amount paid under subsection (d)(5) through (d)(9) in connection with an adoption from all prospective adoptive parents, attorneys, and licensed child placing agencies. (g) An attorney or licensed child placing agency shall inform a birth mother of the penalties for committing adoption deception under section 9.5 of this chapter before the attorney or agency transfers a payment for adoption related expenses under subsection (d) in relation to the birth mother. (h) The limitations in this section apply regardless of the state or country in which the adoption is finalized. As added by Acts 1980, P.L.208, SEC.2. Amended by P.L.117-1990, SEC.6; P.L.2-1992, SEC.882; P.L.81-1992, SEC.39; P.L.1-1993, SEC.241; P.L.4-1993, SEC.326; P.L.5-1993, SEC.333; P.L.226-1996, SEC.1; P.L.200-1999, SEC.32; P.L.130-2005, SEC.14; P.L.145-2006, SEC.371; P.L.146-2007, SEC.18; P.L.146-2008, SEC.683; P.L.158-2013, SEC.555; P.L.46-2016, SEC.20; P.L.113-2017, SEC.15; P.L.144-2018, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 10. Offenses Involving Critical Infrastructure35-46-10-0.5. Application of Chapter

Sec. 0.5. This chapter does not apply to conduct protected under the Constitution of the United States, the Constitution of the State of Indiana, or a state or federal law or rule, including rights under: (1) the federal National Labor Relations Act (29 U.S.C. 151 et seq.); (2) the federal Railway Labor Act (45 U.S.C. 151 et seq.); (3) IC 22-7; or (4) a collective bargaining agreement. As added by P.L.276-2019, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 10. Offenses Involving Critical Infrastructure35-46-10-1. Definitions

Sec. 1. (a) As used in this chapter, "critical infrastructure facility" means any of the following: (1) A chemical manufacturing facility. (2) A refinery. (3) A steelmaking facility. (4) An aluminum manufacturing facility. (5) An electric utility facility, including:

(A) a power plant; (B) a power generation facility peaker; (C) an electric transmission facility; (D) an electric station or substation; or (E) any other facility used to support the generation, transmission, or distribution of electricity. However, the term does not include electric transmission land or right-of-way that is not completely enclosed, posted, and maintained by the electric utility. (6) A water intake structure or water treatment facility. (7) A natural gas utility facility, including: (A) an age station; (B) a compressor station; (C) an odorization facility; (D) a main line valve; (E) a natural gas storage facility; or (F) any other facility used to support the acquisition, transmission, distribution, or storage of natural gas. However, the term does not include gas transmission pipeline property that is not completely enclosed, posted, and maintained by the natural gas utility. (8) A gasoline, propane, liquid natural gas (LNG), or other fuel terminal or storage facility. (9) A transportation facility, including, but not limited to, a port, railroad switching yard, or trucking terminal. However, the term does not include a railroad track that is not part of a railroad switching yard. (10) A pulp or paper manufacturing facility. (11) A pharmaceutical manufacturing facility. (12) A hazardous waste storage, treatment, or disposal facility. (13) A crude oil exploration and production equipment or refined products storage and distribution facility including, but not limited to, valve sites, pipeline interconnections, a pump station, a metering station, below or aboveground pipeline or piping, and a truck loading or offloading facility. (14) A communications services facility, including a central office, cable head end, cable node, or cellular telephone tower site. (15) A dam that is regulated by the department of natural resources. (16) A facility: (A) whose owner or operator is required to submit a risk management plan under the federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (42 U.S.C. 7412(r)); or (B) identified and regulated by the United States Department of Homeland Security Chemical Facility Anti-Terrorism Standards (CFATS) program. (17) Any aboveground portion of an oil, gas, hazardous liquid, or chemical pipeline, tank, railroad facility, or other storage facility that is completely enclosed, posted, and maintained by the critical infrastructure utility. (18) A facility that is substantially similar to a facility, structure, or station listed in this subsection. (b) As used in this chapter, "critical infrastructure utility" means a person that owns or operates, for public use, any plant, equipment, property, franchise, or license for the production, storage, transmission, sale, or delivery of the items listed in subsection (a). (c) As used in this chapter, "person" has the meaning set forth in IC 35-31.5-2-234(a). As added by P.L.276-2019, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 10. Offenses Involving Critical Infrastructure35-46-10-2. Critical Infrastructure Facility Trespass

Sec. 2. A person who, not having a contractual interest in the property, knowingly or intentionally enters the real property of a critical infrastructure facility without the permission of the owner of the critical infrastructure facility or an authorized person commits critical infrastructure facility trespass, a Level 6 felony. As added by P.L.276-2019, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 10. Offenses Involving Critical Infrastructure35-46-10-3. Critical Infrastructure Facility Mischief

Sec. 3. A person who recklessly, knowingly, or intentionally damages or defaces property of a critical infrastructure facility commits critical infrastructure facility mischief, a Level 5 felony. However, the offense is a Level 4 felony if: (1) the pecuniary loss is at least fifty thousand dollars ($50,000); or (2) the damage causes a substantial interruption or impairment of a critical infrastructure utility service rendered to the public. As added by P.L.276-2019, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 10. Offenses Involving Critical Infrastructure35-46-10-4. Conspiracy to Commit an Offense Involving Critical Infrastructure

Sec. 4. Except as provided in IC 35-50-2, if a person commits the offense of conspiracy (as described in IC 35-41-5-2) to commit an offense described in section 2 or 3 of this chapter with a person who commits an offense described under section 2 or 3 of this chapter, the conspiring person shall be punished by a fine not to exceed one hundred thousand dollars ($100,000). As added by P.L.276-2019, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 10. Offenses Involving Critical Infrastructure35-46-10-5. Recovery of Damages

Sec. 5. (a) A person aggrieved by a violation under this chapter may recover damages sustained under IC 34-24-3-1. (b) Any person that compensates, provides consideration to, or remunerates a person for committing an offense under sections 2, 3, or 4 of this chapter may be held liable for civil damages imposed under this chapter. As added by P.L.276-2019, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 2. Offenses Relating to Civil Rights35-46-2-1. Violation of Civil Rights

Sec. 1. A person who knowingly or intentionally denies to another person, because of color, creed, disability, national origin, race, religion, or sex, the full and equal use of the services, facilities, or goods in: (1) an establishment that caters or offers its services, facilities, or goods to the general public; or (2) a housing project owned or subsidized by a governmental entity; commits a civil rights violation, a Class B misdemeanor. As added by Acts 1976, P.L.148, SEC.6. Amended by Acts 1977, P.L.340, SEC.92; P.L.23-1993, SEC.162.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 2. Offenses Relating to Civil Rights35-46-2-2. Discrimination in Jury Selection

Sec. 2. A public servant having the duty to select or summon persons for grand jury or trial jury service who knowingly or intentionally fails to select or summon a person because of color, creed, disability, national origin, race, religion, or sex commits discrimination in jury selection, a Class A misdemeanor. As added by Acts 1977, P.L.340, SEC.93. Amended by P.L.23-1993, SEC.163.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The following amendments to this chapter apply as follows: (1) The amendments made to section 12 of this chapter by P.L.7-2007 apply only to: (A) offenses; and (B) acts that would be a crime if committed by an adult; that are committed after June 30, 2007. (2) The amendments made to sections 8 and 12 of this chapter by P.L.171-2007 apply only to crimes committed after June 30, 2007. However, the amendments made to section 12(d) of this chapter by P.L.171-2007 apply only to: (A) crimes; and (B) delinquent acts that would be crimes if committed by an adult; that are committed after June 30, 2007. As added by P.L.220-2011, SEC.616. Amended by P.L.63-2012, SEC.70.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-0.5. Definitions

Sec. 0.5. The following definitions apply throughout this chapter: (1) "Abandon" means to desert an animal or to leave the animal without making provision for adequate long term care of the animal. The term does not include leaving an animal in a place that is temporarily vacated for the protection of human life during a disaster. (2) "Abuse" means to knowingly or intentionally beat, torment, injure, or otherwise harm an animal. The term includes destruction of an animal by any means other than humane euthanasia if the person who destroys the animal is: (A) a humane society; (B) an animal control agency; or (C) a governmental entity operating an animal shelter or other animal impounding facility. (3) "Humane euthanasia" means the humane destruction of an animal using sodium pentobarbital or a derivative, administered in a manner that causes painless loss of consciousness and death. The term does not include a method: (A) prohibited by section 15 of this chapter; or (B) involving the use of carbon monoxide, carbon dioxide, or any nonanesthetic inhalant. (4) "Impound agency" means a state, county, municipal, or township agency with the authority to impound animals for violation of this chapter or IC 15-20-1-4. The term includes the following: (A) A law enforcement agency. (B) An animal control agency. (5) "Mutilate" means to wound, injure, maim, or disfigure an animal by damaging the animal's body parts or to render any part of the animal's body useless. The term includes bodily injury involving: (A) serious permanent disfigurement; (B) serious temporary disfigurement; (C) permanent or protracted loss or impairment of the function of a bodily part or organ; or (D) a fracture. (6) "Neglect" means: (A) endangering an animal's health by failing to provide or arrange to provide the animal with food or drink, if the animal is dependent upon the person for the provision of food or drink; (B) restraining an animal for more than a brief period in a manner that endangers the animal's life or health by the use of a rope, chain, or tether that: (i) is less than three (3) times the length of the animal; (ii) is too heavy to permit the animal to move freely; or (iii) causes the animal to choke; (C) restraining an animal in a manner that seriously endangers the animal's life or health; (D) failing to: (i) provide reasonable care for; or (ii) seek veterinary care for; an injury or illness to a dog or cat that seriously endangers the life or health of the dog or cat; or (E) leaving a dog or cat outside and exposed to: (i) excessive heat without providing the animal with a means of shade from the heat; or (ii) excessive cold if the animal is not provided with straw or another means of protection from the cold; regardless of whether the animal is restrained or kept in a kennel. (7) "Reasonable expenses" includes the cost of: (A) medical care; (B) quarantine; and (C) shelter and board. (8) "Torture" means: (A) to inflict extreme physical pain or injury on an animal with the intent of increasing or prolonging the animal's pain; (B) to administer poison to a domestic animal (as defined in section 12(d) of this chapter) or expose a domestic animal to a poisonous substance with the intent that the domestic animal ingest the substance; (C) to destroy an animal by electrocution in a manner inconsistent with section 5 of this chapter; or (D) to intentionally freeze or heat an animal to death. As added by P.L.171-2007, SEC.5. Amended by P.L.111-2009, SEC.10; P.L.141-2019, SEC.8; P.L.41-2021, SEC.8; P.L.52-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-1. Harboring a Non-Immunized Dog

Sec. 1. A person who knowingly or intentionally harbors a dog that is over the age of six (6) months and not immunized against rabies commits harboring a non-immunized dog, a Class C infraction. However, the offense is a Class B misdemeanor if the dog causes bodily injury by biting a person. As added by Acts 1976, P.L.148, SEC.6. Amended by Acts 1977, P.L.340, SEC.94.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-10. Attendance at Fighting Contest

Sec. 10. A person who knowingly or intentionally attends a fighting contest involving animals commits cruelty to an animal, a Class

A misdemeanor. However, except for a conviction under section 1 of this chapter, the offense is a Level 6 felony if the person has a prior unrelated conviction under this chapter. As added by P.L.193-1987, SEC.13. Amended by P.L.111-2009, SEC.13; P.L.158-2013, SEC.562.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-11.3. Cruelty to a Search and Rescue Dog

Sec. 11.3. (a) As used in this section, "search and rescue dog" means a dog that receives special training to locate or attempt to locate by air scent or ground or water tracking a person who is an offender or is lost, trapped, injured, or incapacitated. (b) A person who knowingly or intentionally: (1) interferes with the actions of a search and rescue dog while the dog is performing or is attempting to perform a search and rescue task; or (2) strikes, torments, injures, or otherwise mistreats a search and rescue dog; commits a Class A misdemeanor. (c) An offense under subsection (b)(2) is a Level 6 felony if the act results in: (1) serious permanent disfigurement; (2) unconsciousness; (3) permanent or protracted loss or impairment of the function of a bodily member or organ; or (4) death; of the search and rescue dog. (d) It is a defense that the accused person: (1) engaged in a reasonable act of training, handling, or disciplining the search and rescue dog; or (2) reasonably believed the conduct was necessary to prevent injury to the accused person or another person. (e) In addition to any sentence or fine imposed for a conviction of an offense under this section, the court may order the person to make restitution to the person who owns the search and rescue dog for reimbursement of: (1) veterinary bills; and (2) replacement costs of the dog if the dog is disabled or killed. As added by P.L.9-2003, SEC.3. Amended by P.L.158-2013, SEC.564.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-11.5. Cruelty to a Service Animal

Sec. 11.5. (a) As used in this section, "service animal" means an animal that a person who is impaired by: (1) blindness or any other visual impairment; (2) deafness or any other aural impairment; (3) a physical disability; or (4) a medical condition; relies on for navigation, assistance in performing daily activities, or alert signals regarding the onset of the person's medical condition. (b) A person who knowingly or intentionally: (1) interferes with the actions of a service animal; or (2) strikes, torments, injures, or otherwise mistreats a service animal; while the service animal is engaged in assisting an impaired person described in subsection (a) commits a Class A misdemeanor. (c) An offense under subsection (b)(2) is a Level 6 felony if the act results in the: (1) serious permanent disfigurement; (2) unconsciousness; (3) permanent or protracted loss or impairment of the function of a bodily member or organ; or (4) death; of the service animal. (d) It is a defense that the accused person: (1) engaged in a reasonable act of training, handling, or disciplining the service animal; or (2) reasonably believed the conduct was necessary to prevent injury to the accused person or another person. As added by P.L.143-1996, SEC.2. Amended by P.L.9-2003, SEC.4; P.L.158-2013, SEC.565.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-11. Cruelty to a Law Enforcement Animal

Sec. 11. (a) A person who knowingly or intentionally: (1) strikes, torments, injures, or otherwise mistreats a law enforcement animal; or (2) interferes with the actions of a law enforcement animal while the animal is engaged in assisting a law enforcement officer in the performance of the officer's duties; commits a Class A misdemeanor. (b) An offense under subsection (a)(1) is a Level 6 felony if the act results in: (1) serious permanent disfigurement; (2) unconsciousness; (3) permanent or protracted loss or impairment of the function of a bodily member or organ; or (4) death; of the law enforcement animal. (c) It is a defense that the accused person: (1) engaged in a reasonable act of training, handling, or discipline; and (2) acted as an employee or agent of a law enforcement agency. (d) In addition to any sentence or fine imposed for a conviction of an offense under this section, the court: (1) may order the person convicted to make restitution to the person or law enforcement agency owning the animal for reimbursement of veterinary bills; and (2) shall order the person convicted to make restitution to the person or law enforcement agency owning the animal for reimbursement of the cost of replacing the animal, which may include the cost of training the animal, if the animal is permanently disabled or killed. As added by P.L.193-1987, SEC.14. Amended by P.L.213-1997, SEC.3; P.L.9-2003, SEC.2; P.L.161-2013, SEC.8; P.L.158-2013, SEC.563; P.L.168-2014, SEC.86.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-12.5. Domestic Violence Animal Cruelty

Sec. 12.5. A person who knowingly or intentionally kills a vertebrate animal with the intent to threaten, intimidate, coerce, harass, or terrorize a family or household member commits domestic violence animal cruelty, a Level 6 felony. As added by P.L.171-2007, SEC.11. Amended by P.L.158-2013, SEC.567.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-12. Torture or Mutilation of a Vertebrate Animal; Killing a Domestic Animal

Sec. 12. (a) This section does not apply to a person who euthanizes an injured, a sick, a homeless, or an unwanted domestic animal if: (1) the person is employed by a humane society, an animal control agency, or a governmental entity operating an animal shelter or other animal impounding facility; and (2) the person euthanizes the domestic animal in accordance with guidelines adopted by the

humane society, animal control agency, or governmental entity operating the animal shelter or other animal impounding facility. (b) A person who knowingly or intentionally abuses a vertebrate animal commits cruelty to an animal, a Class A misdemeanor. However, the offense is a Level 6 felony if: (1) the person has a previous, unrelated conviction under this section; or (2) the person committed the offense with the intent to threaten, intimidate, coerce, harass, or terrorize a family or household member. (c) A person who knowingly or intentionally tortures or mutilates a vertebrate animal commits torturing or mutilating a vertebrate animal, a Level 6 felony. (d) As used in this subsection, "domestic animal" means an animal that is not wild. The term is limited to: (1) cattle, calves, horses, mules, swine, sheep, goats, dogs, cats, poultry, ostriches, rhea, and emus; and (2) an animal of the bovine, equine, ovine, caprine, porcine, canine, feline, camelid, cervidae, or bison species. A person who knowingly or intentionally kills a domestic animal without the consent of the owner of the domestic animal commits killing a domestic animal, a Level 6 felony. (e) It is a defense to a prosecution under this section that the accused person: (1) reasonably believes the conduct was necessary to: (A) prevent injury to the accused person or another person; (B) protect the property of the accused person from destruction or substantial damage; or (C) prevent a seriously injured vertebrate animal from prolonged suffering; or (2) engaged in a reasonable and recognized act of training, handling, or disciplining the vertebrate animal. (f) When a court imposes a sentence or enters a dispositional decree under this section, the court: (1) shall consider requiring: (A) a person convicted of an offense under this section; or (B) a child adjudicated a delinquent child for committing an act that would be a crime under this section if committed by an adult; to receive psychological, behavioral, or other counseling as a part of the sentence or dispositional decree; and (2) may order an individual described in subdivision (1) to receive psychological, behavioral, or other counseling as a part of the sentence or dispositional decree. As added by P.L.193-1987, SEC.15. Amended by P.L.41-1998, SEC.2; P.L.132-2002, SEC.1; P.L.7-2007, SEC.1; P.L.171-2007, SEC.10; P.L.111-2009, SEC.14; P.L.158-2013, SEC.566; P.L.141-2019, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-13. Removal of Attack Dog's Vocal Cords; Animal Cruelty

Sec. 13. (a) A person who knowingly or intentionally removes the vocal cords of a trained attack dog commits cruelty to an animal, a Class A misdemeanor. (b) It is a defense to a prosecution under this section that the accused person reasonably believes that the conduct was necessary to prevent a seriously injured dog from prolonged injury. As added by P.L.76-2002, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-14. Bestiality

Sec. 14. A person who knowingly or intentionally performs an act involving: (1) a sex organ of a person and the mouth or anus of an animal; (2) a sex organ of an animal and the mouth or anus of a person; (3) any penetration of the human female sex organ by an animal's sex organ; or (4) any penetration of an animal's sex organ by the human male sex organ; commits bestiality, a Level 6 felony. As added by P.L.171-2007, SEC.12. Amended by P.L.158-2013, SEC.568.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-15. Decompression of Animals

Sec. 15. (a) This section does not apply to the following: (1) A state or federally inspected livestock slaughtering facility (for conduct authorized by IC 15-17-5 and rules adopted under that chapter). (2) An animal disease diagnostic laboratory established under IC 21-46-3-1. (3) A postsecondary educational institution. (4) A research facility licensed by the United States Department of Agriculture. (b) As used in this section, "animal" has the meaning set forth in IC 35-46-3-3. (c) A person who knowingly or intentionally destroys or authorizes the destruction of an animal by placing the animal in a decompression chamber and lowering the pressure of or the oxygen content in the air surrounding the animal commits a Class B misdemeanor. [Pre-2008 Title 15 Recodification Citations: subsection (a) formerly 15-5-17-2(a); subsection (b) formerly 15-5-17-1; subsection (c) formerly 15-5-17-2(b).] As added by P.L.2-2008, SEC.13. Amended by P.L.141-2019, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-3. "Animal"

Sec. 3. As used in this chapter, "animal" does not include a human being. As added by P.L.193-1987, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-4.3. "Animal Fighting Paraphernalia"

Sec. 4.3. As used in this chapter, "animal fighting paraphernalia" means equipment used to train or condition animals for participation in an animal fighting contest. As added by P.L.76-2002, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-4.5. "Law Enforcement Animal"

Sec. 4.5. (a) As used in this chapter, "law enforcement animal" means an animal that is owned or used by a law enforcement agency for the principal purposes of: (1) aiding in: (A) the detection of criminal activity; (B) the enforcement of laws; and (C) the apprehension of offenders; and (2) ensuring the public welfare. (b) The term includes, but is not limited to, the following: (1) A

horse. (2) An arson investigation dog. (3) A bomb detection dog. (4) A narcotic detection dog. (5) A patrol dog. As added by P.L.213-1997, SEC.2. Amended by P.L.9-2003, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-4. "Animal Fighting Contest"

Sec. 4. As used in this chapter, "animal fighting contest" means a conflict between two (2) or more animals. The term does not include a conflict that is unorganized or accidental. As added by P.L.193-1987, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-5. Exceptions From Chapter; Electrocution

Sec. 5. (a) Except as provided in subsections (b) through (c), this chapter does not apply to the following: (1) Fishing, hunting, trapping, or other conduct authorized under IC 14-22. (2) Conduct authorized under IC 15-20-2. (3) Generally accepted veterinary standards and practices. (4) Conduct authorized by a local ordinance. (5) Acceptable farm management practices. (6) Conduct authorized by IC 15-17, and rules adopted under IC 15-17 for: (A) state or federally inspected livestock slaughtering facilities; (B) emergency events; or (C) state or federal animal disease control programs. (7) A research facility registered with the United States Department of Agriculture under the federal Animal Welfare Act (7 U.S.C. 2131 et seq.). (8) Destruction of a vertebrate defined as a pest under IC 15-16-5-24. (9) Destruction of or injury to a fish. (10) Destruction of a vertebrate animal that is: (A) endangering, harassing, or threatening livestock or a domestic animal; or (B) destroying or damaging a person's property. (11) Humane euthanasia of an animal by: (A) a humane society; (B) an animal control agency; or (C) a governmental entity operating an animal shelter or other animal impounding facility. (12) Destruction of an injured or ill animal by an individual to prevent the animal from prolonged suffering. (13) Conduct not resulting in serious injury or illness to the animal that is incidental to exhibiting an animal for show, competition, or display, or that is incidental to transporting the animal for show, competition, or display. (14) Parking an animal. (15) Humane destruction of an animal that the person owns. (b) Section 1 of this chapter applies to conduct described in subsection (a). (c) Destruction of an animal by electrocution is authorized under this section only if it is conducted by a person who: (1) uses generally accepted veterinary standards and practices for euthanasia, depopulation, or slaughter of animals; (2) is engaged in an acceptable farm management practice; or (3) is engaged in activities by a research facility registered with the United States Department of Agriculture under the Animal Welfare Act, or for the animal disease diagnostic laboratory established under IC 21-46-3-1 or a research facility licensed by the United States Department of Agriculture, a college, or a university. As added by P.L.193-1987, SEC.8. Amended by P.L.2-1993, SEC.188; P.L.1-1995, SEC.76; P.L.137-1996, SEC.74; P.L.41-1998, SEC.1; P.L.2-2007, SEC.378; P.L.171-2007, SEC.6; P.L.2-2008, SEC.79; P.L.111-2009, SEC.11; P.L.141-2019, SEC.9; P.L.41-2021, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-6. Impoundment of Animals; Probable Cause Hearing; Penalties; Custody; Bond; Immunity

Sec. 6. (a) This section does not apply to a violation of section 1 of this chapter. (b) Any law enforcement officer or any other person having authority to impound animals who has probable cause to believe there has been a violation of this chapter or IC 15-20-1-4 may take custody of the animal involved. (c) An impound agency shall make a reasonable attempt to: (1) identify the owner of an impounded animal; and (2) notify the owner of the impounded animal: (A) that the animal is impounded; and (B) of the bond requirement imposed under this section. (d) The owner of an animal that has been impounded under this section may prevent disposition of the animal by the impound agency by posting, not later than ten (10) business days after the animal has been impounded, a bond with the court in an amount sufficient to provide for the reasonable expenses of the animal's care and keeping for at least thirty (30) days, beginning from the date the animal was impounded. The ten (10) business day period during which an owner may post a bond begins: (1) on the day upon which the animal is impounded; and (2) without a court order. (e) The owner may renew a bond by posting a new bond, in an amount sufficient to provide for the animal's care and keeping for at least an additional thirty (30) days, not later than ten (10) days after the expiration of the period for which a previous bond was posted. If a bond is not posted or a bond expires and is not renewed, the animal is forfeited to the impound agency and the impound agency may determine disposition of the animal, subject to court order. If the owner of an animal impounded under this section is convicted of an offense under this chapter or IC 15-20-1-4, the owner shall reimburse the impound agency caring for the animal for the expense of the animal's care and keeping. (f) An impound agency or an impound agency's designee may euthanize an animal at any time if a veterinarian licensed under IC 25-38.1 determines that: (1) the animal presents a serious threat to other animals or people; or (2) euthanasia is in the best interest of the welfare of the animal. If an impound agency identifies the owner of an impounded animal that is to be euthanized under this subsection, the impound agency shall make a reasonable attempt to notify the owner ten (10) business days after the animal is euthanized. Notice to an owner under this subsection must set forth the reason or reasons why the animal was euthanized, as determined under subdivisions (1) and (2). (g) A veterinarian licensed under IC 25-38.1 is immune from civil liability for damages for conduct within the scope and arising out of the performance of the veterinarian's duties under this section. (h) If an animal is euthanized, any unused part of the bond posted for the animal must be returned to the owner. (i) If the owner requests, the court having jurisdiction of criminal charges filed under this chapter or IC 15-20-1 shall hold a hearing to determine whether probable cause exists to believe that a violation of this chapter or IC 15-20-1 has occurred. If the court determines that probable cause does not exist, the court shall order the animal returned to its owner, and the return of any bond

posted by its owner. (j) Whenever charges are filed under this chapter, the court shall appoint: (1) the state veterinarian under IC 15-17-4-1; or (2) the state veterinarian's designee; to investigate the condition of the animal and the circumstances relating to the animal's condition and make a recommendation to the court under subsection (k) regarding the confiscation of the animal. (k) The state veterinarian or the state veterinarian's designee who is appointed under subsection (j) shall do the following: (1) Make a recommendation to the court concerning whether confiscation is necessary to protect the safety and well-being of the animal or public. (2) If confiscation is recommended under subdivision (1), recommend a manner for handling the confiscation and disposition of the animal that is in the best interests of the animal and public. The state veterinarian or the state veterinarian's designee who submits a recommendation under this subsection shall articulate to the court the reasons supporting the recommendation. (l) The court: (1) shall give substantial weight to; and (2) may enter an order based upon; a recommendation submitted under subsection (k). (m) If a person is convicted of an offense under this chapter or IC 15-20-1, the court may impose the following additional penalties against the person: (1) A requirement that the person pay the costs of caring for an animal involved in the offenses that are incurred during a period of impoundment authorized under subsection (b). (2) An order terminating or imposing conditions on the person's right to possession, title, custody, or care of: (A) an animal that was involved in the offense; or (B) any other animal in the custody or care of the person. (n) If a person's right to possession, title, custody, or care of an animal is terminated under subsection (m), the court may: (1) award the animal to a humane society or other organization that has as its principal purpose the humane treatment of animals; or (2) order the disposition of the animal as recommended under subsection (k). As added by P.L.193-1987, SEC.9. Amended by P.L.176-1993, SEC.6; P.L.166-1993, SEC.5; P.L.14-2000, SEC.75; P.L.76-2002, SEC.3; P.L.171-2007, SEC.7; P.L.2-2008, SEC.80; P.L.41-2021, SEC.10; P.L.52-2023, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-7. Abandonment or Neglect of Vertebrate Animals; Defense

Sec. 7. (a) A person who: (1) has a vertebrate animal in the person's custody; and (2) recklessly, knowingly, or intentionally abandons or neglects the animal; commits cruelty to an animal, a Class A misdemeanor. However, except for a conviction under section 1 of this chapter, the offense is a Level 6 felony if the person has a prior unrelated conviction under this chapter. (b) It is a defense to a prosecution for abandoning a vertebrate animal under this section that the person who had the animal in the person's custody reasonably believed that the vertebrate animal was capable of surviving on its own. (c) For purposes of this section, an animal that is feral is not in a person's custody. As added by P.L.193-1987, SEC.10. Amended by P.L.171-2007, SEC.8; P.L.111-2009, SEC.12; P.L.158-2013, SEC.558.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-8.5. Possession of Animal Fighting Paraphernalia

Sec. 8.5. A person who knowingly or intentionally possesses animal fighting paraphernalia with the intent to commit a violation of section 9 of this chapter commits possession of animal fighting paraphernalia, a Class B misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated conviction under this section. As added by P.L.76-2002, SEC.4. Amended by P.L.6-2012, SEC.228.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-8. Purchase or Possession of Animals for Fighting Contests

Sec. 8. A person who knowingly or intentionally purchases or possesses an animal for the purpose of using the animal in an animal fighting contest commits a Level 6 felony. As added by P.L.193-1987, SEC.11. Amended by P.L.171-2007, SEC.9; P.L.158-2013, SEC.559.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-9.5. Promoting an Animal Fighting Contest

Sec. 9.5. A person who knowingly or intentionally: (1) possesses animal fighting paraphernalia with the intent to commit a violation of section 9 of this chapter; and (2) possesses, harbors, or trains a dog, cock, fowl, or bird bearing: (A) a scar; (B) a wound; or (C) an injury; consistent with participation in or training for an animal fighting contest; commits promoting an animal fighting contest, a Level 6 felony. As added by P.L.76-2002, SEC.5. Amended by P.L.6-2012, SEC.229; P.L.158-2013, SEC.561.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 3. Offenses Relating to Animals35-46-3-9. Promotion, Use of Animals, or Attendance With Animal at Animal Fighting Contest

Sec. 9. A person who knowingly or intentionally: (1) promotes or stages an animal fighting contest; (2) uses an animal in a fighting contest; or (3) attends an animal fighting contest having an animal in the person's possession; commits a Level 6 felony. As added by P.L.193-1987, SEC.12. Amended by P.L.158-2013, SEC.560.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 5. Offenses Against Public Sensibility35-46-5-1.5. Unlawful Transfer of Fetal Tissue

Sec. 1.5. (a) As used in this section, "aborted" means the termination of human pregnancy with an intention other than to produce a

live birth or to remove a dead fetus. The term includes abortions by surgical procedures and by abortion inducing drugs. (b) As used in this section, "fetal tissue" includes tissue, organs, or any other part of an aborted fetus. (c) This section does not apply to the proper medical disposal of fetal tissue. (d) A person who intentionally acquires, receives, sells, or transfers fetal tissue commits unlawful transfer of fetal tissue, a Level 5 felony. (e) A person may not alter the timing, method, or procedure used to terminate a pregnancy for the purpose of obtaining or collecting fetal tissue. A person who violates this subsection commits the unlawful collection of fetal tissue, a Level 5 felony. As added by P.L.213-2016, SEC.30.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 5. Offenses Against Public Sensibility35-46-5-1. Human Organ Trafficking

Sec. 1. (a) As used in this section, "human organ" means the kidney, liver, heart, lung, cornea, eye, bone marrow, bone, pancreas, or skin of a human body. (b) As used in this section, "item of value" means money, real estate, funeral related services, and personal property. "Item of value" does not include: (1) the reasonable payments associated with the removal, transportation, implantation, processing, preservation, quality control, and storage of a human organ; or (2) the reimbursement of travel, housing, lost wages, and other expenses incurred by the donor of a human organ related to the donation of the human organ. (c) A person who intentionally acquires, receives, sells, or transfers, in exchange for an item of value, a human organ for use in human organ transplantation commits unlawful transfer of human organs, a Level 5 felony. As added by P.L.131-1992, SEC.2. Amended by P.L.217-1997, SEC.1; P.L.158-2013, SEC.570; P.L.213-2016, SEC.29.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 5. Offenses Against Public Sensibility35-46-5-2. Unlawful Participation in Human Cloning; Exception

Sec. 2. (a) This section does not apply to in vitro fertilization. (b) As used in this section, "cloning" has the meaning set forth in IC 16-18-2-56.5. (c) A person who knowingly or intentionally: (1) participates in cloning; (2) implants or attempts to implant a cloned human embryo into a uterine environment to initiate a pregnancy; or (3) ships or receives a cloned human embryo; commits unlawful participation in human cloning, a Level 6 felony. As added by P.L.126-2005, SEC.9. Amended by P.L.158-2013, SEC.571.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 5. Offenses Against Public Sensibility35-46-5-3. "Qualified Egg Bank"; Unlawful Transfer of Human Organisms; Exceptions; Penalties

Sec. 3. (a) As used in this section, "lethal fetal anomaly" means a fetal condition diagnosed before birth that, if the pregnancy results in a live birth, will with reasonable certainty result in the death of the child not more than three (3) months after the child's birth. (b) As used in this section, "physician" means an individual who: (1) is licensed to practice medicine in: (A) Indiana under IC 25-22.5; or (B) another state in the United States in which the individual is providing medical services; (2) is board certified in obstetrics and gynecology; and (3) oversees medical services related to ovum cryopreservation. (c) As used in this section, "qualified egg bank" means: (1) a fertility clinic or similar medical facility that: (A) is located in the United States; (B) is accredited by an entity approved by: (i) the medical licensing board, if the fertility clinic or facility is located in Indiana; or (ii) the authorizing state agency or licensing board in the state in which the fertility clinic or facility is located; (C) is registered under 21 CFR 1271 with the United States Food and Drug Administration; and (D) is owned by, employs, contracts with, or is affiliated with at least one (1) physician who performs medical services related to ovum cryopreservation at the fertility clinic or facility; or (2) an entity whose primary business purpose includes the facilitation of in vitro fertilization using cryopreserved ova and that is registered under 21 CFR 1271 with the United States Food and Drug Administration. (d) Except as provided in subsection (e), a person who knowingly or intentionally purchases or sells a human ovum, zygote, embryo, or fetus commits unlawful transfer of a human organism, a Level 5 felony. (e) This section does not apply to the following: (1) The payment to or receipt by a woman donor of an ovum of an amount for: (A) earnings lost due to absence from employment; (B) travel expenses; (C) hospital expenses; (D) medical expenses; and (E) recovery time in an amount not to exceed four thousand dollars ($4,000); concerning a treatment or procedure, including ovum cryopreservation, to enhance human reproductive capability through in vitro fertilization, gamete intrafallopian transfer, or zygote intrafallopian transfer. (2) The payment to or receipt by a qualified egg bank of an amount for: (A) the retrieval of a human ovum; (B) the cryopreservation of a human ovum; (C) the transportation of a human ovum; or (D) any other aspect of performing or facilitating services related to a treatment or procedure to enhance human reproductive capability through in vitro fertilization. (3) The following types of stem cell research: (A) Adult stem cell. (B) Fetal stem cell (as defined in IC 16-18-2-128.5), as long as the biological parent has given written consent for the use of the fetal stem cells. (4) The transfer or receipt of a fetus if: (A) the fetus was diagnosed with a lethal fetal anomaly and written medical documentation verifies the diagnosis; and (B) a biological parent has requested, in writing, the transfer of the fetus for purposes of an autopsy. (f) Any person who recklessly, knowingly, or intentionally uses a human embryo created with an ovum provided to a qualified egg bank under this section for purposes of embryonic stem cell research commits unlawful use of an embryo, a Level 5 felony. As added by P.L.126-2005, SEC.10. Amended by P.L.91-2012, SEC.2; P.L.158-2013, SEC.572; P.L.213-2016, SEC.31; P.L.113-2018, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 5. Offenses Against Public Sensibility35-46-5-4. Unlawful Documentation of a Gift of Organs, Tissue, Eyes, or Body Parts

Sec. 4. An individual who, in order to obtain a financial gain, intentionally falsifies, forges, conceals, defaces, or obliterates a

document that: (1) expresses; (2) makes an amendment or revocation of; or (3) refuses; a gift of organs, tissues, eyes, or other body parts intended to be used in research or in transplants, commits a Class A misdemeanor. As added by P.L.147-2007, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 6. Glue Sniffing35-46-6-1. "Model Glue" Defined

Sec. 1. As used in this chapter, "model glue" means a glue or cement containing toluene or acetone, or both. [Pre-1993 Title 16 Recodification Citation: 16-6-8.9-1(b).] As added by P.L.2-1993, SEC.189. Amended by P.L.151-2006, SEC.19.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 6. Glue Sniffing35-46-6-2. Inhaling Toxic Vapors

Sec. 2. A person who, with intent to cause a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulling of the senses, ingests or inhales the fumes of: (1) model glue; (2) a substance that contains: (A) toluene; (B) acetone; (C) benzene; (D) N-butyl nitrite; (E) any aliphatic nitrite, unless prescribed by a physician; (F) butane; (G) amyl butrate; (H) isobutyl nitrate; (I) freon; (J) chlorinated hydrocarbons; (K) methylene chloride; (L) hexane; (M) ether; (N) chloroform; or (O) halothane; or (3) any other chemical having the property of releasing toxic vapors; commits inhaling toxic vapors, a Class B misdemeanor. [Pre-1993 Title 16 Recodification Citation: 16-6-8.9-1(a).] As added by P.L.2-1993, SEC.189. Amended by P.L.151-2006, SEC.20; P.L.9-2024, SEC.537.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 6. Glue Sniffing35-46-6-3. Nitrous Oxide Distribution; Nonmedical Purposes

Sec. 3. A person who knowingly or intentionally uses or distributes nitrous oxide with intent to cause a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulling of the senses of another person, unless the nitrous oxide is to be used for medical purposes, commits a Class B misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated conviction under this section. As added by P.L.163-1994, SEC.1. Amended by P.L.218-1997, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 7. Offenses Against Persons Receiving Care35-46-7-1. "Health Care Provider"

Sec. 1. As used in this chapter, "health care provider" means: (1) a hospital licensed under IC 16-21; (2) a health facility licensed under IC 16-28; (3) a housing services establishment that is required to file a disclosure statement under IC 12-15; (4) a continuing care retirement community that is required to file a disclosure statement under IC 23-2-4; (5) a home health agency licensed under IC 16-27; (6) a hospice licensed under IC 16-25; (7) an entity that provides licensed or certified health care professionals to: (A) a health care provider; or (B) a person who is in need of, or receives, professional health care services; (8) a community mental health center (as defined in IC 12-7-2-38); (9) a private psychiatric hospital licensed under IC 12-25; (10) a state institution (as defined in IC 12-7-2-184); or (11) a community residential facility for the developmentally disabled that is licensed under IC 12-28-5. As added by P.L.139-2002, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 7. Offenses Against Persons Receiving Care35-46-7-2. Excluded Transactions

Sec. 2. This chapter does not apply to the following: (1) A gift or donation of money or other asset given to: (A) a health care provider in the corporate name of the health care provider; or (B) a health care provider that is organized under Section 501(c)(3) of the Internal Revenue Code. (2) A gift or loan of money or other asset given by a person who receives services from a health care provider to a member of the person's family who: (A) is employed by a health care provider; or (B) owns, wholly or jointly, a health care provider. (3) A bequest of personal property or devise of real property made in an executable will as described in IC 29-1-5-5 to a health care provider or an owner, employee, or agent of a health care provider. (4) The purchase of a security (as defined in IC 23-19-1-2(28)) that is traded on a national or regional exchange. (5) A gift or gratuity, not exceeding five hundred dollars ($500) in the aggregate per year per person receiving services from the health care provider, to an employee of a health care provider. (6) A gift or donation of money or other asset given to purchase or otherwise acquire a product, service, or amenity for the use, entertainment, or enjoyment of persons receiving services from a health care provider. As added by P.L.139-2002, SEC.1. Amended by P.L.27-2007, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 7. Offenses Against Persons Receiving Care35-46-7-3. Regulated Transactions; Requirement That Transaction Be Executed in Writing; Penalty

Sec. 3. (a) The following transactions are subject to the requirements of subsection (b): (1) A gift, a donation, a loan, or an investment from a person who receives services from a health care provider to: (A) the health care provider; or (B) an owner, employee, or agent of the health care provider. (2) A loan or an investment from a person who receives services from a health care provider to the health care provider in the corporate name of the health care provider. (b) A transaction under subsection (a) must be executed by a competent person (including a person other than the health care provider exercising a durable power of attorney on behalf of the donor) in writing and witnessed by two (2) disinterested parties. Each witness shall sign a document that describes the

transaction in the presence of: (1) the person who makes the transaction; and (2) the other witness. (c) A health care provider, or an owner, an employee, or an agent of a health care provider, who: (1) receives a gift, a donation, a loan, or an investment from a person who receives services from a health care provider; and (2) fails to comply with the requirements of subsection (b); commits a Class A infraction. Without regard to the amount of the transaction, the court that imposes the penalty for the infraction violation may, upon the request of the prosecuting attorney, order the person to return assets or repay money received in violation of this section, plus interest from the date of the transaction, to the person who made the gift, donation, loan, or investment. In addition, if the court finds that the person knowingly violated the requirements of subsection (b), the court may order the person to pay treble damages and reasonable attorney's fees. As added by P.L.139-2002, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 8.5. Unlawful Photography and Surveillance on Private Property35-46-8.5-1. Unlawful Photography, Surveillance, and Tracking on Private Property

Sec. 1. (a) This section does not apply to any of the following: (1) Electronic or video toll collection facilities or activities authorized under any of the following: (A) IC 8-15-2. (B) IC 8-15-3. (C) IC 8-15.5. (D) IC 8-15.7. (E) IC 8-16. (F) IC 9-21-3.5. (2) A law enforcement officer who has obtained: (A) a search warrant; or (B) the consent of the owner of private property; to place a camera, electronic surveillance equipment, or tracking device on the private property, with respect to the placement of a camera, electronic surveillance equipment, or tracking device. (3) A law enforcement officer who uses a law enforcement recording device in performance of the officer's duties, with respect to the use of the law enforcement recording device. (4) A person who uses a tracking device to determine the location of a family member (as defined in IC 35-44.1-3-1), unless the person is the subject of a protective order obtained by the family member. (5) A person who places a tracking device on property in which the person has an ownership or contractual interest, unless the person is the subject of a protective order and the property is likely to be used by the person who obtained the protective order. (6) A tracking device placed on a person or the property of a person: (A) who is incarcerated; (B) as a condition of probation, parole, home detention, community corrections, bail, prosecutorial diversion, or supervised release; or (C) pursuant to a court order. (7) A device installed as original equipment by the manufacturer of a motor vehicle. (8) A provider of electronic communications services with respect to a tracking device, if the installation, placement, or use of the tracking device is disclosed to the consumer in the provider's terms of use, privacy policy, or similar document available to the consumer. (b) As used in this section, "protective order" refers to an order described in IC 35-45-10-5(b)(2) or IC 35-46-1-15.1(a). (c) A person who knowingly or intentionally places a: (1) camera or electronic surveillance equipment that records images or data of any kind while unattended on the private property of another person without the consent of the owner or tenant of the private property; or (2) tracking device on an individual or on property owned or used by an individual, without the knowledge or consent of the individual; commits unlawful surveillance, a Class A misdemeanor, except as provided in subsection (d). (d) Unlawful surveillance under subsection (c) is a Level 6 felony if: (1) the person has a prior unrelated conviction for: (A) an offense under this section; (B) a crime of domestic violence under IC 35-38-1-7.7; (C) stalking (IC 35-45-10-5); or (D) invasion of privacy (IC 35-46-1-15.1); or (2) the person is the subject of a protective order. As added by P.L.170-2014, SEC.26. Amended by P.L.58-2016, SEC.10; P.L.172-2023, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 8. Unlawful Recording35-46-8-1. Application

Sec. 1. This chapter does not apply to a law enforcement officer acting within the scope of the officer's employment. As added by P.L.94-2005, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 8. Unlawful Recording35-46-8-2. "Audiovisual Recording Device"

Sec. 2. As used in this chapter, "audiovisual recording device" means: (1) a digital or an analog photographic or video camera; or (2) any other technology capable of enabling the recording or transmission of a motion picture or other audiovisual work; regardless of whether audiovisual recording is the sole or primary purpose of the device. As added by P.L.94-2005, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 8. Unlawful Recording35-46-8-3. "Motion Picture Exhibition Facility"

Sec. 3. (a) As used in this chapter, "motion picture exhibition facility" means: (1) an indoor or outdoor screening venue; or (2) any other premises; where motion pictures or other audiovisual works are shown to the public for a charge, regardless of whether an admission fee is charged. (b) The term does not include a dwelling. As added by P.L.94-2005, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 8. Unlawful Recording35-46-8-4. Unlawful Recording; Defense

Sec. 4. (a) A person who knowingly or intentionally uses an audiovisual recording device in a motion picture exhibition facility with the intent to transmit or record a motion picture commits unlawful recording, a Class C infraction. However, the violation is a Class B misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five

(5) years. (b) It is a defense to a prosecution under this section that the accused person had the written permission of the motion picture exhibition facility owner to transmit or record the motion picture. As added by P.L.94-2005, SEC.6. Amended by P.L.32-2019, SEC.41.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 8. Unlawful Recording35-46-8-5. Additional Penalties

Sec. 5. In addition to a criminal penalty imposed for an offense under this chapter, a court may order the forfeiture, destruction, or other disposition of: (1) all unauthorized copies of motion pictures or other audiovisual works; and (2) any audiovisual recording devices or other equipment used in connection with the offense. As added by P.L.94-2005, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 9. Operating a Motorboat While Intoxicated35-46-9-1. "Chemical Test"

Sec. 1. As used in this chapter, "chemical test" means an analysis of an individual's: (1) blood; (2) breath; (3) urine; or (4) other bodily substance; for the determination of the presence of alcohol or a controlled substance. As added by P.L.40-2012, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 9. Operating a Motorboat While Intoxicated35-46-9-10. Chemical Test Required if Accident Results in Serious Bodily Injury or Death

Sec. 10. (a) A law enforcement officer shall offer a portable breath test or chemical test to any person if the officer has reason to believe the person operated a motorboat that was involved in a fatal accident or an accident involving serious bodily injury. If: (1) the results of a portable breath test indicate the presence of alcohol; (2) the results of a portable breath test do not indicate the presence of alcohol but the law enforcement officer has probable cause to believe the person is under the influence of a controlled substance or another drug; or (3) the person refuses to submit to a portable breath test; the law enforcement officer shall offer a chemical test to the person. (b) A law enforcement officer may offer a person more than one (1) portable breath test or chemical test under this section. However, all chemical tests must be administered within three (3) hours after the fatal accident or the accident involving serious bodily injury. (c) It is not necessary for a law enforcement officer to offer a portable breath test or chemical test to an unconscious person. As added by P.L.40-2012, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 9. Operating a Motorboat While Intoxicated35-46-9-11. Arrest Based on the Results of a Chemical Test; Refusal

Sec. 11. (a) If a chemical test results in relevant evidence that the person is intoxicated, the person may be arrested for an offense under this chapter. (b) If a chemical test results in prima facie evidence that the person is intoxicated, the person shall be arrested for an offense under this chapter. (c) A person who refuses to submit to a chemical test may be arrested for an offense under this chapter. (d) At a proceeding under this chapter, a person's refusal to submit to a chemical test is admissible into evidence. As added by P.L.40-2012, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 9. Operating a Motorboat While Intoxicated35-46-9-12. Certification of Chemical Tests

Sec. 12. (a) The provisions of IC 9-30-6-5 concerning the certification and use of chemical breath tests apply to the use of chemical breath tests in a prosecution under this chapter. (b) IC 9-30-6-6 applies to chemical tests performed under this chapter. As added by P.L.40-2012, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 9. Operating a Motorboat While Intoxicated35-46-9-13. Suspension of License for Refusal to Submit to a Chemical Test

Sec. 13. If a person refuses to submit to a chemical test under this chapter, the law enforcement officer shall inform the person that the person's refusal will result in the suspension of the person's motorboat and motor vehicle operation privileges. As added by P.L.40-2012, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 9. Operating a Motorboat While Intoxicated35-46-9-14. Duties of Prosecuting Attorney

Sec. 14. The prosecuting attorney of the county in which an alleged violation of this chapter occurs shall represent the state in a proceeding under this chapter. As added by P.L.40-2012, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 9. Operating a Motorboat While Intoxicated35-46-9-15. Results of a Chemical Test Admissible as Evidence

Sec. 15. (a) At a proceeding concerning an offense under this chapter, evidence of the alcohol concentration that was in the blood of the person charged with the offense; (1) at the time of the alleged violation; or (2) within the time allowed for testing under sections 9 and 10 of this chapter; as shown by an analysis of the person's breath, blood, urine, or other bodily substance is admissible. (b) If, in a prosecution for an offense under this chapter, evidence establishes that: (1) a chemical test was performed on a test sample taken

from the person charged with the offense within the time allowed for testing under sections of 9 and 10 this chapter; and (2) the person charged with the offense had an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per: (A) one hundred (100) milliliters of the person's blood; or (B) two hundred ten (210) liters of the person's breath; the trier of fact shall presume that the person charged with the offense had an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per one hundred (100) milliliters of the person's blood or per two hundred ten (210) liters of the person's breath at the time the person operated the motorboat. However, this presumption is rebuttable. As added by P.L.40-2012, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 9. Operating a Motorboat While Intoxicated35-46-9-2. "Intoxicated"

Sec. 2. As used in this chapter, "intoxicated" means under the influence of: (1) alcohol; (2) a controlled substance; (3) any drug (as defined in IC 9-13-2-49.1) other than alcohol or a controlled substance; (4) any combination of alcohol, controlled substances, or drugs; or (5) any other substance, not including food and food ingredients (as defined in IC 6-2.5-1-20), tobacco (as defined in IC 6-2.5-1-28), or a dietary supplement (as defined in IC 6-2.5-1-16); so that there is an impaired condition of thought and action and the loss of normal control of an individual's faculties. As added by P.L.40-2012, SEC.21. Amended by P.L.196-2013, SEC.19.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 9. Operating a Motorboat While Intoxicated35-46-9-3. "Motorboat"

Sec. 3. (a) As used in this chapter, "motorboat" means a watercraft (as defined in IC 14-8-2-305) propelled by: (1) an internal combustion, steam, or electrical inboard or outboard motor or engine; or (2) any mechanical means. (b) The term includes the following: (1) A sailboat that is equipped with a motor or an engine described in subsection (a) when the motor or engine is in operation, whether or not the sails are hoisted. (2) A personal watercraft (as defined in IC 14-8-2-202.5). As added by P.L.40-2012, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 9. Operating a Motorboat While Intoxicated35-46-9-4. "Prima Facie Evidence of Intoxication"

Sec. 4. As used in this chapter, "prima facie evidence of intoxication" includes evidence that at the time of an alleged violation there was an alcohol concentration equivalent (as defined in IC 9-13-2-2.4) to at least eight-hundredths (0.08) gram of alcohol per: (1) one hundred (100) milliliters of the person's blood; or (2) two hundred ten (210) liters of the person's breath. As added by P.L.40-2012, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 9. Operating a Motorboat While Intoxicated35-46-9-5. "Relevant Evidence"

Sec. 5. As used in this chapter, "relevant evidence" includes evidence that at the time of the alleged violation there was an alcohol concentration equivalent (as defined in IC 9-13-2-2.4) to at least five-hundredths (0.05) gram and less than eight-hundredths (0.08) gram of alcohol per: (1) one hundred (100) milliliters of the person's blood; or (2) two hundred ten (210) liters of the person's breath. As added by P.L.40-2012, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 9. Operating a Motorboat While Intoxicated35-46-9-6. Operating a Motorboat While Intoxicated

Sec. 6. (a) Except as provided in subsections (b) and (c), a person who operates a motorboat while: (1) having an alcohol concentration equivalent (as defined in IC 9-13-2-2.4) to at least eight-hundredths (0.08) gram of alcohol per: (A) one hundred (100) milliliters of the person's blood; or (B) two hundred ten (210) liters of the person's breath; (2) having a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's body; or (3) intoxicated; commits a Class C misdemeanor. (b) The offense is a Level 6 felony if: (1) the person has a previous conviction under: (A) IC 14-1-5 (repealed); (B) IC 14-15-8-8 (repealed); or (C) this chapter; or (2) the offense results in serious bodily injury to another person. (c) The offense is a Level 5 felony if the offense results in the death or catastrophic injury of another person. (d) It is a defense to a prosecution under subsection (a)(2) that the accused person consumed the controlled substance in accordance with a valid prescription or order of a practitioner (as defined in IC 35-48-1-24) who acted in the course of the practitioner's professional practice. As added by P.L.40-2012, SEC.21. Amended by P.L.168-2014, SEC.87; P.L.26-2016, SEC.3; P.L.85-2017, SEC.118; P.L.63-2018, SEC.4; P.L.184-2019, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 9. Operating a Motorboat While Intoxicated35-46-9-7. Violation of an Order Not to Operate a Motorboat

Sec. 7. A person who operates a motorboat after the person has been ordered not to operate a motorboat under: (1) IC 14-15-8 (repealed); or (2) this chapter; commits a Class A misdemeanor. As added by P.L.40-2012, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 9. Operating a Motorboat While Intoxicated35-46-9-8. Implied Consent

Sec. 8. (a) A person who operates a motorboat in water over which Indiana has jurisdiction impliedly consents to submit to the

chemical test provisions of this chapter as a condition of operating a motorboat in Indiana. (b) If a person refuses to submit to a chemical test after having been advised that the refusal will result in the suspension of operating privileges or submits to a chemical test that results in prima facie evidence of intoxication, the arresting law enforcement officer shall do the following: (1) Obtain the person's driver's license or permit if the person is in possession of the document and issue a receipt valid until the initial hearing of the matter is held under IC 35-33-7-1. (2) Submit a probable cause affidavit to the prosecuting attorney of the county in which the alleged offense occurred. (3) Send a copy of the probable cause affidavit submitted under subdivision (2) to the bureau of motor vehicles. As added by P.L.40-2012, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 46. Miscellaneous OffensesChapter 9. Operating a Motorboat While Intoxicated35-46-9-9. Opportunity to Submit to a Chemical Test

Sec. 9. (a) A law enforcement officer who has probable cause to believe that a person has committed an offense under this chapter shall offer the person the opportunity to submit to a chemical test. It is not necessary for the law enforcement officer to offer a chemical test to an unconscious person. (b) A law enforcement officer may offer a person more than one (1) chemical test under this chapter. However, all tests must be administered within three (3) hours after the officer had probable cause to believe the person violated this chapter. (c) A person must submit to each chemical test offered by a law enforcement officer to comply with the implied consent provisions of this chapter. As added by P.L.40-2012, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 1. Applicability35-47.5-1-1. Application

Sec. 1. This article does not apply to the following: (1) Fertilizers, propellant actuated devices, or propellant activated industrial tools: (A) manufactured; (B) imported; (C) distributed; or (D) used; for their designed purposes. (2) A pesticide that is: (A) manufactured; (B) stored; (C) transported; (D) distributed; (E) possessed; or (F) used; for its designed purposes or in accordance with Chapter 7 of Title 2, the federal Insecticide, Fungicide, and Rodenticide Act, 61 Stat. 163, as amended, and the federal Environmental Pesticide Control Act of 1972, P.L.92-516, as amended. As added by P.L.123-2002, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 2. Definitions35-47.5-2-1. Definitions

Sec. 1. The definitions in this chapter apply throughout this article. As added by P.L.123-2002, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 2. Definitions35-47.5-2-11. "Overpressure Device"

Sec. 11. "Overpressure device" means: (1) a frangible container filled with an explosive gas or expanding gas that is designed or constructed to cause the container to break or fracture in a manner that is capable of causing death, bodily harm, or property damage; or (2) a container filled with an explosive gas or expanding gas or chemicals that generate an expanding gas. As added by P.L.123-2002, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 2. Definitions35-47.5-2-12. "Property"

Sec. 12. "Property" means real or personal property of any kind, including money, choses in action, and other similar interests in property. As added by P.L.123-2002, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 2. Definitions35-47.5-2-13. "Regulated Explosive"

Sec. 13. (a) "Regulated explosive" includes: (1) a destructive device; and (2) an explosive. (b) The term does not include the following: (1) An explosive in a manufactured article that is designed and packaged in a manner that is likely to prevent an explosion resulting in property damage or personal injury. A manufactured article to which this subdivision applies includes fixed ammunition for small arms, a firework, and a safety fuse match. (2) Gasoline, kerosene, naphtha, turpentine, or benzine. (3) An explosive that is being transported on or in a vessel, railroad car, or highway vehicle in conformity with the regulations adopted by the United States Department of Transportation. (4) A blasting explosive that is transported or used for agricultural purposes and that is in a quantity that does not exceed two hundred (200) pounds. (5) Ammonium nitrate or other explosive compounds kept for mining purposes at coal mines regulated under IC 14-34. As added by P.L.123-2002, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 2. Definitions35-47.5-2-2. "Booby Trap"

Sec. 2. "Booby trap" means a device meant to cause death or bodily injury by: (1) hiding the device; or (2) activating the device by trip wires, switches, antidisturbance, or other remote means. As added by P.L.123-2002, SEC.50.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 2. Definitions35-47.5-2-3.5. "Department"

Sec. 3.5. "Department" refers to the department of homeland security established by IC 10-19-2-1. As added by P.L.187-2021, SEC.129.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 2. Definitions35-47.5-2-3. "Commission"

Sec. 3. "Commission" refers to the fire prevention and building safety commission established by IC 22-12-2-1. As added by P.L.123-2002, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 2. Definitions35-47.5-2-4. "Destructive Device"

Sec. 4. (a) "Destructive device" means: (1) an explosive, incendiary, or overpressure device that is configured as a: (A) bomb; (B) grenade; (C) rocket with a propellant charge of more than four (4) ounces; (D) missile having an explosive or incendiary charge of more than one-quarter (1/4) ounce; (E) mine; (F) Molotov cocktail; or (G) device that is substantially similar to an item described in clauses (A) through (F); (2) a type of weapon that may be readily converted to expel a projectile by the action of an explosive or other propellant through a barrel that has a bore diameter of more than one-half (1/2) inch; or (3) a combination of parts designed or intended for use in the conversion of a device into a destructive device. (b) The term does not include the following: (1) A pistol, rifle, shotgun, or weapon suitable for sporting or personal safety purposes or ammunition. (2) A device that is neither designed nor redesigned for use as a weapon. (3) A device that, although originally designed for use as a weapon, is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device. (4) A surplus military ordnance sold, loaned, or given by authority of the appropriate official of the United States Department of Defense. As added by P.L.123-2002, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 2. Definitions35-47.5-2-5. "Detonator"

Sec. 5. "Detonator" means a device containing a detonating charge that is used to initiate detonation in an explosive, including the following: (1) Electric blasting caps. (2) Blasting caps for use with safety fuses. (3) Detonating cord delay connectors. (4) Blasting caps for use with a shock tube. (5) Improvised devices designed to function as a detonator. As added by P.L.123-2002, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 2. Definitions35-47.5-2-6. "Distribute"

Sec. 6. "Distribute" means the actual, constructive, or attempted transfer from one (1) person to another. As added by P.L.123-2002, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 2. Definitions35-47.5-2-7. "Explosives"

Sec. 7. "Explosives" means a chemical compound or other substance or mechanical system intended to produce an explosion capable of causing injury to persons or damage to property or containing oxidizing and combustible units or other ingredients in such proportions or quantities that ignition, fire, friction, concussion, percussion, or detonation may produce an explosion capable of causing injury to persons or damage to property, including the substances designated in IC 35-47.5-3. The term does not include the following: (1) A model rocket and model rocket engine designed, sold, and used to propel recoverable aero models. (2) A paper cap in which the explosive content does not average more than twenty-five hundredths (0.25) grains of explosive mixture per paper cap for toy pistols, toy cannons, toy canes, toy guns, or other devices using paper caps unless the paper cap is used as a component of a destructive device. As added by P.L.123-2002, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 2. Definitions35-47.5-2-8. "Hoax Device"; "Replica"

Sec. 8. "Hoax device" or "replica" means a device or article that has the appearance of a destructive device or detonator. As added by P.L.123-2002, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 2. Definitions35-47.5-2-9. "Incendiary"

Sec. 9. "Incendiary" means a flammable liquid or compound with a flash point not greater than one hundred fifty (150) degrees Fahrenheit, as determined by a Tagliabue or an equivalent closed cup device, including gasoline, kerosene, fuel oil, or a derivative of these substances. As added by P.L.123-2002, SEC.50.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 3. Classification of Regulated Explosives35-47.5-3-1. Regulated Explosives

Sec. 1. The following materials are regulated explosives within the meaning of this article: (1) Acetylides of heavy metals. (2) Aluminum containing polymeric propellant. (3) Aluminum ophorite explosive. (4) Amatex. (5) Amatol. (6) Ammonal. (7) Ammonium nitrate explosive mixtures, cap sensitive. (8) Ammonium nitrate explosive mixtures, noncap sensitive. (9) Aromatic nitro-compound explosive mixtures. (10) Ammonium perchlorate explosive mixtures. (11) Ammonium perchlorate composite propellant. (12) Ammonium picrate (picrate of ammonia, explosive D). (13) Ammonium salt lattice with isomorphously substituted inorganic salts. (14) Ammonium tri-iodide. (15) ANFO (ammonium nitrate-fuel oil). (16) Baratol. (17) Baronol. (18) BEAF (1,2-bis (2,2-difluoro-2-nitroacetoxyethane)). (19) Black powder. (20) Black powder based explosive mixtures. (21) Blasting agents, nitro-carbo-nitrates, including noncap sensitive slurry and water-gel explosives. (22) Blasting caps. (23) Blasting gelatin. (24) Blasting powder. (25) BTNEC (bis (trinitroethyl) carbonate). (26) Bulk salutes. (27) BTNEN (bis (trinitroethyl) nitramine). (28) BTTN (1,2,4 butanetriol trinitrate). (29) Butyl tetryl. (30) Calcium nitrate explosive mixture. (31) Cellulose hexanitrate explosive mixture. (32) Chlorate explosive mixtures. (33) Composition A and variations. (34) Composition B and variations. (35) Composition C and variations. (36) Copper acetylide. (37) Cyanuric triazide. (38) Cyclotrimethylenetrinitramine (RDX). (39) Cyclotetramethylenetetranitramine (HMX). (40) Cyclonite (RDX). (41) Cyclotol. (42) DATB (diaminotrinitrobenzene). (43) DDNP (diazodinitrophenol). (44) DEGDN (diethyleneglycol dinitrate). (45) Detonating cord. (46) Detonators. (47) Dimethylol dimethyl methane dinitrate composition. (48) Dinitroethyleneurea. (49) Dinitroglycerine (glycerol dinitrate). (50) Dinitrophenol. (51) Dinitrophenolates. (52) Dinitrophenyl hydrazine. (53) Dinitroresorcinol. (54) Dinitrotoluene-sodium nitrate explosive mixtures. (55) DIPAM. (56) Dipicryl sulfone. (57) Dipicrylamine. (58) DNDP (dinitropentano nitrile). (59) DNPA (2,2-dinitropropyl acrylate). (60) Dynamite. (61) EDDN (ethylene diamine dinitrate). (62) EDNA. (63) Ednatol. (64) EDNP (ethyl 4,4-dinitropentanoate). (65) Erythritol tetranitrate explosives. (66) Esters of nitro substituted alcohols. (67) EGDN (ethylene glycol dinitrate). (68) Ethyl-tetryl. (69) Explosive conitrates. (70) Explosive gelatins. (71) Explosive mixtures containing oxygen releasing inorganic salts and hydrocarbons. (72) Explosive mixtures containing oxygen releasing inorganic salts and nitro bodies. (73) Explosive mixtures containing oxygen releasing inorganic salts and water insoluble fuels. (74) Explosive mixtures containing oxygen releasing inorganic salts and water soluble fuels. (75) Explosive mixtures containing sensitized nitromethane. (76) Explosive mixtures containing tetranitromethane (nitroform). (77) Explosive nitro compounds of aromatic hydrocarbons. (78) Explosive organic nitrate mixtures. (79) Explosive liquids. (80) Explosive powders. (81) Flash powder. (82) Fulminate of mercury. (83) Fulminate of silver. (84) Fulminating gold. (85) Fulminating mercury. (86) Fulminating platinum. (87) Fulminating silver. (88) Gelatinized nitrocellulose. (89) Gem-dinitro aliphatic explosive mixtures. (90) Guanyl nitrosamino guanyl tetrazene. (91) Guanyl nitrosamino guanylidene hydrazine. (92) Hexogene or octogene and a nitrated N-methylaniline. (93) Hexolites. (94) HMX(cyclo-l,3,5,7-tetramethylene-2,4,6,8-tetranitramine; octogen). (95) Hydrazinium nitrate/hydrazine/aluminum explosive system. (96) Hydrazoic acid. (97) Igniter cord. (98) Igniters. (99) Initiating tube systems. (100) KDNBF (potassium dinitrobenzo-furoxane). (101) Lead azide. (102) Lead mannite. (103) Lead mononitroresorcinate. (104) Lead picrate. (105) Lead salts, explosive. (106) Lead styphnate (styphnate of lead, lead trinitroresorcinate). (107) Liquid nitrated polyol and trimethylolethane. (108) Liquid oxygen explosives. (109) Magnesium ophorite explosives. (110) Mannitol hexanitrate. (111) MDNP (methyl 4,4-dinitropentanoate). (112) MEAN (monoethanolamine nitrate). (113) Mercuric fulminate. (114) Mercury oxalate. (115) Mercury tartrate. (116) Metriol trinitrate. (117) Minol-2 (40% TNT, 40% ammonium nitrate, 20% aluminum). (118) MMAN (monomethylamine nitrate); methylamine nitrate. (119) Mononitrotoluene-nitroglycerin mixture. (120) Monopropellants. (121) NIBTN (nitroisobutametriol trinitrate). (122) Nitrate sensitized with gelled nitroparaffin. (123) Nitrated carbohydrate explosive. (124) Nitrated glucoside explosive. (125) Nitrated polyhydric alcohol explosives. (126) Nitrates of soda explosive mixtures. (127) Nitric acid and a nitro aromatic compound explosive. (128) Nitric acid and carboxylic fuel explosive. (129) Nitric acid explosive mixtures. (130) Nitro aromatic explosive mixtures. (131) Nitro compounds of furane explosive mixtures. (132) Nitrocellulose explosive. (133) Nitroderivative of urea explosive mixture. (134) Nitrogelatin explosive. (135) Nitrogen trichloride. (136) Nitrogen tri-iodide. (137) Nitroglycerine (NG, RNG, nitro, glyceryl trinitrate, trinitroglycerine). (138) Nitroglycide. (139) Nitroglycol (ethylene glycol dinitrate, EGDN). (140) Nitroguanidine explosives. (141) Nitroparaffins explosive grade and ammonium nitrate mixtures. (142) Nitronium perchlorate propellant mixtures. (143) Nitrostarch. (144) Nitro substituted carboxylic acids. (145) Nitrourea. (146) Octogen (HMX). (147) Octol (75% HMX, 25% TNT). (148) Organic amine nitrates. (149) Organic nitramines. (150) PBX (RDX and plasticizer). (151) Pellet powder. (152) Penthrinite composition. (153) Pentolit. (154) Perchlorate explosive mixtures. (155) Peroxide based explosive mixtures. (156) PETN (nitropentaerythrite, pentaerythrite tetranitrate, pentaerythritol tetranitrate). (157) Picramic acid and its salts. (158) Picramide. (159) Picrate of potassium explosive mixtures. (160) Picratol. (161) Picric acid (manufactured as an explosive). (162) Picryl chloride. (163) Picryl fluoride. (164) PLX (95% nitromethane, 5% ethylenediamine). (165) Polynitro aliphatic compounds. (166) Polyolpolynitrate-nitrocellulose explosive gels. (167) Potassium chlorate and lead sulfocyanate explosive. (168) Potassium nitrate explosive mixtures. (169) Potassium nitroaminotetrazole. (170) Pyrotechnic compositions. (171) PYX (2,6-bis(picrylamino)-3,5-dinitropyridine). (172) RDX (cyclonite, hexogen, T4,cyclo-l,3, 5,-trimethylene-2,4,6,-rinitramine; hexahydro-l,3,5-trinitro-S-triazine). (173) Safety fuse. (174) Salutes (bulk). (175) Salts of organic amino sulfonic acid explosive mixture. (176) Silver acetylide. (177) Silver azide. (178) Silver fulminate. (179) Silver oxalate explosive mixtures. (180) Silver styphnate. (181) Silver tartrate explosive mixtures. (182) Silver tetrazene. (183) Slurried explosive

mixtures of water, inorganic oxidizing salt, gelling agent, fuel, and sensitizer, cap sensitive. (184) Smokeless powder. (185) Sodatol. (186) Sodium amatol. (187) Sodium azide explosive mixture. (188) Sodium dinitro-ortho-cresolate. (189) Sodium nitrate-potassium nitrate explosive mixture. (190) Sodium picramate. (191) Special fireworks (as defined in IC 22-11-14-1). (192) Squibs. (193) Styphnic acid explosives. (194) Tacot (tetranitro-2,3,5,6-dibenzo-l,3a,4,6a tetrazapentalene). (195) TATB (triaminotrinitrobenzene). (196) TATP (triacetone triperoxide). (197) TEGDN (triethylene glycol dinitrate). (198) Tetrazene (tetracene, tetrazine, l(5-tetrazolyl)-4-guanyl tetrazene hydrate). (199) Tetranitrocarbazole. (200) Tetryl (2,4,6 tetranitro-N-methylaniline). (201) Tetrytol. (202) Thickened inorganic oxidizer salt slurried explosive mixture. (203) TMETN (trimethylolethane trinitrate). (204) TNEF (trinitroethyl formal). (205) TNEOC (trinitroethylorthocarbonate). (206) TNEOF (trinitroethylorthoformate). (207) TNT (trinitrotoluene, trotyl, trilite, triton). (208) Torpex. (209) Tridite. (210) Trimethylol ethyl methane trinitrate composition. (211) Trimethylolthane trinitrate-nitrocellulose. (212) Trimonite. (213) Trinitroanisole. (214) Trinitrobenzene. (215) Trinitrobenzoic acid. (216) Trinitrocresol. (217) Trinitro-meta-cresol. (218) Trinitronaphthalene. (219) Trinitrophenetol. (220) Trinitrophloroglucinol. (221) Trinitroresorcinol. (222) Tritonal. (223) Urea nitrate. (224) Water bearing explosives having salts of oxidizing acids and nitrogen bases, sulfates, or sulfamates, cap sensitive. (225) Water in oil emulsion explosive compositions. (226) Xanthamonas hydrophilic colloid explosive mixture. As added by P.L.123-2002, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 4. Registration and Control35-47.5-4-1. Inspection of Places Regulated Explosives Manufactured

Sec. 1. The department shall carry out a program to periodically inspect places where regulated explosives are manufactured. As added by P.L.123-2002, SEC.50. Amended by P.L.1-2006, SEC.540; P.L.187-2021, SEC.131.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 4. Registration and Control35-47.5-4-2. Insurance Required of Regulated Explosive Manufacturer; Proof of Insurance; Exemption

Sec. 2. (a) The department may order any person engaged in the manufacture or handling of a regulated explosive and any person with control over a place where regulated explosives are manufactured or handled to maintain insurance covering fire and explosion losses. The order is not effective until sixty (60) days after the date that notice of the order is received. (b) The state fire marshal shall specify the insurance required under subsection (a) in an amount not less than ten thousand dollars ($10,000) nor more than two hundred fifty thousand dollars ($250,000). (c) Proof of the insurance required under this section must be maintained with the department of insurance. (d) The insurance commissioner may exempt a person from the insurance requirements under this section if an applicant for the exemption submits proof that the applicant has the financial ability to discharge all judgments in the amount specified by the state fire marshal. The insurance commissioner may revoke an exemption under this subsection if the commissioner requires additional proof of financial ability and: (1) the exempted person fails to comply with the order; or (2) the insurance commissioner determines that the exempted person has failed to provide adequate proof of financial ability. As added by P.L.123-2002, SEC.50. Amended by P.L.1-2006, SEC.541; P.L.187-2021, SEC.132.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 4. Registration and Control35-47.5-4-3. Inspection of Places Regulated Explosives Stored

Sec. 3. The department shall carry out a program to periodically inspect places where regulated explosives are stored. As added by P.L.123-2002, SEC.50. Amended by P.L.1-2006, SEC.542; P.L.187-2021, SEC.133.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 4. Registration and Control35-47.5-4-4.5. Rules

Sec. 4.5. (a) This section does not apply to: (1) a person who is regulated under IC 14-34; or (2) near surface or subsurface use of regulated explosives associated with oil and natural gas: (A) exploration; (B) development; (C) production; or (D) abandonment activities or procedures. (b) The commission shall adopt rules under IC 4-22-2 to: (1) govern the use of a regulated explosive; and (2) establish requirements for the issuance of a license for the use of a regulated explosive. (c) The commission shall include the following requirements in the rules adopted under subsection (b): (1) Relicensure every three (3) years after the initial issuance of a license. (2) Continuing education as a condition of relicensure. (3) An application for licensure or relicensure must be submitted to the department on forms approved by the commission. (4) A fee for licensure and relicensure. (5) Reciprocal recognition of a license for the use of a regulated explosive issued by another state if the licensure requirements of the other state are substantially similar to the licensure requirements established by the commission. (d) A person may not use a regulated explosive unless the person has a license issued under this section for the use of a regulated explosive. (e) The department shall carry out the licensing and relicensing program under the rules adopted by the commission. (f) As used in this section, "regulated explosive" does not include either of the following: (1) Consumer fireworks (as defined in 27 CFR 555.11). (2) Commercially manufactured black powder in quantities not to exceed fifty (50) pounds, if the black powder is intended to be used solely for sporting, recreational, or cultural purposes in antique firearms or antique devices. As added by P.L.35-2004, SEC.2. Amended by P.L.25-2004, SEC.6; P.L.2-2005, SEC.128; P.L.80-2005, SEC.7; P.L.1-2006, SEC.544; P.L.187-2021, SEC.135.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 4. Registration and Control35-47.5-4-4. Regulated Explosives Magazine Permits; Expiration of Permits

Sec. 4. (a) The department shall issue a regulated explosives magazine permit to maintain an explosives magazine to an applicant who qualifies under section 5 of this chapter. (b) A permit issued under subsection (a) expires one (1) year after it is issued. The permit is limited to storage of the types and maximum quantities of explosives specified in the permit in the place covered by the permit and under the construction and location requirements specified in the rules of the commission. As added by P.L.123-2002, SEC.50. Amended by P.L.1-2006, SEC.543; P.L.187-2021, SEC.134.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 4. Registration and Control35-47.5-4-5. Qualifications for Issuance and Renewal of Permit

Sec. 5. (a) To qualify for a regulated explosives permit, an applicant must: (1) submit information on the form provided by the state fire marshal describing: (A) the location of the affected magazine; (B) the types and maximum quantities of explosives that will be kept in the place covered by the application; and (C) the distance that the affected magazine will be located from the nearest highway, railway, and structure that is also used as a place of habitation or assembly other than for the manufacture of explosives; (2) except as provided in subdivision (3), demonstrate through an inspection that the magazine is constructed and located in accordance with the rules adopted by the commission; (3) demonstrate through an inspection that smoking, matches, open flames, and spark producing devices are not allowed within a room containing an indoor magazine; and (4) pay the fee under IC 22-12-6-6. (b) To qualify for the renewal of a regulated explosives permit, the applicant must pay the fee under IC 22-12-6-6. As added by P.L.123-2002, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 4. Registration and Control35-47.5-4-6. Violation of Permit Requirement; Exception

Sec. 6. (a) This section does not apply to storage that is exempted from the requirements of this section in the rules adopted by the commission under IC 22-13-3. (b) A person who: (1) stores a regulated explosive; (2) has control over a regulated explosive that is stored; or (3) has control over a place where a regulated explosive is stored; without a regulated explosives magazine permit issued under this chapter that covers the storage commits a Class C infraction. As added by P.L.123-2002, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 4. Registration and Control35-47.5-4-7. Reporting Injuries Caused by Destructive Device

Sec. 7. A physician or hospital that has reason to believe that the physician or hospital is treating a person for an injury inflicted while the person was making or using a destructive device shall report the injury to a local law enforcement agency under IC 35-47-7-5. As added by P.L.123-2002, SEC.50.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 5. Offenses Relating to Regulated Explosives35-47.5-5-1. Application

Sec. 1. Sections 2, 3, 4, 5, and 6 of this chapter do not apply to the following: (1) A person authorized to manufacture, possess, transport, distribute, or use a destructive device or detonator under the laws of the United States, as amended, or under Indiana law when the person is acting in accordance with the laws, regulations, and rules issued under federal or Indiana law. (2) A person who is issued a permit for blasting or surface coal mining by the director of the department of natural resources under IC 14-34 when the person is acting under the laws and rules of Indiana and any ordinances and regulations of the political subdivision or authority of the state where blasting or mining operations are being performed. (3) Fireworks (as defined in IC 22-11-14-1) and a person authorized by the laws of Indiana and of the United States to manufacture, possess, distribute, transport, store, exhibit, display, or use fireworks. (4) A law enforcement agency, a fire service agency, the department of homeland security, or an emergency management agency of Indiana, an agency or an authority of a political subdivision of the state or the United States, and an employee or authorized agent of the United States while in performance of official duties. (5) A law enforcement officer, a fire official, or an emergency management official of the United States or any other state if that person is attending training in Indiana. (6) The armed forces of the United States or of Indiana. (7) Research or educational programs conducted by or on behalf of a college, university, or secondary school that are: (A) authorized by the chief executive officer of the educational institution or the officer's designee; or (B) conducted under the policy of the educational institution; and conducted in accordance with the laws of the United States and Indiana. (8) The use of explosive materials in medicines and medicinal agents in forms prescribed by the most recent published edition of the official United States Pharmacopoeia or the National Formulary. (9) Small arms ammunition and reloading components of small arms ammunition. (10) Commercially manufactured black powder in quantities not to exceed fifty (50) pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers intended to be used solely for sporting, recreational, or cultural purposes in antique firearms or antique devices. (11) An explosive that is lawfully possessed for use in legitimate agricultural or business activities. As added by P.L.123-2002, SEC.50. Amended by P.L.1-2006, SEC.545.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 5. Offenses Relating to Regulated Explosives35-47.5-5-10. Deploying a Booby Trap

Sec. 10. A person who knowingly or intentionally deploys a booby trap commits a Level 6 felony. As added by P.L.123-2002,

SEC.50. Amended by P.L.158-2013, SEC.616.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 5. Offenses Relating to Regulated Explosives35-47.5-5-11. Use of Regulated Explosive in Violation of Commission Rule

Sec. 11. A person who recklessly violates a rule regarding the use of a regulated explosive adopted by the commission under IC 35-47.5-4-4.5 commits a Class A misdemeanor. However, the offense is: (1) a Level 6 felony if the violation of the rule proximately causes bodily injury; and (2) a Level 5 felony if the violation of the rule proximately causes death. As added by P.L.35-2004, SEC.3. Amended by P.L.158-2013, SEC.617.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 5. Offenses Relating to Regulated Explosives35-47.5-5-2. Destructive Devices

Sec. 2. A person who knowingly or intentionally: (1) possesses; (2) manufactures; (3) transports; (4) distributes; (5) possesses with the intent to distribute; or (6) offers to distribute; a destructive device, unless authorized by law, commits a Level 5 felony. As added by P.L.123-2002, SEC.50. Amended by P.L.158-2013, SEC.608.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 5. Offenses Relating to Regulated Explosives35-47.5-5-3. Regulated Explosives; Persons Convicted of Felonies; Prior Unrelated Convictions

Sec. 3. A person who has been convicted of a felony by an Indiana court or a court of any other state, the United States, or another country and knowingly or intentionally: (1) possesses; (2) manufactures; (3) transports; (4) distributes; (5) possesses with the intent to distribute; or (6) offers to distribute; a regulated explosive commits a Level 5 felony. However, the offense is a Level 4 felony if the person has a prior unrelated conviction for an offense under this section. As added by P.L.123-2002, SEC.50. Amended by P.L.158-2013, SEC.609.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 5. Offenses Relating to Regulated Explosives35-47.5-5-4. Distribution of Regulated Explosives to Persons Convicted of Felony

Sec. 4. A person who knowingly or intentionally distributes a regulated explosive to a person who has been convicted of a felony by an Indiana court or a court of another state, the United States, or another country commits a Level 5 felony. As added by P.L.123-2002, SEC.50. Amended by P.L.158-2013, SEC.610.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 5. Offenses Relating to Regulated Explosives35-47.5-5-5. Distribution of Destructive Device, Explosive, or Detonator to a Minor

Sec. 5. A person who knowingly or intentionally distributes or offers to distribute: (1) a destructive device; (2) an explosive; or (3) a detonator; to a person who is less than eighteen (18) years of age commits a Level 4 felony. As added by P.L.123-2002, SEC.50. Amended by P.L.158-2013, SEC.611.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 5. Offenses Relating to Regulated Explosives35-47.5-5-6. Hoax Devices or Replicas

Sec. 6. A person who: (1) manufactures; (2) possesses; (3) transports; (4) distributes; or (5) uses; a hoax device or replica with the intent to cause another to believe that the hoax device or replica is a destructive device or detonator commits a Level 6 felony. As added by P.L.123-2002, SEC.50. Amended by P.L.158-2013, SEC.612.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 5. Offenses Relating to Regulated Explosives35-47.5-5-7. Hindering or Obstructing Detection, Disarming, or Destruction of Destructive Device

Sec. 7. A person who knowingly or intentionally hinders or obstructs: (1) a law enforcement officer; (2) a fire official; (3) an emergency management official; (4) an animal trained to detect destructive devices; or (5) a robot or mechanical device designed or used by a law enforcement officer, fire official, or emergency management official; of Indiana or of the United States in the detection, disarming, or destruction of a destructive device commits a Level 4 felony. As added by P.L.123-2002, SEC.50. Amended by P.L.158-2013, SEC.613.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 5. Offenses Relating to Regulated Explosives35-47.5-5-8. Destructive Device or Explosive to Kill, Injure, or Intimidate or to Destroy Property

Sec. 8. A person who: (1) possesses; (2) transports; (3) receives; (4) places; or (5) detonates; a destructive device or explosive with the knowledge or intent that it will be used to kill, injure, or intimidate an individual or to destroy property commits a Level 2 felony. As added by P.L.123-2002, SEC.50. Amended by P.L.158-2013, SEC.614.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47.5. Controlled ExplosivesChapter 5. Offenses Relating to Regulated Explosives35-47.5-5-9. Use of Overpressure Device

Sec. 9. A person who knowingly or intentionally uses an overpressure device commits a Class A misdemeanor. However, the

offense is a Level 6 felony if the person has a prior unrelated conviction for an offense under this section. As added by P.L.123-2002, SEC.50. Amended by P.L.158-2013, SEC.615.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 1. Definitions35-47-1-1. Application of Definitions in Chapter

Sec. 1. Except as otherwise provided, the definitions in this chapter apply throughout this article. As added by P.L.311-1983, SEC.32. Amended by P.L.6-2012, SEC.230.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 1. Definitions35-47-1-11. "Shotgun"

Sec. 11. "Shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 1. Definitions35-47-1-12. "Superintendent"

Sec. 12. "Superintendent" refers to the superintendent of the Indiana state police department. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 1. Definitions35-47-1-13. "Wholesale"

Sec. 13. "Wholesale" means the sale of handguns singly or in bulk lots to one lawfully licensed to deal in handguns, or the sale of a handgun to a governmental law enforcement agency for issue to its employees. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 1. Definitions35-47-1-2.5. "Ammunition"

Sec. 2.5. "Ammunition", for purposes of IC 35-47-11.1, means: (1) fixed cartridge ammunition; (2) shotgun shells; (3) the individual components of fixed cartridge ammunition and shotgun shells; (4) projectiles for muzzle loading firearms; and (5) any propellant used in a firearm or in firearm ammunition. As added by P.L.152-2011, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 1. Definitions35-47-1-2. "Alcohol Abuser"

Sec. 2. "Alcohol abuser" means an individual who has had two (2) or more alcohol related offenses, any one (1) of which resulted in conviction by a court or treatment in an alcohol abuse facility within three (3) years prior to the date of the application. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 1. Definitions35-47-1-3. "Dealer"

Sec. 3. "Dealer" means any person who holds himself out as a buyer and seller of handguns on a regular and continuing basis. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 1. Definitions35-47-1-4. "Drug Abuser"

Sec. 4. "Drug abuser" means an individual who has had two (2) or more violations of IC 35-48-1, IC 35-48-2, IC 35-48-3, or IC 35-48-4, any one (1) of which resulted in conviction by a court or treatment in a drug abuse facility within five (5) years prior to the date of application. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 1. Definitions35-47-1-5.1. "Firearm Accessory"

Sec. 5.1. "Firearm accessory" means: (1) any device specifically adapted to enable: (A) the wearing or carrying about one's person; or (B) the storage or mounting in or on any conveyance; of a firearm; and (2) any attachment or device specifically adapted to be inserted into or affixed onto any firearm to enable, alter, or improve the functioning or capabilities of the firearm. As added by P.L.152-2011, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 1. Definitions35-47-1-5.5. "Gun Show"

Sec. 5.5. "Gun show" has the meaning set forth in 27 CFR 478.100. As added by P.L.148-1987, SEC.2. Amended by P.L.1-2006, SEC.534.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 1. Definitions35-47-1-5. "Firearm"

Sec. 5. "Firearm" means any weapon: (1) that is: (A) capable of expelling; or (B) designed to expel; or (2) that may readily be converted to expel; a projectile by means of an explosion. As added by P.L.311-1983, SEC.32. Amended by P.L.3-2008, SEC.254.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 1. Definitions35-47-1-6. "Handgun"

Sec. 6. "Handgun" means any firearm: (1) designed or adapted so as to be aimed and fired from one (1) hand, regardless of barrel length; or (2) any firearm with: (A) a barrel less than sixteen (16) inches in length; or (B) an overall length of less than twenty-six (26) inches. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 1. Definitions35-47-1-7. "Proper Person"

Sec. 7. "Proper person" means a person who: (1) does not have a conviction for resisting law enforcement under IC 35-44.1-3-1 within five (5) years before the person applies for a license or permit under this chapter; (2) does not have a conviction for a crime for which the person could have been sentenced for more than one (1) year; (3) does not have a conviction for a crime of domestic violence (as defined in IC 35-31.5-2-78), unless a court has restored the person's right to possess a firearm under IC 35-47-4-7; (4) is not prohibited by a court order from possessing a handgun; (5) does not have a record of being an alcohol or drug abuser as defined in this chapter; (6) does not have documented evidence which would give rise to a reasonable belief that the person has a propensity for violent or emotionally unstable conduct; (7) does not make a false statement of material fact on the person's application; (8) does not have a conviction for any crime involving an inability to safely handle a handgun; (9) does not have a conviction for violation of the provisions of this article within five (5) years of the person's application; (10) does not have an adjudication as a delinquent child for an act that would be a felony if committed by an adult, if the person applying for a license or permit under this chapter is less than twenty-three (23) years of age; (11) has not been involuntarily committed, other than a temporary commitment for observation or evaluation, to a mental institution by a court, board, commission, or other lawful authority; (12) has not been the subject of a: (A) ninety (90) day commitment as a result of proceeding under IC 12-26-6; or (B) regular commitment under IC 12-26-7; (13) has not been found by a court to be mentally incompetent, including being found: (A) not guilty by reason of insanity; (B) guilty but mentally ill; or (C) incompetent to stand trial; or (14) is not currently designated as dangerous (as defined in IC 35-47-14-1) by a court following a hearing under IC 35-47-14-6. As added by P.L.311-1983, SEC.32. Amended by P.L.191-1984, SEC.1; P.L.148-1987, SEC.3; P.L.269-1995, SEC.5; P.L.49-2005, SEC.1; P.L.118-2007, SEC.34; P.L.127-2011, SEC.3; P.L.114-2012, SEC.139; P.L.126-2012, SEC.57; P.L.289-2019, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 1. Definitions35-47-1-8. "Proper Reason"

Sec. 8. "Proper reason" means for the defense of oneself or the state of Indiana. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 1. Definitions35-47-1-9. "Retail"

Sec. 9. "Retail" means the sale of handguns singly or in small quantities to one who intends to be the ultimate user thereof. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 10. Children and Firearms35-47-10-1. Application and Exemptions

Sec. 1. (a) This section does not apply to section 7 of this chapter. (b) Except as provided in subsection (c), this chapter does not apply to the following: (1) A child who is attending a hunters safety course or a firearms safety course or an adult who is supervising the child during the course. (2) A child engaging in practice in using a firearm for target shooting at an established range or in an area where the discharge of a firearm is not prohibited or supervised by: (A) a qualified firearms instructor; or (B) an adult who is supervising the child while the child is at the range. (3) A child engaging in an organized competition involving the use of a firearm or participating in or practicing for a performance by an organized group under Section 501(c)(3) of the Internal Revenue Code that uses firearms as a part of a performance or an adult who is involved in the competition or performance. (4) A child who is hunting or trapping under a valid license issued to the child under IC 14-22. (5) A child who is traveling with an unloaded firearm to or from an activity described in this section. (6) A child who: (A) is on real property that is under the control of the child's parent, an adult family member of the child, or the child's legal guardian; and (B) has permission from the child's parent or legal guardian to possess a firearm. (7) A child who: (A) is at the child's residence; and (B) has the permission of the child's parent, an adult family member of the child, or the child's legal guardian to possess a firearm. (c) This chapter applies to a child, and to a person who provides a firearm to a child, if the child: (1) is ineligible to purchase or possess a firearm for any reason other than the child's age; or (2) if the

child intends to use a firearm to commit a crime. As added by P.L.140-1994, SEC.12. Amended by P.L.1-1995, SEC.78; P.L.203-1996, SEC.2; P.L.152-2014, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 10. Children and Firearms35-47-10-10. Rehabilitation of Child; Placement in Quasi-Military Program

Sec. 10. When sentencing a child who has committed an offense under this chapter, a court may elect to place the child in a facility that uses a quasi-military program for rehabilitative purposes. As added by P.L.140-1994, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 10. Children and Firearms35-47-10-2. "Adult" Defined

Sec. 2. As used in this chapter, "adult" means a person who is at least eighteen (18) years of age. As added by P.L.140-1994, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 10. Children and Firearms35-47-10-3. "Child" Defined

Sec. 3. As used in this chapter, "child" means a person who is less than eighteen (18) years of age. As added by P.L.140-1994, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 10. Children and Firearms35-47-10-4. "Loaded" Defined

Sec. 4. As used in this chapter, "loaded" means having any of the following: (1) A cartridge in the chamber or cylinder of a firearm. (2) Ammunition in close proximity to a firearm so that a person can readily place the ammunition in the firearm. As added by P.L.140-1994, SEC.12. Amended by P.L.203-1996, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 10. Children and Firearms35-47-10-5. Dangerous Possession and Unlawful Transfer of a Firearm

Sec. 5. (a) A child who knowingly, intentionally, or recklessly possesses a firearm for any purpose other than a purpose described in section 1 of this chapter commits dangerous possession of a firearm, a Class A misdemeanor. However, the offense is a Level 5 felony if the child has a prior conviction under this section or has been adjudicated a delinquent for an act that would be an offense under this section. (b) A child who knowingly or intentionally provides a firearm to another child whom the child knows: (1) is ineligible for any reason to purchase or otherwise receive from a dealer a firearm; or (2) intends to use the firearm to commit a crime; commits a Level 5 felony. However, the offense is a Level 3 felony if the other child uses the firearm to commit murder (IC 35-42-1-1). As added by P.L.140-1994, SEC.12. Amended by P.L.203-1996, SEC.4; P.L.158-2013, SEC.602; P.L.152-2014, SEC.8; P.L.148-2024, SEC.28.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 10. Children and Firearms35-47-10-6. Dangerous Control of a Firearm

Sec. 6. An adult who knowingly or intentionally provides a firearm to a child whom the adult knows: (1) is ineligible for any reason to purchase or otherwise receive from a dealer a firearm; or (2) intends to use the firearm to commit a crime; commits dangerous control of a firearm, a Level 5 felony. However, the offense is a Level 4 felony if the adult has a prior conviction under this section, and a Level 3 felony if the child uses the firearm to commit murder (IC 35-42-1-1). As added by P.L.140-1994, SEC.12. Amended by P.L.203-1996, SEC.5; P.L.158-2013, SEC.603; P.L.152-2014, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 10. Children and Firearms35-47-10-7. Permitting Child to Possess a Firearm

Sec. 7. A child's parent or legal guardian who knowingly, intentionally, or recklessly permits the child to possess a firearm: (1) while: (A) aware of a substantial risk that the child will use the firearm to commit a felony; and (B) failing to make reasonable efforts to prevent the use of a firearm by the child to commit a felony; or (2) when the child has been convicted of a crime of violence or has been adjudicated as a juvenile for an offense that would constitute a crime of violence if the child were an adult; commits dangerous control of a child, a Level 5 felony. However, the offense is a Level 4 felony if the child's parent or legal guardian has a prior conviction under this section. As added by P.L.140-1994, SEC.12. Amended by P.L.203-1996, SEC.6; P.L.158-2013, SEC.604.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 10. Children and Firearms35-47-10-8. Term of Imprisonment in Addition to Criminal Penalty

Sec. 8. (a) In addition to any criminal penalty imposed for an offense under this chapter, the court shall order the following: (1) That a person who has committed an offense be incarcerated for five (5) consecutive days in an appropriate facility. (2) That the additional five (5) day term must be served within two (2) weeks after the date of sentencing. (b) Notwithstanding IC 35-50-6, a

person does not earn good time credit while serving an additional five (5) day term of imprisonment imposed by a court under this section. As added by P.L.140-1994, SEC.12. Amended by P.L.74-2015, SEC.26.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 10. Children and Firearms35-47-10-9. Consecutive Sentences Imposed

Sec. 9. A court shall impose consecutive sentences upon a person who has a conviction under this chapter and a conviction under IC 35-47-2-7. As added by P.L.140-1994, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 11.1. Local Regulation of Firearms, Ammunition, and Firearm Accessories35-47-11.1-1. Application

Sec. 1. This chapter applies to a political subdivision (as defined in IC 3-5-2-38). As added by P.L.152-2011, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 11.1. Local Regulation of Firearms, Ammunition, and Firearm Accessories35-47-11.1-2. Political Subdivision Regulation of Firearms, Ammunition, and Firearm Accessories Prohibited

Sec. 2. Except as provided in section 4 of this chapter, a political subdivision may not regulate: (1) firearms, ammunition, and firearm accessories; (2) the ownership, possession, carrying, transportation, registration, transfer, and storage of firearms, ammunition, and firearm accessories; and (3) commerce in and taxation of firearms, firearm ammunition, and firearm accessories. As added by P.L.152-2011, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 11.1. Local Regulation of Firearms, Ammunition, and Firearm Accessories35-47-11.1-3. Voidance of Political Subdivision Ordinances, Measures, Enactments, Rules, Policies, and Exercises of Proprietary Authority

Sec. 3. Any provision of an ordinance, measure, enactment, rule, or policy or exercise of proprietary authority of a political subdivision or of an employee or agent of a political subdivision acting in an official capacity: (1) enacted or undertaken before, on, or after June 30, 2011; and (2) that pertains to or affects the matters listed in section 2 of this chapter; is void. As added by P.L.152-2011, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 11.1. Local Regulation of Firearms, Ammunition, and Firearm Accessories35-47-11.1-4. Not Prohibited by Chapter

Sec. 4. This chapter may not be construed to prevent any of the following: (1) A law enforcement agency of a political subdivision from enacting and enforcing regulations pertaining to firearms, ammunition, or firearm accessories issued to or used by law enforcement officers in the course of their official duties. (2) Subject to IC 34-28-7-2, an employer from regulating or prohibiting the employees of the employer from carrying firearms and ammunition in the course of the employee's official duties. (3) A court or administrative law judge from hearing and resolving any case or controversy or issuing any opinion or order on a matter within the jurisdiction of the court or judge. (4) The enactment or enforcement of generally applicable zoning or business ordinances that apply to firearms businesses to the same degree as other similar businesses. However, a provision of an ordinance that is designed or enforced to effectively restrict or prohibit the sale, purchase, transfer, manufacture, or display of firearms, ammunition, or firearm accessories that is otherwise lawful under the laws of this state is void. A unit (as defined in IC 36-1-2-23) may not use the unit's planning and zoning powers under IC 36-7-4 to prohibit the sale of firearms within a prescribed distance of any other type of commercial property or of school property or other educational property. (5) Subject to IC 35-47-16-1, the enactment or enforcement of a provision prohibiting or restricting the possession of a firearm in any building that contains the courtroom of a circuit, superior, city, town, or small claims court. However, if a portion of the building is occupied by a residential tenant or private business, any provision restricting or prohibiting the possession of a firearm does not apply to the portion of the building that is occupied by the residential tenant or private business, or to common areas of the building used by a residential tenant or private business. (6) The enactment or enforcement of a provision prohibiting or restricting the intentional display of a firearm at a public meeting. (7) The enactment or enforcement of a provision prohibiting or restricting the possession of a firearm in a public hospital corporation that contains a secure correctional health unit that is staffed by a law enforcement officer twenty-four (24) hours a day. (8) The imposition of any restriction or condition placed on a person participating in: (A) a community corrections program (IC 11-12-1); (B) a forensic diversion program (IC 11-12-3.7); or (C) a pretrial diversion program (IC 33-39-1). (9) The enforcement or prosecution of the offense of criminal recklessness (IC 35-42-2-2) involving the use of a firearm. (10) For an event occurring on property leased from a political subdivision or municipal corporation by the promoter or organizer of the event: (A) the establishment, by the promoter or organizer, at the promoter's or organizer's own discretion, of rules of conduct or admission upon which attendance at or participation in the event is conditioned; or (B) the implementation or enforcement of the rules of conduct or admission described in clause (A) by a political subdivision or municipal corporation in connection with the event. (11) The enactment or enforcement of a provision prohibiting or restricting the possession of a firearm in a hospital established and operated under IC 16-22-2 or IC 16-23. (12) A unit from using the unit's planning and zoning powers under IC 36-7-4 to prohibit the sale of firearms within two hundred (200) feet of a school by a person having a business that did not sell firearms within two hundred (200)

feet of a school before April 1, 1994. (13) Subject to IC 35-47-16-1, a unit (as defined in IC 36-1-2-23) from enacting or enforcing a provision prohibiting or restricting the possession of a firearm in a building owned or administered by the unit if: (A) metal detection devices are located at each public entrance to the building; (B) each public entrance to the building is staffed by at least one (1) law enforcement officer: (i) who has been adequately trained to conduct inspections of persons entering the building by use of metal detection devices and proper physical pat down searches; and (ii) when the building is open to the public; and (C) each: (i) individual who enters the building through the public entrance when the building is open to the public; and (ii) bag, package, and other container carried by the individual; is inspected by a law enforcement officer described in clause (B). However, except as provided in subdivision (5) concerning a building that contains a courtroom, a unit may not prohibit or restrict the possession of a handgun under this subdivision in a building owned or administered by the unit if the person who possesses the handgun is not otherwise prohibited from carrying or possessing a handgun. As added by P.L.152-2011, SEC.4. Amended by P.L.6-2012, SEC.232; P.L.147-2014, SEC.3; P.L.175-2022, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 11.1. Local Regulation of Firearms, Ammunition, and Firearm Accessories35-47-11.1-5. Civil Actions Concerning Political Subdivision Violations

Sec. 5. A person adversely affected by an ordinance, a measure, an enactment, a rule, or a policy adopted or enforced by a political subdivision that violates this chapter may file an action in a court with competent jurisdiction against the political subdivision for: (1) declarative and injunctive relief; and (2) actual and consequential damages attributable to the violation. As added by P.L.152-2011, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 11.1. Local Regulation of Firearms, Ammunition, and Firearm Accessories35-47-11.1-6. Civil Actions; Adversely Affected Persons

Sec. 6. A person is "adversely affected" for purposes of section 5 of this chapter if either of the following applies: (1) The person is an individual who meets all of the following requirements: (A) The individual lawfully resides within the United States. (B) The individual may legally possess a firearm under the laws of Indiana. (C) The individual is or was subject to the ordinance, measure, enactment, rule, or policy of the political subdivision that is the subject of an action filed under section 5 of this chapter. An individual is or was subject to the ordinance, measure, enactment, rule, or policy of the political subdivision if the individual is or was physically present within the boundaries of the political subdivision for any reason. (2) The person is a membership organization that: (A) includes two (2) or more individuals described in subdivision (1); and (B) is dedicated in whole or in part to protecting the rights of persons who possess, own, or use firearms for competitive, sporting, defensive, or other lawful purposes. As added by P.L.152-2011, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 11.1. Local Regulation of Firearms, Ammunition, and Firearm Accessories35-47-11.1-7. Civil Actions; Recovery of Damages, Costs, and Fees

Sec. 7. A prevailing plaintiff in an action under section 5 of this chapter is entitled to recover from the political subdivision the following: (1) The greater of the following: (A) Actual damages, including consequential damages. (B) Liquidated damages of three (3) times the plaintiff's attorney's fees. (2) Court costs (including fees). (3) Reasonable attorney's fees. As added by P.L.152-2011, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 14. Proceedings for the Seizure and Retention of a Firearm35-47-14-1.5. "Responsible Third Party"

Sec. 1.5. For the purposes of this chapter, an individual is a "responsible third party" if: (1) the individual does not cohabitate with the person found to be dangerous in the hearing conducted under section 6 of this chapter; (2) the individual is a proper person (as defined under IC 35-47-1-7) who may lawfully possess a firearm; and (3) the individual is willing to enter into a written court agreement to accept the transfer of the firearm as a responsible third party under section 10 of this chapter. As added by P.L.289-2019, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 14. Proceedings for the Seizure and Retention of a Firearm35-47-14-1. "Dangerous"

Sec. 1. (a) For the purposes of this chapter, an individual is "dangerous" if: (1) the individual presents an imminent risk of personal injury to the individual or to another individual; or (2) It is probable that the individual will present a risk of personal injury to the individual or to another individual in the future and the individual: (A) has a mental illness (as defined in IC 12-7-2-130) that may be controlled by medication, and has not demonstrated a pattern of voluntarily and consistently taking the individual's medication while not under supervision; or (B) is the subject of documented evidence that would give rise to a reasonable belief that the individual has a propensity for violent or suicidal conduct. (b) The fact that an individual has been released from a mental health facility or has a mental illness that is currently controlled by medication does not establish that the individual is dangerous for the purposes of this chapter. As added by P.L.1-2006, SEC.537. Amended by P.L.289-2019, SEC.6.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 14. Proceedings for the Seizure and Retention of a Firearm35-47-14-10. Request to Sell or Transfer Retained Firearm

Sec. 10. (a) If a court has ordered a law enforcement agency to retain an individual's firearm under section 6 of this chapter, the individual or the rightful owner of the firearm, as applicable, may petition the court to order the law enforcement agency to: (1) transfer the firearm to a responsible third party as described under section 1.5 of this chapter; (2) transfer the firearm to an individual who possesses a valid federal firearms license issued under 18 U.S.C. 923 for storage or an eventual lawful sale whose terms are mutually agreed upon between the licensee and the individual or rightful owner, as applicable; or (3) sell the firearm at auction under IC 35-47-3-2 and return the proceeds to the individual or the rightful owner of the firearm, as applicable. The responsible third party who accepts transfer of the firearm from the law enforcement agency under a court order under this section shall enter into a written court agreement that obligates the responsible third party to the reasonable care and storage of the firearm, including not providing access or transferring the firearm to the individual found to be dangerous in a hearing under section 6 of this chapter. (b) An individual or rightful owner of the firearm may petition the court as described in subsection (a): (1) at the hearing described in section 6 or 9 of this chapter; or (2) at any time before the hearing described in section 6 or 9 of this chapter is held. (c) If an individual or rightful owner timely requests a sale or transfer of a firearm under subsection (a), the court shall order the law enforcement agency having custody of the firearm to transfer the firearm or sell the firearm at auction under IC 35-47-3-2, unless: (1) the serial number of the firearm has been obliterated; (2) the transfer of the firearm would be unlawful; or (3) the requirements of subsection (a) have not been met. (d) If the court issues an order under subsection (c), the court's order must require: (1) that the firearm be sold not more than one (1) year after receipt of the order; and (2) that the proceeds of the sale be returned to the individual or rightful owner of the firearm. (e) A law enforcement agency may retain not more than eight percent (8%) of the sale price to pay the costs of the sale, including administrative costs and the auctioneer's fee. As added by P.L.157-2014, SEC.7. Amended by P.L.289-2019, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 14. Proceedings for the Seizure and Retention of a Firearm35-47-14-11. Effect of Sale or Transfer of Retained Firearm

Sec. 11. The sale, disposal, or transfer of a firearm retained under this chapter does not: (1) alter or terminate an individual's designation as a dangerous person by a court; or (2) constitute prima facie evidence that an individual is no longer dangerous. As added by P.L.289-2019, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 14. Proceedings for the Seizure and Retention of a Firearm35-47-14-12. Standard of Care for Retained Firearm

Sec. 12. (a) A law enforcement agency storing a firearm seized under this chapter shall use reasonable care to ensure that the firearm is not lost or damaged, and the law enforcement agency is prohibited from marking the firearm for identification or other purposes. (b) A law enforcement agency shall be liable for any damage to or loss of the firearm that results from the law enforcement agency's negligence in the storage or handling of the firearm. As added by P.L.289-2019, SEC.15.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 14. Proceedings for the Seizure and Retention of a Firearm35-47-14-13. Search Warrant Requirement

Sec. 13. Nothing in this chapter may be construed to authorize a warrantless search or seizure by a law enforcement officer if a warrant would otherwise be required. As added by P.L.289-2019, SEC.16.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 14. Proceedings for the Seizure and Retention of a Firearm35-47-14-2. Warrant to Search for Firearm in Possession of Dangerous Individual; Reporting

Sec. 2. (a) A circuit or superior court may issue a warrant to search for and seize a firearm in the possession of an individual who is dangerous if: (1) a law enforcement officer provides the court a sworn affidavit that: (A) states why the law enforcement officer believes that the individual is dangerous and in possession of a firearm; and (B) describes the law enforcement officer's interactions and conversations with: (i) the individual who is alleged to be dangerous; or (ii) another individual, if the law enforcement officer believes that information obtained from this individual is credible and reliable; that have led the law enforcement officer to believe that the individual is dangerous and in possession of a firearm; (2) the affidavit specifically describes the location of the firearm; and (3) the circuit or superior court determines that probable cause exists to believe that the individual is: (A) dangerous; and (B) in possession of a firearm. (b) A law enforcement agency responsible for the seizure of the firearm under this section shall file a search warrant return with the court setting forth the: (1) quantity; and (2) type; of each firearm seized from an individual under this section. Beginning July 1, 2021, the court shall provide information described under this subsection to the office of judicial administration in a manner required by the office. As added by P.L.1-2006, SEC.537. Amended by P.L.289-2019, SEC.8; P.L.142-2020, SEC.76.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 14. Proceedings for the Seizure and Retention of a Firearm35-47-14-3. Warrantless Seizure of Firearm From Individual Believed to Be Dangerous; Reporting

Sec. 3. (a) If a law enforcement officer seizes a firearm from an individual whom the law enforcement officer believes to be dangerous without obtaining a warrant, the law enforcement officer shall submit to the circuit or superior court having jurisdiction over the individual believed to be dangerous an affidavit describing the basis for the law enforcement officer's belief that the individual is dangerous. (b) An affidavit described in subsection (a) shall: (1) set forth the quantity and type of each firearm seized from the individual under this section; and (2) be submitted to a circuit or superior court having jurisdiction over the individual believed to be dangerous not later than forty-eight (48) hours after the seizure of the firearm. (c) The court shall review the affidavit described in subsection (a) as soon as possible. (d) If the court finds that probable cause exists to believe that the individual is dangerous, the court shall order the law enforcement agency having custody of the firearm to retain the firearm. Beginning July 1, 2021, the court shall provide information described under this subsection and subsection (b)(1) to the office of judicial administration in a manner required by the office. (e) If the court finds that there is no probable cause to believe that the individual is dangerous, the court shall order the law enforcement agency having custody of the firearm to return the firearm to the individual as quickly as practicable, but not later than five (5) days after the date of the order. As added by P.L.1-2006, SEC.537. Amended by P.L.289-2019, SEC.9; P.L.142-2020, SEC.77.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 14. Proceedings for the Seizure and Retention of a Firearm35-47-14-4. Filing of Return After Warrant Is Served

Sec. 4. If a court issued a warrant to seize a firearm under this chapter, the law enforcement officer who served the warrant shall, not later than forty-eight (48) hours after the warrant was served, file a return with the court that: (1) states that the warrant was served; and (2) sets forth: (A) the time and date on which the warrant was served; (B) the name and address of the individual named in the warrant; and (C) the quantity and identity of any firearms seized by the law enforcement officer. As added by P.L.1-2006, SEC.537.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 14. Proceedings for the Seizure and Retention of a Firearm35-47-14-5. Requirement of Hearing on Whether Firearm Should Be Returned or Retained

Sec. 5. (a) After the filing of a search warrant return under section 2 of this chapter or the filing of an affidavit under section 3 of this chapter, the court shall conduct a hearing. (b) The court shall make a good faith effort to conduct the hearing not later than fourteen (14) days after the filing of a search warrant return under section 2 of this chapter or the filing of an affidavit under section 3 of this chapter. If the hearing cannot be conducted within fourteen (14) days after the filing of the search warrant return or affidavit, the court shall conduct the hearing as soon as possible. However, a request for a continuance of the hearing described in this subsection for a period of not more than sixty (60) days from the individual from whom the firearm was seized shall be liberally granted. The court shall inform: (1) the prosecuting attorney; and (2) the individual from whom the firearm was seized; of the date, time, and location of the hearing. The court may conduct the hearing at a facility or other suitable place not likely to have a harmful effect upon the individual's health or well-being. As added by P.L.1-2006, SEC.537. Amended by P.L.289-2019, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 14. Proceedings for the Seizure and Retention of a Firearm35-47-14-6. Burden of Proof at Hearing; Court Orders; Reporting

Sec. 6. (a) The court shall conduct a hearing as required under this chapter. (b) The state has the burden of proving all material facts by clear and convincing evidence. (c) If the court determines that the state has proved by clear and convincing evidence that the individual is dangerous, the court shall issue a written order: (1) finding the individual is dangerous (as defined in section 1 of this chapter); (2) ordering the law enforcement agency having custody of the seized firearm to retain the firearm; (3) ordering the individual's license to carry a handgun, if applicable, suspended; and (4) enjoining the individual from: (A) renting; (B) receiving transfer of; (C) owning; or (D) possessing; a firearm; and determine whether the individual should be referred to further proceedings to consider whether the individual should be involuntarily detained or committed under IC 12-26-6-2(a)(2)(B). (d) If the court finds that the individual is dangerous under subsection (c), the clerk shall transmit the order of the court to the office of judicial administration: (1) for transmission to NICS (as defined in IC 35-47-2.5-2.5); and (2) beginning July 1, 2021, for the collection of certain data related to the confiscation and retention of firearms taken from dangerous individuals; in accordance with IC 33-24-6-3. (e) If the court orders a law enforcement agency to retain a firearm, the law enforcement agency shall retain the firearm until the court orders the firearm returned or otherwise disposed of. (f) If the court determines that the state has failed to prove by clear and convincing evidence that the individual is dangerous, the court shall issue a written order that: (1) the individual is not dangerous (as defined in section 1 of this chapter); and (2) the law enforcement agency having custody of the firearm shall return the firearm as quickly as practicable, but not later than five (5) days after the date of the order, to the individual from whom it was seized. As added by P.L.1-2006, SEC.537. Amended by P.L.289-2019, SEC.11; P.L.142-2020, SEC.78.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 14. Proceedings for the Seizure and Retention of a Firearm35-47-14-7. If Firearm Seized Is Owned by Another Individual

Sec. 7. If the court, in a hearing conducted under section 5 of this chapter, determines that: (1) the individual from whom a firearm was seized is dangerous; and (2) the firearm seized from the individual is owned by another individual; the court may order the law enforcement agency having custody of the firearm to return the firearm to the owner of the firearm. As added by P.L.1-2006, SEC.537.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 14. Proceedings for the Seizure and Retention of a Firearm35-47-14-8. Petition for Return of a Firearm; Reporting

Sec. 8. (a) At least one hundred eighty (180) days after the date on which a court orders a law enforcement agency to retain an individual's firearm under section 6(c) of this chapter, the individual may petition the court for a finding that the individual is no longer dangerous. (b) Upon receipt of a petition described in subsection (a), the court shall: (1) enter an order setting a date for a hearing on the petition; and (2) inform the prosecuting attorney of the date, time, and location of the hearing. (c) The prosecuting attorney shall represent the state at the hearing on a petition under this section. (d) In a hearing on a petition under this section, the individual may be represented by an attorney. (e) In a hearing on a petition under this section filed: (1) not later than one (1) year after the date of the order issued under section 6(c) of this chapter, the individual must prove by a preponderance of the evidence that the individual is no longer dangerous; and (2) later than one (1) year after the date of the order issued under section 6(c) of this chapter, the state must prove by clear and convincing evidence that the individual is still dangerous. (f) If, upon the completion of the hearing and consideration of the record, the court finds that the individual is no longer dangerous, the court shall: (1) issue a court order that finds that the individual is no longer dangerous; (2) order the law enforcement agency having custody of any firearm to return the firearm as quickly as practicable, but not later than five (5) days after the date of the order, to the individual; (3) terminate any injunction issued under section 6 of this chapter; and (4) terminate the suspension of the individual's license to carry a handgun so that the individual may reapply for a license. (g) If the court denies an individual's petition under this section, the individual may not file a subsequent petition until at least one hundred eighty (180) days after the date on which the court denied the petition. (h) If a court issues an order described under subsection (f), the court's order shall be transmitted, as soon as practicable, to the office of judicial administration for transmission to the NICS (as defined in IC 35-47-2.5-2.5) and, beginning July 1, 2021, for the collection of certain data related to the confiscation and retention of firearms taken from dangerous individuals in accordance with IC 33-24-6-3. As added by P.L.1-2006, SEC.537. Amended by P.L.289-2019, SEC.12; P.L.142-2020, SEC.79.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 14. Proceedings for the Seizure and Retention of a Firearm35-47-14-9. When Law Enforcement Agency May Be Ordered to Dispose of Firearm

Sec. 9. If at least five (5) years have passed since a court conducted the first hearing to retain a firearm under this chapter, the court, after giving notice to the parties and conducting a hearing, may order the law enforcement agency having custody of the firearm to dispose of the firearm in accordance with IC 35-47-3. As added by P.L.1-2006, SEC.537. Amended by P.L.157-2014, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 15. Retired Law Enforcement Officers Identification for Carrying Firearms35-47-15-1. "Firearm"

Sec. 1. As used in this chapter, "firearm" has the meaning set forth in 18 U.S.C. 926C(e). As added by P.L.1-2006, SEC.538.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 15. Retired Law Enforcement Officers Identification for Carrying Firearms35-47-15-2. "Law Enforcement Agency"

Sec. 2. As used in this chapter, "law enforcement agency" means an agency or department of: (1) the state; (2) a political subdivision of the state; or (3) a tribe; whose principal function is the apprehension of criminal offenders. As added by P.L.1-2006, SEC.538. Amended by P.L.64-2022, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 15. Retired Law Enforcement Officers Identification for Carrying Firearms35-47-15-3. "Law Enforcement Officer"

Sec. 3. As used in this chapter, "law enforcement officer" has the meaning set forth in IC 35-31.5-2-185. The term includes an arson investigator employed by the office of the state fire marshal. As added by P.L.1-2006, SEC.538. Amended by P.L.114-2012, SEC.143.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 15. Retired Law Enforcement Officers Identification for Carrying Firearms35-47-15-4. Photo Identification for Retired Law Enforcement Officers

Sec. 4. After June 30, 2005, all law enforcement agencies shall issue annually to each person who has retired from that agency as a

law enforcement officer a photographic identification. As added by P.L.1-2006, SEC.538.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 15. Retired Law Enforcement Officers Identification for Carrying Firearms35-47-15-5. Additional Requirement for Retired Law Enforcement Officer to Carry Concealed Firearm

Sec. 5. (a) In addition to the photographic identification issued under section 4 of this chapter, after June 30, 2005, a retired law enforcement officer who carries a concealed firearm under 18 U.S.C. 926C must obtain annually, for each type of firearm that the retired officer intends to carry as a concealed firearm, evidence that the retired officer meets the training and qualification standards for carrying that type of firearm that are established: (1) by the retired officer's law enforcement agency, for active officers of the agency; or (2) by the state, for active law enforcement officers in the state. A retired law enforcement officer bears any expense associated with obtaining the evidence required under this subsection. (b) The evidence required under subsection (a) is one (1) of the following: (1) For compliance with the standards described in subsection (a)(1), an endorsement issued by the retired officer's law enforcement agency with or as part of the photographic identification issued under section 4 of this chapter. (2) For compliance with the standards described in subsection (a)(2), a certification issued by the state. As added by P.L.1-2006, SEC.538.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 15. Retired Law Enforcement Officers Identification for Carrying Firearms35-47-15-6. Immunity From Civil or Criminal Liability

Sec. 6. An entity that provides evidence required under section 5 of this chapter is immune from civil or criminal liability for providing the evidence. As added by P.L.1-2006, SEC.538.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 16. Possession of Firearms by Judicial Officers35-47-16-1. Possession of Firearms

Sec. 1. A judicial officer: (1) may possess and use a firearm in the same locations that a law enforcement officer who is authorized to carry a firearm under IC 5-2-1 may possess a firearm while the law enforcement officer is engaged in the execution of the law enforcement officer's official duties; and (2) may not be prohibited from possessing a firearm on land or in buildings and other structures owned or leased by: (A) the state or any agency of state government; or (B) a political subdivision (as defined in IC 3-5-2-38). As added by P.L.147-2014, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 16. Possession of Firearms by Judicial Officers35-47-16-2. Immunities and Defenses

Sec. 2. A judicial officer who possesses a firearm as described in section 1 of this chapter has the same civil and criminal immunities and defenses concerning possession and use of the firearm that a law enforcement officer has when the law enforcement officer: (1) possesses and uses a firearm; and (2) is engaged in the execution of the law enforcement officer's official duties. As added by P.L.147-2014, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2.5. Sale of Handguns35-47-2.5-1. Applicability; Conflicts

Sec. 1. (a) Sections 2 through 5 of this chapter do not apply to the following: (1) Transactions between persons who are licensed as firearms importers or collectors or firearms manufacturers or dealers under 18 U.S.C. 923. (2) Purchases by or sales to a law enforcement officer or agent of the United States, the state, or a county or local government. (3) Indiana residents in possession of a license described in IC 35-47-2-3. (b) Notwithstanding any other provision of this chapter, the state shall participate in the NICS if federal funds are available to assist the state in participating in the NICS. If: (1) the state participates in the NICS; and (2) there is a conflict between: (A) a provision of this chapter; and (B) a procedure required under the NICS; the procedure required under the NICS prevails over the conflicting provision of this chapter. As added by P.L.17-1997, SEC.8. Amended by P.L.190-2006, SEC.5; P.L.152-2014, SEC.3; P.L.175-2022, SEC.15.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2.5. Sale of Handguns35-47-2.5-12. Criminal History Check; False Statement on Consent Form

Sec. 12. A person who knowingly or intentionally makes a materially false statement on Form 4473 completed under section 3 of this chapter commits a Level 6 felony. As added by P.L.17-1997, SEC.8. Amended by P.L.190-2006, SEC.9; P.L.155-2007, SEC.4; P.L.158-2013, SEC.585.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2.5. Sale of Handguns35-47-2.5-13. Dealer Violations

Sec. 13. Except as otherwise provided in this chapter, a dealer who knowingly or intentionally sells, rents, trades, or transfers a handgun in violation of this chapter commits a Class A misdemeanor. As added by P.L.17-1997, SEC.8.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2.5. Sale of Handguns35-47-2.5-16. Criminal Transfer of a Firearm

Sec. 16. (a) This section does not apply to a person who complies with IC 35-47-10 (governing children and firearms). (b) A person who provides a firearm to an individual who the person knows: (1) is ineligible to purchase or otherwise receive or possess a firearm for any reason other than the person's age; or (2) intends to use the firearm to commit a crime; commits criminal transfer of a firearm, a Level 5 felony. However, the offense is a Level 3 felony if the individual uses the firearm to commit murder (IC 35-42-1-1). (c) It is a defense to a prosecution under subsection (b)(1) that: (1) the accused person (or dealer acting on the person's behalf) contacted NICS to request a background check on the individual before the accused person provided the firearm to the individual; and (2) the accused person (or dealer acting on the person's behalf) received authorization from NICS to provide the firearm to the individual. As added by P.L.152-2014, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2.5. Sale of Handguns35-47-2.5-2.5. "Nics"

Sec. 2.5. As used in this chapter, "NICS" refers to the National Instant Criminal Background Check System maintained by the Federal Bureau of Investigation in accordance with the federal Brady Handgun Violence Prevention Act (18 U.S.C. 921 et seq.). As added by P.L.190-2006, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2.5. Sale of Handguns35-47-2.5-2. "Dealer" Defined

Sec. 2. As used in this chapter, "dealer" includes any person licensed under 18 U.S.C. 923. As added by P.L.17-1997, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2.5. Sale of Handguns35-47-2.5-3. Form 4473

Sec. 3. A person purchasing a handgun from a dealer shall complete and sign Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473. As added by P.L.17-1997, SEC.8. Amended by P.L.190-2006, SEC.7; P.L.155-2007, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2.5. Sale of Handguns35-47-2.5-4. Dealer Requirements Before Sale, Rent, Trade, or Transfer

Sec. 4. (a) A dealer may not sell, rent, trade, or transfer from the dealer's inventory a handgun to a person until the dealer has done all of the following: (1) Obtained from the prospective purchaser a completed and signed Form 4473 as specified in section 3 of this chapter. (2) Contacted NICS: (A) by telephone; or (B) electronically; to request a background check on the prospective purchaser. (3) Received authorization from NICS to transfer the handgun to the prospective purchaser. (b) The dealer shall record the NICS transaction number on Form 4473 and retain Form 4473 for auditing purposes. As added by P.L.17-1997, SEC.8. Amended by P.L.190-2006, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2.5. Sale of Handguns35-47-2.5-5. Documentation of Personal Identification and Residence

Sec. 5. (a) To establish personal identification and residence in Indiana for purposes of this chapter, a dealer must require a prospective purchaser to present one (1) photographic identification form issued by a governmental agency of the state or by the United States Department of Defense, or other documentation of residence. (b) Except when photographic identification was issued by the United States Department of Defense, other documentation of residence must show an address identical to that shown on the photographic identification form or as amended by proper notice of change of address filed with the issuing authority. Suitable other documentation of residence includes: (1) evidence of currently paid personal property tax or real estate tax, a current lease, utility, or telephone bill, a voter registration card, a bank check, a passport, an automobile registration, or a hunting or fishing license; (2) other current identification allowed as evidence of residency by 27 CFR 178.124 and United States Alcohol, Tobacco, and Firearms Ruling 79-7; or (3) other documentation of residence, determined to be acceptable by the state police department, that corroborates that the prospective purchaser currently resides in Indiana. (c) If the photographic identification was issued by the United States Department of Defense, permanent orders may be used as documentation of residence. As added by P.L.17-1997, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-1.5. Unlawful Carrying of a Handgun

Sec. 1.5. (a) The following terms are defined for this section: (1) "Adjudicated a mental defective" means a determination by a court that a person: (A) presents a danger to the person or to others; or (B) lacks the mental capacity necessary to contract or manage the person's affairs. The term includes a finding of insanity by a court in a criminal proceeding. (2) "Alien" means any person who is not lawfully in the United States. The term includes: (A) any person who has: (i) entered the United States without inspection and authorization by an immigration officer; and (ii) not been paroled into the United States under the federal Immigration and

Nationality Act; (B) a nonimmigrant: (i) whose authorized period of stay has expired; or (ii) who has violated the terms of the nonimmigrant category under which the person was admitted; (C) a person paroled under the federal Immigration and Nationality Act whose period of parole has: (i) expired; or (ii) been terminated; and (D) a person subject to an order: (i) of deportation, exclusion, or removal; or (ii) to depart the United States voluntarily; regardless of whether or not the person has left the United States. (3) "Committed to a mental institution" means the formal commitment of a person to a mental institution by a court. The term includes: (A) a commitment for: (i) a cognitive or mental defect; or (ii) a mental illness; and (B) involuntary commitments. The term does not include voluntary commitments or a commitment made for observational purposes. (4) "Crime of domestic violence" has the meaning set forth in IC 35-31.5-2-78. (5) "Dangerous" has the meaning set forth in IC 35-47-14-1. (6) "Fugitive from justice" means any person who: (A) flees or leaves from any state to avoid prosecution for a felony or misdemeanor offense; or (B) flees or leaves any state to avoid testifying in a criminal proceeding. (7) "Indictment" means any formal accusation of a crime made by a prosecuting attorney in any court for a crime punishable by a term of imprisonment exceeding one (1) year. (8) A crime or offense "punishable by a term of imprisonment exceeding one (1) year" does not include a federal or state crime or offense pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices. (b) Except as provided in subsections (c) and (d), the following persons may not knowingly or intentionally carry a handgun: (1) A person convicted of a federal or state offense punishable by a term of imprisonment exceeding one (1) year. (2) A fugitive from justice. (3) An alien. (4) A person convicted of: (A) a crime of domestic violence (IC 35-31.5-2-78); (B) domestic battery (IC 35-42-2-1.3); or (C) criminal stalking (IC 35-45-10-5). (5) A person restrained by an order of protection issued under IC 34-26-5. (6) A person under indictment. (7) A person who has been: (A) adjudicated dangerous under IC 35-47-14-6; (B) adjudicated a mental defective; or (C) committed to a mental institution. (8) A person dishonorably discharged from: (A) military service; or (B) the National Guard. (9) A person who renounces the person's United States citizenship in the manner described in 8 U.S.C. 1481. (10) A person who is less than: (A) eighteen (18) years of age; or (B) twenty-three (23) years of age and has an adjudication as a delinquent child for an act described by IC 35-47-4-5; unless authorized under IC 35-47-10. (c) Subsection (b)(4)(A) and (b)(4)(B) does not apply to a person if a court has restored the person's right to possess a firearm under IC 35-47-4-7. (d) A person who has: (1) been adjudicated dangerous under IC 35-47-14-6; and (2) successfully petitioned for the return of a firearm under IC 35-47-14-8 with respect to the adjudication under subdivision (1); is not prohibited from carrying a handgun under subsection (b) on the basis that the person was adjudicated dangerous under subdivision (1). However, the person may still be prohibited from carrying a handgun on one (1) or more of the other grounds listed in subsection (b). (e) A person who violates this section commits unlawful carrying of a handgun, a Class A misdemeanor. However, the offense is a Level 5 felony if: (1) the offense is committed: (A) on or in school property; (B) within five hundred (500) feet of school property; or (C) on a school bus; or (2) the person: (A) has a prior conviction of any offense under: (i) this section; (ii) section 1 of this chapter (carrying a handgun without a license) (before its repeal); or (iii) section 22 of this chapter; or (B) has been convicted of a felony within fifteen (15) years before the date of the offense. As added by P.L.175-2022, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-1. Carrying a Handgun Without Being Licensed; Construction of Chapter

Sec. 1. (a) A person who meets the following requirements may carry a handgun in the manner described in subsection (b): (1) The person is not prohibited from possessing or carrying a handgun under federal law as in effect on January 1, 2022. (2) Notwithstanding section 1.5 of this chapter, the person is not otherwise prohibited under state law from possessing or carrying a handgun. (3) The person does not meet the requirements under IC 35-47-2-3 to receive a license to carry a handgun in Indiana. (b) A person may carry a handgun without being licensed under this chapter to carry a handgun if: (1) the person carries the handgun on or about the person's body in or on property that is owned, leased, rented, or otherwise legally controlled by the person; (2) the person carries the handgun on or about the person's body while lawfully present in or on property that is owned, leased, rented, or otherwise legally controlled by another person, if the person: (A) has the consent of the owner, renter, lessor, or person who legally controls the property to have the handgun on the premises; (B) is attending a firearms related event on the property, including a gun show, firearms expo, gun owner's club or convention, hunting club, shooting club, or training course; or (C) is on the property to receive firearms related services, including the repair, maintenance, or modification of a firearm; (3) the person carries the handgun in a vehicle that is owned, leased, rented, or otherwise legally controlled by the person, if the handgun is: (A) unloaded; (B) not readily accessible; and (C) secured in a case; (4) the person carries the handgun while lawfully present in a vehicle that is owned, leased, rented, or otherwise legally controlled by another person, if the handgun is: (A) unloaded; (B) not readily accessible; and (C) secured in a case; or (5) the person carries the handgun: (A) at a shooting range (as defined in IC 14-22-31.5-3); (B) while attending a firearms instructional course; or (C) while engaged in a legal hunting activity. (c) This chapter may not be construed: (1) to prohibit a person who owns, leases, rents, or otherwise legally controls private property from regulating or prohibiting the possession of firearms on the private property; (2) to allow a person to adopt or enforce an ordinance, resolution, policy, or rule that: (A) prohibits; or (B) has the effect of prohibiting; an employee of the person from possessing a firearm or ammunition that is locked in the trunk of the employee's vehicle, kept in the glove compartment of the employee's locked vehicle, or stored out of plain sight in the employee's locked vehicle, unless the person's adoption or enforcement of the ordinance, resolution, policy, or rule is allowed under IC 34-28-7-2(b); or (3) to allow a person to adopt or enforce a law, statute, ordinance, resolution, policy, or rule that allows a person to possess or transport a firearm or ammunition if the person is prohibited from possessing or transporting the firearm or ammunition by state or federal law. (d) Nothing in this chapter may be construed to affect the status or validity of a five (5) year or

lifetime license to carry a handgun issued by the superintendent before July 1, 2022. Any license described under this subsection shall remain valid for the duration of the license or the lifetime of the licensee, as applicable. As added by P.L.311-1983, SEC.32. Amended by P.L.326-1987, SEC.1; P.L.195-2003, SEC.6; P.L.98-2004, SEC.155; P.L.118-2007, SEC.35; P.L.164-2011, SEC.1; P.L.6-2012, SEC.231; P.L.158-2013, SEC.573; P.L.221-2017, SEC.1; P.L.175-2022, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-14. Necessity of Retail Handgun Dealer's License; Display

Sec. 14. A retail dealer who knowingly or intentionally: (1) sells; (2) trades; (3) transfers; (4) exposes for sale, trade, or transfer; or (5) possesses with intent to sell, trade, or transfer; any handgun without being licensed under sections 15 and 16 of this chapter and without displaying the retail dealer's license at all times commits a Class B misdemeanor. As added by P.L.311-1983, SEC.32. Amended by P.L.158-2013, SEC.578.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-15. Retail Handgun Dealer's License; Application Procedure

Sec. 15. (a) A person desiring a retail handgun dealer's license shall apply to the sheriff of the county in which the person resides, or if the person is a resident of another state and has a regular place of business in Indiana, then to the sheriff of the county in which the person has a regular place of business. The applicant shall state the applicant's name, full address, occupation, sex, race, age, place of birth, date of birth, nationality, height, weight, build, color of eyes, color of hair, complexion, scars and marks, and any criminal record (minor traffic offenses excepted). The officer to whom the application is made shall verify the application and search the officer's records concerning the applicant's character and reputation. (b) The officer to whom the application is made shall send to the superintendent: (1) the verified application; (2) the results of the officer's investigation; and (3) the officer's recommendation for approval or disapproval of the application; in as many copies as the superintendent shall designate, and one (1) set of legible and classifiable fingerprints of the applicant. The superintendent may make whatever further investigation the superintendent deems necessary. Whenever disapproval is recommended by the officer to whom the application was made, the officer shall provide the superintendent and the applicant with the officer's complete reasons for the disapproval in writing. If the officer to whom the application is made recommends approval, the officer shall instruct the applicant in the proper method of taking legible and classifiable fingerprints. (c) If an applicant applies for a license under this section before July 1, 2011, and it appears to the superintendent that the applicant is of good character and reputation and a proper person to be licensed, the superintendent shall issue to the applicant a retail handgun dealer's license which shall be valid for a period of two (2) years from the date of issue. The fee for the license shall be twenty dollars ($20), which shall be deposited with the officer to whom the application is made, who shall in turn forward it to the superintendent for deposit with the treasurer of state when the application is approved by the superintendent. (d) If an applicant applies for a license under this section after June 30, 2011: (1) the applicant shall deposit with the officer to whom the application is made a fee for the license of sixty dollars ($60); (2) if it appears to the superintendent that the applicant is: (A) of good character and reputation; and (B) a proper person to be licensed; the superintendent shall issue to the applicant a retail handgun dealer's license, which is valid for six (6) years after the date the license is issued; and (3) the officer to whom the application was made shall forward the fee for the license to the superintendent for deposit with the treasurer of state when the application is approved by the superintendent. (e) In the event that an application is disapproved by the superintendent, the fee deposited by the applicant under subsection (c) or (d) shall be returned to the applicant along with the complete reasons, in writing, for the disapproval. (f) No retail dealer's license shall be issued to any person who has been: (1) convicted of a felony; or (2) adjudicated a delinquent child for an act that would be a felony if committed by an adult, if the person applying for the retail dealer's license is less than twenty-three (23) years of age; in Indiana or any other state or country. (g) A retail dealer's license shall permit the licensee to sell handguns at retail within this state subject to the conditions specified in this chapter. The license may be suspended or revoked in accordance with applicable law, and the licensee may be subject to punishment as provided in this chapter. (h) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. As added by P.L.311-1983, SEC.32. Amended by P.L.191-1984, SEC.4; P.L.269-1995, SEC.9; P.L.44-2011, SEC.1; P.L.158-2013, SEC.579.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-16. Retail Handgun Dealer's License; Restrictions; Display; Prohibited Sales; Gun Show

Sec. 16. (a) A retail dealer's business shall be carried on only in the site designated in the license. A separate license shall be required for each separate retail outlet. Whenever a licensed dealer moves the dealer's place of business, the dealer shall promptly notify the superintendent, who shall at once issue an amended license certificate valid for the balance of the license period. This subsection does not apply to sales at wholesale. (b) The license, certified by the issuing authority, shall be displayed on the business premises in a prominent place where it can be seen easily by prospective customers. (c) No handgun shall be sold: (1) in violation of any provision of this chapter; or (2) under any circumstances unless the purchaser is personally known to the seller or presents clear evidence of the purchaser's identity. (d) Notwithstanding subsection (a), a retail dealer may display, sell, or transfer handguns at a gun show in accordance with this chapter and federal law. (e) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. As added by P.L.311-1983, SEC.32. Amended by P.L.191-1984, SEC.5; P.L.148-1987, SEC.5; P.L.158-2013, SEC.580.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-17. Firearms and Handguns; Giving False Information or Offering False Evidence of Identity

Sec. 17. (a) No person, in purchasing or otherwise securing delivery of a firearm or in applying for a license to carry a handgun, shall knowingly or intentionally: (1) give false information on a form required to: (A) purchase or secure delivery of a firearm; or (B) apply for a license to carry a handgun; or (2) offer false evidence of identity. In addition to any penalty provided by this chapter, any firearm obtained through false information shall be subject to confiscation and disposition as provided in this chapter. Upon notice of a violation of this section by the superintendent, it shall be the duty of the sheriff or chief of police or corresponding officer of the jurisdiction in which the purchaser resides to confiscate the firearm and retain it as evidence pending trial for the offense. (b) A person who knowingly or intentionally violates this section commits a Level 5 felony. As added by P.L.311-1983, SEC.32. Amended by P.L.60-2011, SEC.1; P.L.158-2013, SEC.581.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-18. Removing a Firearm's Serial Number or Possessing a Firearm With a Removed Serial Number

Sec. 18. (a) No person shall: (1) remove, obliterate, or alter the importer or manufacturer's serial number on any firearm; or (2) possess any firearm on which the importer or manufacturer's serial number has been removed, obliterated, or altered. (b) A person who knowingly or intentionally violates this section commits a Level 5 felony. As added by P.L.311-1983, SEC.32. Amended by P.L.158-2013, SEC.582; P.L.142-2020, SEC.73.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-19. Application of Chapter

Sec. 19. This chapter does not apply to any firearm not designed to use fixed cartridges or fixed ammunition, or any firearm made before January 1, 1899. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-20. Removal of Disability Under This Chapter

Sec. 20. (a) A full pardon from the governor of Indiana for: (1) a felony other than a felony that is included in IC 35-42; or (2) a violation of this chapter; removes any disability under this chapter imposed because of that offense, if fifteen (15) years have elapsed between the time of the offense and the application for a license under this chapter. (b) A conditional pardon described in IC 11-9-2-4 for: (1) a felony; or (2) a violation of this chapter; removes a disability under this chapter if the superintendent determines after an investigation that circumstances have changed since the pardoned conviction was entered to such an extent that the pardoned person is likely to handle handguns in compliance with the law. As added by P.L.311-1983, SEC.32. Amended by P.L.191-1984, SEC.6; P.L.148-1987, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-21. Recognition of Retail Dealers' Licenses and Licenses to Carry Handguns Issued by Other States

Sec. 21. (a) Retail dealers' licenses issued by other states or foreign countries will not be recognized in Indiana except for sales at wholesale. (b) Licenses to carry handguns, issued by other states or foreign countries, will be recognized according to the terms thereof but only while the holders are not residents of Indiana. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-22. Use of Unlawful Handgun-Carrying License to Obtain Handgun Prohibited

Sec. 22. (a) It is unlawful for any person to use, or to attempt to use, a false, counterfeit, spurious, or altered handgun-carrying license to obtain a handgun contrary to the provisions of this chapter. (b) A person who knowingly or intentionally violates this section commits a Level 6 felony. As added by P.L.311-1983, SEC.32. Amended by P.L.158-2013, SEC.583.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-3. License Requirement; Application; Procedure

Sec. 3. (a) A person who is at least eighteen (18) years of age and is not otherwise prohibited from carrying or possessing a handgun under state or federal law is not required to obtain or possess a license or permit from the state to carry a handgun in Indiana. A person who wishes to carry a firearm in another state under a reciprocity agreement entered into by this state and another state may obtain a license to carry a handgun in Indiana under this chapter by applying as follows: (1) If the applicant is a resident of this state: (A) to the chief of police or corresponding law enforcement officer of the municipality in which the applicant resides; or (B) if that municipality has no such officer, or if the applicant does not reside in a municipality, to the sheriff of the county in which the

applicant resides after the applicant has obtained an application form prescribed by the superintendent. (2) If the applicant is a resident of another state and has a regular place of business or employment in Indiana, to the sheriff of the county in which the applicant has a regular place of business or employment. The superintendent and local law enforcement agencies shall allow an applicant desiring to obtain or renew a license to carry a handgun to submit an application electronically under this chapter if funds are available to establish and maintain an electronic application system. (b) This subsection applies before July 1, 2020. The law enforcement agency which accepts an application for a handgun license shall collect the following application fees: (1) From a person applying for a four (4) year handgun license, a ten dollar ($10) application fee, five dollars ($5) of which shall be refunded if the license is not issued. (2) From a person applying for a lifetime handgun license who does not currently possess a valid Indiana handgun license, a fifty dollar ($50) application fee, thirty dollars ($30) of which shall be refunded if the license is not issued. (3) From a person applying for a lifetime handgun license who currently possesses a valid Indiana handgun license, a forty dollar ($40) application fee, thirty dollars ($30) of which shall be refunded if the license is not issued. Except as provided in subsection (j), the fee shall be deposited into the law enforcement agency's firearms training fund or other appropriate training activities fund and used by the agency to train law enforcement officers in the proper use of firearms or in other law enforcement duties, or to purchase firearms, firearm related equipment, or body armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers employed by the law enforcement agency. The state board of accounts shall establish rules for the proper accounting and expenditure of funds collected under this subsection. (c) This subsection applies after June 30, 2020, and before July 1, 2021. The law enforcement agency which accepts an application for a handgun license shall not collect a fee from a person applying for a five (5) year handgun license and shall collect the following application fees: (1) From a person applying for a lifetime handgun license who does not currently possess a valid Indiana handgun license, a fifty dollar ($50) application fee, thirty dollars ($30) of which shall be refunded if the license is not issued. (2) From a person applying for a lifetime handgun license who currently possesses a valid Indiana handgun license, a forty dollar ($40) application fee, thirty dollars ($30) of which shall be refunded if the license is not issued. Except as provided in subsection (j), the fee shall be deposited into the law enforcement agency's firearms training fund or other appropriate training activities fund and used by the agency to train law enforcement officers in the proper use of firearms or in other law enforcement duties, or to purchase firearms, firearm related equipment, or body armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers employed by the law enforcement agency. The state board of accounts shall establish rules for the proper accounting and expenditure of funds collected under this subsection. (d) This subsection applies after June 30, 2021. The law enforcement agency which accepts an application for a handgun license shall not collect a fee from a person applying for a handgun license. (e) The officer to whom the application is made shall ascertain the applicant's name, full address, length of residence in the community, whether the applicant's residence is located within the limits of any city or town, the applicant's occupation, place of business or employment, criminal record, if any, and convictions (minor traffic offenses excepted), age, race, sex, nationality, date of birth, citizenship, height, weight, build, color of hair, color of eyes, scars and marks, whether the applicant has previously held an Indiana license to carry a handgun and, if so, the serial number of the license and year issued, whether the applicant's license has ever been suspended or revoked, and if so, the year and reason for the suspension or revocation, and the applicant's reason for desiring a license. If the applicant is not a United States citizen, the officer to whom the application is made shall ascertain the applicant's country of citizenship, place of birth, and any alien or admission number issued by the United States Citizenship and Immigration Services or United States Customs and Border Protection or any successor agency as applicable. The officer to whom the application is made shall conduct an investigation into the applicant's official records and verify thereby the applicant's character and reputation, and shall in addition verify for accuracy the information contained in the application, and shall forward this information together with the officer's recommendation for approval or disapproval and one (1) set of legible and classifiable fingerprints of the applicant to the superintendent. An investigation conducted under this section must include the consulting of available local, state, and federal criminal history data banks, including the National Instant Criminal Background Check System (NICS), to determine whether possession of a firearm by an applicant would be a violation of state or federal law. (f) The superintendent may make whatever further investigation the superintendent deems necessary. Whenever disapproval is recommended, the officer to whom the application is made shall provide the superintendent and the applicant with the officer's complete and specific reasons, in writing, for the recommendation of disapproval. (g) If it appears to the superintendent that the applicant: (1) has a proper reason for receiving a license to carry a handgun; (2) is of good character and reputation; (3) is a proper person to be licensed; and (4) is: (A) a citizen of the United States; or (B) not a citizen of the United States but is allowed to carry a firearm in the United States under federal law; the superintendent shall issue to the applicant a license to carry a handgun in Indiana. The original license shall be delivered to the licensee. A copy shall be delivered to the officer to whom the application for license was made. A copy shall be retained by the superintendent for at least five (5) years in the case of a five (5) year license. The superintendent may adopt guidelines to establish a records retention policy for a lifetime license. A five (5) year license shall be valid for a period of five (5) years from the date of issue. A lifetime license is valid for the life of the individual receiving the license. The license of police officers, sheriffs or their deputies, and law enforcement officers of the United States government who have twenty (20) or more years of service shall be valid for the life of these individuals. However, a lifetime license is automatically revoked if the license holder does not remain a proper person. (h) At the time a license is issued and delivered to a licensee under subsection (g), the superintendent shall include with the license information concerning firearms safety rules that: (1) neither opposes nor supports an individual's right to bear arms; and (2) is: (A) recommended by a nonprofit educational organization that is dedicated to providing education on safe handling and use of firearms; (B) prepared by the state police department; and (C) approved by the superintendent. The superintendent may not deny a license under this section because the information required

under this subsection is unavailable at the time the superintendent would otherwise issue a license. The state police department may accept private donations or grants to defray the cost of printing and mailing the information required under this subsection. (i) A license to carry a handgun shall not be issued to any person who: (1) has been convicted of a felony; (2) has had a license to carry a handgun suspended, unless the person's license has been reinstated; (3) is under eighteen (18) years of age; (4) is under twenty-three (23) years of age if the person has been adjudicated a delinquent child for an act that would be a felony if committed by an adult; (5) has been arrested for a Class A or Class B felony for an offense committed before July 1, 2014, for a Level 1, Level 2, Level 3, or Level 4 felony for an offense committed after June 30, 2014, or any other felony that was committed while armed with a deadly weapon or that involved the use of violence, if a court has found probable cause to believe that the person committed the offense charged; (6) is prohibited by federal law from possessing or receiving firearms under 18 U.S.C. 922(g); or (7) is described in section 1.5 of this chapter, unless exempted by section 1.5 of this chapter. In the case of an arrest under subdivision (5), a license to carry a handgun may be issued to a person who has been acquitted of the specific offense charged or if the charges for the specific offense are dismissed. The superintendent shall prescribe all forms to be used in connection with the administration of this chapter. (j) If the law enforcement agency that charges a fee under subsection (b) or (c) is a city or town law enforcement agency, the fee shall be deposited in the law enforcement continuing education fund established under IC 5-2-8-2. (k) If a person who holds a valid license to carry a handgun issued under this chapter: (1) changes the person's name; (2) changes the person's address; or (3) experiences a change, including an arrest or a conviction, that may affect the person's status as a proper person (as defined in IC 35-47-1-7) or otherwise disqualify the person from holding a license; the person shall, not later than thirty (30) days after the date of a change described under subdivision (3), and not later than sixty (60) days after the date of the change described under subdivision (1) or (2), notify the superintendent, in writing, of the event described under subdivision (3) or, in the case of a change under subdivision (1) or (2), the person's new name or new address. (l) The state police shall indicate on the form for a license to carry a handgun the notification requirements of subsection (k). (m) The state police department shall adopt rules under IC 4-22-2 to implement an electronic application system under subsection (a). Rules adopted under this section must require the superintendent to keep on file one (1) set of classifiable and legible fingerprints from every person who has received a license to carry a handgun so that a person who applies to renew a license will not be required to submit an additional set of fingerprints. (n) Except as provided in subsection (o), for purposes of IC 5-14-3-4(a)(1), the following information is confidential, may not be published, and is not open to public inspection: (1) Information submitted by a person under this section to: (A) obtain; or (B) renew; a license to carry a handgun. (2) Information obtained by a federal, state, or local government entity in the course of an investigation concerning a person who applies to: (A) obtain; or (B) renew; a license to carry a handgun issued under this chapter. (3) The name, address, and any other information that may be used to identify a person who holds a license to carry a handgun issued under this chapter. (o) Notwithstanding subsection (n): (1) any information concerning an applicant for or a person who holds a license to carry a handgun issued under this chapter may be released to a: (A) state or local government entity: (i) for law enforcement purposes; or (ii) to determine the validity of a license to carry a handgun; or (B) federal government entity for the purpose of a single entry query of an applicant or license holder who is: (i) a subject of interest in an active criminal investigation; or (ii) arrested for a crime; and (2) general information concerning the issuance of licenses to carry handguns in Indiana may be released to a person conducting journalistic or academic research, but only if all personal information that could disclose the identity of any person who holds a license to carry a handgun issued under this chapter has been removed from the general information. (p) A person who holds a valid license to carry a handgun under this chapter is licensed to carry a handgun in Indiana. (q) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. As added by P.L.311-1983, SEC.32. Amended by P.L.26-1990, SEC.15; P.L.48-1993, SEC.5; P.L.140-1994, SEC.6; P.L.269-1995, SEC.6; P.L.2-1996, SEC.284; P.L.27-2001, SEC.1; P.L.120-2001, SEC.1; P.L.49-2005, SEC.2; P.L.187-2005, SEC.3; P.L.190-2006, SEC.2; P.L.155-2007, SEC.1; P.L.47-2010, SEC.1; P.L.34-2010, SEC.4; P.L.158-2013, SEC.574; P.L.17-2017, SEC.3; P.L.221-2017, SEC.3; P.L.86-2018, SEC.335; P.L.107-2019, SEC.8; P.L.165-2021, SEC.196; P.L.175-2022, SEC.12; P.L.13-2023, SEC.1; P.L.9-2024, SEC.538.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-4. License to Carry Handgun; Fees; Resident of Another State

Sec. 4. (a) Licenses to carry handguns issued under section 3 of this chapter are valid for: (1) five (5) years from the date of issue in the case of a five (5) year license; or (2) the life of the individual receiving the license in the case of a lifetime license. (b) There is no fee for a license to carry a handgun. The superintendent shall charge a twenty dollar ($20) fee for the issuance of a duplicate license to replace a lost or damaged license. This fee shall be deposited in accordance with subsection (c). (c) Fees collected under this section shall be deposited in the state general fund. (d) The superintendent may not issue a lifetime license to a person who is a resident of another state. The superintendent may issue a five (5) year license to a person who is a resident of another state and who has a regular place of business or employment in Indiana as described in section 3(a)(2) of this chapter. (e) A person who knowingly or intentionally violates this section commits a Class B misdemeanor. As added by P.L.311-1983, SEC.32. Amended by P.L.209-1986, SEC.1; P.L.148-1987, SEC.4; P.L.75-1989, SEC.9; P.L.190-2006, SEC.3; P.L.1-2007, SEC.235; P.L.155-2007, SEC.2; P.L.158-2013, SEC.575; P.L.17-2017, SEC.4; P.L.107-2019, SEC.9; P.L.165-2021, SEC.197; P.L.175-2022, SEC.13; P.L.9-2024, SEC.539.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-5. Suspension or Revocation of License; Failure to Return License; Rules Concerning

Procedure for Suspending or Revoking License

Sec. 5. (a) The superintendent may suspend or revoke any license issued under this chapter if the superintendent has reasonable grounds to believe that the person's license should be suspended or revoked. (b) Documented evidence that a person is not a "proper person" to be licensed as defined by IC 35-47-1-7, or is prohibited under section 3(i)(5) of this chapter from being issued a license, shall be grounds for immediate suspension or revocation of a license previously issued under this chapter. However, if a license is suspended or revoked based solely on an arrest under section 3(i)(5) of this chapter, the license shall be reinstated upon the acquittal of the defendant in that case or upon the dismissal of the charges for the specific offense. (c) A person who knowingly or intentionally fails to promptly return the person's license after written notice of suspension or revocation commits a Class A misdemeanor. The observation of a handgun license in the possession of a person whose license has been suspended or revoked constitutes a sufficient basis for the arrest of that person for violation of this subsection. (d) The superintendent shall establish rules under IC 4-22-2 concerning the procedure for suspending or revoking a person's license. As added by P.L.311-1983, SEC.32. Amended by P.L.140-1994, SEC.7; P.L.2-1996, SEC.285; P.L.120-2001, SEC.2; P.L.1-2006, SEC.535; P.L.158-2013, SEC.576; P.L.107-2019, SEC.10; P.L.165-2021, SEC.198.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-6. Granting or Rejecting Initial Application; Renewals

Sec. 6. (a) Every initial application for any license under this chapter shall be granted or rejected within sixty (60) days after the application is filed. (b) The period during which an application for the renewal of an existing license may be filed begins three hundred sixty-five (365) days before the expiration of the existing license. If the application for renewal of an existing license is filed within thirty (30) days of its expiration, the existing license is automatically extended until the application for renewal is passed upon. As added by P.L.311-1983, SEC.32. Amended by P.L.190-2006, SEC.4; P.L.47-2010, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-7. "Machine Gun"; Prohibited Sales or Transfers of Ownership

Sec. 7. (a) As used in this section, "machine gun" has the meaning set forth in IC 35-31.5-2-190. (b) Except an individual acting within a parent-minor child or guardian-minor protected person relationship or any other individual who is also acting in compliance with IC 35-47-10 (governing children and firearms) and federal law, a person may not sell, give, or in any other manner transfer the ownership or possession of a handgun or machine gun to any person under eighteen (18) years of age. (c) A person who knowingly or intentionally sells, gives, or in any other manner transfers ownership or possession of a machine gun to a person under eighteen (18) years of age commits a Level 5 felony. However, the offense is a Level 4 felony if the person who sells, gives, or transfers ownership of the machine gun has a prior conviction under this section, and a Level 3 felony if a person under eighteen (18) years of age uses the machine gun to commit murder (IC 35-42-1-1). (d) A person who knowingly or intentionally sells, gives, or in any other manner transfers the ownership or possession of a handgun to another person who the person knows: (1) is ineligible for any reason other than the person's age to purchase or otherwise receive from a dealer a handgun; or (2) intends to use the handgun to commit a crime; commits criminal transfer of a handgun, a Level 5 felony. However, the offense is a Level 3 felony if the other person uses the handgun to commit murder (IC 35-42-1-1). (e) A person who purchases a handgun with the intent to: (1) resell or otherwise provide the handgun to another person who the person knows is ineligible for any reason to purchase or otherwise receive from a dealer a handgun; (2) resell or otherwise provide the handgun to another person who the person knows intends to use the handgun to commit a crime; or (3) transport the handgun outside Indiana to be resold or otherwise provided to another person who the transferor knows: (A) is ineligible to purchase or otherwise receive a handgun; or (B) intends to use the handgun to commit a crime; commits the straw purchase of a handgun, a Level 5 felony. However, the offense is a Level 3 felony if the other person uses the handgun to commit murder (IC 35-42-1-1). (f) As used in this subsection, "NICS" has the meaning set forth in IC 35-47-2.5-2.5. It is a defense to a prosecution under subsection (d)(1) that: (1) the accused person contacted NICS (or had a dealer contact NICS on the person's behalf) to request a background check on the other person before the accused person sold, gave, or in any other manner transferred the ownership or possession of the handgun to the other person; and (2) the accused person (or dealer acting on the person's behalf) received authorization from NICS to sell, give, or in any other manner transfer ownership or possession of the handgun to the other person. As added by P.L.311-1983, SEC.32. Amended by P.L.33-1989, SEC.126; P.L.140-1994, SEC.8; P.L.269-1995, SEC.7; P.L.158-2013, SEC.577; P.L.152-2014, SEC.2; P.L.183-2019, SEC.1; P.L.80-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 2. Regulation of Handguns35-47-2-8. Regulation of Sale of Handguns Imposed by This Chapter; Application

Sec. 8. The regulation of the sale of handguns imposed by this chapter shall apply equally to an occasional sale, trade, or transfer between individual persons and to retail transactions between dealers and individual persons. As added by P.L.311-1983, SEC.32. Amended by P.L.17-1997, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 3.5. Firearm Buyback Program35-47-3.5-1. Chapter Application

Sec. 1. This chapter applies to a unit (as defined in IC 36-1-2-23), including a law enforcement agency of a unit. As added by

P.L.157-2014, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 3.5. Firearm Buyback Program35-47-3.5-2. "Firearm Buyback Program"

Sec. 2. As used in this chapter, "firearm buyback program" means a program to purchase privately owned firearms from individual firearm owners for the purpose of: (1) reducing the number of firearms owned by civilians; or (2) permitting civilians to sell a firearm to the government without fear of prosecution. The term does not include the purchase of firearms from a licensed firearms dealer or a program to purchase firearms for law enforcement purposes. As added by P.L.157-2014, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 3.5. Firearm Buyback Program35-47-3.5-3. Prohibition of Firearm Buyback Programs With Public Funds

Sec. 3. A unit, including a law enforcement agency of a unit, may not conduct a firearm buyback program unless the firearm buyback program is financed or funded with private funds or grants, and not public funds. As added by P.L.157-2014, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 3.5. Firearm Buyback Program35-47-3.5-4. Transfer of Firearms to Law Enforcement Agency; Disposition of Firearms

Sec. 4. (a) A unit having possession of a firearm obtained from a firearm buyback program shall transfer the firearm to a law enforcement agency of the unit. (b) A law enforcement agency of a unit that has possession of a firearm obtained under subsection (a), or otherwise as the result of a firearm buyback program, shall dispose of the firearm in accordance with IC 35-47-3. As added by P.L.157-2014, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 3. Disposal of Confiscated Weapons35-47-3-1. Disposal of Confiscated Weapons in Accordance With Chapter

Sec. 1. All firearms confiscated pursuant to statute shall, upon conviction of the person for the offense for which the confiscation was made, be disposed of in accordance with this chapter. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 3. Disposal of Confiscated Weapons35-47-3-2. Application of Section to Firearms Not Required to Be Registered in National Firearms Registration and Transfer Record; Return of Firearms to Rightful Owners; Disposal Procedure

Sec. 2. (a) This section applies only to firearms which are not required to be registered in the National Firearms Registration and Transfer Record. (b) Firearms shall be returned to the rightful owner at once following final disposition of the cause if a return has not already occurred under the terms of IC 35-33-5. If the rightful ownership is not known the law enforcement agency holding the firearm shall make a reasonable attempt to ascertain the rightful ownership and cause the return of the firearm. However, nothing in this chapter shall be construed as requiring the return of firearms to rightful owners who have been convicted for the misuse of firearms. In such cases, the court may provide for the return of the firearm in question or order that the firearm be at once delivered: (1) except as provided in subdivision (2), to the sheriff's department of the county in which the offense occurred; or (2) to the law enforcement agency that confiscated the firearm. (c) If at least one hundred eighty (180) days have elapsed since the sheriff's department or law enforcement agency received the firearm, and: (1) all reasonable attempts to locate the rightful owner of the firearm have failed; or (2) the rightful owner has been convicted of an offense related to the misuse of a firearm; the sheriff's department or law enforcement agency shall dispose of the firearm as described in subsection (d). (d) Subject to subsection (c), the receiving law enforcement agency shall dispose of firearms under subsection (b), at the discretion of the law enforcement agency, by use of any of the following procedures: (1) Public sale of the firearms to the general public as follows: (A) Notice of the sale shall be: (i) posted for ten (10) days in the county courthouse in a place readily accessible to the general public; and (ii) advertised in the principal newspaper of the county for two (2) days in an advertisement that appears in the newspaper at least five (5) days prior to the sale. (B) Disposition of the firearm shall be by public auction in a place convenient to the general public, with disposition going to the highest bidder. However, no firearm shall be transferred to any bidder if that bidder is not lawfully eligible to receive and possess firearms according to the laws of the United States and Indiana. (C) All handguns transferred under this subdivision shall also be transferred according to the transfer procedures set forth in this article. (D) Money collected pursuant to the sales shall first be used to defray the necessary costs of administering this subdivision with any surplus to be: (i) deposited into the receiving law enforcement agency's firearms training fund, other appropriate training activities fund, or any other fund that may be used by the receiving law enforcement agency for the purchase and maintenance of firearms, ammunition, vests, and other law enforcement equipment; and (ii) used by the agency exclusively to train law enforcement officers in the proper use of firearms or other law enforcement duties, and to purchase and maintain firearms, ammunition, vests, and other law enforcement equipment. A law enforcement agency may not sell a firearm to the general public if the firearm is unsafe to operate because it has been damaged or altered. (2) Sale of the firearms to a licensed firearms dealer as follows: (A) Notice of the sale must be: (i) posted for ten (10) days in the county courthouse in a place readily accessible to the general public; and (ii) advertised in the principal newspaper of the county for two (2) days in an advertisement that appears in the newspaper at least five (5) days before the sale. (B) Disposition of the firearm shall be by auction with disposition going to the highest bidder who is a licensed firearms dealer. (C) Money collected from

the sales shall first be used to defray the necessary costs of administering this subdivision and any surplus shall be: (i) deposited into the receiving law enforcement agency's firearms training fund, other appropriate training activities fund, or any other fund that may be used by the receiving law enforcement agency for the purchase and maintenance of firearms, ammunition, vests, and other law enforcement equipment; and (ii) used by the agency exclusively to train law enforcement officers in the proper use of firearms or other law enforcement duties, and to purchase and maintain firearms, ammunition, vests, and other law enforcement equipment. A law enforcement agency may sell a firearm to a licensed firearms dealer for salvage or repair, even if the firearm is unsafe to operate because it has been damaged or altered. (3) Sale or transfer of the firearms to another law enforcement agency. (4) Release to the state police department laboratory or other forensic laboratory administered by the state or a political subdivision (as defined in IC 36-1-2-13) for the purposes of research, training, and comparison in conjunction with the forensic examination of firearms evidence. (5) Destruction of the firearms. A firearm that is to be destroyed may be sold to a salvage company and destroyed by dismantling the firearm for parts, scrap metal, or recycling, or for resale as parts for other firearms. (6) Trade with: (A) a licensed firearms dealer; (B) a licensed firearm manufacturer; or (C) another law enforcement agency; in exchange for new firearms, ammunition, vests, and other law enforcement equipment for use by the law enforcement agency. (e) A receiving law enforcement agency may, at its discretion, jointly sell firearms it has received with another law enforcement agency, or permit another law enforcement agency to sell firearms it has received on behalf of the receiving law enforcement agency. In any event, all confiscated firearms shall be disposed of as promptly as possible. (f) When a firearm is delivered to the state police department laboratory or other forensic laboratory under subsection (d)(4) and the state police department laboratory or other forensic laboratory determines the laboratory has no further need for the firearm in question, the laboratory shall return the firearm to the law enforcement agency for disposal under subsection (d). (g) A law enforcement agency that disposes of a firearm under subsection (d)(6) shall maintain a record of each exchange made, including identification of the: (1) firearm that was exchanged; (2) person with whom the exchange was made; and (3) law enforcement equipment for which the firearm was exchanged. (h) A law enforcement agency's record of a firearm trade is a public record subject to IC 5-14-3. As added by P.L.311-1983, SEC.32. Amended by P.L.209-1986, SEC.2; P.L.57-1992, SEC.7; P.L.48-1993, SEC.7; P.L.119-2012, SEC.167; P.L.157-2014, SEC.2; P.L.101-2017, SEC.1; P.L.56-2024, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 3. Disposal of Confiscated Weapons35-47-3-3. Application of Section to Firearms Required to Be Registered in National Firearms Registration and Transfer Record; Return of Firearms to Rightful Owners; Unreturnable Firearms; Registry of Firearms; Disposal

Sec. 3. (a) This section applies to firearms that are required to be registered in the National Firearms Registration and Transfer Record. (b) Firearms shall be returned to the rightful owner at once following final disposition of the cause, if such return has not already occurred under the terms of IC 35-33-5, and if such owner remains lawfully entitled to possess such firearms according to applicable United States and Indiana statutes. If rightful ownership is not known, the law enforcement agency holding the firearm shall make a reasonable and diligent effort to ascertain the rightful ownership and cause the return of the firearm being held, providing the owner remains lawfully entitled to possess such firearms. (c) Firearms that are not returnable under this section shall be at once delivered to: (1) the sheriff's department of the county in which the offense occurred, unless subdivision (2) applies; or (2) the city or town police force that confiscated the firearm if: (A) a member of the city or town police force confiscated the firearm; and (B) the city or town has a population of more than two thousand five hundred (2,500) and less than six hundred thousand (600,000); following final disposition of the cause. (d) When firearms are sent to a law enforcement agency under subsection (c), the law enforcement agency may upon request release the firearms to the state police department laboratory or other forensic laboratory administered by the state or a political subdivision (as defined in IC 36-1-2-13) for the purposes of research, training, and comparison in conjunction with the forensic examination of firearms evidence. (e) The receiving law enforcement agency or laboratory shall cause the registry of such firearms in the United States National Firearms Registration and Transfer Record within thirty (30) days following receipt from the court. (f) The court may order such firearms as are not returnable destroyed, specifying the exact manner of destruction and requiring the receiving law enforcement agency or laboratory to make due return to the ordering court the time, date, method of destruction, and disposition of the remains of the destroyed firearm. (g) No portion of this section shall be construed as requiring the receiving law enforcement agency or laboratory to retain firearms which are inoperable or unserviceable, or which the receiving law enforcement agency or laboratory may choose to transfer as public property in the ordinary course of lawful commerce and exchange. As added by P.L.311-1983, SEC.32. Amended by P.L.209-1986, SEC.3; P.L.57-1992, SEC.8; P.L.119-2012, SEC.168.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 3. Disposal of Confiscated Weapons35-47-3-4. Unlawful Delivery of Confiscated Firearm

Sec. 4. A person who knowingly or intentionally: (1) delivers a confiscated firearm to a person convicted of a felony: (A) involving use of a firearm; and (B) which is the basis of the confiscation; (2) delivers a confiscated firearm to another with knowledge that there is a rightful owner to whom the firearm must be returned; or (3) fails to deliver a confiscated firearm to the sheriff's department, a city or town police force, the state police department laboratory or a forensic laboratory under this chapter, the state under IC 14-22-39-6, or for disposition after a determination that the rightful owner of the firearm cannot be ascertained or is no longer entitled to possess the confiscated firearm; commits a Level 6 felony. As added by P.L.311-1983, SEC.32. Amended by P.L.209-1986, SEC.4; P.L.57-1992, SEC.9; P.L.1-1995, SEC.77; P.L.158-2013, SEC.588.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 4.5. Regulation of Laser Pointers35-47-4.5-1.5. "Firefighter"

Sec. 1.5. As used in this chapter, "firefighter" means an individual who is: (1) a full-time, salaried firefighter; or (2) a volunteer firefighter (as defined in IC 36-8-12-2). As added by P.L.147-2018, SEC.28.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 4.5. Regulation of Laser Pointers35-47-4.5-1. Exceptions

Sec. 1. This chapter does not apply to the use of a laser pointer: (1) for educational purposes by individuals engaged in an organized meeting or training class; or (2) during the normal course of work or trade activities. As added by P.L.70-2000, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 4.5. Regulation of Laser Pointers35-47-4.5-2. "Laser Pointer"

Sec. 2. As used in this chapter, "laser pointer" means a device that emits light amplified by the stimulated emission of radiation that is visible to the human eye. As added by P.L.70-2000, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 4.5. Regulation of Laser Pointers35-47-4.5-3. "Public Safety Officer"

Sec. 3. As used in this chapter, "public safety officer" means: (1) a state police officer; (2) a county sheriff; (3) a county police officer; (4) a correctional officer; (5) an excise police officer; (6) a county police reserve officer; (7) a city police officer; (8) a city police reserve officer; (9) a conservation enforcement officer; (10) a gaming agent; (11) a town marshal; (12) a deputy town marshal; (13) a state educational institution police officer appointed under IC 21-39-4; (14) a probation officer; (15) a firefighter; (16) an emergency medical technician; (17) a paramedic; (18) a member of a consolidated law enforcement department established under IC 36-3-1-5.1; (19) a gaming control officer; (20) a community corrections officer; (21) a conservancy district marshal; or (22) a deputy conservancy district marshal. As added by P.L.70-2000, SEC.1. Amended by P.L.227-2005, SEC.11; P.L.170-2005, SEC.18; P.L.1-2006, SEC.536; P.L.2-2007, SEC.379; P.L.227-2007, SEC.69; P.L.3-2008, SEC.255; P.L.158-2013, SEC.591; P.L.257-2017, SEC.47; P.L.147-2018, SEC.29; P.L.122-2023, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 4.5. Regulation of Laser Pointers35-47-4.5-4. Directing Laser Pointer at Public Safety Officer or State Police Motor Carrier Inspector

Sec. 4. A person who knowingly or intentionally directs light amplified by the stimulated emission of radiation that is visible to the human eye or any other electromagnetic radiation from a laser pointer at a public safety officer or a state police motor carrier inspector without the consent of the public safety officer or state police motor carrier inspector commits a Class B misdemeanor. As added by P.L.70-2000, SEC.1. Amended by P.L.232-2003, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 4. Miscellaneous Provisions35-47-4-1. Delivery of Deadly Weapon to Intoxicated Person

Sec. 1. A person who sells, barters, gives, or delivers any deadly weapon to any person at the time in a state of intoxication, knowing him to be in a state of intoxication, or to any person who is in the habit of becoming intoxicated, and knowing him to be a person who is in the habit of becoming intoxicated, commits a Class B misdemeanor. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 4. Miscellaneous Provisions35-47-4-3. Pointing Firearm at Another Person

Sec. 3. (a) This section does not apply to a law enforcement officer who is acting within the scope of the law enforcement officer's official duties or to a person who is justified in using reasonable force against another person under: (1) IC 35-41-3-2; or (2) IC 35-41-3-3. (b) A person who knowingly or intentionally points a firearm at another person commits a Level 6 felony. However, the offense is a Class A misdemeanor if the firearm was not loaded. As added by P.L.296-1995, SEC.2. Amended by P.L.158-2013, SEC.589.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 4. Miscellaneous Provisions35-47-4-5. Unlawful Possession of Firearm by Serious Violent Felon

Sec. 5. (a) As used in this section, "serious violent felon" means a person who has been convicted of committing a serious violent felony. (b) As used in this section, "serious violent felony" means: (1) murder (IC 35-42-1-1); (2) attempted murder (IC 35-41-5-1); (3) voluntary manslaughter (IC 35-42-1-3); (4) reckless homicide not committed by means of a vehicle (IC 35-42-1-5); (5) battery (IC 35-42-2-1) as a: (A) Class A felony, Class B felony, or Class C felony, for a crime committed before July 1, 2014; or (B) Level 2 felony, Level 3 felony, Level 4 felony, or Level 5 felony, for a crime committed after June 30, 2014; (6) domestic battery (IC

35-42-2-1.3) as a Level 2 felony, Level 3 felony, Level 4 felony, or Level 5 felony; (7) aggravated battery (IC 35-42-2-1.5); (8) strangulation (IC 35-42-2-9); (9) kidnapping (IC 35-42-3-2); (10) criminal confinement (IC 35-42-3-3); (11) a human or sexual trafficking offense under IC 35-42-3.5; (12) rape (IC 35-42-4-1); (13) criminal deviate conduct (IC 35-42-4-2) (before its repeal); (14) child molesting (IC 35-42-4-3); (15) sexual battery (IC 35-42-4-8) as a: (A) Class C felony, for a crime committed before July 1, 2014; or (B) Level 5 felony, for a crime committed after June 30, 2014; (16) robbery (IC 35-42-5-1); (17) carjacking (IC 5-42-5-2) (before its repeal); (18) arson (IC 35-43-1-1(a)) as a: (A) Class A felony or Class B felony, for a crime committed before July 1, 2014; or (B) Level 2 felony, Level 3 felony, or Level 4 felony, for a crime committed after June 30, 2014; (19) burglary (IC 35-43-2-1) as a: (A) Class A felony or Class B felony, for a crime committed before July 1, 2014; or (B) Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony, for a crime committed after June 30, 2014; (20) assisting a criminal (IC 35-44.1-2-5) as a: (A) Class C felony, for a crime committed before July 1, 2014; or (B) Level 5 felony, for a crime committed after June 30, 2014; (21) resisting law enforcement (IC 35-44.1-3-1) as a: (A) Class B felony or Class C felony, for a crime committed before July 1, 2014; or (B) Level 2 felony, Level 3 felony, or Level 5 felony, for a crime committed after June 30, 2014; (22) escape (IC 35-44.1-3-4) as a: (A) Class B felony or Class C felony, for a crime committed before July 1, 2014; or (B) Level 4 felony or Level 5 felony, for a crime committed after June 30, 2014; (23) trafficking with an inmate (IC 35-44.1-3-5) as a: (A) Class C felony, for a crime committed before July 1, 2014; or (B) Level 5 felony, for a crime committed after June 30, 2014; (24) criminal organization intimidation (IC 35-45-9-4); (25) stalking (IC 35-45-10-5) as a: (A) Class B felony or Class C felony, for a crime committed before July 1, 2014; or (B) Level 4 felony or Level 5 felony, for a crime committed after June 30, 2014; (26) incest (IC 35-46-1-3); (27) dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1); (28) dealing in methamphetamine (IC 35-48-4-1.1) or manufacturing methamphetamine (IC 35-48-4-1.2); (29) dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2); (30) dealing in a schedule IV controlled substance (IC 35-48-4-3); (31) dealing in a schedule V controlled substance (IC 35-48-4-4); or (32) dealing in a controlled substance resulting in death (IC 35-42-1-1.5). (c) A serious violent felon who knowingly or intentionally possesses a firearm commits unlawful possession of a firearm by a serious violent felon, a Level 4 felony. As added by P.L.247-1999, SEC.1. Amended by P.L.14-2000, SEC.76; P.L.17-2001, SEC.17; P.L.222-2001, SEC.5; P.L.151-2006, SEC.21; P.L.126-2012, SEC.58; P.L.158-2013, SEC.590; P.L.214-2013, SEC.40; P.L.168-2014, SEC.88; P.L.25-2016, SEC.26; P.L.65-2016, SEC.39; P.L.252-2017, SEC.19; P.L.198-2018, SEC.9; P.L.142-2020, SEC.74; P.L.28-2023, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 4. Miscellaneous Provisions35-47-4-6.5. Possession of a Firearm by a Dangerous Person

Sec. 6.5. A person who: (1) has been found to be dangerous by a circuit or superior court having jurisdiction over the person following a hearing under IC 35-47-14-6; and (2) knowingly or intentionally: (A) rents; (B) purchases; (C) receives transfer of; (D) owns; or (E) possesses; a firearm commits unlawful possession of a firearm by a dangerous person, a Class A misdemeanor. As added by P.L.289-2019, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 4. Miscellaneous Provisions35-47-4-6.7. Unlawful Transfer of a Firearm to a Dangerous Person

Sec. 6.7. A person who knowingly or intentionally rents, transfers, sells, or offers for sale a firearm to another person who the person knows to be found dangerous by a circuit or superior court following a hearing under IC 35-47-14-6 commits unlawful transfer of a firearm to a dangerous person, a Level 5 felony. As added by P.L.289-2019, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 4. Miscellaneous Provisions35-47-4-6. Unlawful Possession of a Firearm by a Domestic Batterer

Sec. 6. (a) A person who has been convicted of domestic battery under IC 35-42-2-1.3 and who knowingly or intentionally possesses a firearm commits unlawful possession of a firearm by a domestic batterer, a Class A misdemeanor. (b) It is a defense to a prosecution under this section that the person's right to possess a firearm has been restored under IC 35-47-4-7. As added by P.L.195-2003, SEC.7. Amended by P.L.98-2004, SEC.156; P.L.118-2007, SEC.36.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 4. Miscellaneous Provisions35-47-4-7. Persons Prohibited From Possessing a Firearm; Restoration of Right to Possess a Firearm

Sec. 7. (a) Notwithstanding IC 35-47-2, IC 35-47-2.5, the restoration of the right to serve on a jury under IC 33-28-5-18, the restoration of the right to vote under IC 3-7-13-5, or the expungement of a crime of domestic violence under IC 35-38-9, and except as provided in subsections (b), (c), and (f), a person who has been convicted of a crime of domestic violence may not possess a firearm. (b) Not earlier than five (5) years after the date of conviction, a person who has been convicted of a crime of domestic violence may petition the court for restoration of the person's right to possess a firearm. In determining whether to restore the person's right to possess a firearm, the court shall consider the following factors: (1) Whether the person has been subject to: (A) a protective order; (B) a no contact order; (C) a workplace violence restraining order; or (D) any other court order that prohibits the person from possessing a firearm. (2) Whether the person has successfully completed a substance abuse program, if applicable. (3) Whether the person has successfully completed a parenting class, if applicable. (4) Whether the person still presents a threat to the

victim of the crime. (5) Whether there is any other reason why the person should not possess a firearm, including whether the person failed to satisfy a specified condition under subsection (c) or whether the person has committed a subsequent offense. (c) The court may condition the restoration of a person's right to possess a firearm upon the person's satisfaction of specified conditions. (d) If the court denies a petition for restoration of the right to possess a firearm, the person may not file a second or subsequent petition until one (1) year has elapsed after the filing of the most recent petition. (e) A person has not been convicted of a crime of domestic violence for purposes of subsection (a) if the person has been pardoned. (f) The right to possess a firearm shall be restored to a person whose conviction is reversed on appeal or on postconviction review at the earlier of the following: (1) At the time the prosecuting attorney states on the record that the charges that gave rise to the conviction will not be refiled. (2) Ninety (90) days after the final disposition of the appeal or the postconviction proceeding. As added by P.L.118-2007, SEC.37. Amended by P.L.181-2014, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 4. Miscellaneous Provisions35-47-4-8. Unlawful Possession of a Firearm by an Alien

Sec. 8. (a) As used in this section, "alien" has the meaning set forth in 8 U.S.C. 1101(a). (b) Except as provided in subsection (c), an alien who: (1) is illegally or unlawfully present in the United States; and (2) knowingly or intentionally possesses a firearm; commits unlawful possession of a firearm by an alien, a Level 6 felony. (c) This section does not apply to an alien described in 18 U.S.C. 922(y)(2). As added by P.L.63-2017, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 4. Miscellaneous Provisions35-47-4-9. Unlawful Possession of a Firearm by a Dangerous Person

Sec. 9. (a) As used in this section, "serious violent felony" has the meaning set forth in section 5 of this chapter. (b) A person who: (1) has been adjudicated a delinquent child for committing an act while armed with a firearm that would be a serious violent felony if committed by an adult; (2) is less than: (A) twenty-six (26) years of age, if the delinquent act, if committed by an adult, would have been a: (i) Level 6 felony; (ii) Level 5 felony; (iii) Level 4 felony; or (iv) Level 3 felony; or (B) twenty-eight (28) years of age, if the delinquent act, if committed by an adult, would have been: (i) a Level 2 felony; (ii) a Level 1 felony; or (iii) murder; and (3) knowingly or intentionally possesses a firearm; commits unlawful possession of a firearm by a dangerous person, a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior unrelated conviction under this section. As added by P.L.142-2020, SEC.75.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 5. Prohibited Instruments of Violence35-47-5-10. Applicability of Statutes Relating to Machine Guns

Sec. 10. The provisions of section 8 or 9 of this chapter do not apply to any of the following: (1) The ownership, possession, or operation of a machine gun by members of the military or naval forces of the United States, National Guard of Indiana, or Indiana State Guard, when on duty or practicing. (2) The ownership or possession of machine guns kept for display as relics and which are rendered harmless and not usable. (3) The ownership, possession, or operation of a machine gun by any of the law enforcement officers of this state or the United States while acting in the furtherance of their duties. (4) The lawful display, testing, or use of fireworks. (5) The ownership, possession, or operation of a machine gun by an agency of state government. (6) The ownership, possession, or operation of a machine gun by persons permitted by law to engage in the business of manufacturing, assembling, conducting research on, or testing machine guns, airplanes, tanks, armored vehicles, or ordnance equipment or supplies while the person is acting within the scope of such business. (7) The ownership, possession, or operation of a machine gun by persons possessing, or having applied to possess, machine guns under applicable United States statutes. Such machine guns must be transferred as provided in this article. (8) The ownership, possession, or operation of a machine gun by persons lawfully engaged in the manufacture, transportation, distribution, use or possession of any material, substance, or device for the sole purpose of industrial, agricultural, mining, construction, educational, or any other lawful use. (9) The ownership, possession, or operation of: (A) a machine gun; or (B) another item; not required to be registered in the National Firearms Registration and Transfer Record maintained by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives. As added by P.L.311-1983, SEC.32. Amended by P.L.104-2000, SEC.5; P.L.123-2002, SEC.45; P.L.80-2023, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 5. Prohibited Instruments of Violence35-47-5-11.5. Armor-Piercing Ammunition; Offense; Exceptions

Sec. 11.5. (a) As used in this section, "armor-piercing ammunition" means: (1) a projectile or projectile core that is designed and intended by the manufacturer for use in a handgun and that is constructed entirely (excluding the presence of traces of other substances) from one (1) or a combination of tungsten alloys, steel, iron, brass, bronze, or beryllium copper; or (2) a full jacketed projectile larger than .22 caliber designed and intended by the manufacturer for use in a handgun and whose jacket has a weight of more than twenty-five percent (25%) of the total weight of the projectile. The term does not include shotgun shot required by federal or state environmental or game regulations for hunting purposes, a frangible projectile designed for target shooting, a projectile that is primarily intended by the manufacturer to be used in a rifle or shotgun, or a handgun projectile that is designed and intended by the manufacturer to be used for hunting, recreational shooting, or competitive shooting. (b) Except as provided in subsection (c), a

person who knowingly or intentionally possesses, manufactures, sells, or delivers armor-piercing ammunition commits a Level 5 felony. (c) Subsection (b) does not apply to the following: (1) A person who manufactures, sells, or delivers armor-piercing ammunition for the use of: (A) the United States; (B) a department or agency of the United States; (C) a state; (D) a law enforcement agency; or (E) a department, agency, or political subdivision of a state. (2) A person who manufactures, sells, or delivers armor-piercing ammunition for export. (3) A person who manufactures, sells, or delivers armor-piercing ammunition for the purpose of testing or experimentation. (4) A law enforcement officer acting in the course of the officer's official duties. As added by P.L.133-2017, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 5. Prohibited Instruments of Violence35-47-5-13. Unlawful Use of Body Armor

Sec. 13. (a) As used in this section, "body armor" means bullet resistant metal or other material worn by a person to provide protection from weapons or bodily injury. (b) A person who knowingly or intentionally uses body armor while committing a felony commits unlawful use of body armor, a Level 6 felony. As added by P.L.227-1996, SEC.1. Amended by P.L.158-2013, SEC.597.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 5. Prohibited Instruments of Violence35-47-5-2.5. Possession of a Knife on School Property

Sec. 2.5. (a) As used in this section, "knife" means an instrument that: (1) consists of a sharp edged or sharp pointed blade capable of inflicting cutting, stabbing, or tearing wounds; and (2) is intended to be used as a weapon. (b) The term includes a dagger, dirk, poniard, stiletto, switchblade knife, gravity knife, or throwing star. (c) A person who recklessly, knowingly, or intentionally possesses a knife on: (1) school property (as defined in IC 35-31.5-2-285); (2) a school bus (as defined in IC 20-27-2-8); or (3) a special purpose bus (as defined in IC 20-27-2-10); commits a Class B misdemeanor. However, the offense is a Class A misdemeanor if the person has a previous unrelated conviction under this section and a Level 6 felony if the offense results in bodily injury to another person. (d) This section does not apply to a person who possesses a knife: (1) if: (A) the knife is provided to the person by the school corporation or possession of the knife is authorized by the school corporation; and (B) the person uses the knife for a purpose authorized by the school corporation; or (2) if the knife is secured in a motor vehicle. As added by P.L.72-2006, SEC.9. Amended by P.L.114-2012, SEC.140; P.L.158-2013, SEC.592; P.L.22-2023, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 5. Prohibited Instruments of Violence35-47-5-2. Knife With a Detachable Blade

Sec. 2. It is a Class B misdemeanor for a person to manufacture, possess, display, offer, sell, lend, give away, or purchase any knife with a detachable blade that may be ejected from the handle as a projectile by means of gas, a spring, or any other device contained in the handle of the knife. As added by P.L.311-1983, SEC.32. Amended by P.L.70-2000, SEC.2; P.L.289-2013, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 5. Prohibited Instruments of Violence35-47-5-5. Application of Chapter

Sec. 5. This chapter does not apply to any firearm not designed to use fixed cartridges or fixed ammunition, or any firearm made before January 1, 1899. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 5. Prohibited Instruments of Violence35-47-5-8. Machine Gun

Sec. 8. A person who knowingly or intentionally owns or possesses a machine gun commits a Level 5 felony. As added by P.L.311-1983, SEC.32. Amended by P.L.104-2000, SEC.3; P.L.123-2002, SEC.43; P.L.158-2013, SEC.594.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 5. Prohibited Instruments of Violence35-47-5-9. Operating Loaded Machine Gun

Sec. 9. A person who knowingly or intentionally operates a loaded machine gun commits a Level 4 felony. As added by P.L.311-1983, SEC.32. Amended by P.L.104-2000, SEC.4; P.L.123-2002, SEC.44; P.L.158-2013, SEC.595.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 6. Weapons on Aircraft35-47-6-0.5. Applicability of Chapter

Sec. 0.5. (a) Except as provided in subsection (b), this chapter does not apply to an official or employee: (1) of: (A) the United States; (B) a state or political subdivision of a state; (C) an operator (as defined in IC 5-23-2-8); or (D) any other entity that has been granted statutory authority to enforce the penal laws of Indiana; (2) who has been granted the power to effect arrests under Indiana law; and (3) who has been authorized by the official's or employee's agency or employer to carry firearms. (b) An individual described in subsection (a) is subject to the applicable regulations of the United States concerning the possession and carriage of firearms on aircraft or in areas of an airport to which access is controlled by the inspection of persons and property. As added by P.L.84-1996, SEC.2. Amended by P.L.49-1997, SEC.67.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 6. Weapons on Aircraft35-47-6-1.1. Undisclosed Transport of Dangerous Device

Sec. 1.1. (a) As used in this section, "dangerous device" means: (1) a firearm; (2) a destructive device (as defined in IC 35-47.5-2-4); or (3) a weapon of mass destruction (IC 35-31.5-2-354). (b) A person who checks an item to be transported on a commercial passenger airline and who: (1) knows the item contains a dangerous device; and (2) knowingly or intentionally fails to disclose orally or in writing to the person to whom possession of the item is delivered for carriage that the item contains a dangerous device; commits undisclosed transport of a dangerous device, a Class A misdemeanor. As added by P.L.50-2005, SEC.2. Amended by P.L.114-2012, SEC.141.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 6. Weapons on Aircraft35-47-6-1.3. Firearm, Explosive, or Deadly Weapon; Possession in Controlled Access Areas of an Airport

Sec. 1.3. A person who knowingly or intentionally enters an area of an airport to which access is controlled by the inspection of persons and property while the person: (1) possesses: (A) a firearm; (B) an explosive; or (C) any other deadly weapon; or (2) has access to property that contains: (A) a firearm; (B) an explosive; or (C) any other deadly weapon; commits a Class A misdemeanor. As added by P.L.84-1996, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 6. Weapons on Aircraft35-47-6-1.4. Unlawful Entry to Restricted Area of Airport

Sec. 1.4. (a) This section does not apply to a person who is: (1) employed by: (A) an airport; (B) an airline; or (C) a law enforcement agency; and (2) acting lawfully within the scope of the person's employment. (b) A person who knowingly or intentionally enters an area of an airport to which access is controlled by the inspection of persons or property without submitting to the inspection commits a Class A misdemeanor. As added by P.L.59-2002, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 6. Weapons on Aircraft35-47-6-1.6. Disrupting Operation of Aircraft

Sec. 1.6. (a) A person who knowingly or intentionally uses force or violence or the threat of force or violence to disrupt the operation of an aircraft commits a Level 4 felony. (b) A person who knowingly or intentionally uses force or violence or the threat of force or violence to hijack an aircraft in flight commits a Level 2 felony. (c) For purposes of this section, an aircraft is considered to be in flight while the aircraft is: (1) on the ground in Indiana: (A) after the doors of the aircraft are closed for takeoff; and (B) until the aircraft takes off; (2) in the airspace above Indiana; or (3) on the ground in Indiana: (A) after the aircraft lands; and (B) before the doors of the aircraft are opened after landing. As added by P.L.59-2002, SEC.4. Amended by P.L.158-2013, SEC.599.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 6. Weapons on Aircraft35-47-6-1. Firearm, Explosive, or Deadly Weapon; Possession in Commercial or Chartered Aircraft

Sec. 1. (a) A person who knowingly or intentionally boards a commercial or charter aircraft having in the person's possession: (1) a firearm; (2) an explosive; or (3) any other deadly weapon; commits a Level 5 felony. (b) However, the offense is a Level 4 felony if the person committed the offense with the intent to: (1) disrupt the operation of the aircraft; or (2) cause harm to another person. As added by P.L.311-1983, SEC.32. Amended by P.L.158-2013, SEC.598.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 6. Weapons on Aircraft35-47-6-3. Consent to Search of Person or Personal Belongings

Sec. 3. Any person purchasing a ticket to board any commercial or charter aircraft shall by such purchase consent to a search of his person or personal belongings by the company selling said ticket to him. In case said person shall refuse to submit to a search of his person or personal belongings by said aircraft company, the person refusing may be denied the right to board said commercial or charter aircraft. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 6. Weapons on Aircraft35-47-6-4. Action Against Airline Company for Denial of Person Refusing Search to Board Aircraft

Sec. 4. No action, either at law or equity, shall be brought against any commercial or charter airline company operating in Indiana for the refusal of said company to permit a person to board said aircraft where said person has refused to be searched as set out in section 3 of this chapter. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 7. Reporting of Wounds Inflicted by Weapons and Burn Injuries35-47-7-1. Persons Required to Report Wounds

Sec. 1. Every case of a bullet wound, gunshot wound, powder burn, or any other injury arising from or caused by the discharge of a

firearm, and every case of a wound which is likely to or may result in death and is actually or apparently inflicted by a knife, ice pick, or other sharp or pointed instrument, shall be reported at once to the law enforcement authorities of the county, city, or town in which the person reporting is located by either the physician attending or treating the case, or by the manager, superintendent, or other person in charge if the case is treated in a hospital, clinic, sanitarium, or other facility or institution. A person who violates this section commits a Class C infraction. As added by P.L.311-1983, SEC.32. Amended by P.L.174-2021, SEC.80.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 7. Reporting of Wounds Inflicted by Weapons and Burn Injuries35-47-7-2. Application of Chapter

Sec. 2. The provisions of this chapter shall not apply to a wound or other injury received by a member of the armed forces of the United States or the state while engaged in the actual performance of duty. As added by P.L.311-1983, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 7. Reporting of Wounds Inflicted by Weapons and Burn Injuries35-47-7-3. Burn Injury Reporting

Sec. 3. (a) As used in this section, "burn" includes chemical burns, flash burns, and thermal burns. (b) If a person is treated for: (1) a second or third degree burn to ten percent (10%) or more of the body; (2) any burn to the upper respiratory tract or laryngeal edema due to the inhalation of superheated air; or (3) a burn that results in serious bodily injury; the physician treating the person, or the hospital administrator or the hospital administrator's designee of the hospital or ambulatory outpatient surgical center (if the person is treated in a hospital or outpatient surgical center), shall report the case to the state fire marshal within seventy-two (72) hours. This report may be made orally or in writing and shall be considered confidential information. (c) If a person is treated for a second or third degree burn to less than ten percent (10%) of the body, the attending physician may report the case to the state fire marshal under subsection (b). (d) The state fire marshal shall ascertain the following when a report is made under this chapter: (1) Victim's name, address, and date of birth. (2) Address where burn injury occurred. (3) Date and time of injury. (4) Degree of burns and percent of body burned. (5) Area of body burned. (6) Injury severity. (7) Apparent cause of burn injury. (8) Name and address of reporting facility. (9) Attending physician. As added by P.L.328-1987, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 7. Reporting of Wounds Inflicted by Weapons and Burn Injuries35-47-7-4. Dog Bite Injury Reporting

Sec. 4. The: (1) physician who treats a person for a dog bite or an apparent dog bite; or (2) administrator or the administrator's designee of the hospital or outpatient surgical center if a person is treated in a hospital or an outpatient surgical center for a dog bite or an apparent dog bite; shall report the case to the Indiana department of health not more than seventy-two (72) hours after the time the person is treated. The report may be made orally or in writing. As added by P.L.176-1993, SEC.7. Amended by P.L.56-2023, SEC.325.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 7. Reporting of Wounds Inflicted by Weapons and Burn Injuries35-47-7-5. Destructive Device Injury Reporting

Sec. 5. The: (1) physician who treats a person; or (2) administrator or the administrator's designee of the hospital or outpatient surgical center where a person was treated; who has reason to believe that the physician or hospital is treating a person for an injury that was inflicted while the person was making or using a destructive device shall report the case to a local law enforcement agency not more than seventy-two (72) hours after the person is treated. The report may be made orally or in writing. As added by P.L.123-2002, SEC.46.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 8.5. Nfa Firearm Certification35-47-8.5-1. Definitions

Sec. 1. The following definitions apply throughout this chapter: (1) "Certification" means the participation and assent of the chief law enforcement officer necessary under federal law for the approval of an application to transfer or manufacture an NFA firearm. (2) "Chief law enforcement officer" means any official whom the federal Bureau of Alcohol, Tobacco, Firearms, and Explosives, or its successor agency, identifies by regulation or otherwise as eligible to provide a required certification for the transfer or manufacture of an NFA firearm. The term includes a designee of the official. (3) "Completed request" means: (A) a written request for certification under this chapter; and (B) submission of the required information described in section 3(a) of this chapter. (4) "NFA firearm" means a firearm as defined in 26 U.S.C. 5845(a) (the National Firearms Act). (5) "NICS" (National Instant Criminal Background Check System) has the meaning set forth in IC 35-47-2.5-2.5. As added by P.L.66-2016, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 8.5. Nfa Firearm Certification35-47-8.5-2. Mandatory Issuance of Certification by Chief Law Enforcement Officer; Exceptions

Sec. 2. (a) If the certification of a chief law enforcement officer is required by federal law for the transfer or manufacture of an NFA firearm, the chief law enforcement officer shall issue the certification not later than fifteen (15) days after receipt of a completed request for certification, unless the applicant is: (1) prohibited by law from receiving or possessing a firearm; or (2) the subject of a proceeding that could result in the applicant being prohibited by law from receiving or possessing a firearm. (b) A chief law

enforcement officer may deny a request for certification only: (1) because the request for certification is not complete; or (2) for a reason described in subsection (a)(1) or (a)(2). A chief law enforcement officer may not deny a request for certification based on a generalized objection to private persons or entities manufacturing, transferring, or receiving a firearm or an NFA firearm if the possession of the firearm or NFA firearm is not otherwise prohibited by law. (c) If the chief law enforcement officer denies a request for certification under this section, the chief law enforcement officer shall provide the applicant with a written notification of the denial and the reason for the denial. If the chief law enforcement officer denies a request for certification because the request is not complete, the chief law enforcement officer shall set forth, in detail, why the request is not complete. An applicant whose request for certification is denied because it is not complete may reapply or amend the existing request by supplying the required information. As added by P.L.66-2016, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 8.5. Nfa Firearm Certification35-47-8.5-3. Information Required From Applicants for Certification

Sec. 3. (a) In considering a request for certification, a chief law enforcement officer may require an applicant to submit only the following information: (1) Information required by federal or state law to identify the applicant and conduct a background check, including a check of the NICS. (2) Information necessary to determine the disposition of an arrest or proceeding relevant to the applicant's eligibility to lawfully possess or receive a firearm. (b) A chief law enforcement officer may not require access to private property or consent to inspect any private premises as a condition of issuing a certification under this chapter. As added by P.L.66-2016, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 8.5. Nfa Firearm Certification35-47-8.5-4. Immunity

Sec. 4. (a) Except for the award of court costs, attorney's fees, and other expenses as described in section 5 of this chapter, and except as provided in subsection (b), a chief law enforcement officer is immune from civil liability based on an act or omission relating to the issuance or denial of a certification under this chapter. (b) The immunity described in subsection (a) does not apply to an act or omission that constitutes gross negligence or willful or wanton misconduct. As added by P.L.66-2016, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 8.5. Nfa Firearm Certification35-47-8.5-5. Review of Denial by Circuit or Superior Court

Sec. 5. (a) A person whose request for certification has been denied under this chapter may file an action in the circuit or superior court of the county in which the denial occurred to compel the chief law enforcement officer to issue a certification. The person filing an action under this subsection shall serve a copy of the action on the chief law enforcement officer in accordance with the Indiana Rules of Trial Procedure. (b) The court shall determine the matter under subsection (a) de novo, with the burden of proof on the chief law enforcement officer to sustain the denial of the request for certification. If the request for certification was denied because the applicant is: (1) prohibited by law from receiving or possessing a firearm; or (2) the subject of a proceeding that could result in the applicant being prohibited by law from receiving or possessing a firearm; a certified copy of documentary evidence establishing that the applicant is ineligible for certification is sufficient to meet the burden of proof. However, an affidavit or conclusory statement is not sufficient to sustain the burden of proof that a denial of the request for certification was proper. (c) In an action filed under this section, a court shall award reasonable attorney's fees, court costs, and other reasonable expenses of litigation to the prevailing applicant if the court finds that there was no substantial basis for the denial of the request for certification. (d) A court shall expedite the hearing of an action filed under this section. As added by P.L.66-2016, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 8. Regulation of Electronic Stun Weapons, Tasers, and Stun Guns35-47-8-1. "Electronic Stun Weapon" Defined

Sec. 1. As used in this chapter, "electronic stun weapon" means any mechanism that is: (1) designed to emit an electronic, magnetic, or other type of charge that exceeds the equivalency of a five (5) milliamp sixty (60) hertz shock; and (2) used for the purpose of temporarily incapacitating a person. As added by P.L.318-1985, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 8. Regulation of Electronic Stun Weapons, Tasers, and Stun Guns35-47-8-2. "Stun Gun" Defined

Sec. 2. As used in this chapter, "stun gun" means any mechanism that is: (1) designed to emit an electronic, magnetic, or other type of charge that equals or does not exceed the equivalency of a five (5) milliamp sixty (60) hertz shock; and (2) used for the purpose of temporarily incapacitating a person. As added by P.L.318-1985, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 8. Regulation of Electronic Stun Weapons, Tasers, and Stun Guns35-47-8-3. "Taser" Defined

Sec. 3. As used in this chapter, "taser" means any mechanism that is: (1) designed to emit an electronic, magnetic, or other type of charge or shock through the use of a projectile; and (2) used for the purpose of temporarily incapacitating a person. As added by P.L.318-1985, SEC.3.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 8. Regulation of Electronic Stun Weapons, Tasers, and Stun Guns35-47-8-4. Applicability of Handgun Provisions

Sec. 4. IC 35-47-2 applies to an electronic stun weapon or taser. As added by P.L.318-1985, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 8. Regulation of Electronic Stun Weapons, Tasers, and Stun Guns35-47-8-5. Stun Guns; Purchase, Possession, and Sale; Use in Commission of Crime; Use on Law Enforcement Officer

Sec. 5. (a) A person eighteen (18) years of age or over may purchase or possess a stun gun. (b) A person who knowingly or intentionally sells or furnishes a stun gun to a person who is less than eighteen (18) years of age commits a Class B misdemeanor. (c) A person who knowingly or intentionally uses a stun gun in the commission of a crime commits a Class A misdemeanor. (d) A person who knowingly or intentionally uses a stun gun on a law enforcement officer while the officer is performing the officer's duties commits a Level 6 felony. As added by P.L.318-1985, SEC.3. Amended by P.L.158-2013, SEC.600.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 9. Possession of Firearms on School Property and School Buses35-47-9-1. Exemptions From Chapter

Sec. 1. (a) This chapter does not apply to the following: (1) A: (A) federal; (B) state; or (C) local; law enforcement officer. (2) A: (A) qualified law enforcement officer (as defined in 18 U.S.C. 926B); or (B) qualified retired law enforcement officer (as defined in 18 U.S.C. 926C); if the qualified law enforcement officer or qualified retired law enforcement officer, as applicable, carries the photographic identification required by 18 U.S.C. 926B or 18 U.S.C. 926C. (3) A person who may legally possess a firearm and who has been authorized by: (A) a school board (as defined by IC 20-26-9-4); or (B) the body that administers a charter school established under IC 20-24; to carry a firearm in or on school property. (4) Except as provided in subsection (b) or (c), a person who: (A) may legally possess a firearm; and (B) possesses the firearm in a motor vehicle. (5) A person who is a school resource officer, as defined in IC 20-26-18.2-1. (6) Except as provided in subsection (b) or (c), a person who: (A) may legally possess a firearm; and (B) possesses only a firearm that is: (i) locked in the trunk of the person's motor vehicle; (ii) kept in the glove compartment of the person's locked motor vehicle; or (iii) stored out of plain sight in the person's locked motor vehicle. (7) A person who: (A) may legally possess a firearm; and (B) possesses a firearm on school property in connection with or while: (i) attending a worship service or religious ceremony conducted at a house of worship located on the school property; or (ii) carrying out the person's official duties at a house of worship located on the school property, if the person is employed by or a volunteer at the house of worship. This subdivision does not affect the right of a property owner to prohibit, in whole or in part, the possession of a firearm on a property where a school or house of worship is located. (b) For purposes of subsection (a)(4) and (a)(6), a person does not include a person who is: (1) enrolled as a student in any high school except if the person is a high school student and is a member of a shooting sports team and the school's principal has approved the person keeping a firearm concealed in the person's motor vehicle on the days the person is competing or practicing as a member of a shooting sports team; or (2) a former student of the school if the person is no longer enrolled in the school due to a disciplinary action within the previous twenty-four (24) months. (c) For purposes of subsection (a)(4) and (a)(6), a motor vehicle does not include a motor vehicle owned, leased, or controlled by a school or school district unless the person who possesses the firearm is authorized by the school or school district to possess a firearm. As added by P.L.140-1994, SEC.11. Amended by P.L.172-2013, SEC.12; P.L.157-2014, SEC.4; P.L.107-2019, SEC.11; P.L.218-2023, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 47. Weapons and Instruments of ViolenceChapter 9. Possession of Firearms on School Property and School Buses35-47-9-2. Possession of Firearms on School Property or a School Bus; Defense to a Prosecution; Possession of Firearms in a Motor Vehicle Parked in a School Parking Lot

Sec. 2. (a) A person may not be charged with an offense under this subsection if the person may be charged with an offense described in subsection (c). A person who knowingly or intentionally possesses a firearm: (1) in or on school property; or (2) on a school bus; commits a Level 6 felony. (b) It is a defense to a prosecution under subsection (a) that: (1) the person is permitted to legally possess the firearm; and (2) the firearm is: (A) locked in the trunk of the person's motor vehicle; (B) kept in the glove compartment of the person's locked motor vehicle; or (C) stored out of plain sight in the person's locked motor vehicle. (c) A person who is permitted to legally possess a firearm and who knowingly, intentionally, or recklessly leaves the firearm in plain view in a motor vehicle that is parked in a school parking lot commits a Class A misdemeanor. As added by P.L.140-1994, SEC.11. Amended by P.L.172-2013, SEC.13; P.L.158-2013, SEC.601; P.L.157-2014, SEC.5; P.L.168-2014, SEC.89; P.L.109-2015, SEC.54.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The addition of section 9.3 of this chapter by P.L.225-2003 applies only to a controlled substance offense under IC 35-48-4 that occurs after June 30, 2003. As added by P.L.220-2011, SEC.627. Amended by P.L.63-2012, SEC.81.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-10. "Counterfeit Substance"

Sec. 10. "Counterfeit substance" means a controlled substance which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number, or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed, or dispensed the substance. As added by P.L.5-1988, SEC.190.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-11. "Delivery"

Sec. 11. "Delivery" means: (1) an actual or constructive transfer from one (1) person to another of a controlled substance, whether or not there is an agency relationship; or (2) the organizing or supervising of an activity described in subdivision (1). As added by P.L.5-1988, SEC.191. Amended by P.L.165-1990, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-12. "Dispense"

Sec. 12. "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner and includes the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery. As added by P.L.5-1988, SEC.192.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-13. "Dispenser"

Sec. 13. "Dispenser" means a practitioner who dispenses. As added by P.L.5-1988, SEC.193.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-14. "Distribute"

Sec. 14. "Distribute" means to deliver other than by administering or dispensing a controlled substance. As added by P.L.5-1988, SEC.194.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-15. "Distributor"

Sec. 15. "Distributor" means a person who distributes. As added by P.L.5-1988, SEC.195.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-16.3. "Drug Related Felony"

Sec. 16.3. "Drug related felony" means a felony conviction for an offense described in: (1) IC 35-48-4-1 through IC 35-48-4-11.5 (repealed); or (2) IC 35-48-4-13 (repealed) through IC 35-48-4-14.7. As added by P.L.252-2017, SEC.20. Amended by P.L.80-2019, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-16.4. "Drug Offense"

Sec. 16.4. "Drug offense" means a felony or misdemeanor involving the production, delivery, sale, or possession of a controlled substance. As added by P.L.158-2013, SEC.618.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-16.5. "Enhancing Circumstance"

Sec. 16.5. "Enhancing circumstance" means one (1) or more of the following: (1) The person has a prior conviction for dealing in a controlled substance that is not marijuana, hashish, hash oil, or salvia divinorum. (2) The person committed the offense while in possession of a firearm. (3) The person committed the offense: (A) on a school bus; or (B) in, on, or within five hundred (500) feet of: (i) school property while a person under eighteen (18) years of age was reasonably expected to be present; or (ii) a public park while a person under eighteen (18) years of age was reasonably expected to be present. (4) The person delivered or financed the delivery of the drug to a person under eighteen (18) years of age at least three (3) years junior to the person. (5) The person manufactured or financed the manufacture of the drug. (6) The person committed the offense in the physical presence of a child less than eighteen (18) years of age, knowing that the child was present and might be able to see or hear the offense. (7) The person committed the offense on the property of a: (A) penal facility; or (B) juvenile facility (as defined in IC 35-44.1-3-5). (8) The person knowingly committed the offense in, on, or within one hundred (100) feet of a facility. For purposes of this subdivision, "facility" means a place that is: (A) created and funded under IC 12-23-14 or IC 33-23-16; (B) certified under IC 12-23-1-6; or (C) used for the purpose of conducting a recovery or support group meeting; and at which a drug abuser (as defined in IC 12-7-2-73) may be provided with treatment, care, or rehabilitation. As added by P.L.158-2013, SEC.619. Amended by P.L.168-2014, SEC.90; P.L.5-2019, SEC.2; P.L.80-2019, SEC.21; P.L.182-2019, SEC.2; P.L.142-2020, SEC.80.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-16.6. "Fentanyl Related Substance"

Sec. 16.6. "Fentanyl related substance" means any substance not listed in schedule I through V of IC 35-48-2 that is structurally related to fentanyl by one (1) or more of the following modifications: (1) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle. (2) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino, or nitro groups. (3) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups. (4) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle. (5) Replacement of the N-propionyl group by another acyl group. As added by P.L.119-2019, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-16.7. "Fentanyl Containing Substance"

Sec. 16.7. "Fentanyl containing substance" means one (1) or more of the following substances, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers: (1) 4-fluoroisobutyryl fentanyl. (2) Acetyl fentanyl (Other names include: N-(1-phenethylpiperidin-4-yl)- N- phenylacetamide). (3) Cyclopentyl fentanyl. Other name: N-(1-phenethylpiperidin- 4-yl)-N-phenylcyclopentanecarboxamide. (4) Fentanyl related substances. (5) Furanyl fentanyl. (6) Isobutyryl fentanyl. Other name: N-(1-phenethylpiperidin- 4-yl)-N- phenylisobutyramide. (7) Methoxyacetyl fentanyl. Other name: 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide. (8) 3-Methylfentanyl [N-[3-methyl-1-(2-phenylethyl)-4- piperidyl] -N-phenyl-propanimide] (9813). (9) 3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4- piperidinyl]-N-phenylpropanamide) (9833). (10) N-(4-chlorophenyl)- N-(1-phenethylpiperidin-4-yl) isobutyramide (para-chloroisobutyryl fentanyl). (11) N-(2-fluorophenyl)-2-methoxy- N-(1-phenethylpiperidin-4-yl) acetamide (ocfentanil). (12) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4 -yl) butyramide (para-fluorobutyryl fentanyl). (13) N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, also known as N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide, (butyryl fentanyl). (14) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide (valeryl fentanyl). (15) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin -4-yl) butyramide (para-methoxybutyryl fentanyl). (16) N-[1-(2-thienyl)methyl-4-piperidyl]- N-phenylpropanamide (thenylfentanyl), including any isomers, salts, or salts of isomers (9834). (17) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide (isobutyryl fentanyl). (18) N-(1-phenethylpiperidin-4-yl)-Nphenylcyclopentanecarboxamide (cyclopentyl fentanyl). (19) Para-chloroisobutyryl fentanyl. Other name: N-(4-chlorophenyl)-N-(1-phenethylpiperidin- 4-yl) isobutyramide. (20) Para-fluorobutyryl fentanyl. Other name: N-(4- fluorophenyl)-N-(1-phenethylpiperidin- 4-yl)butyramide. (21) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1- (2-phenethyl)- 4-piperidinyl] propanamide (9812). (22) Para-methoxybutyryl fentanyl. Other name: N-(4- methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide. (23) Tetrahydrofuranyl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carb oxamide. (24) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl] -propanamide) (9835). (25) Valeryl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide. (26) Fentanyl. (27) An immediate precursor to fentanyl: 4-Anilino- N-Phenethyl-4-Piperidine (ANPP). (28) Carfentanil. As added by P.L.48-2023, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-16.8. "Hashish"

Sec. 16.8. "Hashish" does not include low THC hemp extract. As added by P.L.153-2018, SEC.19.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-16.9. "Hash Oil"

Sec. 16.9. "Hash oil" does not include low THC hemp extract. As added by P.L.153-2018, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-16. "Drug"

Sec. 16. (a) Except as provided in subsection (b), "drug" has the meaning set forth in IC 16-42-19-2. It does not include devices or their components, parts, or accessories, nor does it include food. (b) For purposes of IC 35-48-4, "drug": (1) has the meaning set forth in subsection (a); and (2) includes a controlled substance (as defined in section 9 of this chapter) and a controlled substance analog (as defined in section 9.3 of this chapter). As added by P.L.5-1988, SEC.196. Amended by P.L.2-1993, SEC.190; P.L.80-2019, SEC.19.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-17.2. "Hemp Bud"

Sec. 17.2. (a) "Hemp bud" means the harvested immature reproductive organ of the female hemp plant. (b) The term does not

include agricultural hemp seed. As added by P.L.190-2019, SEC.26.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-17.3. "Hemp Flower"

Sec. 17.3. (a) "Hemp flower" means the harvested reproductive organ, whether immature or mature, of the female hemp plant. (b) The term does not include agricultural hemp seed. As added by P.L.190-2019, SEC.27.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-17.4. "Isomer"

Sec. 17.4. (a) Except as provided in subsections (b) and (c), "isomer" means an optical isomer. (b) "Isomer", as used in IC 35-48-2-4(d), means an optical, positional, or geometric isomer. (c) "Isomer", as used in section 7 of this chapter, means an optical or geometric isomer. As added by P.L.61-2020, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-17.5. "Low Thc Hemp Extract"

Sec. 17.5. (a) "Low THC hemp extract" means a substance or compound that: (1) is derived from or contains any part of the plant Cannabis sativa L. that meets the definition of hemp under IC 15-15-13-6; (2) contains not more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC), including precursors, by weight; and (3) contains no other controlled substances. (b) The term does not include: (1) the harvested reproductive organ, whether immature or mature, of the female hemp plant; or (2) smokable hemp. As added by P.L.153-2018, SEC.21. Amended by P.L.190-2019, SEC.28.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-17. "Immediate Precursor"

Sec. 17. "Immediate precursor" means a substance which the board has found to be and by rule designates as being the principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediate used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail, or limit manufacture. As added by P.L.5-1988, SEC.197.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-18. "Manufacture"

Sec. 18. "Manufacture" means the following: (1) For offenses not involving marijuana, hashish, or hash oil: (A) the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly by extraction from substances of natural origin, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. It does not include the preparation, compounding, packaging, or labeling of a controlled substance: (i) by a practitioner as an incident to administering or dispensing of a controlled substance in the course of a professional practice; or (ii) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale; or (B) the organizing or supervising of an activity described in clause (A). (2) For offenses involving marijuana, hashish, or hash oil: (A) the preparation, compounding, conversion, or processing of marijuana, hashish, or hash oil, either directly or indirectly by extraction from substances of natural origin, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the marijuana, hashish, or hash oil, or labeling or relabeling of its container. It does not include planting, growing, cultivating, or harvesting a plant, or the preparation, compounding, packaging, or labeling of marijuana, hashish, or hash oil: (i) by a practitioner as an incident to lawfully administering or dispensing of marijuana, hashish, or hash oil in the course of a professional practice; or (ii) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale; or (B) the organizing or supervising of an activity described in clause (A). As added by P.L.5-1988, SEC.198. Amended by P.L.165-1990, SEC.2; P.L.17-2001, SEC.18; P.L.158-2013, SEC.620.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-19. "Marijuana"

Sec. 19. (a) "Marijuana" means any part of the plant genus Cannabis whether growing or not; the seeds thereof; the resin extracted from any part of the plant, including hashish and hash oil; any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. (b) The term does not include: (1) the mature stalks of the plant; (2) fiber produced from the stalks; (3) oil or cake made from the seeds of the plant; (4) any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom); (5) the sterilized seed of the plant which is incapable of germination; (6) hemp (as defined by IC 15-15-13-6); (7) low THC hemp extract; or (8) smokable hemp. As added by P.L.5-1988, SEC.199. Amended by P.L.165-2014, SEC.3; P.L.153-2018, SEC.22; P.L.190-2019, SEC.29.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-2. Definitions; Application

Sec. 2. The definitions in this chapter apply throughout this article. As added by P.L.5-1988, SEC.182.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-20. "Narcotic Drug"

Sec. 20. "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis: (1) Opium, opiates, derivatives of opium and opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium. (2) Opium poppy and poppy straw. (3) Any compound, mixture, or preparation which contains any quantity of any of the substances referred to this section. As added by P.L.5-1988, SEC.200. Amended by P.L.61-2020, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-21. "Opiate" or "Opioid"

Sec. 21. "Opiate" or "opioid" means a drug or other substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under IC 35-48-2, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms. As added by P.L.5-1988, SEC.201. Amended by P.L.61-2020, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-22. "Opium Poppy"

Sec. 22. "Opium poppy" means the plant of the species Papaver somniferum L., except its seeds. As added by P.L.5-1988, SEC.202.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-23. "Poppy Straw"

Sec. 23. "Poppy straw" means any part, except the seeds, of the opium poppy, after mowing. As added by P.L.5-1988, SEC.203.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-24. "Practitioner"

Sec. 24. "Practitioner" means a physician, dentist, veterinarian, scientific investigator, pharmacy, hospital, or other institution or individual licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to, or administer a controlled substance in the course of professional practice or research in Indiana. As added by P.L.5-1988, SEC.204.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-25. "Prescription Drug"

Sec. 25. "Prescription drug" means a controlled substance or a legend drug (as defined in IC 16-18-2-199). As added by P.L.5-1988, SEC.205. Amended by P.L.2-1993, SEC.191.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-26.5. "Sale to Minor"

Sec. 26.5. "Sale to a minor" means delivery or financing the delivery of a drug to a person less than eighteen (18) years of age and at least three (3) years junior to the person making the delivery or financing. As added by P.L.158-2013, SEC.621.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-26.6. "Smokable Hemp"

Sec. 26.6. (a) Except as provided in subsection (b), "smokable hemp" means a product containing not more than three-tenths percent (0.3%) delta-9-tetrahydrocannabinol (THC), including precursors and derivatives of THC, in a form that allows THC to be introduced into the human body by inhalation of smoke. The term includes: (1) hemp bud; and (2) hemp flower. (b) The term does not include: (1) a hemp plant that is; or (2) parts of a hemp plant that are; grown or handled by a licensee for processing or manufacturing into a legal hemp product. As added by P.L.190-2019, SEC.30.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-26. "Production"

Sec. 26. "Production" includes the manufacture, planting, cultivation, growing, or harvesting of a controlled substance. As added by P.L.5-1988, SEC.206.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-27. "Ultimate User"

Sec. 27. "Ultimate user" means a person who lawfully possesses a controlled substance for the person's own use, for the use of a member of the person's household, or for administering to an animal owned by the person or by a member of the person's household. As added by P.L.5-1988, SEC.207.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-3. "Administer"

Sec. 3. "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by: (1) a practitioner or by his authorized agent; or (2) the patient or research subject at the direction and in the presence of the practitioner. As added by P.L.5-1988, SEC.183.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-5. "Agent"

Sec. 5. "Agent" means an authorized person who acts on behalf of, or at the direction of, a manufacturer, distributor, or dispenser, but it does not include a common or contract carrier, public warehouseman, or employee of the carrier or warehouseman. As added by P.L.5-1988, SEC.185.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-6. "Board"

Sec. 6. "Board" refers to the Indiana state board of pharmacy. As added by P.L.5-1988, SEC.186.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-7. "Cocaine"

Sec. 7. "Cocaine" includes coca leaves and any salt, compound, or derivative of coca leaves, and any salt, compound, isomer, derivative, or preparation which is chemically equivalent or identical to any of these substances. However, decocainized coca leaves or extraction of coca leaves that do not contain cocaine or ecgonine are not included. As added by P.L.5-1988, SEC.187.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-9.3. "Controlled Substance Analog"

Sec. 9.3. (a) "Controlled substance analog" means a substance that, due to its chemical structure and potential for abuse or misuse, meets the following criteria: (1) The substance is substantially similar to a controlled substance classified under IC 35-48-2. (2) The substance has a narcotic, stimulant, depressant, or hallucinogenic effect on the central nervous system or is represented or intended to have a narcotic, stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to or greater than that of a controlled substance classified under IC 35-48-2. (b) The definition set forth in subsection (a) does not include: (1) a controlled substance; (2) a legend drug; (3) a substance for which there is an approved new drug application; (4) any compound, mixture, or preparation that contains any controlled substance, that is not for administration to a human being or an animal, and that is packaged in a form or concentration, or with adulterants or denaturants, such that as packaged it does not present any significant potential for abuse; or (5) a substance to which an investigational exemption applies under Section 505 of the federal Food, Drug and Cosmetic Act (chapter 675, 52 Stat. 1052 (21 U.S.C. 355)), but only to the extent that conduct with respect to the substance is pursuant to the exemption; or (6) low THC hemp extract. (c) For purposes of subsection (a), "substantially similar", as it applies to the chemical structure of a substance, means that the chemical structure of the substance, when compared to the structure of a controlled substance, has a single difference in the structural formula that substitutes one (1) atom or functional group for another, including: (1) one (1) halogen for another halogen; (2) one (1) hydrogen for a halogen; (3) one (1) halogen for a hydrogen; or (4) an alkyl group added or deleted: (A) as a side chain to or from a molecule; or (B) from a side chain of a molecule. As added by P.L.225-2003, SEC.1. Amended by P.L.153-2018, SEC.18; P.L.80-2019, SEC.18.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 1. Definitions35-48-1-9. "Controlled Substance"

Sec. 9. "Controlled substance" means a drug, substance, or immediate precursor in schedule I, II, III, IV, or V under: (1) IC 35-48-2-4, IC 35-48-2-6, IC 35-48-2-8, IC 35-48-2-10, or IC 35-48-2-12, if IC 35-48-2-14 does not apply; or (2) a rule adopted by the board, if IC 35-48-2-14 applies. The term does not include low THC hemp extract. As added by P.L.5-1988, SEC.189. Amended by P.L.153-2018, SEC.17.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 2. Classification of Drugs35-48-2-1. Considerations of Board Determinations on Substances; Exclusion of a Narcotic Substance From Schedule

Sec. 1. (a) The board shall administer this article and may recommend to the general assembly the addition, deletion, or rescheduling of all substances listed in the schedules in sections 4, 6, 8, 10, and 12 of this chapter by submitting in an electronic format under IC 5-14-6 a report of such recommendations to the legislative council. In making a determination regarding a substance, the board shall consider the following: (1) The actual or relative potential for abuse. (2) The scientific evidence of its pharmacological effect, if known. (3) The state of current scientific knowledge regarding the substance. (4) The history and current pattern of abuse. (5) The scope, duration, and significance of abuse. (6) The risk to public health. (7) The potential of the substance to produce psychic or physiological dependence liability. (8) Whether the substance is an immediate precursor of a substance already controlled under this article. (b) After considering the factors enumerated in subsection (a), the board shall make findings and recommendations concerning the control of the substance if it finds the substance has a potential for abuse. (c) If the board finds that a substance is an immediate precursor, substances which are precursors of the controlled precursor shall not be subject to control solely because they are precursors of the controlled precursor. (d) If any substance is designated or rescheduled to a more restrictive schedule as a controlled substance under federal law and notice is given to the board, the board shall recommend similar control of the substance under this article in the board's report to the general assembly, unless the board objects to inclusion or rescheduling. In that case, the board shall publish the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the board shall publish its findings. (e) If a substance is rescheduled to a less restrictive schedule or deleted as a controlled substance under federal law, the substance is rescheduled or deleted under this article. If the board objects to inclusion, rescheduling, or deletion of the substance, the board shall notify the chairman of the legislative council not more than thirty (30) days after the federal law is changed and the substance may not be rescheduled or deleted until the conclusion of the next complete session of the general assembly. The notice from the board to the chairman of the legislative council must be published. (f) The board shall conduct hearings regarding revocations, suspensions, and restrictions of registrations as provided in IC 35-48-3-4. All hearings shall be conducted in accordance with IC 4-21.5-3. (g) Authority to control under this section does not extend to distilled spirits, wine, or malt beverages, as those terms are defined or used in IC 7.1, or to tobacco. (h) The board shall exclude any nonnarcotic substance from a schedule if that substance may, under the Federal Food, Drug, and Cosmetic Act or state law, be sold over the counter without a prescription. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1977, P.L.344, SEC.1; P.L.137-1985, SEC.17; P.L.200-1987, SEC.4; P.L.188-1989, SEC.4; P.L.33-1993, SEC.73; P.L.163-1994, SEC.2; P.L.177-1997, SEC.8; P.L.14-2000, SEC.77; P.L.107-2002, SEC.31; P.L.28-2004, SEC.178; P.L.84-2010, SEC.92.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 2. Classification of Drugs35-48-2-10. Schedule Iv

Sec. 10. (a) The controlled substances listed in this section are included in schedule IV. (b) Narcotic drugs. Unless specifically excepted in a rule adopted by the board or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in the following limited quantities: (1) Not more than 1 milligram of difenoxin (9618) and not less than 25 micrograms of atropine sulfate per dosage unit. (2) Dextropropoxyphene (alpha- (+)-4-dimethylamino-1,2- diphenyl-3-methyl-2-propionoxybutane (9278). (c) Depressants. Unless specifically excepted in a rule adopted by the board or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation: Alfaxalone (2731). Alprazolam (2882). Barbital (2145). Brexanolone (2400). Bromazepam (2748). Camazepam (2749). Carisoprodol. Chloral betaine (2460). Chloral hydrate (2465). Chlordiazepoxide (2744). Clobazam (2751). Clonazepam (2737). Clorazepate (2768). Clotiazepam (2752). Cloxazolam (2753). Daridorexant (2410). Delorazepam (2754). Diazepam (2765). Dichloralphenazone (2467). Estazolam (2756). Ethchlorvynol (2540). Ethinamate (2545). Ethyl loflazepate (2758). Fludiazepam (2759). Flunitrazepam (2763). Flurazepam (2767). Fospropofol (2138). Halazepam (2762). Haloxazolam (2771). Ketazolam (2772). Lemborexant (2245). Loprazolam (2773). Lorazepam (2885). Lormetazepam (2774). Mebutamate (2800). Medazepam (2836). Meprobamate (2820). Methohexital (2264). Methylphenobarbital (mephobarbital) (2250). Midazolam (2884). Nimetazepam (2837). Nitrazepam (2834). Nordiazepam (2838). Oxazepam (2835). Oxazolam (2839). Paraldehyde (2585). Petrichloral (2591). Phenobarbital (2285). Pinazepam (2883). Prazepam (2764). Quazepam (2881). Remimazolam (2846). Suvorexant (2223). Temazepam (2925). Tetrazepam (2886). Triazolam (2887). Zaleplon (2781). Zolpidem (Ambien) (2783). Zopiclone (2784). Zuranolone (2420). (d) Stimulants. Unless specifically excepted in a rule adopted by the board or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation: Cathine ((+)-norpseudoephedrine) (1230). Diethylpropion (1610). Fencamfamin (1760). Fenproporex (1575). Mazindol (1605). Mefenorex (1580). Modafinil (1680). Pemoline (including organometallic complexes and chelates thereof) (1530). Phentermine (1640). Pipradrol (1750). Serdexmethylphenidate (1729). Sibutramine (1675). Solriamfetol (2-amino-3-phenylpropyl carbamate; benzenepropanol, beta-amino-, carbamate (ester)) (1650). SPA ((-)-1-dimethylamino-1,2-diphenylethane (1635). (e) Other substances. Unless specifically excepted or unless listed in another

schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances including its salts: Butorphanol (including its optical isomers) (9720). Pentazocine (9709). (f) Tramadol (Ultram). (g) The board may except by rule any compound, mixture, or preparation containing any depressant substance listed in subsection (b), (c), (d), or (e), from the application of any part of this article if the compound, mixture, or preparation contains one (1) or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1977, P.L.344, SEC.2; Acts 1979, P.L.303, SEC.6; Acts 1981, P.L.170, SEC.5; P.L.333-1983, SEC.4; P.L.77-1984, SEC.14; P.L.200-1987, SEC.12; P.L.288-2001, SEC.17; P.L.8-2004, SEC.3; P.L.22-2008, SEC.4; P.L.283-2013, SEC.3; P.L.56-2015, SEC.5; P.L.48-2023, SEC.6; P.L.84-2024, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 2. Classification of Drugs35-48-2-11. Schedule v Tests

Sec. 11. (a) The board shall recommend placement of a substance in schedule V under this chapter if it finds that: (1) the substance has low potential for abuse relative to the controlled substances listed in schedule IV under this chapter; (2) the substance has currently accepted medical use in treatment in the United States; and (3) the substance has limited physical dependence or psychological dependence liability relative to the controlled substances listed in schedule IV under this chapter. (b) The board may recommend placement of a substance in schedule V under this chapter if it finds that the substance is classified as a controlled substance in schedule V under federal law. As added by Acts 1976, P.L.148, SEC.7. Amended by P.L.200-1987, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 2. Classification of Drugs35-48-2-12. Schedule V

Sec. 12. (a) The controlled substances listed in this section are included in schedule V. (b) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in the following quantities, which shall include one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation, valuable medicinal qualities other than those possessed by the narcotic drug alone: (1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams. (2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams. (3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams. (4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit. (5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams. (6) Not more than 0.5 milligrams of difenoxin (9168), and not less than 25 micrograms of atropine sulfate per dosage unit. (c) Stimulants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substance having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers: Pyrovalerone (1485). (d) Depressants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts: (1) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl] butanamide) (also referred to as BRV; UCB-34714; Briviact) (including its salts) (2710). (2) Cenobamate ([(1R)-1- (2-chlorophenyl)-2- (tetrazol-2-yl)ethyl] carbamate; 2H-tetrazole-2-ethanol, alpha-(2-chlorophenyl)-, carbamate (ester), (alphaR)-; carbamic acid (R)-(+)-1-(2-chlorophenyl)-2- (2H-tetrazol-2-yl)ethyl ester) (2720). (3) Ezogabine [N-[2-amino-4-(4-fluorobenzylamino)-phenyl]- carbamic acid ethyl ester] (2779). (4) Ganaxolone (3α-hydroxy-3β-methyl-5α-pregnan-20-one) (2401). (5) Lacosamide [(R)-2-acetoamido-N-benzyl-3- methoxy-propionamide] (2746). (6) Lasmiditan [2,4,6-trifluoro-N- (6-(1-methylpiperidine-4-carbonyl)pyridine-2-yl-benzamide] (2790). (7) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid] (2782). As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1979, P.L.303, SEC.7; Acts 1981, P.L.170, SEC.6; P.L.327-1985, SEC.3; P.L.22-2008, SEC.5; P.L.283-2013, SEC.4; P.L.119-2019, SEC.6; P.L.61-2020, SEC.8; P.L.10-2021, SEC.2; P.L.48-2023, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 2. Classification of Drugs35-48-2-14. Reclassification; Rules

Sec. 14. (a) The board may adopt rules under IC 4-22-2 to reclassify a controlled substance: (1) from a more restrictive schedule to a less restrictive schedule; or (2) as a substance that is not a controlled substance; if the board finds that the substance qualifies for reclassification under this chapter and that the same reclassification has been made in a controlled substance schedule under federal law. (b) If the board reclassifies a controlled substance under subsection (a), the board shall recommend the same reclassification to the general assembly under section 1 of this chapter. (c) Notwithstanding a provision in this chapter that classifies a controlled substance in a more restrictive schedule than a rule adopted under subsection (a), a person who manufactures, distributes, dispenses, possesses, or uses a controlled substance in compliance with the requirements applicable to the less restrictive schedule to which a controlled substance is reclassified under subsection (a) does not commit an offense under this article. (d) Notwithstanding a provision in this chapter that classifies a substance as a controlled substance, a person does not commit an offense under this article if the board has reclassified the controlled substance as a substance that is not a controlled substance. As added by P.L.200-1987, SEC.14.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 2. Classification of Drugs35-48-2-2. Nomenclature

Sec. 2. Nomenclature. The controlled substances listed in the schedules in sections 4, 6, 8, 10 and 12 of this chapter are included by whatever official, common, usual, chemical, or trade name designated. The number placed in brackets after each substance is its federal Drug Enforcement Administration Controlled Substances Code Number which is to be used for identification purposes on certain certificates of registration. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1979, P.L.303, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 2. Classification of Drugs35-48-2-3. Schedule I Tests

Sec. 3. (a) The board shall recommend placement of a substance in schedule I under this chapter if it finds that the substance: (1) has high potential for abuse; and (2) has no accepted medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision. (b) The board may recommend placement of a substance in schedule I under this chapter if it finds that the substance is classified as a controlled substance in schedule I under federal law. As added by Acts 1976, P.L.148, SEC.7. Amended by P.L.200-1987, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 2. Classification of Drugs35-48-2-4. Schedule I

Sec. 4. (a) The controlled substances listed in this section are included in schedule I. (b) Opiates. Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted by rule of the board or unless listed in another schedule, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation: 4-fluoroisobutyryl fentanyl Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide) (9815) Acetyl fentanyl (Other names include: N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide) Acetylmethadol (9601) Acrylfentanyl. Other name: N-(1-phenethylpiperidin-4-yl)- N-phenylacrylamide Allylprodine (9602) Alpha-methylthiofentanyl (N-[1-methyl-2-(2- thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide) (9832) Alphacetylmethadol (9603) Alphameprodine (9604) Alphamethadol (9605) Alpha'-Methyl butyryl fentanyl (2-methyl-N-(1- phenethylpiperidin-4-yl)-N-phenylbutanamide) (9864) Alphamethylfentanyl (9814) Benzethidine (9606) Beta-hydroxy-3-methylfentanyl (9831). Other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide) (9830) Betacetylmethadol (9607) Betameprodine (9608) Betamethadol (9609) Betaprodine (9611) Brorphine(9098). Other name: 1-(1-(1-(4-bromophenyl)ethyl)piperidin-4-yl)-1,3-dihydro-2 H-benzo[d]imidazol-2-one 2-(2-(4-butoxybenzyl)-5-nitro-1H-benzimidazol-1yl)-N,N-diethylethan-1-amine (butonitazene); other name: butoxynitazene Clonitazene (9612) Cyclopentyl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide Dextromoramide (9613) Diampromide (9615) Diethylthiambutene (9616) N,N-diethyl-2-(2-(4-flourobenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine (flunitazene) N,N-diethyl-2-(2-(4-methoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine (metodesnitazene) N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine (metonitazene) N,N-diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine (protonitazene); other name: pronitazene Difenoxin (9168) Dimenoxadol (9617) Dimepheptanol (9618) 2',5'-Dimethoxyfentanyl (N-(1- (2,5-dimethoxyphenethyl) piperidin-4-yl)- N-phenylpropionamide) (9861) Dimethylthiambutene (9619) Dioxaphetyl butyrate (9621) Dipipanone (9622) 2-(2-(4-ethoxybenzyl)-1H-benzimidazol-1yl)-N,N-diethylethan-1-amine (etodesnitazene; etazene) 2-(4-ethnoxybenzyl)5-nitro-1(2-(pyrorolidin-1-yl)ethyl)-1H-benzimidazol (N-pyrrolidino etonizatene; etonitazepyne) Ethylmethylthiambutene (9623) Etonitazene (9624) Etoxeridine (9625) Fentanyl related substances. Furanyl fentanyl (N-(1-phenethylpiperidin- 4-yl)- N-phenylfuran- 2-carboxamide) (9834) 3-Furanyl fentanyl (N-(1-phenethylpiperidin- 4-yl)- N-phenylfuran- 3- carboxamide) (9860) Furethidine (9626) Hydroxypethidine (9627) Isobutyryl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide Isotonitazene. Other name: N,N-diethyl-2- (2-(4 isopropoxybenzyl)-5-nitro-1H-benzimidazol- 1-yl)ethan-1-amine) Isovaleryl fentanyl (3-methyl- N-(1-phenethylpiperidin-4-yl)- N-phenylbutanamide) (9862) Ketobemidone (9628) Levomoramide (9629) Levophenacylmorphan (9631) Meta-Fluorofentanyl (N-(3-fluorophenyl)- N- (1-phenethylpiperidin-4-yl) propionamide) (9857) Meta-Fluoroisobutyryl fentanyl (N-(3-fluorophenyl)- N-(1-phenethylpiperidin-4-yl) isobutyramide) (9858) Methoxyacetyl fentanyl. Other name: 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide 3-Methylfentanyl [N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenyl-propanimide](9813) 3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide) (9833) Metonitazene (N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine) (9757) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine) (9961) Morpheridine (9632) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), including any isomers, salts, or salts of isomers (9818) N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl] 25 piperidin-4-yl]- N-phenylpropionamide, also known as N-[1-[2-hydroxy-2- (2-thienyl)ethyl] -4- piperidinyl]- N-phenylpropanamide, (beta-hydroxythiofentanyl) N-(4-chlorophenyl)- N-(1-phenethylpiperidin-4-yl) isobutyramide (para-chloroisobutyryl fentanyl) N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl) acetamide (ocfentanil) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4

-yl) butyramide (para-fluorobutyryl fentanyl) N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, also known as N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide, (butyryl fentanyl) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide (valeryl fentanyl) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin -4-yl) butyramide (para-methoxybutyryl fentanyl) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), including any isomers, salts, or salts of isomers (9834) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide (isobutyryl fentanyl) N-(1-phenethylpiperidin-4-yl)-Nphenylcyclopentanecarboxamide (cyclopentyl fentanyl) Noracymethadol (9633) Norlevorphanol (9634) Normethadone (9635) Norpipanone (9636) Ocfentanil. Other name: N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl) acetamide Ortho-fluorofentanyl or 2-fluorofentanyl. Other name: N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide Ortho-Fluorofuranyl fentanyl (N-(2-fluorophenyl)- N- (1-phenethylpiperidin-4-yl)furan-2-carboxamide) (9863) Para-chloroisobutyryl fentanyl. Other name: N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide Para-fluorobutyryl fentanyl. Other name: N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl] propanamide (9812) Para-methoxybutyryl fentanyl. Other name: N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide Para-Methoxyfuranyl fentanyl (N-(4-methoxyphenyl)- N-(1-phenethylpiperidin-4-yl) furan-2-carboxamide (9859) Para-Methylcyclopropyl fentanyl (N-(4-methylphenyl)- N-(1-phenethylpiperidin- 4-yl)cyclopropanecarboxamide) (9865) Phenadoxone (9637) Phenampromide (9638) Phenomorphan (9647) Phenoperidine (9641) PEPAP [1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine] (9663) Piritramide (9642) Proheptazine (9643) Properidine (9644) Propiram (9649) Racemoramide (9645) Tetrahydrofuranyl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide) (9835) Tianeptine (7-[(3-chloro-6-methyl-5,5-dioxo-11H-benzo[c] [2,1]benzothiazepin-11-yl)amino]heptanoic acid) Tilidine (9750) Trimeperidine (9646) U47700 (3,4-dichloro- N-[2-dimethylamino)cyclohexyl]- N-methyl- benzamide) Valeryl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide Zipeprol (1-methoxy-3- [4-(2-methoxy-2-phenylethyl) piperazin- 1-yl]- 1-phenylpropan- 2-ol) (9873) (c) Opium derivatives. Any of the following opium derivatives, their salts, isomers, and salts of isomers, unless specifically excepted by rule of the board or unless listed in another schedule, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation: Acetorphine (9319) Acetyldihydrocodeine (9051) Benzylmorphine (9052) Codeine methylbromide (9070) Codeine-N-Oxide (9053) Cyprenorphine (9054) Desomorphine (9055) Dihydromorphine (9145) Drotebanol (9335) Etorphine (except hydrochloride salt) (9056) Heroin (9200) Hydromorphinol (9301) Methyldesorphine (9302) Methyldihydromorphine (9304) Morphine methylbromide (9305) Morphine methylsulfonate (9306) Morphine-N-Oxide (9307) Myrophine (9308) Nicocodeine (9309) Nicomorphine (9312) Normorphine (9313) Pholcodine (9314) Thebacon (9315) (d) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic, psychedelic, or psychogenic substances, their salts, isomers, and salts of isomers whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of this subsection only, the term "isomer" includes the optical, position, and geometric isomers): (1) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine (7473). Other name: TCPy. (2) 4-Bromo-2, 5-Dimethoxyamphetamine (7391). Some trade or other names: 4-Bromo-2, 5-Dimethoxy-a-methylphenethylamine; 4-Bromo-2, 5-DMA. (3) 4-Bromo-2, 5-dimethoxyphenethylamine (7392). Some trade or other names: 2-[4-bromo-2,5-dimethoxyphenyl]-1-aminoethane; alpha-desmethyl DOB; 2C-B, Nexus. (4) 2, 5-Dimethoxy-4-ethylamphet-amine (7399). Other name: DOET. (5) 2, 5-Dimethoxy-4-(n)-propylthiophenethylamine (7348). Other name: 2C-T-7. (6) 2, 5-Dimethoxyamphetamine (7396). Some trade or other names: 2, 5-Dimethoxy-a-methylphenethylamine; 2, 5-DMA. (7) 4-Methoxyamphetamine (7411). Some trade or other names: 4-Methoxy-a-methylphenethylamine; Paramethoxyamphetamine; PMA. (8) 5-Methoxy-3, 4-methylenedioxy amphetamine (7401). Other Name: MMDA. (9) 5-Methoxy-N, N-diisopropyltryptamine, including any isomers, salts, or salts of isomers (7439). Other name: 5-MeO-DIPT. (10) 4-methyl-2, 5-dimethoxyamphetamine (7395). Some trade and other names: 4-methyl-2, 5-dimethoxy-a-methylphenethylamine; DOM; and STP. (11) 3, 4-methylenedioxy amphetamine (7400). Other name: MDA. (12) 3,4-methylenedioxy-N-ethylamphetamine (7404). Other names: N-ethyl-alpha-methyl-3,4(methylenedioxy) phenethylamine; N-ethyl MDA; MDE; and MDEA. (13) 3, 4-methylenedioxymethamphetamine (MDMA) (7405). (14) 3, 4, 5-trimethoxy amphetamine (7390). Other name: TMA. (15) Alpha-ethyltryptamine (7249). Some trade and other names: Etryptamine; Monase; [alpha]-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; [alpha]-ET; and AET. (16) Alpha-methyltryptamine (7432). Other name: AMT. (17) Bufotenine (7433). Some trade and other names: 3-(B-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminonethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine; mappine. (18) Diethyltryptamine (7434). Some trade or other names: N, N-Diethyltryptamine; DET. (19) Dimethyltryptamine (7435). Some trade or other names: DMT. (20) Ibogaine (7260). Some trade and other names: 7-Ethyl-6, 6b, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-pyrido (1', 2': 1, 2, azepino 4, 5-b) indole; tabernanthe iboga. (21) Lysergic acid diethylamide (7315). Other name: LSD. (22) Marijuana (7360). (23) Mescaline (7381). (24) Methoxetamine[2-(ethylamino)-2-(3-methoxyphenyl) cyclohexan-1-one or 2-(3-methoxyphenyl)-2-(ethylamino)- cyclohexanone]. (25) Parahexyl (7374). Some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-Tetrahydro-6, 6, 9-trimethyl-6H-dibenzo (b,d) pyran; Snyhexyl. (26) Peyote (7415), including: (A) all parts of the plant that are classified botanically as lophophora williamsii lemaire, whether growing or not; (B) the seeds thereof; (C) any extract from any part of the plant; and (D) every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts. (27) N-ethyl-3-piperidyl benzilate (7482). Other name: DMZ. (28) N-hydroxy-3,4-methylenedioxyamphetamine (7402). Other names: N-hydroxy-alpha-methyl-3,4

(methylenedioxy)phenethylamine; and N-hydroxy MDA. (29) N-methyl-3-piperidyl benzilate (7484). Other name: LBJ. (30) Psilocybin (7437). (31) Psilocyn (7438). (32) Tetrahydrocannabinols (7370), including synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as: (A) π1cis or trans tetrahydrocannabinol, and their optical isomers; (B) π6cis or trans tetrahydrocannabinol, and their optical isomers; and (C) π3,4cis or trans tetrahydrocannabinol, and their optical isomers. Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered. Other name: THC. (33) Ethylamine analog of phencyclidine (7455). Some trade or other names: N-Ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl) ethylamine; cyclohexamine; PCE. (34) Pyrrolidine analog of phencyclidine (7458). Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine; PCPy; PHP. (35) Thiophene analog of phencyclidine (7470). Some trade or other names: 1-(1-(2-thienyl) cyclohexyl) piperidine; 2-Thienyl Analog of Phencyclidine; TPCP. (36) Salvia divinorum or salvinorin A, including: (A) all parts of the plant that are classified botanically as salvia divinorum, whether growing or not; (B) the seeds of the plant; (C) any extract from any part of the plant; and (D) every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts. (37) 5-Methoxy-N,N-Dimethyltryptamine. Some trade or other names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole; 5-MeO-DMT. (38) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E). (39) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D). (40) 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine (2C-C). (41) 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine (2C-I). (42) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl] ethanamine (2C-T-2). (43) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl] ethanamine (2C-T-4). (44) 2-(2,5-Dimethoxyphenyl) ethanamine (2C-H). (45) 2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine (2C-N). (46) 2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine (2C-P). (47) Deschloroketamine (2-Phenyl-2- (methylamino)cyclohexanone). (48) 4-Hydroxy-MET (4-Hydroxy-N-methyl-N- ethyltryptamine). (49) N-methyltryptamine (1H-Indole-3-ethanamine, N-methyl-). (50) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)butan-1-one (other names: eutylone; bk-EBDB (7549)). (51) N-(1-amino- 3,3-dimethyl-1- oxobutan-2-yl)- 1-butyl-1H-indazole-3- carboxamide (other name: ADB–BUTINACA) (7027). (52) 4-methyl-1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one (other names: α-PiHP; alpha-PiHP) (7551). (53) 2-(methylamino)-1-(3-methylphenyl)propan-1-one (other names: 3–MMC; 3-methylmethcathinone) (1259). (e) Depressants. Unless specifically excepted in a rule adopted by the board or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation: Etizolam (4-(2- chlorophenyl)-2- ethyl-9- methyl- 6H- thieno[3,2-f] [1,2,4] triazolo[4,3-a] [1,4diazepine) (other names include: Etilaam, Etizest, Depas, Etizola, Sedekopan, and Pasaden) Flubromazolam (8-bromo-6-(2-fluorophenyl)-1-methyl- 4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine) Gamma-hydroxybutyric acid (other names include GHB; gamma-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate) (2010) Mecloqualone (2572) Methaqualone (2565) (f) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers: ([+/-]) cis-4-methylaminorex (([+/-])cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine) (1590). Amineptine (7-[(10,11-dihydro-5H- dibenzo[a,d]cyclohepten- 5- yl)amino] heptanoic acid) (1219). Aminorex (1585). Other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine. 4,4'-Dimethylaminorex (4,4'-DMAR; 4,5-dihydro- 4-methyl-5-(4- methylphenyl)- 2-oxazolamine; 4-methyl-5- (4-methylphenyl)- 4,5-dihydro-1,3-oxazol- 2-amine). Benzylone, 1-(1,3-benzodioxol-5-yl)-2-(benzylamino)propan -1-one. Synonyms: BMDP, N-benzyl methylone, 3,4-Methylenedioxy-Nbenzylcathinone, N-benzyl-3,4-methylenedioxycathinone. Cathinone (1235). Some trade or other names: 2-amino-1-phenyl-1-propanone; alpha-aminopropiophenone; 2-aminopropiophenone; and norephedrone. Fenethylline (1503). N-Benzylpiperazine (7493). Other names: BZP; and 1-benzylpiperazine. N-ethylamphetamine (1475). Mesocarb (N-phenyl-N-(3-(1-phenylpropan-2-yl)-1,2,3-oxadiazol-3- ium-5yl)carbamimidate) (1227). Methcathinone (1237). Some other trade names: 2-Methylamino-1-Phenylpropan-I-one; Ephedrone; Monomethylpropion; UR 1431. N, N-dimethylamphetamine (1480). Other names: N, N-alpha-trimethyl-benzeneethanamine; and N, N-alpha-trimethylphenethylamine. Methiopropamine (N-methyl-1-(thiophen-2-yl) propan-2- amine) (1478). (g) Synthetic drugs as defined in IC 35-31.5-2-321. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1979, P.L.303, SEC.3; Acts 1981, P.L.170, SEC.2; P.L.333-1983, SEC.1; P.L.327-1985, SEC.1; P.L.156-1986, SEC.4; P.L.200-1987, SEC.7; P.L.163-1994, SEC.3; P.L.2-1996, SEC.286; P.L.288-2001, SEC.15; P.L.22-2008, SEC.1; P.L.138-2011, SEC.12; P.L.182-2011, SEC.12; P.L.6-2012, SEC.233; P.L.78-2012, SEC.12; P.L.114-2012, SEC.144; P.L.196-2013, SEC.20; P.L.283-2013, SEC.1; P.L.168-2016, SEC.11; P.L.8-2017, SEC.2; P.L.89-2018, SEC.2; P.L.119-2019, SEC.4; P.L.61-2020, SEC.6; P.L.10-2021, SEC.1; P.L.48-2023, SEC.4; P.L.84-2024, SEC.3.

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Sec. 5. (a) The board shall recommend placement of a substance in schedule II under this chapter if it finds that: (1) the substance has high potential for abuse; (2) the substance has currently accepted medical use in treatment in the United States, or currently accepted medical use with severe restrictions; and (3) the abuse of the substance may lead to severe psychological or physical dependence. (b) The board may recommend placement of a substance in schedule II under this chapter if it finds that the substance is classified as a controlled substance in schedule II under federal law. As added by Acts 1976, P.L.148, SEC.7. Amended by

P.L.200-1987, SEC.8.

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Sec. 6. (a) The controlled substances listed in this section are included in schedule II. (b) Any of the following substances, except those narcotic drugs listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis: (1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, dextrorphan, nalbuphine, naloxone, naltrexone, and their respective salts but including: (A) raw opium (9600); (B) opium extracts (9610); (C) opium fluid extracts (9620); (D) powdered opium (9639); (E) granulated opium (9640); (F) tincture of opium (9630); (G) codeine (9050); (H) dihydroetorphine (9334); (I) ethylmorphine (9190); (J) etorphine hydrochloride (9059); (K) hydrocodone (9193), and any hydrocodone combination product, as determined by the federal Food and Drug Administration; (L) hydromorphone (9150); (M) metopon (9260); (N) morphine (9300); (O) oxycodone (9143); (P) oxymorphone (9652); (Q) thebaine (9333); and (R) oripavine. (2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in subdivision (b)(1) of this section, but not including the isoquinoline alkaloids of opium. (3) Opium poppy and poppy straw. (4) Coca leaves (9040) and any salt, compound, derivative, or preparation of coca leaves (including cocaine (9041) and ecgonine (8180) and their salts, isomers, derivatives, and salts of isomers and derivatives), and any salt, compound, derivative, or preparation thereof that is chemically equivalent or identical with these substances except that the substances do not include: (A) decocainized coca leaves or an extraction of coca leaves that does not contain cocaine or ecgonine; (B) [123I]ioflupane; or (C) [18F]FP-CIT. (5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy) (9670). (c) Opiates. Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation: Alfentanil (9737) Alphaprodine (9010) Anileridine (9020) Bezitramide (9800) Bulk dextropropoxyphene (nondosage forms) (9273) Carfentanil (9743) Dihydrocodeine (9120) Diphenoxylate (9170) Fentanyl (9801) Isomethadone (9226) Levo-alphacetylmethadol (9648). Other names: Levo-alpha-acetylmethadol; levomethadyl acetate; and LAAM. Levomethorphan (9210) Levorphanol (9220) Metazocine (9240) Methadone (9250) Methadone-Intermediate, 4-cyano-2-dimethyl-amino-4, 4-diphenyl butane (9254) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid (9802) Oliceridine (N-[(3-methoxythiophen- 2-yl) methyl]({2- [(9R)-9- (pyridin-2-yl)-6-oxaspiro[4.5]decan-9-yl]ethyl})amine) (9245) Pethidine (Meperidine) (9230) Pethidine-Intermediate- A, 4-cyano-1-methyl-4-phenylpiperidine (9232) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate (9233) Pethidine-Intermediate-C,1-methyl-4-phenylpiperidine-4-carboxylic acid (9234) Phenazocine (9715) Piminodine (9730) Racemethorphan (9732) Racemorphan (9733) Remifentanil (9739) Sufentanil (9740) Tapentadol Thiafentanil (d) Stimulants. Any material compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system: (1) Amphetamine, its salts, optical isomers, and salts of its optical isomers (1100). (2) Methamphetamine, including its salts, isomers, and salts of its isomers (1105). (3) Phenmetrazine and its salts (1631). (4) Methylphenidate (1724). (5) Lisdexamfetamine, its salts, its isomers, and salts of its isomers. (e) Depressants. Unless specifically excepted by rule of the board or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation: Amobarbital (2125) Glutethimide (2550) Pentobarbital (2270) Phencyclidine (7471) Secobarbital (2315) (f) Immediate precursors. Unless specifically excepted by rule of the board or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances: (1) Immediate precursor to amphetamine and methamphetamine: Phenylacetone (8501). Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone. (2) Immediate precursors to phencyclidine (PCP): (A) 1-phenylcyclohexylamine (7460); or (B) 1-piperidinocyclohexanecarbonitrile (PCC) (8603). (3) Immediate precursor to fentanyl: (A) 4-anilino-N-phenethylpiperidine (ANPP) (8333); or (B) N-phenyl-N-(piperidin-4-yl)propionamide (norfentanyl) (8366). (g) Hallucinogenic substances: Dronabinol oral solution. Other name: (-)-delta-9-trans-tetrahydrocannabinol (delta-9-THC). Nabilone (7379). Other name: (+/-)-trans-3-(1,1-dimethylheptyl)-6, 6a, 7, 8, 10, 10a-hexahydro-1-hydroxy -6, 6-dimethyl-9H-dibenzo [b,d] pyran-9-one. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1979, P.L.303, SEC.4; Acts 1981, P.L.170, SEC.3; P.L.333-1983, SEC.2; P.L.77-1984, SEC.13; P.L.327-1985, SEC.2; P.L.156-1986, SEC.5; P.L.329-1987, SEC.1; P.L.31-1998, SEC.9; P.L.22-2008, SEC.2; P.L.283-2013, SEC.2; P.L.56-2015, SEC.3; P.L.89-2018, SEC.3; P.L.119-2019, SEC.5; P.L.61-2020, SEC.7; P.L.48-2023, SEC.5; P.L.84-2024, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 2. Classification of Drugs35-48-2-7. Schedule Iii Tests

Sec. 7. (a) The board shall recommend placement of a substance in schedule III under this chapter if it finds that: (1) the substance has a potential for abuse less than the substances listed in schedule I and II under this chapter; (2) the substance has currently accepted medical use in treatment in the United States; and (3) abuse of the substance may lead to moderate or low physical dependence or high psychological dependence. (b) The board may recommend placement of a substance in schedule III under this

chapter if it finds that the substance is classified as a controlled substance in schedule III under federal law. As added by Acts 1976, P.L.148, SEC.7. Amended by P.L.200-1987, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 2. Classification of Drugs35-48-2-8. Schedule Iii

Sec. 8. (a) The controlled substances listed in this section are included in schedule III. (b) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation: (1) Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in schedule II which compounds, mixtures, or preparations were listed on April 1, 1986, as excepted compounds under 21 CFR 1308.32, and any other drug of the quantitative composition shown in that list for those drugs or that is the same except that it contains a lesser quantity of controlled substances (1405). (2) Benzphetamine (1228). (3) Chlorphentermine (1645). (4) Clortermine (1647). (5) Phendimetrazine (1615). (c) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system: (1) Any compound, mixture, or preparation containing: (A) amobarbital (2126); (B) secobarbital (2316); (C) pentobarbital (2271); or (D) any of their salts; and one (1) or more other active medicinal ingredients which are not listed in any schedule. (2) Any suppository dosage form containing: (A) amobarbital (2126); (B) secobarbital (2316); (C) pentobarbital (2271); or (D) any of their salts; and approved by the Food and Drug Administration for marketing only as a suppository. (3) Any substance which contains any quantity of a derivative of barbituric acid, or any salt thereof (2100). (4) Chlorhexadol (2510). (5) Embutramide (2020). (6) Lysergic acid (7300). (7) Lysergic acid amide (7310). (8) Methyprylon (2575). (9) Sulfondiethylmethane (2600). (10) Sulfonethylmethane (2605). (11) Sulfonmethane (2610). (12) A combination product containing Tiletamine and Zolazepam or any salt thereof (Telazol) (7295). (13) Any drug product containing gamma-hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application is approved under section 505 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. 301 et seq. (2012). (d) Nalorphine (a narcotic drug) (9400). (e) Narcotic Drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in the following limited quantities: (1) Not more than 1.8 grams of codeine, per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium (9803). (2) Not more than 1.8 grams of codeine, per 100 milliliters or not more than 90 milligrams per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts (9804). (3) Not more than 1.8 grams of dihydrocodeine, per 100 milliliters or not more than 90 milligrams per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts (9807). (4) Not more than 300 milligrams of ethylmorphine, per 100 milliliters or not more than 15 milligrams per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts (9808). (5) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams or not more than 25 milligrams per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts (9809). (6) Not more than 50 milligrams of morphine, per 100 milliliters or per 100 grams with one (1) or more active nonnarcotic ingredients in recognized therapeutic amounts (9810). (7) Buprenorphine (9064). (f) Anabolic steroid (as defined in 21 U.S.C. 802(41)(A) and 21 U.S.C. 802(41)(B)). (g) The board shall except by rule any compound, mixture, or preparation containing any stimulant or depressant substance listed in subsections (b) through (e) from the application of any part of this article if the compound, mixture, or preparation contains one (1) or more active medicinal ingredients not having a stimulant or depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a stimulant or depressant effect on the central nervous system. (h) Any material, compound, mixture, or preparation which contains any quantity of Ketamine (7285). (i) Hallucinogenic substances: Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product (7369). As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1977, P.L.2, SEC.86; Acts 1979, P.L.303, SEC.5; Acts 1981, P.L.170, SEC.4; P.L.333-1983, SEC.3; P.L.200-1987, SEC.10; P.L.48-1991, SEC.76; P.L.1-1994, SEC.171; P.L.31-1998, SEC.10; P.L.288-2001, SEC.16; P.L.22-2008, SEC.3; P.L.56-2015, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 2. Classification of Drugs35-48-2-9. Schedule Iv Tests

Sec. 9. (a) The board shall recommend placement of a substance in schedule IV under this chapter if it finds that: (1) the substance has a low potential for abuse relative to substances in schedule III under this chapter; (2) the substance has currently accepted medical use in treatment in the United States; and (3) abuse of the substance may lead to limited physical dependence or psychological dependence relative to the substances in schedule III under this chapter. (b) The board may recommend placement of a substance in schedule IV under this chapter if it finds that the substance is classified as a controlled substance in schedule IV under federal law. As added by Acts 1976, P.L.148, SEC.7. Amended by P.L.200-1987, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 3. Registration and Control35-48-3-1.5. "Owner"

Sec. 1.5. (a) This section is effective beginning January 1, 2014. (b) As used in this chapter, "owner" means a person that employs or contracts with at least one (1) individual to dispense a controlled substance in an office, facility, clinic, or location owned or controlled by the person. The term does not include the following: (1) A person licensed by a board listed in IC 25-1-9. (2) A dentist licensed under IC 25-14. (3) A physician licensed under IC 25-22.5. (4) An optometrist licensed under IC 25-24. (5) A podiatrist licensed under IC 25-29. (6) A community mental health center certified under IC 12-21-2-3(5)(C). (7) A private mental health institution or private psychiatric hospital licensed under IC 12-25. (8) A hospital or ambulatory outpatient surgical center licensed under IC 16-21. (9) A hospice licensed under IC 16-25. (10) A home health agency licensed under IC 16-27-1. (11) A health facility licensed under IC 16-28. (12) A rural health clinic (as defined in 42 U.S.C. 1396d(l)(1)). (13) A federally qualified health center (as defined in 42 U.S.C. 1396d(l)(2)(B)). (14) A pharmacist or pharmacy licensed under IC 25-26. (15) A community health center (as defined in IC 34-18-2-9). (16) An affiliate, member, partner, or subsidiary of any person described in subdivisions (6) through (15). (17) A: (A) corporation; (B) partnership; (C) joint venture; (D) limited liability company; or (E) professional corporation; or any other entity in which more than fifty percent (50%) of the owners, shareholders, partners, or members are persons listed in subdivisions (1) through (16). As added by P.L.185-2013, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 3. Registration and Control35-48-3-1. Rules

Sec. 1. Rules. The board may promulgate rules and charge reasonable fees relating to the registration and control of the manufacture, distribution, and dispensing of controlled substances within this state. As added by Acts 1976, P.L.148, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 3. Registration and Control35-48-3-11. Treatment for Weight Reduction or to Control Obesity

Sec. 11. (a) Only a physician licensed under IC 25-22.5, a physician assistant licensed under IC 25-27.5, or an advanced practice registered nurse licensed under IC 25-23 with prescriptive authority may treat a patient with a Schedule III or Schedule IV controlled substance for the purpose of weight reduction or to control obesity. (b) A physician licensed under IC 25-22.5, a physician assistant licensed under IC 25-27.5, or an advanced practice registered nurse licensed under IC 25-23 with prescriptive authority may not prescribe, dispense, administer, supply, sell, or give any amphetamine, sympathomimetic amine drug, or compound designated as a Schedule III or Schedule IV controlled substance under IC 35-48-2-8 and IC 35-48-2-10 for a patient for purposes of weight reduction or to control obesity, unless the physician, physician assistant, or advanced practice registered nurse does the following: (1) Determines: (A) through review of: (i) the physician's records of prior treatment of the patient; or (ii) the records of prior treatment of the patient provided by a previous treating physician or weight loss program; that the physician's patient has made a reasonable effort to lose weight in a treatment program using a regimen of weight reduction based on caloric restriction, nutritional counseling, behavior modification, and exercise without using controlled substances; and (B) that the treatment described in clause (A) has been ineffective for the physician's patient. (2) Obtains a thorough history and performs a thorough physical examination of the physician's patient before initiating a treatment plan using a Schedule III or Schedule IV controlled substance for purposes of weight reduction or to control obesity. (c) A physician licensed under IC 25-22.5, a physician assistant licensed under IC 25-27.5, or an advanced practice registered nurse licensed under IC 25-23 with prescriptive authority may not begin and shall discontinue using a Schedule III or Schedule IV controlled substance for purposes of weight reduction or to control obesity after the physician, physician assistant, or advanced practice registered nurse determines in the physician's, physician assistant's, or advanced practice registered nurse's professional judgment that: (1) the physician's patient has failed to lose weight using a treatment plan involving the controlled substance; (2) the controlled substance has provided a decreasing contribution toward further weight loss for the patient unless continuing to take the controlled substance is medically necessary or appropriate for maintenance therapy; (3) the physician's patient: (A) has a history of; or (B) shows a propensity for; alcohol or drug abuse; or (4) the physician's patient has consumed or disposed of a controlled substance in a manner that does not strictly comply with a treating physician's, physician assistant's, or advanced practice registered nurse's direction. (d) A physician assistant licensed under IC 25-27.5 or an advanced practice registered nurse licensed under IC 25-23 with prescriptive authority may not prescribe a schedule II controlled substance for the purpose of weight reduction or to control obesity. As added by P.L.157-1999, SEC.1. Amended by P.L.37-2001, SEC.1; P.L.135-2015, SEC.5; P.L.129-2018, SEC.45.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 3. Registration and Control35-48-3-2. Limited Permits for Entities Operating Animal Shelters

Sec. 2. (a) Any humane society, animal control agency, or governmental entity operating an animal shelter or other animal impounding facility is entitled to receive a limited permit only for the purpose of buying, possessing, and using: (1) sodium pentobarbital to euthanize injured, sick, homeless, or unwanted domestic pets and animals; (2) ketamine and ketamine products to anesthetize or immobilize fractious domestic pets and animals; and (3) a combination product containing tiletimine and zolazepam as an agent for the remote chemical capture of domestic pets or animals that otherwise cannot be restrained or captured. (b) A humane society, animal control agency, or governmental entity entitled to receive a permit under this chapter must: (1) apply to the board according to the rules established by the board; (2) pay annually to the board a fee set by the board for the limited permit; and (3) submit proof, as determined by the board, that the employees of an applicant who will handle a controlled substance are sufficiently trained to use and administer the controlled substance. (c) All fees collected by the board under this section shall be

credited to the state board of pharmacy account. (d) Storage, handling, and use of controlled substances obtained according to this section are subject to the rules adopted by the board. (e) Before issuing a permit under this section, the board may consult with the Indiana board of veterinary medicine. As added by Acts 1976, P.L.148, SEC.7. Amended by P.L.193-1987, SEC.16; P.L.136-2001, SEC.1; P.L.84-2010, SEC.93; P.L.48-2022, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 3. Registration and Control35-48-3-3.1. Expiration of Controlled Substance Registration; Renewal Fees; Notification of Registrant of Fees; Evidence of Extended Registration

Sec. 3.1. (a) A registration to manufacture, distribute, or dispense a controlled substance that is: (1) issued by the Indiana state board of pharmacy under this chapter, as effective April 30, 1986; and (2) in effect on April 30, 1986; does not expire until the date specified for renewal of the registration under section 3 of this chapter, as amended by P.L.156-1986. However, the registrant is liable for a prorated renewal fee proportionate to the fraction of the renewal period specified under section 3 of this chapter, as amended by P.L.156-1986, that the extended registration is in effect. (b) The Indiana professional licensing agency shall: (1) notify a registrant described under subsection (a) in writing of; and (2) collect; the amount of the prorated fee applicable to the registrant's extended registration. (c) The Indiana professional licensing agency shall issue to a registrant described under subsection (a) such evidence of the registrant's extended registration as the state board of pharmacy requires. As added by P.L.220-2011, SEC.629. Amended by P.L.78-2017, SEC.24.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 3. Registration and Control35-48-3-3.5. Opioid Prescribing and Opioid Abuse Continuing Education Requirements; Expiration

Sec. 3.5. (a) IC 25-1-4-0.7, IC 25-1-4-1, IC 25-1-4-2, IC 25-1-4-3, IC 25-1-4-3.2, and IC 25-1-4-4 concerning continuing education apply to this section. (b) Beginning July 1, 2019, a practitioner who is licensed by a board under IC 25-1-9 and applies for registration or reregistration under this chapter must have completed two (2) hours of continuing education during the previous two (2) years addressing the topic of opioid prescribing and opioid abuse. (c) All continuing education courses required under subsection (b) must be: (1) approved by the board or the licensing board that regulates the practitioner; or (2) offered by an approved organization (as defined by IC 25-1-4-0.2). (d) The Indiana professional licensing agency shall maintain on the agency's Internet web site a schedule of or link to opioid prescribing and opioid abuse continuing education courses that are available under subsection (c). (e) If a practitioner is required to take continuing education as a condition to renew a registration, certification, or license under IC 25, the continuing education courses completed under this section must be applied to the fulfillment of that requirement. (f) This section expires July 1, 2025. As added by P.L.55-2018, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 3. Registration and Control35-48-3-3. Registration Requirements

Sec. 3. (a) Every person who manufactures or distributes any controlled substance within this state or who proposes to engage in the manufacture or distribution of any controlled substance within this state, must obtain biennially a registration issued by the board in accordance with the board's rules. (b) Except as provided in subsection (i), every person who dispenses or proposes to dispense any controlled substance within Indiana must have a registration issued by the board in accordance with the board's rules. A registration issued to a dispenser under this subsection expires whenever the dispenser's license as a practitioner expires. The board shall renew a dispenser's registration under this subsection concurrently with any state license authorizing the dispenser to act as a practitioner. (c) This subsection is effective January 1, 2014. An owner must have a registration issued by the board in accordance with the board's rules. An owner shall adopt reasonable procedures to ensure that employed or contracted individuals who are dispensing controlled substances in the office, facility, clinic, or location owned or controlled by the owner dispense the controlled substances in a manner that complies with laws, rules, and regulations. (d) Persons registered by the board under this article to manufacture, distribute, dispense, or conduct research with controlled substances may possess, manufacture, distribute, dispense, or conduct research with those substances to the extent authorized by their registration and in conformity with the other provisions of this chapter. (e) The following persons need not register and may lawfully possess controlled substances under this article: (1) An agent or employee of any registered manufacturer, distributor, or dispenser of any controlled substance if the agent or employee is acting in the usual course of the agent's or employee's business or employment. (2) A common or contract carrier or warehouseman, or an employee thereof, whose possession of any controlled substance is in the usual course of business or employment. (3) An ultimate user or a person in possession of any controlled substance under a lawful order of a practitioner or in lawful possession of a schedule V substance. (f) The board may waive by rule the requirement for registration of certain manufacturers, distributors, or dispensers if it finds it consistent with the public health and safety. (g) Except as provided in subsections (h) and (i), a separate registration is required at each principal place of business or professional practice where the applicant: (1) manufactures, distributes, dispenses, or possesses controlled substances; and (2) employs or contracts with individuals to dispense controlled substances. This subdivision is effective January 1, 2014. (h) A person licensed to practice veterinary medicine in Indiana holding an Indiana controlled substance registration is not required to obtain a separate registration to possess or dispense controlled substances in the usual course of veterinary practice at a site, so long as the site is not a principal place of business or professional practice. (i) A person licensed to practice veterinary medicine in another state holding a federal controlled substance registration is not required to obtain an Indiana controlled substance registration to possess or dispense controlled substances in the usual course of veterinary practice at a site in

Indiana, so long as the site is not a principal place of business or professional practice and the veterinarian is licensed to practice veterinary medicine in Indiana. (j) The board may inspect the establishment of a registrant or applicant for registration in accordance with the board's rules. (k) Beginning January 1, 2014, the attorney general may file a petition in circuit or superior court to obtain an injunction against a violation of this chapter by an owner. In an action filed by the attorney general under this subsection, the court may: (1) issue an injunction; (2) order the owner to pay a civil penalty not to exceed five thousand dollars ($5,000); (3) order the owner to pay the state the reasonable costs of the attorney general's investigation and prosecution related to the action; and (4) provide the appointment of a receiver. As added by Acts 1976, P.L.148, SEC.7. Amended by P.L.156-1986, SEC.6; P.L.185-2013, SEC.6; P.L.15-2024, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 3. Registration and Control35-48-3-4. Registration

Sec. 4. (a) The board shall register an applicant to manufacture or distribute controlled substances unless it determines that the issuance of that registration would be inconsistent with the public interest. In determining the public interest, the board shall consider: (1) maintenance of effective controls against diversion of controlled substances into other than legitimate medical, scientific, or industrial channels; (2) compliance with applicable state and local law; (3) any convictions of the applicant under any federal and state laws relating to any controlled substance; (4) past experience in the manufacture or distribution of controlled substances, and the existence in the applicant's establishment of effective controls against diversion; (5) furnishing by the applicant of false or fraudulent material in any application filed under this article; (6) suspension or revocation of the applicant's federal registration to manufacture, distribute, or dispense controlled substances as authorized by federal law; and (7) any other factors relevant to and consistent with the public health and safety. (b) Registration under subsection (a) of this section does not entitle a registrant to manufacture and distribute controlled substances in schedules I or II other than those specified in the registration. (c) Practitioners must be registered to dispense any controlled substances or to conduct research with controlled substances in schedules II through V if they are authorized to dispense or conduct research under the law of this state. The board need not require separate registration under this chapter for practitioners engaging in research with nonnarcotic controlled substances in schedules II through V where the registrant is already registered under this chapter in another capacity, to the extent authorized by the registrant's registration in that other capacity. (d) Registration to conduct research or instructional activities with controlled substances in schedules I through V does not entitle a registrant to conduct research or instructional activities with controlled substances other than those approved by the board in accordance with the registration. (e) The board may consult with the Indiana board of veterinary medicine before issuing a registration to a person: (1) who seeks to conduct research or instructional activities with controlled substances in schedules I through IV; and (2) whose activities constitute the practice of veterinary medicine (as defined by IC 25-38.1-1-12). (f) Compliance by manufacturers and distributors with the provisions of the federal law respecting registration (excluding fees) entitles them to be registered under this article. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1981, P.L.170, SEC.7; P.L.84-2010, SEC.94; P.L.48-2022, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 3. Registration and Control35-48-3-5. Denial, Revocation, and Suspension of Registration; Reinstatement

Sec. 5. (a) An application for registration or reregistration submitted pursuant to and a registration issued under section 3 of this chapter to manufacture, distribute, or dispense a controlled substance may be denied, suspended, or revoked by the board upon a finding that the applicant or registrant: (1) has furnished false or fraudulent material information in any application filed under this article; (2) has violated any state or federal law relating to any controlled substance; (3) has had the applicant's or registrant's federal registration suspended or revoked to manufacture, distribute, or dispense controlled substances; or (4) has failed to maintain reasonable controls against diversion of controlled substances into other than legitimate medical, scientific, or industrial channels. (b) The board may limit revocation or suspension of a registration or the denial of an application for registration or reregistration to the particular controlled substance with respect to which grounds for revocation, suspension, or denial exist. (c) If the board suspends or revokes a registration or denies an application for reregistration, all controlled substances owned or possessed by the registrant at the time of suspension or the effective date of the revocation or denial order may be placed under seal. The board may require the removal of such substances from the premises. No disposition may be made of substances under seal until the time for taking an appeal has elapsed or until all appeals have been concluded unless a court, upon application therefor, orders the sale of perishable substances and the deposit of the proceeds of the sale with the court. Upon a revocation or denial order becoming final, all controlled substances may be forfeited to the state. (d) The board shall promptly notify the Drug Enforcement Administration of all orders suspending or revoking registration, all orders denying any application for registration or reregistration, and all forfeitures of controlled substances. (e) If: (1) the Drug Enforcement Administration terminates, denies, suspends, or revokes a federal registration for the manufacture, distribution, or dispensing of controlled substances; or (2) the federal registration is surrendered for cause; a registration issued by the board under this chapter is automatically suspended. (f) The board may reinstate a registration that has been suspended under subsection (e), after a hearing, if the board is satisfied that the applicant is able to manufacture, distribute, or dispense controlled substances with reasonable skill and safety to the public. As a condition of reinstatement, the board may impose disciplinary or corrective measures authorized under IC 25-1-9-9 or this article. (g) A registration issued under this chapter is automatically revoked if any state license authorizing a dispenser to act as a practitioner is revoked. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1981, P.L.170, SEC.8; P.L.197-2007, SEC.93; P.L.84-2010, SEC.95; P.L.101-2020, SEC.9.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 3. Registration and Control35-48-3-6. Order to Show Cause

Sec. 6. (a) Before recommending a denial, suspension, or revocation of a registration, or before refusing a renewal of registration, the board shall serve upon the applicant or registrant an order to show cause why registration should not be denied, revoked, or suspended, or why the renewal should not be denied. The order to show cause shall contain a statement of the basis therefor and shall call upon the applicant or registrant to appear before the board at a time and place not less than thirty (30) days after the date of service of the order, but in the case of a denial or renewal of registration the show cause order shall be served not later than thirty (30) days before the expiration of the registration. These proceedings shall be conducted in accordance with IC 4-21.5 without regard to any criminal prosecution or other proceeding. Proceedings to refuse renewal of registration shall not abate the existing registration, which shall remain in effect pending the outcome of the administrative hearing. (b) The board may suspend, without an order to show cause, any registration simultaneously with the institution of proceedings under section 4 of this chapter, or where renewal of registration is refused, if it finds that there is an imminent danger to the public health or safety which warrants this action. The suspension shall continue in effect until the conclusion of the proceedings, including judicial review thereof, unless sooner withdrawn by the board or dissolved by a court of competent jurisdiction. (c) If an applicant for reregistration (who is doing business under a registration previously granted and not revoked nor suspended) has applied for reregistration at least forty-five (45) days before the date on which the existing registration is due to expire, the existing registration of the applicant shall automatically be extended and continue in effect until the date on which the board so issues its order. The board may extend any other existing registration under the circumstances contemplated in this section even though the registrant failed to apply for reregistration at least forty-five (45) days before expiration of the existing registration, with or without request by the registrant, if the board finds that such extension is not inconsistent with the public health and safety. As added by Acts 1976, P.L.148, SEC.7. Amended by P.L.7-1987, SEC.166; P.L.84-2010, SEC.96.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 3. Registration and Control35-48-3-7. Records of Registrants

Sec. 7. Records of Registrants. Persons registered to manufacture, distribute, or dispense controlled substances under this article shall keep records and maintain inventories in conformance with the record-keeping and inventory requirements of federal law and with any additional rules the board issues. As added by Acts 1976, P.L.148, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 3. Registration and Control35-48-3-8. Order Forms

Sec. 8. Order Forms. Controlled substances in schedules I and II shall be distributed by a registrant to another registrant only pursuant to an order form. Compliance with the provisions of federal law respecting order forms is deemed compliance with this section. As added by Acts 1976, P.L.148, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 3. Registration and Control35-48-3-9. Prescriptions

Sec. 9. (a) Except for dosages medically required for a period of not more than forty-eight (48) hours that are dispensed by or on the direction of a practitioner or medication dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, no controlled substance in schedule II may be dispensed without the written or electronic prescription of a practitioner. (b) In emergency situations, as defined by rule of the board, schedule II drugs may be dispensed upon oral prescription of a practitioner, reduced promptly to writing and filed by the pharmacy. Prescriptions shall be retained in conformity with the requirements of section 7 of this chapter. No prescription for a schedule II substance may be refilled. (c) Except for dosages medically required for a period of not more than forty-eight (48) hours that are dispensed by or on the direction of a practitioner, or medication dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, a controlled substance included in schedule III or IV which is a prescription drug as determined under IC 16-42-19, shall not be dispensed without a written, electronic, or oral prescription of a practitioner. The prescription shall not be filled or refilled more than six (6) months after the date thereof or be refilled more than five (5) times, unless renewed by the practitioner. Prescriptions for schedule III, IV, and V controlled substances may be transmitted by facsimile from the practitioner or the agent of the practitioner to a pharmacy. The facsimile prescription is equivalent to an original prescription to the extent permitted under federal law. (d) A controlled substance included in schedule V shall not be distributed or dispensed other than for a medical purpose. (e) Prescriptions for schedule V controlled substances may be transmitted by an electronic prescription from the practitioner or the agent of the practitioner to a pharmacy. As added by Acts 1976, P.L.148, SEC.7. Amended by P.L.2-1993, SEC.192; P.L.163-1994, SEC.4; P.L.204-2005, SEC.21; P.L.174-2011, SEC.5; P.L.114-2013, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The following amendments to this chapter apply as follows: (1) The amendments made to section 13 of this chapter by P.L.31-1998 apply only to offenses committed after June 30, 1998. An offense committed under section 13 of this chapter before July 1, 1998, may be prosecuted and remains punishable as provided in section 13 of this chapter, as effective before July 1, 1998. (2) The addition of section 0.5 of this chapter by P.L.225-2003 applies only to a controlled substance offense under this chapter that occurs after June 30, 2003. As added by P.L.220-2011, SEC.630. Amended by P.L.63-2012, SEC.83.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-0.5. Controlled Substance Analog; Factors

Sec. 0.5. (a) In determining whether a controlled substance analog has a narcotic, stimulant, depressant, or hallucinogenic effect on the central nervous system, or is represented or intended to have a narcotic, stimulant, depressant, or hallucinogenic effect on the central nervous system, the trier of fact may consider the following: (1) The actual or relative potential for abuse of the substance. (2) Scientific evidence of the pharmacological effect of the substance, if known. (3) The state of current scientific knowledge regarding the substance. (4) The history and current pattern of abuse of the substance. (5) The scope, duration, and significance of abuse of the substance. (6) The risk to the public health presented by the substance. (7) The substance's psychological or physiological dependence liability. (8) The behavior demonstrated by the defendant, if the defendant is known to have consumed the substance, or by the end user of the substance that is alleged to have been delivered or otherwise transferred by the defendant. (9) Whether the substance was diverted from legitimate channels or clandestinely imported, manufactured, or distributed. (10) Whether the substance is an immediate precursor of a substance controlled under this article. (11) A comparison of the accepted methods of marketing, distribution, and sales of the substance with the methods of marketing, distribution, and sales of the substance that the substance is purported to be, including: (A) the packaging of the substance and its appearance in overall finished dosage form; (B) oral or written statements or representations concerning the substance; (C) the methods by which the substance is distributed; and (D) the manner in which the substance is sold to the public. (12) Any other relevant factor. (b) For purposes of this chapter, a controlled substance analog that has a narcotic, stimulant, depressant, or hallucinogenic effect on the central nervous system shall be treated as the highest scheduled controlled substance under IC 35-48-2 to which it is a controlled substance analog. (c) It is not a defense to a prosecution for an offense involving a controlled substance analog that the substance's packaging declares that the substance is not for human consumption. As added by P.L.225-2003, SEC.2. Amended by P.L.80-2019, SEC.22; P.L.156-2020, SEC.133.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-1.1. Dealing in Methamphetamine

Sec. 1.1. (a) A person who: (1) knowingly or intentionally: (A) delivers; or (B) finances the delivery of; methamphetamine, pure or adulterated; or (2) possesses, with intent to: (A) deliver; or (B) finance the delivery of; methamphetamine, pure or adulterated; commits dealing in methamphetamine, a Level 5 felony, except as provided in subsections (b) through (e). (b) A person may be convicted of an offense under subsection (a)(2) only if: (1) there is evidence in addition to the weight of the drug that the person intended to deliver or finance the delivery of the drug; or (2) the amount of the drug involved is at least twenty-eight (28) grams. (c) The offense is a Level 4 felony if: (1) the amount of the drug involved is at least one (1) gram but less than five (5) grams; or (2) the amount of the drug involved is less than one (1) gram and an enhancing circumstance applies. (d) The offense is a Level 3 felony if: (1) the amount of the drug involved is at least five (5) grams but less than ten (10) grams; or (2) the amount of the drug involved is at least one (1) gram but less than five (5) grams and an enhancing circumstance applies. (e) The offense is a Level 2 felony if: (1) the amount of the drug involved is at least ten (10) grams; or (2) the amount of the drug involved is at least five (5) grams but less than ten (10) grams and an enhancing circumstance applies. As added by P.L.151-2006, SEC.23. Amended by P.L.158-2013, SEC.623; P.L.168-2014, SEC.92; P.L.226-2014(ts), SEC.7; P.L.44-2016, SEC.3; P.L.252-2017, SEC.22.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-1.2. Manufacturing Methamphetamine

Sec. 1.2. (a) A person who knowingly or intentionally manufactures or finances the manufacture of methamphetamine, pure or adulterated, commits manufacturing methamphetamine, a Level 4 felony, except as provided in subsections (b) and (c). (b) The offense is a Level 3 felony if: (1) the amount of the drug involved is at least five (5) grams but less than ten (10) grams; or (2) the amount of the drug involved is at least one (1) gram but less than five (5) grams and an enhancing circumstance applies. (c) The offense is a Level 2 felony if: (1) the amount of the drug involved is at least ten (10) grams; (2) the amount of the drug involved is at least five (5) grams but less than ten (10) grams and an enhancing circumstance applies; (3) the manufacture of the drug results in serious bodily injury to a person other than the manufacturer; or (4) the manufacture of the drug results in the death of a person other than the manufacturer. As added by P.L.252-2017, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-1.5. Dealing in a Controlled Substance by a Practitioner

Sec. 1.5. A practitioner (as defined by IC 16-42-19-5) who knowingly or intentionally prescribes a schedule I, II, III, IV, or V controlled substance without a legitimate medical purpose commits dealing in a controlled substance by a practitioner, a Level 4

felony. However, the offense is a Level 3 felony if the offense is the proximate cause of another person's death. As added by P.L.31-2016, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-1. Dealing in Cocaine or Narcotic Drug

Sec. 1. (a) A person who: (1) knowingly or intentionally: (A) manufactures; (B) finances the manufacture of; (C) delivers; or (D) finances the delivery of; cocaine or a narcotic drug, pure or adulterated, classified in schedule I or II; or (2) possesses, with intent to: (A) manufacture; (B) finance the manufacture of; (C) deliver; or (D) finance the delivery of; cocaine or a narcotic drug, pure or adulterated, classified in schedule I or II; commits dealing in cocaine or a narcotic drug, a Level 5 felony, except as provided in subsections (b) through (e). (b) A person may be convicted of an offense under subsection (a)(2) only if: (1) there is evidence in addition to the weight of the drug that the person intended to manufacture, finance the manufacture of, deliver, or finance the delivery of the drug; or (2) the amount of the drug involved is at least twenty-eight (28) grams. (c) The offense is a Level 4 felony if: (1) the amount of the drug involved is at least one (1) gram but less than five (5) grams; (2) the amount of the drug involved is less than one (1) gram and an enhancing circumstance applies; (3) the drug is heroin and the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least three (3) grams but less than seven (7) grams; or (4) the drug is a fentanyl containing substance and the amount of fentanyl containing substance involved, aggregated over a period of not more than ninety (90) days, is at least one (1) gram but less than three (3) grams. (d) The offense is a Level 3 felony if: (1) the amount of the drug involved is at least five (5) grams but less than ten (10) grams; (2) the amount of the drug involved is at least one (1) gram but less than five (5) grams and an enhancing circumstance applies; (3) the drug is heroin and the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least seven (7) grams but less than twelve (12) grams; (4) the drug is heroin and: (A) the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least three (3) grams but less than seven (7) grams; and (B) an enhancing circumstance applies; (5) the drug is a fentanyl containing substance and the amount of fentanyl containing substance involved, aggregated over a period of not more than ninety (90) days, is at least three (3) grams but less than seven (7) grams; or (6) the drug is a fentanyl containing substance and: (A) the amount of fentanyl containing substance involved, aggregated over a period of not more than ninety (90) days, is at least one (1) gram but less than three (3) grams; and (B) an enhancing circumstance applies. (e) The offense is a Level 2 felony if: (1) the amount of the drug involved is at least ten (10) grams; (2) the amount of the drug involved is at least five (5) grams but less than ten (10) grams and an enhancing circumstance applies; (3) the drug is heroin and the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least twelve (12) grams; (4) the drug is heroin and: (A) the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least seven (7) grams but less than twelve (12) grams; and (B) an enhancing circumstance applies; (5) the drug is a fentanyl containing substance and the amount of fentanyl containing substance involved, aggregated over a period of not more than ninety (90) days, is at least seven (7) grams; or (6) the drug is a fentanyl containing substance and: (A) the amount of fentanyl containing substance involved, aggregated over a period of not more than ninety (90) days, is at least three (3) grams but less than seven (7) grams; and (B) an enhancing circumstance applies. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1977, P.L.340, SEC.96; Acts 1979, P.L.303, SEC.8; P.L.296-1987, SEC.5; P.L.165-1990, SEC.3; P.L.296-1995, SEC.3; P.L.65-1996, SEC.11; P.L.17-2001, SEC.19; P.L.151-2006, SEC.22; P.L.158-2013, SEC.622; P.L.168-2014, SEC.91; P.L.226-2014(ts), SEC.6; P.L.44-2016, SEC.2; P.L.252-2017, SEC.21; P.L.48-2023, SEC.8.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-10.1. Dealing in Smokable Hemp; Exception for Transit Through State

Sec. 10.1. (a) A person who: (1) knowingly or intentionally: (A) manufactures; (B) finances the manufacture of; (C) delivers; (D) finances the delivery of; or (E) possesses; smokable hemp; or (2) possesses smokable hemp with intent to: (A) manufacture; (B) finance the manufacture of; (C) deliver; or (D) finance the delivery of; smokable hemp; commits dealing in smokable hemp, a Class A misdemeanor. (b) Subsection (a)(1)(B), (a)(1)(D), (a)(2)(B), and (a)(2)(D) do not apply to: (1) a financial institution organized or reorganized under the laws of Indiana, any other state, or the United States; or (2) any agency or instrumentality of the state or the United States. (c) Subsection (a)(1)(C), (a)(1)(D), (a)(1)(E), (a)(2)(C), and (a)(2)(D) do not apply to the shipment of smokable hemp from a licensed producer in another state in continuous transit through Indiana to a licensed handler in any state. As added by P.L.190-2019, SEC.31. Amended by P.L.142-2020, SEC.81.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-10. Dealing in Marijuana, Hash Oil, Hashish, or Salvia

Sec. 10. (a) A person who: (1) knowingly or intentionally: (A) manufactures; (B) finances the manufacture of; (C) delivers; or (D) finances the delivery of; marijuana, hash oil, hashish, or salvia, pure or adulterated; or (2) possesses, with intent to: (A) manufacture; (B) finance the manufacture of; (C) deliver; or (D) finance the delivery of; marijuana, hash oil, hashish, or salvia, pure or adulterated; commits dealing in marijuana, hash oil, hashish, or salvia, a Class A misdemeanor, except as provided in subsections (b) through (d). (b) A person may be convicted of an offense under subsection (a)(2) only if: (1) there is evidence in addition to the weight of the drug that the person intended to manufacture, finance the manufacture of, deliver, or finance the delivery of the drug; or (2) the amount of the drug involved is at least: (A) ten (10) pounds, if the drug is marijuana; or (B) three hundred (300) grams, if the drug is hash oil, hashish, or salvia. (c) The offense is a Level 6 felony if: (1) the person has a prior conviction for a drug offense

and the amount of the drug involved is: (A) less than thirty (30) grams of marijuana; or (B) less than five (5) grams of hash oil, hashish, or salvia; or (2) the amount of the drug involved is: (A) at least thirty (30) grams but less than ten (10) pounds of marijuana; or (B) at least five (5) grams but less than three hundred (300) grams of hash oil, hashish, or salvia. (d) The offense is a Level 5 felony if: (1) the person has a prior conviction for a drug dealing offense and the amount of the drug involved is: (A) at least thirty (30) grams but less than ten (10) pounds of marijuana; or (B) at least five (5) grams but less than three hundred (300) grams of hash oil, hashish, or salvia; (2) the: (A) amount of the drug involved is: (i) at least ten (10) pounds of marijuana; or (ii) at least three hundred (300) grams of hash oil, hashish, or salvia; or (B) offense involved a sale to a minor; or (3) the: (A) person is a retailer; (B) marijuana, hash oil, hashish, or salvia is packaged in a manner that appears to be low THC hemp extract; and (C) person knew or reasonably should have known that the product was marijuana, hash oil, hashish, or salvia. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1977, P.L.340, SEC.105; Acts 1979, P.L.303, SEC.11; Acts 1982, P.L.204, SEC.38; P.L.296-1987, SEC.11; P.L.165-1990, SEC.12; P.L.296-1995, SEC.9; P.L.65-1996, SEC.17; P.L.17-2001, SEC.26; P.L.138-2011, SEC.16; P.L.182-2011, SEC.16; P.L.78-2012, SEC.14; P.L.196-2013, SEC.21; P.L.158-2013, SEC.637; P.L.168-2014, SEC.100; P.L.44-2016, SEC.8; P.L.153-2018, SEC.25.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-11. Possession of Marijuana, Hash Oil, Hashish, or Salvia

Sec. 11. (a) A person who: (1) knowingly or intentionally possesses (pure or adulterated) marijuana, hash oil, hashish, or salvia; (2) knowingly or intentionally grows or cultivates marijuana; or (3) knowing that marijuana is growing on the person's premises, fails to destroy the marijuana plants; commits possession of marijuana, hash oil, hashish, or salvia, a Class B misdemeanor, except as provided in subsections (b) through (c). (b) The offense described in subsection (a) is a Class A misdemeanor if: (1) the person has a prior conviction for a drug offense; or (2) the: (A) marijuana, hash oil, hashish, or salvia is packaged in a manner that appears to be low THC hemp extract; and (B) person knew or reasonably should have known that the product was marijuana, hash oil, hashish, or salvia. (c) The offense described in subsection (a) is a Level 6 felony if: (1) the person has a prior conviction for a drug offense; and (2) the person possesses: (A) at least thirty (30) grams of marijuana; or (B) at least five (5) grams of hash oil, hashish, or salvia. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1977, P.L.340, SEC.106; Acts 1979, P.L.303, SEC.12; P.L.138-1983, SEC.5; P.L.138-2011, SEC.17; P.L.182-2011, SEC.17; P.L.6-2012, SEC.234; P.L.78-2012, SEC.15; P.L.196-2013, SEC.23; P.L.158-2013, SEC.638; P.L.168-2014, SEC.102; P.L.226-2014(ts), SEC.12; P.L.188-2017, SEC.13; P.L.153-2018, SEC.26.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-12.5. Priority Enrollment in Certain Treatment Programs; Exceptions

Sec. 12.5. (a) This section applies to a person: (1) charged with or convicted of a violation of section 6 of this chapter based on the possession of a narcotic drug classified in schedule I or II; and (2) who was administered an overdose intervention drug (as defined in IC 16-18-2-263.9) for an acute opioid overdose. (b) Except as provided in subsection (c), a person to whom this section applies is entitled to be enrolled on a priority basis in: (1) a forensic diversion program (as described in IC 11-12-3.7) providing a treatment plan for a person with an addictive disorder; (2) a pretrial diversion program offered by the prosecuting attorney that mandates treatment for addictive disorders; or (3) another county program, including a drug court program, that provides treatment for persons suffering from addictive disorders who have been charged with or convicted of a drug offense. (c) A person to whom this section applies is not entitled to enrollment in a program described in subsection (b) if: (1) an appropriate program is not available in the county; (2) the person is not eligible for an appropriate program; or (3) placement in a program is not appropriate due to the person's criminal history. As added by P.L.125-2017, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-12. Conditional Discharge for Possession as First Offense

Sec. 12. If a person who has no prior conviction of an offense under this article relating to controlled substances pleads guilty to possession of marijuana, hashish, salvia, or smokable hemp as a misdemeanor, the court, without entering a judgment of conviction and with the consent of the person, may defer further proceedings and place the person in the custody of the court under conditions determined by the court. Upon violation of a condition of the custody, the court may enter a judgment of conviction. However, if the person fulfills the conditions of the custody, the court shall dismiss the charges against the person. There may be only one (1) dismissal under this section with respect to a person. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1977, P.L.340, SEC.107; P.L.138-2011, SEC.18; P.L.182-2011, SEC.18; P.L.78-2012, SEC.16; P.L.196-2013, SEC.25; P.L.158-2013, SEC.639; P.L.168-2014, SEC.104; P.L.80-2019, SEC.31; P.L.190-2019, SEC.32; P.L.142-2020, SEC.82; P.L.156-2020, SEC.134.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-14.3. Extraction Resistant or Conversion Resistant Ephedrine or Pseudoephedrine

Sec. 14.3. (a) The board shall adopt a rule under IC 4-22-2 to declare that a product is an extraction resistant or a conversion resistant form of ephedrine or pseudoephedrine. (b) The board, in consultation with the state police, shall find that a product is an extraction resistant or a conversion resistant form of ephedrine or pseudoephedrine if the board determines that the product does not pose a significant risk of being used in the manufacture of methamphetamine. In making its determination under this subsection, the

board may receive information from the federal Drug Enforcement Administration (DEA) as to whether a product is extraction resistant or conversion resistant. As added by P.L.4-2016, SEC.3. Amended by P.L.5-2016, SEC.5; P.L.93-2024, SEC.208.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-14.5. Possession or Sale of Drug Precursors

Sec. 14.5. (a) As used in this section, "chemical reagents or precursors" refers to one (1) or more of the following: (1) Ephedrine. (2) Pseudoephedrine. (3) Phenylpropanolamine. (4) The salts, isomers, and salts of isomers of a substance identified in subdivisions (1) through (3). (5) Anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1). (6) Organic solvents. (7) Hydrochloric acid. (8) Lithium metal. (9) Sodium metal. (10) Ether. (11) Sulfuric acid. (12) Red phosphorous. (13) Iodine. (14) Sodium hydroxide (lye). (15) Potassium dichromate. (16) Sodium dichromate. (17) Potassium permanganate. (18) Chromium trioxide. (19) Benzyl cyanide. (20) Phenylacetic acid and its esters or salts. (21) Piperidine and its salts. (22) Methylamine and its salts. (23) Isosafrole. (24) Safrole. (25) Piperonal. (26) Hydriodic acid. (27) Benzaldehyde. (28) Nitroethane. (29) Gamma-butyrolactone. (30) White phosphorus. (31) Hypophosphorous acid and its salts. (32) Acetic anhydride. (33) Benzyl chloride. (34) Ammonium nitrate. (35) Ammonium sulfate. (36) Hydrogen peroxide. (37) Thionyl chloride. (38) Ethyl acetate. (39) Pseudoephedrine hydrochloride. (b) A person who possesses more than ten (10) grams of ephedrine, pseudoephedrine, or phenylpropanolamine, pure or adulterated, commits a Level 6 felony. However, the offense is a Level 5 felony if the person possessed: (1) a firearm while possessing more than ten (10) grams of ephedrine, pseudoephedrine, or phenylpropanolamine, pure or adulterated; or (2) more than ten (10) grams of ephedrine, pseudoephedrine, or phenylpropanolamine, pure or adulterated, in, on, or within five hundred (500) feet of: (A) school property while a person under eighteen (18) years of age was reasonably expected to be present; or (B) a public park while a person under eighteen (18) years of age was reasonably expected to be present. (c) A person who possesses anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1) with the intent to manufacture methamphetamine or amphetamine, schedule II controlled substances under IC 35-48-2-6, commits a Level 6 felony. However, the offense is a Level 5 felony if the person possessed: (1) a firearm while possessing anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1) with intent to manufacture methamphetamine or amphetamine, schedule II controlled substances under IC 35-48-2-6; or (2) anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1) with intent to manufacture methamphetamine or amphetamine, schedule II controlled substances under IC 35-48-2-6, in, on, or within five hundred (500) feet of: (A) school property while a person under eighteen (18) years of age was reasonably expected to be present; or (B) a public park while a person under eighteen (18) years of age was reasonably expected to be present. (d) Subsection (b) does not apply to a: (1) licensed health care provider, pharmacist, retail distributor, wholesaler, manufacturer, warehouseman, or common carrier or an agent of any of these persons if the possession is in the regular course of lawful business activities; or (2) person who possesses more than ten (10) grams of a substance described in subsection (b) if the substance is possessed under circumstances consistent with typical medicinal or household use, including: (A) the location in which the substance is stored; (B) the possession of the substance in a variety of: (i) strengths; (ii) brands; or (iii) types; or (C) the possession of the substance: (i) with different expiration dates; or (ii) in forms used for different purposes. (e) A person who possesses two (2) or more chemical reagents or precursors with the intent to manufacture a controlled substance commits a Level 6 felony. (f) An offense under subsection (e) is a Level 5 felony if the person possessed: (1) a firearm while possessing two (2) or more chemical reagents or precursors with intent to manufacture a controlled substance; or (2) two (2) or more chemical reagents or precursors with intent to manufacture a controlled substance in, on, or within five hundred (500) feet of: (A) school property while a person under eighteen (18) years of age was reasonably expected to be present; or (B) a public park while a person under eighteen (18) years of age was reasonably expected to be present. (g) A person who sells, transfers, distributes, or furnishes a chemical reagent or precursor to another person with knowledge or the intent that the recipient will use the chemical reagent or precursors to manufacture a controlled substance commits unlawful sale of a precursor, a Level 6 felony. However, the offense is a Level 5 felony if the person sells, transfers, distributes, or furnishes more than ten (10) grams of ephedrine, pseudoephedrine, or phenylpropanolamine. (h) This subsection does not apply to a drug containing ephedrine, pseudoephedrine, or phenylpropanolamine that is dispensed under a prescription. A person who: (1) has been convicted of a drug related felony (as defined in IC 35-48-1-16.3); and (2) not later than seven (7) years from the date the person was sentenced for the offense; knowingly or intentionally possesses ephedrine, pseudoephedrine, or phenylpropanolamine, pure or adulterated, commits possession of a precursor by a drug offender, a Level 6 felony. As added by P.L.150-1999, SEC.2. Amended by P.L.17-2001, SEC.28; P.L.225-2003, SEC.5; P.L.192-2005, SEC.8; P.L.151-2006, SEC.26; P.L.193-2013, SEC.7; P.L.158-2013, SEC.643; P.L.168-2014, SEC.105; P.L.252-2017, SEC.24.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-14.7. Pharmacy or Nplex Retailer; Sale of Ephedrine or Pseudoephedrine; Maximum Purchase Amounts; Record Keeping and Electronic Transmission of Sales to Nplex; Suspicious Orders and Thefts; Liability

Sec. 14.7. (a) This section does not apply to the following: (1) Ephedrine or pseudoephedrine dispensed pursuant to a prescription. Nothing in this section prohibits a person who is denied the sale of a nonprescription product containing pseudoephedrine or ephedrine from obtaining pseudoephedrine or ephedrine pursuant to a prescription. (2) The sale of a drug containing ephedrine or pseudoephedrine to a licensed health care provider, pharmacist, retail distributor, wholesaler, manufacturer, or an agent of any of these persons if the sale occurs in the regular course of lawful business activities. However, a retail distributor, wholesaler, or manufacturer is required to report a suspicious order to the state police department in accordance with subsection (g). (3) The sale of

a drug containing ephedrine or pseudoephedrine by a person who does not sell exclusively to walk-in customers for the personal use of the walk-in customers. However, if the person described in this subdivision is a retail distributor, wholesaler, or manufacturer, the person is required to report a suspicious order to the state police department in accordance with subsection (g). (b) The following definitions apply throughout this section: (1) "Constant video monitoring" means the surveillance by an automated camera that: (A) records at least one (1) photograph or digital image every ten (10) seconds; (B) retains a photograph or digital image for at least seventy-two (72) hours; (C) has sufficient resolution and magnification to permit the identification of a person in the area under surveillance; and (D) stores a recorded photograph or digital image at a location that is immediately accessible to a law enforcement officer. (2) "Convenience package" means a package that contains a drug having as an active ingredient not more than sixty (60) milligrams of ephedrine or pseudoephedrine, or both. (3) "Ephedrine" means pure or adulterated ephedrine. (4) "Pharmacy or NPLEx retailer" means: (A) a pharmacy, as defined in IC 25-26-13-2; (B) a retailer containing a pharmacy, as defined in IC 25-26-13-2; or (C) a retailer that electronically submits the required information to the National Precursor Log Exchange (NPLEx). (5) "Pseudoephedrine" means pure or adulterated pseudoephedrine. (6) "Retailer" means a grocery store, general merchandise store, or other similar establishment. The term does not include a pharmacy or NPLEx retailer. (7) "Suspicious order" means a sale or transfer of a drug containing ephedrine or pseudoephedrine if the sale or transfer: (A) is a sale or transfer that the retail distributor, wholesaler, or manufacturer is required to report to the United States Drug Enforcement Administration; (B) appears suspicious to the retail distributor, wholesaler, or manufacturer in light of the recommendations contained in Appendix A of the report to the United States attorney general by the suspicious orders task force under the federal Comprehensive Methamphetamine Control Act of 1996; or (C) is for cash or a money order in a total amount of at least two hundred dollars ($200). (8) "Unusual theft" means the theft or unexplained disappearance from a particular pharmacy or NPLEx retailer of drugs containing ten (10) grams or more of ephedrine, pseudoephedrine, or both in a twenty-four (24) hour period. (c) A drug containing ephedrine or pseudoephedrine may be sold only by a pharmacy or NPLEx retailer. (d) A pharmacy or NPLEx retailer may sell a drug that contains the active ingredient of ephedrine, pseudoephedrine, or both only if the pharmacy or NPLEx retailer complies with the following conditions: (1) The pharmacy or NPLEx retailer does not sell the drug to a person less than eighteen (18) years of age. (2) The pharmacy or NPLEx retailer does not sell drugs containing more than: (A) three and six-tenths (3.6) grams of ephedrine or pseudoephedrine, or both, to one (1) individual on one (1) day; (B) seven and two-tenths (7.2) grams of ephedrine or pseudoephedrine, or both, to one (1) individual in a thirty (30) day period; or (C) sixty-one and two-tenths (61.2) grams of ephedrine or pseudoephedrine, or both, to one (1) individual in a three hundred sixty-five (365) day period. (3) Except as provided in subsection (f), before the sale occurs the pharmacist or the pharmacy technician (as defined by IC 25-26-19-2) has determined that the purchaser has a relationship on record with the pharmacy, in compliance with rules adopted by the board under IC 25-26-13-4. If it has been determined that the purchaser does not have a relationship on record with the pharmacy, the pharmacist shall make a professional determination as to whether there is a legitimate medical or pharmaceutical need for ephedrine or pseudoephedrine before selling ephedrine or pseudoephedrine to an individual. The pharmacist's professional determination must comply with the rules adopted under IC 25-26-13-4 and may include the following: (A) Prior medication filling history of the individual. (B) Consulting with the individual. (C) Other tools that provide professional reassurance to the pharmacist that a legitimate medical or pharmaceutical need for ephedrine or pseudoephedrine exists. A pharmacist who in good faith does not sell ephedrine or pseudoephedrine to an individual under this subdivision is immune from civil liability unless the refusal to sell constitutes gross negligence or intentional, wanton, or willful misconduct. (4) The pharmacy or NPLEx retailer requires: (A) the purchaser to produce a valid government issued photo identification card showing the date of birth of the person; (B) the purchaser to sign a written or electronic log attesting to the validity of the information; and (C) the clerk who is conducting the transaction to initial or electronically record the clerk's identification on the log. Records from the completion of a log must be retained for at least two (2) years. A law enforcement officer has the right to inspect and copy a log or the records from the completion of a log in accordance with state and federal law. A pharmacy or NPLEx retailer may not sell or release a log or the records from the completion of a log for a commercial purpose. The Indiana criminal justice institute may obtain information concerning a log or the records from the completion of a log from a law enforcement officer if the information may not be used to identify a specific individual and is used only for statistical purposes. A pharmacy or NPLEx retailer that in good faith releases information maintained under this subsection is immune from civil liability unless the release constitutes gross negligence or intentional, wanton, or willful misconduct. (5) The pharmacy or NPLEx retailer maintains a record of information for each sale of a nonprescription product containing pseudoephedrine or ephedrine. Required information includes: (A) the name and address of each purchaser; (B) the type of identification presented; (C) the governmental entity that issued the identification; (D) the identification number; and (E) the ephedrine or pseudoephedrine product purchased, including the number of grams the product contains and the date and time of the transaction. (6) A pharmacy or NPLEx retailer shall, except as provided in subdivision (7), before completing a sale of an over-the-counter product containing pseudoephedrine or ephedrine, electronically submit the required information to the National Precursor Log Exchange (NPLEx), if the NPLEx system is available to pharmacies or NPLEx retailers in the state without a charge for accessing the system. The pharmacy or NPLEx retailer may not complete the sale if the system generates a stop sale alert, including a stop sale alert for a person convicted of a drug related felony reported under IC 33-24-6-3. (7) If a pharmacy or NPLEx retailer selling an over-the-counter product containing ephedrine or pseudoephedrine experiences mechanical or electronic failure of the electronic sales tracking system and is unable to comply with the electronic sales tracking requirement, the pharmacy or NPLEx retailer shall maintain a written log or an alternative electronic record keeping mechanism until the pharmacy or NPLEx retailer is able to comply with the electronic sales tracking requirement. (8) The pharmacy or NPLEx retailer stores the drug behind a counter in an area inaccessible to a customer or in a locked display

case that makes the drug unavailable to a customer without the assistance of an employee. (e) A person may not purchase drugs containing more than: (1) three and six-tenths (3.6) grams of ephedrine or pseudoephedrine, or both, on one (1) day; (2) seven and two-tenths (7.2) grams of ephedrine or pseudoephedrine, or both, in a thirty (30) day period; or (3) sixty-one and two-tenths (61.2) grams of ephedrine or pseudoephedrine, or both, in a three hundred sixty-five (365) day period. These limits apply to the total amount of base ephedrine and pseudoephedrine contained in the products and not to the overall weight of the products. (f) If a purchaser does not have a relationship on record with the pharmacy, as determined by rules adopted by the board under IC 25-26-13-4, or the pharmacist has made a professional determination that there is not a legitimate medical or pharmaceutical need for ephedrine or pseudoephedrine under subsection (d), the purchaser may, at the pharmacist's discretion, purchase only the following: (1) A product that has been determined under section 14.3 of this chapter to be an extraction resistant or a conversion resistant form of ephedrine or pseudoephedrine. (2) A product that contains not more than: (A) a total of seven hundred twenty (720) milligrams of ephedrine or pseudoephedrine per package; and (B) thirty (30) milligrams of ephedrine or pseudoephedrine per tablet. The pharmacist may not sell more than one (1) package of ephedrine or pseudoephedrine to a purchaser under this subdivision per day. However, if the pharmacist believes that the ephedrine or pseudoephedrine purchase will be used to manufacture methamphetamine, the pharmacist may refuse to sell ephedrine or pseudoephedrine to the purchaser. (g) A retail distributor, wholesaler, or manufacturer shall report a suspicious order to the state police department in writing. (h) Not later than three (3) days after the discovery of an unusual theft at a particular retail store, the pharmacy or NPLEx retailer shall report the unusual theft to the state police department in writing. If three (3) unusual thefts occur in a thirty (30) day period at a particular pharmacy or NPLEx retailer, the pharmacy or NPLEx retailer shall, for at least one hundred eighty (180) days after the date of the last unusual theft, locate all drugs containing ephedrine or pseudoephedrine at that particular pharmacy or NPLEx retailer behind a counter in an area inaccessible to a customer or in a locked display case that makes the drug unavailable to customers without the assistance of an employee. (i) A unit (as defined in IC 36-1-2-23) may not adopt an ordinance after February 1, 2005, that is more stringent than this section. (j) A person who knowingly or intentionally violates this section commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated conviction under this section. (k) A pharmacy or NPLEx retailer that uses the electronic sales tracking system in accordance with this section is immune from civil liability for any act or omission committed in carrying out the duties required by this section, unless the act or omission was due to recklessness or deliberate or wanton misconduct. A pharmacy or NPLEx retailer is immune from liability to a third party unless the pharmacy or NPLEx retailer has violated a provision of this section and the third party brings an action based on the pharmacy's or NPLEx retailer's violation of this section. (l) The following requirements apply to the NPLEx: (1) Information contained in the NPLEx may be shared only with law enforcement officials. (2) A law enforcement official may access Indiana transaction information maintained in the NPLEx for investigative purposes. (3) NADDI may not modify sales transaction data that is shared with law enforcement officials. (4) At least one (1) time per day, Indiana data contained in the NPLEx for the previous calendar day shall be forwarded to the state police department. (m) A person or corporate entity may not mandate a protocol or procedure that interferes with the pharmacist's ability to exercise the pharmacist's independent professional judgment under this section, including whether to deny the sale of ephedrine or pseudoephedrine under subsection (f). As added by P.L.192-2005, SEC.9. Amended by P.L.151-2006, SEC.27; P.L.186-2007, SEC.9; P.L.97-2010, SEC.1; P.L.221-2011, SEC.1; P.L.193-2013, SEC.8; P.L.4-2016, SEC.4; P.L.5-2016, SEC.6; P.L.9-2016, SEC.3; P.L.252-2017, SEC.25.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-14. Offenses Relating to Registration Labeling and Prescription Forms

Sec. 14. (a) A person who: (1) is subject to IC 35-48-3 and who recklessly, knowingly, or intentionally distributes or dispenses a controlled substance in violation of IC 35-48-3; (2) is a registrant and who recklessly, knowingly, or intentionally: (A) manufactures; or (B) finances the manufacture of; a controlled substance not authorized by the person's registration or distributes or dispenses a controlled substance not authorized by the person's registration to another registrant or other authorized person; (3) recklessly, knowingly, or intentionally fails to make, keep, or furnish a record, a notification, an order form, a statement, an invoice, or information required under this article; or (4) recklessly, knowingly, or intentionally refuses entry into any premises for an inspection authorized by this article; commits a Level 6 felony. (b) A person who knowingly or intentionally: (1) distributes as a registrant a controlled substance classified in schedule I or II, except under an order form as required by IC 35-48-3; (2) uses in the course of the: (A) manufacture of; (B) the financing of the manufacture of; or (C) distribution of; a controlled substance a federal or state registration number that is fictitious, revoked, suspended, or issued to another person; (3) furnishes false or fraudulent material information in, or omits any material information from, an application, report, or other document required to be kept or filed under this article; or (4) makes, distributes, or possesses a punch, die, plate, stone, or other thing designed to print, imprint, or reproduce the trademark, trade name, or other identifying mark, imprint, or device of another or a likeness of any of the foregoing on a drug or container or labeling thereof so as to render the drug a counterfeit substance; commits a Level 6 felony. (c) A person who knowingly or intentionally acquires possession of a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, alteration of a prescription order, concealment of a material fact, or use of a false name or false address commits a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior conviction of an offense under this subsection. (d) A person who knowingly or intentionally affixes any false or forged label to a package or receptacle containing a controlled substance commits a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior conviction of an offense under this subsection. This subsection does not apply to law enforcement agencies or their representatives while engaged in enforcing IC 16-42-19 or this

chapter (or IC 16-6-8 before its repeal). (e) A person who duplicates, reproduces, or prints any prescription pads or forms without the prior written consent of a practitioner commits a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior conviction of an offense under this subsection. This subsection does not apply to the printing of prescription pads or forms upon a written, signed order placed by a practitioner or pharmacist, by legitimate printing companies. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1977, P.L.340, SEC.109; P.L.131-1986, SEC.3; P.L.165-1990, SEC.14; P.L.2-1993, SEC.193; P.L.158-2013, SEC.642.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-16. Defenses to Charge of Selling Narcotics Near School or Park

Sec. 16. (a) For an offense under this chapter that requires proof of: (1) delivery of cocaine, a narcotic drug, methamphetamine, or a controlled substance; (2) financing the delivery of cocaine, a narcotic drug, methamphetamine, or a controlled substance; or (3) possession of cocaine, a narcotic drug, methamphetamine, or a controlled substance; within five hundred (500) feet of school property or a public park while a person less than eighteen (18) years of age was reasonably expected to be present, the person charged may assert the defense in subsection (b) or (c). (b) It is a defense for a person charged under this chapter with an offense that contains an element listed in subsection (a) that: (1) a person was briefly in, on, or within five hundred (500) feet of school property or a public park while a person less than eighteen (18) years of age was reasonably expected to be present; and (2) no person under eighteen (18) years of age at least three (3) years junior to the person was in, on, or within five hundred (500) feet of the school property or public park at the time of the offense. (c) It is a defense for a person charged under this chapter with an offense that contains an element listed in subsection (a) that a person was in, on, or within five hundred (500) feet of school property or a public park: (1) at the request or suggestion of a law enforcement officer or an agent of a law enforcement officer; and (2) while a person less than eighteen (18) years of age was reasonably expected to be present. (d) The defense under this section applies only to the element of the offense that requires proof that the delivery, financing of the delivery, or possession of cocaine, a narcotic drug, methamphetamine, or a controlled substance occurred in, on, or within five hundred (500) feet of school property or a public park while a person less than eighteen (18) years of age was reasonably expected to be present. As added by P.L.17-2001, SEC.29. Amended by P.L.158-2013, SEC.644.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-17. Restitution for Environmental Cleanup

Sec. 17. (a) In addition to any other penalty imposed for conviction of an offense under this chapter involving the manufacture or intent to manufacture methamphetamine, a court shall order restitution under IC 35-50-5-3 to cover the costs, if necessary, of an environmental cleanup incurred by a law enforcement agency or other person as a result of the offense. (b) The amount collected under subsection (a) shall be used to reimburse the law enforcement agency that assumed the costs associated with the environmental cleanup described in subsection (a). As added by P.L.225-2003, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-18. Xylazine

Sec. 18. (a) A person who knowingly or intentionally possesses xylazine commits possession of xylazine, a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated conviction under this section. (b) A person who: (1) knowingly or intentionally: (A) manufactures; (B) finances the manufacture of; (C) delivers; or (D) finances the delivery of; xylazine; or (2) possesses, with intent to: (A) manufacture; (B) finance the manufacture of; (C) deliver; or (D) finance the delivery of; xylazine; commits dealing in xylazine, a Level 5 felony. However, the offense is a Level 4 felony if the person has a prior unrelated conviction under this section. (c) This section does not apply to one (1) or more of the following: (1) A person who dispenses, prescribes, or administers a drug containing xylazine to a nonhuman species, if: (A) the drug has been approved by the Secretary of Health and Human Services under section 512 of the federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 360b); or (B) the dispensing, prescription, or administration of the drug is permissible under section 512(a)(4) of the federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 360b(a)(4)). (2) A person who: (A) manufactures, distributes, or uses xylazine as an active pharmaceutical ingredient for manufacturing an animal drug approved under section 512 of the federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 360b); or (B) has been issued an investigation use exemption for xylazine under section 512(j) of the federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 360b(j)). (3) A person who manufactures, distributes, or uses a xylazine bulk chemical for pharmaceutical compounding by a licensed pharmacist or veterinarian. (4) A person who uses xylazine for another purpose approved or permitted under the federal Food, Drug, and Cosmetic Act. (5) A person who: (A) possesses xylazine for the purpose of engaging in an activity permitted under this section; or (B) delivers or transports xylazine from a person described in subdivisions (1) through (5)(A) to another person described in subdivisions (1) through (5)(A). As added by P.L.58-2024, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-2. Dealing in a Schedule I, Ii, or Iii Controlled Substance or Controlled Substance Analog

Sec. 2. (a) A person who: (1) knowingly or intentionally: (A) manufactures; (B) finances the manufacture of; (C) delivers; or (D) finances the delivery of; a controlled substance or controlled substance analog, pure or adulterated, classified in schedule I, except

marijuana, hash oil, hashish, or salvia, or a controlled substance, or controlled substance analog, pure or adulterated, classified in schedule II or III; or (2) possesses, with intent to: (A) manufacture; (B) finance the manufacture of; (C) deliver; or (D) finance the delivery of; a controlled substance or controlled substance analog, pure or adulterated, classified in schedule I, except marijuana, hash oil, hashish, or salvia, or a controlled substance, or controlled substance analog, pure or adulterated, classified in schedule II or III; commits dealing in a schedule I, II, or III controlled substance, a Level 6 felony, except as provided in subsections (b) through (f). (b) A person may be convicted of an offense under subsection (a)(2) only if: (1) there is evidence in addition to the weight of the drug that the person intended to manufacture, finance the manufacture of, deliver, or finance the delivery of the drug; or (2) the amount of the drug involved is at least twenty-eight (28) grams. (c) The offense is a Level 5 felony if: (1) the amount of the drug involved is at least one (1) gram but less than five (5) grams; or (2) the amount of the drug involved is less than one (1) gram and an enhancing circumstance applies. (d) The offense is a Level 4 felony if: (1) the amount of the drug involved is at least five (5) grams but less than ten (10) grams; or (2) the amount of the drug involved is at least one (1) gram but less than five (5) grams and an enhancing circumstance applies. (e) The offense is a Level 3 felony if: (1) the amount of the drug involved is at least ten (10) grams but less than twenty-eight (28) grams; or (2) the amount of the drug involved is at least five (5) grams but less than ten (10) grams and an enhancing circumstance applies. (f) The offense is a Level 2 felony if: (1) the amount of the drug involved is at least twenty-eight (28) grams; or (2) the amount of the drug involved is at least ten (10) grams but less than twenty-eight (28) grams and an enhancing circumstance applies. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1977, P.L.340, SEC.97; Acts 1979, P.L.303, SEC.9; P.L.296-1987, SEC.6; P.L.165-1990, SEC.4; P.L.296-1995, SEC.4; P.L.65-1996, SEC.12; P.L.17-2001, SEC.20; P.L.138-2011, SEC.13; P.L.182-2011, SEC.13; P.L.158-2013, SEC.624; P.L.168-2014, SEC.93; P.L.226-2014(ts), SEC.8; P.L.44-2016, SEC.4; P.L.80-2019, SEC.23; P.L.61-2020, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-3. Dealing in a Schedule Iv Controlled Substance or Controlled Substance Analog

Sec. 3. (a) A person who: (1) knowingly or intentionally: (A) manufactures; (B) finances the manufacture of; (C) delivers; or (D) finances the delivery of; a controlled substance or controlled substance analog, pure or adulterated, classified in schedule IV; or (2) possesses, with intent to manufacture or deliver, a controlled substance or controlled substance analog, pure or adulterated, classified in schedule IV; commits dealing in a schedule IV controlled substance, a Class A misdemeanor, except as provided in subsections (b) through (f). (b) A person may be convicted of an offense under subsection (a)(2) only if: (1) there is evidence in addition to the weight of the drug that the person intended to manufacture or deliver the controlled substance or controlled substance analog; or (2) the amount of the drug involved is at least twenty-eight (28) grams. (c) The offense is a Level 6 felony if: (1) the amount of the drug involved is at least one (1) gram but less than five (5) grams; or (2) the amount of the drug involved is less than one (1) gram and an enhancing circumstance applies. (d) The offense is a Level 5 felony if: (1) the amount of the drug involved is at least five (5) grams but less than ten (10) grams; or (2) the amount of the drug involved is at least one (1) gram but less than five (5) grams and an enhancing circumstance applies. (e) The offense is a Level 4 felony if: (1) the amount of the drug involved is at least ten (10) grams but less than twenty-eight (28) grams; or (2) the amount of the drug involved is at least five (5) grams but less than ten (10) grams and an enhancing circumstance applies. (f) The offense is a Level 3 felony if: (1) the amount of the drug involved is at least twenty-eight (28) grams; or (2) the amount of the drug involved is at least ten (10) grams but less than twenty-eight (28) grams and an enhancing circumstance applies. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1977, P.L.340, SEC.98; P.L.296-1987, SEC.7; P.L.165-1990, SEC.5; P.L.296-1995, SEC.5; P.L.65-1996, SEC.13; P.L.17-2001, SEC.21; P.L.158-2013, SEC.625; P.L.168-2014, SEC.94; P.L.226-2014(ts), SEC.9; P.L.44-2016, SEC.5; P.L.80-2019, SEC.24.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-4.1. Dumping Controlled Substance Waste

Sec. 4.1. (a) A person who dumps, discharges, discards, transports, or otherwise disposes of: (1) chemicals, knowing the chemicals were used in the illegal manufacture of a controlled substance or an immediate precursor; or (2) waste, knowing that the waste was produced from the illegal manufacture of a controlled substance or an immediate precursor; commits dumping controlled substance waste, a Level 6 felony. (b) It is not a defense in a prosecution under subsection (a) that the person did not manufacture the controlled substance or immediate precursor. As added by P.L.17-2001, SEC.23. Amended by P.L.158-2013, SEC.627.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-4.6. Unlawful Delivery, Manufacture, Distribution, or Possession of a Substance Represented to Be a Controlled Substance; Factors

Sec. 4.6. (a) A person who knowingly or intentionally: (1) delivers; (2) finances the delivery of; (3) manufactures; (4) finances the manufacture of; (5) advertises; (6) distributes; or (7) possesses with intent to deliver, finance the delivery of, manufacture, finance the manufacture of, advertise, or distribute; a substance represented to be a controlled substance commits a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior unrelated conviction under this chapter. (b) A person may be convicted of an offense under subsection (a)(7) only if: (1) there is evidence in addition to the weight of the substance that the person intended to deliver, finance the delivery of, manufacture, finance the manufacture of, advertise, or distribute the substance; or (2) the amount of the substance involved is at least twenty-eight (28) grams. (c) A person who knowingly or intentionally possesses a substance represented to be a controlled substance commits a Class C misdemeanor. However, the offense is a Class A

misdemeanor if the person has a previous conviction under this chapter. (d) In any prosecution brought under this section it is not a defense that the person believed the substance actually was a controlled substance. (e) This section does not apply to the following: (1) The manufacture, financing the manufacture of, processing, packaging, distribution, or sale of noncontrolled substances to licensed medical practitioners for use as placebos in professional practice or research. (2) Persons acting in the course and legitimate scope of their employment as law enforcement officers. (3) The retention of production samples of noncontrolled substances produced before September 1, 1986, where such samples are required by federal law. (f) For purposes of this section, a substance represented to be a controlled substance includes any substance, other than a controlled substance or a drug for which a prescription is required under federal or state law, that: (1) is expressly or impliedly represented to be a controlled substance; (2) is distributed under circumstances that would lead a reasonable person to believe that the substance is a controlled substance; or (3) by overall dosage unit appearance, including shape, color, size, markings or lack of markings, taste, consistency, or any other identifying physical characteristic of the substance, would lead a reasonable person to believe the substance is a controlled substance. (g) In determining whether the representations described in subsection (f)(1) have been made, or whether the circumstances of distribution exist as described in subsection (f)(2), the trier of fact may consider the following: (1) The overall appearance of a dosage unit of the substance, including its shape, color, size, markings or lack of markings, taste, consistency, and any other identifying physical characteristics. (2) How the substance is packaged for sale or distribution, including the shape, color, size, markings or lack of markings, and any other identifying physical characteristics of the packaging. (3) Any statement made by the owner or person in control of the substance concerning the substance's nature, use, or effect. (4) Any statement made to the buyer or recipient of the substance suggesting or implying that the substance is a controlled substance. (5) Any statement made to the buyer or recipient of the substance suggesting or implying that the substance may be resold for profit. (6) The overall circumstances under which the substance is distributed, including whether: (A) the distribution included an exchange of, or demand for, money or other property as consideration; and (B) the amount of the consideration was substantially greater than the reasonable retail market value of the substance. (7) Any other relevant factors. As added by P.L.210-1986, SEC.2. Amended by P.L.165-1990, SEC.8; P.L.150-1999, SEC.1; P.L.225-2003, SEC.3; P.L.158-2013, SEC.629; P.L.168-2014, SEC.96; P.L.44-2016, SEC.7; P.L.80-2019, SEC.27.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-4. Dealing in a Schedule v Controlled Substance or Controlled Substance Analog

Sec. 4. (a) A person who: (1) knowingly or intentionally: (A) manufactures; (B) finances the manufacture of; (C) delivers; or (D) finances the delivery of; a controlled substance or controlled substance analog, pure or adulterated, classified in schedule V; or (2) possesses, with intent to: (A) manufacture; (B) finance the manufacture of; (C) deliver; or (D) finance the delivery of; a controlled substance or controlled substance analog, pure or adulterated, classified in schedule V; commits dealing in a schedule V controlled substance, a Class B misdemeanor, except as provided in subsections (b) through (f). (b) A person may be convicted of an offense under subsection (a)(2) only if: (1) there is evidence in addition to the weight of the drug that the person intended to manufacture, finance the manufacture of, deliver, or finance the delivery of the drug; or (2) the amount of the drug involved is at least twenty-eight (28) grams. (c) The offense is a Class A misdemeanor if: (1) the amount of the drug involved is at least one (1) gram but less than five (5) grams; or (2) the amount of the drug involved is less than one (1) gram and an enhancing circumstance applies. (d) The offense is a Level 6 felony if: (1) the amount of the drug involved is at least five (5) grams but less than ten (10) grams; or (2) the amount of the drug involved is at least one (1) gram but less than five (5) grams and an enhancing circumstance applies. (e) The offense is a Level 5 felony if: (1) the amount of the drug involved is at least ten (10) grams but less than twenty-eight (28) grams; or (2) the amount of the drug involved is at least five (5) grams but less than ten (10) grams and an enhancing circumstance applies. (f) The offense is a Level 4 felony if: (1) the amount of the drug involved is at least twenty-eight (28) grams; or (2) the amount of the drug involved is at least ten (10) grams but less than twenty-eight (28) grams and an enhancing circumstance applies. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1977, P.L.340, SEC.99; P.L.296-1987, SEC.8; P.L.165-1990, SEC.6; P.L.296-1995, SEC.6; P.L.65-1996, SEC.14; P.L.17-2001, SEC.22; P.L.158-2013, SEC.626; P.L.168-2014, SEC.95; P.L.226-2014(ts), SEC.10; P.L.44-2016, SEC.6; P.L.80-2019, SEC.25.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-5. Dealing in a Counterfeit Substance

Sec. 5. A person who: (1) knowingly or intentionally: (A) creates; (B) delivers; or (C) finances the delivery of; a counterfeit substance; or (2) possesses, with intent to: (A) deliver; or (B) finance the delivery of; a counterfeit substance; commits dealing in a counterfeit substance, a Level 6 felony. However, a person may be convicted of an offense under subdivision (2) only if there is evidence in addition to the weight of the counterfeit substance that the person intended to deliver or finance the delivery of the counterfeit substance. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1977, P.L.340, SEC.100; P.L.165-1990, SEC.9; P.L.158-2013, SEC.630; P.L.168-2014, SEC.97; P.L.85-2017, SEC.119.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-6.1. Possession of Methamphetamine

Sec. 6.1. (a) A person who, without a valid prescription or order of a practitioner acting in the course of the practitioner's professional practice, knowingly or intentionally possesses methamphetamine (pure or adulterated) commits possession of methamphetamine, a Level 6 felony, except as provided in subsections (b) through (d). (b) The offense is a Level 5 felony if: (1) the

amount of the drug involved is at least five (5) but less than ten (10) grams; or (2) the amount of the drug involved is less than five (5) grams and an enhancing circumstance applies. (c) The offense is a Level 4 felony if: (1) the amount of the drug involved is at least ten (10) but less than twenty-eight (28) grams; or (2) the amount of the drug involved is at least five (5) but less than ten (10) grams and an enhancing circumstance applies. (d) The offense is a Level 3 felony if: (1) the amount of the drug involved is at least twenty-eight (28) grams; or (2) the amount of the drug involved is at least ten (10) but less than twenty-eight (28) grams and an enhancing circumstance applies. As added by P.L.151-2006, SEC.25. Amended by P.L.158-2013, SEC.632; P.L.168-2014, SEC.99; P.L.226-2014(ts), SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-6. Possession of Cocaine or Narcotic Drug

Sec. 6. (a) A person who, without a valid prescription or order of a practitioner acting in the course of the practitioner's professional practice, knowingly or intentionally possesses cocaine (pure or adulterated) or a narcotic drug (pure or adulterated) classified in schedule I or II, commits possession of cocaine or a narcotic drug, a Level 6 felony, except as provided in subsections (b) through (d). (b) The offense is a Level 5 felony if: (1) the amount of the drug involved is at least five (5) but less than ten (10) grams; or (2) the amount of the drug involved is less than five (5) grams and an enhancing circumstance applies. (c) The offense is a Level 4 felony if: (1) the amount of the drug involved is at least ten (10) but less than twenty-eight (28) grams; or (2) the amount of the drug involved is at least five (5) but less than ten (10) grams and an enhancing circumstance applies. (d) The offense is a Level 3 felony if: (1) the amount of the drug involved is at least twenty-eight (28) grams; or (2) the amount of the drug involved is at least ten (10) but less than twenty-eight (28) grams and an enhancing circumstance applies. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1977, P.L.340, SEC.101; Acts 1979, P.L.303, SEC.10; P.L.138-1983, SEC.3; P.L.296-1987, SEC.9; P.L.296-1995, SEC.7; P.L.65-1996, SEC.15; P.L.188-1999, SEC.7; P.L.17-2001, SEC.24; P.L.151-2006, SEC.24; P.L.158-2013, SEC.631; P.L.168-2014, SEC.98.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-7. Possession of a Controlled Substance or Controlled Substance Analog; Obtaining a Schedule v Controlled Substance

Sec. 7. (a) A person who, without a valid prescription or order of a practitioner acting in the course of the practitioner's professional practice, knowingly or intentionally possesses a: (1) controlled substance or controlled substance analog (pure or adulterated), classified in schedule I, except marijuana, hashish, or salvia; or (2) controlled substance or controlled substance analog (pure or adulterated), classified in schedule II, III, or IV; commits possession of a controlled substance, a Class A misdemeanor, except as provided in subsection (b). (b) The offense is a Level 6 felony if the person commits the offense and an enhancing circumstance applies. (c) A person who, without a valid prescription or order of a practitioner acting in the course of the practitioner's professional practice, knowingly or intentionally obtains: (1) more than four (4) ounces of schedule V controlled substances containing codeine in any given forty-eight (48) hour period unless pursuant to a prescription; (2) a schedule V controlled substance pursuant to written or verbal misrepresentation; or (3) possession of a schedule V controlled substance other than by means of a prescription or by means of signing an exempt narcotic register maintained by a pharmacy licensed by the Indiana state board of pharmacy; commits a Class A misdemeanor. As added by Acts 1976, P.L.148, SEC.7. Amended by Acts 1977, P.L.340, SEC.102; P.L.138-1983, SEC.4; P.L.327-1985, SEC.4; P.L.296-1987, SEC.10; P.L.296-1995, SEC.8; P.L.65-1996, SEC.16; P.L.17-2001, SEC.25; P.L.138-2011, SEC.14; P.L.182-2011, SEC.14; P.L.158-2013, SEC.633; P.L.80-2019, SEC.28; P.L.61-2020, SEC.10.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-8.1. Manufacture of Paraphernalia

Sec. 8.1. (a) A person who manufactures, finances the manufacture of, or designs an instrument, a device, or other object that is intended to be used primarily for: (1) introducing into the human body a controlled substance; (2) testing the strength, effectiveness, or purity of a controlled substance; or (3) enhancing the effect of a controlled substance; in violation of this chapter commits a Class A infraction for manufacturing paraphernalia. (b) A person who: (1) knowingly or intentionally violates this section; and (2) has a previous judgment for violation of this section; commits manufacture of paraphernalia, a Level 6 felony. As added by Acts 1980, P.L.115, SEC.2. Amended by P.L.202-1989, SEC.3; P.L.165-1990, SEC.10; P.L.158-2013, SEC.634.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-8.3. Possession of Paraphernalia

Sec. 8.3. (a) This section does not apply to a rolling paper. (b) A person who knowingly or intentionally possesses an instrument, a device, or another object that the person intends to use for: (1) introducing into the person's body a controlled substance; (2) testing the strength, effectiveness, or purity of a controlled substance; or (3) enhancing the effect of a controlled substance; commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated judgment or conviction under this section. As added by Acts 1980, P.L.115, SEC.4. Amended by P.L.202-1989, SEC.5; P.L.166-1990, SEC.2; P.L.58-2003, SEC.1; P.L.158-2013, SEC.635; P.L.187-2015, SEC.49.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 48. Controlled SubstancesChapter 4. Offenses Relating to Controlled Substances35-48-4-8.5. Dealing in Paraphernalia

Sec. 8.5. (a) A person who keeps for sale, offers for sale, delivers, or finances the delivery of a raw material, an instrument, a device, or other object that is intended to be or that is designed or marketed to be used primarily for: (1) ingesting, inhaling, or otherwise introducing into the human body marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance; (2) testing the strength, effectiveness, or purity of marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance; (3) enhancing the effect of a controlled substance; (4) manufacturing, compounding, converting, producing, processing, or preparing marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance; (5) diluting or adulterating marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance by individuals; or (6) any purpose announced or described by the seller that is in violation of this chapter; commits a Class A infraction for dealing in paraphernalia. (b) A person who knowingly or intentionally violates subsection (a) commits a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated judgment or conviction under this section. (c) This section does not apply to the following: (1) Items marketed for use in the preparation, compounding, packaging, labeling, or other use of marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance as an incident to lawful research, teaching, or chemical analysis and not for sale. (2) Items marketed for or historically and customarily used in connection with the planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, or inhaling of tobacco or any other lawful substance. (3) A qualified entity (as defined in IC 16-41-7.5-3) that provides a syringe or needle as part of a program under IC 16-41-7.5. (4) Any entity or person that provides funding to a qualified entity (as defined in IC 16-41-7.5-3) to operate a program described in IC 16-41-7.5. As added by P.L.1-1991, SEC.206. Amended by P.L.58-2003, SEC.2; P.L.138-2011, SEC.15; P.L.182-2011, SEC.15; P.L.78-2012, SEC.13; P.L.158-2013, SEC.636; P.L.208-2015, SEC.18; P.L.188-2017, SEC.12; P.L.153-2018, SEC.24.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 1. Definitions35-49-1-1. Definitions Applicable Throughout Article

Sec. 1. The definitions in this chapter apply throughout this article. As added by P.L.311-1983, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 1. Definitions35-49-1-10. "Sexual Excitement"

Sec. 10. "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal. As added by P.L.311-1983, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 1. Definitions35-49-1-2. "Distribute"

Sec. 2. "Distribute" means to transfer possession for a consideration. As added by P.L.311-1983, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 1. Definitions35-49-1-3. "Matter"

Sec. 3. "Matter" means: (1) any book, magazine, newspaper, or other printed or written material; (2) any picture, drawing, photograph, motion picture, digitized image, or other pictorial representation; (3) any statue or other figure; (4) any recording, transcription, or mechanical, chemical, or electrical reproduction; or (5) any other articles, equipment, machines, or materials. As added by P.L.311-1983, SEC.33. Amended by P.L.3-2002, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 1. Definitions35-49-1-4. "Minor"

Sec. 4. "Minor" means any individual under the age of eighteen (18) years. As added by P.L.311-1983, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 1. Definitions35-49-1-5. "Nudity"

Sec. 5. "Nudity" means: (1) the showing of the human male or female genitals, pubic area, or buttocks with less than a full opaque covering; (2) the showing of the female breast with less than a fully opaque covering of any part of the nipple; or (3) the depiction of covered male genitals in a discernibly turgid state. As added by P.L.311-1983, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 1. Definitions35-49-1-6. "Owner"

Sec. 6. "Owner" means any person who owns or has legal right to possession of any matter. As added by P.L.311-1983, SEC.33.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 1. Definitions35-49-1-7. "Performance"

Sec. 7. "Performance" means any play, motion picture, dance, or other exhibition or presentation, whether pictured, animated, or live, performed before an audience of one (1) or more persons. As added by P.L.311-1983, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 1. Definitions35-49-1-8. "Sado-Masochistic Abuse"

Sec. 8. "Sado-masochistic abuse" means flagellation or torture by or upon a person as an act of sexual stimulation or gratification. As added by P.L.311-1983, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 1. Definitions35-49-1-9. "Sexual Conduct"

Sec. 9. "Sexual conduct" means: (1) sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5); (2) exhibition of the uncovered genitals in the context of masturbation or other sexual activity; (3) exhibition of the uncovered genitals of a person under sixteen (16) years of age; (4) sado-masochistic abuse; or (5) sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with an animal. As added by P.L.311-1983, SEC.33. Amended by P.L.158-2013, SEC.645.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 2. General Provisions35-49-2-1. Obscene Matter or Performance

Sec. 1. A matter or performance is obscene for purposes of this article if: (1) the average person, applying contemporary community standards, finds that the dominant theme of the matter or performance, taken as a whole, appeals to the prurient interest in sex; (2) the matter or performance depicts or describes, in a patently offensive way, sexual conduct; and (3) the matter or performance, taken as a whole, lacks serious literary, artistic, political, or scientific value. As added by P.L.311-1983, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 2. General Provisions35-49-2-2. Matter or Performance Harmful to Minors

Sec. 2. A matter or performance is harmful to minors for purposes of this article if: (1) it describes or represents, in any form, nudity, sexual conduct, sexual excitement, or sado-masochistic abuse; (2) considered as a whole, it appeals to the prurient interest in sex of minors; (3) it is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable matter for or performance before minors; and (4) considered as a whole, it lacks serious literary, artistic, political, or scientific value for minors. As added by P.L.311-1983, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 2. General Provisions35-49-2-3. Arrest; Search; Seizure of Matter; Motion Pictures

Sec. 3. (a) Whenever a person: (1) offers matter for distribution to the public as stock-in-trade of a lawful business or activity; or (2) exhibits matter at a commercial theater showing regularly scheduled performances to the general public; the person may be arrested under this article only if the arresting officer has first obtained an arrest warrant, and matter may be seized as evidence only if a search warrant has first been obtained. (b) The quantity of matter seized may encompass no more than is reasonable and necessary for the purpose of obtaining evidence. (c) If: (1) the subject of a seizure under this chapter is a motion picture that is allegedly harmful to minors; and (2) the defendant or owner of the motion picture proves that other copies of the motion picture are not available for exhibition; the court shall order that the defendant or owner may, at his own expense, copy the motion picture and continue showing the motion picture to adults pending a preliminary determination under section 4(b) of this chapter. As added by P.L.311-1983, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 2. General Provisions35-49-2-4. Adversary Hearing; Application; Preliminary Determination

Sec. 4. (a) Within ten (10) days after: (1) matter is obtained by seizure or by purchase under this article; or (2) the defendant is arrested under this article; whichever is later, and before trial, the state, the defendant, an owner, or any other party in interest of any matter seized or purchased may apply for and obtain a prompt adversary hearing for the purpose described in subsection (b). (b) At the adversary hearing, the court shall make a preliminary determination of whether the matter is: (1) probably obscene; or (2) probably harmful to minors. As added by P.L.311-1983, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 2. General Provisions35-49-2-5. Application of Article

Sec. 5. This article does not limit the power of political subdivisions to adopt or enforce zoning ordinances regulating the use of real property. As added by P.L.311-1983, SEC.33.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 3. Crimes35-49-3-1. Sale, Distribution, or Exhibition of Obscene Matter

Sec. 1. A person who knowingly or intentionally: (1) sends or brings into Indiana obscene matter for sale or distribution; or (2) offers to distribute, distributes, or exhibits to another person obscene matter; commits a Class A misdemeanor. However, the offense is a Level 6 felony if the obscene matter depicts or describes sexual conduct involving any person who is or appears to be under eighteen (18) years of age. As added by P.L.311-1983, SEC.33. Amended by P.L.214-2013, SEC.41; P.L.158-2013, SEC.646; P.L.168-2014, SEC.106.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 3. Crimes35-49-3-2. Obscene Performance

Sec. 2. A person who knowingly or intentionally engages in, participates in, manages, produces, sponsors, presents, exhibits, photographs, films, or videotapes any obscene performance commits a Class A misdemeanor. However, the offense is a Level 6 felony if the obscene performance depicts or describes sexual conduct involving any person who is or appears to be under eighteen (18) years of age. As added by P.L.311-1983, SEC.33. Amended by P.L.214-2013, SEC.42; P.L.158-2013, SEC.647; P.L.168-2014, SEC.107.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 3. Crimes35-49-3-3. Dissemination of Matter or Conducting Performance Harmful to Minors

Sec. 3. (a) Except as provided in subsection (b) and section 4 of this chapter, a person who knowingly or intentionally: (1) disseminates matter to minors that is harmful to minors (as described in IC 35-49-2); (2) displays matter that is harmful to minors in an area to which minors have visual, auditory, or physical access, unless each minor is accompanied by the minor's parent or guardian; (3) sells, rents, or displays for sale or rent to any person matter that is harmful to minors within five hundred (500) feet of the nearest property line of a school or church; (4) engages in or conducts a performance before minors that is harmful to minors; (5) engages in or conducts a performance that is harmful to minors in an area to which minors have visual, auditory, or physical access, unless each minor is accompanied by the minor's parent or guardian; (6) misrepresents the minor's age for the purpose of obtaining admission to an area from which minors are restricted because of the display of matter or a performance that is harmful to minors; or (7) misrepresents that the person is a parent or guardian of a minor for the purpose of obtaining admission of the minor to an area where minors are being restricted because of display of matter or performance that is harmful to minors; commits a Level 6 felony. (b) This section does not apply if a person disseminates, displays, or makes available the matter described in subsection (a) through the Internet, computer electronic transfer, or a computer network unless: (1) the matter is obscene under IC 35-49-2-1; (2) the matter is child pornography under IC 35-42-4-4; or (3) the person distributes the matter to a child less than eighteen (18) years of age believing or intending that the recipient is a child less than eighteen (18) years of age. As added by P.L.311-1983, SEC.33. Amended by P.L.59-1995, SEC.4; P.L.3-2002, SEC.4; P.L.140-2006, SEC.35; P.L.158-2013, SEC.648; P.L.234-2023, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 49. Obscenity and PornographyChapter 3. Crimes35-49-3-4. Defense to Prosecution for Dissemination of Matter or Conducting Performance Harmful to Minors

Sec. 4. (a) It is a defense to a prosecution under section 3 of this chapter for the defendant to show: (1) that the matter was disseminated or that the performance was performed for legitimate scientific purposes; (2) that the matter was disseminated or displayed to or that the performance was performed before the recipient by a bona fide college, university, museum, college library, or public library that qualifies for certain property tax exemptions under IC 6-1.1-10, or university library, or by an employee of such a school, college, university, museum, college library, or public library, or university library acting within the scope of the employee's employment; (3) that the defendant had reasonable cause to believe that the minor involved was eighteen (18) years of age or older and that the minor exhibited to the defendant a draft card, driver's license, birth certificate, or other official or apparently official document purporting to establish that the minor was eighteen (18) years of age or older; or (4) that the defendant was a salesclerk, motion picture projectionist, usher, or ticket taker, acting within the scope of the defendant's employment and that the defendant had no financial interest in the place where the defendant was so employed. (b) Except as provided in subsection (c), it is a defense to a prosecution under section 3 of this chapter if all the following apply: (1) A cellular telephone, another wireless or cellular communications device, or a social networking web site was used to disseminate matter to a minor that is harmful to minors. (2) The defendant is not more than four (4) years older or younger than the person who received the matter that is harmful to minors. (3) The relationship between the defendant and the person who received the matter that is harmful to minors was a dating relationship or an ongoing personal relationship. For purposes of this subdivision, the term "ongoing personal relationship" does not include a family relationship. (4) The crime was committed by a person less than twenty-two (22) years of age. (5) The person receiving the matter expressly or implicitly acquiesced in the defendant's conduct. (c) The defense to a prosecution described in subsection (b) does not apply if: (1) the image is disseminated to a person other than the person: (A) who sent the image; or (B) who is depicted in the image; or (2) the dissemination of the image violates: (A) a protective order to prevent domestic or family violence or harassment issued under IC 34-26-5 (or, if the order involved a family or household member, under IC 34-26-2 or IC 34-4-5.1-5 before their repeal); (B) an ex parte protective order issued under IC 34-26-5 (or, if the order involved a family or household

member, an emergency order issued under IC 34-26-2 or IC 34-4-5.1 before their repeal); (C) a workplace violence restraining order issued under IC 34-26-6; (D) a no contact order in a dispositional decree issued under IC 31-34-20-1, IC 31-37-19-1, or IC 31-37-5-6 (or IC 31-6-4-15.4 or IC 31-6-4-15.9 before their repeal) or an order issued under IC 31-32-13 (or IC 31-6-7-14 before its repeal) that orders the person to refrain from direct or indirect contact with a child in need of services or a delinquent child; (E) a no contact order issued as a condition of pretrial release, including release on bail or personal recognizance, or pretrial diversion, and including a no contact order issued under IC 35-33-8-3.6; (F) a no contact order issued as a condition of probation; (G) a protective order to prevent domestic or family violence issued under IC 31-15-5 (or IC 31-16-5 or IC 31-1-11.5-8.2 before their repeal); (H) a protective order to prevent domestic or family violence issued under IC 31-14-16-1 in a paternity action; (I) a no contact order issued under IC 31-34-25 in a child in need of services proceeding or under IC 31-37-25 in a juvenile delinquency proceeding; (J) an order issued in another state that is substantially similar to an order described in clauses (A) through (I); (K) an order that is substantially similar to an order described in clauses (A) through (I) and is issued by an Indian: (i) tribe; (ii) band; (iii) pueblo; (iv) nation; or (v) organized group or community, including an Alaska Native village or regional or village corporation as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); that is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians; (L) an order issued under IC 35-33-8-3.2; or (M) an order issued under IC 35-38-1-30. As added by P.L.311-1983, SEC.33. Amended by P.L.180-2011, SEC.4; P.L.158-2013, SEC.649; P.L.266-2019, SEC.16; P.L.234-2023, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 1. General Provisions35-50-1-1. Authority to Sentence

Sec. 1. The court shall fix the penalty of and sentence a person convicted of an offense. As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.110.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 1. General Provisions35-50-1-2. Consecutive and Concurrent Terms

Sec. 2. (a) As used in this section, "crime of violence" means the following: (1) Murder (IC 35-42-1-1). (2) Attempted murder (IC 35-41-5-1). (3) Voluntary manslaughter (IC 35-42-1-3). (4) Involuntary manslaughter (IC 35-42-1-4). (5) Reckless homicide (IC 35-42-1-5). (6) Battery (IC 35-42-2-1) as a: (A) Level 2 felony; (B) Level 3 felony; (C) Level 4 felony; or (D) Level 5 felony. (7) Domestic battery (IC 35-42-2-1.3) as a: (A) Level 2 felony; (B) Level 3 felony; (C) Level 4 felony; or (D) Level 5 felony. (8) Aggravated battery (IC 35-42-2-1.5). (9) Kidnapping (IC 35-42-3-2). (10) Rape (IC 35-42-4-1). (11) Criminal deviate conduct (IC 35-42-4-2) (before its repeal). (12) Child molesting (IC 35-42-4-3). (13) Sexual misconduct with a minor as a Level 1 felony under IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2). (14) Robbery as a Level 2 felony or a Level 3 felony (IC 35-42-5-1). (15) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC 35-43-2-1). (16) Operating a vehicle while intoxicated causing death or catastrophic injury (IC 9-30-5-5). (17) Operating a vehicle while intoxicated causing serious bodily injury to another person (IC 9-30-5-4). (18) Child exploitation as a Level 5 felony under IC 35-42-4-4(b) or a Level 4 felony under IC 35-42-4-4(c). (19) Resisting law enforcement as a felony (IC 35-44.1-3-1). (20) Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5). (21) Strangulation (IC 35-42-2-9) as a Level 5 felony. (b) As used in this section, "episode of criminal conduct" means offenses or a connected series of offenses that are closely related in time, place, and circumstance. (c) Except as provided in subsection (e) or (f) the court shall determine whether terms of imprisonment shall be served concurrently or consecutively. The court may consider the: (1) aggravating circumstances in IC 35-38-1-7.1(a); and (2) mitigating circumstances in IC 35-38-1-7.1(b); in making a determination under this subsection. The court may order terms of imprisonment to be served consecutively even if the sentences are not imposed at the same time. However, except for crimes of violence, the total of the consecutive terms of imprisonment, exclusive of terms of imprisonment under IC 35-50-2-8 and IC 35-50-2-10 (before its repeal) to which the defendant is sentenced for felony convictions arising out of an episode of criminal conduct shall not exceed the period described in subsection (d). (d) Except as provided in subsection (c), the total of the consecutive terms of imprisonment to which the defendant is sentenced for felony convictions arising out of an episode of criminal conduct may not exceed the following: (1) If the most serious crime for which the defendant is sentenced is a Level 6 felony, the total of the consecutive terms of imprisonment may not exceed four (4) years. (2) If the most serious crime for which the defendant is sentenced is a Level 5 felony, the total of the consecutive terms of imprisonment may not exceed seven (7) years. (3) If the most serious crime for which the defendant is sentenced is a Level 4 felony, the total of the consecutive terms of imprisonment may not exceed fifteen (15) years. (4) If the most serious crime for which the defendant is sentenced is a Level 3 felony, the total of the consecutive terms of imprisonment may not exceed twenty (20) years. (5) If the most serious crime for which the defendant is sentenced is a Level 2 felony, the total of the consecutive terms of imprisonment may not exceed thirty-two (32) years. (6) If the most serious crime for which the defendant is sentenced is a Level 1 felony, the total of the consecutive terms of imprisonment may not exceed forty-two (42) years. (e) If, after being arrested for one (1) crime, a person commits another crime: (1) before the date the person is discharged from probation, parole, or a term of imprisonment imposed for the first crime; or (2) while the person is released: (A) upon the person's own recognizance; or (B) on bond; the terms of imprisonment for the crimes shall be served consecutively, regardless of the order in which the crimes are tried and sentences are imposed. (f) If the factfinder determines under IC 35-50-2-11 that a person used a firearm in the commission of the offense for which the person was convicted, the term of imprisonment for the underlying offense and the additional term of imprisonment imposed under IC 35-50-2-11 must be served consecutively. As added by Acts 1976,

P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.111; P.L.330-1987, SEC.1; P.L.164-1994, SEC.1; P.L.304-1995, SEC.1; P.L.203-1996, SEC.7; P.L.219-1997, SEC.1; P.L.228-2001, SEC.6; P.L.266-2003, SEC.2; P.L.71-2005, SEC.4; P.L.213-2005, SEC.4; P.L.1-2006, SEC.549; P.L.126-2008, SEC.12; P.L.125-2012, SEC.416; P.L.126-2012, SEC.59; P.L.13-2013, SEC.144; P.L.214-2013, SEC.43; P.L.158-2013, SEC.650; P.L.168-2014, SEC.108; P.L.238-2015, SEC.16; P.L.13-2016, SEC.18; P.L.80-2018, SEC.4; P.L.184-2019, SEC.15; P.L.142-2020, SEC.83.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 1. General Provisions35-50-1-5. Postconviction Remedy; Imposition of Penalty More Severe Than Originally Imposed; Credit for Time Served

Sec. 5. If: (1) prosecution is initiated against a petitioner who has successfully sought relief under any proceeding for postconviction remedy and a conviction is subsequently obtained; or (2) a sentence has been set aside under a postconviction remedy and the successful petitioner is to be resentenced; the sentencing court may impose a more severe penalty than that originally imposed. However, the petitioner shall receive credit time accrued or earned while serving the previous sentence. As added by P.L.179-1984, SEC.3. Amended by P.L.74-2015, SEC.27.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 1. General Provisions35-50-1-6. Placement in Secure Private Facility

Sec. 6. (a) Before a person who has been convicted of an offense and committed to the department of correction is assigned to a department of correction program or facility under IC 11-10-1, the sentencing court may recommend that the department of correction place the person in a secure private facility (as defined in IC 31-9-2-115) if: (1) the person was less than sixteen (16) years of age on the date of sentencing; and (2) the court determines that the person would benefit from the treatment offered by the facility. (b) A secure private facility may terminate a placement and request the department of correction to reassign a convicted person to another department of correction facility or program. (c) When a convicted person becomes twenty-one (21) years of age or if a secure private facility terminates a placement under subsection (b) a convicted person shall: (1) be assigned to a department of correction facility or program under IC 11-10-1-3(b); and (2) serve the remainder of the sentence in the department of correction facility or program. (d) A person who is placed in a secure private facility under this section: (1) is entitled to earn educational credit and good time credit under IC 35-50-6; and (2) may be deprived of earned educational credit and good time credit as provided under rules adopted by the department of correction under IC 4-22-2. As added by P.L.79-1994, SEC.17. Amended by P.L.1-1997, SEC.154; P.L.1-2002, SEC.151; P.L.74-2015, SEC.28.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 1. General Provisions35-50-1-7. Notifying Department of Name and Address of Victim

Sec. 7. Whenever a court commits a person to the department of correction as a result of a conviction, the court shall notify the department of correction of the last known name and address of any victim of the offense for which the person is convicted. As added by P.L.90-2000, SEC.19.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 10. Criminal Conviction Information for Teachers35-50-10-1. Offense Requiring License Revocation; Procedure

Sec. 1. (a) As used in this section, "offense requiring license revocation" means an offense listed in IC 20-28-5-8(c). (b) If an individual is or was a teacher in a school corporation, charter school, or nonpublic school and is convicted of an offense requiring license revocation, the judge who presided over the trial or accepted a plea agreement shall give written notice of the conviction to the secretary of education and the chief administrative officer of the school corporation, charter school, or nonpublic school, or, if the individual is employed in a public school, the superintendent of the school district in which the individual is employed. (c) Notice under subsection (b) must occur not later than seven (7) days after the date the judgment is entered. (d) The notification sent to a school or school district under subsection (b) must include only the felony for which the individual was convicted. (e) If a judge later modifies the individual's sentence after giving notice under this section, the judge shall notify the school or the school district of the modification. (f) After receiving a notification under subsection (b), the secretary of education shall initiate procedures to revoke the individual's license to teach. As added by P.L.106-2016, SEC.25. Amended by P.L.44-2017, SEC.5; P.L.185-2017, SEC.9; P.L.252-2017, SEC.29; P.L.80-2019, SEC.32; P.L.43-2021, SEC.145.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The following amendments to this chapter apply as follows: (1) The amendments described in section 0.2 of this chapter apply as described in section 0.2 of this chapter. (2) The amendments made to sections 3 and 9 of this chapter by P.L.332-1987 do not apply to a case in which a death sentence has been imposed before September 1, 1987. (3) The amendments made to sections 3 and 9 of this chapter by P.L.250-1993 apply only to murders committed after June 30, 1993. (4) The amendments made to section 2 of this chapter by P.L.11-1994 (before the repeal of section 2 of this chapter) apply only to an offender (as defined in IC 5-2-12-4, as added by P.L.11-1994 and before its repeal) convicted after June 30, 1994. (5) The amendments made to section 8 of this chapter by P.L.166-2001 apply only if the offense for which the state seeks to have the person sentenced as a habitual offender was committed

after June 30, 2001. (6) The amendments made to section 1 of this chapter by P.L.243-2001 apply to crimes committed on and after May 11, 2001. It is the intent of the general assembly that section 1 of this chapter, as it applies to crimes committed before May 11, 2001, be construed without drawing any inference from the passage of P.L.243-2001. (7) The amendments made to section 8(b)(3) of this chapter by P.L.291-2001) (before its deletion on July 1, 2014) apply only if the last offense for which the state seeks to have the person sentenced as a habitual offender was committed after June 30, 2001. (8) The amendments made to section 10 of this chapter by P.L.291-2001 (before the repeal of section 10 of this chapter) apply only if the last offense for which the state seeks to have the person sentenced as a habitual substance offender was committed after June 30, 2001. However, a prior unrelated conviction committed before, on, or after July 1, 2001, may be used to qualify an offender as a habitual offender under section 8 of this chapter or as a habitual substance offender under section 10 of this chapter. (9) The amendments made to section 1 of this chapter by P.L.291-2001 apply to crimes committed on and after May 11, 2001. It is the intent of the general assembly that section 1 of this chapter, as it applies to crimes committed before May 11, 2001, be construed without drawing any inference from the passage of P.L.291-2001. (10) The amendments made to section 9 of this chapter by P.L.80-2002 apply only to a conviction for murder that occurs after March 20, 2002, including a conviction entered as a result of a retrial of a person, regardless of when the offense occurred. As added by P.L.220-2011, SEC.634. Amended by P.L.63-2012, SEC.87; P.L.158-2013, SEC.651; P.L.168-2014, SEC.109.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-0.2. Effect of Addition of Section 7.1 of Chapter and Amendment of Chapter by p.l.328-1985

Sec. 0.2. (a) The addition of section 7.1 of this chapter (before its repeal) and the amendment of section 8 of this chapter by P.L.328-1985 do not affect any: (1) rights or liabilities accrued; (2) penalties incurred; or (3) proceedings begun; before September 1, 1985. The rights, liabilities, and proceedings are continued and punishments, penalties, or forfeitures shall be imposed and enforced under section 8 of this chapter as if P.L.328-1985 had not been enacted. (b) If all the felonies relied upon for sentencing a person as a habitual offender under section 8 of this chapter are felonies that were committed before September 1, 1985, the felonies shall be prosecuted and remain punishable under section 8 of this chapter as if P.L.328-1985 had not been enacted. As added by P.L.220-2011, SEC.635.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-0.3. Content of Juvenile Record

Sec. 0.3. For purposes of section 2.1 of this chapter (before its repeal), as added by P.L.284-1985, the juvenile record includes only those adjudications of delinquency after May 31, 1985. As added by P.L.220-2011, SEC.636. Amended by P.L.72-2023, SEC.13.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-1.3. "Advisory Sentence"

Sec. 1.3. (a) For purposes of this chapter, "advisory sentence" means a guideline sentence that the court may voluntarily consider when imposing a sentence. (b) Except as provided in subsection (c), a court is not required to use an advisory sentence. (c) In imposing: (1) consecutive sentences for felony convictions that are not crimes of violence (as defined in IC 35-50-1-2(a)) arising out of an episode of criminal conduct, in accordance with IC 35-50-1-2; or (2) an additional fixed term to a repeat sexual offender under section 14 of this chapter; a court is required to use the appropriate advisory sentence in imposing a consecutive sentence or an additional fixed term. However, the court is not required to use the advisory sentence in imposing the sentence for the underlying offense. (d) This section does not require a court to use an advisory sentence in imposing consecutive sentences for felony convictions that do not arise out of an episode of criminal conduct. As added by P.L.71-2005, SEC.5. Amended by P.L.178-2007, SEC.4; P.L.168-2014, SEC.110; P.L.109-2015, SEC.56.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-1.4. "Criminal Organization"

Sec. 1.4. For purposes of section 15 of this chapter, "criminal organization" has the meaning set forth in IC 35-45-9-1. As added by P.L.109-2006, SEC.2. Amended by P.L.192-2007, SEC.12; P.L.25-2016, SEC.27.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-1.5. "Individual With an Intellectual Disability"

Sec. 1.5. As used in this chapter, "individual with an intellectual disability" has the meaning set forth in IC 35-36-9-2. As added by P.L.158-1994, SEC.4. Amended by P.L.99-2007, SEC.211; P.L.117-2015, SEC.55.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-1.8. "Sex Offense Against a Child"

Sec. 1.8. As used in this chapter, "sex offense against a child" means an offense under IC 35-42-4 in which the victim is a child less than eighteen (18) years of age. As added by P.L.53-2005, SEC.1.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-1. Definitions

Sec. 1. (a) As used in this chapter, "Level 6 felony conviction" means: (1) a conviction in Indiana for: (A) a Class D felony, for a crime committed before July 1, 2014; or (B) a Level 6 felony, for a crime committed after June 30, 2014; and (2) a conviction, in any other jurisdiction at any time, with respect to which the convicted person might have been imprisoned for more than one (1) year but less than two and one-half (2 1/2) years. However, the term does not include a conviction with respect to which the person has been pardoned, or a conviction of a Class A misdemeanor entered under IC 35-38-1-1.5 or section 7(c) or 7(d) of this chapter. (b) As used in this chapter, "felony conviction" means a conviction, at any time, with respect to which the convicted person might have been imprisoned for more than one (1) year. However, it does not include a conviction with respect to which the person has been pardoned, or a conviction of a Class A misdemeanor under section 7(c) of this chapter. (c) As used in this chapter, "minimum sentence" means: (1) for murder, forty-five (45) years; (2) for a Class A felony, for a crime committed before July 1, 2014, twenty (20) years; (3) for a Class B felony, for a crime committed before July 1, 2014, six (6) years; (4) for a Class C felony, for a crime committed before July 1, 2014, two (2) years; (5) for a Class D felony, for a crime committed before July 1, 2014, one-half (1/2) year; (6) for a Level 1 felony, for a crime committed after June 30, 2014, twenty (20) years; (7) for a Level 2 felony, for a crime committed after June 30, 2014, ten (10) years; (8) for a Level 3 felony, for a crime committed after June 30, 2014, three (3) years; (9) for a Level 4 felony, for a crime committed after June 30, 2014, two (2) years; (10) for a Level 5 felony, for a crime committed after June 30, 2014, one (1) year; and (11) for a Level 6 felony, for a crime committed after June 30, 2014, one-half (1/2) year. As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.114; P.L.334-1983, SEC.1; P.L.98-1988, SEC.8; P.L.243-2001, SEC.2 and P.L.291-2001, SEC.225; P.L.69-2012, SEC.5; P.L.158-2013, SEC.652; P.L.20-2018, SEC.1; P.L.142-2020, SEC.84.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-11. Firearm Used in Commission of Offense; Firearm Discharged or Pointed at Police Officer During Commission of Offense; Separate Charge; Additional Sentence

Sec. 11. (a) As used in this section, "firearm" has the meaning set forth in IC 35-47-1-5. (b) As used in this section, "offense" means: (1) a felony under IC 35-42 that resulted in death or serious bodily injury; (2) kidnapping; (3) criminal confinement as a Level 2 or Level 3 felony; or (4) attempted murder. (c) As used in this section, "police officer" means any of the following: (1) A state police officer. (2) A county sheriff. (3) A county police officer. (4) A city police officer. (5) A state educational institution police officer appointed under IC 21-39-4. (6) A school corporation police officer appointed under IC 20-26-16. (7) A police officer of a public or private postsecondary educational institution whose board of trustees has established a police department under IC 21-17-5-2 or IC 21-39-4-2. (8) An enforcement officer of the alcohol and tobacco commission. (9) A conservation officer. (10) A gaming agent employed under IC 4-33-4.5 or a gaming control officer employed by the gaming control division under IC 4-33-20. (11) An investigator for the inspector general appointed under IC 4-2-7-2. (12) A hospital police officer employed by a hospital police department established under IC 16-18-4. (d) The state may seek, on a page separate from the rest of a charging instrument, to have a person who allegedly committed an offense sentenced to an additional fixed term of imprisonment if the state can show beyond a reasonable doubt that the person knowingly or intentionally used a firearm in the commission of the offense. (e) The state may seek, on a page separate from the rest of a charging instrument, to have a person who allegedly committed a felony or misdemeanor other than an offense (as defined under subsection (b)) sentenced to an additional fixed term of imprisonment if the state can show beyond a reasonable doubt that the person, while committing the felony or misdemeanor, knowingly or intentionally: (1) pointed a firearm; or (2) discharged a firearm; at an individual whom the person knew, or reasonably should have known, was a police officer. (f) If the person was convicted of: (1) the offense under subsection (d); or (2) the felony or misdemeanor under subsection (e); in a jury trial, the jury shall reconvene to hear evidence in the enhancement hearing. If the trial was to the court, or the judgment was entered on a guilty plea, the court alone shall hear evidence in the enhancement hearing. (g) If the jury (if the hearing is by jury) or the court (if the hearing is to the court alone) finds that the state has proved beyond a reasonable doubt that the person knowingly or intentionally used a firearm in the commission of the offense under subsection (d), the court may sentence the person to an additional fixed term of imprisonment of between five (5) years and twenty (20) years. (h) If the jury (if the hearing is by jury) or the court (if the hearing is to the court alone) finds that the state has proved beyond a reasonable doubt that the person, while committing a felony or misdemeanor under subsection (e), knowingly or intentionally: (1) pointed a firearm; or (2) discharged a firearm; at an individual whom the person knew, or reasonably should have known, was a police officer, the court may sentence the person to an additional fixed term of imprisonment of between five (5) and twenty (20) years. (i) A person may not be sentenced under subsections (g) and (h) for offenses, felonies, and misdemeanors comprising a single episode of criminal conduct. As added by P.L.140-1994, SEC.15. Amended by P.L.203-1996, SEC.9; P.L.71-2005, SEC.13; P.L.158-2013, SEC.665; P.L.152-2014, SEC.10; P.L.238-2015, SEC.18; P.L.157-2016, SEC.1; P.L.174-2021, SEC.81; P.L.4-2022, SEC.1; P.L.122-2023, SEC.19.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-12. Characteristics of Incarcerated Offenders; Publication of Findings

Sec. 12. The Indiana criminal justice institute shall review characteristics of offenders committed to the department of correction

over such period of time it deems appropriate and of the offenses committed by those offenders in order to ascertain norms used by the trial courts in sentencing. The Indiana criminal justice institute shall from time to time publish its findings in the Indiana Register and provide its findings to the legislative services agency and the judicial conference of Indiana. As added by P.L.164-1994, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-13. Use of Firearms in Controlled Substance Offenses Under Ic 35-48-4-1 Through Ic 35-48-4-4

Sec. 13. (a) The state may seek, on a page separate from the rest of a charging instrument, to have a person who allegedly committed an offense of dealing in a controlled substance under IC 35-48-4-1 through IC 35-48-4-4 sentenced to an additional fixed term of imprisonment if the state can show beyond a reasonable doubt that the person knowingly or intentionally: (1) used a firearm; or (2) possessed a: (A) handgun in violation of IC 35-47-2-1.5; (B) sawed-off shotgun in violation of federal law; or (C) machine gun in violation of IC 35-47-5-8; while committing the offense. (b) If the person was convicted of the offense in a jury trial, the jury shall reconvene to hear evidence in the enhancement hearing. If the trial was to the court, or the judgment was entered on a guilty plea, the court alone shall hear evidence in the enhancement hearing. (c) If the jury (if the hearing is by jury) or the court (if the hearing is to the court alone) finds that the state has proved beyond a reasonable doubt that the person knowingly or intentionally committed an offense as described in subsection (a), the court may sentence the person to an additional fixed term of imprisonment of not more than five (5) years, except as follows: (1) If the firearm is a sawed-off shotgun, the court may sentence the person to an additional fixed term of imprisonment of not more than ten (10) years. (2) If the firearm is a machine gun or is equipped with a firearm silencer or firearm muffler, the court may sentence the person to an additional fixed term of imprisonment of not more than twenty (20) years. The additional sentence under this subdivision is in addition to any additional sentence imposed under section 11 of this chapter for use of a firearm in the commission of an offense. As added by P.L.148-1995, SEC.6. Amended by P.L.71-2005, SEC.14; P.L.84-2015, SEC.5; P.L.175-2022, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-14. Repeat Sexual Offender

Sec. 14. (a) As used in this section, "sex offense" means a felony conviction under IC 35-42-4-1 through IC 35-42-4-9 or under IC 35-46-1-3. (b) The state may seek to have a person sentenced as a repeat sexual offender for a sex offense described in subsection (a) by alleging, on a page separate from the rest of the charging instrument, that the person has accumulated one (1) prior unrelated felony conviction for a sex offense described in subsection (a). (c) After a person has been convicted and sentenced for a felony described in subsection (a) after having been sentenced for a prior unrelated sex offense described in subsection (a), the person has accumulated one (1) prior unrelated felony sex offense conviction. However, a conviction does not count for purposes of this subsection, if: (1) it has been set aside; or (2) it is a conviction for which the person has been pardoned. (d) If the person was convicted of the sex offense in a jury trial, the jury shall reconvene to hear evidence in the enhancement hearing. If the trial was to the court, or the judgment was entered on a guilty plea, the court alone shall hear evidence in the enhancement hearing. (e) A person is a repeat sexual offender if the jury (if the hearing is by jury) or the court (if the hearing is to the court alone) finds that the state has proved beyond a reasonable doubt that the person had accumulated one (1) prior unrelated felony sex offense conviction. (f) The court may sentence a person found to be a repeat sexual offender to an additional fixed term that is the advisory sentence for the underlying offense. However, the additional sentence may not exceed ten (10) years. As added by P.L.214-1999, SEC.4. Amended by P.L.71-2005, SEC.15; P.L.6-2006, SEC.9, P.L.140-2006, SEC.37, and P.L.173-2006, SEC.37; P.L.125-2009, SEC.8; P.L.142-2020, SEC.86.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-15. Criminal Organization Enhancement

Sec. 15. (a) This section does not apply to an individual who is convicted of a felony offense under IC 35-45-9. (b) The state may seek, on a page separate from the rest of a charging instrument, to have a person who allegedly committed a felony offense sentenced to an additional fixed term of imprisonment if the state can show beyond a reasonable doubt that the person: (1) knowingly or intentionally was a member of a criminal organization while committing the offense; and (2) committed the felony offense: (A) at the direction of or in affiliation with a criminal organization; or (B) with the intent to benefit, promote, or further the interests of a criminal organization, or for the purposes of increasing the person's own standing or position with a criminal organization. (c) If the person is convicted of the felony offense in a jury trial, the jury shall reconvene to hear evidence in the enhancement hearing. If the trial was to the court, or the judgment was entered on a guilty plea, the court alone shall hear evidence in the enhancement hearing. (d) If the jury (if the hearing is by jury) or the court (if the hearing is to the court alone) finds that the state has proved beyond a reasonable doubt that the person knowingly or intentionally was a member of a criminal organization while committing the felony offense and committed the felony offense at the direction of or in affiliation with a criminal organization as described in subsection (b), the court shall: (1) sentence the person to an additional fixed term of imprisonment equal to the sentence imposed for the underlying felony, if the person is sentenced for only one (1) felony; or (2) sentence the person to an additional fixed term of imprisonment equal to the longest sentence imposed for the underlying felonies, if the person is being sentenced for more than one (1) felony. (e) A sentence imposed under this section shall run consecutively to the underlying

sentence. (f) A term of imprisonment imposed under this section may not be suspended. (g) For purposes of subsection (c), evidence that a person was a member of a criminal organization or committed a felony at the direction of or in affiliation with a criminal organization may include the following: (1) An admission of criminal organization membership by the person. (2) A statement by: (A) a member of the person's family; (B) the person's guardian; or (C) a reliable member of the criminal organization; stating the person is a member of a criminal organization. (3) The person having tattoos identifying the person as a member of a criminal organization. (4) The person having a style of dress that is particular to members of a criminal organization. (5) The person associating with one (1) or more members of a criminal organization. (6) Physical evidence indicating the person is a member of a criminal organization. (7) An observation of the person in the company of a known criminal organization member on at least three (3) occasions. (8) Communications authored by the person indicating criminal organization membership, promotion of the membership in a criminal organization, or responsibility for an offense committed by a criminal organization. (9) The person's use of the hand signs of a criminal organization. (10) The person's involvement in recruiting criminal organization members. As added by P.L.109-2006, SEC.3. Amended by P.L.158-2013, SEC.666; P.L.25-2016, SEC.29.

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Sec. 16. (a) This section does not apply to: (1) a pregnant woman who terminates or causes the termination of her own pregnancy; or (2) an abortion performed in compliance with IC 16-34. (b) The state may seek, on a page separate from the rest of the charging instrument, to have a person who allegedly committed or attempted to commit a felony sentenced to an additional fixed term of imprisonment if the state can show beyond a reasonable doubt that the person, while committing or attempting to commit the felony, caused the termination of a human pregnancy. (c) If the person is convicted of the felony in a jury trial, the jury shall reconvene to hear evidence in the enhancement hearing. If the trial was to the court, or the judgment was entered on a guilty plea, the court alone shall hear evidence in the enhancement hearing. (d) If the jury (if the hearing is by jury) or the court (if the hearing is to the court alone) finds that the state has proved beyond a reasonable doubt that the person, while committing or attempting to commit a felony, caused the termination of a human pregnancy, the court shall sentence the person to an additional fixed term of imprisonment of not less than six (6) or more than twenty (20) years. (e) A sentence imposed under this section runs consecutively to the underlying sentence. (f) For purposes of this section, prosecution of the felony and the enhancement of the penalty for that crime does not require proof that: (1) the person committing or attempting to commit the felony had knowledge or should have had knowledge that the victim was pregnant; or (2) the defendant intended to cause the termination of a human pregnancy. As added by P.L.40-2009, SEC.2. Amended by P.L.203-2018, SEC.6.

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Sec. 17. Notwithstanding any other provision of this chapter, if: (1) an offender is: (A) less than eighteen (18) years of age; (B) waived to a court with criminal jurisdiction under IC 31-30-3 because the offender committed an act that would be a felony if committed by an adult; and (C) convicted of committing the felony or enters a plea of guilty to committing the felony; or (2) an offender is: (A) less than eighteen (18) years of age; (B) charged with a felony over which a juvenile court does not have jurisdiction under IC 31-30-1-4; and (C) convicted of committing the felony by a court with criminal jurisdiction or enters a plea of guilty to committing the felony with the court; the court may impose a sentence upon the conviction of the offender under IC 31-30-4 concerning sentencing alternatives for certain offenders under criminal court jurisdiction. As added by P.L.104-2013, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-18. "Felony Terrorist Offense"; Charging Procedure; Sentence

Sec. 18. (a) As used in this section, "felony terrorist offense" means the following: (1) An offense described in IC 35-46.5-2. (2) Money laundering (IC 35-45-15-5) committed with the intent to: (A) commit or promote an act of terrorism; or (B) obtain or transport a weapon of mass destruction. (3) Intimidation (IC 35-45-2-1) involving a threat: (A) to commit terrorism; or (B) made in furtherance of an act of terrorism. (b) The state may seek, on a page separate from the rest of a charging instrument, to have a person who allegedly committed an offense with the intent to aid or assist another person in the commission of a felony terrorist offense sentenced to an additional fixed term of imprisonment if the state can show beyond a reasonable doubt that the person committed the offense with the intent to aid or assist another person in the commission of a felony terrorist offense. (c) If the person is convicted of the offense in a jury trial, the jury shall reconvene to hear evidence in the enhancement hearing. If the trial was to the court, or the judgment was entered on a guilty plea, the court alone shall hear evidence in the enhancement hearing. (d) If the jury (if the hearing is by jury) or the court (if the hearing is to the court alone) finds that the state has proved beyond a reasonable doubt that the person committed the offense with the intent to aid or assist another person in the commission of a felony terrorist offense, the court shall: (1) sentence the person to an additional fixed term of imprisonment equal to the sentence imposed for the underlying offense, if the person is sentenced for only one (1) offense; or (2) sentence the person to an additional fixed term of imprisonment equal to the longest sentence imposed for the underlying offenses, if the person is being sentenced for more than one (1) offense. (e) A sentence imposed under this section shall run consecutively to the underlying sentence. (f) A term of imprisonment imposed under this section may not be suspended. As added by P.L.66-2019, SEC.20.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-19. Unlawful Use of a Tracking Device; Enhancement

Sec. 19. (a) The state may seek, on a page separate from the rest of a charging instrument, to have a person who allegedly committed an offense sentenced to an additional fixed term of imprisonment if the state can show beyond a reasonable doubt that the person knowingly or intentionally used a tracking device: (1) in the commission of the offense; or (2) to facilitate the commission of the offense. (b) If the person was convicted of the offense in a jury trial, the jury shall reconvene to hear evidence in the enhancement hearing. If the trial was to the court, or the judgment was entered on a guilty plea, the court alone shall hear evidence in the enhancement hearing. (c) If the jury (if the hearing is by jury) or the court (if the hearing is to the court alone) finds that the state has proven beyond a reasonable doubt that the person knowingly or intentionally used a tracking device in the commission of the offense, or to facilitate the commission of the offense, the court may sentence the person to an additional fixed term of imprisonment of: (1) if the offense did not result in serious bodily injury to another person, between six (6) months and two and one-half (2 1/2) years; or (2) if the offense resulted in serious bodily injury to another person, between one (1) and six (6) years. (d) A person who commits more than one (1) offense comprising a single episode of criminal conduct may be sentenced to only one (1) additional fixed term under this section. As added by P.L.172-2023, SEC.7.

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Sec. 2.2. (a) Except as provided in subsection (b) or (c), the court may suspend any part of a sentence for a felony. (b) If a person is convicted of: (1) a Level 2 felony; or (2) a Level 3 felony and has: (A) any prior unrelated felony conviction, other than a conviction for a felony involving marijuana, hashish, hash oil, or salvia divinorum; or (B) a prior juvenile adjudication for an act that would constitute a felony if committed by an adult, other than an adjudication for an offense involving marijuana, hashish, hash oil, or salvia divinorum, and less than three (3) years have elapsed between commission of the act and the commission of the Level 3 felony for which the person is being sentenced; the court may suspend only that part of a sentence that is in excess of the minimum sentence for the Level 2 felony or the Level 3 felony. (c) The court may suspend only that part of a sentence for murder or a Level 1 felony conviction that is in excess of the minimum sentence for murder or the Level 1 felony conviction. (d) The court may suspend any part of a sentence for an offense filed in adult court under IC 31-30-1-4(d), unless the offense is murder (IC 35-42-1-1). As added by P.L.158-2013, SEC.654. Amended by P.L.168-2014, SEC.112; P.L.10-2016, SEC.1; P.L.252-2017, SEC.27; P.L.142-2020, SEC.85; P.L.119-2021, SEC.1; P.L.72-2023, SEC.15; P.L.115-2023, SEC.12; P.L.170-2023, SEC.10.

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Sec. 3. (a) A person who commits murder shall be imprisoned for a fixed term of between forty-five (45) and sixty-five (65) years, with the advisory sentence being fifty-five (55) years. In addition, the person may be fined not more than ten thousand dollars ($10,000). (b) Notwithstanding subsection (a), a person who was: (1) at least eighteen (18) years of age at the time the murder was committed may be sentenced to: (A) death; or (B) life imprisonment without parole; and (2) at least sixteen (16) years of age but less than eighteen (18) years of age at the time the murder was committed may be sentenced to life imprisonment without parole; under section 9 of this chapter unless a court determines under IC 35-36-9 that the person is an individual with an intellectual disability. As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.116; P.L.332-1987, SEC.1; P.L.250-1993, SEC.1; P.L.164-1994, SEC.2; P.L.158-1994, SEC.5; P.L.2-1995, SEC.128; P.L.148-1995, SEC.4; P.L.117-2002, SEC.1; P.L.71-2005, SEC.6; P.L.99-2007, SEC.212; P.L.117-2015, SEC.56.

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Sec. 4.5. A person who commits a Level 2 felony shall be imprisoned for a fixed term of between ten (10) and thirty (30) years, with the advisory sentence being seventeen and one-half (17 1/2) years. In addition, the person may be fined not more than ten thousand dollars ($10,000). As added by P.L.158-2013, SEC.656.

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Sec. 4. (a) A person who commits a Class A felony (for a crime committed before July 1, 2014) shall be imprisoned for a fixed term of between twenty (20) and fifty (50) years, with the advisory sentence being thirty (30) years. In addition, the person may be fined not more than ten thousand dollars ($10,000). (b) Except as provided in subsection (c), a person who commits a Level 1 felony (for a crime committed after June 30, 2014) shall be imprisoned for a fixed term of between twenty (20) and forty (40) years, with the advisory sentence being thirty (30) years. In addition, the person may be fined not more than ten thousand dollars ($10,000). (c) A person who commits a Level 1 felony child molesting offense described in: (1) IC 35-42-4-3(a)(1); or (2) IC 35-42-4-3(a)(3); shall be imprisoned for a fixed term of between twenty (20) and fifty (50) years, with the advisory sentence being thirty (30) years. In

addition, the person may be fined not more than ten thousand dollars ($10,000). As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.117; P.L.164-1994, SEC.3; P.L.148-1995, SEC.5; P.L.71-2005, SEC.7; P.L.158-2013, SEC.655; P.L.168-2014, SEC.113; P.L.226-2014(ts), SEC.13; P.L.109-2023, SEC.1.

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Sec. 5.5. A person who commits a Level 4 felony shall be imprisoned for a fixed term of between two (2) and twelve (12) years, with the advisory sentence being six (6) years. In addition, the person may be fined not more than ten thousand dollars ($10,000). As added by P.L.158-2013, SEC.658. Amended by P.L.168-2014, SEC.115.

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Sec. 5. (a) A person who commits a Class B felony (for a crime committed before July 1, 2014) shall be imprisoned for a fixed term of between six (6) and twenty (20) years, with the advisory sentence being ten (10) years. In addition, the person may be fined not more than ten thousand dollars ($10,000). (b) A person who commits a Level 3 felony (for a crime committed after June 30, 2014) shall be imprisoned for a fixed term of between three (3) and sixteen (16) years, with the advisory sentence being nine (9) years. In addition, the person may be fined not more than ten thousand dollars ($10,000). As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.118; P.L.71-2005, SEC.8; P.L.158-2013, SEC.657; P.L.168-2014, SEC.114.

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Sec. 6. (a) A person who commits a Class C felony (for a crime committed before July 1, 2014) shall be imprisoned for a fixed term of between two (2) and eight (8) years, with the advisory sentence being four (4) years. In addition, the person may be fined not more than ten thousand dollars ($10,000). (b) A person who commits a Level 5 felony (for a crime committed after June 30, 2014) shall be imprisoned for a fixed term of between one (1) and six (6) years, with the advisory sentence being three (3) years. In addition, the person may be fined not more than ten thousand dollars ($10,000). (c) Notwithstanding subsections (a) and (b), if a person commits nonsupport of a child as a Class C felony (for a crime committed before July 1, 2014) or a Level 5 felony (for a crime committed after June 30, 2014) under IC 35-46-1-5, the sentencing court may convert the Class C felony conviction to a Class D felony conviction or a Level 5 felony conviction to a Level 6 felony conviction if, after receiving a verified petition as described in subsection (d) and after conducting a hearing in which the prosecuting attorney has been notified, the court makes the following findings: (1) The person has successfully completed probation as required by the person's sentence. (2) The person has satisfied other obligations imposed on the person as required by the person's sentence. (3) The person has paid in full all child support arrearages due that are named in the information and no further child support arrearage is due. (4) The person has not been convicted of another felony since the person was sentenced for the underlying nonsupport of a child felony. (5) There are no criminal charges pending against the person. (d) A petition filed under subsection (c) must be verified and set forth the following: (1) A statement that the person was convicted of nonsupport of a child under IC 35-46-1-5. (2) The date of the conviction. (3) The date the person completed the person's sentence. (4) The amount of the child support arrearage due at the time of conviction. (5) The date the child support arrearage was paid in full. (6) A verified statement that no further child support arrearage is due. (7) Any other obligations imposed on the person as part of the person's sentence. (8) The date the obligations were satisfied. (9) A verified statement that there are no criminal charges pending against the person. (e) A person whose conviction has been converted to a lower penalty under this section is eligible to seek expungement under IC 35-38-9-3 with the date of conversion used as the date of conviction to calculate time frames under IC 35-38-9. As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.119; P.L.167-1990, SEC.1; P.L.213-1996, SEC.5; P.L.71-2005, SEC.9; P.L.158-2013, SEC.659; P.L.148-2014, SEC.2; P.L.168-2014, SEC.116.

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Sec. 7. (a) A person who commits a Class D felony (for a crime committed before July 1, 2014) shall be imprisoned for a fixed term of between six (6) months and three (3) years, with the advisory sentence being one and one-half (1 1/2) years. In addition, the person may be fined not more than ten thousand dollars ($10,000). (b) A person who commits a Level 6 felony (for a crime committed after June 30, 2014) shall be imprisoned for a fixed term of between six (6) months and two and one-half (2 1/2) years, with the advisory sentence being one (1) year. In addition, the person may be fined not more than ten thousand dollars ($10,000). (c) Notwithstanding subsections (a) and (b), if a person has committed a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014), the court may enter judgment of conviction of a Class A misdemeanor and sentence accordingly. However, the court shall enter a judgment of conviction of a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) if: (1) the court finds that: (A) the person has committed a prior, unrelated felony for which judgment was entered as a conviction of a Class A misdemeanor; and (B) the prior

felony was committed less than three (3) years before the second felony was committed; (2) the offense is domestic battery as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-42-2-1.3; or (3) the offense is possession of child pornography (IC 35-42-4-4(d)). The court shall enter in the record, in detail, the reason for its action whenever it exercises the power to enter judgment of conviction of a Class A misdemeanor granted in this subsection. (d) Notwithstanding subsections (a) and (b), the sentencing court may convert a Class D felony conviction (for a crime committed before July 1, 2014) or a Level 6 felony conviction (for a crime committed after June 30, 2014) to a Class A misdemeanor conviction if, after receiving a verified petition as described in subsection (e) and after conducting a hearing of which the prosecuting attorney has been notified, the court makes the following findings: (1) The person is not a sex or violent offender (as defined in IC 11-8-8-5). (2) The person was not convicted of a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) that resulted in bodily injury to another person. (3) The person has not been convicted of perjury under IC 35-44.1-2-1 (or IC 35-44-2-1 before its repeal) or official misconduct under IC 35-44.1-1-1 (or IC 35-44-1-2 before its repeal). (4) The person has not been convicted of domestic battery as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-42-2-1.3 in the fifteen (15) year period immediately preceding the commission of the current offense. (5) At least three (3) years have passed since the person: (A) completed the person's sentence; and (B) satisfied any other obligation imposed on the person as part of the sentence; for the Class D or Level 6 felony. (6) The person has not been convicted of a felony since the person: (A) completed the person's sentence; and (B) satisfied any other obligation imposed on the person as part of the sentence; for the Class D or Level 6 felony. (7) No criminal charges are pending against the person. (e) A petition filed under subsection (d) or (f) must be verified and set forth: (1) the crime the person has been convicted of; (2) the date of the conviction; (3) the date the person completed the person's sentence; (4) any obligations imposed on the person as part of the sentence; (5) the date the obligations were satisfied; and (6) a verified statement that there are no criminal charges pending against the person. (f) If a person whose Class D or Level 6 felony conviction has been converted to a Class A misdemeanor conviction under subsection (d) is convicted of a felony not later than five (5) years after the conversion under subsection (d), a prosecuting attorney may petition a court to convert the person's Class A misdemeanor conviction back to a Class D felony conviction (for a crime committed before July 1, 2014) or a Level 6 felony conviction (for a crime committed after June 30, 2014). As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.120; Acts 1982, P.L.204, SEC.40; P.L.334-1983, SEC.3; P.L.136-1987, SEC.7; P.L.167-1990, SEC.2; P.L.188-1999, SEC.9; P.L.98-2003, SEC.3; P.L.71-2005, SEC.10; P.L.69-2012, SEC.6; P.L.13-2013, SEC.145; P.L.159-2013, SEC.5; P.L.158-2013, SEC.660; P.L.168-2014, SEC.117; P.L.13-2016, SEC.19; P.L.40-2019, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-8. Habitual Offenders

Sec. 8. (a) The state may seek to have a person sentenced as a habitual offender for a felony by alleging, on one (1) or more pages separate from the rest of the charging instrument, that the person has accumulated the required number of prior unrelated felony convictions in accordance with this section. (b) A person convicted of murder or of a Level 1 through Level 4 felony is a habitual offender if the state proves beyond a reasonable doubt that: (1) the person has been convicted of two (2) prior unrelated felonies; and (2) at least one (1) of the prior unrelated felonies is not a Level 6 felony or a Class D felony. (c) A person convicted of a Level 5 felony is a habitual offender if the state proves beyond a reasonable doubt that: (1) the person has been convicted of two (2) prior unrelated felonies; (2) at least one (1) of the prior unrelated felonies is not a Level 6 felony or a Class D felony; and (3) if the person is alleged to have committed a prior unrelated: (A) Level 5 felony; (B) Level 6 felony; (C) Class C felony; or (D) Class D felony; not more than ten (10) years have elapsed between the time the person was released from imprisonment, probation, or parole (whichever is latest) for at least one (1) of the two (2) prior unrelated felonies and the time the person committed the current offense. (d) A person convicted of a felony offense is a habitual offender if the state proves beyond a reasonable doubt that: (1) the person has been convicted of three (3) prior unrelated felonies; and (2) if the person is alleged to have committed a prior unrelated: (A) Level 5 felony; (B) Level 6 felony; (C) Class C felony; or (D) Class D felony; not more than ten (10) years have elapsed between the time the person was released from imprisonment, probation, or parole (whichever is latest) for at least one (1) of the three (3) prior unrelated felonies and the time the person committed the current offense. (e) The state may not seek to have a person sentenced as a habitual offender for a felony offense under this section if the current offense is a misdemeanor that is enhanced to a felony in the same proceeding as the habitual offender proceeding solely because the person had a prior unrelated conviction. However, a prior unrelated felony conviction may be used to support a habitual offender determination even if the sentence for the prior unrelated offense was enhanced for any reason, including an enhancement because the person had been convicted of another offense. (f) A person has accumulated two (2) or three (3) prior unrelated felony convictions for purposes of this section only if: (1) the second prior unrelated felony conviction was committed after commission of and sentencing for the first prior unrelated felony conviction; (2) the offense for which the state seeks to have the person sentenced as a habitual offender was committed after commission of and sentencing for the second prior unrelated felony conviction; and (3) for a conviction requiring proof of three (3) prior unrelated felonies, the third prior unrelated felony conviction was committed after commission of and sentencing for the second prior unrelated felony conviction. (g) A conviction does not count for purposes of this section as a prior unrelated felony conviction if: (1) the conviction has been set aside; or (2) the conviction is one for which the person has been pardoned. (h) If the person was convicted of the felony in a jury trial, the jury shall reconvene for the sentencing hearing. If the trial was to the court or the judgment was entered on a guilty plea, the court alone shall conduct the sentencing hearing under IC 35-38-1-3. The role of the

jury is to determine whether the defendant has been convicted of the unrelated felonies. The state or defendant may not conduct any additional interrogation or questioning of the jury during the habitual offender part of the trial. (i) The court shall sentence a person found to be a habitual offender to an additional fixed term that is between: (1) eight (8) years and twenty (20) years, for a person convicted of murder or a Level 1 through Level 4 felony; or (2) three (3) years and six (6) years, for a person convicted of a Level 5 or Level 6 felony. An additional term imposed under this subsection is nonsuspendible. (j) Habitual offender is a status that results in an enhanced sentence. It is not a separate crime and does not result in a consecutive sentence. The court shall attach the habitual offender enhancement to the felony conviction with the highest sentence imposed and specify which felony count is being enhanced. If the felony enhanced by the habitual offender determination is set aside or vacated, the court shall resentence the person and apply the habitual offender enhancement to the felony conviction with the next highest sentence in the underlying cause, if any. (k) A prior unrelated felony conviction may not be collaterally attacked during a habitual offender proceeding unless the conviction is constitutionally invalid. (l) The procedural safeguards that apply to other criminal charges, including: (1) the requirement that the charge be filed by information or indictment; and (2) the right to an initial hearing; also apply to a habitual offender allegation. As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.121; Acts 1980, P.L.210, SEC.1; P.L.335-1983, SEC.1; P.L.328-1985, SEC.2; P.L.1-1990, SEC.353; P.L.164-1993, SEC.13; P.L.140-1994, SEC.14; P.L.305-1995, SEC.1; P.L.166-2001, SEC.3; P.L.291-2001, SEC.226; P.L.71-2005, SEC.11; P.L.158-2013, SEC.661; P.L.168-2014, SEC.118; P.L.238-2015, SEC.17; P.L.12-2017, SEC.1; P.L.37-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 2. Death Sentence and Sentences for Felonies and Habitual Offenders35-50-2-9. Death Penalty Sentencing Procedure

Sec. 9. (a) The state may seek either a death sentence or a sentence of life imprisonment without parole for murder by alleging, on a page separate from the rest of the charging instrument, the existence of at least one (1) of the aggravating circumstances listed in subsection (b). In the sentencing hearing after a person is convicted of murder, the state must prove beyond a reasonable doubt the existence of at least one (1) of the aggravating circumstances alleged. However, the state may not proceed against a defendant under this section if a court determines at a pretrial hearing under IC 35-36-9 that the defendant is an individual with an intellectual disability. (b) The aggravating circumstances are as follows: (1) The defendant committed the murder by intentionally killing the victim while committing or attempting to commit any of the following: (A) Arson (IC 35-43-1-1). (B) Burglary (IC 35-43-2-1). (C) Child molesting (IC 35-42-4-3). (D) Criminal deviate conduct (IC 35-42-4-2) (before its repeal). (E) Kidnapping (IC 35-42-3-2). (F) Rape (IC 35-42-4-1). (G) Robbery (IC 35-42-5-1). (H) Carjacking (IC 35-42-5-2) (before its repeal). (I) Criminal organization activity (IC 35-45-9-3). (J) Dealing in cocaine or a narcotic drug (IC 35-48-4-1). (K) Criminal confinement (IC 35-42-3-3). (2) The defendant committed the murder by the unlawful detonation of an explosive with intent to injure a person or damage property. (3) The defendant committed the murder by lying in wait. (4) The defendant who committed the murder was hired to kill. (5) The defendant committed the murder by hiring another person to kill. (6) The victim of the murder was a corrections employee, probation officer, parole officer, community corrections worker, home detention officer, fireman, judge, or law enforcement officer, and either: (A) the victim was acting in the course of duty; or (B) the murder was motivated by an act the victim performed while acting in the course of duty. (7) The defendant has been convicted of another murder. (8) The defendant has committed another murder, at any time, regardless of whether the defendant has been convicted of that other murder. (9) The defendant was: (A) under the custody of the department of correction; (B) under the custody of a county sheriff; (C) on probation after receiving a sentence for the commission of a felony; or (D) on parole; at the time the murder was committed. (10) The defendant dismembered the victim. (11) The defendant: (A) burned, mutilated, or tortured the victim; or (B) decapitated or attempted to decapitate the victim; while the victim was alive. (12) The victim of the murder was less than twelve (12) years of age. (13) The victim was a victim of any of the following offenses for which the defendant was convicted: (A) A battery offense included in IC 35-42-2 committed before July 1, 2014, as a Class D felony or as a Class C felony, or a battery offense included in IC 35-42-2 committed after June 30, 2014, as a Level 6 felony, a Level 5 felony, a Level 4 felony, or a Level 3 felony. (B) Kidnapping (IC 35-42-3-2). (C) Criminal confinement (IC 35-42-3-3). (D) A sex crime under IC 35-42-4. (14) The victim of the murder was listed by the state or known by the defendant to be a witness against the defendant and the defendant committed the murder with the intent to prevent the person from testifying. (15) The defendant committed the murder by intentionally discharging a firearm (as defined in IC 35-47-1-5): (A) into an inhabited dwelling; or (B) from a vehicle. (16) The victim of the murder was pregnant and the murder resulted in the intentional killing of a fetus that has attained viability (as defined in IC 16-18-2-365). (17) The defendant knowingly or intentionally: (A) committed the murder: (i) in a building primarily used for an educational purpose; (ii) on school property; and (iii) when students are present; or (B) committed the murder: (i) in a building or other structure owned or rented by a state educational institution or any other public or private postsecondary educational institution and primarily used for an educational purpose; and (ii) at a time when classes are in session. (18) The murder is committed: (A) in a building that is primarily used for religious worship; and (B) at a time when persons are present for religious worship or education. (c) The mitigating circumstances that may be considered under this section are as follows: (1) The defendant has no significant history of prior criminal conduct. (2) The defendant was under the influence of extreme mental or emotional disturbance when the murder was committed. (3) The victim was a participant in or consented to the defendant's conduct. (4) The defendant was an accomplice in a murder committed by another person, and the defendant's participation was relatively minor. (5) The defendant acted under the substantial domination of another person. (6) The defendant's capacity to appreciate the criminality of the defendant's conduct or to conform that conduct to the requirements of law was substantially impaired as a result of mental disease or defect or of intoxication. (7) The defendant was less than eighteen (18) years

of age at the time the murder was committed. (8) Any other circumstances appropriate for consideration. (d) If the defendant was convicted of murder in a jury trial, the jury shall reconvene for the sentencing hearing. If the trial was to the court, or the judgment was entered on a guilty plea, the court alone shall conduct the sentencing hearing. The jury or the court may consider all the evidence introduced at the trial stage of the proceedings, together with new evidence presented at the sentencing hearing. The court shall instruct the jury concerning the statutory penalties for murder and any other offenses for which the defendant was convicted, the potential for consecutive or concurrent sentencing, and the availability of educational credit, good time credit, and clemency. The court shall instruct the jury that, in order for the jury to recommend to the court that the death penalty or life imprisonment without parole should be imposed, the jury must find at least one (1) aggravating circumstance beyond a reasonable doubt as described in subsection (l) and shall provide a special verdict form for each aggravating circumstance alleged. The defendant may present any additional evidence relevant to: (1) the aggravating circumstances alleged; or (2) any of the mitigating circumstances listed in subsection (c). (e) For a defendant sentenced after June 30, 2002, except as provided by IC 35-36-9, if the hearing is by jury, the jury shall recommend to the court whether the death penalty or life imprisonment without parole, or neither, should be imposed. The jury may recommend: (1) the death penalty; or (2) life imprisonment without parole; only if it makes the findings described in subsection (l). If the jury reaches a sentencing recommendation, the court shall sentence the defendant accordingly. After a court pronounces sentence, a representative of the victim's family and friends may present a statement regarding the impact of the crime on family and friends. The impact statement may be submitted in writing or given orally by the representative. The statement shall be given in the presence of the defendant. (f) If a jury is unable to agree on a sentence recommendation after reasonable deliberations, the court shall discharge the jury and proceed as if the hearing had been to the court alone. (g) If the hearing is to the court alone, except as provided by IC 35-36-9, the court shall: (1) sentence the defendant to death; or (2) impose a term of life imprisonment without parole; only if it makes the findings described in subsection (l). (h) If a court sentences a defendant to death, the court shall order the defendant's execution to be carried out not later than one (1) year and one (1) day after the date the defendant was convicted. The supreme court has exclusive jurisdiction to stay the execution of a death sentence. If the supreme court stays the execution of a death sentence, the supreme court shall order a new date for the defendant's execution. (i) If a person sentenced to death by a court files a petition for post-conviction relief, the court, not later than ninety (90) days after the date the petition is filed, shall set a date to hold a hearing to consider the petition. If a court does not, within the ninety (90) day period, set the date to hold the hearing to consider the petition, the court's failure to set the hearing date is not a basis for additional post-conviction relief. The attorney general shall answer the petition for post-conviction relief on behalf of the state. At the request of the attorney general, a prosecuting attorney shall assist the attorney general. The court shall enter written findings of fact and conclusions of law concerning the petition not later than ninety (90) days after the date the hearing concludes. However, if the court determines that the petition is without merit, the court may dismiss the petition within ninety (90) days without conducting a hearing under this subsection. (j) A death sentence is subject to automatic review by the supreme court. The review, which shall be heard under rules adopted by the supreme court, shall be given priority over all other cases. The supreme court's review must take into consideration all claims that the: (1) conviction or sentence was in violation of the: (A) Constitution of the State of Indiana; or (B) Constitution of the United States; (2) sentencing court was without jurisdiction to impose a sentence; and (3) sentence: (A) exceeds the maximum sentence authorized by law; or (B) is otherwise erroneous. If the supreme court cannot complete its review by the date set by the sentencing court for the defendant's execution under subsection (h), the supreme court shall stay the execution of the death sentence and set a new date to carry out the defendant's execution. (k) A person who has been sentenced to death and who has completed state post-conviction review proceedings may file a written petition with the supreme court seeking to present new evidence challenging the person's guilt or the appropriateness of the death sentence if the person serves notice on the attorney general. The supreme court shall determine, with or without a hearing, whether the person has presented previously undiscovered evidence that undermines confidence in the conviction or the death sentence. If necessary, the supreme court may remand the case to the trial court for an evidentiary hearing to consider the new evidence and its effect on the person's conviction and death sentence. The supreme court may not make a determination in the person's favor nor make a decision to remand the case to the trial court for an evidentiary hearing without first providing the attorney general with an opportunity to be heard on the matter. (l) Before a sentence may be imposed under this section, the jury, in a proceeding under subsection (e), or the court, in a proceeding under subsection (g), must find that: (1) the state has proved beyond a reasonable doubt that at least one (1) of the aggravating circumstances listed in subsection (b) exists; and (2) any mitigating circumstances that exist are outweighed by the aggravating circumstance or circumstances. As added by Acts 1977, P.L.340, SEC.122. Amended by P.L.336-1983, SEC.1; P.L.212-1986, SEC.1; P.L.332-1987, SEC.2; P.L.320-1987, SEC.2; P.L.296-1989, SEC.2; P.L.138-1989, SEC.6; P.L.1-1990, SEC.354; P.L.230-1993, SEC.5; P.L.250-1993, SEC.2; P.L.158-1994, SEC.7; P.L.306-1995, SEC.1; P.L.228-1996, SEC.1; P.L.216-1996, SEC.25; P.L.261-1997, SEC.7; P.L.80-2002, SEC.1; P.L.117-2002, SEC.2; P.L.1-2003, SEC.97; P.L.147-2003, SEC.1; P.L.1-2006, SEC.550; P.L.99-2007, SEC.213; P.L.158-2013, SEC.663; P.L.214-2013, SEC.45; P.L.168-2014, SEC.119; P.L.74-2015, SEC.29; P.L.117-2015, SEC.57; P.L.198-2015, SEC.1; P.L.187-2015, SEC.50; P.L.25-2016, SEC.28; P.L.65-2016, SEC.40.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 3. Sentences for Misdemeanors35-50-3-1. Suspension; Probation

Sec. 1. (a) The court may suspend any part of a sentence for a misdemeanor. (b) Except as provided in subsection (c), whenever the court suspends in whole or in part a sentence for a Class A, Class B, or Class C misdemeanor, it may place the person on probation under IC 35-38-2 for a fixed period of not more than one (1) year, notwithstanding the maximum term of imprisonment for the

misdemeanor set forth in sections 2 through 4 of this chapter. However, the combined term of imprisonment and probation for a misdemeanor may not exceed one (1) year. (c) Whenever the court suspends a sentence for a misdemeanor, if the court finds that the use or abuse of alcohol, drugs, or harmful substances is a contributing factor or a material element of the offense, the court may place the person on probation under IC 35-38-2 for a fixed period of not more than two (2) years. However, a court may not place a person on probation for a period of more than twelve (12) months in the absence of a report that substantiates the need for a period of probation that is longer than twelve (12) months for the purpose of completing a course of substance abuse treatment. A probation user's fee that exceeds fifty percent (50%) of the maximum probation user's fee allowed under IC 35-38-2-1 may not be required beyond the first twelve (12) months of probation. As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.123; P.L.5-1988, SEC.210; P.L.135-1993, SEC.9; P.L.90-2001, SEC.1; P.L.1-2002, SEC.152.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 3. Sentences for Misdemeanors35-50-3-2. Class a Misdemeanor

Sec. 2. A person who commits a Class A misdemeanor shall be imprisoned for a fixed term of not more than one (1) year; in addition, he may be fined not more than five thousand dollars ($5,000). As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.124.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 3. Sentences for Misdemeanors35-50-3-3. Class B Misdemeanor

Sec. 3. A person who commits a Class B misdemeanor shall be imprisoned for a fixed term of not more than one hundred eighty (180) days; in addition, he may be fined not more than one thousand dollars ($1,000). As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.125.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 3. Sentences for Misdemeanors35-50-3-4. Class C Misdemeanor

Sec. 4. A person who commits a Class C misdemeanor shall be imprisoned for a fixed term of not more than sixty (60) days; in addition, he may be fined not more than five hundred dollars ($500). As added by Acts 1978, P.L.2, SEC.3554.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 5. Additional Penalties35-50-5-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The amendments made to section 3 of this chapter by P.L.125-2006 apply only to persons sentenced after June 30, 2006. As added by P.L.220-2011, SEC.638.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 5. Additional Penalties35-50-5-1.1. Bribery or Official Misconduct; Filling Vacancy Under Ic 5-8-6

Sec. 1.1. (a) Whenever a person is convicted of a misdemeanor under IC 35-44.1-1, the court may include in the sentence an order rendering the person incapable of holding a public office of trust or profit for a fixed period of not more than ten (10) years. (b) If any officer of a governmental entity is convicted of a misdemeanor under IC 35-44.1-1, the court may enter an order removing the officer from office. (c) This subsection applies whenever: (1) the court enters an order under this section that applies to a person who is an officer of a governmental entity (as defined in IC 35-31.5-2-144); and (2) a vacancy occurs in the office held by the person as the result of the court's order. The court must file a certified copy of the order with the person who is entitled under IC 5-8-6 to receive notice of the death of an individual holding the office. The person receiving the copy of the order must give notice of the order in the same manner as if the person had received a notice of the death of the officeholder under IC 5-8-6. The person required or permitted to fill the vacancy that results from a removal under this section must comply with IC 3-13 or IC 20, whichever applies, to fill the vacancy. As added by Acts 1980, P.L.73, SEC.3. Amended by P.L.4-1991, SEC.140; P.L.119-2005, SEC.35; P.L.126-2012, SEC.61; P.L.114-2012, SEC.145.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 5. Additional Penalties35-50-5-2. Alternative Fine

Sec. 2. In the alternative to the provisions concerning fines in this article, a person may be fined a sum equal to twice his pecuniary gain, or twice the pecuniary loss sustained by victims of the offense he committed. As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.131.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 5. Additional Penalties35-50-5-3. Restitution Order

Sec. 3. (a) Except as provided in subsection (i), (j), (l), or (m), in addition to any sentence imposed under this article for a felony or misdemeanor, the court may, as a condition of probation or without placing the person on probation, order the person to make restitution to the victim of the crime, the victim's estate, or the family of a victim who is deceased. The court shall base its restitution order upon a consideration of: (1) property damages of the victim incurred as a result of the crime, based on the actual cost of repair

(or replacement if repair is inappropriate); (2) medical and hospital costs incurred by the victim (before the date of sentencing) as a result of the crime; (3) the cost of medical laboratory tests to determine if the crime has caused the victim to contract a disease or other medical condition; (4) earnings lost by the victim (before the date of sentencing) as a result of the crime including earnings lost while the victim was hospitalized or participating in the investigation or trial of the crime; and (5) funeral, burial, or cremation costs incurred by the family or estate of a homicide victim as a result of the crime. (b) A restitution order under subsection (a), (i), (j), (l), or (m) is a judgment lien that: (1) attaches to the property of the person subject to the order; (2) may be perfected; (3) may be enforced to satisfy any payment that is delinquent under the restitution order by the person in whose favor the order is issued or the person's assignee; and (4) expires; in the same manner as a judgment lien created in a civil proceeding. (c) When a restitution order is issued under subsection (a), the issuing court may order the person to pay the restitution, or part of the restitution, directly to: (1) the victim services division of the Indiana criminal justice institute in an amount not exceeding: (A) the amount of the award, if any, paid to the victim under IC 5-2-6.1; and (B) the cost of the reimbursements, if any, for emergency services provided to the victim under IC 16-10-1.5 (before its repeal) or IC 16-21-8; or (2) a probation department that shall forward restitution or part of restitution to: (A) a victim of a crime; (B) a victim's estate; or (C) the family of a victim who is deceased. The victim services division of the Indiana criminal justice institute shall deposit the restitution it receives under this subsection in the violent crime victims compensation fund established by IC 5-2-6.1-40. (d) When a restitution order is issued under subsection (a), (i), (j), (l), or (m), the issuing court shall send a certified copy of the order to the clerk of the circuit court in the county where the felony or misdemeanor charge was filed. The restitution order must include the following information: (1) The name and address of the person that is to receive the restitution. (2) The amount of restitution the person is to receive. Upon receiving the order, the clerk shall enter and index the order in the circuit court judgment docket in the manner prescribed by IC 33-32-3-2. The clerk shall also notify the department of insurance of an order of restitution under subsection (i). (e) An order of restitution under subsection (a), (i), (j), (l), or (m) does not bar a civil action for: (1) damages that the court did not require the person to pay to the victim under the restitution order but arise from an injury or property damage that is the basis of restitution ordered by the court; and (2) other damages suffered by the victim. (f) Regardless of whether restitution is required under subsection (a) as a condition of probation or other sentence, the restitution order is not discharged by the completion of any probationary period or other sentence imposed for a felony or misdemeanor. (g) A restitution order under subsection (a), (i), (j), (l), or (m) is not discharged by the liquidation of a person's estate by a receiver under IC 32-30-5 (or IC 34-48-1, IC 34-48-4, IC 34-48-5, IC 34-48-6, IC 34-1-12, or IC 34-2-7 before their repeal). (h) The attorney general may pursue restitution ordered by the court under subsections (a) and (c) on behalf of the victim services division of the Indiana criminal justice institute. (i) The court may order the person convicted of an offense under IC 35-43-9 to make restitution to the victim of the crime. The court shall base its restitution order upon a consideration of the amount of money that the convicted person converted, misappropriated, or received, or for which the convicted person conspired. The restitution order issued for a violation of IC 35-43-9 must comply with subsections (b), (d), (e), and (g), and is not discharged by the completion of any probationary period or other sentence imposed for a violation of IC 35-43-9. (j) The court may order the person convicted of an offense under IC 35-43-5-3.5 to make restitution to the victim of the crime, the victim's estate, or the family of a victim who is deceased. The court shall base its restitution order upon a consideration of the amount of fraud or harm caused by the convicted person and any reasonable expenses (including lost wages) incurred by the victim in correcting the victim's credit report and addressing any other issues caused by the commission of the offense under IC 35-43-5-3.5. If, after a person is sentenced for an offense under IC 35-43-5-3.5, a victim, a victim's estate, or the family of a victim discovers or incurs additional expenses that result from the convicted person's commission of the offense under IC 35-43-5-3.5, the court may issue one (1) or more restitution orders to require the convicted person to make restitution, even if the court issued a restitution order at the time of sentencing. For purposes of entering a restitution order after sentencing, a court has continuing jurisdiction over a person convicted of an offense under IC 35-43-5-3.5 for five (5) years after the date of sentencing. Each restitution order issued for a violation of IC 35-43-5-3.5 must comply with subsections (b), (d), (e), and (g), and is not discharged by the completion of any probationary period or other sentence imposed for an offense under IC 35-43-5-3.5. (k) The court shall order a person convicted of an offense under IC 35-42-3.5 to make restitution to the victim of the crime in an amount equal to the greater of the following: (1) The gross income or value to the person of the victim's labor or services. (2) The value of the victim's labor as guaranteed under the minimum wage and overtime provisions of: (A) the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201-209); or (B) IC 22-2-2 (Minimum Wage); whichever is greater. (l) The court shall order a person who: (1) is convicted of dealing in methamphetamine under IC 35-48-4-1.1 or manufacturing methamphetamine under IC 35-48-4-1.2; and (2) manufactured the methamphetamine on property owned by another person, without the consent of the property owner; to pay liquidated damages to the property owner in the amount of ten thousand dollars ($10,000) or to pay actual damages to the property owner, including lost rent and the costs of decontamination by a qualified inspector certified under IC 16-19-3.1. (m) The court shall order a person who: (1) is convicted of dealing in marijuana under IC 35-48-4-10(a)(1)(A); and (2) manufactured the marijuana on property owned by another person, without the consent of the property owner; to pay liquidated damages to the property owner in the amount of two thousand dollars ($2,000). As added by P.L.337-1983, SEC.1. Amended by P.L.149-1988, SEC.6; P.L.240-1991(ss2), SEC.99; P.L.2-1992, SEC.885; P.L.2-1993, SEC.194; P.L.47-1993, SEC.13; P.L.4-1994, SEC.21; P.L.307-1995, SEC.1; P.L.300-1995, SEC.3; P.L.1-1998, SEC.200; P.L.2-2002, SEC.105; P.L.88-2002, SEC.3; P.L.85-2004, SEC.54; P.L.98-2004, SEC.157; P.L.2-2005, SEC.129; P.L.125-2006, SEC.11; P.L.173-2006, SEC.54; P.L.73-2012, SEC.2; P.L.180-2014, SEC.6; P.L.252-2017, SEC.28; P.L.111-2018, SEC.16; P.L.144-2024, SEC.18.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 5. Additional Penalties35-50-5-4. Reimbursement Order

Sec. 4. (a) This section applies only: (1) if the county in which a criminal proceeding was filed adopts an ordinance under IC 36-2-13-15; and (2) to a person who is sentenced under this article for a felony or a misdemeanor. (b) At the time the court imposes a sentence, the court may order the person to execute a reimbursement plan as directed by the court and make repayments under the plan to the county for the costs described in IC 36-2-13-15. (c) The court shall fix an amount under this section that: (1) may not exceed an amount the person can or will be able to pay; (2) does not harm the person's ability to reasonably be self-supporting or to reasonably support any dependent of the person; and (3) takes into consideration and gives priority to any other restitution, reparation, repayment, costs (including fees), fine, or child support obligations the person is required to pay. (d) When an order is issued under this section, the issuing court shall send a certified copy of the order to the clerk of the circuit court in the county where the felony or misdemeanor charge was filed. Upon receiving the order, the clerk shall enter and index the order in the circuit court judgment docket in the manner prescribed by IC 33-32-3-2. (e) An order under this section is not discharged: (1) by the completion of a sentence imposed for a felony or misdemeanor; or (2) by the liquidation of a person's estate by a receiver under IC 32-30-5 (or IC 34-48-1, IC 34-48-4, IC 34-48-5, and IC 34-48-6 before their repeal). As added by P.L.123-1998, SEC.1. Amended by P.L.1-1999, SEC.79; P.L.2-2002, SEC.106; P.L.98-2004, SEC.158; P.L.106-2010, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 6. Release From Imprisonment and Credit Time35-50-6-0.1. Application of Certain Amendments to Chapter

Sec. 0.1. The following amendments to this chapter apply as follows: (1) The amendments made to section 1 of this chapter by P.L.11-1994 apply only to an offender (as defined in IC 5-2-12-4, as added by P.L.11-1994 and before its repeal) convicted after June 30, 1994. (2) The amendments made to sections 3, 4, and 5 of this chapter by P.L.80-2008 apply only to persons convicted after June 30, 2008. As added by P.L.220-2011, SEC.639. Amended by P.L.63-2012, SEC.89.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 6. Release From Imprisonment and Credit Time35-50-6-0.5. Definitions

Sec. 0.5. The following definitions apply throughout this chapter: (1) "Accrued time" means the amount of time that a person is imprisoned, confined, on home detention as a condition of probation, or on home detention in a community corrections program. In determining the number of days a person has been imprisoned, confined, on home detention as a condition of probation, or on home detention in a community corrections program, a partial calendar day is considered to be one (1) calendar day. (2) "Calendar day" means the period of elapsed time that begins at midnight and ends twenty-four (24) hours later at the next midnight. (3) "Credit time" means the sum of a person's accrued time, good time credit, and educational credit. (4) "Educational credit" means a reduction in a person's term of imprisonment or confinement awarded for participation in an educational, vocational, rehabilitative, or other program. The term includes an individualized case management plan. (5) "Good time credit" means a reduction in a person's term of imprisonment or confinement awarded for the person's good behavior while imprisoned, confined, or on home detention. (6) "Individualized case management plan" means educational credit which consists of a plan designed to address an incarcerated person's risk of recidivism, and may include: (A) addiction recovery treatment; (B) mental health treatment; (C) vocational education programming; (D) adult basic education, a high school or high school equivalency diploma, a college diploma, and any other academic educational goal; or (E) any other programming or activity that encourages productive pursuits while a person is incarcerated and that may reduce the person's likelihood to recidivate after the person's release from incarceration. As added by P.L.74-2015, SEC.30. Amended by P.L.106-2020, SEC.2; P.L.45-2022, SEC.11; P.L.37-2023, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 6. Release From Imprisonment and Credit Time35-50-6-0.6. Effect of Enactments

Sec. 0.6. The enactment of legislation in the 2015 regular session of the general assembly changing the terms "credit time" and "earned credit time" to "accrued time", "credit time", "educational credit", and "good time credit": (1) is intended to be a clarification; and (2) does not affect any time accrued before July 1, 2015, by a person charged with or convicted of a crime. As added by P.L.74-2015, SEC.31.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 6. Release From Imprisonment and Credit Time35-50-6-1. Parole; Discharge to Community Transition Program or Probation; Lifetime Parole for Sexually Violent Predators and Murderers

Sec. 1. (a) Except as provided in subsection (d) or (e), when a person imprisoned for a felony completes the person's term of imprisonment, less the credit time the person has earned with respect to that term, the person shall be: (1) released on parole for not more than twenty-four (24) months, as determined by the parole board, unless: (A) the person is being placed on parole for the first time; (B) the person is not being placed on parole following a term of imprisonment that includes a sentence imposed for a crime of violence (as defined in IC 35-50-1-2); (C) the person is not a sex offender (as defined in IC 11-8-8-4.5); and (D) in the six (6)

months before being placed on parole, the person has not violated a rule of the department of correction or a rule of the penal facility in which the person is imprisoned; (2) discharged upon a finding by the committing court that the person was assigned to a community transition program and may be discharged without the requirement of parole; or (3) released to the committing court if the sentence included a period of probation. A person described in subdivision (1) shall be released on parole for not more than twelve (12) months, as determined by the parole board. (b) This subsection does not apply to a person described in subsection (d), (e), or (f). A person released on parole remains on parole from the date of release until the person's fixed term expires, unless the person's parole is revoked or the person is discharged from that term by the parole board. In any event, if the person's parole is not revoked, the parole board shall discharge the person after the period set under subsection (a) or the expiration of the person's fixed term, whichever is shorter. (c) A person whose parole is revoked shall be imprisoned for all or part of the remainder of the person's fixed term. However, the person shall again be released on parole when the person completes that remainder, less the credit time the person has earned since the revocation. The parole board may reinstate the person on parole at any time after the revocation. (d) This subsection does not apply to a person who is a sexually violent predator under IC 35-38-1-7.5. When a sex offender (as defined in IC 11-8-8-4.5) completes the sex offender's fixed term of imprisonment, less credit time earned with respect to that term, the sex offender shall be placed on parole for not more than ten (10) years. (e) This subsection applies to a person who: (1) is a sexually violent predator under IC 35-38-1-7.5; (2) has been convicted of murder (IC 35-42-1-1); or (3) has been convicted of voluntary manslaughter (IC 35-42-1-3). When a person described in this subsection completes the person's fixed term of imprisonment, less credit time earned with respect to that term, the person shall be placed on parole for the remainder of the person's life. (f) This subsection applies to a parolee in another jurisdiction who is a person described in subsection (e) and whose parole supervision is transferred to Indiana from another jurisdiction. In accordance with IC 11-13-4-1(2) (Interstate Compact for Out-of-State Probationers and Parolees) and rules adopted under Article VII (d)(8) of the Interstate Compact for Adult Offender Supervision (IC 11-13-4.5), a parolee who is a person described in subsection (e) and whose parole supervision is transferred to Indiana is subject to the same conditions of parole as a person described in subsection (e) who was convicted in Indiana, including: (1) lifetime parole (as described in subsection (e)); and (2) the requirement that the person wear a monitoring device (as described in IC 35-38-2.5-3) that can transmit information twenty-four (24) hours each day regarding a person's precise location, if applicable. (g) If a person being supervised on lifetime parole as described in subsection (e) is also required to be supervised by a court, a probation department, a community corrections program, a community transition program, or another similar program upon the person's release from imprisonment, the parole board may: (1) supervise the person while the person is being supervised by the other supervising agency; or (2) permit the other supervising agency to exercise all or part of the parole board's supervisory responsibility during the period in which the other supervising agency is required to supervise the person, if supervision by the other supervising agency will be, in the opinion of the parole board: (A) at least as stringent; and (B) at least as effective; as supervision by the parole board. (h) The parole board is not required to supervise a person on lifetime parole during any period in which the person is imprisoned. However, upon the person's release from imprisonment, the parole board shall recommence its supervision of a person on lifetime parole. (i) If a court orders the parole board to place a sexually violent predator whose sentence does not include a commitment to the department of correction on lifetime parole under IC 35-38-1-29, the parole board shall place the sexually violent predator on lifetime parole and supervise the person in the same manner in which the parole board supervises a sexually violent predator on lifetime parole whose sentence includes a commitment to the department of correction. (j) Time served while confined to a jail or prison does not count toward time served on parole. As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.132; Acts 1979, P.L.120, SEC.11; Acts 1981, P.L.298, SEC.7; P.L.240-1991(ss2), SEC.100; P.L.11-1994, SEC.18; P.L.273-1999, SEC.215; P.L.90-2000, SEC.20; P.L.238-2001, SEC.22; P.L.116-2002, SEC.26; P.L.139-2006, SEC.6; P.L.140-2006, SEC.38 and P.L.173-2006, SEC.38; P.L.1-2007, SEC.237; P.L.216-2007, SEC.51; P.L.105-2010, SEC.15; P.L.20-2023, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 6. Release From Imprisonment and Credit Time35-50-6-2. Discharge From Imprisonment for a Misdemeanor

Sec. 2. A person imprisoned for a misdemeanor shall be discharged when he completes his fixed term of imprisonment, less the credit time he has earned with respect to that term. As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.133.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 6. Release From Imprisonment and Credit Time35-50-6-3.1. Credit Time Classes

Sec. 3.1. (a) This section applies to a person who commits an offense after June 30, 2014. (b) A person assigned to Class A earns one (1) day of good time credit for each calendar day or partial calendar day the person is: (1) imprisoned for a crime; (2) confined awaiting trial or sentencing; or (3) on pretrial home detention. (c) A person assigned to Class B earns one (1) day of good time credit for every three (3) calendar days or partial calendar days the person is: (1) imprisoned for a crime; (2) confined awaiting trial or sentencing; or (3) on pretrial home detention. (d) A person assigned to Class C earns one (1) day of good time credit for every six (6) calendar days or partial calendar days the person is: (1) imprisoned for a crime; (2) confined awaiting trial or sentencing; or (3) on pretrial home detention. (e) A person assigned to Class D earns no good time credit. As added by P.L.158-2013, SEC.668. Amended by P.L.168-2014, SEC.121; P.L.74-2015, SEC.33; P.L.44-2016, SEC.9; P.L.106-2020, SEC.3; P.L.142-2020, SEC.87; P.L.45-2022, SEC.13; P.L.37-2023, SEC.4.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 6. Release From Imprisonment and Credit Time35-50-6-3.3. Educational Credit Time

Sec. 3.3. (a) In addition to any educational credit a person earns under subsection (b), or good time credit a person earns under section 3 or 3.1 of this chapter, a person earns educational credit if the person: (1) is in credit Class I, Class A, or Class B; (2) has demonstrated a pattern consistent with rehabilitation; and (3) successfully completes requirements to obtain one (1) of the following: (A) A general educational development (GED) diploma under IC 20-20-6 (before its repeal) or IC 22-4.1-18, if the person has not previously obtained a high school diploma. (B) Except as provided in subsection (o), a high school diploma, if the person has not previously obtained a general educational development (GED) diploma. (C) An associate degree from an approved postsecondary educational institution (as defined under IC 21-7-13-6(a)) earned during the person's incarceration. (D) A bachelor degree from an approved postsecondary educational institution (as defined under IC 21-7-13-6(a)) earned during the person's incarceration. (b) In addition to any educational credit that a person earns under subsection (a), or good time credit a person earns under section 3 or 3.1 of this chapter, a person may earn educational credit if, while confined by the department of correction, the person: (1) is in credit Class I, Class A, or Class B; (2) demonstrates a pattern consistent with rehabilitation; and (3) successfully completes requirements for at least one (1) of the following: (A) To obtain a certificate of completion of a career and technical or vocational education program approved by the department of correction. (B) To obtain a certificate of completion of a substance abuse program approved by the department of correction. (C) To obtain a certificate of completion of a literacy and basic life skills program approved by the department of correction. (D) To obtain a certificate of completion of a reformative program approved by the department of correction. (E) An individualized case management plan approved by the department of correction. (c) The department of correction shall establish admissions criteria and other requirements for programs available for earning educational credit under subsection (b). A person may not earn educational credit under this section for the same program of study. The department of correction, in consultation with the department of workforce development, shall approve a program only if the program is likely to lead to an employable occupation. (d) The amount of educational credit a person may earn under this section is the following: (1) Six (6) months for completion of a state of Indiana general educational development (GED) diploma under IC 20-20-6 (before its repeal) or IC 22-4.1-18. (2) One (1) year for graduation from high school. (3) Not more than one (1) year for completion of an associate degree. (4) Not more than two (2) years for completion of a bachelor degree. (5) Not more than a total of one (1) year, as determined by the department of correction, for the completion of one (1) or more career and technical or vocational education programs approved by the department of correction. (6) Not more than a total of six (6) months, as determined by the department of correction, for the completion of one (1) or more substance abuse programs approved by the department of correction. (7) Not more than a total of six (6) months, as determined by the department of correction, for the completion of one (1) or more literacy and basic life skills programs approved by the department of correction. (8) Not more than a total of six (6) months, as determined by the department of correction, for completion of one (1) or more reformative programs approved by the department of correction. However, a person who is serving a sentence for an offense listed under IC 11-8-8-4.5 may not earn educational credit under this subdivision. (9) An amount determined by the department of correction under a policy adopted by the department of correction concerning the individualized case management plan, not to exceed the maximum amount described in subsection (j). However, a person who does not have a substance abuse problem that qualifies the person to earn educational credit in a substance abuse program may earn not more than a total of twelve (12) months of educational credit, as determined by the department of correction, for the completion of one (1) or more career and technical or vocational education programs approved by the department of correction. If a person earns more than six (6) months of educational credit for the completion of one (1) or more career and technical or vocational education programs, the person is ineligible to earn educational credit for the completion of one (1) or more substance abuse programs. (e) Educational credit earned under this section must be directly proportional to the time served and course work completed while incarcerated. The department of correction shall adopt rules under IC 4-22-2 necessary to implement this subsection. (f) Educational credit earned by a person under this section is subtracted from the release date that would otherwise apply to the person by the sentencing court after subtracting all other credit time earned by the person. (g) A person does not earn educational credit under subsection (a) unless the person completes at least a portion of the degree requirements after June 30, 1993. (h) A person does not earn educational credit under subsection (b) unless the person completes at least a portion of the program requirements after June 30, 1999. (i) Educational credit earned by a person under subsection (a) for a diploma or degree completed before July 1, 1999, shall be subtracted from: (1) the release date that would otherwise apply to the person after subtracting all other credit time earned by the person, if the person has not been convicted of an offense described in subdivision (2); or (2) the period of imprisonment imposed on the person by the sentencing court, if the person has been convicted of one (1) of the following crimes: (A) Rape (IC 35-42-4-1). (B) Criminal deviate conduct (IC 35-42-4-2) (before its repeal). (C) Child molesting (IC 35-42-4-3). (D) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)). (E) Vicarious sexual gratification (IC 35-42-4-5). (F) Child solicitation (IC 35-42-4-6). (G) Child seduction (IC 35-42-4-7). (H) Sexual misconduct with a minor (IC 35-42-4-9) as a: (i) Class A felony, Class B felony, or Class C felony for a crime committed before July 1, 2014; or (ii) Level 1, Level 2, or Level 4 felony, for a crime committed after June 30, 2014. (I) Incest (IC 35-46-1-3). (J) Sexual battery (IC 35-42-4-8). (K) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age. (L) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age. (j) The maximum amount of educational credit a person may earn under this section is the lesser of: (1) two (2) years; or (2) one-third (1/3) of the person's total applicable credit time. (k) Educational credit earned under this section by an offender serving a

sentence for stalking (IC 35-45-10-5), a felony against a person under IC 35-42, or for a crime listed in IC 11-8-8-5, shall be reduced to the extent that application of the educational credit would otherwise result in: (1) postconviction release (as defined in IC 35-40-4-6); or (2) assignment of the person to a community transition program; in less than forty-five (45) days after the person earns the educational credit. (l) A person may earn educational credit for multiple degrees at the same education level under subsection (d) only in accordance with guidelines approved by the department of correction. The department of correction may approve guidelines for proper sequence of education degrees under subsection (d). (m) A person may not earn educational credit: (1) for a general educational development (GED) diploma if the person has previously earned a high school diploma; or (2) for a high school diploma if the person has previously earned a general educational development (GED) diploma. (n) A person may not earn educational credit under this section if the person: (1) commits an offense listed in IC 11-8-8-4.5 while the person is required to register as a sex or violent offender under IC 11-8-8-7; and (2) is committed to the department of correction after being convicted of the offense listed in IC 11-8-8-4.5. (o) For a person to earn educational credit under subsection (a)(3)(B) for successfully completing the requirements for a high school diploma through correspondence courses, each correspondence course must be approved by the department before the person begins the correspondence course. The department may approve a correspondence course only if the entity administering the course is recognized and accredited by the department of education in the state where the entity is located. (p) The department of correction shall, before May 1, 2023, submit a report to the legislative council, in an electronic format under IC 5-14-6, concerning the implementation of the individualized case management plan. The report must include the following: (1) The ratio of case management staff to offenders participating in the individualized case management plan as of January 1, 2023. (2) The average number of days awarded to offenders participating in the individualized case management plan from January 1, 2022, through December 31, 2022. (3) The percentage of the prison population currently participating in an individualized case management plan as of January 1, 2023. (4) Any other data points or information related to the status of the implementation of the individualized case management plan. This subsection expires June 30, 2023. As added by P.L.243-1993, SEC.2. Amended by P.L.149-1995, SEC.17; P.L.148-1995, SEC.7; P.L.183-1999, SEC.3; P.L.243-1999, SEC.3; P.L.14-2000, SEC.78; P.L.90-2000, SEC.21; P.L.164-2003, SEC.1; P.L.1-2005, SEC.229; P.L.2-2007, SEC.380; P.L.234-2007, SEC.171; P.L.80-2008, SEC.3; P.L.42-2010, SEC.2; P.L.7-2011, SEC.25; P.L.228-2011, SEC.2; P.L.147-2012, SEC.11; P.L.158-2013, SEC.669; P.L.214-2013, SEC.46; P.L.168-2014, SEC.122; P.L.74-2015, SEC.34; P.L.187-2015, SEC.51; P.L.13-2016, SEC.20; P.L.106-2020, SEC.4; P.L.142-2020, SEC.88.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 6. Release From Imprisonment and Credit Time35-50-6-3. Credit Time Classes for a Person Convicted Before July 1, 2014

Sec. 3. (a) This section applies to a person who commits an offense before July 1, 2014. (b) A person assigned to Class I earns one (1) day of good time credit for each calendar day or partial calendar day the person is imprisoned for a crime or confined awaiting trial or sentencing. (c) A person assigned to Class II earns one (1) day of good time credit for every two (2) calendar days or partial calendar days the person is imprisoned for a crime or confined awaiting trial or sentencing. (d) A person assigned to Class III earns no good time credit. (e) A person assigned to Class IV earns one (1) day of good time credit for every six (6) calendar days or partial calendar days the person is imprisoned for a crime or confined awaiting trial or sentencing. As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.134; P.L.80-2008, SEC.2; P.L.158-2013, SEC.667; P.L.168-2014, SEC.120; P.L.74-2015, SEC.32; P.L.45-2022, SEC.12.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 6. Release From Imprisonment and Credit Time35-50-6-4. Credit Time Assignments

Sec. 4. (a) A person: (1) who is not a credit restricted felon; and (2) who is imprisoned for a Level 6 felony or a misdemeanor or imprisoned awaiting trial or sentencing for a Level 6 felony or misdemeanor; is initially assigned to Class A. (b) A person: (1) who is not a credit restricted felon; and (2) who is imprisoned for a crime other than a Level 6 felony or misdemeanor or imprisoned awaiting trial or sentencing for a crime other than a Level 6 felony or misdemeanor; is initially assigned to Class B. (c) A person who is a credit restricted felon and who is imprisoned for a crime or imprisoned awaiting trial or sentencing is initially assigned to Class C. A credit restricted felon may not be assigned to Class A or Class B. (d) A person who is not a credit restricted felon may be reassigned to Class C or Class D if the person violates any of the following: (1) A rule of the department of correction. (2) A rule of the penal facility in which the person is imprisoned. (3) A rule or condition of a community transition program. However, a violation of a condition of parole or probation may not be the basis for reassignment. Before a person may be reassigned to a lower credit time class, the person must be granted a hearing to determine the person's guilt or innocence and, if found guilty, whether reassignment is an appropriate disciplinary action for the violation. The person may waive the right to the hearing. (e) A person who is a credit restricted felon may be reassigned to Class D and a person who is assigned to Class IV may be assigned to Class III if the person violates any of the following: (1) A rule of the department of correction. (2) A rule of the penal facility in which the person is imprisoned. (3) A rule or condition of a community transition program. However, a violation of a condition of parole or probation may not be the basis for reassignment. Before a person may be reassigned to Class III or Class D, the person must be granted a hearing to determine the person's guilt or innocence and, if found guilty, whether reassignment is an appropriate disciplinary action for the violation. The person may waive the right to the hearing. (f) In connection with the hearing granted under subsection (d) or (e), the person is entitled to: (1) have not less than twenty-four (24) hours advance written notice of the date, time, and place of the hearing, and of the alleged misconduct and the rule the alleged misconduct is alleged to have violated; (2) have reasonable time to

prepare for the hearing; (3) have an impartial decisionmaker; (4) appear and speak in the person's own behalf; (5) call witnesses and present evidence; (6) confront and cross-examine each witness, unless the hearing authority finds that to do so would subject a witness to a substantial risk of harm; (7) have the assistance of a lay advocate (the department may require that the advocate be an employee of, or a fellow prisoner in, the same facility or program); (8) have a written statement of the findings of fact, the evidence relied upon, and the reasons for the action taken; (9) have immunity if the person's testimony or any evidence derived from the person's testimony is used in any criminal proceedings; and (10) have the person's record expunged of any reference to the charge if the person is found not guilty or if a finding of guilt is later overturned. Any finding of guilt must be supported by a preponderance of the evidence presented at the hearing. (g) Except for a credit restricted felon, a person may be reassigned from: (1) Class III to Class I, Class II or Class IV; (2) Class II to Class I; (3) Class D to Class A, Class B, or Class C; (4) Class C to Class A or Class B. A person's assignment to Class III, Class II, Class C, or Class D shall be reviewed at least once every six (6) months to determine if the person should be reassigned to a higher credit time class. A credit restricted felon may not be reassigned to Class I or Class II or to Class A, Class B, or Class C. (h) This subsection applies only to a person imprisoned awaiting trial. A person imprisoned awaiting trial is initially assigned to a credit class based on the most serious offense with which the person is charged. If all the offenses of which a person is convicted have a higher credit time class than the most serious offense with which the person is charged, the person earns credit time for the time imprisoned awaiting trial at the credit time class of the most serious offense of which the person was convicted. However, this section does not apply to any period during which the person is reassigned to a lower credit time class for a disciplinary violation. As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.135; Acts 1979, P.L.120, SEC.12; P.L.90-2000, SEC.22; P.L.80-2008, SEC.4; P.L.158-2013, SEC.670; P.L.168-2014, SEC.123; P.L.44-2016, SEC.10; P.L.37-2023, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 6. Release From Imprisonment and Credit Time35-50-6-5.5. Credit Time Appeals

Sec. 5.5. A person who has been reassigned to a lower credit time class or has been deprived of earned educational credit or good time credit may appeal the decision to the commissioner of the department of correction or the sheriff. As added by Acts 1979, P.L.120, SEC.14. Amended by P.L.204-1986, SEC.3; P.L.74-2015, SEC.36.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 6. Release From Imprisonment and Credit Time35-50-6-5. Deprivation of Credit Time

Sec. 5. (a) A person may, with respect to the same transaction, be deprived of any part of the educational credit or good time credit the person has earned for any of the following: (1) A violation of one (1) or more rules of the department of correction. (2) If the person is not committed to the department, a violation of one (1) or more rules of the penal facility in which the person is imprisoned. (3) A violation of one (1) or more rules or conditions of a: (A) community transition program; or (B) community corrections program. (4) If a court determines that a civil claim brought by the person in a state or an administrative court is frivolous, unreasonable, or groundless. (5) If the person is a sex or violent offender (as defined in IC 11-8-8-5) and refuses to register before being released from the department as required under IC 11-8-8-7. (6) If the person is a sex offender (as defined in IC 11-8-8-4.5) and refuses to participate in a sex offender treatment program specifically offered to the sex offender by the department of correction while the person is serving a period of incarceration with the department of correction. However, the violation of a condition of parole or probation may not be the basis for deprivation, unless the person is confined on home detention as a condition of probation under IC 35-38-2.5-5. Whenever a person is deprived of educational credit or good time credit, the person may also be reassigned to Class II (if the person is not a credit restricted felon) or Class III, Class C, or Class D. (b) Before a person may be deprived of educational credit or good time credit, the person must be granted a hearing to determine the person's guilt or innocence and, if found guilty, whether deprivation of earned educational credit or good time credit is an appropriate disciplinary action for the violation. In connection with the hearing, the person is entitled to the procedural safeguards listed in section 4 of this chapter. The person may waive the person's right to the hearing. (c) Any part of the educational credit or good time credit of which a person is deprived under this section may be restored. (d) This subsection applies only to a person on pretrial home detention. If a person on pretrial home detention violates a condition of home detention, fails to appear as required, or commits escape (IC 35-44.1-3-4), the person shall be deprived of all accrued time earned while on pretrial home detention. The person may also be deprived of educational or good time credit in accordance with this section, if applicable. Before a person may be deprived of accrued time, the person must be granted a hearing to determine whether the person committed the specified violation. In connection with the hearing, the person is entitled to the procedural safeguards listed in section 4 of this chapter. The person may waive the person's right to the hearing. As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.136; Acts 1979, P.L.120, SEC.13; P.L.146-1995, SEC.6; P.L.90-2000, SEC.23; P.L.140-2006, SEC.39 and P.L.173-2006, SEC.39; P.L.80-2008, SEC.5; P.L.105-2010, SEC.16; P.L.158-2013, SEC.671; P.L.168-2014, SEC.124; P.L.74-2015, SEC.35; P.L.37-2023, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 6. Release From Imprisonment and Credit Time35-50-6-6. Degree of Security, Parole, or Probation; Imprisonment Upon Revocation of Parole; Days Spent on Parole Outside Institution

Sec. 6. (a) A person imprisoned for a crime earns good time credit irrespective of the degree of security to which the person is assigned. Except as set forth under IC 35-38-2.5-5, a person does not earn good time credit while on parole or probation. (b) A

person imprisoned upon revocation of parole is initially assigned to the same credit time class to which the person was assigned at the time the person was released on parole. (c) A person who, upon revocation of parole, is imprisoned on an intermittent basis does not earn credit time for the days the person spends on parole outside the institution. As added by Acts 1976, P.L.148, SEC.8. Amended by Acts 1977, P.L.340, SEC.137; Acts 1979, P.L.120, SEC.15; P.L.166-2001, SEC.4; P.L.74-2015, SEC.37.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 6. Release From Imprisonment and Credit Time35-50-6-7. Charge of New Crime or Violation of Rule While Confined; Effect on Credit Time; Assignment to Class Iii

Sec. 7. (a) A person under the control of a county detention facility or the department of correction who: (1) has been charged with a new crime while confined; or (2) has allegedly violated a rule of the department or county facility; may be immediately assigned to Class III and may have all earned credit time suspended pending disposition of the allegation. (b) A person assigned to Class III under subsection (a) shall be denied release on parole or discharge until: (1) he is in the actual custody of the department or the county detention facility to which he was sentenced; and (2) he is granted a hearing concerning the allegations. The department or sheriff may waive the hearing if the person is restored to his former credit time class and receives all previously earned credit time and any credit time that he would have earned if he had not been assigned to Class III. (c) A person who is assigned to Class III under subsection (a) and later found not guilty of the alleged misconduct shall have all earned credit time restored and shall be reassigned to the same credit time class that he was in before his assignment to Class III. In addition, the person shall be credited with any credit time that he would have earned if he had not been assigned to Class III. As added by P.L.338-1983, SEC.1.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 6. Release From Imprisonment and Credit Time35-50-6-8. Person Serving Sentence of Life Imprisonment Without Parole Does Not Earn Credit Time

Sec. 8. A person serving a sentence of life imprisonment without parole does not earn credit time under this chapter. As added by P.L.53-2005, SEC.3. Amended by P.L.74-2015, SEC.38; P.L.44-2016, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 7. Probation Orders35-50-7-1. Applicability of Chapter

Sec. 1. This chapter applies when a person is placed on probation after being convicted of an offense. As added by P.L.216-1996, SEC.26.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 7. Probation Orders35-50-7-2. Power of Court to Prohibit Entry to Area Where Offense Committed

Sec. 2. The court that places a person on probation following conviction may issue an order, reasonable in scope, under this chapter that prohibits the person from entering the: (1) area or property where an offense was committed by the person; and (2) area immediately surrounding the area or property where an offense was committed by the person. As added by P.L.216-1996, SEC.26.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 7. Probation Orders35-50-7-3. Specificity

Sec. 3. An order issued under this chapter must describe the area or property that the person is prohibited from entering with sufficient specificity to: (1) allow the person to guide the person's conduct accordingly; and (2) enable a law enforcement officer to enforce the order. As added by P.L.216-1996, SEC.26.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 7. Probation Orders35-50-7-4. Power of Court to Allow Limited Reentry

Sec. 4. A court that issues an order under this chapter may: (1) allow a person to return to the person's residential premises to pick up personal belongings and effects; (2) restrict the time and duration of the person's return; and (3) provide for supervision of the person's return by a law enforcement officer. As added by P.L.216-1996, SEC.26.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 7. Probation Orders35-50-7-5. Copy to Defendant

Sec. 5. A person shall be given a copy of an order issued under this chapter concerning the person and shall acknowledge the receipt of the order in writing. As added by P.L.216-1996, SEC.26.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 7. Probation Orders35-50-7-6. Notice; Persons to Receive

Sec. 6. The court shall provide notice of an order issued under this chapter to: (1) the law enforcement agency that arrested the person; and (2) the prosecuting attorney. As added by P.L.216-1996, SEC.26.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 7. Probation Orders35-50-7-7. Notice; Stayed, Modified, or Vacated Orders

Sec. 7. A court shall immediately notify all appropriate law enforcement agencies when an order issued under this chapter is stayed, modified, or vacated. As added by P.L.216-1996, SEC.26.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 7. Probation Orders35-50-7-8. Power of Court to Consider Evidence

Sec. 8. In determining whether to issue an order under this chapter, the court may consider evidence regarding whether the order would: (1) cause undue hardship to innocent persons; and (2) constitute a serious injustice that overrides the need to protect the rights, safety, and health of other tenants and residents of the property or area affected by the order. As added by P.L.216-1996, SEC.26.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 7. Probation Orders35-50-7-9. Violation

Sec. 9. A person who knowingly or intentionally violates an order issued by a court under this chapter commits a Class C misdemeanor. As added by P.L.216-1996, SEC.26.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 8. Primary or Secondary School Student Delinquency and Criminal Conviction Information35-50-8-1. Student Delinquency and Criminal Conviction Information

Sec. 1. (a) If an individual is enrolled in a primary or secondary school, including a public or nonpublic school, and: (1) is convicted of: (A) a Class A felony; (B) a Class B felony; (C) a Class C felony; (D) at least two (2) Class D felonies; (E) a Level 1 felony; (F) a Level 2 felony; (G) a Level 3 felony; (H) a Level 4 felony; (I) a Level 5 felony; or (J) at least two (2) Level 6 felonies; or (2) has been adjudicated as a delinquent child for: (A) an act that would be: (i) a Class A felony; (ii) a Class B felony; (iii) a Class C felony; (iv) a Level 1 felony; (v) a Level 2 felony; (vi) a Level 3 felony; (vii) a Level 4 felony; or (viii) a Level 5 felony; or (B) acts that would be at least two (2): (i) Class D felonies; or (ii) Level 6 felonies; if committed by an adult; the judge who presided over the trial, accepted the plea agreement, or adjudicated the child a delinquent child shall give written notification of the conviction or adjudication to the chief administrative officer of the primary or secondary school, including a public or nonpublic school, or, if the individual is enrolled in a public school, the superintendent of the school district in which the individual is enrolled. (b) Notification under subsection (a) must occur within seven (7) days after the conclusion of the trial, the date a plea agreement is accepted, or the date the child is adjudicated a delinquent child. (c) The notification sent to a school or school district under subsection (a) must include only: (1) the felony for which the individual was convicted or that the individual would have committed if the individual were an adult; and (2) the individual's sentence or juvenile law disposition. (d) If the court later modifies the individual's sentence or juvenile law disposition after giving notice under this section, the court shall notify the school or the school district in which the individual is enrolled of the sentence or disposition modification. As added by P.L.67-2007, SEC.7. Amended by P.L.158-2013, SEC.672.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 50. SentencesChapter 9. Additional Sentence Requirements for Domestic Battery Convictions35-50-9-1. Batterer's Intervention Program

Sec. 1. (a) At the time of sentencing for a person convicted of domestic battery under IC 35-42-2-1.3 or a crime that involved domestic abuse, neglect, or violence, the court may require the person to complete a batterer's intervention program approved by the court. (b) The person convicted of domestic battery or another crime described in subsection (a) shall pay all expenses of the batterer's intervention program. (c) The batterer's intervention program must be an intervention program certified by the Indiana coalition against domestic violence. As added by P.L.94-2010, SEC.14. Amended by P.L.162-2011, SEC.59.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 1. Scope of Article35-52-1-1. Scope of Article

Sec. 1. This article is not intended to be an exhaustive compilation of all criminal statutes codified outside IC 35 in the Indiana Code. Other criminal statutes may be found in IC 35 and other provisions of the Indiana Code. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 10. Ic 10 Criminal Statutes35-52-10-1. Criminal Statute

Sec. 1. IC 10-13-2-12 defines a crime concerning state police data and information programs. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 10. Ic 10 Criminal Statutes35-52-10-2.5. Criminal Statute

Sec. 2.5. IC 10-13-6-21 defines a crime concerning state police data and information programs. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 10. Ic 10 Criminal Statutes35-52-10-2. Criminal Statute

Sec. 2. IC 10-13-3-27 defines a crime concerning state police data and information programs. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 10. Ic 10 Criminal Statutes35-52-10-3. Criminal Statute

Sec. 3. IC 10-13-6-22 defines a crime concerning state police data and information programs. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 10. Ic 10 Criminal Statutes35-52-10-5. Criminal Statute

Sec. 5. IC 10-14-4-12 defines a crime concerning emergency management. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 10. Ic 10 Criminal Statutes35-52-10-6. Criminal Statute

Sec. 6. IC 10-16-7-4 defines a crime concerning Indiana military code. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 10. Ic 10 Criminal Statutes35-52-10-7. Criminal Statute

Sec. 7. IC 10-16-7-15 defines a crime concerning Indiana military code. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 10. Ic 10 Criminal Statutes35-52-10-8. Criminal Statute

Sec. 8. IC 10-18-1-38 defines a crime concerning war memorials. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 10. Ic 10 Criminal Statutes35-52-10-9. Criminal Statute

Sec. 9. IC 10-19-11-9 defines a crime concerning radiation and radioactive materials. As added by P.L.9-2017, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 11. Ic 11 Criminal Statutes35-52-11-1. Criminal Statute

Sec. 1. IC 11-8-8-15 defines a crime concerning sex offender registration. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 11. Ic 11 Criminal Statutes35-52-11-2. Criminal Statute

Sec. 2. IC 11-8-8-17 defines a crime concerning sex offender registration. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 11. Ic 11 Criminal Statutes35-52-11-3. Criminal Statute

Sec. 3. IC 11-8-8-18 defines a crime concerning sex offender registration. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-1. Criminal Statute

Sec. 1. IC 12-10-13-20 defines a crime concerning long term care ombudsman program. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-10. Criminal Statute

Sec. 10. IC 12-20-7-6 defines a crime concerning township assistance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-11.5. Criminal Statute

Sec. 11.5. IC 12-23-5-5.5 defines a crime concerning ignition interlock devices. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-11. Criminal Statute

Sec. 11. IC 12-20-25-55 defines a crime concerning township assistance. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-12. Criminal Statute

Sec. 12. IC 12-24-17-3 defines a crime concerning state institutions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-13. Criminal Statute

Sec. 13. IC 12-24-17-6 defines a crime concerning state institutions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-14. Criminal Statute

Sec. 14. IC 12-24-17-7 defines a crime concerning state institutions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-15. Criminal Statute

Sec. 15. IC 12-32-1-7 defines a crime concerning verifications of eligibility for public benefits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-2. Criminal Statute

Sec. 2. IC 12-11-13-16 defines a crime concerning statewide waiver ombudsman. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-3. Criminal Statute

Sec. 3. IC 12-13-14-4.5 defines a crime concerning electronic benefits transfer. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-4. Criminal Statute

Sec. 4. IC 12-14-22-8 defines a crime concerning family assistance services. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-5. Criminal Statute

Sec. 5. IC 12-15-24-2 defines a crime concerning Medicaid. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-6. Criminal Statute

Sec. 6. IC 12-15-35-44 defines a crime concerning Medicaid. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-7. Criminal Statute

Sec. 7. IC 12-17.2-4-35 defines a crime concerning day care regulation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-8.5. Criminal Statute

Sec. 8.5. IC 12-17.2-6-32 defines a crime concerning child care ministry regulation. As added by P.L.53-2018, SEC.29.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-8. Criminal Statute

Sec. 8. IC 12-17.2-5-35 defines a crime concerning day care regulation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-9.5. Criminal Statute

Sec. 9.5. IC 12-20-1-4 defines a crime concerning township assistance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 12. Ic 12 Criminal Statutes35-52-12-9. Criminal Statute

Sec. 9. IC 12-17.6-6-12 defines a crime concerning children's health insurance program. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 13. Ic 13 Criminal Statutes35-52-13-1. Criminal Statute

Sec. 1. IC 13-18-8-9 defines a crime concerning water pollution control. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 13. Ic 13 Criminal Statutes35-52-13-10. Criminal Statute

Sec. 10. IC 13-23-9-6 defines a crime concerning underground storage tanks. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 13. Ic 13 Criminal Statutes35-52-13-11. Criminal Statute

Sec. 11. IC 13-25-4-28 defines a crime concerning hazardous substances. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 13. Ic 13 Criminal Statutes35-52-13-12. Criminal Statute

Sec. 12. IC 13-29-1-14 defines a crime concerning Midwest Interstate Compact on Low-Level Radioactive Waste. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 13. Ic 13 Criminal Statutes35-52-13-13. Criminal Statute

Sec. 13. IC 13-30-10-1 defines a crime concerning the environment. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 13. Ic 13 Criminal Statutes35-52-13-14. Criminal Statute

Sec. 14. IC 13-30-10-1.5 defines a crime concerning the environment. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 13. Ic 13 Criminal Statutes35-52-13-15. Criminal Statute

Sec. 15. IC 13-30-10-5 defines a crime concerning the environment. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 13. Ic 13 Criminal Statutes35-52-13-16. Criminal Statute

Sec. 16. IC 13-30-10-6 defines a crime concerning the environment. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 13. Ic 13 Criminal Statutes35-52-13-5. Criminal Statute

Sec. 5. IC 13-20-13-17 defines a crime concerning solid waste management. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 13. Ic 13 Criminal Statutes35-52-13-6. Criminal Statute

Sec. 6. IC 13-20-22-19 defines a crime concerning solid waste management. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 13. Ic 13 Criminal Statutes35-52-13-8. Criminal Statute

Sec. 8. IC 13-20-22-21 defines a crime concerning solid waste management. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-1. Criminal Statute

Sec. 1. IC 14-9-8-19 defines a crime concerning the department of natural resources. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-10. Criminal Statute

Sec. 10. IC 14-21-1-28 defines a crime concerning historic preservation and archeology. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-11. Criminal Statute

Sec. 11. IC 14-21-1-36 defines a crime concerning historic preservation and archeology. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-12. Criminal Statute

Sec. 12. IC 14-21-2-5 defines a crime concerning historic preservation and archeology. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-13. Criminal Statute

Sec. 13. IC 14-22-6-2 defines a crime concerning hunting and fishing. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-14. Criminal Statute

Sec. 14. IC 14-22-6-7 defines a crime concerning hunting and fishing. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-15. Criminal Statute

Sec. 15. IC 14-22-6-8 defines a crime concerning hunting and fishing. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-16. Criminal Statute

Sec. 16. IC 14-22-6-9 defines a crime concerning hunting and fishing. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-17. Criminal Statute

Sec. 17. IC 14-22-9-7 defines a crime concerning fishing. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-18. Criminal Statute

Sec. 18. IC 14-22-9-8 defines a crime concerning fishing. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-19. Criminal Statute

Sec. 19. IC 14-22-10-1 defines a crime concerning hunting and fishing. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-2. Criminal Statute

Sec. 2. IC 14-15-3-31 defines a crime concerning watercraft. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-20. Criminal Statute

Sec. 20. IC 14-22-10-3 defines a crime concerning hunting and fishing. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-21. Criminal Statute

Sec. 21. IC 14-22-13-2.5 defines a crime concerning commercial fishing licenses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-22. Criminal Statute

Sec. 22. IC 14-22-13-7 defines a crime concerning commercial fishing licenses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-23. Criminal Statute

Sec. 23. IC 14-22-13-10 defines a crime concerning commercial fishing licenses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-24. Criminal Statute

Sec. 24. IC 14-22-14-5 defines a crime concerning fishing licenses. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-26. Criminal Statute

Sec. 26. IC 14-22-15-7 defines a crime concerning fish and wildlife. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-27.8. Criminal Statute

Sec. 27.8. IC 14-22-32-2 defines a crime concerning game birds and exotic mammals. As added by P.L.9-2017, SEC.17.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-27. Criminal Statute

Sec. 27. IC 14-22-19-5 defines a crime concerning furbearing mammals. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-29.2. Criminal Statute

Sec. 29.2. IC 14-22-34-12 defines a crime concerning endangered species. As added by P.L.9-2017, SEC.19.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-29.8. Criminal Statute

Sec. 29.8. IC 14-22-37-2 defines crimes concerning fish and wildlife. As added by P.L.9-2017, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-29. Criminal Statute

Sec. 29. IC 14-22-34-9 defines a crime concerning nongame species. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-3. Criminal Statute

Sec. 3. IC 14-15-4-4 defines a crime concerning watercraft accidents. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-30. Criminal Statute

Sec. 30. IC 14-22-37-3 defines a crime concerning fish and wildlife. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-31.5. Criminal Statute

Sec. 31.5. IC 14-22-38-4 defines a crime concerning fish and wildlife. As added by P.L.9-2017, SEC.21.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-31. Criminal Statute

Sec. 31. IC 14-22-38-3 defines a crime concerning fish and wildlife. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-32. Criminal Statute

Sec. 32. IC 14-22-38-4.5 defines a crime concerning fish and wildlife. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-33. Criminal Statute

Sec. 33. IC 14-22-38-6 defines a crime concerning fish and wildlife. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-34. Criminal Statute

Sec. 34. IC 14-22-40-6 defines a crime concerning fish and wildlife. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-35. Criminal Statute

Sec. 35. IC 14-23-7-5 defines a crime concerning forestry. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-36. Criminal Statute

Sec. 36. IC 14-24-11-4 defines a crime concerning entomology and plant pathology. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-37. Criminal Statute

Sec. 37. IC 14-29-8-5 defines a crime concerning rivers, streams, and waterways. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-38. Criminal Statute

Sec. 38. IC 14-31-3-15 defines a crime concerning nature preserves. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-39. Criminal Statute

Sec. 39. IC 14-31-3-16 defines a crime concerning nature preserves. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-4. Criminal Statute

Sec. 4. IC 14-15-11-11 defines a crime concerning motor boat operators. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-40. Criminal Statute

Sec. 40. IC 14-31-3-17 defines a crime concerning nature preserves. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-41. Criminal Statute

Sec. 41. IC 14-31-3-19 defines a crime concerning nature preserves. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-42. Criminal Statute

Sec. 42. IC 14-31-3-20 defines a crime concerning nature preserves. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-43. Criminal Statute

Sec. 43. IC 14-31-3-21 defines a crime concerning nature preserves. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-44. Criminal Statute

Sec. 44. IC 14-34-2-6 defines a crime concerning surface coal mining and reclamation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-45. Criminal Statute

Sec. 45. IC 14-34-16-6 defines a crime concerning surface coal mining and reclamation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-46. Criminal Statute

Sec. 46. IC 14-34-16-7 defines a crime concerning surface coal mining and reclamation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-47. Criminal Statute

Sec. 47. IC 14-37-4-15 defines a crime concerning oil and gas. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-48. Criminal Statute

Sec. 48. IC 14-37-7-9 defines a crime concerning oil and gas. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-49. Criminal Statute

Sec. 49. IC 14-37-8-1 defines a crime concerning oil and gas. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-5. Criminal Statute

Sec. 5. IC 14-15-12-13 defines a crime concerning personal watercraft. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-50. Criminal Statute

Sec. 50. IC 14-37-8-18 defines a crime concerning oil and gas. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-51. Criminal Statute

Sec. 51. IC 14-37-11-4 defines a crime concerning oil and gas. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-6. Criminal Statute

Sec. 6. IC 14-16-1-29 defines a crime concerning off-road vehicles. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-7. Criminal Statute

Sec. 7. IC 14-17-4-8 defines a crime concerning property acquisition. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-8. Criminal Statute

Sec. 8. IC 14-21-1-26 defines a crime concerning historic preservation and archeology. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-9.5. Criminal Statute

Sec. 9.5. IC 14-21-1-27 defines a crime concerning historic preservation and archeology. As added by P.L.9-2017, SEC.15.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 14. Ic 14 Criminal Statutes35-52-14-9. Criminal Statute

Sec. 9. IC 14-21-1-26.5 defines a crime concerning historic preservation and archeology. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-1. Criminal Statute

Sec. 1. IC 15-11-8-8 defines a crime concerning the Indiana department of agriculture. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-10. Criminal Statute

Sec. 10. IC 15-17-5-24 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-11. Criminal Statute

Sec. 11. IC 15-17-5-25 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-12. Criminal Statute

Sec. 12. IC 15-17-5-30 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-13. Criminal Statute

Sec. 13. IC 15-17-5-31 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-14. Criminal Statute

Sec. 14. IC 15-17-5.5-4 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-15.5. Criminal Statute

Sec. 15.5. IC 15-17-14.7-15 defines crimes concerning a hunting preserve. As added by P.L.89-2016, SEC.19.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-15. Criminal Statute

Sec. 15. IC 15-17-14-11 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-16. Criminal Statute

Sec. 16. IC 15-17-16-9 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-17. Criminal Statute

Sec. 17. IC 15-17-18-1 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-18. Criminal Statute

Sec. 18. IC 15-17-18-2 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-19. Criminal Statute

Sec. 19. IC 15-17-18-3 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-2.5. Criminal Statute

Sec. 2.5. IC 15-15-13-20 defines a crime concerning hemp regulation. As added by P.L.190-2019, SEC.33.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-2. Criminal Statute

Sec. 2. IC 15-12-1-38 defines a crime concerning agricultural cooperatives. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-20. Criminal Statute

Sec. 20. IC 15-17-18-4 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-21. Criminal Statute

Sec. 21. IC 15-17-18-5 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-22. Criminal Statute

Sec. 22. IC 15-17-18-6 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-23. Criminal Statute

Sec. 23. IC 15-17-18-7 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-24. Criminal Statute

Sec. 24. IC 15-17-18-8 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-25. Criminal Statute

Sec. 25. IC 15-17-18-9 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-26.5. Criminal Statute

Sec. 26.5. IC 15-17-20-4 defines a crime concerning animals and animal products. As added by P.L.9-2018, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-26. Criminal Statute

Sec. 26. IC 15-17-18-11 defines a crime concerning animal health and animal products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-27. Criminal Statute

Sec. 27. IC 15-18-1-33 defines a crime concerning dairy products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-28. Criminal Statute

Sec. 28. IC 15-18-2-35 defines a crime concerning dairy products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-29. Criminal Statute

Sec. 29. IC 15-18-5-32 defines a crime concerning dairy products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-30. Criminal Statute

Sec. 30. IC 15-19-3-4 defines a crime concerning livestock. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-31. Criminal Statute

Sec. 31. IC 15-19-3-5 defines a crime concerning livestock. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-33. Criminal Statute

Sec. 33. IC 15-19-6-19 defines a crime concerning livestock. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-34. Criminal Statute

Sec. 34. IC 15-19-6-20 defines a crime concerning livestock. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-35. Criminal Statute

Sec. 35. IC 15-19-6-21 defines a crime concerning livestock. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-36. Criminal Statute

Sec. 36. IC 15-19-6-22 defines a crime concerning livestock. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-37. Criminal Statute

Sec. 37. IC 15-19-7-46 defines a crime concerning livestock. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-38. Criminal Statute

Sec. 38. IC 15-20-1-4 defines a crime concerning animal control. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-39. Criminal Statute

Sec. 39. IC 15-20-1-5 defines a crime concerning animal control. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-40. Criminal Statute

Sec. 40. IC 15-21-2-3 defines a crime concerning commercial dog breeder regulation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-41. Criminal Statute

Sec. 41. IC 15-21-3-1 defines a crime concerning commercial dog breeder regulation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-42. Criminal Statute

Sec. 42. IC 15-21-3-2 defines a crime concerning commercial dog breeder regulation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-5. Criminal Statute

Sec. 5. IC 15-16-1-14 defines a crime concerning horticulture control. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-6. Criminal Statute

Sec. 6. IC 15-16-2-49.5 defines a crime concerning horticulture control. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-7. Criminal Statute

Sec. 7. IC 15-16-4-77 defines a crime concerning horticulture control. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-8. Criminal Statute

Sec. 8. IC 15-16-4-78 defines a crime concerning horticulture control. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 15. Ic 15 Criminal Statutes35-52-15-9. Criminal Statute

Sec. 9. IC 15-16-5-70 defines a crime concerning horticulture control. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-1. Criminal Statute

Sec. 1. IC 16-19-12-1 defines a crime concerning the Indiana department of health. As added by P.L.169-2014, SEC.2. Amended by P.L.56-2023, SEC.326.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-10. Criminal Statute

Sec. 10. IC 16-27-1-15 defines a crime concerning home health agencies. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-11. Criminal Statute

Sec. 11. IC 16-27-2-3 defines a crime concerning home health agencies. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-12. Criminal Statute

Sec. 12. IC 16-27-4-23 defines a crime concerning home health agencies. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-13. Criminal Statute

Sec. 13. IC 16-28-7-5 defines a crime concerning health facility monitors. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-14. Criminal Statute

Sec. 14. IC 16-28-9-3 defines a crime concerning health facilities. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-15. Criminal Statute

Sec. 15. IC 16-28-9-4 defines a crime concerning health facility records. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-16. Criminal Statute

Sec. 16. IC 16-28-9-5 defines a crime concerning health facilities. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-17. Criminal Statute

Sec. 17. IC 16-30-5-1 defines a crime concerning health planning. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-18. Criminal Statute

Sec. 18. IC 16-31-3-16 defines a crime concerning emergency medical services. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-19. Criminal Statute

Sec. 19. IC 16-31-3-22 defines a crime concerning emergency medical services. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-20.7. Criminal Statute

Sec. 20.7. IC 16-34-2-4 defines a crime concerning abortion. As added by P.L.173-2017, SEC.9.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-20.9. Criminal Statute

Sec. 20.9. IC 16-34-2-4.7 defines a crime concerning abortion. As added by P.L.205-2018, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-20. Criminal Statute

Sec. 20. IC 16-31-10-2 defines a crime concerning emergency medical services. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-21. Criminal Statute

Sec. 21. IC 16-34-2-5 defines a crime concerning abortion. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-22. Criminal Statute

Sec. 22. IC 16-34-2-6 defines crimes concerning abortion. As added by P.L.169-2014, SEC.2. Amended by P.L.213-2016, SEC.32.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-23.5. Criminal Statute

Sec. 23.5. IC 16-34-6-5 defines a crime concerning coerced abortion. As added by P.L.93-2022, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-23. Criminal Statute

Sec. 23. IC 16-34-2-7 defines a crime concerning abortion. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-24. Criminal Statute

Sec. 24. IC 16-36-4-15 defines a crime concerning medical consent. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-25. Criminal Statute

Sec. 25. IC 16-36-4-16 defines a crime concerning medical consent. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-26. Criminal Statute

Sec. 26. IC 16-36-5-27 defines a crime concerning medical consent. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-27. Criminal Statute

Sec. 27. IC 16-36-5-28 defines a crime concerning medical consent. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-28. Criminal Statute

Sec. 28. IC 16-37-1-12 defines a crime concerning vital statistics. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-29. Criminal Statute

Sec. 29. IC 16-37-1-13 defines a crime concerning vital statistics. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-3. Criminal Statute

Sec. 3. IC 16-20-9-1 defines a crime concerning local health departments. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-30. Criminal Statute

Sec. 30. IC 16-37-2-2.1 defines a crime concerning vital statistics. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-31. Criminal Statute

Sec. 31. IC 16-37-2-19 defines a crime concerning vital statistics. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-32. Criminal Statute

Sec. 32. IC 16-37-3-16 defines a crime concerning vital statistics. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-33. Criminal Statute

Sec. 33. IC 16-38-5-4 defines a crime concerning health registries. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-34. Criminal Statute

Sec. 34. IC 16-39-7.1-3 defines a crime concerning health records. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-35. Criminal Statute

Sec. 35. IC 16-39-7.1-6 defines a crime concerning health records. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-36. Criminal Statute

Sec. 36. IC 16-41-1-3 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-37. Criminal Statute

Sec. 37. IC 16-41-2-9 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-38. Criminal Statute

Sec. 38. IC 16-41-3-3 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-39. Criminal Statute

Sec. 39. IC 16-41-4-3 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-4. Criminal Statute

Sec. 4. IC 16-21-2-2.5 defines a crime concerning licensure of hospitals. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-40. Criminal Statute

Sec. 40. IC 16-41-5-3 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-41. Criminal Statute

Sec. 41. IC 16-41-6-3 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-42. Criminal Statute

Sec. 42. IC 16-41-7-5 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-43. Criminal Statute

Sec. 43. IC 16-41-8-1 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-44. Criminal Statute

Sec. 44. IC 16-41-8-3 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-45. Criminal Statute

Sec. 45. IC 16-41-8-5 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-46. Criminal Statute

Sec. 46. IC 16-41-9-1.5 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-47. Criminal Statute

Sec. 47. IC 16-41-10-5 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-48. Criminal Statute

Sec. 48. IC 16-41-10-7 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-49. Criminal Statute

Sec. 49. IC 16-41-12-13 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-5. Criminal Statute

Sec. 5. IC 16-21-5-3 defines a crime concerning licensure of hospitals. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-50. Criminal Statute

Sec. 50. IC 16-41-12-14 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-52. Criminal Statute

Sec. 52. IC 16-41-13-3 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-53. Criminal Statute

Sec. 53. IC 16-41-13-4 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-54. Criminal Statute

Sec. 54. IC 16-41-13-6 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-56. Criminal Statute

Sec. 56. IC 16-41-14-15 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-57. Criminal Statute

Sec. 57. IC 16-41-14-16 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-58. Criminal Statute

Sec. 58. IC 16-41-14-17 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-59. Criminal Statute

Sec. 59. IC 16-41-14-20 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-6. Criminal Statute

Sec. 6. IC 16-21-6-12 defines a crime concerning hospital financial disclosure law. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-60. Criminal Statute

Sec. 60. IC 16-41-15-18 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-61. Criminal Statute

Sec. 61. IC 16-41-16-11 defines a crime concerning communicable diseases. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-62. Criminal Statute

Sec. 62. IC 16-41-18-6 defines a crime concerning prevention and treatment programs. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-63. Criminal Statute

Sec. 63. IC 16-41-19-10 defines a crime concerning prevention and treatment programs. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-64. Criminal Statute

Sec. 64. IC 16-41-20-13 defines a crime concerning health, sanitation, and safety. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-67. Criminal Statute

Sec. 67. IC 16-41-22-21 defines a crime concerning health, sanitation, and safety. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-68. Criminal Statute

Sec. 68. IC 16-41-22-22 defines a crime concerning health, sanitation, and safety. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-69. Criminal Statute

Sec. 69. IC 16-41-23-4 defines a crime concerning health, sanitation, and safety. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-7. Criminal Statute

Sec. 7. IC 16-21-7-5 defines a crime concerning hospitals. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-70. Criminal Statute

Sec. 70. IC 16-41-24-11 defines a crime concerning health, sanitation, and safety. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-71. Criminal Statute

Sec. 71. IC 16-41-25-2 defines a crime concerning health, sanitation, and safety. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-72. Criminal Statute

Sec. 72. IC 16-41-27-34 defines a crime concerning health, sanitation, and safety. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-73. Criminal Statute

Sec. 73. IC 16-41-29-5 defines a crime concerning regulation of lodging facilities and bedding materials. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-74. Criminal Statute

Sec. 74. IC 16-41-32-30 defines a crime concerning regulation of lodging facilities and bedding materials. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-75. Criminal Statute

Sec. 75. IC 16-41-33-9 defines a crime concerning pest control. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-76. Criminal Statute

Sec. 76. IC 16-41-34-8 defines a crime concerning pest control. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-77. Criminal Statute

Sec. 77. IC 16-41-35-40 defines a crime concerning radiation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-78. Criminal Statute

Sec. 78. IC 16-41-38-10 defines a crime concerning radon gas. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-79. Criminal Statute

Sec. 79. IC 16-42-1-16 defines a crime concerning Uniform Food, Drug, and Cosmetic Act. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-8. Criminal Statute

Sec. 8. IC 16-25-5-8 defines a crime concerning hospices. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-80. Criminal Statute

Sec. 80. IC 16-42-1-34 defines a crime concerning Uniform Food, Drug, and Cosmetic Act. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-81. Criminal Statute

Sec. 81. IC 16-42-2-8 defines a crime concerning Uniform Food, Drug, and Cosmetic Act. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-82. Criminal Statute

Sec. 82. IC 16-42-2-9 defines a crime concerning Uniform Food, Drug, and Cosmetic Act. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-83. Criminal Statute

Sec. 83. IC 16-42-3-12 defines a crime concerning Uniform Food, Drug, and Cosmetic Act. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-84. Criminal Statute

Sec. 84. IC 16-42-4-5 defines a crime concerning Uniform Food, Drug, and Cosmetic Act. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-85. Criminal Statute

Sec. 85. IC 16-42-5-26 defines a crime concerning sanitary requirements for food establishments. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-86. Criminal Statute

Sec. 86. IC 16-42-5-27 defines a crime concerning sanitary requirements for food establishments. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-87. Criminal Statute

Sec. 87. IC 16-42-10-13 defines a crime concerning food. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-88.7. Criminal Statute

Sec. 88.7. IC 16-42-19-18 defines a crime concerning injection devices. As added by P.L.9-2017, SEC.22.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-88. Criminal Statute

Sec. 88. IC 16-42-18-7 defines a crime concerning food. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-89. Criminal Statute

Sec. 89. IC 16-42-19-27 defines a crime concerning the Indiana Legend Drug Act. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-9.7. Criminal Statute

Sec. 9.7. IC 16-27-1-12 defines a crime concerning home health agencies. As added by P.L.45-2020, SEC.29.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-9. Criminal Statute

Sec. 9. IC 16-25-6-1 defines a crime concerning hospices. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-90. Criminal Statute

Sec. 90. IC 16-42-21-4 defines a crime concerning drug samples. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-91. Criminal Statute

Sec. 91. IC 16-44-1-1 defines a crime concerning product labeling and inspection. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-92. Criminal Statute

Sec. 92. IC 16-44-2-22 defines a crime concerning product labeling and inspection. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 16. Ic 16 Criminal Statutes35-52-16-93. Criminal Statute

Sec. 93. IC 16-46-6-12 defines a crime concerning state health grants and programs. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 2. Ic 2 Criminal Statutes35-52-2-1. Criminal Statute

Sec. 1. IC 2-4-1-4 defines a crime concerning legislative investigations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 2. Ic 2 Criminal Statutes35-52-2-2. Criminal Statute

Sec. 2. IC 2-7-6-2 defines a crime concerning lobbying. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 2. Ic 2 Criminal Statutes35-52-2-3. Criminal Statute

Sec. 3. IC 2-7-6-3 defines a crime concerning lobbying. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 2. Ic 2 Criminal Statutes35-52-2-4. Criminal Statute

Sec. 4. IC 2-7-6-4 defines a crime concerning lobbying. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 2. Ic 2 Criminal Statutes35-52-2-5. Criminal Statute

Sec. 5. IC 2-8.2-4-6 defines a crime concerning constitutional convention delegates. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 20. Ic 20 Criminal Statutes35-52-20-1. Criminal Statute

Sec. 1. IC 20-27-3-8 defines a crime concerning school transportation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 20. Ic 20 Criminal Statutes35-52-20-2. Criminal Statute

Sec. 2. IC 20-27-5-33 defines a crime concerning school transportation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 20. Ic 20 Criminal Statutes35-52-20-3. Criminal Statute

Sec. 3. IC 20-27-6-8 defines a crime concerning school transportation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 20. Ic 20 Criminal Statutes35-52-20-5. Criminal Statute

Sec. 5. IC 20-27-8-3 defines a crime concerning school transportation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 20. Ic 20 Criminal Statutes35-52-20-6. Criminal Statute

Sec. 6. IC 20-27-8-16 defines a crime concerning school transportation. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 20. Ic 20 Criminal Statutes35-52-20-7. Criminal Statute

Sec. 7. IC 20-27-9-17 defines a crime concerning school transportation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 20. Ic 20 Criminal Statutes35-52-20-8. Criminal Statute

Sec. 8. IC 20-27-10-4 defines a crime concerning school transportation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 20. Ic 20 Criminal Statutes35-52-20-9. Criminal Statute

Sec. 9. IC 20-33-2-44 defines a crime concerning compulsory school attendance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 21. Ic 21 Criminal Statutes35-52-21-1. Criminal Statute

Sec. 1. IC 21-12-6.5-5 defines a crime concerning scholarships and grants. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 21. Ic 21 Criminal Statutes35-52-21-2. Criminal Statute

Sec. 2. IC 21-14-4-7 defines a crime concerning state educational institutions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 21. Ic 21 Criminal Statutes35-52-21-5. Criminal Statute

Sec. 5. IC 21-18.5-6-25 defines a crime concerning postsecondary credit bearing proprietary educational institution accreditation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-1. Criminal Statute

Sec. 1. IC 22-1-1-22 defines a crime concerning the department of labor. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-10. Criminal Statute

Sec. 10. IC 22-4-34-5 defines a crime concerning the unemployment compensation system. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-12. Criminal Statute

Sec. 12. IC 22-4.1-21-38 defines a crime concerning postsecondary proprietary educational institution authorization. As added by P.L.169-2014, SEC.2. Amended by P.L.157-2023, SEC.24.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-13. Criminal Statute

Sec. 13. IC 22-5-1-1 defines a crime concerning unlawful labor practices. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-14.5. Criminal Statute

Sec. 14.5. IC 22-6-6-10 defines a crime concerning labor relations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-14. Criminal Statute

Sec. 14. IC 22-6-2-13 defines a crime concerning labor relations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-15. Criminal Statute

Sec. 15. IC 22-7-1-3 defines a crime concerning labor organizations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-16. Criminal Statute

Sec. 16. IC 22-8-1.1-24.2 defines a crime concerning occupational health and safety. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-17. Criminal Statute

Sec. 17. IC 22-8-1.1-49 defines a crime concerning occupational health and safety. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-18. Criminal Statute

Sec. 18. IC 22-9.5-10-1 defines a crime concerning Indiana fair housing. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-19. Criminal Statute

Sec. 19. IC 22-11-14-3 defines a crime concerning building and safety regulations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-2. Criminal Statute

Sec. 2. IC 22-2-2-11 defines a crime concerning wages, hours, and benefits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-20. Criminal Statute

Sec. 20. IC 22-11-14-6 defines a crime concerning building and safety regulations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-21. Criminal Statute

Sec. 21. IC 22-11-14.5-9 defines a crime concerning building and safety regulations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-22. Criminal Statute

Sec. 22. IC 22-11-14.5-10 defines a crime concerning building and safety regulations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-23. Criminal Statute

Sec. 23. IC 22-11-14.5-11 defines a crime concerning building and safety regulations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-24. Criminal Statute

Sec. 24. IC 22-11-14.5-12 defines a crime concerning building and safety regulations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-25. Criminal Statute

Sec. 25. IC 22-11-15-6 defines a crime concerning building and safety regulations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-26. Criminal Statute

Sec. 26. IC 22-11-17-3 defines a crime concerning building and safety regulations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-27. Criminal Statute

Sec. 27. IC 22-11-17-4 defines a crime concerning building and safety regulations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-28. Criminal Statute

Sec. 28. IC 22-11-18-5 defines a crime concerning building and safety regulations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-29. Criminal Statute

Sec. 29. IC 22-11-20-6 defines a crime concerning building and safety regulations. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-3. Criminal Statute

Sec. 3. IC 22-2-7-7 defines a crime concerning wages, hours, and benefits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-30. Criminal Statute

Sec. 30. IC 22-15-4-7 defines a crime concerning building and equipment laws. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-31. Criminal Statute

Sec. 31. IC 22-15-7-9 defines a crime concerning building and equipment laws. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-4.4. Criminal Statute

Sec. 4.4. IC 22-3-4-13 defines a crime concerning the worker's compensation system. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-4.5. Criminal Statute

Sec. 4.5. IC 22-3-7-37 defines a crime concerning the worker's occupational diseases compensation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-4. Criminal Statute

Sec. 4. IC 22-3-1-5 defines a crime concerning the worker's compensation system. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-5. Criminal Statute

Sec. 5. IC 22-4-11.5-10 defines a crime concerning the unemployment compensation system. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-6.2. Criminal Statute

Sec. 6.2. IC 22-4-19-15 defines a crime concerning the department of workforce development. As added by P.L.9-2017, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-6. Criminal Statute

Sec. 6. IC 22-4-19-6 defines a crime concerning the unemployment compensation system. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-7.5. Criminal Statute

Sec. 7.5. IC 22-4-34-2 defines a crime concerning the unemployment compensation system. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-7. Criminal Statute

Sec. 7. IC 22-4-29-14 defines a crime concerning the unemployment compensation system. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-8. Criminal Statute

Sec. 8. IC 22-4-34-3 defines a crime concerning the unemployment compensation system. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 22. Ic 22 Criminal Statutes35-52-22-9. Criminal Statute

Sec. 9. IC 22-4-34-4 defines a crime concerning the unemployment compensation system. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-1. Criminal Statute

Sec. 1. IC 23-0.5-2-9 defines a crime concerning business corporation law, nonprofit corporations, and limited liability companies.

As added by P.L.169-2014, SEC.2. Amended by P.L.118-2017, SEC.126.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-10. Criminal Statute

Sec. 10. IC 23-14-38-3 defines a crime concerning cemetery associations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-11. Criminal Statute

Sec. 11. IC 23-14-44-3 defines a crime concerning cemetery associations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-12. Criminal Statute

Sec. 12. IC 23-14-46-8 defines a crime concerning cemetery associations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-13. Criminal Statute

Sec. 13. IC 23-14-47-5 defines a crime concerning cemetery associations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-14. Criminal Statute

Sec. 14. IC 23-14-48-9 defines a crime concerning cemetery associations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-15. Criminal Statute

Sec. 15. IC 23-14-49-3 defines a crime concerning cemetery associations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-16. Criminal Statute

Sec. 16. IC 23-14-51-5 defines a crime concerning cemetery associations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-17. Criminal Statute

Sec. 17. IC 23-14-54-5 defines a crime concerning cemetery associations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-18. Criminal Statute

Sec. 18. IC 23-14-56-3 defines a crime concerning cemetery associations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-19. Criminal Statute

Sec. 19. IC 23-14-57-7 defines a crime concerning cemetery associations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-2. Criminal Statute

Sec. 2. IC 23-2-2.5-37 defines a crime concerning securities and franchises. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-20. Criminal Statute

Sec. 20. IC 23-14-58.5-5 defines a crime concerning cemetery associations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-23. Criminal Statute

Sec. 23. IC 23-19-5-8 defines a crime concerning the Indiana Uniform Securities Act. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-24. Criminal Statute

Sec. 24. IC 23-20-1-31 defines a crime concerning victims of securities violations. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-4.3. Criminal Statute

Sec. 4.3. IC 23-2.5-11-17 defines a crime concerning securities and franchises. As added by P.L.175-2019, SEC.11.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-4. Criminal Statute

Sec. 4. IC 23-2-6-33 defines a crime concerning securities and franchises. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-5. Criminal Statute

Sec. 5. IC 23-7-8-8 defines a crime concerning civil or charitable corporations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-6. Criminal Statute

Sec. 6. IC 23-14-31-52 defines a crime concerning cemetery associations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-7. Criminal Statute

Sec. 7. IC 23-14-34-9 defines a crime concerning cemetery associations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-8. Criminal Statute

Sec. 8. IC 23-14-36-3 defines a crime concerning cemetery associations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 23. Ic 23 Criminal Statutes35-52-23-9. Criminal Statute

Sec. 9. IC 23-14-37-3 defines a crime concerning cemetery associations. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-1. Criminal Statute

Sec. 1. IC 24-1-1-3 defines a crime concerning combinations in restraint of trade. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-10. Criminal Statute

Sec. 10. IC 24-3-4-17 defines a crime concerning tobacco products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-11. Criminal Statute

Sec. 11. IC 24-3-5.4-24 defines a crime concerning tobacco products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-12. Criminal Statute

Sec. 12. IC 24-4-1-1 defines a crime concerning regulated businesses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-13. Criminal Statute

Sec. 13. IC 24-4-3-5 defines a crime concerning regulated businesses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-14. Criminal Statute

Sec. 14. IC 24-4-4-5 defines a crime concerning regulated businesses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-15. Criminal Statute

Sec. 15. IC 24-4-6-1 defines a crime concerning regulated businesses. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-16. Criminal Statute

Sec. 16. IC 24-4-11-11 defines a crime concerning regulated businesses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-17. Criminal Statute

Sec. 17. IC 24-4-12-11 defines a crime concerning regulated businesses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-18. Criminal Statute

Sec. 18. IC 24-4-13-6 defines a crime concerning regulated businesses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-19. Criminal Statute

Sec. 19. IC 24-4-16.4-4 defines a crime concerning regulated businesses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-2. Criminal Statute

Sec. 2. IC 24-1-2-1 defines a crime concerning combinations in restraint of trade. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-20. Criminal Statute

Sec. 20. IC 24-4-19-21 defines a crime concerning regulated businesses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-21. Criminal Statute

Sec. 21. IC 24-4.5-5-301 defines a crime concerning the Uniform Consumer Credit Code. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-22. Criminal Statute

Sec. 22. IC 24-4.5-5-302 defines a crime concerning the Uniform Consumer Credit Code. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-23. Criminal Statute

Sec. 23. IC 24-4.6-3-4 defines a crime concerning unauthorized solicitation of money using the name of a public safety agency. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-24.5. Criminal Statute

Sec. 24.5. IC 24-5-11-10(h) defines a crime concerning the impersonation of a consumer by a real property improvement supplier or third party. As added by P.L.170-2017, SEC.24.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-24. Criminal Statute

Sec. 24. IC 24-5-8-19 defines a crime concerning consumer sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-25. Criminal Statute

Sec. 25. IC 24-5-12-22 defines a crime concerning consumer sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-26. Criminal Statute

Sec. 26. IC 24-5-12-25 defines a crime concerning consumer sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-27. Criminal Statute

Sec. 27. IC 24-5-14-10 defines a crime concerning consumer sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-29.5. Criminal Statute

Sec. 29.5. IC 24-5-19-10 defines a crime concerning consumer sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-29. Criminal Statute

Sec. 29. IC 24-5-16-16 defines a crime concerning consumer sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-3. Criminal Statute

Sec. 3. IC 24-1-2-2 defines a crime concerning combinations in restraint of trade. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-30. Criminal Statute

Sec. 30. IC 24-5-23.5-9 defines a crime concerning consumer sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-31. Criminal Statute

Sec. 31. IC 24-5.5-6-1 defines a crime concerning mortgage rescue protection fraud. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-32. Criminal Statute

Sec. 32. IC 24-6-1-1 defines a crime concerning standard weights and measures. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-33. Criminal Statute

Sec. 33. IC 24-6-3-15 defines a crime concerning standard weights and measures. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-34. Criminal Statute

Sec. 34. IC 24-6-6-11 defines a crime concerning standard weights and measures. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-35. Criminal Statute

Sec. 35. IC 24-7-9-1 defines a crime concerning rental purchase agreements. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-36. Criminal Statute

Sec. 36. IC 24-7-9-2 defines a crime concerning rental purchase agreements. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-37. Criminal Statute

Sec. 37. IC 24-7-9-3 defines a crime concerning rental purchase agreements. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-38. Criminal Statute

Sec. 38. IC 24-8-6-1 defines a crime concerning promotional gifts and contests. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-39. Criminal Statute

Sec. 39. IC 24-9-8-1 defines a crime concerning home loan practices. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-4. Criminal Statute

Sec. 4. IC 24-1-2-3 defines a crime concerning combinations in restraint of trade. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-5. Criminal Statute

Sec. 5. IC 24-1-3-1 defines a crime concerning combinations in restraint of trade. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-6. Criminal Statute

Sec. 6. IC 24-1-4-3 defines a crime concerning combinations in restraint of trade. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-7. Criminal Statute

Sec. 7. IC 24-2-2-3 defines a crime concerning trademarks, trade names, and trade secrets. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-8. Criminal Statute

Sec. 8. IC 24-3-4-15 defines a crime concerning tobacco products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 24. Ic 24 Criminal Statutes35-52-24-9. Criminal Statute

Sec. 9. IC 24-3-4-16 defines a crime concerning tobacco products. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-1. Criminal Statute

Sec. 1. IC 25-2.1-13-3 defines a crime concerning accountants. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-10. Criminal Statute

Sec. 10. IC 25-13-1-3 defines a crime concerning dental hygienists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-11. Criminal Statute

Sec. 11. IC 25-14-1-25 defines a crime concerning dentists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-12. Criminal Statute

Sec. 12. IC 25-14-1-25.5 defines a crime concerning dentists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-13.5. Criminal Statute

Sec. 13.5. IC 25-14.3-5-1 defines a crime concerning diabetes educators. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-13. Criminal Statute

Sec. 13. IC 25-14-4-6 defines a crime concerning dentists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-14. Criminal Statute

Sec. 14. IC 25-14.5-7-2 defines a crime concerning dietitians. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-16. Criminal Statute

Sec. 16. IC 25-17.3-5-3 defines a crime concerning genetic counselors. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-17. Criminal Statute

Sec. 17. IC 25-17.6-8-2 defines a crime concerning geologists. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-19. Criminal Statute

Sec. 19. IC 25-20-1-21 defines a crime concerning hearing aid dealers. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-2.5. Criminal Statute

Sec. 2.5. IC 25-3.7-3-2 defines a crime concerning anesthesiologist assistants. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-2. Criminal Statute

Sec. 2. IC 25-2.5-3-4 defines a crime concerning acupuncturists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-20. Criminal Statute

Sec. 20. IC 25-20.7-5-1 defines a crime concerning interior designers. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-21. Criminal Statute

Sec. 21. IC 25-21.5-5-10 defines a crime concerning professional surveyors. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-22. Criminal Statute

Sec. 22. IC 25-21.5-13-2 defines a crime concerning professional surveyors. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-23. Criminal Statute

Sec. 23. IC 25-21.8-7-1 defines a crime concerning massage therapists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-24. Criminal Statute

Sec. 24. IC 25-22.5-8-2 defines a crime concerning physicians. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-25. Criminal Statute

Sec. 25. IC 25-22.5-8-3 defines a crime concerning physicians. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-26. Criminal Statute

Sec. 26. IC 25-23-1-27 defines a crime concerning nurses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-27. Criminal Statute

Sec. 27. IC 25-23.4-3-7 defines a crime concerning certified direct entry midwives. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-28. Criminal Statute

Sec. 28. IC 25-23.5-3-2 defines a crime concerning occupational therapists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-29. Criminal Statute

Sec. 29. IC 25-23.6-3-3 defines a crime concerning marriage and family therapists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-3. Criminal Statute

Sec. 3. IC 25-5.1-4-2 defines a crime concerning athletic trainers. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-30. Criminal Statute

Sec. 30. IC 25-23.6-4-4 defines a crime concerning marriage and family therapists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-31. Criminal Statute

Sec. 31. IC 25-23.6-4.5-4 defines a crime concerning marriage and family therapists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-32. Criminal Statute

Sec. 32. IC 25-23.6-7-7 defines a crime concerning marriage and family therapists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-33. Criminal Statute

Sec. 33. IC 25-23.6-10.1-6 defines a crime concerning marriage and family therapists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-34. Criminal Statute

Sec. 34. IC 25-23.6-11-1 defines a crime concerning marriage and family therapists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-35. Criminal Statute

Sec. 35. IC 25-23.6-11-2 defines a crime concerning marriage and family therapists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-36. Criminal Statute

Sec. 36. IC 25-23.6-11-3 defines a crime concerning marriage and family therapists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-37. Criminal Statute

Sec. 37. IC 25-23.7-7-5 defines a crime concerning manufactured home installers. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-38. Criminal Statute

Sec. 38. IC 25-24-1-18 defines a crime concerning optometrists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-39. Criminal Statute

Sec. 39. IC 25-24-3-17 defines a crime concerning optometrists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-4. Criminal Statute

Sec. 4. IC 25-5.2-2-12 defines a crime concerning athlete agents. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-40. Criminal Statute

Sec. 40. IC 25-26-13-29 defines a crime concerning pharmacists, pharmacies, and drug stores. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-41. Criminal Statute

Sec. 41. IC 25-26-14-23 defines a crime concerning pharmacists, pharmacies, and drug stores. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-42. Criminal Statute

Sec. 42. IC 25-26-14-25 defines a crime concerning pharmacists, pharmacies, and drug stores. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-43. Criminal Statute

Sec. 43. IC 25-26-14-26 defines a crime concerning pharmacists, pharmacies, and drug stores. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-44. Criminal Statute

Sec. 44. IC 25-26-14-27 defines a crime concerning pharmacists, pharmacies, and drug stores. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-45. Criminal Statute

Sec. 45. IC 25-26-19-9 defines a crime concerning pharmacists, pharmacies, and drug stores. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-46.5. Criminal Statute

Sec. 46.5. IC 25-26-24-25 defines a crime concerning the INSPECT program. As added by P.L.51-2019, SEC.22.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-46.8. Criminal Statute

Sec. 46.8. IC 25-26-25-9 defines a crime concerning pharmacists. As added by P.L.154-2023, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-46. Criminal Statute

Sec. 46. IC 25-26-21-11 defines a crime concerning pharmacists, pharmacies, and drug stores. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-47. Criminal Statute

Sec. 47. IC 25-27-1-12 defines a crime concerning physical therapists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-48. Criminal Statute

Sec. 48. IC 25-27.5-7-2 defines a crime concerning physician assistants. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-49. Criminal Statute

Sec. 49. IC 25-28.5-1-31 defines a crime concerning plumbers. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-5. Criminal Statute

Sec. 5. IC 25-6.1-7-1 defines a crime concerning auctioneers and auctions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-50. Criminal Statute

Sec. 50. IC 25-29-9-1 defines a crime concerning podiatrists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-51. Criminal Statute

Sec. 51. IC 25-30-1-21 defines a crime concerning private investigator firms, security guards, and polygraph examiners. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-52. Criminal Statute

Sec. 52. IC 25-30-1.3-23 defines a crime concerning private investigator firms, security guards, and polygraph examiners. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-53. Criminal Statute

Sec. 53. IC 25-31-1-13 defines a crime concerning engineers. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-54. Criminal Statute

Sec. 54. IC 25-31-1-27 defines a crime concerning engineers. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-55. Criminal Statute

Sec. 55. IC 25-31.5-8-7 defines a crime concerning soil scientists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-56. Criminal Statute

Sec. 56. IC 25-33-1-15 defines a crime concerning psychologists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-57. Criminal Statute

Sec. 57. IC 25-34.5-3-2 defines a crime concerning respiratory care practitioners. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-58. Criminal Statute

Sec. 58. IC 25-35.6-3-10 defines a crime concerning speech pathologists and audiologists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-59. Criminal Statute

Sec. 59. IC 25-36.1-1-2 defines a crime concerning certified surgical technologists. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-6. Criminal Statute

Sec. 6. IC 25-6.1-7-2 defines a crime concerning auctioneers and auctions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-60. Criminal Statute

Sec. 60. IC 25-36.5-1-10 defines a crime concerning timber buyers. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-61.5. Criminal Statute

Sec. 61.5. IC 25-37.5-1-7 defines a crime concerning valuable metal dealers. As added by P.L.70-2021, SEC.4.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-61. Criminal Statute

Sec. 61. IC 25-36.5-1-15 defines a crime concerning timber buyers. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-62. Criminal Statute

Sec. 62. IC 25-38.1-4-10 defines a crime concerning veterinarians. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-63. Criminal Statute

Sec. 63. IC 25-38.1-4-11 defines a crime concerning veterinarians. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-64. Criminal Statute

Sec. 64. IC 25-39-5-1 defines a crime concerning water well drilling contractors. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-65. Criminal Statute

Sec. 65. IC 25-39-5-7 defines a crime concerning water well drilling contractors. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-7.5. Criminal Statute

Sec. 7.5. IC 25-8.5-3-7 defines a crime concerning behavior analysts and assistant behavior analysts. As added by P.L.212-2021, SEC.14.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-7. Criminal Statute

Sec. 7. IC 25-8-15.4-25 defines a crime concerning beauty culture. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-8. Criminal Statute

Sec. 8. IC 25-10-1-11 defines a crime concerning chiropractors. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 25. Ic 25 Criminal Statutes35-52-25-9. Criminal Statute

Sec. 9. IC 25-11-1-12 defines a crime concerning collection agencies. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 26. Ic 26 Criminal Statutes35-52-26-1. Criminal Statute

Sec. 1. IC 26-1-9.1-320 defines a crime concerning the Uniform Commercial Code. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 26. Ic 26 Criminal Statutes35-52-26-10. Criminal Statute

Sec. 10. IC 26-4-8-2 defines a crime concerning the grain indemnity program. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 26. Ic 26 Criminal Statutes35-52-26-11. Criminal Statute

Sec. 11. IC 26-4-8-3 defines a crime concerning the grain indemnity program. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 26. Ic 26 Criminal Statutes35-52-26-2. Criminal Statute

Sec. 2. IC 26-3-2-1 defines a crime concerning warehouses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 26. Ic 26 Criminal Statutes35-52-26-3. Criminal Statute

Sec. 3. IC 26-3-2-2 defines a crime concerning warehouses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 26. Ic 26 Criminal Statutes35-52-26-4. Criminal Statute

Sec. 4. IC 26-3-2-3 defines a crime concerning warehouses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 26. Ic 26 Criminal Statutes35-52-26-5. Criminal Statute

Sec. 5. IC 26-3-2-4 defines a crime concerning warehouses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 26. Ic 26 Criminal Statutes35-52-26-6. Criminal Statute

Sec. 6. IC 26-3-2-5 defines a crime concerning warehouses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 26. Ic 26 Criminal Statutes35-52-26-7. Criminal Statute

Sec. 7. IC 26-3-4-4 defines a crime concerning warehouses. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 26. Ic 26 Criminal Statutes35-52-26-8. Criminal Statute

Sec. 8. IC 26-3-7-34 defines a crime concerning warehouses. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 26. Ic 26 Criminal Statutes35-52-26-9. Criminal Statute

Sec. 9. IC 26-4-8-1 defines a crime concerning the grain indemnity program. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-1. Criminal Statute

Sec. 1. IC 27-1-2-4 defines a crime concerning the department of insurance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-10. Criminal Statute

Sec. 10. IC 27-1-34-7 defines a crime concerning the department of insurance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-11.5. Criminal Statute

Sec. 11.5. IC 27-7-3-17 defines a crime concerning abstract and title insurance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-11. Criminal Statute

Sec. 11. IC 27-5.1-2-39 defines a crime concerning farm mutual insurance companies. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-12. Criminal Statute

Sec. 12. IC 27-8-1-17 defines a crime concerning life, accident, and health insurance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-13. Criminal Statute

Sec. 13. IC 27-8-3-21 defines a crime concerning life, accident, and health insurance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-14. Criminal Statute

Sec. 14. IC 27-10-4-1 defines a crime concerning bail law. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-15. Criminal Statute

Sec. 15. IC 27-10-4-2 defines a crime concerning bail law. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-16. Criminal Statute

Sec. 16. IC 27-10-4-3 defines a crime concerning bail law. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-17. Criminal Statute

Sec. 17. IC 27-10-4-4 defines a crime concerning bail law. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-18. Criminal Statute

Sec. 18. IC 27-10-4-5 defines a crime concerning bail law. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-19. Criminal Statute

Sec. 19. IC 27-10-4-6 defines a crime concerning bail law. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-2. Criminal Statute

Sec. 2. IC 27-1-3-14 defines a crime concerning the department of insurance. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-20. Criminal Statute

Sec. 20. IC 27-11-9-3 defines a crime concerning fraternal benefit societies. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-3. Criminal Statute

Sec. 3. IC 27-1-3-18 defines a crime concerning the department of insurance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-4. Criminal Statute

Sec. 4. IC 27-1-3-20 defines a crime concerning the department of insurance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-5. Criminal Statute

Sec. 5. IC 27-1-7-15 defines a crime concerning the department of insurance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-6. Criminal Statute

Sec. 6. IC 27-1-7-23 defines a crime concerning the department of insurance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-7. Criminal Statute

Sec. 7. IC 27-1-9-15 defines a crime concerning the department of insurance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-8. Criminal Statute

Sec. 8. IC 27-1-12-26 defines a crime concerning the department of insurance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-9.3. Criminal Statute

Sec. 9.3. IC 27-1-23-8.1 defines a crime concerning the department of insurance. As added by P.L.72-2016, SEC.28.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 27. Ic 27 Criminal Statutes35-52-27-9. Criminal Statute

Sec. 9. IC 27-1-22-24 defines a crime concerning the department of insurance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 28. Ic 28 Criminal Statutes35-52-28-1. Criminal Statute

Sec. 1. IC 28-1-2-36 defines a crime concerning the department of financial institutions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 28. Ic 28 Criminal Statutes35-52-28-10.5. Criminal Statute

Sec. 10.5. IC 28-8-4.1-1109 defines a crime concerning financial services. As added by P.L.198-2023, SEC.7.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 28. Ic 28 Criminal Statutes35-52-28-10. Criminal Statute

Sec. 10. IC 28-8-4.1-803 defines a crime concerning financial services. As added by P.L.169-2014, SEC.2. Amended by P.L.198-2023, SEC.6.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 28. Ic 28 Criminal Statutes35-52-28-11. Criminal Statute

Sec. 11. IC 28-8-5-25 defines a crime concerning financial services. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 28. Ic 28 Criminal Statutes35-52-28-12. Criminal Statute

Sec. 12. IC 28-11-3-1 defines a crime concerning the department of financial institutions. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 28. Ic 28 Criminal Statutes35-52-28-13. Criminal Statute

Sec. 13. IC 28-11-4-11 defines a crime concerning the department of financial institutions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 28. Ic 28 Criminal Statutes35-52-28-14. Criminal Statute

Sec. 14. IC 28-11-5-2 defines a crime concerning the department of financial institutions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 28. Ic 28 Criminal Statutes35-52-28-2. Criminal Statute

Sec. 2. IC 28-1-13-10 defines a crime concerning the department of financial institutions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 28. Ic 28 Criminal Statutes35-52-28-3. Criminal Statute

Sec. 3. IC 28-1-23-7 defines a crime concerning the department of financial institutions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 28. Ic 28 Criminal Statutes35-52-28-4. Criminal Statute

Sec. 4. IC 28-1-29-13 defines a crime concerning the department of financial institutions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 28. Ic 28 Criminal Statutes35-52-28-5. Criminal Statute

Sec. 5. IC 28-5-1-8 defines a crime concerning industrial loan and investment companies. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 28. Ic 28 Criminal Statutes35-52-28-6. Criminal Statute

Sec. 6. IC 28-6.1-6-22 defines a crime concerning savings banks. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 28. Ic 28 Criminal Statutes35-52-28-7. Criminal Statute

Sec. 7. IC 28-6.1-9-15 defines a crime concerning savings banks. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 28. Ic 28 Criminal Statutes35-52-28-8. Criminal Statute

Sec. 8. IC 28-7-1-39 defines a crime concerning credit unions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 28. Ic 28 Criminal Statutes35-52-28-9. Criminal Statute

Sec. 9. IC 28-7-5-37 defines a crime concerning pawnbrokers. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-1. Criminal Statute

Sec. 1. IC 3-14-1-1 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-10. Criminal Statute

Sec. 10. IC 3-14-1-14 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-11. Criminal Statute

Sec. 11. IC 3-14-1-14.5 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-12. Criminal Statute

Sec. 12. IC 3-14-1-17 defines a crime concerning election campaign violations. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-13. Criminal Statute

Sec. 13. IC 3-14-2-1 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-14. Criminal Statute

Sec. 14. IC 3-14-2-2 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-15. Criminal Statute

Sec. 15. IC 3-14-2-2.5 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-16. Criminal Statute

Sec. 16. IC 3-14-2-3 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-17. Criminal Statute

Sec. 17. IC 3-14-2-4 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-18. Criminal Statute

Sec. 18. IC 3-14-2-5 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-19. Criminal Statute

Sec. 19. IC 3-14-2-6 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-2. Criminal Statute

Sec. 2. IC 3-14-1-2 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-20. Criminal Statute

Sec. 20. IC 3-14-2-7 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-21. Criminal Statute

Sec. 21. IC 3-14-2-8 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-22. Criminal Statute

Sec. 22. IC 3-14-2-9 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-23. Criminal Statute

Sec. 23. IC 3-14-2-10 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-24. Criminal Statute

Sec. 24. IC 3-14-2-11 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-25. Criminal Statute

Sec. 25. IC 3-14-2-12 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-26. Criminal Statute

Sec. 26. IC 3-14-2-13 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-27. Criminal Statute

Sec. 27. IC 3-14-2-14 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-28. Criminal Statute

Sec. 28. IC 3-14-2-15 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-29. Criminal Statute

Sec. 29. IC 3-14-2-16 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-3. Criminal Statute

Sec. 3. IC 3-14-1-3 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-30. Criminal Statute

Sec. 30. IC 3-14-2-17 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-31. Criminal Statute

Sec. 31. IC 3-14-2-18 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-32. Criminal Statute

Sec. 32. IC 3-14-2-19 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-33. Criminal Statute

Sec. 33. IC 3-14-2-20 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-34. Criminal Statute

Sec. 34. IC 3-14-2-21 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-35. Criminal Statute

Sec. 35. IC 3-14-2-22 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-36. Criminal Statute

Sec. 36. IC 3-14-2-23 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-37. Criminal Statute

Sec. 37. IC 3-14-2-24 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-38. Criminal Statute

Sec. 38. IC 3-14-2-25 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-39. Criminal Statute

Sec. 39. IC 3-14-2-26 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-4. Criminal Statute

Sec. 4. IC 3-14-1-6 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-40. Criminal Statute

Sec. 40. IC 3-14-2-27 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-41. Criminal Statute

Sec. 41. IC 3-14-2-28 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-42. Criminal Statute

Sec. 42. IC 3-14-2-29 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-43.5. Criminal Statute

Sec. 43.5. IC 3-14-2-31 defines a crime concerning voting. As added by P.L.131-2022, SEC.5.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-43. Criminal Statute

Sec. 43. IC 3-14-2-30 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-44. Criminal Statute

Sec. 44. IC 3-14-3-1.1 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-45. Criminal Statute

Sec. 45. IC 3-14-3-2 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-46. Criminal Statute

Sec. 46. IC 3-14-3-3 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-47. Criminal Statute

Sec. 47. IC 3-14-3-4 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-48. Criminal Statute

Sec. 48. IC 3-14-3-5 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-49. Criminal Statute

Sec. 49. IC 3-14-3-6 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-5. Criminal Statute

Sec. 5. IC 3-14-1-7 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-50. Criminal Statute

Sec. 50. IC 3-14-3-7 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-51. Criminal Statute

Sec. 51. IC 3-14-3-8 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-52. Criminal Statute

Sec. 52. IC 3-14-3-9 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-53. Criminal Statute

Sec. 53. IC 3-14-3-10 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-54. Criminal Statute

Sec. 54. IC 3-14-3-11 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-55. Criminal Statute

Sec. 55. IC 3-14-3-12 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-57. Criminal Statute

Sec. 57. IC 3-14-3-14 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-58. Criminal Statute

Sec. 58. IC 3-14-3-15 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-59. Criminal Statute

Sec. 59. IC 3-14-3-16 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-6. Criminal Statute

Sec. 6. IC 3-14-1-10 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-60. Criminal Statute

Sec. 60. IC 3-14-3-17 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-61. Criminal Statute

Sec. 61. IC 3-14-3-18 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-62. Criminal Statute

Sec. 62. IC 3-14-3-19 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-63. Criminal Statute

Sec. 63. IC 3-14-3-20 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-64. Criminal Statute

Sec. 64. IC 3-14-3-20.5 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-65. Criminal Statute

Sec. 65. IC 3-14-3-21 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-66. Criminal Statute

Sec. 66. IC 3-14-3-21.5 defines a crime concerning voting. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-67. Criminal Statute

Sec. 67. IC 3-14-4-1 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-68. Criminal Statute

Sec. 68. IC 3-14-4-2 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-69. Criminal Statute

Sec. 69. IC 3-14-4-3 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-7. Criminal Statute

Sec. 7. IC 3-14-1-10.5 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-70. Criminal Statute

Sec. 70. IC 3-14-4-3.5 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-73. Criminal Statute

Sec. 73. IC 3-14-4-7 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-74. Criminal Statute

Sec. 74. IC 3-14-4-8 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-75. Criminal Statute

Sec. 75. IC 3-14-4-9 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-76. Criminal Statute

Sec. 76. IC 3-14-4-10 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-77. Criminal Statute

Sec. 77. IC 3-14-6-1.1 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-78. Criminal Statute

Sec. 78. IC 3-14-6-2 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-8. Criminal Statute

Sec. 8. IC 3-14-1-11 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 3. Ic 3 Criminal Statutes35-52-3-9. Criminal Statute

Sec. 9. IC 3-14-1-13 defines a crime concerning elections. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 30. Ic 30 Criminal Statutes35-52-30-1. Criminal Statute

Sec. 1. IC 30-2-9-7 defines a crime concerning prepaid funeral plans and funeral trust funds. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 30. Ic 30 Criminal Statutes35-52-30-2. Criminal Statute

Sec. 2. IC 30-2-10-9 defines a crime concerning funeral trust funds. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 30. Ic 30 Criminal Statutes35-52-30-3. Criminal Statute

Sec. 3. IC 30-2-13-38 defines a crime concerning payment of funeral, burial services, or merchandise in advance of need. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-1. Criminal Statute

Sec. 1. IC 31-11-11-1 defines a crime concerning marriage. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-10. Criminal Statute

Sec. 10. IC 31-19-19-5 defines a crime concerning adoption. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-11. Criminal Statute

Sec. 11. IC 31-19-24-15 defines a crime concerning adoption. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-12. Criminal Statute

Sec. 12. IC 31-19-29-5 defines a crime concerning adoption. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-13. Criminal Statute

Sec. 13. IC 31-27-3-35 defines a crime concerning regulation of residential child care. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-14. Criminal Statute

Sec. 14. IC 31-27-4-36 defines a crime concerning regulation of residential child care. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-15. Criminal Statute

Sec. 15. IC 31-27-5-35 defines a crime concerning regulation of residential child care. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-16. Criminal Statute

Sec. 16. IC 31-27-6-32 defines a crime concerning regulation of residential child care. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-17. Criminal Statute

Sec. 17. IC 31-33-22-1 defines a crime concerning reporting and investigation of child abuse and neglect. As added by

P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-18. Criminal Statute

Sec. 18. IC 31-33-22-2 defines a crime concerning reporting and investigation of child abuse and neglect. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-19. Criminal Statute

Sec. 19. IC 31-33-22-3 defines a crime concerning reporting and investigation of child abuse and neglect. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-20. Criminal Statute

Sec. 20. IC 31-33-22-4 defines a crime concerning reporting and investigation of child abuse and neglect. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-21. Criminal Statute

Sec. 21. IC 31-34-2.3-7 defines a crime concerning children in need of services. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-22. Criminal Statute

Sec. 22. IC 31-34-2.3-8 defines a crime concerning children in need of services. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-3. Criminal Statute

Sec. 3. IC 31-11-11-3 defines a crime concerning marriage. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-4. Criminal Statute

Sec. 4. IC 31-11-11-4 defines a crime concerning marriage. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-5. Criminal Statute

Sec. 5. IC 31-11-11-6 defines a crime concerning marriage. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-6. Criminal Statute

Sec. 6. IC 31-11-11-7 defines a crime concerning marriage. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-7. Criminal Statute

Sec. 7. IC 31-19-5-24 defines a crime concerning adoption. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-8. Criminal Statute

Sec. 8. IC 31-19-5-25 defines a crime concerning adoption. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 31. Ic 31 Criminal Statutes35-52-31-9. Criminal Statute

Sec. 9. IC 31-19-18-7 defines a crime concerning adoption. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 32. Ic 32 Criminal Statutes35-52-32-1. Criminal Statute

Sec. 1. IC 32-28-3-15 defines a crime concerning liens on real property. As added by P.L.169-2014, SEC.2.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 32. Ic 32 Criminal Statutes35-52-32-2. Criminal Statute

Sec. 2. IC 32-32-3-1 defines a crime concerning time shares and camping clubs. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 32. Ic 32 Criminal Statutes35-52-32-4. Criminal Statute

Sec. 4. IC 32-34-9-13 defines a crime concerning lost or unclaimed personal property. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 33. Ic 33 Criminal Statutes35-52-33-1. Criminal Statute

Sec. 1. IC 33-28-5-17 defines a crime concerning jury service. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 33. Ic 33 Criminal Statutes35-52-33-2. Criminal Statute

Sec. 2. IC 33-35-4-3 defines a crime concerning city and town courts. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 33. Ic 33 Criminal Statutes35-52-33-3. Criminal Statute

Sec. 3. IC 33-39-5-1 defines a crime concerning prosecuting attorneys. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 33. Ic 33 Criminal Statutes35-52-33-4. Criminal Statute

Sec. 4. IC 33-39-6-1 defines a crime concerning prosecuting attorneys. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 33. Ic 33 Criminal Statutes35-52-33-8. Criminal Statute

Sec. 8. IC 33-43-1-8 defines a crime concerning the practice of law. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 33. Ic 33 Criminal Statutes35-52-33-9. Criminal Statute

Sec. 9. IC 33-43-2-1 defines a crime concerning the practice of law. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 34. Ic 34 Criminal Statutes35-52-34-1. Criminal Statute

Sec. 1. IC 34-12-2-8 defines a crime concerning domestic relations actions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 34. Ic 34 Criminal Statutes35-52-34-2. Criminal Statute

Sec. 2. IC 34-28-2-3 defines a crime concerning change of name. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 34. Ic 34 Criminal Statutes35-52-34-3. Criminal Statute

Sec. 3. IC 34-28-5-3.5 defines a crime concerning infraction and ordinance violation enforcement proceedings. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 34. Ic 34 Criminal Statutes35-52-34-4. Criminal Statute

Sec. 4. IC 34-54-4-1 defines a crime concerning judgments. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-1. Criminal Statute

Sec. 1. IC 36-2-2-13 defines a crime concerning county government. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-10. Criminal Statute

Sec. 10. IC 36-2-13-5 defines a crime concerning county government. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-11. Criminal Statute

Sec. 11. IC 36-2-14-10 defines a crime concerning county government. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-12. Criminal Statute

Sec. 12. IC 36-2-14-17 defines a crime concerning county government. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-13. Criminal Statute

Sec. 13. IC 36-2-14-21 defines a crime concerning county government. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-14. Criminal Statute

Sec. 14. IC 36-4-8-13 defines a crime concerning government of cities and towns. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-15. Criminal Statute

Sec. 15. IC 36-7-12-27.5 defines a crime concerning planning and development. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-16. Criminal Statute

Sec. 16. IC 36-7-14-40 defines a crime concerning planning and development. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-17. Criminal Statute

Sec. 17. IC 36-7-15.1-27 defines a crime concerning planning and development. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-18. Criminal Statute

Sec. 18. IC 36-7-30-28 defines a crime concerning planning and development. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-19. Criminal Statute

Sec. 19. IC 36-7-30.5-36 defines a crime concerning planning and development. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-2. Criminal Statute

Sec. 2. IC 36-2-6-8 defines a crime concerning county government. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-20. Criminal Statute

Sec. 20. IC 36-8-3.5-23 defines a crime concerning public safety. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-21. Criminal Statute

Sec. 21. IC 36-8-10-9 defines a crime concerning public safety. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-22. Criminal Statute

Sec. 22. IC 36-8-16.7-41 defines a crime concerning public safety. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-23. Criminal Statute

Sec. 23. IC 36-8-16.7-45 defines a crime concerning public safety. As added by P.L.169-2014, SEC.2.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-24. Criminal Statute

Sec. 24. IC 36-8-16.7-46 defines a crime concerning public safety. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-25. Criminal Statute

Sec. 25. IC 36-9-14-7 defines a crime concerning transportation and public works. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-26. Criminal Statute

Sec. 26. IC 36-10-3-39 defines a crime concerning recreation, culture, and community facilities. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-27. Criminal Statute

Sec. 27. IC 36-10-4-5 defines a crime concerning recreation, culture, and community facilities. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-28. Criminal Statute

Sec. 28. IC 36-10-4-40 defines a crime concerning recreation, culture, and community facilities. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-3. Criminal Statute

Sec. 3. IC 36-2-6-12 defines a crime concerning county government. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-4. Criminal Statute

Sec. 4. IC 36-2-7-18 defines a crime concerning county government. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-5. Criminal Statute

Sec. 5. IC 36-2-8-6 defines a crime concerning county government. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-6. Criminal Statute

Sec. 6. IC 36-2-9-13 defines a crime concerning county government. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-7. Criminal Statute

Sec. 7. IC 36-2-9-14 defines a crime concerning county government. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-8. Criminal Statute

Sec. 8. IC 36-2-9.5-7 defines a crime concerning county government. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 36. Ic 36 Criminal Statutes35-52-36-9. Criminal Statute

Sec. 9. IC 36-2-9.5-9 defines a crime concerning county government. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-1. Criminal Statute

Sec. 1. IC 4-1-10-8 defines a crime concerning state agencies. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-10. Criminal Statute

Sec. 10. IC 4-30-3-19.7 defines a crime concerning the lottery. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-11. Criminal Statute

Sec. 11. IC 4-30-12-5 defines a crime concerning the lottery. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-12. Criminal Statute

Sec. 12. IC 4-30-13-1 defines a crime concerning the lottery. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-13. Criminal Statute

Sec. 13. IC 4-30-14-1 defines a crime concerning the lottery. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-14. Criminal Statute

Sec. 14. IC 4-30-14-2 defines a crime concerning the lottery. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-15. Criminal Statute

Sec. 15. IC 4-30-14-3 defines a crime concerning the lottery. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-16. Criminal Statute

Sec. 16. IC 4-30-14-4 defines a crime concerning the lottery. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-17. Criminal Statute

Sec. 17. IC 4-30-14-5 defines a crime concerning the lottery. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-18. Criminal Statute

Sec. 18. IC 4-30-14-6 defines a crime concerning the lottery. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-19. Criminal Statute

Sec. 19. IC 4-31-7-9 defines a crime concerning horse racing. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-2. Criminal Statute

Sec. 2. IC 4-1-10-9 defines a crime concerning state agencies. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-20. Criminal Statute

Sec. 20. IC 4-31-13-3 defines a crime concerning horse racing. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-21. Criminal Statute

Sec. 21. IC 4-31-13-3.5 defines a crime concerning horse racing. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-22. Criminal Statute

Sec. 22. IC 4-31-13-9 defines a crime concerning horse racing. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-23. Criminal Statute

Sec. 23. IC 4-32.3-8-4 defines a crime concerning charity gaming. As added by P.L.169-2014, SEC.2. Amended by P.L.58-2019, SEC.32.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-24. Criminal Statute

Sec. 24. IC 4-33-10-1 defines a crime concerning riverboat gambling. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-25. Criminal Statute

Sec. 25. IC 4-33-10-2 defines a crime concerning riverboat gambling. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-26. Criminal Statute

Sec. 26. IC 4-33-10-2.1 defines a crime concerning riverboat gambling. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-27. Criminal Statute

Sec. 27. IC 4-33-10-2.5 defines a crime concerning riverboat gambling. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-28. Criminal Statute

Sec. 28. IC 4-33-10-6 defines a crime concerning riverboat gambling. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-29. Criminal Statute

Sec. 29. IC 4-33-22-14 defines a crime concerning boxing and mixed martial arts. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-3. Criminal Statute

Sec. 3. IC 4-2-7-8 defines a crime concerning the inspector general. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-30. Criminal Statute

Sec. 30. IC 4-33-22-40 defines a crime concerning boxing and mixed martial arts. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-31. Criminal Statute

Sec. 31. IC 4-35-9-2 defines a crime concerning gambling games at racetracks. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-32. Criminal Statute

Sec. 32. IC 4-35-9-4 defines a crime concerning gambling games at racetracks. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-33. Criminal Statute

Sec. 33. IC 4-35-9-5 defines a crime concerning gambling games at racetracks. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-34. Criminal Statute

Sec. 34. IC 4-35-9-6 defines a crime concerning gambling games at racetracks. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-35. Criminal Statute

Sec. 35. IC 4-36-6-5 defines a crime concerning gambling in certain establishments. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-5. Criminal Statute

Sec. 5. IC 4-13.6-4-14 defines a crime concerning state public works. As added by P.L.169-2014, SEC.2.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-6. Criminal Statute

Sec. 6. IC 4-21.5-3-36 defines a crime concerning administrative proceedings. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-7. Criminal Statute

Sec. 7. IC 4-21.5-3-37 defines a crime concerning administrative proceedings. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-8. Criminal Statute

Sec. 8. IC 4-30-3-19 defines a crime concerning the lottery. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 4. Ic 4 Criminal Statutes35-52-4-9. Criminal Statute

Sec. 9. IC 4-30-3-19.5 defines a crime concerning the lottery. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 5. Ic 5 Criminal Statutes35-52-5-1. Criminal Statute

Sec. 1. IC 5-1-4-22 defines a crime concerning hospital bonding authorities. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 5. Ic 5 Criminal Statutes35-52-5-10. Criminal Statute

Sec. 10. IC 5-28-15-7.5 defines a crime concerning enterprise zones. As added by P.L.169-2014, SEC.2. Amended by P.L.146-2018, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 5. Ic 5 Criminal Statutes35-52-5-11. Criminal Statute

Sec. 11. IC 5-28-15-8 defines a crime concerning enterprise zones. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 5. Ic 5 Criminal Statutes35-52-5-12. Criminal Statute

Sec. 12. IC 5-28-15.5-6 defines a crime concerning entrepreneur and enterprise districts. As added by P.L.238-2017, SEC.23.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 5. Ic 5 Criminal Statutes35-52-5-2.4. Criminal Statute

Sec. 2.4. IC 5-1.2-4-34 defines a crime concerning certain programs administered by the Indiana finance authority. As added by P.L.189-2018, SEC.162.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 5. Ic 5 Criminal Statutes35-52-5-2. Criminal Statute

Sec. 2. IC 5-1-17.5-23 defines a crime concerning the Indiana motorsports commission. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 5. Ic 5 Criminal Statutes35-52-5-3. Criminal Statute

Sec. 3. IC 5-2-2-11 defines a crime concerning the law enforcement academy building commission. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 5. Ic 5 Criminal Statutes35-52-5-4. Criminal Statute

Sec. 4. IC 5-2-4-7 defines a crime concerning criminal intelligence information. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 5. Ic 5 Criminal Statutes35-52-5-5. Criminal Statute

Sec. 5. IC 5-10.4-3-16 defines a crime concerning the Indiana state teachers' retirement fund. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 5. Ic 5 Criminal Statutes35-52-5-6. Criminal Statute

Sec. 6. IC 5-11-1-18 defines a crime concerning state board of accounts. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 5. Ic 5 Criminal Statutes35-52-5-7. Criminal Statute

Sec. 7. IC 5-15-6-8 defines a crime concerning local public records commissions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 5. Ic 5 Criminal Statutes35-52-5-9. Criminal Statute

Sec. 9. IC 5-16-9-5 defines a crime concerning parking facilities for persons with physical disabilities. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-1. Criminal Statute

Sec. 1. IC 6-1.1-5.5-10 defines a crime concerning sales disclosure forms. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-13. Criminal Statute

Sec. 13. IC 6-2.5-9-1 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-14. Criminal Statute

Sec. 14. IC 6-2.5-9-2 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-15. Criminal Statute

Sec. 15. IC 6-2.5-9-3 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-16. Criminal Statute

Sec. 16. IC 6-2.5-9-6 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-18. Criminal Statute

Sec. 18. IC 6-2.5-9-8 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-19. Criminal Statute

Sec. 19. IC 6-3-3-9 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-2. Criminal Statute

Sec. 2. IC 6-1.1-37-1 defines a crime concerning officers of the state or local government. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-20. Criminal Statute

Sec. 20. IC 6-3-4-8 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-21. Criminal Statute

Sec. 21. IC 6-3-6-10 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-22. Criminal Statute

Sec. 22. IC 6-3-6-11 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-23. Criminal Statute

Sec. 23. IC 6-3-7-5 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-24.5. Criminal Statute

Sec. 24.5. IC 6-3.5-5-18 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-24.7. Criminal Statute

Sec. 24.7. IC 6-3.5-10-13 defines crimes concerning the municipal vehicle excise tax. As added by P.L.146-2016, SEC.19. Amended by P.L.256-2017, SEC.190.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-24.8. Criminal Statute

Sec. 24.8. IC 6-3.5-11-16 defines crimes concerning the municipal wheel tax. As added by P.L.146-2016, SEC.20.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-24. Criminal Statute

Sec. 24. IC 6-3.5-4-16 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-25. Criminal Statute

Sec. 25. IC 6-4.1-12-12 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-26. Criminal Statute

Sec. 26. IC 6-5.5-7-3 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-27. Criminal Statute

Sec. 27. IC 6-5.5-7-4 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-28. Criminal Statute

Sec. 28. IC 6-6-1.1-1307 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-29. Criminal Statute

Sec. 29. IC 6-6-1.1-1308 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-3. Criminal Statute

Sec. 3. IC 6-1.1-37-2 defines a crime concerning officials or representatives of the department of local government finance. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-30. Criminal Statute

Sec. 30. IC 6-6-1.1-1309 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-31. Criminal Statute

Sec. 31. IC 6-6-1.1-1310 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-32. Criminal Statute

Sec. 32. IC 6-6-1.1-1311 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-33. Criminal Statute

Sec. 33. IC 6-6-1.1-1312 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-34. Criminal Statute

Sec. 34. IC 6-6-1.1-1313 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-35. Criminal Statute

Sec. 35. IC 6-6-1.1-1316 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-36. Criminal Statute

Sec. 36. IC 6-6-2.5-28 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-37. Criminal Statute

Sec. 37. IC 6-6-2.5-40 defines a crime concerning fuel. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-38. Criminal Statute

Sec. 38. IC 6-6-2.5-56.5 defines a crime concerning fuel. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-39. Criminal Statute

Sec. 39. IC 6-6-2.5-62 defines a crime concerning fuel. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-4. Criminal Statute

Sec. 4. IC 6-1.1-37-3 defines a crime concerning property tax returns, statements, or documents. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-40. Criminal Statute

Sec. 40. IC 6-6-2.5-63 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-41. Criminal Statute

Sec. 41. IC 6-6-2.5-71 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-42. Criminal Statute

Sec. 42. IC 6-6-5-11 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-43. Criminal Statute

Sec. 43. IC 6-6-5.1-25 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-44. Criminal Statute

Sec. 44. IC 6-6-6-10 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-46. Criminal Statute

Sec. 46. IC 6-6-13-13 defines a crime concerning the aviation fuel excise tax. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-47. Criminal Statute

Sec. 47. IC 6-7-1-15 defines a crime concerning tobacco taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-48. Criminal Statute

Sec. 48. IC 6-7-1-21 defines a crime concerning tobacco taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-49. Criminal Statute

Sec. 49. IC 6-7-1-22 defines a crime concerning tobacco taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-5. Criminal Statute

Sec. 5. IC 6-1.1-37-4 defines a crime concerning property tax deductions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-50. Criminal Statute

Sec. 50. IC 6-7-1-23 defines a crime concerning tobacco taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-51. Criminal Statute

Sec. 51. IC 6-7-1-24 defines a crime concerning tobacco taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-52. Criminal Statute

Sec. 52. IC 6-7-1-36 defines a crime concerning tobacco taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-53. Criminal Statute

Sec. 53. IC 6-7-2-18 defines a crime concerning tobacco taxes and closed system cartridge taxes. As added by P.L.169-2014, SEC.2. Amended by P.L.165-2021, SEC.199.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-54. Criminal Statute

Sec. 54. IC 6-7-2-19 defines a crime concerning tobacco taxes and closed system cartridge taxes. As added by P.L.169-2014, SEC.2. Amended by P.L.165-2021, SEC.200.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-55. Criminal Statute

Sec. 55. IC 6-7-2-20 defines a crime concerning tobacco taxes and closed system cartridge taxes. As added by P.L.169-2014, SEC.2. Amended by P.L.165-2021, SEC.201.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-56.1. Criminal Statute

Sec. 56.1. IC 6-7-4-11 defines a crime concerning the electronic cigarette tax. As added by P.L.165-2021, SEC.203.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-56.2. Criminal Statute

Sec. 56.2. IC 6-7-4-12 defines a crime concerning the electronic cigarette tax. As added by P.L.165-2021, SEC.204.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-56. Criminal Statute

Sec. 56. IC 6-7-2-21 defines a crime concerning tobacco taxes and closed system cartridge taxes. As added by P.L.169-2014, SEC.2. Amended by P.L.165-2021, SEC.202.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-57. Criminal Statute

Sec. 57. IC 6-8-1-19 defines a crime concerning petroleum severance taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-58. Criminal Statute

Sec. 58. IC 6-8-1-23 defines a crime concerning petroleum severance taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-59. Criminal Statute

Sec. 59. IC 6-8-1-24 defines a crime concerning petroleum severance taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-6. Criminal Statute

Sec. 6. IC 6-1.1-37-5 defines a crime concerning false statements on reports or applications. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-60. Criminal Statute

Sec. 60. IC 6-8.1-3-21.2 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-61. Criminal Statute

Sec. 61. IC 6-8.1-7-3 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-62. Criminal Statute

Sec. 62. IC 6-8.1-8-2 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-63.5. Criminal Statute

Sec. 63.5. IC 6-8.1-18-6(b) defines a crime concerning failure to remit taxes collected by a payroll service provider. As added by P.L.97-2021, SEC.3.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-63. Criminal Statute

Sec. 63. IC 6-8.1-10-4 defines a crime concerning taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-64. Criminal Statute

Sec. 64. IC 6-9-2-5 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-65. Criminal Statute

Sec. 65. IC 6-9-2.5-8 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-66. Criminal Statute

Sec. 66. IC 6-9-4-8 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-67. Criminal Statute

Sec. 67. IC 6-9-6-8 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-68. Criminal Statute

Sec. 68. IC 6-9-7-8 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-69. Criminal Statute

Sec. 69. IC 6-9-10-8 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-7. Criminal Statute

Sec. 7. IC 6-1.1-37-6 defines a crime concerning general assessments. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-70. Criminal Statute

Sec. 70. IC 6-9-10.5-12 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-71. Criminal Statute

Sec. 71. IC 6-9-11-8 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-72. Criminal Statute

Sec. 72. IC 6-9-14-8 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-73. Criminal Statute

Sec. 73. IC 6-9-15-8 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-75. Criminal Statute

Sec. 75. IC 6-9-17-8 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-76. Criminal Statute

Sec. 76. IC 6-9-18-8 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-77. Criminal Statute

Sec. 77. IC 6-9-19-8 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-78.5. Criminal Statutes

Sec. 78.5. IC 6-9-29.5-3 defines a crime concerning taxes. As added by P.L.108-2019, SEC.242.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-78. Criminal Statute

Sec. 78. IC 6-9-29-2 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-79. Criminal Statute

Sec. 79. IC 6-9-32-8 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-80. Criminal Statute

Sec. 80. IC 6-9-37-8 defines a crime concerning innkeeper's taxes. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-81. Criminal Statute

Sec. 81. IC 6-9-53-11 defines a crime concerning innkeeper's taxes. As added by P.L.290-2019, SEC.18.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-82. Criminal Statute

Sec. 82. IC 6-9-53-12 defines a crime concerning innkeeper's taxes. As added by P.L.290-2019, SEC.19.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 6. Ic 6 Criminal Statutes35-52-6-83. Criminal Statute

Sec. 83. IC 6-9-56-10 defines a crime concerning innkeeper's taxes. As added by P.L.236-2023, SEC.158.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-1. Criminal Statute

Sec. 1. IC 7.1-3-10-10 defines a crime concerning liquor dealer's permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-10. Criminal Statute

Sec. 10. IC 7.1-3-27-12 defines a crime concerning artisan distiller's permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-11. Criminal Statute

Sec. 11. IC 7.1-3-27-13 defines a crime concerning artisan distiller's permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-12. Criminal Statute

Sec. 12. IC 7.1-3-27-14 defines a crime concerning artisan distiller's permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-13. Criminal Statute

Sec. 13. IC 7.1-3-27-15 defines a crime concerning artisan distiller's permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-14. Criminal Statute

Sec. 14. IC 7.1-5-1-1 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-15. Criminal Statute

Sec. 15. IC 7.1-5-1-3 defines a crime concerning public intoxication. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-16. Criminal Statute

Sec. 16. IC 7.1-5-1-6 defines a crime concerning public intoxication. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-17. Criminal Statute

Sec. 17. IC 7.1-5-1-12 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-18. Criminal Statute

Sec. 18. IC 7.1-5-2-3 defines a crime concerning signs. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-19. Criminal Statute

Sec. 19. IC 7.1-5-2-7 defines a crime concerning signs. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-2. Criminal Statute

Sec. 2. IC 7.1-3-26-5 defines a crime concerning direct wine seller's permits. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-20. Criminal Statute

Sec. 20. IC 7.1-5-3-1 defines a crime concerning containers. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-21. Criminal Statute

Sec. 21. IC 7.1-5-3-2 defines a crime concerning containers. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-22. Criminal Statute

Sec. 22. IC 7.1-5-3-4 defines a crime concerning containers. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-23. Criminal Statute

Sec. 23. IC 7.1-5-4-1 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-24. Criminal Statute

Sec. 24. IC 7.1-5-4-3 define a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-25. Criminal Statute

Sec. 25. IC 7.1-5-4-5 defines a crime concerning permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-26. Criminal Statute

Sec. 26. IC 7.1.5-4-6 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-27. Criminal Statute

Sec. 27. IC 7.1-5-5-2 defines a crime concerning permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-28. Criminal Statute

Sec. 28. IC 7.1-5-5-3 defines a crime concerning permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-29. Criminal Statute

Sec. 29. IC 7.1-5-5-7 defines a crime concerning discounts. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-3. Criminal Statute

Sec. 3. IC 7.1-3-26-6 defines a crime concerning direct wine seller's permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-30. Criminal Statute

Sec. 30. IC 7.1-5-5-9 defines a crime concerning agreements. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-31. Criminal Statute

Sec. 31. IC 7.1-5-5-10 defines a crime concerning gifts. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-32. Criminal Statute

Sec. 32. IC 7.1-5-5-11 defines a crime concerning gifts. As added by P.L.169-2014, SEC.2. Amended by P.L.270-2017, SEC.21.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-33. Criminal Statute

Sec. 33. IC 7.1-5-5-12 defines a crime concerning athletics. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-34. Criminal Statute

Sec. 34. IC 7.1-5-6-1 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-35. Criminal Statute

Sec. 35. IC 7.1-5-6-2 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-36. Criminal Statute

Sec. 36. IC 7.1-5-6-3 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-37.5. Criminal Statute

Sec. 37.5. IC 7.1-5-7-1 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-37. Criminal Statute

Sec. 37. IC 7.1-5-6-4 defines a crime concerning permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-38. Criminal Statute

Sec. 38. IC 7.1-5-7-2 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-39. Criminal Statute

Sec. 39. IC 7.1-5-7-7 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-4. Criminal Statute

Sec. 4. IC 7.1-3-26-10 defines a crime concerning farm winery brandy distiller's permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-40. Criminal Statute

Sec. 40. IC 7.1-5-7-8 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-41. Criminal Statute

Sec. 41. IC 7.1-5-7-10 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-42. Criminal Statute

Sec. 42. IC 7.1-5-7-12 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-43. Criminal Statute

Sec. 43. IC 7.1-5-7-14 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-44. Criminal Statute

Sec. 44. IC 7.1-5-8-1 defines a crime concerning alcohol and tobacco. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-45. Criminal Statute

Sec. 45. IC 7.1-5-8-3 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-46. Criminal Statute

Sec. 46. IC 7.1-5-8-4 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-47. Criminal Statute

Sec. 47. IC 7.1-5-8-5 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-48. Criminal Statute

Sec. 48. IC 7.1-5-8-6 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-49. Criminal Statute

Sec. 49. IC 7.1-5-8-9 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-5. Criminal Statute

Sec. 5. IC 7.1-3-27-3 defines a crime concerning artisan distiller's permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-50. Criminal Statute

Sec. 50. IC 7.1-5-9-1 defines a crime concerning interests. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-51. Criminal Statute

Sec. 51. IC 7.1-5-9-2 defines a crime concerning interests. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-52. Criminal Statute

Sec. 52. IC 7.1-5-9-3 defines a crime concerning interests. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-53. Criminal Statute

Sec. 53. IC 7.1-5-9-4 defines a crime concerning interests. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-54. Criminal Statute

Sec. 54. IC 7.1-5-9-6 defines a crime concerning interests. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-56. Criminal Statute

Sec. 56. IC 7.1-5-9-8 defines a crime concerning permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-57. Criminal Statute

Sec. 57. IC 7.1-5-9-9 defines a crime concerning interests. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-58. Criminal Statute

Sec. 58. IC 7.1-5-9-10 defines a crime concerning interests. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-59. Criminal Statute

Sec. 59. IC 7.1-5-9-13 defines a crime concerning interests. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-6. Criminal Statute

Sec. 6. IC 7.1-3-27-8 defines a crime concerning artisan distiller's permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-60. Criminal Statute

Sec. 60. IC 7.1-5-9-14 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-61. Criminal Statute

Sec. 61. IC 7.1-5-9-15 defines a crime concerning questionnaires. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-62. Criminal Statute

Sec. 62. IC 7.1-5-10-1 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-63. Criminal Statute

Sec. 63. IC 7.1-5-10-2 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-64. Criminal Statute

Sec. 64. IC 7.1-5-10-3 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-65. Criminal Statute

Sec. 65. IC 7.1-5-10-4 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-66. Criminal Statute

Sec. 66. IC 7.1-5-10-5 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-67. Criminal Statute

Sec. 67. IC 7.1-5-10-6 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-68. Criminal Statute

Sec. 68. IC 7.1-5-10-8 defines a crime concerning solicitation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-69. Criminal Statute

Sec. 69. IC 7.1-5-10-9 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-7. Criminal Statute

Sec. 7. IC 7.1-3-27-9 defines a crime concerning artisan distiller's permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-70. Criminal Statute

Sec. 70. IC 7.1-5-10-10 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-71. Criminal Statute

Sec. 71. IC 7.1-5-10-11 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-72. Criminal Statute

Sec. 72. IC 7.1-5-10-12 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-73. Criminal Statute

Sec. 73. IC 7.1-5-10-13 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-74. Criminal Statute

Sec. 74. IC 7.1-5-10-15 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-76. Criminal Statute

Sec. 76. IC 7.1-5-10-20 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-78. Criminal Statute

Sec. 78. IC 7.1-5-10-22 defines a crime concerning sales. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-79. Criminal Statute

Sec. 79. IC 7.1-5-10-23 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-8. Criminal Statute

Sec. 8. IC 7.1-3-27-10 defines a crime concerning artisan distiller's permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-80. Criminal Statute

Sec. 80. IC 7.1-5-11-1 defines a crime concerning importation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-81. Criminal Statute

Sec. 81. IC 7.1-5-11-1.5 defines a crime concerning importation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-82. Criminal Statute

Sec. 82. IC 7.1-5-11-2 defines a crime concerning transportation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-83. Criminal Statute

Sec. 83. IC 7.1-5-11-3 defines a crime concerning transportation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-84. Criminal Statute

Sec. 84. IC 7.1-5-11-4 defines a crime concerning delivery. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-85. Criminal Statute

Sec. 85. IC 7.1-5-11-5 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-86. Criminal Statute

Sec. 86. IC 7.1-5-11-6 defines a crime concerning transportation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-87. Criminal Statute

Sec. 87. IC 7.1-5-11-7 defines a crime concerning shipments. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-88. Criminal Statute

Sec. 88. IC 7.1-5-11-8 defines a crime concerning transportation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-89. Criminal Statute

Sec. 89. IC 7.1-5-11-9 defines a crime concerning transportation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-9. Criminal Statute

Sec. 9. IC 7.1-3-27-11 defines a crime concerning artisan distiller's permits. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-90. Criminal Statute

Sec. 90. IC 7.1-5-11-10 defines a crime concerning transportation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-91. Criminal Statute

Sec. 91. IC 7.1-5-11-11 defines a crime concerning transportation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-92. Criminal Statute

Sec. 92. IC 7.1-5-11-12 defines a crime concerning transportation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-93. Criminal Statute

Sec. 93. IC 7.1-5-11-13 defines a crime concerning recordkeeping. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-94. Criminal Statute

Sec. 94. IC 7.1-5-11-14 defines a crime concerning false statements. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-95. Criminal Statute

Sec. 95. IC 7.1-5-11-15 defines a crime concerning transportation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 7. Ic 7.1 Criminal Statutes35-52-7-96. Criminal Statute

Sec. 96. IC 7.1-5-11-16 defines a crime concerning alcohol. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-1. Criminal Statute

Sec. 1. IC 8-1-2-79 defines a crime concerning utilities. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-10. Criminal Statute

Sec. 10. IC 8-15.5-13-8 defines a crime concerning prohibited political contributions. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-11. Criminal Statute

Sec. 11. IC 8-15.7-16-8 defines a crime concerning prohibited political contributions. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-12. Criminal Statute

Sec. 12. IC 8-21-1-12 defines a crime concerning aeronautics. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-13. Criminal Statute

Sec. 13. IC 8-21-2-5 defines a crime concerning aeronautics. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-14. Criminal Statute

Sec. 14. IC 8-21-4-8 defines a crime concerning aeronautics. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-15. Criminal Statute

Sec. 15. IC 8-21-4-9 defines a crime concerning aeronautics. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-16. Criminal Statute

Sec. 16. IC 8-21-9-35 defines a crime concerning aeronautics. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-17.5. Criminal Statute

Sec. 17.5. IC 8-22-3-32 defines a crime concerning aeronautics. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-17. Criminal Statute

Sec. 17. IC 8-22-2-20 defines a crime concerning aeronautics. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-18. Criminal Statute

Sec. 18. IC 8-23-20-22 defines a crime concerning billboards. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-19. Criminal Statute

Sec. 19. IC 8-23-23-3 defines a crime concerning Indiana department of transportation inspectors. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-2. Criminal Statute

Sec. 2. IC 8-1-2-102 defines a crime concerning utilities. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-3. Criminal Statute

Sec. 3. IC 8-1-2-103 defines a crime concerning utilities. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-4. Criminal Statute

Sec. 4. IC 8-2-3-1 defines a crime concerning fraudulent bills of lading. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-5. Criminal Statute

Sec. 5. IC 8-2.1-22-46 defines a crime concerning motor carrier regulation. As added by P.L.169-2014, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-6.5. Criminal Statute

Sec. 6.5. IC 8-2.1-27-7 defines a crime concerning motor carrier regulation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-6. Criminal Statute

Sec. 6. IC 8-2.1-25-7 defines a crime concerning motor carrier regulation. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-7. Criminal Statute

Sec. 7. IC 8-3-15-3 defines a crime concerning railroads. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-8. Criminal Statute

Sec. 8. IC 8-10-1-23 defines a crime concerning ports. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 8. Ic 8 Criminal Statutes35-52-8-9. Criminal Statute

Sec. 9. IC 8-10-1-29 defines a crime concerning ports. As added by P.L.169-2014, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-1. Criminal Statute

Sec. 1. IC 9-14-13-11 defines a crime concerning the bureau of motor vehicles. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-10. Criminal Statute

Sec. 10. IC 9-19-10.5-3 defines a crime concerning motor vehicle equipment. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-11. Criminal Statute

Sec. 11. IC 9-19-14-4 defines a crime concerning traffic regulation. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-12. Criminal Statute

Sec. 12. IC 9-19-14-5.5 defines a crime concerning motor vehicle equipment. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-13. Criminal Statute

Sec. 13. IC 9-21-5-14 defines a crime concerning traffic regulation. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-14. Criminal Statute

Sec. 14. IC 9-21-6-3 defines a crime concerning traffic regulation. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-15. Criminal Statute

Sec. 15. IC 9-21-8-35 defines a crime concerning traffic regulation. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-16. Criminal Statute

Sec. 16. IC 9-21-8-50 defines a crime concerning traffic regulation. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-17. Criminal Statute

Sec. 17. IC 9-21-8-52 defines a crime concerning traffic regulation. As added by P.L.170-2023, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-18. Criminal Statute

Sec. 18. IC 9-21-8-55 defines a crime concerning traffic regulation. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-19. Criminal Statute

Sec. 19. IC 9-21-8-56 defines a crime concerning traffic regulation. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-2. Criminal Statute

Sec. 2. IC 9-17-2-15 defines a crime concerning certificates of title. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-20. Criminal Statute

Sec. 20. IC 9-21-8-58 defines a crime concerning traffic regulation. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-21. Criminal Statute

Sec. 21. IC 9-21-12-5 defines a crime concerning traffic regulation. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-22. Criminal Statute

Sec. 22. IC 9-21-12-13 defines a crime concerning traffic regulation. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-23. Criminal Statute

Sec. 23. IC 9-21-12-14 defines a crime concerning traffic regulation. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-24. Criminal Statute

Sec. 24. IC 9-21-12-15 defines a crime concerning traffic regulation. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-25. Criminal Statute

Sec. 25. IC 9-21-12-16 defines a crime concerning traffic regulation. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-26. Criminal Statute

Sec. 26. IC 9-21-12-18 defines a crime concerning traffic regulation. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-27. Criminal Statute

Sec. 27. IC 9-22-3-18.5 defines a crime concerning abandoned, salvaged, and scrap vehicles. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-28. Criminal Statute

Sec. 28. IC 9-22-3-31 defines a crime concerning abandoned, salvaged, and scrap vehicles. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-29. Criminal Statute

Sec. 29. IC 9-22-3-32 defines a crime concerning nontitle state certificates of title or ownership papers. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-3. Criminal Statute

Sec. 3. IC 9-18.1-2-12 defines a crime concerning motor vehicle registration and license plates. As added by P.L.170-2023, SEC.2.

Title: title-35

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-30. Criminal Statute

Sec. 30. IC 9-22-5-18 defines a crime concerning scrapping and dismantling vehicles. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-31. Criminal Statute

Sec. 31. IC 9-24-6.1-7 defines a crime concerning commercial motor vehicles. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-32. Criminal Statute

Sec. 32. IC 9-24-6.1-8 defines a crime concerning commercial motor vehicles. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-33. Criminal Statute

Sec. 33. IC 9-24-11-8 defines a crime concerning driver's licenses. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-34. Criminal Statute

Sec. 34. IC 9-24-16-12 defines a crime concerning identification. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-35. Criminal Statute

Sec. 35. IC 9-24-16-12.5 defines a crime concerning identification cards. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-36. Criminal Statute

Sec. 36. IC 9-24-16.5-10 defines a crime concerning photo exempt identification cards. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-37. Criminal Statute

Sec. 37. IC 9-24-16.5-11 defines a crime concerning photo exempt identification cards. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-38. Criminal Statute

Sec. 38. IC 9-24-18-1 defines a crime concerning driver's licenses. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-39. Criminal Statute

Sec. 39. IC 9-24-18-2 defines a crime concerning driver's licenses. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-4. Criminal Statute

Sec. 4. IC 9-18.1-4-8 defines a crime concerning motor vehicle registration and license plates. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-40. Criminal Statute

Sec. 40. IC 9-24-18-7.5 defines a crime concerning driver's licenses. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-41. Criminal Statute

Sec. 41. IC 9-24-19-2 defines a crime concerning driver's licenses. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-42. Criminal Statute

Sec. 42. IC 9-24-19-3 defines a crime concerning driver's licenses. As added by P.L.170-2023, SEC.2.

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2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-43. Criminal Statute

Sec. 43. IC 9-25-8-2 defines a crime concerning financial responsibility. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-44. Criminal Statute

Sec. 44. IC 9-26-1-1.1 defines a crime concerning accidents and accident reports. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-45. Criminal Statute

Sec. 45. IC 9-26-1-1.2 defines a crime concerning motor vehicle accidents and traffic obstruction. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-46. Criminal Statute

Sec. 46. IC 9-26-1-1.5 defines a crime concerning motor vehicle accidents. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-47. Criminal Statute

Sec. 47. IC 9-26-6-2 defines a crime concerning accidents and accident reports. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-48. Criminal Statute

Sec. 48. IC 9-30-4-8 defines a crime concerning licenses and registrations. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-49. Criminal Statute

Sec. 49. IC 9-30-4-13 defines a crime concerning failure to answer after notice of a motor vehicle law violation. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-5. Criminal Statute

Sec. 5. IC 9-18.1-14-10 defines a crime concerning off-road vehicles and snowmobiles. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-50. Criminal Statute

Sec. 50. IC 9-30-5-1 defines a crime concerning operating a vehicle while intoxicated. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-51. Criminal Statute

Sec. 51. IC 9-30-5-2 defines a crime concerning operating a vehicle while intoxicated. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-52. Criminal Statute

Sec. 52. IC 9-30-5-3 defines a crime concerning operating a vehicle while intoxicated. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-53. Criminal Statute

Sec. 53. IC 9-30-5-4 defines a crime concerning operating a vehicle while intoxicated. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-54. Criminal Statute

Sec. 54. IC 9-30-5-5 defines a crime concerning operating a vehicle while intoxicated. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-55. Criminal Statute

Sec. 55. IC 9-30-5-7 defines a crime concerning operating a vehicle while intoxicated. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-56. Criminal Statute

Sec. 56. IC 9-30-5-8 defines a crime concerning operating a vehicle while intoxicated. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-57. Criminal Statute

Sec. 57. IC 9-30-5-16 defines a crime concerning operating a vehicle while intoxicated. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-58. Criminal Statute

Sec. 58. IC 9-30-6-8 defines a crime concerning operating a vehicle while intoxicated. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-59. Criminal Statute

Sec. 59. IC 9-30-9-7.5 defines a crime concerning alcohol abuse deterrent programs. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-6. Criminal Statute

Sec. 6. IC 9-18.1-14.5-5 defines a crime concerning proof of registration of a watercraft. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-60. Criminal Statute

Sec. 60. IC 9-30-10-16 defines a crime concerning habitual violation of traffic laws. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-61. Criminal Statute

Sec. 61. IC 9-30-10-17 defines a crime concerning habitual violation of traffic laws. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-62. Criminal Statute

Sec. 62. IC 9-30-16-5 defines a crime concerning driving privileges. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-63. Criminal Statute

Sec. 63. IC 9-32-3-12 defines a crime concerning records of the dealer services division of the office of the secretary of state. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-64. Criminal Statute

Sec. 64. IC 9-32-4-1 defines a crime concerning certificates of title. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-65. Criminal Statute

Sec. 65. IC 9-32-6-13 defines a crime concerning interim license plates. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-66. Criminal Statute

Sec. 66. IC 9-32-8-9 defines a crime concerning temporary license plates. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-67. Criminal Statute

Sec. 67. IC 9-32-9-13 defines a crime concerning abandoned, salvaged, and scrap vehicles. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-68. Criminal Statute

Sec. 68. IC 9-32-9-16 defines a crime concerning abandoned, salvaged, and scrap vehicles. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-69. Criminal Statute

Sec. 69. IC 9-32-9-29 defines a crime concerning buying a motor vehicle without a certificate of title. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-7. Criminal Statute

Sec. 7. IC 9-18.5-6-1 defines a crime concerning vehicle registration and license plates. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-8. Criminal Statute

Sec. 8. IC 9-18.5-8-3 defines a crime concerning license plates and placards. As added by P.L.170-2023, SEC.2.

2024 Indiana CodeTitle 35. Criminal Law and ProcedureArticle 52. Criminal Statutes Codified Outside Ic 35Chapter 9.1. Ic 9 Criminal Statutes35-52-9.1-9. Criminal Statute

Sec. 9. IC 9-19-10.5-2 defines a crime concerning motor vehicle equipment. As added by P.L.170-2023, SEC.2.