

IC 9-30-4

Chapter 4. Licenses and Registrations; Suspension and Revocation

IC 9-30-4-1

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.85-2013, by P.L.198-2016, SEC.596.)

IC 9-30-4-2

Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.149-2015, SEC.94.)

IC 9-30-4-3

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.329; P.L.217-2014, SEC.121. Repealed by P.L.149-2015, SEC.95.)

IC 9-30-4-4

Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.149-2015, SEC.96.)

IC 9-30-4-5

Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.149-2015, SEC.97.)

IC 9-30-4-6

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.107-1991, SEC.1; P.L.64-1994, SEC.2; P.L.100-2010, SEC.4; P.L.125-2012, SEC.330; P.L.126-2012, SEC.29; P.L.13-2013, SEC.39; P.L.85-2013, SEC.87; P.L.217-2014, SEC.122; P.L.149-2015, SEC.98. Repealed by P.L.188-2015, SEC.104; P.L.198-2016, SEC.597.)

IC 9-30-4-6.1

Suspension or revocation of driver's license, driving privileges, certificate of registration, and license plate; evidence of conviction; petition for review

Sec. 6.1. (a) The bureau shall suspend or revoke the current driver's license or driving privileges and all certificates of registration and proof of registration issued to or registered in the name 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).

However, and unless otherwise required by law, the bureau may not suspend a certificate of registration or proof of registration if the individual gives and maintains, during the three (3) years following the date of suspension or revocation, proof of financial responsibility in the future in the manner specified in this section.

(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 and certificates of registration and proof of registration 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 and a motor vehicle may not be registered in the name of 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 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.

As added by P.L.198-2016, SEC.598.

IC 9-30-4-6.5

Repealed

(As added by P.L.100-2010, SEC.5. Amended by P.L.125-2012, SEC.331. Repealed by P.L.149-2015, SEC.99.)

IC 9-30-4-7

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.85-2013, SEC.88. Repealed by P.L.217-2014, SEC.123.)

IC 9-30-4-8

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.

As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.332; P.L.217-2014, SEC.124.

IC 9-30-4-9

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.66-1992, SEC.21; P.L.125-2012, SEC.333; P.L.85-2013, SEC.89; P.L.188-2015, SEC.105. Repealed by P.L.149-2015, SEC.100; P.L.198-2016, SEC.599.)

IC 9-30-4-10

Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.149-2015, SEC.101.)

IC 9-30-4-11

Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.149-2015, SEC.102.)

IC 9-30-4-12

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.

As added by P.L.2-1991, SEC.18.

IC 9-30-4-13

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 either by personal delivery to the person to be notified or by deposit with the United States Postal Service of the notice by first class mail.

(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.

As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.334.

IC 9-30-4-14

Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.198-2016, SEC.600.)

IC 9-30-4-15

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.

As added by P.L.2-1991, SEC.18.