

## **IC 9-19**

### **ARTICLE 19. MOTOR VEHICLE EQUIPMENT**

#### **IC 9-19-1**

##### **Chapter 1. General Provisions and Exemptions**

#### **IC 9-19-1-1**

##### **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.

*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.*

#### **IC 9-19-1-2**

##### **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.

*As added by P.L.2-1991, SEC.7. Amended by P.L.12-1991, SEC.2.*

### **IC 9-19-1-3**

#### **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.

*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.*

### **IC 9-19-1-4**

#### **Operation of noncomplying vehicle**

Sec. 4. Except as otherwise provided in this article, a person may not operate or move upon a highway in Indiana a vehicle or combination of vehicles that are not constructed or equipped in compliance with this article.

*As added by P.L.2-1991, SEC.7.*

### **IC 9-19-1-5**

#### **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 in Indiana a vehicle or combination of vehicles that is not constructed or equipped in compliance with this

article.

*As added by P.L.2-1991, SEC.7.*

**IC 9-19-1-6**

**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.

*As added by P.L.2-1991, SEC.7.*

**IC 9-19-1-7**

**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.

*As added by P.L.2-1991, SEC.7.*