



hook & winch

FROM THE DESK OF EXECUTIVE DIRECTOR BART GIESLER

Test

9 = 90

8 = 72

7 = 56

6 = 42

3 = ?

What is the answer? It depends on what the facts are and what is being asked. How you answer the question is based on what you perceive the problem is and what assumptions you are making. We may come up with different answers (there are several you can find on the internet) and we may both be right – or we both may be wrong.

The reason I started with this test is that we all may have a test coming up and are going to be asked to solve the equation.

I was recently contacted by AutoReturn who told me they plan to sit down with the Indiana State Police (ISP) to discuss the possibility of them using AutoReturn's dispatching system. **This would be only for the dispatching process and will not change storage.** After a couple of conversations at the beginning of the year, I asked them to make a presentation with President Moreland and myself. After the presentation and discussion, we then asked them to make a presentation and discussion to the Executive Committee. After the meeting, we are now notifying the Board and membership.

AutoReturn has sold off their Indianapolis operation as they are now focused only on the information technology. They have made it clear that they do not want to run storage yards. They understand that their past business model has caused issues with the towing community and they wanted to sit down with us prior to going in and having discussions with ISP.

AutoReturn has been deployed statewide with the Nevada State Police for approximately 5 years. They are in the middle of a one (1) year pilot project with the Utah State Police. They are also in approximately 30 police agencies around the country.

Continued on Page 3



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Advertisers needed for 2023 Newsletter:

If you're interested in reaching all of our members during 2023 by advertising in our newsletter, just call Bart Giesler at 765-288-6041.

From the Desk of the Executive Director – continued from page 1

When AutoReturn goes into ISP, we assume they will make the case that their software will speed up getting a tow truck on the scene. By getting a tow truck to the scene sooner, this will reduce the risk of secondary accidents which are a danger to everyone working on the scene. The next benefit is that this will free up dispatcher's time of finding a tow truck and getting it dispatched to the scene. Dispatch will also have some time savings by not having to check if the truck has departed and their approximate ETA to the scene, as the officer will be able to see this on the computer.

One of my first questions is – who pays? And the answer was – it depends on what ISP would want to do. In Utah, they are operating on a pilot and their state police picked up the cost of the system and paid AutoReturn directly. In Nevada, the fee is around \$25 and it was added to the tow bill and the tower would remit the large portion of that fee to AutoReturn.

Now is when we start getting into the difficult part of our exam. We don't know what the parameters are, because they have not met yet with ISP and we don't know what ISP will think and how they will want the system set up. AutoReturn will configure their software to whatever ISP wants. This could include having the dispatch based on the existing rotations, or it could be based on whatever vehicle is closer, or they could change the system entirely to be one that is based on a rotation in a different territory than the township. Do towing companies get contacted or do drivers get contacted by AutoReturn for dispatch?

ISP could decide to roll this out to just one post or they could go statewide. They could scale back the statewide initiative and do it in larger urban areas and leave the rural areas. ISP could also say that they are not interested at this time, and I scared everyone about taking a test.

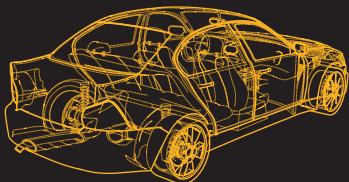
As President Moreland and I talked about how to proceed, we understand that Auto Return is not viewed favorably by some in the membership. However, whether it is AutoReturn or someone else, we believe that technology is here and that at some point change will come. If change is eventually going to happen, we want to have a seat at the table so that we can represent our members with ISP as they make their decision. By having discussions with AutoReturn, we can gain information about what is being proposed. To make our case, we need information.

Here is where you need to help tutor us – start thinking about if ISP does decide to go down the path of changing how tow trucks are dispatched – what works today that we need to make sure we keep – and what doesn't work? We have started the process of contacting towing companies and State Police in the other states that have deployed AutoReturn to get their perspective. At the right time, we will request a meeting with ISP to ask that we are part of the process as they eventually need our members to clear their roads.

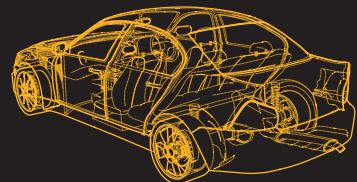
I don't have all the answers yet, as I am still trying to figure out what questions to ask. As I get more information, I will pass it on. I don't know if ISP is interested. If they are, can they implement this without a change in the law? How will the process proceed? Will ISP start with a Request for Information or will they issue and Request for Proposal? How long will this take? For some members, keeping the dispatch status quo is best for them. For others, a dispatch that is based on the closest truck makes sense. And for others, a hybrid system works best. This will be my final exam. How can I make everyone happy when everyone has a different model of what works best for themselves? In the end, I answer to the Board of Directors. Please let them know your thoughts.

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FROM THE DESK OF PRESIDENT MORELAND

New Year's is a time for reflection, new beginnings, and hope. It's a time to take stock of what was successful the year before and to note what wasn't. It's a clean slate, a fresh start, and an unopened gift. As an Association, I am so proud of what we have accomplished in the last few years, and I am excited to see where the New Year takes us! I am excited to work with the new board, and look forward to what 2023 will bring!

I would like to welcome recent new members to ITWA, Signature Financial and Ohio Valley Towing LLC. Look for member introductions in upcoming newsletters.

Bart is busy, as the 2023 legislative process has begun. I also have asked him to head up the talks concerning AutoReturn. I just want to emphasize with AutoReturn that nothing has been set in place. It is all speculative at this point. The State Police have not been approached yet by AutoReturn, and they may not accept their offer; but we need to be prepared for anything that may happen down the road. We do this by gathering as much information as we can about their proposal, and talking with others from the states they are actively dispatching for now.

As always, if you have any questions, concerns, or suggestions, please feel free to reach out to me at any time!

Sue

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ITWA LADIES AUXILIARY

With the beginning of the New Year, I would like to talk about the Ladies Auxiliary which is very dear to my heart. We started the Ladies Auxiliary in August of 2019. The mission is to promote fellowship among ITWA members and to provide financial aid and support for ITWA through various events and fundraisers.

When the ladies first met in August of 2019, it was decided that the annual Christmas Party and the annual Tow Show would be the two main events that the Ladies Auxiliary would promote each year.

A little bit about the Christmas Parties: Our first Christmas Party was in 2019 with over 120 in attendance. In 2020 the Christmas Party was planned, but unfortunately was canceled due to the pandemic. In December 2021, ITWA had a Holiday Celebration and Christmas Party including a full day of meetings pertaining to the towing industry. In 2022 the Christmas Party took place at the Double Tree in Lafayette with a delicious buffet and a nice time of fellowship. The 2023 Christmas Party has been scheduled for December 2. It will again take place at the Double Tree in Lafayette. Please plan to attend.

A little bit about the Tow Shows: In August 2020 the Tow Show took place at Fair Oaks Farms. This was a big undertaking since it was our first show in quite a few years and on top of that it took place in the middle of a pandemic. We were the only Tow Show that took place in 2020. Even though there were many challenges to face, it turned out to be a great show. In August of 2021 the annual Tow Show again took place at Fair Oaks Farms. With a record attendance, it was a great success. The 2022 Tow Show, which once again took place at Fair Oaks Farms, was a success due to the hard work of our volunteers, our sponsors, the vendors, speakers and attendees. Thank you to all who support the ITWA Tow Shows. Please plan to attend the 2023 Indiana Tow Show to take place at the Boone County Fair Grounds in Lebanon on August 18-19.

At each of the Tow Shows the Ladies Auxiliary has hosted the Ladies Luncheon, a very popular highlight of the show. It is a time of fun and fellowship, and a way of raising money to fund the ITWA Scholarship Fund. The Ladies Luncheon this year is being planned by Karrie Driscoll and Kary Crone. Ladies, I can't wait to see what plans you have for this year's luncheon.

We are also looking for another fundraising event that the Ladies Auxiliary could put on at a different time throughout the year. One idea that comes to mind is a Designer Purse Bingo Event. Ladies, please let me know what you think of having another fundraising event.

I have been writing the Ladies Auxiliary article for the newsletter for the last 3 years. Although I have enjoyed this time of sharing with you, I have decided that this will be my last article. Moving forward, Karrie Driscoll will be writing this article. Please watch for Karrie's updates when the newsletter comes out each month. I will continue to be very active in the Ladies Auxiliary. As always, know that you can reach out to me with any ideas or suggestions to improve on what we do as a Ladies Auxiliary.

My hope for 2023 is that everyone has a safe and healthy year.

Blessings to All,

Crystal

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DOT CHAT WITH BRENT HOOVER



Hello and welcome back! If you are new to the column I would like to take a minute and bring you up to speed on who I am. My name is Brent Hoover. I am a Master Trooper with the Indiana State Police. I have started my 19th year with the ISP. I am assigned to the Commercial Vehicle Enforcement Division or CVED for short. My primary daily duty is to enforce the State and Federal Regulations for CMVs in the State of Indiana. I am certified to complete Part A and B Inspections as well as General Haz-mat and Cargo Tank inspections. I am also a Part B Instructor for the National Training Center, which means I teach new inspectors how to inspect and document Level 1 Inspections. I have competed twice in the North American Inspectors Championships. I am the current administrator of the CVED Facebook page where I post about tips and tricks to improve your pre-trip inspections and to avoid common roadside violations.

Let's look at the photo below. What do you see? Is this something that you are checking on your pre-trip? Because it should be! Any time you get any work done, make sure to double and triple check your wheel fasteners!



§ 393.205 Wheels.

- (a) Wheels and rims shall not be cracked or broken.
- (b) Stud or bolt holes on the wheels shall not be elongated (out of round).
- (c) Nuts or bolts shall not be missing or loose

g. Wheel Fasteners

Loose, missing, broken, cracked or stripped wheel fasteners that are ineffective as follows: for 10 fastener positions - 3 anywhere or 2 adjacent; for 8 fastener positions or less - 2 anywhere (this applies to both spoke and disc wheels). (393.205(c))

So please make sure to always check your wheel fasteners each and every time you drive your truck!

If you have any other questions, please feel free to contact me at bh Hoover@isp.in.gov

Tips for Securing Insurance Coverage for Towing Services

My name is Ryan Leagre and I am an attorney at Plews Shadley Racher & Braun LLP. I represent towing companies in various capacities, including helping them recover the costs of responding to large accidents and navigating statutes and ordinances that regulate the industry.

This month's update focuses on tips for securing insurance coverage for towing services. The availability of insurance coverage for an accident can determine how much and how soon you get paid for your services. Here are my top five tips for securing insurance coverage:

Tip #1 – Immediately Collect Insurance Information. In any given accident, there are potentially three types of available coverage: *physical damage*, *liability*, and *cargo*. Each has its own benefits and limitations, which I will explore in future Legal Updates. You should immediately collect the following information for each type of coverage: (i) insurer's and policyholder's name; (ii) type of coverage; and (iii) policy number. You should also obtain the contact information for the insurance agent. This is in addition to all the other information you usually obtain, such as the driver's name, license #, DOT #, and company contact information.

Tip #2 – Verify Coverage as Soon as Possible. Once you have collected the driver's insurance information, you should verify that the coverage is valid and active. Submit the claim to the insurer and confirm coverage is available. One way to do this for commercial trucking operators is to visit the FMCSA website (at <https://ai.fmcsa.dot.gov/SMS/Search/Index.aspx>) and input their DOT#. Then click on the "Licensing and Insurance" link, which eventually takes you to a page that provides information on the company's active insurance.

Tip #3 – Properly Itemize and Describe Your Services. "Lack of documentation" is an insurer's go-to reason to delay, deny, or reduce the amount owed to you. In order to combat this tactic, make sure your invoices are properly itemized, showing how the charges were calculated and the applicable rate. You should also submit a narrative describing the services you provided and (for larger jobs) explaining why each piece of equipment was needed. Also, take lots of pictures of the scene—before, during, and after you perform your services.

Tip #4 – Track your Prior Claims. You should start tracking each of your claims. The best evidence to provide to an adjuster who is complaining about your rates is to point out that other insurers, including the one at issue, has paid your rates in full in the past. I keep an Excel spreadsheet with this information handy so I can quickly dispel insurers' common claims that "liability coverage doesn't apply" or "your rates are above market rates in the area."

Tip #5 – Be Willing to Initiate Legal Action. Some insurers will deny coverage without a basis, refuse to respond, or make low-ball settlement offers. If initial negotiations are unsuccessful, you should consider recording a Title 32 Lien (see September 2022 Hook and Winch article) or filing a lawsuit. This often moves the claim into a different unit, whose adjusters are more mindful of the costs and risks of litigation.

If you have any questions about insurance coverage or other legal matters related to the towing industry, please send me an email (rleagre@psrb.com) or give me a call (317-637-0700).

2023 LEGISLATIVE UPDATE

Here is a link that will give updates to where all of these bills are in the legislative process –

http://www.hannah-in.com/Report_Custom.aspx?sid=1srqDPIMTdk%3d&rid=4nQEoly3%2bQc%3d

This is a long session and bills have just been assigned to committees and committees are starting. Bills must pass out of their house of origin by the end of February. I will have more updates throughout session. If you have any questions about any of these bills, please email me at bartgiesler@gmail.com.

HB1015 WORKSITE SPEED CONTROL PILOT PROGRAM (PRESSEL J) Requires the Indiana department of transportation (department) to establish the worksite speed control pilot program (pilot program) for the purpose of enforcing worksite speed limits. Requires that the department: (1) work with the state police department to administer the pilot program; and (2) enter into an agreement with the state police department to share information regarding the pilot program. Permits the department to contract with a third party vendor to assist in implementing the pilot program. Provides that an individual who is recorded by a worksite speed control system may not be assessed a civil penalty unless the violation is at least 11 miles per hour above the established worksite speed limit. Replaces the term “work zone” with “worksites” throughout the relevant statutes.

Current Status: 1/9/2023 - Referred to House Roads and Transportation

State Bill Page: HB1015

HB1050 VARIOUS MOTOR VEHICLE MATTERS (PRESSEL J) Defines “lawful status”. Repeals the term “credential”. Defines “physical credential”. Provides for when a credential issued by the bureau of motor vehicles (bureau) must be in the form of a physical credential or a mobile credential. Provides for the form of the mobile credential. Provides that, beginning July 1, 2023, and each year thereafter, the bureau is required to provide the executive director of the legislative services agency the name of a special group for whom: (1) 10 years have elapsed since the special group was admitted into the special group recognition license plate program; or (2) 10 years have elapsed since the previous review of the special group by the interim study committee on roads and transportation. Provides that if a special group was subject to a decennial review before July 1, 2023, then the next review occurs in the year which is a multiple of 10 years after the year of the special group’s admittance to the special group recognition license plate program. Replaces the terms “legal status”, “legal presence”, and “legal permanent resident” with “lawful status” throughout the relevant statutes. Provides that the term “driver training school” does not include a business enterprise that educates or trains a person or prepares a person to operate a commercial motor vehicle. Provides that certain entities are immune from civil liability for an act or omission occurring during a motorcycle operator safety course that results in an injury or property damage. Provides that administrative procedures of the bureau do not apply to a hearing requested by a nonresident regarding the suspension of the driving privileges of the nonresident for failure to meet the terms of a citation. Makes conforming changes.

Current Status: 1/9/2023 - Referred to House Roads and Transportation

State Bill Page: HB1050

HB1077 SPEED LIMITS (HEINE D) Increases the speed limit on certain U.S. highways throughout Indiana.

Current Status: 1/9/2023 - Referred to House Roads and Transportation

State Bill Page: HB1077

HB1111 SAFETY BELT AND CHILD RESTRAINT SYSTEMS (ZENT D) Provides that failing to wear a safety belt is a Class C infraction. (Current law provides that failing to wear a safety belt is a Class D infraction.) Provides that failing to properly fasten and restrain a child within a motor vehicle is a Class C infraction. (Current law provides that failing to properly fasten and restrain a child within a motor vehicle is a Class D infraction.) Removes provisions specifying that a person is not liable for costs or a monetary judgment in certain cases in which a judgment related to a child restraint system is entered against the person.

Current Status: 1/10/2023 - Referred to House Roads and Transportation
State Bill Page: HB1111

HB1173 UTILITY SCALE BATTERY ENERGY STORAGE SYSTEMS (PRESSEL J) Provides that construction of a utility scale battery energy storage system (BESS) is subject to approval by the department of homeland security (department), and establishes minimum requirements for the construction of a BESS. Requires the operator of a BESS to provide annual training that provides the fire department responsible for providing fire protection services in the area in which the BESS is located with information reasonably necessary to allow the fire department to safely and effectively respond to a: (1) fire at; or (2) discharge or threatened discharge of environmental contaminants by; the BESS. Requires the department to issue to the interim study committee on energy, utilities, and telecommunication, not later than July 31, 2023, a report regarding the progress made by the department's fire prevention and building safety commission in developing standards for the construction of a BESS.

Current Status: 1/31/2023 - House Utilities, Energy and Telecommunications, (Bill Scheduled for Hearing)
State Bill Page: HB1173

HB1204 ENFORCEMENT OF WEIGHT LIMITS FOR OVERWEIGHT LOADS (KARICKHOFF M) Provides that the weight concentrated on the roadway surface from any tandem axle group may not exceed 34,000 pounds on an individual axle of a tri-axle group.

Current Status: 1/12/2023 - added as coauthors Representatives Pressel and Manning
State Bill Page: HB1204

HB1236 PROTECTIONS FOR MOTOR VEHICLE DEALERS (PRESSEL J) Provides that it is an unfair practice for a manufacturer or distributor to condition access to motor vehicles, parts, or motor vehicle sales or service incentives, or financing upon the sale of certain products approved, endorsed, sponsored, or offered by the manufacturer or distributor. Provides that it is not an unfair practice to offer an incentive program for the sale of the products if the incentive program does not provide motor vehicle sales or service incentives. Provides that an agency, other than the secretary of state, may hear a claim for an unfair practice if the agency has subject matter jurisdiction over the claim. Sets forth the requirements for dealer data privacy. Makes conforming changes.

Current Status: 1/10/2023 - Referred to House Roads and Transportation
State Bill Page: HB1236

HB1250 DUTY TO NOTIFY WATER UTILITY OF SPILL (HATFIELD R) Requires the environmental rules board to amend the administrative rules concerning spill reporting to require the party responsible for a spill or release of a substance into a body of water to give timely notice of the spill or release to the operator of a water utility or water treatment plant if there is a substantial risk that the spill or release: (1) will cause a threat to human health or the environment; or (2) will: (A) impair the operation of; or (B) adversely affect the quality of the water produced by; the water utility or water treatment plant.

Current Status: 1/11/2023 - Referred to House Environmental Affairs

State Bill Page: HB1250

HB1264 MOTOR VEHICLE INSURANCE (LUCAS J) Requires an insurance carrier that has issued a motor vehicle liability policy to file with the bureau of motor vehicles (bureau) each month a list of all persons who have a policy that was canceled or not renewed during the preceding calendar month. Requires the bureau to send a notice to each person identified in the list. Sets forth certain requirements for the notice. Requires the bureau to suspend the driving privileges, motor vehicle registration, or both, of a person who fails to provide proof of financial responsibility to the bureau within 30 days after the notice is mailed. Provides that the bureau shall stay the suspension, upon a showing of proof of future financial responsibility. Requires that the bureau terminate the suspension if the bureau does not receive proof that financial responsibility is not in effect after 180 days. Provides that the person whose suspension has been terminated because the person submitted proof of future financial responsibility is not required to pay a reinstatement fee.

Current Status: 1/11/2023 - Referred to House Roads and Transportation

State Bill Page: HB1264

HB1268 SEAT BELTS ON SCHOOL BUSES (BARTLETT J) Requires a governing body, charter school, or accredited nonpublic school seeking to purchase a school bus or special purpose bus to: (1) request information concerning the cost of purchasing a school bus or special purpose bus equipped with 3-point lap and shoulder safety belts; and (2) hold a public meeting on the costs and benefits of purchasing a school bus or special purpose bus with 3-point lap and shoulder safety belts before voting on whether to purchase the bus. Allows a school corporation, charter school, or an accredited nonpublic school to use a portion of a grant from the safe schools fund or the secured school fund toward purchasing or equipping school buses and special purpose buses with safety equipment. Requires each occupant of a school bus or special purpose bus that has a 3-point lap and shoulder safety belt to have the 3-point lap and shoulder safety belt properly fastened about the occupant's body at all times when the bus is in motion. Provides for an exception to the laws concerning other types of passenger restraint systems.

Current Status: 1/11/2023 - Referred to House Education

State Bill Page: HB1268

HB1275 VEHICLE CARBON MONOXIDE TESTING AT FIRE STATIONS (PACK R) Requires (rather than allows) a fire department to provide vehicular carbon monoxide testing to the owner of a motor vehicle who requests the testing.

Current Status: 1/11/2023 - Referred to House Veterans Affairs and Public Safety

State Bill Page: HB1275

HB1351 CONDUCT OF CDL PHYSICAL BY PHYSICAL THERAPISTS (LAUER R) Defines “certified medical examiner”. Provides that, unless there is a conflict with federal law or the orders, standards, or regulations of the Federal Motor Carrier Safety Administration (FMCSA), a licensed physical therapist may perform an examination (exam) for an applicant for an initial or a renewal commercial driver’s license or commercial learner’s permit that is within the physical therapist’s scope of practice. Provides that a physical therapist who performs an exam is subject to the requirements of the FMCSA for a certified medical examiner.

Current Status: 1/17/2023 - Referred to House Roads and Transportation
State Bill Page: HB1351

HB1378 WORKSITE SAFETY (MOSELEY C) Requires the state police and the Indiana department of transportation to establish a pilot program for the deployment of a worksite speed control system to enforce a worksite speed limit. Provides that a worksite speed limit violation recorded by a worksite speed control system may not be enforced unless the violation is at least 12 miles per hour above the established worksite speed limit. Creates the worksite speed control pilot fund. Replaces the term “work zone” with “worksite” throughout the relevant statutes. Makes an appropriation.

Current Status: 1/17/2023 - Referred to House Roads and Transportation
State Bill Page: HB1378

HB1379 WORKSITE SPEED CONTROL PILOT PROGRAM (MOSELEY C) Requires the Indiana department of transportation (department) to establish the worksite speed control pilot program (pilot program) for the purpose of enforcing worksite speed limits. Requires that the department: (1) work with the state police department to administer the pilot program; and (2) enter into an agreement with the state police department to share information regarding the pilot program. Permits the department to contract with a third party vendor to assist in implementing the pilot program. Provides that an individual who is recorded by a worksite speed control system may not be assessed a civil penalty unless the violation is at least 11 miles per hour above the established worksite speed limit. Replaces the term “work zone” with “worksite” throughout the relevant statutes.

Current Status: 1/17/2023 - Referred to House Roads and Transportation
State Bill Page: HB1379

HB1438 PUBLICATION OF LOCAL GOVERNMENT NOTICES (MILLER D) Provides that after June 30, 2024, a political subdivision may publish notices electronically instead of in a newspaper if the political subdivision: (1) publishes notices on its official website; and (2) transmits the notices for publication on a state notice website. Provides for the establishment of a state notice website. Requires notices to be transferred to the Indiana archives and records administration for archiving. Provides that a towing service acting as an agent of a government agency that provides the notice required to dispose of abandoned vehicles or parts is subject to the same public notice advertising rates as a governmental agency.

Current Status: 1/17/2023 - Referred to House Government and Regulatory Reform
State Bill Page: HB1438

HB1526 PROOF OF VEHICLE REGISTRATION (MORRIS R) Removes the requirement that a decal or sticker issued by the bureau of motor vehicles must be displayed on a vehicle as proof of registration of the vehicle.

Current Status: 1/23/2023 - added as coauthor Representative Baird

State Bill Page: HB1526

HB1527 REMOVAL OF ACCESS FEES TO VEHICLE OWNER DATA BASE (MORRIS R) Provides that a storage yard or towing service that conducts a search of the National Motor Vehicle Title Information System or an equivalent and commonly available data base may not be charged a fee by the bureau of motor vehicles to access the data base.

Current Status: 1/19/2023 - Referred to House Roads and Transportation

State Bill Page: HB1527

HB1621 SELF-SERVICE STORAGE FACILITIES (PAYNE Z) Specifies that the term “personal property” includes trailers. Changes the time at which a self-service storage facility owner (owner) may: (1) begin enforcement of the owner’s lien on a renter’s stored personal property; and (2) sell or otherwise dispose of the renter’s stored personal property. Provides that as an alternative to conducting a sale of a renter’s stored personal property after the renter’s default, an owner may cause the renter’s personal property to be towed or removed from the self-service storage facility if the renter’s stored personal property is a trailer. (Current law provides this alternative if the renter’s stored personal property is a motor vehicle or watercraft.)

Current Status: 1/25/2023 - House Judiciary, (Bill Scheduled for Hearing)

State Bill Page: HB1621

SB79 SCHOOL BUS STOP ARM VIOLATION ENFORCEMENT (NIEMEYER R) Provides that the registered owner of a vehicle commits an infraction if the registered owner’s vehicle does not stop on a roadway or a private road when the arm signal device is in the device’s extended position. Provides a defense for a registered owner who was not driving the vehicle at the time of the violation. Requires a registered owner who uses a defense to provide any documentation, and to fully cooperate with law enforcement regarding the person who may be responsible for the violation. Specifies that: (1) the bureau of motor vehicles may not assess points for a violation; and (2) an adjudication for a violation does not create a presumption of liability in a civil action.

Current Status: 1/9/2023 - Referred to Senate Corrections and Criminal Law

State Bill Page: SB79

SB211 VULNERABLE ROAD USERS (BREAUX J) Defines “vulnerable road user”. Provides that it is a Class A infraction if a person commits a moving traffic offense that results in the serious bodily injury of a **vulnerable road user which includes tow truck operator**.

Current Status: 1/11/2023 - Withdrawn

State Bill Page: SB211

SB233 **VISION ZERO TASK FORCE** (HUNLEY A) Establishes the vision zero task force (task force) to study and make recommendations concerning: (1) the reduction and prevention of fatalities on roads and highways; and (2) other driving safety issues. Requires the task force to file an annual report with the interim study committee on roads and transportation. Requires the Indiana department of transportation to provide staff support for the task force.

Current Status: 1/10/2023 - Referred to Committee on Homeland Security and Transportation

State Bill Page: SB233

SB248 **DRIVING PRIVILEGE CARDS** (DORIOT B) Provides that an individual who is an Indiana resident and cannot provide proof of identity and lawful status in the United States may apply for a driving privilege card to obtain driving privileges. Sets forth the requirements to obtain a driving privilege card. Provides that a driving privilege card may not be used as identification for any state or federal purpose other than to confer driving privileges, for the purpose of voting, or to verify employment. Requires an individual who holds a driving privilege card and operates a motor vehicle to verify and continuously maintain financial responsibility on any motor vehicle operated by the individual who holds the driving privilege card in the amount required by law. Provides that the bureau of motor vehicles may not disclose certain information unless presented with a lawful court order or judicial warrant. Requires an applicant for a driving privilege card or driving privilege card renewal to sign up for selective service. Makes conforming amendments. Makes technical corrections.

Current Status: 1/26/2023 - added as coauthor Senator Messmer

State Bill Page: SB248

SB282 **INDIANA MOTOR VEHICLE BOARD** (FREEMAN A) Changes the name of the motor vehicle sales advisory board to the Indiana motor vehicle board (board). Fixes board membership at 11 persons appointed to the board. Provides that four appointed members must represent the general public and must not have any direct interest in the manufacture or sale of motor vehicles, but must have experience with, or knowledge of, the motor vehicle industry. Provides that if there is a vacancy on the board, the governor may appoint upon the recommendation of the secretary a member who represents the general public. Provides that an unfilled vacancy on the board does not impair the right of the board from exercising the powers of the board. Provides that a member of the board may not participate in a vote on a proceeding of the board in which the member has a financial or other vested interest. Provides that a member of the board may participate in and vote only on a proceeding in which the member has general interest in the outcome. Sets forth the powers of the board to enforce certain causes of action. Provides for a private right of action for a consumer or motor vehicle dealer against a manufacturer, a distributor, or a motor vehicle dealer subject to a proceeding of the board.

Current Status: 1/11/2023 - Referred to Committee on Homeland Security and Transportation

State Bill Page: SB282

SB316 COMPUTER AIDED EMERGENCY DISPATCH SYSTEMS (WALKER K) Requires the statewide 911 board (board) to conduct a feasibility study on potential ways in which the computer aided dispatch (CAD) systems used by public safety answering points (PSAPs) in Indiana could be made interoperable to facilitate the standard dispatch of EMS resources based on using the EMS resource that represents the closest and most appropriate EMS resource to respond to an emergency. Requires the board to submit a report on the study to the following not later than July 1, 2024: (1) The executive director of the legislative services agency to distribute to members of the general assembly. (2) The department of homeland security. (3) The integrated public safety commission. (4) The Indiana department of health. Sets forth information that must be included in the required report. Provides that these provisions expire January 1, 2025.

Current Status: 1/26/2023 - added as coauthors Senators Tomes, Ford J.D., Hunley, Doriot

State Bill Page: SB316

SB324 TORTS INVOLVING COMMERCIAL TRUCKING INDUSTRY (GLICK S) Creates a procedure to bifurcate a trial of a civil action filed against the operator of a commercial motor vehicle and the employer of the operator or the owner of the commercial motor vehicle involved in a motor vehicle accident. Requires certain defendants to file a motion to bifurcate within a specified period of time. Provides that certain evidence may be presented in the first phase of a bifurcated trial. Allows a plaintiff to pursue punitive damages in the second phase of a bifurcated trial.

Current Status: 2/1/2023 - Senate Judiciary, (Bill Scheduled for Hearing)

State Bill Page: SB324

SB408 VULNERABLE ROAD USERS (WALKER G) Requires the bureau of motor vehicles to suspend or revoke the current driver's license or driving privileges and all certificates of registration and proof of registration issued to or registered in the name of an individual who is convicted of a moving traffic offense that results in the serious bodily injury or death of a vulnerable road user. Defines "vulnerable road user" which includes tow truck operator.

Current Status: 1/19/2023 - Referred to Senate Corrections and Criminal Law

State Bill Page: SB408

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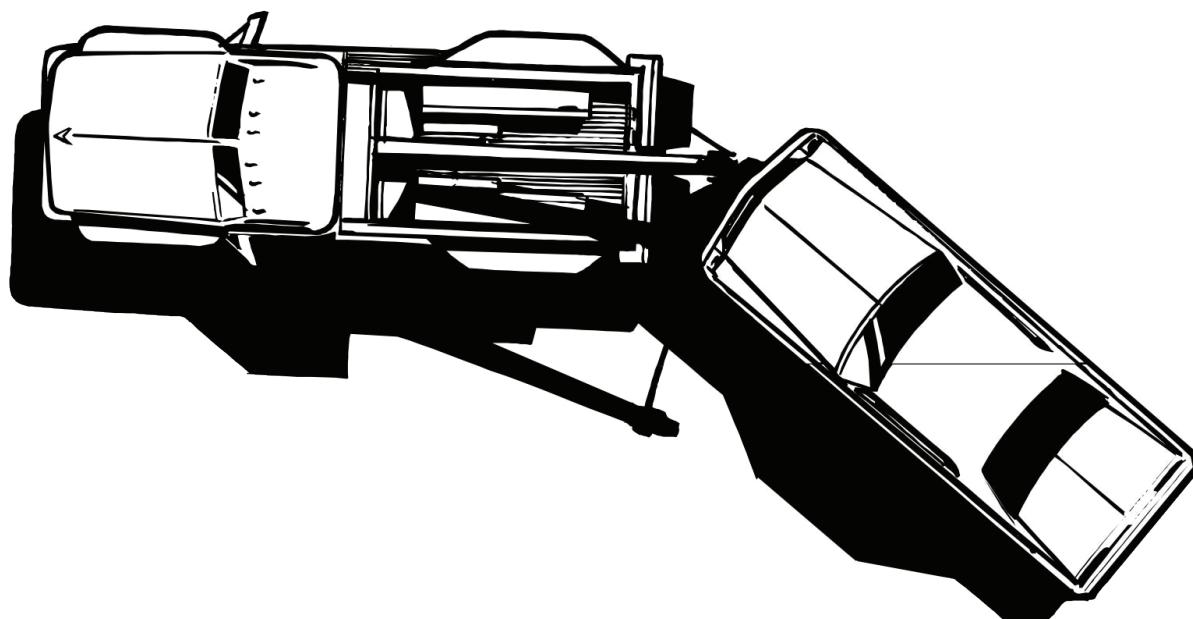
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