

IC 34-28-3

Chapter 3. Partial Emancipation for Minors to Participate in Automobile and Motorcycle Racing

IC 34-28-3-1

Application of chapter

Sec. 1. This chapter applies to a person who wishes to participate in professional automobile or motorcycle racing events.

As added by P.L.1-1998, SEC.24.

IC 34-28-3-2

Petition to court; requirements; terms of emancipation

Sec. 2. (a) This section applies to:

- (1) a circuit or superior court that has jurisdiction in the county in which the minor resides or is employed; or
- (2) if the minor neither resides in nor is employed in Indiana, the circuit or superior court that has jurisdiction in the county in which any party to the contract or release has its principal office in Indiana.

(b) A circuit or superior court described in subsection (a) may partially emancipate a minor under this chapter if the court finds all of the following:

- (1) The minor and the minor's parents, having petitioned the court, appear before the court and agree that the minor should be partially emancipated to be allowed to participate in professional automobile or motorcycle racing events.
- (2) The minor possesses the maturity to understand the hazards and risks involved in participating in automotive or motorcycle racing events.
- (3) The minor and the minor's parents understand what it means for the minor and the minor's parents to be bound by any contracts, releases, or indemnity agreements the minor signs once the minor is partially emancipated under this chapter.
- (4) If the minor intends to drive in a professional automobile or motorcycle racing event, that the minor has five (5) years experience in go-kart, automobile, or motorcycle racing.

(c) Whenever the court partially emancipates a minor under this chapter, the court shall specify the terms of the emancipation, which are limited to any of the following:

- (1) The ability to contract for the purposes of participating in professional automobile and motorcycle racing events.
- (2) The ability to sign liability releases or indemnity agreements required by a sanctioning entity of professional automobile or motorcycle racing events.

As added by P.L.1-1998, SEC.24.

IC 34-28-3-3

Avoiding contract, liability release, or indemnity agreement entered into by partially emancipated minor prohibited

Sec. 3. A minor who has been partially emancipated under this

chapter (or IC 34-4-44.2 before its repeal) may not avoid a contract, a liability release, or an indemnity agreement referred to in a court order issued under this chapter (or IC 34-4-44.2 before its repeal) by alleging that the minor was under a legal disability by reason of the minor's age. No parent of a minor who has been partially emancipated under this chapter (or IC 34-4-44.2 before its repeal) may seek to have a contract, a liability release, or an indemnity agreement signed by the partially emancipated minor as allowed under this chapter set aside by reason of the minor's age at the time the minor entered into the contract, regardless of whether the parent participates in the partial emancipation proceeding or fits the definition of a parent under IC 34-6-2-93.

As added by P.L.1-1998, SEC.24.