

IC 9-32-17

Chapter 17. Penalties and Disciplinary Action

IC 9-32-17-1

Civil penalties

Sec. 1. Except as provided in section 8 of this chapter, 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.

IC 9-32-17-2 Version a

Penalties concerning certificates of title

Note: This version of section effective until 1-1-2015. See also following repeal of this section, effective 1-1-2015.

Sec. 2. (a) Except as provided in subsection (b), a person who violates IC 9-32-4 commits a Class C infraction.

(b) A person who knowingly or intentionally violates IC 9-32-4-1(a)(1), IC 9-32-4-1(a)(2), or IC 9-32-4-1(d) commits a Class B misdemeanor.

As added by P.L.92-2013, SEC.78. Amended by P.L.168-2014, SEC.19.

IC 9-32-17-2 Version b

Repealed

(Repealed by P.L.217-2014, SEC.175.)

Note: This repeal of section effective 1-1-2015. See also preceding version of this section, effective until 1-1-2015.

IC 9-32-17-3 Version a

Penalties concerning dealer license plates

Note: This version of section effective until 1-1-2015. See also following repeal of this section, effective 1-1-2015.

Sec. 3. (a) Except as provided in subsection (b), a person who knowingly or intentionally violates any of the following commits a Class A misdemeanor:

- (1) IC 9-32-6-7.
- (2) IC 9-32-6-10.
- (3) IC 9-32-6-11(d).
- (4) IC 9-32-6-12.

(b) A person who knowingly or intentionally violates IC 9-32-6-13 commits a Class A misdemeanor.

As added by P.L.92-2013, SEC.78.

IC 9-32-17-3 Version b

Repealed

(Repealed by P.L.217-2014, SEC.176.)

Note: This repeal of section effective 1-1-2015. See also preceding version of this section, effective until 1-1-2015.

IC 9-32-17-4 Version a

Penalties concerning licensing of vehicle salvaging

Note: This version of section effective until 1-1-2015. See also following repeal of this section, effective 1-1-2015.

Sec. 4. A person who knowingly or intentionally violates any of the following commits a Class A misdemeanor:

- (1) IC 9-32-9-1.
- (2) IC 9-32-9-2.
- (3) IC 9-32-9-10.

As added by P.L.92-2013, SEC.78.

IC 9-32-17-4 Version b

Repealed

(Repealed by P.L.217-2014, SEC.177.)

Note: This repeal of section effective 1-1-2015. See also preceding version of this section, effective until 1-1-2015.

IC 9-32-17-5 Version a

Penalties concerning regulation of vehicle merchandising

Note: This version of section effective until 1-1-2015. See also following repeal of this section, effective 1-1-2015.

Sec. 5. A person who knowingly or intentionally violates:

- (1) IC 9-32-11-1;
- (2) IC 9-32-11-12 by operating on an expired license issued under IC 9-32-11; or
- (3) IC 9-32-11-12.5 by operating on an expired license issued under IC 9-32-11;

commits a Class A misdemeanor.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.43.

IC 9-32-17-5 Version b

Repealed

(Repealed by P.L.217-2014, SEC.178.)

Note: This repeal of section effective 1-1-2015. See also preceding version of this section, effective until 1-1-2015.

IC 9-32-17-6 Version a

Penalties concerning unfair practices

Note: This version of section effective until 1-1-2015. See also following repeal of this section, effective 1-1-2015.

Sec. 6. A person who knowingly or intentionally violates IC 9-32-13 commits a Class A misdemeanor.

As added by P.L.92-2013, SEC.78.

IC 9-32-17-6 Version b

(Repealed by P.L.217-2014, SEC.179.)

Note: This repeal of section effective 1-1-2015. See also preceding version of this section, effective until 1-1-2015.

IC 9-32-17-7

Civil penalties for failure to deliver certificate of origin or title

Sec. 7. A person who fails to deliver a certificate of origin or title under IC 9-32-5-2 or IC 9-32-5-8 or fails to deliver timely a certificate of title under IC 9-32-4-1(c) 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.

IC 9-32-17-8

Penalty for failure of retail lessor to comply with disclosures required in motor vehicle leases

Sec. 8. A retail lessor who fails to comply with IC 9-32-12, as set forth in IC 9-32-12-4, is liable to the retail lessee for:

- (1) actual damages sustained;
- (2) a civil penalty of not more than one thousand dollars (\$1,000) per lease transaction; and
- (3) reasonable attorney's fees and costs.

As added by P.L.92-2013, SEC.78.

IC 9-32-17-9

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.