

SENATE BILL No. 117

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2; IC 9-14-3-5; IC 9-22-5-18.2; IC 9-24; IC 9-29-9-15; IC 11-8-8-15; IC 14-15-11-9; IC 26-1-9.1-503; IC 34-28; IC 34-30-2; IC 35-43-5-2; IC 35-48-7-5; IC 35-52-9.

Synopsis: Identification cards without a photograph. Requires the bureau of motor vehicles to issue a commercial identification card that does not bear the photograph of the holder and that is to be used for the limited purpose of commercial transactions. Requires that an application for a commercial identification card must contain a digital photograph of the applicant. Sets a fee of \$11.50 for the issuance, renewal, amendment, or replacement of a commercial identification card. Makes technical corrections and corresponding changes.

Effective: July 1, 2015.

Kruse

January 6, 2015, read first time and referred to Committee on Homeland Security & Transportation.



First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 117

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-13-2-30.5 IS ADDED TO THE INDIANA CODE
- 2 ASA **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2015]: **Sec. 30.5. "Commercial identification card" means an**
- 4 **identification card issued by the bureau for the limited purpose of**
- 5 **commercial transactions.**
- 6 SECTION 2. IC 9-13-2-31.3 IS ADDED TO THE INDIANA CODE
- 7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 8 1, 2015]: **Sec. 31.3. "Commercial transaction" means a business or**
- 9 **personal action of an individual, including:**
- 10 (1) **securing a medical prescription;**
- 11 (2) **purchasing farm chemicals;**
- 12 (3) **using a bank account;**
- 13 (4) **completing an application for employment;**
- 14 (5) **check cashing;**
- 15 (6) **making a retail transaction;**
- 16 (7) **operating watercraft;**



- 1 **(8) obtaining a vaccination;**
 2 **(9) making a property transaction;**
 3 **(10) purchasing alcohol; or**
 4 **(11) donating blood.**

5 SECTION 3. IC 9-14-3-5, AS AMENDED BY P.L.2-2014,
 6 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2015]: Sec. 5. (a) Except as provided in subsection (b), (d), or
 8 (e), the bureau shall prepare and deliver information on titles,
 9 registrations, and licenses and permits upon the request of any person.
 10 All requests must be:

- 11 (1) submitted in writing; or
 12 (2) made electronically through the computer gateway
 13 administered under IC 4-13.1-2-2(a)(5) by the office of
 14 technology;

15 to the bureau and, unless exempted under IC 9-29, must be
 16 accompanied by the payment of the fee prescribed in IC 9-29-2-2.

17 (b) The bureau shall not disclose:

- 18 (1) the Social Security number;
 19 (2) the federal identification number;
 20 (3) the driver's license number;
 21 (4) the digital image of the driver's license, **identification card,**
 22 **or commercial identification card** applicant;
 23 (5) a reproduction of the signature secured under IC 9-24-9-1, ~~or~~
 24 IC 9-24-16-2, **or IC 9-24-16.5-2;** or
 25 (6) medical or disability information;

26 of any person except as provided in subsection (c).

27 (c) The bureau may disclose any information listed in subsection

28 (b):

- 29 (1) to a law enforcement officer;
 30 (2) to an agent or a designee of the department of state revenue;
 31 (3) for uses permitted under IC 9-14-3.5-10(1), IC 9-14-3.5-10(4),
 32 IC 9-14-3.5-10(6), and IC 9-14-3.5-10(9); or
 33 (4) for voter registration and election purposes required under
 34 IC 3-7 or IC 9-24-2.5.

35 (d) As provided under 42 U.S.C. 1973gg-3(b), the bureau may not
 36 disclose any information concerning the failure of an applicant for a
 37 motor vehicle driver's license to sign a voter registration application,
 38 except as authorized under IC 3-7-14.

39 (e) The bureau may not disclose any information concerning the
 40 failure of an applicant for a title, registration, license, or permit (other
 41 than a motor vehicle license described under subsection (d)) to sign a
 42 voter registration application, except as authorized under IC 3-7-14.



1 SECTION 4. IC 9-22-5-18.2, AS AMENDED BY P.L.217-2014,
 2 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2015]: Sec. 18.2. (a) A disposal facility, a scrap metal
 4 processor, or an agent of a disposal facility or scrap metal processor
 5 may purchase a motor vehicle without a certificate of title for the motor
 6 vehicle if:

- 7 (1) the motor vehicle is at least fifteen (15) model years old;
- 8 (2) the purchase is solely for the purpose of dismantling or
 9 wrecking the motor vehicle for the recovery of scrap metal or the
 10 sale of parts; and
- 11 (3) the disposal facility or scrap metal processor records all
 12 purchase transactions of vehicles as required in subsection (b).

13 (b) A disposal facility or scrap metal processor shall maintain the
 14 following information with respect to each motor vehicle purchase
 15 transaction to which the disposal facility or scrap metal processor is a
 16 party for at least two (2) years following the date of the purchase
 17 transaction:

- 18 (1) The name and address of any secondary metals recycler or
 19 salvage yard.
- 20 (2) The name, initials, or other identifying symbol of the person
 21 entering the information.
- 22 (3) The date of the purchase transaction.
- 23 (4) A description of the motor vehicle that is the subject of the
 24 purchase transaction, including the make and model of the motor
 25 vehicle, if practicable.
- 26 (5) The vehicle identification number of the motor vehicle.
- 27 (6) The amount of consideration given for the motor vehicle.
- 28 (7) A written statement signed by the seller or the seller's agent
 29 certifying that the seller or the seller's agent has the lawful right
 30 to sell and dispose of the motor vehicle.
- 31 (8) The name and address of the person from whom the motor
 32 vehicle is being purchased.
- 33 (9) A photocopy or electronic scan of one (1) of the following
 34 forms of identification issued to the seller or the seller's agent:
 - 35 (A) A current and valid driver's license.
 - 36 (B) An identification card issued under IC 9-24-16-1, a
 37 **commercial identification card issued under IC 9-24-16.5**,
 38 or a similar card issued under the laws of another state or the
 39 federal government.
 - 40 (C) A government issued document bearing an image of the
 41 seller or seller's agent, as applicable.

42 For purposes of complying with this subdivision, a disposal



1 facility or scrap metal processor is not required to make a separate
 2 copy of the seller's or seller's agent's identification for each
 3 purchase transaction involving the seller or seller's agent but may
 4 instead refer to a copy maintained in reference to a particular
 5 purchase transaction.

6 (c) A disposal facility or scrap metal processor may not complete a
 7 purchase transaction in the absence of the information required under
 8 subsection (b)(9).

9 (d) A disposal facility, a scrap metal processor, or an agent of a
 10 disposal facility or scrap metal processor that knowingly or
 11 intentionally buys a motor vehicle that is less than fifteen (15) model
 12 years old without a certificate of title for the motor vehicle commits a
 13 Level 6 felony.

14 SECTION 5. IC 9-24-3-4, AS AMENDED BY P.L.217-2014,
 15 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2015]: Sec. 4. To receive an operator's license, an individual
 17 must surrender to the bureau any and all driver's licenses, ~~or~~
 18 identification cards, **or commercial identification cards** issued under
 19 IC 9-24 to the individual by Indiana or any other jurisdiction.

20 SECTION 6. IC 9-24-11-4, AS AMENDED BY P.L.217-2014,
 21 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2015]: Sec. 4. (a) An individual may not have more than one
 23 (1) driver's license, ~~or~~ identification card issued under IC 9-24, **or**
 24 **commercial identification card issued under IC 9-24-16.5** at a time.

25 (b) An individual may not hold a driver's license and:

26 (1) an identification card issued under IC 9-24; **or**

27 (2) **a commercial identification card issued under**
 28 **IC 9-24-16.5;**

29 at the same time.

30 (c) A person who violates subsection (a) or (b) commits a Class C
 31 infraction.

32 SECTION 7. IC 9-24-12-4, AS AMENDED BY P.L.2-2014,
 33 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2015]: Sec. 4. (a) Except as provided in subsections (b) and
 35 (c), the application for renewal of:

36 (1) an operator's license;

37 (2) a chauffeur's license;

38 (3) a public passenger chauffeur's license; ~~or~~

39 (4) an identification card; **or**

40 (5) **a commercial identification card;**

41 under this article may be filed not more than twelve (12) months before
 42 the expiration date of the license, ~~or~~ identification card, **or commercial**



- 1 **identification card** held by the applicant.
- 2 (b) When the applicant complies with IC 9-24-9-2.5(5) through
3 IC 9-24-9-2.5(10), an application for renewal of a driver's license in
4 subsection (a)(1), (a)(2), or (a)(3) may be filed not more than one (1)
5 month before the expiration date of the license held by the applicant.
- 6 (c) When the applicant complies with IC 9-24-16-3.5(1)(E) through
7 IC 9-24-16-3.5(1)(J), an application for renewal of an identification
8 card under subsection (a)(4) may be filed not more than one (1) month
9 before the expiration date of the identification card held by the
10 applicant.
- 11 SECTION 8. IC 9-24-16-0.5 IS ADDED TO THE INDIANA CODE
12 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 2015]: **Sec. 0.5. This chapter does not apply to commercial**
14 **identification cards.**
- 15 SECTION 9. IC 9-24-16-14 IS ADDED TO THE INDIANA CODE
16 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
17 1, 2015]: **Sec. 14. (a) An individual may not hold an identification**
18 **card and a commercial identification card issued under**
19 **IC 9-24-16.5 at the same time.**
- 20 (b) **An individual who violates this section commits a Class C**
21 **infraction.**
- 22 SECTION 10. IC 9-24-16.5 IS ADDED TO THE INDIANA CODE
23 AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2015]:
- 25 **Chapter 16.5. Commercial Identification Cards**
- 26 **Sec. 1. The bureau shall issue a commercial identification card**
27 **to an individual who meets the following conditions:**
- 28 (1) **Makes an application.**
- 29 (2) **Is a resident of Indiana.**
- 30 **Sec. 2. (a) An application for a commercial identification card**
31 **issued under this chapter must require the following information**
32 **concerning an applicant:**
- 33 (1) **The full legal name of the applicant.**
- 34 (2) **The applicant's date of birth.**
- 35 (3) **The gender of the applicant.**
- 36 (4) **The applicant's height, weight, hair color, and eye color.**
- 37 (5) **The principal address and mailing address of the**
38 **applicant.**
- 39 (6) **A:**
- 40 (A) **valid Social Security number;**
- 41 (B) **verification of the applicant's ineligibility to be issued**
42 **a Social Security number; or**



1 (C) statement from the applicant in which the applicant
 2 swears or affirms that the applicant has a sincerely held
 3 religious belief against the issuance of a Social Security
 4 number to the applicant and a copy of Form 4029 from the
 5 United States Internal Revenue Service concerning the
 6 applicant.

7 (7) The signature of the applicant.

8 (8) A statement:

9 (A) from the applicant in which the applicant swears or
 10 affirms that the applicant has a sincerely held religious
 11 belief against the taking of a photograph of the applicant;
 12 and

13 (B) from a member of the clergy of the religious
 14 organization of which the applicant is a member regarding
 15 the prohibition of photography of members of the religious
 16 organization.

17 (9) A digital photograph of the applicant.

18 The bureau shall maintain records of the information provided
 19 under subdivisions (1) through (9).

20 (b) The photograph required under subsection (a)(9) is a
 21 confidential public record in accordance with IC 5-14-3-4(a),
 22 IC 9-14-3-1, and IC 9-14-3-5.

23 (c) The bureau may invalidate a commercial identification card
 24 that the bureau believes to have been issued as a result of
 25 fraudulent documentation.

26 (d) The bureau:

27 (1) shall adopt rules under IC 4-22-2 to establish a procedure
 28 to verify an applicant's identity; and

29 (2) may adopt rules to establish a procedure to temporarily
 30 invalidate a commercial identification card that the bureau
 31 believes to have been issued based on fraudulent
 32 documentation.

33 Sec. 3. (a) A commercial identification card must have the same
 34 dimensions and shape as a driver's license and an identification
 35 card issued under IC 9-24-16, but the commercial identification
 36 card must have markings sufficient to distinguish the card from a
 37 driver's license or an identification card.

38 (b) The front side of a commercial identification card must
 39 contain the following information about the individual to whom the
 40 card is being issued:

41 (1) Full legal name.

42 (2) The address of the principal residence.



- 1 **(3) Date of birth.**
 2 **(4) Date of issue and date of expiration.**
 3 **(5) Unique identification number.**
 4 **(6) Gender.**
 5 **(7) Weight.**
 6 **(8) Height.**
 7 **(9) Color of eyes and hair.**
 8 **(10) A reproduction of the signature of the individual**
 9 **identified.**
 10 **(11) If the individual is less than eighteen (18) years of age at**
 11 **the time of issuance, the dates on which the individual will**
 12 **become:**
 13 **(A) eighteen (18) years of age; and**
 14 **(B) twenty-one (21) years of age.**
 15 **(12) If the individual is at least eighteen (18) years of age but**
 16 **less than twenty-one (21) years of age at the time of issuance,**
 17 **the date on which the individual will become twenty-one (21)**
 18 **years of age.**
 19 **(c) The front side of a commercial identification card may not**
 20 **bear a photograph of the holder of the commercial identification**
 21 **card.**
 22 **(d) The information contained on the commercial identification**
 23 **card as required by subsection (b)(11) or (b)(12) for an individual**
 24 **who is less than twenty-one (21) years of age at the time of issuance**
 25 **must be printed prominently on the commercial identification**
 26 **card.**
 27 **Sec. 4. A commercial identification card must include a**
 28 **statement on the card that indicates that the commercial**
 29 **identification card may not be accepted by any federal agency for**
 30 **federal identification or any other federal purpose.**
 31 **Sec. 5. (a) A commercial identification card expires at midnight**
 32 **on the birth date of the holder that occurs six (6) years following**
 33 **the date of issuance.**
 34 **(b) An application for renewal of a commercial identification**
 35 **card may be made not more than twelve (12) months before the**
 36 **expiration date of the card.**
 37 **(c) A renewed commercial identification card is valid on the**
 38 **birth date of the holder and remains valid for six (6) years.**
 39 **(d) A commercial identification card may not be renewed if the**
 40 **holder was issued a driver's license or an identification card after**
 41 **the last issuance of a commercial identification card.**
 42 **(e) An application for the renewal of a commercial identification**



1 card may not be made by mail or by electronic service.

2 **Sec. 6. (a) The bureau shall issue:**

3 (1) an amended commercial identification card if any
4 information contained on the commercial identification card
5 becomes invalid or obsolete; or

6 (2) a replacement commercial identification card if the card
7 is lost, stolen, damaged, or destroyed.

8 (b) If information on a commercial identification card becomes
9 invalid or obsolete, the holder shall, within thirty (30) days after
10 the card becomes invalid or obsolete, apply for an amended card
11 containing correct information.

12 (c) If a commercial identification card is lost, stolen, damaged,
13 or destroyed, the holder may apply for a replacement card.

14 (d) An application for an amended or replacement commercial
15 identification card may not be made by mail or by electronic
16 service.

17 **Sec. 7. The bureau may adopt rules under IC 4-22-2 and**
18 **prescribe all forms necessary to implement this chapter.**

19 **Sec. 8. A commercial identification card issued under this**
20 **chapter may not be used to identify the individual who holds the**
21 **commercial identification card as the operator of a motor vehicle.**

22 **Sec. 9. (a) An individual may not hold a commercial**
23 **identification card and an identification card issued under**
24 **IC 9-24-16 at the same time.**

25 (b) An individual who violates this section commits a Class C
26 infraction.

27 **Sec. 10. A person who:**

28 (1) knowingly permits the use of a commercial identification
29 card issued under this chapter by a person other than the
30 person to whom the card was issued;

31 (2) knowingly displays or represents as the person's own
32 commercial identification card issued under this chapter a
33 commercial identification card that was not issued to the
34 person displaying the card or representing that the card is the
35 person's card;

36 (3) knowingly or intentionally does not surrender, upon
37 demand of the proper official, a commercial identification
38 card issued under this chapter that has become invalid or
39 expired; or

40 (4) knowingly sells, offers to sell, buys, possesses, or offers a
41 false commercial identification card that could reasonably be
42 mistaken for a valid commercial identification card required



1 by this chapter to be issued by the bureau but that has not
 2 been issued by the bureau;
 3 **commits a Class B misdemeanor.**

4 **Sec. 11. A person who forges or reproduces a commercial**
 5 **identification card issued under this chapter:**

- 6 (1) with intent to use the commercial identification card; or
 7 (2) with intent that the commercial identification card may be
 8 used by another person;

9 **commits a Class B misdemeanor.**

10 **Sec. 12. The commissioner and the employees or agents of the**
 11 **bureau are not civilly responsible for the validity of information**
 12 **contained on a commercial identification card issued under this**
 13 **chapter. The bureau may adopt rules under IC 4-22-2 to place an**
 14 **appropriate disclaimer on a commercial identification card.**

15 **Sec. 13. Except for gross misconduct, if a retailer, or an**
 16 **employee of a retailer, in good faith accepts a commercial**
 17 **identification card issued under this chapter as proof of**
 18 **identification for purposes of a retail transaction, the retailer or**
 19 **employee is immune from any civil liability that may occur as a**
 20 **result of the acceptance.**

21 SECTION 11. IC 9-24-17-1, AS AMENDED BY P.L.147-2007,
 22 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2015]: Sec. 1. The application form for a driver's license, ~~and~~
 24 an identification card issued under IC 9-24-16, **and a commercial**
 25 **identification card issued under IC 9-24-16.5** must allow an
 26 applicant to acknowledge the making of an anatomical gift under
 27 IC 29-2-16.1.

28 SECTION 12. IC 9-24-17-2, AS AMENDED BY P.L.125-2012,
 29 SECTION 232, IS AMENDED TO READ AS FOLLOWS
 30 [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) The bureau shall verbally ask
 31 every individual who applies for a driver's license, ~~or~~ an identification
 32 card issued under IC 9-24-16, **or a commercial identification card**
 33 **issued under IC 9-24-16.5** whether the individual desires to make an
 34 anatomical gift.

35 (b) If the individual does desire to make an anatomical gift, the
 36 bureau shall provide the individual the form by which the individual
 37 makes the gift.

38 SECTION 13. IC 9-24-17-8, AS AMENDED BY P.L.125-2012,
 39 SECTION 234, IS AMENDED TO READ AS FOLLOWS
 40 [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) Each anatomical gift made
 41 under this chapter must be made by the donor by acknowledging the
 42 making of the anatomical gift by signing the application form for the



1 driver's license, **commercial identification card**, or identification card
 2 under section 1 of this chapter. If the donor cannot sign, the application
 3 form may be signed for the donor:

- 4 (1) at the donor's direction and in the donor's presence; and
 5 (2) in the presence of two (2) witnesses who must sign the
 6 document in the donor's and each other's presence.

7 (b) The bureau shall place an identifying symbol on the face of the
 8 license, **commercial identification card**, or identification card to
 9 indicate that the person to whom the license, **commercial**
 10 **identification card**, or identification card is issued has acknowledged
 11 the making of an anatomical gift on the application form for the
 12 license, **commercial identification card**, or identification card as set
 13 forth in subsection (a).

14 (c) Revocation, suspension, or cancellation of the license or
 15 expiration of the license, **commercial identification card**, or
 16 identification card does not invalidate the anatomical gift.

17 (d) An anatomical gift is valid if the person acknowledges the
 18 making of the anatomical gift by signing the application form for a
 19 driver's license, **commercial identification card**, or identification card
 20 under subsection (a). No other acknowledgment is required to make an
 21 anatomical gift.

22 SECTION 14. IC 9-29-9-15, AS AMENDED BY P.L.216-2014,
 23 SECTION 135, IS AMENDED TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2015]: Sec. 15. (a) Except as provided in
 25 subsection (b) or (c), the fee for the issuance, renewal, amendment, or
 26 replacement of an identification card under IC 9-24-16 **or a**
 27 **commercial identification card under IC 9-24-16.5** is eleven dollars
 28 and fifty cents (\$11.50). The fee shall be distributed as follows:

- 29 (1) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 30 (2) One dollar and twenty-five cents (\$1.25) deposited as follows:
 31 (A) For an identification card **or commercial identification**
 32 **card** issued, renewed, amended, or replaced before July 1,
 33 2019, into the integrated public safety communications fund.
 34 (B) For an identification card **or commercial identification**
 35 **card** issued, renewed, amended, or replaced after June 30,
 36 2019, into the commission fund.
 37 (3) Two dollars and seventy-five cents (\$2.75) to the motor
 38 vehicle highway account.
 39 (4) Seven dollars (\$7) to the commission fund.

40 (b) The fee for the issuance, renewal, amendment, or replacement
 41 of an identification card under IC 9-24-16 **or a commercial**
 42 **identification card under IC 9-24-16.5** issued to an individual who



1 is at least sixty-five (65) years of age or to an individual with a physical
 2 disability who is not entitled to obtain a driver's license is nine dollars
 3 (\$9). The fee shall be distributed as follows:

4 (1) Fifty cents (\$0.50) to the state motor vehicle technology fund.

5 (2) One dollar and fifty cents (\$1.50) to the motor vehicle
 6 highway account.

7 (3) For an identification card **or commercial identification card**
 8 issued, renewed, amended, or replaced before July 1, 2019, as
 9 follows:

10 (A) One dollar and twenty-five cents (\$1.25) to the integrated
 11 public safety communications fund.

12 (B) Five dollars and seventy-five cents (\$5.75) to the
 13 commission fund.

14 (4) For an identification card **or commercial identification card**
 15 issued, renewed, amended, or replaced after June 30, 2019, seven
 16 dollars (\$7) to the commission fund.

17 (c) There is no fee for an identification card issued under
 18 IC 9-24-16-10 for purposes of voting in an election.

19 SECTION 15. IC 11-8-8-15, AS AMENDED BY P.L.168-2014,
 20 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2015]: Sec. 15. (a) A sex or violent offender who is a resident
 22 of Indiana shall obtain and keep in the sex or violent offender's
 23 possession:

24 (1) a valid Indiana driver's license; or

25 (2) a valid Indiana identification card (as described in IC 9-24-16)

26 **or a commercial identification card (as described in**
 27 **IC 9-24-16.5);**

28 that contains the offender's current address and current physical
 29 description.

30 (b) A sex or violent offender required to register in Indiana who is
 31 not a resident of Indiana shall obtain and keep in the sex or violent
 32 offender's possession:

33 (1) a valid driver's license issued by the state in which the sex or
 34 violent offender resides; or

35 (2) a valid state issued identification card issued by the state in
 36 which the sex or violent offender resides;

37 that contains the offender's current address and current physical
 38 description.

39 (c) A person who knowingly or intentionally violates this section
 40 commits failure of a sex or violent offender to possess identification,
 41 a Class A misdemeanor. However, the offense is a Level 6 felony if the
 42 person:



- 1 (1) is a sexually violent predator; or
- 2 (2) has a prior unrelated conviction:
 - 3 (A) under this section; or
 - 4 (B) based on the person's failure to comply with any
 - 5 requirement imposed on an offender under this chapter.
- 6 (d) It is a defense to a prosecution under this section that:
 - 7 (1) the person has been unable to obtain a valid driver's license,
 - 8 ~~or~~ state issued identification card, **or commercial identification**
 - 9 **card** because less than thirty (30) days have passed since the
 - 10 person's release from incarceration;
 - 11 (2) the person possesses a driver's license, ~~or~~ state issued
 - 12 identification card, **or commercial identification card** that
 - 13 expired not more than thirty (30) days before the date the person
 - 14 violated subsection (a) or (b); or
 - 15 (3) the person possesses a valid driver's license, ~~or~~ state issued
 - 16 identification card, **or commercial identification card**, but the
 - 17 card does not reflect the person's current address or current
 - 18 physical description because fewer than thirty (30) days have
 - 19 passed since the person changed the person's current address or
 - 20 physical characteristics.

21 SECTION 16. IC 14-15-11-9 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9. (a) Except as
 23 provided in subsections (b) and (c), an individual may not operate a
 24 motorboat on public waters unless the individual holds a valid driver's
 25 license.

26 (b) An individual who is at least fifteen (15) years of age and who
 27 does not hold a valid driver's license may operate a motorboat on public
 28 waters if the individual:

- 29 (1) has been issued an identification card by the bureau under
- 30 IC 9-24-16 **or a commercial identification card under**
- 31 **IC 9-24-16.5**; and
- 32 (2) has successfully completed a boating education course
- 33 approved by the department for the purposes of this chapter.

34 (c) An individual who:

- 35 (1) is at least twenty-one (21) years of age; and
- 36 (2) does not hold:
 - 37 (A) a valid driver's license; or
 - 38 (B) a driver's license that is suspended or revoked;

39 may operate a motorboat on public waters if the individual is issued an
 40 identification card by the bureau under IC 9-24-16 before January 1,
 41 1996.

42 SECTION 17. IC 26-1-9.1-503, AS AMENDED BY P.L.54-2011,



1 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2015]: Sec. 503. (a) A financing statement sufficiently
3 provides the name of the debtor:

4 (1) except as otherwise provided in subdivision (3), if the debtor
5 is a registered organization or the collateral is held in a trust that
6 is a registered organization, only if the financing statement
7 provides the name that is stated to be the registered organization's
8 name on the public organic record most recently filed with or
9 issued or enacted by the registered organization's jurisdiction of
10 organization which purports to state, amend, or restate the
11 registered organization's name;

12 (2) subject to subsection (f), if the collateral is being administered
13 by the personal representative of a decedent only if the financing
14 statement provides as the name of the debtor the name of the
15 decedent, and, in a separate part of the financing statement,
16 indicates that the collateral is being administered by a personal
17 representative;

18 (3) if the collateral is held in a trust that is not a registered
19 organization, only if the financing statement:

20 (A) provides as the name of the debtor:

21 (i) if the organic record of the trust specifies a name for the
22 trust, the name specified; or

23 (ii) if the organic record of the trust does not specify a name
24 for the trust, the name of the settlor or testator; and

25 (B) in a separate part of the financing statement:

26 (i) if the name is provided in accordance with clause (A)(i),
27 indicates that the collateral is held in a trust; or

28 (ii) if the name is provided in accordance with clause (A)(ii),
29 provides additional information sufficient to distinguish the
30 trust from other trusts having one (1) or more of the same
31 settlors of the same testator and indicates that the collateral
32 is held in a trust, unless the additional information so
33 indicates;

34 (4) subject to subsection (g), if the debtor is an individual to
35 whom this state has issued a driver's license, ~~or~~ an identification
36 card for nondrivers under IC 9-24-16, ~~or a commercial~~
37 **identification card for nondrivers under IC 9-24-16.5** that has
38 not expired, only if the financing statement provides the name of
39 the individual which is indicated on the driver's license, ~~or~~
40 identification card, ~~or commercial identification card~~;

41 (5) if the debtor is an individual to whom subdivision (4) does not
42 apply, only if the financing statement provides the individual



- 1 name of the debtor or the surname and first personal name of the
 2 debtor; and
 3 (6) in other cases:
 4 (A) if the debtor has a name, only if it provides the individual
 5 or organizational name of the debtor; and
 6 (B) if the debtor does not have a name, only if it provides the
 7 names of the partners, members, associates, or other persons
 8 comprising the debtor in a manner that each name provided
 9 would be sufficient if the person named were the debtor.
 10 (b) A financing statement that provides the name of the debtor in
 11 accordance with subsection (a) is not rendered ineffective by the
 12 absence of:
 13 (1) a trade name or other name of the debtor; or
 14 (2) unless required under subsection (a)(6)(B), names of partners,
 15 members, associates, or other persons comprising the debtor.
 16 (c) A financing statement that provides only the debtor's trade name
 17 does not sufficiently provide the name of the debtor.
 18 (d) Failure to indicate the representative capacity of a secured party
 19 or representative of a secured party does not affect the sufficiency of a
 20 financing statement.
 21 (e) A financing statement may provide the name of more than one
 22 (1) debtor and the name of more than one (1) secured party.
 23 (f) The name of the decedent indicated on the order appointing the
 24 personal representative of the decedent issued by the court having
 25 jurisdiction over the collateral is sufficient as the "name of the
 26 decedent" under subsection (a)(2).
 27 (g) If this state has issued to an individual more than one (1) driver's
 28 license or identification card of a kind described in subsection (a)(4),
 29 the one (1) that was issued most recently is the one (1) to which
 30 subsection (a)(4) refers.
 31 (h) In this section, "name of the settlor or testator" means:
 32 (1) if the settlor is a registered organization, the name that is
 33 stated to be the settlor's name on the public organic record most
 34 recently filed with or issued or enacted by the settlor's jurisdiction
 35 of organization which purports to state, amend, or restate the
 36 settlor's name; or
 37 (2) in other cases, the name of the settlor or testator indicated in
 38 the trust's organic record.
 39 SECTION 18. IC 34-28-2-2.5, AS ADDED BY P.L.61-2010,
 40 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2015]: Sec. 2.5. (a) If a person petitioning for a change of
 42 name under this chapter is at least seventeen (17) years of age, the



- 1 person's petition must include at least the following information:
- 2 (1) The person's date of birth.
- 3 (2) The person's current:
- 4 (A) residence address; and
- 5 (B) if different than the person's residence address, mailing
- 6 address.
- 7 (3) The person's valid:
- 8 (A) Indiana driver's license number; ~~or~~
- 9 (B) Indiana identification card (as described in IC 9-24-16)
- 10 number; **or**
- 11 **(C) Indiana commercial identification card (as described**
- 12 **in IC 9-24-16.5) number.**
- 13 (4) A list of all previous names used by the person.
- 14 (5) Proof that the person is a United States citizen.
- 15 (6) A statement concerning whether the person holds a valid
- 16 United States passport.
- 17 (7) A description of all judgments of criminal conviction of a
- 18 felony under the laws of any state or the United States that have
- 19 been entered against the person.
- 20 (b) A petition under subsection (a) is subject to Indiana Rules of
- 21 Court Administrative Rule 9.
- 22 SECTION 19. IC 34-28-5-15, AS AMENDED BY P.L.112-2013,
- 23 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 24 JULY 1, 2015]: Sec. 15. (a) This subsection does not apply to a person
- 25 whose prosecution for an infraction is deferred under section 1 of this
- 26 chapter. If a person alleged to have violated a statute defining an
- 27 infraction:
- 28 (1) is not prosecuted or if the action against the person is
- 29 dismissed;
- 30 (2) is adjudged not to have committed the infraction; or
- 31 (3) is adjudged to have committed the infraction and the
- 32 adjudication is subsequently vacated;
- 33 the court in which the action was filed shall order the clerk and the
- 34 operator of any state, regional, or local case management system not to
- 35 disclose or permit disclosure of information related to the infraction to
- 36 a noncriminal justice organization or an individual.
- 37 (b) Not earlier than five (5) years after a person:
- 38 (1) whose prosecution for an infraction has been deferred; or
- 39 (2) who was found to have violated a statute defining an
- 40 infraction;
- 41 has satisfied the conditions of the deferral program or the judgment
- 42 imposed for the violation, the person may petition the court to prohibit



1 disclosure of information related to the infraction to a noncriminal
 2 justice organization or an individual. The court shall order the clerk
 3 and the operator of any state, regional, or local case management
 4 system not to disclose or permit disclosure of information related to the
 5 infraction to a noncriminal justice organization or an individual if the
 6 court finds that:

7 (1) the person satisfied the judgment or conditions of the deferral
 8 program; and

9 (2) at least five (5) years have passed since the date the person
 10 satisfied the judgment or conditions of the program.

11 (c) If a court fails to order the clerk and the operator of any state,
 12 regional, or local case management system to restrict disclosure of
 13 information related to the infraction under subsection (a), the person
 14 may petition the court to restrict disclosure of the records related to the
 15 infraction to a noncriminal justice organization or an individual.

16 (d) A petition under subsection (b) or (c) must be verified and filed
 17 in:

18 (1) the court in which the action was filed, for a person described
 19 in subsection (a)(1);

20 (2) the court in which the trial was held, for a person described in
 21 subsection (a)(2) or (a)(3); or

22 (3) the court finding or having jurisdiction over the violation, for
 23 a person described in subsection (b).

24 (e) A petition under subsection (b) or (c) must be filed not earlier
 25 than:

26 (1) if the person is adjudged not to have committed the infraction,
 27 thirty (30) days after the date of judgment;

28 (2) if the person's adjudication is vacated, three hundred sixty-five
 29 (365) days after:

30 (A) the order vacating the adjudication is final, if there is no
 31 appeal or the appeal is terminated before entry of an opinion
 32 or memorandum decision; or

33 (B) the opinion or memorandum decision vacating the
 34 adjudication is certified;

35 (3) if the person is not prosecuted or the action is dismissed, thirty
 36 (30) days after the action is dismissed, if a new action is not filed;
 37 or

38 (4) if the person participated in a deferral program or is found to
 39 have violated the statute defining the infraction, not earlier than
 40 five (5) years after the date the judgment for the violation is
 41 satisfied or the conditions of the deferral program are met.

42 (f) A petition under subsection (b) or (c) must set forth:



- 1 (1) the date of the alleged violation;
- 2 (2) the violation or alleged violation;
- 3 (3) the date the action was dismissed, if applicable;
- 4 (4) the date of judgment, if applicable;
- 5 (5) the date the adjudication was vacated, if applicable;
- 6 (6) the basis on which the adjudication was vacated, if applicable;
- 7 (7) the date the judgment is satisfied or the conditions of the
- 8 deferral program were met, if applicable;
- 9 (8) the law enforcement agency employing the officer who issued
- 10 the complaint, if applicable;
- 11 (9) any other known identifying information, such as the name of
- 12 the officer, case number, or court cause number;
- 13 (10) the date of the petitioner's birth; and
- 14 (11) at the option of the petitioner, the:
 - 15 (A) petitioner's driver's license **number**, or state identification
 - 16 card number, or **commercial identification card number**; or
 - 17 (B) last four (4) digits of the petitioner's Social Security
 - 18 number.

19 (g) A copy of a petition filed under subsection (b) or (c) shall be
20 served on the prosecuting attorney.

21 (h) If the prosecuting attorney wishes to oppose a petition filed
22 under subsection (b) or (c), the prosecuting attorney shall, not later than
23 thirty (30) days after the petition is filed, file a notice of opposition
24 with the court setting forth reasons for opposing the petition. The
25 prosecuting attorney shall attach to the notice of opposition a certified
26 copy of any documentary evidence showing that the petitioner is not
27 entitled to relief. A copy of the notice of opposition and copies of any
28 documentary evidence shall be served on the petitioner in accordance
29 with the Indiana Rules of Trial Procedure.

30 (i) The court may, with respect to a petition filed under subsection
31 (b) or (c):

- 32 (1) summarily grant the petition;
- 33 (2) set the matter for hearing; or
- 34 (3) summarily deny the petition, if the court determines that:
 - 35 (A) the petition is insufficient; or
 - 36 (B) based on documentary evidence submitted to the court, the
 - 37 petitioner is not entitled to have access to the petitioner's
 - 38 records restricted.

39 (j) If a notice of opposition is filed under subsection (h) and the
40 court does not summarily grant or summarily deny the petition, the
41 court shall set the matter for a hearing.

42 (k) After a hearing is held under subsection (j), the court shall grant



1 the petition filed under:
 2 (1) subsection (b) if the person is entitled to relief under that
 3 subsection; or
 4 (2) subsection (c) if the person is entitled to relief under
 5 subsection (a).
 6 (l) If the court grants a petition filed under subsection (b) or (c), the
 7 court shall order the clerk and the operator of any state, regional, or
 8 local case management system not to disclose or permit disclosure of
 9 information related to the infraction to a noncriminal justice
 10 organization or an individual.
 11 SECTION 20. IC 34-30-2-31.5 IS ADDED TO THE INDIANA
 12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2015]: **Sec. 31.5. IC 9-24-16.5-12 (Concerning**
 14 **the commissioner, employees, and agents of the bureau of motor**
 15 **vehicles for the validity of the information contained on**
 16 **commercial identification cards).**
 17 SECTION 21. IC 34-30-2-31.7 IS ADDED TO THE INDIANA
 18 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 19 [EFFECTIVE JULY 1, 2015]: **Sec. 31.7. IC 9-24-16.5-13 (Concerning**
 20 **actions taken by retailers and employees of retailers concerning**
 21 **commercial identification cards).**
 22 SECTION 22. IC 35-43-5-2, AS AMENDED BY P.L.158-2013,
 23 SECTION 469, IS AMENDED TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) A person who knowingly or
 25 intentionally:
 26 (1) makes or utters a written instrument in such a manner that it
 27 purports to have been made:
 28 (A) by another person;
 29 (B) at another time;
 30 (C) with different provisions; or
 31 (D) by authority of one who did not give authority; or
 32 (2) possesses more than one (1) written instrument knowing that
 33 the written instruments were made in a manner that they purport
 34 to have been made:
 35 (A) by another person;
 36 (B) at another time;
 37 (C) with different provisions; or
 38 (D) by authority of one who did not give authority;
 39 commits counterfeiting, a Level 6 felony.
 40 (b) A person who, with intent to defraud:
 41 (1) makes or delivers to another person:
 42 (A) a false sales receipt;



- 1 (B) a duplicate of a sales receipt; or
 2 (C) a label or other item with a false universal product code
 3 (UPC) or other product identification code; or
 4 (2) places a false universal product code (UPC) or another
 5 product identification code on property displayed or offered for
 6 sale;
 7 commits making or delivering a false sales document, a Level 6 felony.
 8 (c) A person who, with intent to defraud, possesses:
 9 (1) a retail sales receipt;
 10 (2) a label or other item with a universal product code (UPC); or
 11 (3) a label or other item that contains a product identification code
 12 that applies to an item other than the item to which the label or
 13 other item applies;
 14 commits possession of a fraudulent sales document, a Class A
 15 misdemeanor. However, the offense is a Level 6 felony if the person
 16 possesses at least fifteen (15) retail sales receipts, at least fifteen (15)
 17 labels containing a universal product code (UPC), at least fifteen (15)
 18 labels containing another product identification code, or at least fifteen
 19 (15) of any combination of the items described in subdivisions (1)
 20 through (3).
 21 (d) A person who, with intent to defraud, makes, utters, or possesses
 22 a written instrument in such a manner that it purports to have been
 23 made:
 24 (1) by another person;
 25 (2) at another time;
 26 (3) with different provisions; or
 27 (4) by authority of one who did not give authority;
 28 commits forgery, a Level 6 felony.
 29 (e) This subsection applies to a person who applies for a driver's
 30 license (as defined in IC 9-13-2-48), **or** a state identification card (as
 31 described in IC 9-24-16), **or a commercial identification card (as**
 32 **described in IC 9-24-16.5)**. A person who:
 33 (1) knowingly or intentionally uses a false or fictitious name or
 34 gives a false or fictitious address in an application for a driver's
 35 license, **or** a state identification card, **or a commercial**
 36 **identification card** or for a renewal or a duplicate of a driver's
 37 license, **or** a state identification card, **or a commercial**
 38 **identification card;** or
 39 (2) knowingly or intentionally makes a false statement or conceals
 40 a material fact in an application for a driver's license, **or** a state
 41 identification card, **or a commercial identification card;**
 42 commits application fraud, a Level 6 felony.



1 SECTION 23. IC 35-48-7-5, AS AMENDED BY P.L.204-2005,
 2 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2015]: Sec. 5. As used in this chapter, "identification number"
 4 refers to the following:

5 (1) The unique number contained on any of the following:

6 (A) A valid driver's license of a recipient or a recipient's
 7 representative issued under Indiana law or the law of any other
 8 state.

9 (B) A recipient's or a recipient representative's valid military
 10 identification card.

11 (C) A valid identification card of a recipient or a recipient's
 12 representative issued by:

13 (i) the bureau of motor vehicles as described in
 14 IC 9-24-16-3; or

15 (ii) any other state and that is similar to the identification
 16 card issued by the bureau of motor vehicles.

17 **(D) A valid commercial identification card of a recipient or
 18 a recipient's representative issued by:**

19 **(i) the bureau of motor vehicles as described in
 20 IC 9-24-16.5-1; or**

21 **(ii) any other state and that is similar to the commercial
 22 identification card issued by the bureau of motor
 23 vehicles.**

24 ~~(D)~~ **(E) If the recipient is an animal:**

25 (i) the valid driver's license issued under Indiana law or the
 26 law of any other state;

27 (ii) the valid military identification card; or

28 (iii) the valid identification card issued by the bureau of
 29 motor vehicles and described in IC 9-24-16-3, **a valid
 30 commercial identification card issued by the bureau of
 31 motor vehicles as described in IC 9-24-16.5-1**, or a valid
 32 identification card **or commercial identification card** of
 33 similar description that is issued by any other state;

34 of the animal's owner.

35 (2) The identification number or phrase designated by the central
 36 repository.

37 SECTION 24. IC 35-52-9-35.3 IS ADDED TO THE INDIANA
 38 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 39 **[EFFECTIVE JULY 1, 2015]: Sec. 35.3. IC 9-24-16.5-10 defines a**
 40 **crime concerning commercial identification cards.**

41 SECTION 25. IC 35-52-9-35.7 IS ADDED TO THE INDIANA
 42 CODE AS A **NEW SECTION TO READ AS FOLLOWS**



1 [EFFECTIVE JULY 1, 2015]: **Sec. 35.7. IC 9-24-16.5-11 defines a**
2 **crime concerning commercial identification cards.**

