



January 30, 2015

HOUSE BILL No. 1631

DIGEST OF HB 1631 (Updated January 28, 2015 1:46 pm - DI 96)

Citations Affected: IC 9-13; IC 9-14; IC 9-22; IC 9-24; IC 9-29; IC 11-8; IC 14-15; IC 26-1; IC 34-28; IC 34-30; IC 35-43; IC 35-48; IC 35-52.

Synopsis: Identification cards without an image. Requires the bureau of motor vehicles to issue a photo exempt identification card (card) that does not bear the image of the holder. Requires that an application for a card, among other requirements, must contain a digital image of the applicant. Provides that an individual may not have a card and a driver's license or identification card at a time. Provides that a retailer that in good faith accepts a card as proof of identification for a retail transaction is immune from civil liability that may occur as a result of the acceptance. Sets a fee of \$11.50 for the issuance, renewal, amendment, or replacement of a card. Makes technical corrections and corresponding changes.

Effective: January 1, 2016.

Morris, Beumer, Lehman, Ober

January 22, 2015, read first time and referred to Committee on Roads and Transportation.
January 29, 2015, amended, reported — Do Pass.

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January 30, 2015

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.

HOUSE BILL No. 1631

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 9-13-2-125.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JANUARY 1, 2016]: **Sec. 125.5. "Photo exempt**
4 **identification card" means an identification card issued by the**
5 **bureau under IC 9-24-16.5.**
- 6 SECTION 2. IC 9-14-3-5, AS AMENDED BY P.L.2-2014,
7 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JANUARY 1, 2016]: Sec. 5. (a) Except as provided in subsection (b),
9 (d), or (e), the bureau shall prepare and deliver information on titles,
10 registrations, and licenses and permits upon the request of any person.
11 All requests must be:
12 (1) submitted in writing; or
13 (2) made electronically through the computer gateway
14 administered under IC 4-13.1-2-2(a)(5) by the office of
15 technology;
16 to the bureau and, unless exempted under IC 9-29, must be

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1 accompanied by the payment of the fee prescribed in IC 9-29-2-2.

2 (b) The bureau shall not disclose:

- 3 (1) the Social Security number;
 4 (2) the federal identification number;
 5 (3) the driver's license number;
 6 (4) the digital image of the driver's license, **identification card,**
 7 **or photo exempt identification card** applicant;
 8 (5) a reproduction of the signature secured under IC 9-24-9-1, ~~or~~
 9 IC 9-24-16-2, **or IC 9-24-16.5-2**; or
 10 (6) medical or disability information;

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

12 (c) The bureau may disclose any information listed in subsection
 13 (b):

- 14 (1) to a law enforcement officer;
 15 (2) to an agent or a designee of the department of state revenue;
 16 (3) for uses permitted under IC 9-14-3.5-10(1), IC 9-14-3.5-10(4),
 17 IC 9-14-3.5-10(6), and IC 9-14-3.5-10(9); or
 18 (4) for voter registration and election purposes required under
 19 IC 3-7 or IC 9-24-2.5.

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

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

28 SECTION 3. IC 9-22-5-18.2, AS AMENDED BY P.L.217-2014,
 29 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JANUARY 1, 2016]: Sec. 18.2. (a) A disposal facility, a scrap metal
 31 processor, or an agent of a disposal facility or scrap metal processor
 32 may purchase a motor vehicle without a certificate of title for the motor
 33 vehicle if:

- 34 (1) the motor vehicle is at least fifteen (15) model years old;
 35 (2) the purchase is solely for the purpose of dismantling or
 36 wrecking the motor vehicle for the recovery of scrap metal or the
 37 sale of parts; and
 38 (3) the disposal facility or scrap metal processor records all
 39 purchase transactions of vehicles as required in subsection (b).

40 (b) A disposal facility or scrap metal processor shall maintain the
 41 following information with respect to each motor vehicle purchase
 42 transaction to which the disposal facility or scrap metal processor is a



1 party for at least two (2) years following the date of the purchase
2 transaction:

3 (1) The name and address of any secondary metals recycler or
4 salvage yard.

5 (2) The name, initials, or other identifying symbol of the person
6 entering the information.

7 (3) The date of the purchase transaction.

8 (4) A description of the motor vehicle that is the subject of the
9 purchase transaction, including the make and model of the motor
10 vehicle, if practicable.

11 (5) The vehicle identification number of the motor vehicle.

12 (6) The amount of consideration given for the motor vehicle.

13 (7) A written statement signed by the seller or the seller's agent
14 certifying that the seller or the seller's agent has the lawful right
15 to sell and dispose of the motor vehicle.

16 (8) The name and address of the person from whom the motor
17 vehicle is being purchased.

18 (9) A photocopy or electronic scan of one (1) of the following
19 forms of identification issued to the seller or the seller's agent:

20 (A) A current and valid driver's license.

21 (B) An identification card issued under IC 9-24-16-1, **a photo**
22 **exempt identification card issued under IC 9-24-16.5**, or a
23 similar card issued under the laws of another state or the
24 federal government.

25 (C) A government issued document bearing an image of the
26 seller or seller's agent, as applicable.

27 For purposes of complying with this subdivision, a disposal
28 facility or scrap metal processor is not required to make a separate
29 copy of the seller's or seller's agent's identification for each
30 purchase transaction involving the seller or seller's agent but may
31 instead refer to a copy maintained in reference to a particular
32 purchase transaction.

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

36 (d) A disposal facility, a scrap metal processor, or an agent of a
37 disposal facility or scrap metal processor that knowingly or
38 intentionally buys a motor vehicle that is less than fifteen (15) model
39 years old without a certificate of title for the motor vehicle commits a
40 Level 6 felony.

41 SECTION 4. IC 9-24-3-4, AS AMENDED BY P.L.217-2014,
42 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JANUARY 1, 2016]: Sec. 4. To receive an operator's license, an
 2 individual must surrender to the bureau any and all driver's licenses, ~~or~~
 3 identification cards, **or photo exempt identification cards** issued
 4 under IC 9-24 to the individual by Indiana or any other jurisdiction.

5 SECTION 5. IC 9-24-11-4, AS AMENDED BY P.L.217-2014,
 6 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JANUARY 1, 2016]: Sec. 4. (a) An individual may not have more than
 8 one (1) driver's license, ~~or~~ identification card issued under IC 9-24, **or**
 9 **photo exempt identification card issued under IC 9-24-16.5** at a
 10 time.

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

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

13 (2) **a photo exempt identification card issued under**
 14 **IC 9-24-16.5;**

15 at the same time.

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

18 SECTION 6. IC 9-24-12-4, AS AMENDED BY P.L.2-2014,
 19 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JANUARY 1, 2016]: Sec. 4. (a) Except as provided in subsections (b)
 21 and (c), the application for renewal of:

22 (1) an operator's license;

23 (2) a chauffeur's license;

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

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

26 (5) **a photo exempt identification card;**

27 under this article may be filed not more than twelve (12) months before
 28 the expiration date of the license, ~~or~~ identification card, **or photo**
 29 **exempt identification card** held by the applicant.

30 (b) When the applicant complies with IC 9-24-9-2.5(5) through
 31 IC 9-24-9-2.5(10), an application for renewal of a driver's license in
 32 subsection (a)(1), (a)(2), or (a)(3) may be filed not more than one (1)
 33 month before the expiration date of the license held by the applicant.

34 (c) When the applicant complies with IC 9-24-16-3.5(1)(E) through
 35 IC 9-24-16-3.5(1)(J), an application for renewal of an identification
 36 card under subsection (a)(4) may be filed not more than one (1) month
 37 before the expiration date of the identification card held by the
 38 applicant.

39 SECTION 7. IC 9-24-16-0.5 IS ADDED TO THE INDIANA CODE
 40 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE
 41 JANUARY 1, 2016]: **Sec. 0.5. This chapter does not apply to photo**
 42 **exempt identification cards.**



1 SECTION 8. IC 9-24-16-14 IS ADDED TO THE INDIANA CODE
 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 3 JANUARY 1, 2016]: **Sec. 14. (a) An individual may not hold an
 4 identification card and a photo exempt identification card issued
 5 under IC 9-24-16.5 at the same time.**

6 **(b) An individual who violates this section commits a Class C
 7 infraction.**

8 SECTION 9. IC 9-24-16.5 IS ADDED TO THE INDIANA CODE
 9 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 10 JANUARY 1, 2016]:

11 **Chapter 16.5. Photo Exempt Identification Cards**

12 **Sec. 1. The bureau shall issue a photo exempt identification card
 13 to an individual who meets the following conditions:**

- 14 (1) **Makes an application.**
 15 (2) **Is a resident of Indiana.**
 16 (3) **Has provided valid documentary evidence to the bureau of
 17 the lawful status in the United States of the individual, as
 18 required by section 2(a)(10) of this chapter.**

19 **Sec. 2. (a) An application for a photo exempt identification card
 20 issued under this chapter must require the following information
 21 concerning an applicant:**

- 22 (1) **The full legal name of the applicant.**
 23 (2) **The applicant's date of birth.**
 24 (3) **The gender of the applicant.**
 25 (4) **The applicant's height, weight, hair color, and eye color.**
 26 (5) **The principal address and mailing address of the
 27 applicant.**
 28 (6) **A:**
 29 (A) **valid Social Security number;**
 30 (B) **verification of the applicant's ineligibility to be issued
 31 a Social Security number; or**
 32 (C) **statement from the applicant in which the applicant
 33 swears or affirms that the applicant has a sincerely held
 34 religious belief against the issuance of a Social Security
 35 number to the applicant and a copy of Form 4029 from the
 36 United States Internal Revenue Service concerning the
 37 applicant.**
 38 (7) **A digital image of the applicant.**
 39 (8) **A statement:**
 40 (A) **from the applicant in which the applicant swears or
 41 affirms that the applicant has a sincerely held religious
 42 belief against the taking of a photograph of the applicant;**



- 1 and
- 2 **(B) from a member of the clergy of the religious**
- 3 **organization of which the applicant is a member regarding**
- 4 **the prohibition of photography of members of the religious**
- 5 **organization.**
- 6 **(9) The signature of the applicant.**
- 7 **(10) Valid documentary evidence that the applicant is a citizen**
- 8 **or national of the United States. The bureau shall maintain**
- 9 **records of the information provided under this subdivision.**
- 10 **(b) The image required under subsection (a)(7) is a confidential**
- 11 **public record in accordance with IC 5-14-3-4(a), IC 9-14-3-1, and**
- 12 **IC 9-14-3-5.**
- 13 **(c) The bureau may invalidate a photo exempt identification**
- 14 **card that the bureau believes to have been issued as a result of**
- 15 **fraudulent documentation.**
- 16 **(d) The bureau:**
- 17 **(1) shall adopt rules under IC 4-22-2 to establish a procedure**
- 18 **to verify an applicant's identity; and**
- 19 **(2) may adopt rules to establish a procedure to temporarily**
- 20 **invalidate a photo exempt identification card that the bureau**
- 21 **believes to have been issued based on fraudulent**
- 22 **documentation.**
- 23 **Sec. 3. (a) A photo exempt identification card must have the**
- 24 **same dimensions and shape as a driver's license and an**
- 25 **identification card issued under IC 9-24-16, but the photo exempt**
- 26 **identification card must have markings sufficient to distinguish the**
- 27 **card from a driver's license or an identification card.**
- 28 **(b) The front side of a photo exempt identification card must**
- 29 **contain the following information about the individual to whom the**
- 30 **card is being issued:**
- 31 **(1) Full legal name.**
- 32 **(2) The address of the principal residence.**
- 33 **(3) Date of birth.**
- 34 **(4) Date of issue and date of expiration.**
- 35 **(5) Unique identification number.**
- 36 **(6) Gender.**
- 37 **(7) Weight.**
- 38 **(8) Height.**
- 39 **(9) Color of eyes and hair.**
- 40 **(10) A reproduction of the signature of the individual**
- 41 **identified.**
- 42 **(11) If the individual is less than eighteen (18) years of age at**



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



1 days after the card becomes invalid or obsolete, apply for an
2 amended card containing correct information.

3 (c) If a photo exempt identification card is lost, stolen, damaged,
4 or destroyed, the holder may apply for a replacement card.

5 (d) An application for an amended or replacement photo exempt
6 identification card may not be made by mail or by electronic
7 service.

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

10 Sec. 8. A photo exempt identification card issued under this
11 chapter may not be used to identify the individual who holds the
12 photo exempt identification card as the operator of a motor
13 vehicle.

14 Sec. 9. (a) An individual may not hold a photo exempt
15 identification card and an identification card issued under
16 IC 9-24-16 at the same time.

17 (b) An individual who violates this section commits a Class C
18 infraction.

19 Sec. 10. A person who:

20 (1) knowingly permits the use of a photo exempt identification
21 card issued under this chapter by a person other than the
22 person to whom the card was issued;

23 (2) knowingly displays or represents as the person's own
24 photo exempt identification card issued under this chapter a
25 photo exempt identification card that was not issued to the
26 person displaying the card or representing that the card is the
27 person's card;

28 (3) knowingly or intentionally does not surrender, upon
29 demand of the proper official, a photo exempt identification
30 card issued under this chapter that has become invalid or
31 expired; or

32 (4) knowingly sells, offers to sell, buys, possesses, or offers a
33 false photo exempt identification card that could reasonably
34 be mistaken for a valid photo exempt identification card
35 required by this chapter to be issued by the bureau but that
36 has not been issued by the bureau;

37 commits a Class B misdemeanor.

38 Sec. 11. A person who forges or reproduces a photo exempt
39 identification card issued under this chapter:

40 (1) with intent to use the photo exempt identification card; or

41 (2) with intent that the photo exempt identification card may
42 be used by another person;



1 commits a Class B misdemeanor.

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

7 **Sec. 13. Except for gross misconduct, if a retailer, or an**
8 **employee of a retailer, in good faith accepts a photo exempt**
9 **identification card issued under this chapter as proof of**
10 **identification for purposes of a retail transaction, the retailer or**
11 **employee is immune from any civil liability that may occur as a**
12 **result of the acceptance.**

13 SECTION 10. IC 9-24-17-1, AS AMENDED BY P.L.147-2007,
14 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JANUARY 1, 2016]: Sec. 1. The application form for a driver's license,
16 ~~and~~ an identification card issued under IC 9-24-16, **and a photo**
17 **exempt identification card issued under IC 9-24-16.5** must allow an
18 applicant to acknowledge the making of an anatomical gift under
19 IC 29-2-16.1.

20 SECTION 11. IC 9-24-17-2, AS AMENDED BY P.L.125-2012,
21 SECTION 232, IS AMENDED TO READ AS FOLLOWS
22 [EFFECTIVE JANUARY 1, 2016]: Sec. 2. (a) The bureau shall
23 verbally ask every individual who applies for a driver's license, ~~or~~ an
24 identification card issued under IC 9-24-16, **or a photo exempt**
25 **identification card issued under IC 9-24-16.5** whether the individual
26 desires to make an anatomical gift.

27 (b) If the individual does desire to make an anatomical gift, the
28 bureau shall provide the individual the form by which the individual
29 makes the gift.

30 SECTION 12. IC 9-24-17-8, AS AMENDED BY P.L.125-2012,
31 SECTION 234, IS AMENDED TO READ AS FOLLOWS
32 [EFFECTIVE JANUARY 1, 2016]: Sec. 8. (a) Each anatomical gift
33 made under this chapter must be made by the donor by acknowledging
34 the making of the anatomical gift by signing the application form for
35 the driver's license, **photo exempt identification card,** or
36 identification card under section 1 of this chapter. If the donor cannot
37 sign, the application form may be signed for the donor:

38 (1) at the donor's direction and in the donor's presence; and
39 (2) in the presence of two (2) witnesses who must sign the
40 document in the donor's and each other's presence.

41 (b) The bureau shall place an identifying symbol on the face of the
42 license, **photo exempt identification card,** or identification card to



1 indicate that the person to whom the license, **photo exempt**
 2 **identification card**, or identification card is issued has acknowledged
 3 the making of an anatomical gift on the application form for the
 4 license, **photo exempt identification card**, or identification card as set
 5 forth in subsection (a).

6 (c) Revocation, suspension, or cancellation of the license or
 7 expiration of the license, **photo exempt identification card**, or
 8 identification card does not invalidate the anatomical gift.

9 (d) An anatomical gift is valid if the person acknowledges the
 10 making of the anatomical gift by signing the application form for a
 11 driver's license, **photo exempt identification card**, or identification
 12 card under subsection (a). No other acknowledgment is required to
 13 make an anatomical gift.

14 SECTION 13. IC 9-29-9-15, AS AMENDED BY P.L.216-2014,
 15 SECTION 135, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JANUARY 1, 2016]: Sec. 15. (a) Except as provided in
 17 subsection (b) or (c), the fee for the issuance, renewal, amendment, or
 18 replacement of an identification card under IC 9-24-16 **or a photo**
 19 **exempt identification card under IC 9-24-16.5** is eleven dollars and
 20 fifty cents (\$11.50). The fee shall be distributed as follows:

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

22 (2) One dollar and twenty-five cents (\$1.25) deposited as follows:

23 (A) For an identification card **or photo exempt identification**
 24 **card** issued, renewed, amended, or replaced before July 1,
 25 2019, into the integrated public safety communications fund.

26 (B) For an identification card **or photo exempt identification**
 27 **card** issued, renewed, amended, or replaced after June 30,
 28 2019, into the commission fund.

29 (3) Two dollars and seventy-five cents (\$2.75) to the motor
 30 vehicle highway account.

31 (4) Seven dollars (\$7) to the commission fund.

32 (b) The fee for the issuance, renewal, amendment, or replacement
 33 of an identification card under IC 9-24-16 **or a photo exempt**
 34 **identification card under IC 9-24-16.5** issued to an individual who
 35 is at least sixty-five (65) years of age or to an individual with a physical
 36 disability who is not entitled to obtain a driver's license is nine dollars
 37 (\$9). The fee shall be distributed as follows:

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

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

41 (3) For an identification card **or photo exempt identification**
 42 **card** issued, renewed, amended, or replaced before July 1, 2019,



- 1 as follows:
- 2 (A) One dollar and twenty-five cents (\$1.25) to the integrated
- 3 public safety communications fund.
- 4 (B) Five dollars and seventy-five cents (\$5.75) to the
- 5 commission fund.
- 6 (4) For an identification card **or photo exempt identification**
- 7 **card** issued, renewed, amended, or replaced after June 30, 2019,
- 8 seven dollars (\$7) to the commission fund.
- 9 (c) There is no fee for an identification card issued under
- 10 IC 9-24-16-10 for purposes of voting in an election.
- 11 SECTION 14. IC 11-8-8-15, AS AMENDED BY P.L.168-2014,
- 12 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 13 JANUARY 1, 2016]: Sec. 15. (a) A sex or violent offender who is a
- 14 resident of Indiana shall obtain and keep in the sex or violent offender's
- 15 possession:
- 16 (1) a valid Indiana driver's license; or
- 17 (2) a valid Indiana identification card (as described in IC 9-24-16)
- 18 **or a photo exempt identification card (as described in**
- 19 **IC 9-24-16.5);**
- 20 that contains the offender's current address and current physical
- 21 description.
- 22 (b) A sex or violent offender required to register in Indiana who is
- 23 not a resident of Indiana shall obtain and keep in the sex or violent
- 24 offender's possession:
- 25 (1) a valid driver's license issued by the state in which the sex or
- 26 violent offender resides; or
- 27 (2) a valid state issued identification card issued by the state in
- 28 which the sex or violent offender resides;
- 29 that contains the offender's current address and current physical
- 30 description.
- 31 (c) A person who knowingly or intentionally violates this section
- 32 commits failure of a sex or violent offender to possess identification,
- 33 a Class A misdemeanor. However, the offense is a Level 6 felony if the
- 34 person:
- 35 (1) is a sexually violent predator; or
- 36 (2) has a prior unrelated conviction:
- 37 (A) under this section; or
- 38 (B) based on the person's failure to comply with any
- 39 requirement imposed on an offender under this chapter.
- 40 (d) It is a defense to a prosecution under this section that:
- 41 (1) the person has been unable to obtain a valid driver's license,
- 42 **or state issued identification card, or photo exempt**



1 **identification card** because less than thirty (30) days have passed
 2 since the person's release from incarceration;

3 (2) the person possesses a driver's license, ~~or~~ state issued
 4 identification card, **or photo exempt identification card** that
 5 expired not more than thirty (30) days before the date the person
 6 violated subsection (a) or (b); or

7 (3) the person possesses a valid driver's license, ~~or~~ state issued
 8 identification card, **or photo exempt identification card**, but the
 9 card does not reflect the person's current address or current
 10 physical description because fewer than thirty (30) days have
 11 passed since the person changed the person's current address or
 12 physical characteristics.

13 SECTION 15. IC 14-15-11-9 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 9. (a) Except as
 15 provided in subsections (b) and (c), an individual may not operate a
 16 motorboat on public waters unless the individual holds a valid driver's
 17 license.

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

21 (1) has been issued an identification card by the bureau under
 22 IC 9-24-16 **or a photo exempt identification card under**
 23 **IC 9-24-16.5;** and

24 (2) has successfully completed a boating education course
 25 approved by the department for the purposes of this chapter.

26 (c) An individual who:

27 (1) is at least twenty-one (21) years of age; and

28 (2) does not hold:

29 (A) a valid driver's license; or

30 (B) a driver's license that is suspended or revoked;

31 may operate a motorboat on public waters if the individual is issued an
 32 identification card by the bureau under IC 9-24-16 before January 1,
 33 1996.

34 SECTION 16. IC 26-1-9.1-503, AS AMENDED BY P.L.54-2011,
 35 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JANUARY 1, 2016]: Sec. 503. (a) A financing statement sufficiently
 37 provides the name of the debtor:

38 (1) except as otherwise provided in subdivision (3), if the debtor
 39 is a registered organization or the collateral is held in a trust that
 40 is a registered organization, only if the financing statement
 41 provides the name that is stated to be the registered organization's
 42 name on the public organic record most recently filed with or



- 1 issued or enacted by the registered organization's jurisdiction of
 2 organization which purports to state, amend, or restate the
 3 registered organization's name;
 4 (2) subject to subsection (f), if the collateral is being administered
 5 by the personal representative of a decedent only if the financing
 6 statement provides as the name of the debtor the name of the
 7 decedent, and, in a separate part of the financing statement,
 8 indicates that the collateral is being administered by a personal
 9 representative;
 10 (3) if the collateral is held in a trust that is not a registered
 11 organization, only if the financing statement:
 12 (A) provides as the name of the debtor:
 13 (i) if the organic record of the trust specifies a name for the
 14 trust, the name specified; or
 15 (ii) if the organic record of the trust does not specify a name
 16 for the trust, the name of the settlor or testator; and
 17 (B) in a separate part of the financing statement:
 18 (i) if the name is provided in accordance with clause (A)(i),
 19 indicates that the collateral is held in a trust; or
 20 (ii) if the name is provided in accordance with clause (A)(ii),
 21 provides additional information sufficient to distinguish the
 22 trust from other trusts having one (1) or more of the same
 23 settlors of the same testator and indicates that the collateral
 24 is held in a trust, unless the additional information so
 25 indicates;
 26 (4) subject to subsection (g), if the debtor is an individual to
 27 whom this state has issued a driver's license, ~~or~~ an identification
 28 card for nondrivers under IC 9-24-16, **or a photo exempt**
 29 **identification card for nondrivers under IC 9-24-16.5** that has
 30 not expired, only if the financing statement provides the name of
 31 the individual which is indicated on the driver's license, ~~or~~
 32 identification card, **or photo exempt identification card**;
 33 (5) if the debtor is an individual to whom subdivision (4) does not
 34 apply, only if the financing statement provides the individual
 35 name of the debtor or the surname and first personal name of the
 36 debtor; and
 37 (6) in other cases:
 38 (A) if the debtor has a name, only if it provides the individual
 39 or organizational name of the debtor; and
 40 (B) if the debtor does not have a name, only if it provides the
 41 names of the partners, members, associates, or other persons
 42 comprising the debtor in a manner that each name provided



- 1 would be sufficient if the person named were the debtor.
- 2 (b) A financing statement that provides the name of the debtor in
3 accordance with subsection (a) is not rendered ineffective by the
4 absence of:
- 5 (1) a trade name or other name of the debtor; or
6 (2) unless required under subsection (a)(6)(B), names of partners,
7 members, associates, or other persons comprising the debtor.
- 8 (c) A financing statement that provides only the debtor's trade name
9 does not sufficiently provide the name of the debtor.
- 10 (d) Failure to indicate the representative capacity of a secured party
11 or representative of a secured party does not affect the sufficiency of a
12 financing statement.
- 13 (e) A financing statement may provide the name of more than one
14 (1) debtor and the name of more than one (1) secured party.
- 15 (f) The name of the decedent indicated on the order appointing the
16 personal representative of the decedent issued by the court having
17 jurisdiction over the collateral is sufficient as the "name of the
18 decedent" under subsection (a)(2).
- 19 (g) If this state has issued to an individual more than one (1) driver's
20 license or identification card of a kind described in subsection (a)(4),
21 the one (1) that was issued most recently is the one (1) to which
22 subsection (a)(4) refers.
- 23 (h) In this section, "name of the settlor or testator" means:
- 24 (1) if the settlor is a registered organization, the name that is
25 stated to be the settlor's name on the public organic record most
26 recently filed with or issued or enacted by the settlor's jurisdiction
27 of organization which purports to state, amend, or restate the
28 settlor's name; or
29 (2) in other cases, the name of the settlor or testator indicated in
30 the trust's organic record.
- 31 SECTION 17. IC 34-28-2-2.5, AS ADDED BY P.L.61-2010,
32 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JANUARY 1, 2016]: Sec. 2.5. (a) If a person petitioning for a change
34 of name under this chapter is at least seventeen (17) years of age, the
35 person's petition must include at least the following information:
- 36 (1) The person's date of birth.
37 (2) The person's current:
38 (A) residence address; and
39 (B) if different than the person's residence address, mailing
40 address.
41 (3) The person's valid:
42 (A) Indiana driver's license number; or



- 1 (B) Indiana identification card (as described in IC 9-24-16)
- 2 number; **or**
- 3 **(C) Indiana photo exempt identification card (as described**
- 4 **in IC 9-24-16.5) number.**
- 5 (4) A list of all previous names used by the person.
- 6 (5) Proof that the person is a United States citizen.
- 7 (6) A statement concerning whether the person holds a valid
- 8 United States passport.
- 9 (7) A description of all judgments of criminal conviction of a
- 10 felony under the laws of any state or the United States that have
- 11 been entered against the person.
- 12 (b) A petition under subsection (a) is subject to Indiana Rules of
- 13 Court Administrative Rule 9.
- 14 SECTION 18. IC 34-28-5-15, AS AMENDED BY P.L.112-2013,
- 15 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 16 JANUARY 1, 2016]: Sec. 15. (a) This subsection does not apply to a
- 17 person whose prosecution for an infraction is deferred under section 1
- 18 of this chapter. If a person alleged to have violated a statute defining an
- 19 infraction:
- 20 (1) is not prosecuted or if the action against the person is
- 21 dismissed;
- 22 (2) is adjudged not to have committed the infraction; or
- 23 (3) is adjudged to have committed the infraction and the
- 24 adjudication is subsequently vacated;
- 25 the court in which the action was filed shall order the clerk and the
- 26 operator of any state, regional, or local case management system not to
- 27 disclose or permit disclosure of information related to the infraction to
- 28 a noncriminal justice organization or an individual.
- 29 (b) Not earlier than five (5) years after a person:
- 30 (1) whose prosecution for an infraction has been deferred; or
- 31 (2) who was found to have violated a statute defining an
- 32 infraction;
- 33 has satisfied the conditions of the deferral program or the judgment
- 34 imposed for the violation, the person may petition the court to prohibit
- 35 disclosure of information related to the infraction to a noncriminal
- 36 justice organization or an individual. The court shall order the clerk
- 37 and the operator of any state, regional, or local case management
- 38 system not to disclose or permit disclosure of information related to the
- 39 infraction to a noncriminal justice organization or an individual if the
- 40 court finds that:
- 41 (1) the person satisfied the judgment or conditions of the deferral
- 42 program; and



- 1 (2) at least five (5) years have passed since the date the person
 2 satisfied the judgment or conditions of the program.
- 3 (c) If a court fails to order the clerk and the operator of any state,
 4 regional, or local case management system to restrict disclosure of
 5 information related to the infraction under subsection (a), the person
 6 may petition the court to restrict disclosure of the records related to the
 7 infraction to a noncriminal justice organization or an individual.
- 8 (d) A petition under subsection (b) or (c) must be verified and filed
 9 in:
- 10 (1) the court in which the action was filed, for a person described
 11 in subsection (a)(1);
- 12 (2) the court in which the trial was held, for a person described in
 13 subsection (a)(2) or (a)(3); or
- 14 (3) the court finding or having jurisdiction over the violation, for
 15 a person described in subsection (b).
- 16 (e) A petition under subsection (b) or (c) must be filed not earlier
 17 than:
- 18 (1) if the person is adjudged not to have committed the infraction,
 19 thirty (30) days after the date of judgment;
- 20 (2) if the person's adjudication is vacated, three hundred sixty-five
 21 (365) days after:
- 22 (A) the order vacating the adjudication is final, if there is no
 23 appeal or the appeal is terminated before entry of an opinion
 24 or memorandum decision; or
- 25 (B) the opinion or memorandum decision vacating the
 26 adjudication is certified;
- 27 (3) if the person is not prosecuted or the action is dismissed, thirty
 28 (30) days after the action is dismissed, if a new action is not filed;
 29 or
- 30 (4) if the person participated in a deferral program or is found to
 31 have violated the statute defining the infraction, not earlier than
 32 five (5) years after the date the judgment for the violation is
 33 satisfied or the conditions of the deferral program are met.
- 34 (f) A petition under subsection (b) or (c) must set forth:
- 35 (1) the date of the alleged violation;
- 36 (2) the violation or alleged violation;
- 37 (3) the date the action was dismissed, if applicable;
- 38 (4) the date of judgment, if applicable;
- 39 (5) the date the adjudication was vacated, if applicable;
- 40 (6) the basis on which the adjudication was vacated, if applicable;
- 41 (7) the date the judgment is satisfied or the conditions of the
 42 deferral program were met, if applicable;



- 1 (8) the law enforcement agency employing the officer who issued
 2 the complaint, if applicable;
 3 (9) any other known identifying information, such as the name of
 4 the officer, case number, or court cause number;
 5 (10) the date of the petitioner's birth; and
 6 (11) at the option of the petitioner, the:
 7 (A) petitioner's driver's license **number**, ~~or~~ state identification
 8 card number, **or photo exempt identification card number**;
 9 or
 10 (B) last four (4) digits of the petitioner's Social Security
 11 number.
- 12 (g) A copy of a petition filed under subsection (b) or (c) shall be
 13 served on the prosecuting attorney.
- 14 (h) If the prosecuting attorney wishes to oppose a petition filed
 15 under subsection (b) or (c), the prosecuting attorney shall, not later than
 16 thirty (30) days after the petition is filed, file a notice of opposition
 17 with the court setting forth reasons for opposing the petition. The
 18 prosecuting attorney shall attach to the notice of opposition a certified
 19 copy of any documentary evidence showing that the petitioner is not
 20 entitled to relief. A copy of the notice of opposition and copies of any
 21 documentary evidence shall be served on the petitioner in accordance
 22 with the Indiana Rules of Trial Procedure.
- 23 (i) The court may, with respect to a petition filed under subsection
 24 (b) or (c):
 25 (1) summarily grant the petition;
 26 (2) set the matter for hearing; or
 27 (3) summarily deny the petition, if the court determines that:
 28 (A) the petition is insufficient; or
 29 (B) based on documentary evidence submitted to the court, the
 30 petitioner is not entitled to have access to the petitioner's
 31 records restricted.
- 32 (j) If a notice of opposition is filed under subsection (h) and the
 33 court does not summarily grant or summarily deny the petition, the
 34 court shall set the matter for a hearing.
- 35 (k) After a hearing is held under subsection (j), the court shall grant
 36 the petition filed under:
 37 (1) subsection (b) if the person is entitled to relief under that
 38 subsection; or
 39 (2) subsection (c) if the person is entitled to relief under
 40 subsection (a).
- 41 (l) If the court grants a petition filed under subsection (b) or (c), the
 42 court shall order the clerk and the operator of any state, regional, or



1 local case management system not to disclose or permit disclosure of
 2 information related to the infraction to a noncriminal justice
 3 organization or an individual.

4 SECTION 19. IC 34-30-2-31.5 IS ADDED TO THE INDIANA
 5 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 6 [EFFECTIVE JANUARY 1, 2016]: **Sec. 31.5. IC 9-24-16.5-12**
 7 **(Concerning the commissioner, employees, and agents of the**
 8 **bureau of motor vehicles for the validity of the information**
 9 **contained on photo exempt identification cards).**

10 SECTION 20. IC 34-30-2-31.7 IS ADDED TO THE INDIANA
 11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 12 [EFFECTIVE JANUARY 1, 2016]: **Sec. 31.7. IC 9-24-16.5-13**
 13 **(Concerning actions taken by retailers and employees of retailers**
 14 **concerning photo exempt identification cards).**

15 SECTION 21. IC 35-43-5-2, AS AMENDED BY P.L.158-2013,
 16 SECTION 469, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JANUARY 1, 2016]: Sec. 2. (a) A person who
 18 knowingly or intentionally:

19 (1) makes or utters a written instrument in such a manner that it
 20 purports to have been made:

21 (A) by another person;

22 (B) at another time;

23 (C) with different provisions; or

24 (D) by authority of one who did not give authority; or

25 (2) possesses more than one (1) written instrument knowing that
 26 the written instruments were made in a manner that they purport
 27 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;

32 commits counterfeiting, a Level 6 felony.

33 (b) A person who, with intent to defraud:

34 (1) makes or delivers to another person:

35 (A) a false sales receipt;

36 (B) a duplicate of a sales receipt; or

37 (C) a label or other item with a false universal product code
 38 (UPC) or other product identification code; or

39 (2) places a false universal product code (UPC) or another
 40 product identification code on property displayed or offered for
 41 sale;

42 commits making or delivering a false sales document, a Level 6 felony.



- 1 (c) A person who, with intent to defraud, possesses:
 2 (1) a retail sales receipt;
 3 (2) a label or other item with a universal product code (UPC); or
 4 (3) a label or other item that contains a product identification code
 5 that applies to an item other than the item to which the label or
 6 other item applies;
 7 commits possession of a fraudulent sales document, a Class A
 8 misdemeanor. However, the offense is a Level 6 felony if the person
 9 possesses at least fifteen (15) retail sales receipts, at least fifteen (15)
 10 labels containing a universal product code (UPC), at least fifteen (15)
 11 labels containing another product identification code, or at least fifteen
 12 (15) of any combination of the items described in subdivisions (1)
 13 through (3).
- 14 (d) A person who, with intent to defraud, makes, utters, or possesses
 15 a written instrument in such a manner that it purports to have been
 16 made:
 17 (1) by another person;
 18 (2) at another time;
 19 (3) with different provisions; or
 20 (4) by authority of one who did not give authority;
 21 commits forgery, a Level 6 felony.
- 22 (e) This subsection applies to a person who applies for a driver's
 23 license (as defined in IC 9-13-2-48), ~~or~~ a state identification card (as
 24 described in IC 9-24-16), **or a photo exempt identification card (as**
 25 **described in IC 9-24-16.5)**. A person who:
 26 (1) knowingly or intentionally uses a false or fictitious name or
 27 gives a false or fictitious address in an application for a driver's
 28 license, ~~or~~ a state identification card, **or a photo exempt**
 29 **identification card** or for a renewal or a duplicate of a driver's
 30 license, ~~or~~ a state identification card, **or a photo exempt**
 31 **identification card; or**
 32 (2) knowingly or intentionally makes a false statement or conceals
 33 a material fact in an application for a driver's license, ~~or~~ a state
 34 identification card, **or a photo exempt identification card;**
 35 commits application fraud, a Level 6 felony.
- 36 SECTION 22. IC 35-48-7-5, AS AMENDED BY P.L.204-2005,
 37 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JANUARY 1, 2016]: Sec. 5. As used in this chapter, "identification
 39 number" refers to the following:
 40 (1) The unique number contained on any of the following:
 41 (A) A valid driver's license of a recipient or a recipient's
 42 representative issued under Indiana law or the law of any other



- 1 state.
- 2 (B) A recipient's or a recipient representative's valid military
- 3 identification card.
- 4 (C) A valid identification card of a recipient or a recipient's
- 5 representative issued by:
- 6 (i) the bureau of motor vehicles as described in
- 7 IC 9-24-16-3; or
- 8 (ii) any other state and that is similar to the identification
- 9 card issued by the bureau of motor vehicles.
- 10 **(D) A valid photo exempt identification card of a recipient**
- 11 **or a recipient's representative issued by:**
- 12 **(i) the bureau of motor vehicles as described in**
- 13 **IC 9-24-16.5-1; or**
- 14 **(ii) any other state and that is similar to the photo**
- 15 **exempt identification card issued by the bureau of motor**
- 16 **vehicles.**
- 17 ~~(D)~~ **(E) If the recipient is an animal:**
- 18 (i) the valid driver's license issued under Indiana law or the
- 19 law of any other state;
- 20 (ii) the valid military identification card; or
- 21 (iii) the valid identification card issued by the bureau of
- 22 motor vehicles and described in IC 9-24-16-3, **a valid photo**
- 23 **exempt identification card issued by the bureau of motor**
- 24 **vehicles as described in IC 9-24-16.5-1, or a valid**
- 25 **identification card or photo exempt identification card of**
- 26 **similar description that is issued by any other state;**
- 27 **of the animal's owner.**
- 28 (2) The identification number or phrase designated by the central
- 29 repository.
- 30 SECTION 23. IC 35-52-9-35.3 IS ADDED TO THE INDIANA
- 31 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 32 [EFFECTIVE JANUARY 1, 2016]: **Sec. 35.3. IC 9-24-16.5-10 defines**
- 33 **a crime concerning photo exempt identification cards.**
- 34 SECTION 24. IC 35-52-9-35.7 IS ADDED TO THE INDIANA
- 35 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 36 [EFFECTIVE JANUARY 1, 2016]: **Sec. 35.7. IC 9-24-16.5-11 defines**
- 37 **a crime concerning photo exempt identification cards.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1631, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 3 through 9 with "[EFFECTIVE JANUARY 1, 2016]".

Replace the effective dates in SECTIONS 11 through 25 with "[EFFECTIVE JANUARY 1, 2016]".

Page 1, delete lines 1 through 16, begin a new paragraph and insert:
 "SECTION 1. IC 9-13-2-125.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: **Sec. 125.5. "Photo exempt identification card" means an identification card issued by the bureau under IC 9-24-16.5.**"

Page 2, delete lines 1 through 4.

Page 2, line 22, delete "commercial" and insert "**photo exempt**".

Page 3, line 37, delete "commercial" and insert "**photo exempt**".

Page 4, line 18, delete "commercial" and insert "**photo exempt**".

Page 4, line 24, delete "commercial" and insert "**photo exempt**".

Page 4, line 27, delete "commercial" and insert "**photo exempt**".

Page 4, line 40, delete "commercial" and insert "**photo exempt**".

Page 4, line 42, delete "commercial" and insert "**photo exempt**".

Page 5, line 13, delete "commercial" and insert "**photo exempt**".

Page 5, line 18, delete "commercial" and insert "**photo exempt**".

Page 5, delete lines 22 through 42, begin a new paragraph and insert:

"SECTION 9. IC 9-24-16.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]:

Chapter 16.5. Photo Exempt Identification Cards

Sec. 1. The bureau shall issue a photo exempt identification card to an individual who meets the following conditions:

- (1) Makes an application.**
- (2) Is a resident of Indiana.**
- (3) Has provided valid documentary evidence to the bureau of the lawful status in the United States of the individual, as required by section 2(a)(10) of this chapter.**

Sec. 2. (a) An application for a photo exempt identification card issued under this chapter must require the following information concerning an applicant:



- (1) The full legal name of the applicant.
- (2) The applicant's date of birth.
- (3) The gender of the applicant.
- (4) The applicant's height, weight, hair color, and eye color.
- (5) The principal address and mailing address of the applicant.
- (6) A:
 - (A) valid Social Security number;
 - (B) verification of the applicant's ineligibility to be issued a Social Security number; or
 - (C) statement from the applicant in which the applicant swears or affirms that the applicant has a sincerely held religious belief against the issuance of a Social Security number to the applicant and a copy of Form 4029 from the United States Internal Revenue Service concerning the applicant.
- (7) A digital image of the applicant.
- (8) A statement:
 - (A) from the applicant in which the applicant swears or affirms that the applicant has a sincerely held religious belief against the taking of a photograph of the applicant; and
 - (B) from a member of the clergy of the religious organization of which the applicant is a member regarding the prohibition of photography of members of the religious organization.
- (9) The signature of the applicant.
- (10) Valid documentary evidence that the applicant is a citizen or national of the United States. The bureau shall maintain records of the information provided under this subdivision.
 - (b) The image required under subsection (a)(7) is a confidential public record in accordance with IC 5-14-3-4(a), IC 9-14-3-1, and IC 9-14-3-5.
 - (c) The bureau may invalidate a photo exempt identification card that the bureau believes to have been issued as a result of fraudulent documentation.
 - (d) The bureau:
 - (1) shall adopt rules under IC 4-22-2 to establish a procedure to verify an applicant's identity; and
 - (2) may adopt rules to establish a procedure to temporarily invalidate a photo exempt identification card that the bureau believes to have been issued based on fraudulent



documentation.

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

(b) The front side of a photo exempt identification card must contain the following information about the individual to whom the card is being issued:

- (1)** Full legal name.
- (2)** The address of the principal residence.
- (3)** Date of birth.
- (4)** Date of issue and date of expiration.
- (5)** Unique identification number.
- (6)** Gender.
- (7)** Weight.
- (8)** Height.
- (9)** Color of eyes and hair.
- (10)** A reproduction of the signature of the individual identified.
- (11)** If the individual is less than eighteen (18) years of age at the time of issuance, the dates on which the individual will become:
 - (A)** eighteen (18) years of age; and
 - (B)** twenty-one (21) years of age.
- (12)** If the individual is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the individual will become twenty-one (21) years of age.

(c) The front side of a photo exempt identification card may not bear an image of the holder of the photo exempt identification card.

(d) The information contained on the photo exempt identification card as required by subsection (b)(11) or (b)(12) for an individual who is less than twenty-one (21) years of age at the time of issuance must be printed prominently on the photo exempt identification card.

Sec. 4. A photo exempt identification card must include a statement on the card that indicates that the photo exempt identification card may not be accepted by any federal agency for federal identification or any other federal purpose.

Sec. 5. (a) A photo exempt identification card expires at



midnight on the birth date of the holder that occurs six (6) years following the date of issuance.

(b) An application for renewal of a photo exempt identification card may be made not more than twelve (12) months before the expiration date of the card.

(c) A renewed photo exempt identification card is valid on the birth date of the holder and remains valid for six (6) years.

(d) A photo exempt identification card may not be renewed if the holder was issued a driver's license or an identification card after the last issuance of a photo exempt identification card.

(e) An application for the renewal of a photo exempt identification card may not be made by mail or by electronic service.

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

(1) an amended photo exempt identification card if any information contained on the photo exempt identification card becomes invalid or obsolete; or

(2) a replacement photo exempt identification card if the card is lost, stolen, damaged, or destroyed.

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

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

(d) An application for an amended or replacement photo exempt identification card may not be made by mail or by electronic service.

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

Sec. 8. A photo exempt identification card issued under this chapter may not be used to identify the individual who holds the photo exempt identification card as the operator of a motor vehicle.

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

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

Sec. 10. A person who:

(1) knowingly permits the use of a photo exempt identification card issued under this chapter by a person other than the



person to whom the card was issued;

(2) knowingly displays or represents as the person's own photo exempt identification card issued under this chapter a photo exempt identification card that was not issued to the person displaying the card or representing that the card is the person's card;

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

(4) knowingly sells, offers to sell, buys, possesses, or offers a false photo exempt identification card that could reasonably be mistaken for a valid photo exempt identification card required by this chapter to be issued by the bureau but that has not been issued by the bureau;

commits a Class B misdemeanor.

Sec. 11. A person who forges or reproduces a photo exempt identification card issued under this chapter:

(1) with intent to use the photo exempt identification card; or

(2) with intent that the photo exempt identification card may be used by another person;

commits a Class B misdemeanor.

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

Sec. 13. Except for gross misconduct, if a retailer, or an employee of a retailer, in good faith accepts a photo exempt identification card issued under this chapter as proof of identification for purposes of a retail transaction, the retailer or employee is immune from any civil liability that may occur as a result of the acceptance."

Delete pages 6 through 8.

Page 9, delete lines 1 through 20.

Page 9, line 24, delete "commercial" and insert "**photo exempt**".

Page 9, line 32, delete "commercial" and insert "**photo exempt**".

Page 10, line 1, delete "commercial" and insert "**photo exempt**".

Page 10, line 8, delete "commercial" and insert "**photo exempt**".

Page 10, line 9, delete "commercial" and insert "**photo exempt**".

Page 10, line 12, delete "commercial" and insert "**photo exempt**".

Page 10, line 15, delete "commercial" and insert "**photo exempt**".



Page 10, line 19, delete "commercial" and insert "**photo exempt**".
 Page 10, line 27, delete "commercial" and insert "**photo exempt**".
 Page 10, line 31, delete "commercial" and insert "**photo exempt**".
 Page 10, line 34, delete "commercial" and insert "**photo exempt**".
 Page 10, line 41, delete "commercial" and insert "**photo exempt**".
 Page 11, line 7, delete "commercial" and insert "**photo exempt**".
 Page 11, line 14, delete "commercial" and insert "**photo exempt**".
 Page 11, line 26, delete "commercial" and insert "**photo exempt**".
 Page 12, line 8, delete "commercial" and insert "**photo exempt**".
 Page 12, line 12, delete "commercial" and insert "**photo exempt**".
 Page 12, line 16, delete "commercial" and insert "**photo exempt**".
 Page 12, line 30, delete "commercial" and insert "**photo exempt**".
 Page 13, line 36, delete "commercial" and insert "**photo exempt**".
 Page 13, line 40, delete "commercial" and insert "**photo exempt**".
 Page 15, line 11, delete "commercial" and insert "**photo exempt**".
 Page 17, line 16, delete "commercial" and insert "**photo exempt**".
 Page 18, line 16, delete "commercial" and insert "**photo exempt**".
 Page 18, line 21, delete "commercial" and insert "**photo exempt**".
 Page 19, line 31, delete "commercial" and insert "**photo exempt**".
 Page 19, line 35, delete "commercial" and insert "**photo exempt**".
 Page 19, line 37, delete "commercial" and insert "**photo exempt**".
 Page 19, line 41, delete "commercial" and insert "**photo exempt**".
 Page 20, line 17, delete "commercial" and insert "**photo exempt**".
 Page 20, line 21, delete "commercial" and insert "**photo exempt**".
 Page 20, line 30, delete "commercial" and insert "**photo exempt**".
 Page 20, line 32, delete "commercial" and insert "**photo exempt**".
 Page 20, line 40, delete "commercial" and insert "**photo exempt**".
 Page 21, line 2, delete "commercial" and insert "**photo exempt**".
 Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1631 as introduced.)

SOLIDAY

Committee Vote: yeas 11, nays 2.

