

## **IC 9-28-2**

### **Chapter 2. Nonresident Violator Agreements**

#### **IC 9-28-2-1**

##### **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.

*As added by P.L.2-1991, SEC.16.*

#### **IC 9-28-2-2**

##### **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.

*As added by P.L.2-1991, SEC.16.*

#### **IC 9-28-2-3**

##### **Court**

Sec. 3. As used in this chapter, "court" means a court of law or traffic tribunal.

*As added by P.L.2-1991, SEC.16.*

#### **IC 9-28-2-4**

##### **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.

*As added by P.L.2-1991, SEC.16.*

#### **IC 9-28-2-5**

##### **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.

*As added by P.L.2-1991, SEC.16.*

#### **IC 9-28-2-6**

##### **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.

*As added by P.L.2-1991, SEC.16.*

### **IC 9-28-2-7**

#### **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.

*As added by P.L.2-1991, SEC.16.*

### **IC 9-28-2-8**

#### **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.

*As added by P.L.2-1991, SEC.16. Amended by P.L.125-2012, SEC.305.*

### **IC 9-28-2-9**

#### **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; hardship license**

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 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 is not eligible for a hardship license under IC 9-24-15.

(g) The bureau may not suspend driving privileges under this

section for a nonmoving traffic offense occurring in another jurisdiction.

*As added by P.L.2-1991, SEC.16. Amended by P.L.125-2012, SEC.306.*

#### **IC 9-28-2-10**

##### **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.

*As added by P.L.2-1991, SEC.16.*

#### **IC 9-28-2-11**

##### **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.

*As added by P.L.2-1991, SEC.16.*

#### **IC 9-28-2-12**

##### **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.

*As added by P.L.2-1991, SEC.16.*