

IC 9-21

ARTICLE 21. TRAFFIC REGULATION

IC 9-21-1

Chapter 1. Application

IC 9-21-1-0.5

"Lawful intervention technique"

Sec. 0.5. As used in this chapter, "lawful intervention technique" means a method by which a pursuing motor vehicle causes, or attempts to cause, a fleeing motor vehicle to stop. The term includes a precision immobilization technique (PIT) maneuver.

As added by P.L.145-2009, SEC.2.

IC 9-21-1-1

Application of article

Sec. 1. Except as provided in sections 2, 3, and 3.3 of this chapter, this article applies throughout Indiana.

As added by P.L.2-1991, SEC.9. Amended by P.L.150-2009, SEC.10.

IC 9-21-1-2

Local authorities; adoption of additional regulations; conflict of law; fines; disbursement

Sec. 2. (a) Except as provided in section 3.5 of this chapter, a local authority may adopt by ordinance additional traffic regulations with respect to highways under the authority's jurisdiction. An ordinance adopted under this subsection may not conflict with or duplicate a statute.

(b) After a request has been made at a public meeting or by certified mail to the legislative body (as defined in IC 36-1-2-9) from the property owner, a local authority may adopt by ordinance additional traffic regulations with respect to a private road within the authority's jurisdiction. The ordinance:

- (1) must require a contractual agreement between the local authority and property owner of the private road setting forth the terms and responsibilities of the additional traffic regulations;
- (2) must require the contractual agreement required under subdivision (1) to be recorded after passage of the ordinance in the office of the recorder of the county in which the private road is located; and
- (3) may not conflict with or duplicate state law.

(c) A fine assessed for a violation of a traffic ordinance adopted by a local authority may be deposited into the general fund of the appropriate political subdivision.

As added by P.L.2-1991, SEC.9. Amended by P.L.128-2002, SEC.1; P.L.143-2002, SEC.5; P.L.1-2003, SEC.50.

IC 9-21-1-3

Powers of local authorities; effective date of ordinances

Sec. 3. (a) A local authority, with respect to private roads and highways under the authority's jurisdiction, in accordance with sections 2 and 3.3(a) of this chapter, and within the reasonable exercise of the police power, may do the following:

- (1) Regulate the standing or parking of vehicles.
- (2) Regulate traffic by means of police officers or traffic control signals.
- (3) Regulate or prohibit processions or assemblages on the highways.
- (4) Designate a highway as a one-way highway and require that all vehicles operated on the highway be moved in one (1) specific direction.
- (5) Regulate the speed of vehicles in public parks.
- (6) Designate a highway as a through highway and require that all vehicles stop before entering or crossing the highway.
- (7) Designate an intersection as a stop intersection and require all vehicles to stop at one (1) or more entrances to the intersection.
- (8) Restrict the use of highways as authorized in IC 9-21-4-7.
- (9) Regulate the operation of bicycles and require the registration and licensing of bicycles, including the requirement of a registration fee.
- (10) Regulate or prohibit the turning of vehicles at intersections.
- (11) Alter the prima facie speed limits authorized under IC 9-21-5.
- (12) Adopt other traffic regulations specifically authorized by this article.
- (13) Adopt traffic regulations governing traffic control on public school grounds when requested by the governing body of the school corporations.
- (14) Regulate or prohibit the operation of low speed vehicles, golf carts, or off-road vehicles on highways in accordance with section 3.3(a) of this chapter.

(b) An ordinance or regulation adopted under subsection (a)(4), (a)(5), (a)(6), (a)(7), (a)(8), (a)(10), (a)(11), (a)(12), (a)(13), or (a)(14), is effective when signs giving notice of the local traffic regulations are posted upon or at the entrances to the highway or part of the highway that is affected.

As added by P.L.2-1991, SEC.9. Amended by P.L.128-2002, SEC.2; P.L.21-2003, SEC.6; P.L.150-2009, SEC.11; P.L.182-2009(ss), SEC.291; P.L.259-2013, SEC.15.

IC 9-21-1-3.3

Ordinances regarding use of golf carts on highway

Sec. 3.3. (a) A city, county, or town may adopt by ordinance traffic regulations concerning the use of golf carts or off-road

vehicles, or both on a highway under the jurisdiction of the city, county, or town. An ordinance adopted under this subsection may not:

- (1) conflict with or duplicate another state law; or
- (2) conflict with a driver's licensing requirement of another provision of the Indiana Code.

(b) A fine assessed for a violation of a traffic ordinance adopted by a city, county, or town under this section shall be deposited into the general fund of the city, county, or town.

(c) Notwithstanding subsection (a), an ordinance adopted by a county under this section:

- (1) may allow an operator of a golf cart or off-road vehicle to cross a highway in the state highway system, at right angles, in order to travel from one (1) highway under the jurisdiction of the county to another highway under the jurisdiction of the county when the operation can be done safely; and

- (2) must set a limit as to the number of passengers (other than the operator) that may be permitted on a golf cart or off-road vehicle.

(d) A violation of an ordinance adopted under this section that is committed on a state highway by the operator of a golf cart or off-road vehicle is considered to be an ordinance violation.

As added by P.L.150-2009, SEC.12. Amended by P.L.182-2009(ss), SEC.292; P.L.60-2012, SEC.1; P.L.259-2013, SEC.16.

IC 9-21-1-3.5

Local authority; prohibition against or restriction on use of electric personal assistive mobility device

Sec. 3.5. A local authority may not adopt by ordinance any prohibition against or restriction on the use of an electric personal assistive mobility device operated on a path set aside for the exclusive use of bicycles as set forth in IC 9-21-11-1(b).

As added by P.L.143-2002, SEC.6.

IC 9-21-1-4

Posting of signs on state highways by local authorities; conditions; prohibitions

Sec. 4. (a) Notwithstanding IC 8-23-20, IC 9-21-5, and section 5 of this chapter, a city or town may, by ordinance, authorize and pay for signs to be erected along the routes of state highways if the following conditions are met:

- (1) The sign is an information sign stating only that a famous person is or was a resident of that city or town.
- (2) The sign conforms to the manual on traffic control devices standards for historical signs.
- (3) A copy of the sign ordinance is sent to the bureau of the Indiana department of transportation.

(b) The commissioner of the Indiana department of transportation

may, within sixty (60) days after the effective date of an ordinance adopted under subsection (a), prohibit the erection of or cause removal of the sign if the bureau finds that the sign:

- (1) creates a traffic hazard; or
- (2) expresses a commercial or partisan political message.

As added by P.L.2-1991, SEC.9.

IC 9-21-1-5

Local control of state highways; enforcement powers

Sec. 5. Local control of the routes of state highways in cities and towns includes only the power of enforcement of this article and of the regulations passed by the Indiana department of transportation.

As added by P.L.2-1991, SEC.9.

IC 9-21-1-6

Drivers of vehicles; application of chapter

Sec. 6. Except as provided in sections 7 and 8 of this chapter, this article applies to the drivers of vehicles owned or operated by the United States, this state, or a political subdivision of the state.

As added by P.L.2-1991, SEC.9.

IC 9-21-1-7

Highway construction vehicles; application of article

Sec. 7. Unless specifically made applicable, this article does not apply to a person, team, motor vehicle, and other equipment actually engaged in work on the surface of a highway. This article applies to a person and vehicle when traveling to or from work on the surface of a highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-1-8

Emergency vehicles

Sec. 8. (a) This section applies to the person who drives an authorized emergency vehicle when:

- (1) responding to an emergency call;
 - (2) in the pursuit of an actual or suspected violator of the law;
- or
- (3) responding to, but not upon returning from, a fire alarm.

(b) The person who drives an authorized emergency vehicle may do the following:

- (1) Park or stand, notwithstanding other provisions of this article.
- (2) Proceed past a red or stop signal or stop sign, but only after slowing down as necessary for safe operation.
- (3) Exceed the maximum speed limits if the person who drives the vehicle does not endanger life or property.
- (4) Disregard regulations governing direction of movement or turning in specified directions.

(5) Execute a lawful intervention technique if the person has completed a training course that instructs participants in the proper execution of lawful intervention techniques.

(c) This section applies to an authorized emergency vehicle only when the vehicle is using audible or visual signals as required by law. An authorized emergency vehicle operated as a police vehicle is not required to be equipped with or display red and blue lights visible from in front of the vehicle.

(d) This section does not do the following:

(1) Relieve the person who drives an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons.

(2) Protect the person who drives an authorized emergency vehicle from the consequences of the person's reckless disregard for the safety of others.

As added by P.L.2-1991, SEC.9. Amended by P.L.145-2009, SEC.3.

IC 9-21-1-9

Private roads

Sec. 9. Except when a different place is specifically referred to, this article applies to the operation of vehicles upon highways and private roads of a residential subdivision, regardless of who maintains them.

As added by P.L.2-1991, SEC.9. Amended by P.L.128-2002, SEC.3.

IC 9-21-1-10

Animals; vehicles drawn by animals

Sec. 10. A person who rides an animal or drives an animal drawing a vehicle upon a roadway is:

(1) subject to the provisions of this article applicable to the person who drives a vehicle; and

(2) is not subject to the provisions of this article that by their nature have no application.

As added by P.L.2-1991, SEC.9.

IC 9-21-1-11

Interstate compacts and agreements; application to crimes and offenses under this article

Sec. 11. The following are subject to IC 9-28:

(1) A:

(A) conviction for a crime; or

(B) judgment for an offense or ordinance violation;

under this article related to the use or operation of a motor vehicle.

(2) The issuance of a citation (as defined in IC 9-28-2-1) under this article.

As added by P.L.2-1991, SEC.9.

IC 9-21-2

Chapter 2. Indiana Manual on Uniform Traffic Control Devices for Streets and Highways

IC 9-21-2-1

Creation

Sec. 1. The Indiana department of transportation shall adopt the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways by order of the commissioner of the Indiana department of transportation with a letter of concurrence from the Federal Highway Administration.

As added by P.L.2-1991, SEC.9. Amended by P.L.36-2008, SEC.1.

IC 9-21-2-1.3

Expiration of rule adopted under section 1 of this chapter

Sec. 1.3. A rule adopted under section 1 of this chapter, before its amendment by P.L.36-2008, expires on the date on which the commissioner of the Indiana department of transportation issues an order under section 1 of this chapter, as amended by P.L.36-2008.

As added by P.L.220-2011, SEC.215.

IC 9-21-2-2

Conformance with other state and federally approved manuals

Sec. 2. The Indiana Manual on Uniform Traffic Control Devices for Streets and Highways must substantially conform with the Manual on Uniform Traffic Control Devices for Streets and Highways, 1961 Edition, and the Manual for Signing and Pavement Marking for the National System for Interstate and Defense Highways, 1962 Edition, and all other manuals and revisions to the manuals that have the approval of the Federal Highway Administrator.

As added by P.L.2-1991, SEC.9.

IC 9-21-2-3

Revisions to manual; approval by department of transportation

Sec. 3. All manuals (including revisions to the manuals) described in section 2 of this chapter may be considered to become a part of the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways if the following conditions exist:

(1) The Indiana department of transportation concurs in the revisions.

(2) The Indiana department of transportation adopts the manuals (including revisions) by order of the commissioner of the Indiana department of transportation.

As added by P.L.2-1991, SEC.9. Amended by P.L.36-2008, SEC.2.

IC 9-21-2-4

Adoption of control devices where federal standards are silent

Sec. 4. The Indiana department of transportation may add control devices to the state manual in those areas where the federal standards are silent.

As added by P.L.2-1991, SEC.9.

IC 9-21-3

Chapter 3. Traffic Control Signals

IC 9-21-3-0.5

"Pedestrian hybrid beacon"

Sec. 0.5. As used in this chapter, "pedestrian hybrid beacon" means a traffic control signal used to warn and control traffic in order to assist pedestrians in crossing a roadway at a crosswalk distinctly indicated for pedestrian crossing by lines or other markings.

As added by P.L.43-2011, SEC.2.

IC 9-21-3-1

Standards and specifications

Sec. 1. Each traffic control signal on a street or highway within Indiana must conform with the standards, specifications, and warrants set forth in the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways.

As added by P.L.2-1991, SEC.9.

IC 9-21-3-2

Installation; traffic engineering studies; vicinity of schools; special hearing

Sec. 2. (a) Each traffic signal installation on a street or highway within Indiana may be erected only after the completion of traffic engineering studies that verify that the traffic signal control is necessary as set forth in the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways.

(b) If:

- (1) the proposed installation is in the immediate vicinity of a school; and
- (2) the installation does not meet the requirements of this section;

the governmental unit responsible for the control of traffic at the location shall grant a special hearing on the question to a person who has properly petitioned for the installation of a traffic signal.

As added by P.L.2-1991, SEC.9.

IC 9-21-3-3

Removal of nonconforming signals

Sec. 3. Each traffic signal upon a highway that does not conform to this chapter shall be removed by the governmental agency having jurisdiction over the highway.

As added by P.L.2-1991, SEC.9. Amended by P.L.198-2016, SEC.361.

IC 9-21-3-4

Department of transportation; duties

Sec. 4. The Indiana department of transportation is responsible for the control of all traffic signals on the state highway system.

As added by P.L.2-1991, SEC.9.

IC 9-21-3-5

Property of department of transportation

Sec. 5. A traffic signal installation on a state route is the property of the Indiana department of transportation.

As added by P.L.2-1991, SEC.9.

IC 9-21-3-6

Public or private agencies; erection of signs; written permission

Sec. 6. (a) Except as provided in subsection (b), a public or private agency may not erect a traffic control device on a state maintained highway without the written permission of the Indiana department of transportation.

(b) This subsection applies to the installation of traffic signals on a state highway in a city or town. The Indiana department of transportation shall:

- (1) install any signal that meets the standards, specifications, and warrants set forth in the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways; or
- (2) grant written permission to a city or town to erect the signal if it is not possible for the state immediately to install the signal.

As added by P.L.2-1991, SEC.9.

IC 9-21-3-7

Signals exhibiting colored lights or arrows; requirements; explanation of colors

Sec. 7. (a) Whenever traffic is controlled by traffic control signals exhibiting different colored lights or colored lighted arrows successively, one (1) at a time or in combination, only the colors green, red, or yellow may be used, except for special pedestrian signals under IC 9-21-18.

(b) The lights indicate and apply to drivers of vehicles and pedestrians as follows:

- (1) Green indication means the following:
 - (A) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left, unless a sign at the place prohibits either turn.
 - (B) Vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent sidewalk at the time the signal is exhibited.
 - (C) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by the green arrow or other movement permitted

by other indications shown at the same time.

(D) Vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(E) Unless otherwise directed by a pedestrian control signal, pedestrians facing a green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within a marked or unmarked crosswalk.

(2) Steady yellow indication means the following:

(A) Vehicular traffic facing a steady circular yellow or yellow arrow signal is warned that the related green movement is being terminated and that a red indication will be exhibited immediately thereafter.

(B) A pedestrian facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian control signal, is advised that there is insufficient time to cross the roadway before a red indication is shown, and a pedestrian may not start to cross the roadway at that time.

(3) Steady red indication means the following:

(A) Except as provided in clauses (B) and (D), vehicular traffic facing a steady circular red or red arrow signal shall stop at a clearly marked stop line. However, if there is no clearly marked stop line, vehicular traffic shall stop before entering the crosswalk on the near side of the intersection. If there is no crosswalk, vehicular traffic shall stop before entering the intersection and shall remain standing until an indication to proceed is shown.

(B) Except when a sign is in place prohibiting a turn described in this subdivision, vehicular traffic facing a steady red signal, after coming to a complete stop, may cautiously enter the intersection to do the following:

(i) Make a right turn.

(ii) Make a left turn if turning from the left lane of a one-way street into another one-way street with the flow of traffic.

Vehicular traffic making a turn described in this subdivision shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic using the intersection.

(C) Unless otherwise directed by a pedestrian control signal pedestrians facing a steady circular red or red arrow signal may not enter the roadway.

(D) This clause does not apply to the operation of an auticycle. If the operator of a motorcycle, motor driven cycle, or bicycle approaches an intersection that is controlled by a traffic control signal, the operator may proceed through the intersection on a steady red signal only if the operator:

(i) comes to a complete stop at the intersection for at least one hundred twenty (120) seconds; and

- (ii) exercises due caution as provided by law, otherwise treats the traffic control signal as a stop sign, and determines that it is safe to proceed.
- (4) No indication or conflicting indications means the following:
 - (A) Except as provided in clause (C), vehicular traffic facing an intersection having a signal that displays no indication or conflicting indications, where no other control is present, shall stop before entering the intersection.
 - (B) After stopping, vehicular traffic may proceed with caution through the intersection and shall yield the right-of-way to traffic within the intersection or approaching so closely as to constitute an immediate hazard.
 - (C) Vehicular traffic entering an intersection or crosswalk facing a pedestrian hybrid beacon may proceed without stopping if no indication is displayed on the pedestrian hybrid beacon.
- (5) This section applies to traffic control signals located at a place other than an intersection. A stop required under this subdivision must be made at the signal, except when the signal is supplemented by a sign or pavement marking indicating where the stop must be made.

As added by P.L.2-1991, SEC.9. Amended by P.L.8-2010, SEC.2; P.L.43-2011, SEC.3; P.L.206-2014, SEC.1; P.L.82-2015, SEC.5; P.L.149-2015, SEC.55.

IC 9-21-3-8

Red or yellow flashing signals

- Sec. 8. (a) This section does not apply at railroad grade crossings.
- (b) Whenever an illuminated flashing red or yellow light is used in a traffic signal or with a traffic sign, vehicular traffic shall obey the signal in the following manner:
- (1) Flashing red (stop signal) means the following:
 - (A) When a red lens is illuminated by rapid intermittent flashes, a person who drives a vehicle shall stop at a clearly marked stop line before entering the crosswalk on the near side of the intersection.
 - (B) If no line exists, the person shall stop at the point nearest the intersecting roadway where the person has a view of approaching traffic on the intersecting roadway before entering the roadway.
 - (C) The right to proceed is subject to the rules applicable after making a stop at a stop sign.
 - (2) Except as provided in subdivision (3), flashing yellow (caution signal) means that when a yellow lens is illuminated with rapid intermittent flashes, a person who drives a vehicle may proceed through the intersection or past the signal only with caution.

(3) When a yellow lens with an arrow is illuminated with rapid intermittent flashes, a person who operates a vehicle may turn only after yielding to oncoming traffic.

As added by P.L.2-1991, SEC.9. Amended by P.L.43-2011, SEC.4.

IC 9-21-3-9

Individual lane use control signals

Sec. 9. When lane use control signals are placed over individual lanes, the signals apply to vehicular traffic as follows:

(1) Green indication (downward green arrows) means vehicular traffic may travel in any lane over which a green signal is shown.

(2) Steady yellow indication (yellow X symbol) means vehicular traffic is warned that a lane control change is being made.

(3) Steady red indication (red X symbol) means vehicular traffic may not enter or travel in a lane over which a red signal is shown.

(4) Flashing yellow indication (yellow X symbol) means vehicular traffic may use the lane only for the purpose of approaching and making a left turn.

As added by P.L.2-1991, SEC.9.

IC 9-21-3-10

Repealed

(As added by P.L.2-1991, SEC.9. Repealed by P.L.113-2014, SEC.19; P.L.217-2014, SEC.44.)

IC 9-21-3-11

Violations; Class C infraction

Sec. 11. A person who violates section 7, 8, or 9 of this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.113-2014, SEC.20; P.L.217-2014, SEC.45.

IC 9-21-3.5

Chapter 3.5. Automated Traffic Law Enforcement System

IC 9-21-3.5-1

"Authority"

Sec. 1. As used in this chapter, "authority" refers to the Indiana finance authority.

As added by P.L.47-2006, SEC.45.

IC 9-21-3.5-2

"Automated traffic law enforcement system"

Sec. 2. As used in this chapter, "automated traffic law enforcement system" means a device that:

- (1) has one (1) or more motor vehicle sensors; and
- (2) is capable of producing a photographically recorded image of a motor vehicle, including an image of the vehicle's front or rear license plate, as the vehicle proceeds through a tollgate, toll zone, or other area on a tollway, qualifying project, private toll facility, or toll road that is marked as required by the department, the authority, or an operator as a place where a person using the tollway, qualifying project, private toll facility, or toll road must pay a toll.

As added by P.L.47-2006, SEC.45. Amended by P.L.152-2015, SEC.2.

IC 9-21-3.5-3

"Department"

Sec. 3. As used in this chapter, "department" refers to the Indiana department of transportation.

As added by P.L.47-2006, SEC.45.

IC 9-21-3.5-3.5

"Fee"

Sec. 3.5. As used in this chapter, "fee" means an amount assessed or imposed under:

- (1) rules adopted under section 10(a)(4) of this chapter; or
- (2) section 14(a)(2) of this chapter;

with respect to a toll violation.

As added by P.L.152-2015, SEC.3.

IC 9-21-3.5-4

"Operator"

Sec. 4. As used in this chapter, "operator" means:

- (1) with respect to a tollway, qualifying project, or toll road, an operator (as defined in IC 8-15.5-2-5 or IC 8-15.7-2-11); or
- (2) with respect to a private toll facility, a private entity that owns or operates the private toll facility.

As added by P.L.47-2006, SEC.45. Amended by P.L.152-2015,

SEC.4.

IC 9-21-3.5-5

"Owner"

Sec. 5. As used in this chapter, "owner" means a person in whose name a motor vehicle is registered under:

- (1) IC 9-18;
- (2) the laws of another state;
- (3) the laws of a foreign country; or
- (4) the International Registration Plan.

As added by P.L.47-2006, SEC.45.

IC 9-21-3.5-5.5

"Private toll facility"

Sec. 5.5. As used in this chapter, "private toll facility" means any new or existing highway, street, motorway, road, or bridge owned or operated by a private entity, including all tunnels, overpasses, underpasses, interchanges, entrance plazas, approaches, tollhouses, service stations, and administration, storage, and other buildings and facilities necessary or desirable for the operation of the private toll facility, together with all property, rights, easements, and interests which may be acquired by the private entity for the construction or operation of the facility. "Private toll facility" includes any subsequent improvement, betterment, enlargement, extension, or reconstruction of an existing private toll facility.

As added by P.L.152-2015, SEC.5.

IC 9-21-3.5-6

"Qualifying project"

Sec. 6. As used in this chapter, "qualifying project" has the meaning set forth in IC 8-15.7-2-16.

As added by P.L.47-2006, SEC.45.

IC 9-21-3.5-7

"Toll road"

Sec. 7. As used in this chapter, "toll road" has the meaning set forth for "toll road project" in IC 8-15-2-4(4).

As added by P.L.47-2006, SEC.45.

IC 9-21-3.5-7.5

"Toll violation"

Sec. 7.5. As used in this chapter, "toll violation" refers to the failure to pay a toll or user fee required under section 9 or 9.1 of this chapter.

As added by P.L.152-2015, SEC.6.

IC 9-21-3.5-8

"Tollway"

Sec. 8. As used in this chapter, "tollway" has the meaning set forth in IC 8-15-3-7.

As added by P.L.47-2006, SEC.45.

IC 9-21-3.5-9

Payment of toll by owner required

Sec. 9. (a) The owner of a motor vehicle, other than an authorized emergency vehicle, that is driven or towed through a toll collection facility on a toll road, tollway, or qualifying project shall pay the proper toll or user fee.

(b) A person who violates subsection (a) commits a moving violation, a Class C infraction.

As added by P.L.47-2006, SEC.45. Amended by P.L.163-2011, SEC.20.

IC 9-21-3.5-9.1

Payment of toll or user fee on private toll facility

Sec. 9.1. The owner of a motor vehicle, other than an authorized emergency vehicle, that is driven or towed through or on a private toll facility shall pay the proper toll or user fee.

As added by P.L.152-2015, SEC.7.

IC 9-21-3.5-10

Rules concerning automated traffic law enforcement systems at facilities other than private toll facilities

Sec. 10. (a) The department or the authority may adopt and enforce rules concerning:

- (1) the placement and use of automated traffic law enforcement systems to enforce collection of user fees;
- (2) required notification in the form of a citation to the owner of a vehicle used in the commission of a moving violation under section 9 of this chapter;
- (3) the process for notification, collection, and enforcement of unpaid amounts;
- (4) the amount of fines, charges, and assessments for toll violations, including, with respect to amounts unpaid by violators who are not subject to IC 9-18-2-17(b):
 - (A) contracting with a collection agency; and
 - (B) authorizing the collection agency in the contract for collection services to impose on and collect from the violator an additional collection fee; and
- (5) other matters relating to automated traffic law enforcement systems that the department or the authority considers appropriate.

(b) A rule adopted under subsection (a)(2) must establish:

- (1) a deadline for the department, authority, or operator, as applicable, to issue a citation to an owner of a vehicle used in the commission of a moving violation under section 9 of this

chapter; and

(2) a deadline, not to exceed thirty (30) days following receipt of the citation as determined under section 12(2) of this chapter, for the owner to pay a fine, charge, or other assessment for the toll violation.

(c) The department or the authority shall establish a process by which the department, authority, or operator, as applicable, shall notify the bureau of an owner's failure to pay a fine, charge, or other assessment for a toll violation following the expiration of the deadline described in subsection (b)(2).

(d) This section does not apply with respect to a private toll facility.

As added by P.L.47-2006, SEC.45. Amended by P.L.163-2011, SEC.21; P.L.152-2015, SEC.8.

IC 9-21-3.5-11

Advance warning signs

Sec. 11. (a) Before enforcing a rule adopted under section 10 of this chapter, the department, the authority, or an operator must install advance warning signs along the tollways, toll roads, or qualifying projects proceeding to the location at which an automated traffic law enforcement system is located.

(b) Before imposing or collecting a toll or fee under section 14 of this chapter, an operator must install advance warning signs along the private toll facility proceeding to the location at which an automated traffic law enforcement system is located.

As added by P.L.47-2006, SEC.45. Amended by P.L.152-2015, SEC.9.

IC 9-21-3.5-12

Enforcement of toll violations

Sec. 12. In the enforcement of a toll violation, including the collection of fees:

(1) proof that the motor vehicle was driven or towed through the toll collection or private toll facility without payment of the proper toll or user fee may be shown by a video recording, a photograph, an electronic recording, or other appropriate evidence, including evidence obtained by an automated traffic law enforcement system;

(2) it is presumed that any notice of nonpayment was received on the fifth day after the date of mailing; and

(3) a computer record of the department, the authority, or the operator regarding the registered owner of the vehicle is prima facie evidence of its contents and that the toll violator was the registered owner of the vehicle at the time of the underlying event of nonpayment.

As added by P.L.47-2006, SEC.45. Amended by P.L.152-2015, SEC.10.

IC 9-21-3.5-13

Seizure of transponders

Sec. 13. (a) For purposes of this section, "transponder" means a device, placed on or within a motor vehicle, that is capable of transmitting information used to assess or collect tolls. A transponder is "insufficiently funded" when there are no remaining funds in the account in connection with which the transponder was issued.

(b) Any police officer of Indiana may seize a stolen or insufficiently funded transponder and return it to the department, the authority, or an operator, except that an insufficiently funded transponder may not be seized from the holder of an account sooner than the thirtieth day after the date the department, the authority, or an operator has sent a notice of delinquency to the holder of the account.

(c) The department or the authority may enter into an agreement with one (1) or more persons to market and sell transponders for use on tollways, toll roads, or qualifying projects.

(d) The department, the authority, or an operator may charge reasonable fees for initiating, administering, and maintaining electronic toll collection customer accounts.

(e) Electronic toll collection customer account information, including contact and payment information and trip data, is confidential and not subject to disclosure under IC 5-14-3. A contract for the acquisition, construction, maintenance, or operation of a tollway, toll road, or qualifying project must ensure the confidentiality of all electronic toll collection customer account information.

As added by P.L.47-2006, SEC.45.

IC 9-21-3.5-14

Powers of operator of private toll facility

Sec. 14. (a) The operator of a private toll facility may do the following:

(1) Fix, revise, charge, and collect tolls for the use of a private toll facility by any person, partnership, association, limited liability company, or corporation desiring the use of any part of the private toll facility, including the right of way adjoining the paved portion of the private toll facility. For purposes of this subdivision, the use of a private toll facility includes the placement of telephone, telegraph, electric, or power lines on any part of the private toll facility.

(2) Fix the terms, conditions, and rates of charge for use of the private toll facility, including fees for nonpayment of required tolls. However, a fee imposed for nonpayment of a required toll may not exceed fifty dollars (\$50) for each unpaid toll.

(3) Collect tolls and fees through manual or nonmanual methods, including automated traffic law enforcement systems, automatic vehicle identification systems, electronic toll

collection systems, global positioning systems, and photo or video based toll collection or toll collection enforcement systems.

(b) The operator of a private toll facility may not impose a fee under subsection (a)(2) for nonpayment of a required toll until the operator has provided notice of the unpaid toll to the toll violator in accordance with notice requirements published on the Internet web site of the private toll facility. The operator shall include with the notice of the unpaid toll a summary of the notice requirements published on the Internet web site of the private toll facility.

As added by P.L.152-2015, SEC.11.

IC 9-21-3.5-15

Agreement between operator and bureau

Sec. 15. (a) The operator of a private toll facility may enter into an agreement with the bureau to obtain information under IC 9-14-12 necessary to enforce violations of section 9.1 of this chapter, including information regarding the registered owner of a vehicle operated in violation of section 9.1 of this chapter.

(b) The bureau may use any reciprocal arrangement that applies to the bureau to obtain information for purposes of subsection (a).

(c) An operator may use information provided under this section only for the purposes of this section.

(d) The operator of a private toll facility shall inform the bureau of the operator's process to notify the bureau of an owner's failure to pay a fine, charge, fee, or other assessment for a toll violation following the expiration of the deadline for payment of the fine, charge, fee, or other assessment as set forth in the operator's notice requirements published on the Internet web site of the private toll facility under section 14(b) of this chapter.

As added by P.L.152-2015, SEC.12. Amended by P.L.198-2016, SEC.362.

IC 9-21-4

Chapter 4. Traffic Control Devices

IC 9-21-4-1

Signing, marking, and erection; guidelines

Sec. 1. A governmental agency in Indiana that is responsible for the signing, marking, and erection of traffic control devices on streets and highways within Indiana shall follow the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-2

Placement and maintenance; department of transportation; local authorities; unnecessary signals; removal

Sec. 2. (a) The Indiana department of transportation shall place and, except as otherwise provided in this section and IC 8-23-2-15, maintain traffic control devices conforming to the state manual and specifications upon all state highways, including the state maintained routes through a city or town, as necessary to indicate and to carry out this article or to regulate, warn, or guide traffic.

(b) A local authority may not place or maintain a traffic control device upon a highway in the state highway system or the state maintained routes through a city or town until the authority has received written permission from the Indiana department of transportation.

(c) If the department determines, upon the basis of an engineering and traffic investigation, that any traffic control signal is not necessary for the safe, convenient, economical, and orderly movement of traffic, the signal shall be removed by the Indiana department of transportation and be returned to the authority responsible for the signal's erection. If the Indiana department of transportation determines, based on an engineering and traffic investigation, that a traffic control signal now in place is necessary for the safe, convenient, economical, and orderly movement of traffic, the signal must remain in place, and the Indiana department of transportation shall affix a tag or seal to the signal showing that the signal has been approved by the Indiana department of transportation.

As added by P.L.2-1991, SEC.9. Amended by P.L.217-2014, SEC.46.

IC 9-21-4-3

Local authorities; jurisdiction; duties; traffic calming devices

Sec. 3. (a) As used in this section, "traffic calming device" means a device erected to slow traffic on residential streets, including the following:

- (1) traffic circles;
- (2) curb extensions;
- (3) neck downs;

- (4) diagonal diverters;
- (5) truncated diagonal diverters; or
- (6) chicanes.

(b) A local authority shall place and maintain traffic control devices upon highways under the authority's jurisdiction, not including state highways, the authority considers necessary to indicate and to carry out this article or local traffic ordinances or to regulate, warn, or guide traffic. All traffic control devices, except traffic calming devices, erected under this section after June 30, 1939, must conform to the Indiana manual on uniform traffic control devices for streets and highways, ("the state manual") and design specifications. However, the design and use of traffic calming devices shall conform to generally accepted engineering principles of road design, and shall not affect the requirements of the state manual and design specifications as regards any other traffic control device, as used in this chapter.

As added by P.L.2-1991, SEC.9. Amended by P.L.93-1996, SEC.1.

IC 9-21-4-4

Unauthorized traffic control devices; prohibition

Sec. 4. A person may not place, maintain, or display upon or in view of a highway an unauthorized sign, signal, marking, or device that:

- (1) purports to be, is an imitation of, or resembles an official traffic control device or a railroad sign or signal;
- (2) attempts to direct the movement of traffic; or
- (3) hides from view or interferes with the effectiveness of an official traffic control device or a railroad sign or signal.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-5

Commercial advertising; placement on traffic control devices; prohibition; exceptions; tourist attraction signage; lights maintained on private property; restrictions

Sec. 5. (a) Except as provided in subsection (b), a person may not place or maintain upon a highway a traffic sign or signal bearing commercial advertising. A public authority may not permit the placement of a traffic sign or signal that bears a commercial message.

(b) Under criteria to be jointly established by the Indiana department of transportation and the office of tourism development, the Indiana department of transportation may authorize the posting of any of the following:

- (1) Limited tourist attraction signage.
- (2) Business signs on specific information panels on the interstate system of highways and other freeways.

All costs of manufacturing, installation, and maintenance to the Indiana department of transportation for a business sign posted under this subsection shall be paid by the business.

(c) Criteria established under subsection (b) for tourist attraction signage must include a category for a tourist attraction that:

- (1) is a trademarked destination brand; and
- (2) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the National Register of Historic Places established under 16 U.S.C. 470 et seq.; or

(B) listed on the register of Indiana historic sites and historic structures established under IC 14-21-1;

regardless of the distance of the tourist attraction from the highway on which the tourist attraction signage is placed.

(d) Criteria established under subsection (b) for tourist attraction signage must include a category for a tourist attraction that is an establishment issued a brewer's permit under IC 7.1-3-2-2(b).

(e) A person may not place, maintain, or display a flashing, a rotating, or an alternating light, beacon, or other lighted device that:

- (1) is visible from a highway; and
- (2) may be mistaken for or confused with a traffic control device or for an authorized warning device on an emergency vehicle.

(f) This section does not prohibit the erection, upon private property adjacent to highways, of signs giving useful directional information and of a type that cannot be mistaken for official signs. *As added by P.L.2-1991, SEC.9. Amended by P.L.229-2005, SEC.8; P.L.30-2007, SEC.1; P.L.94-2008, SEC.59; P.L.79-2015, SEC.15.*

IC 9-21-4-6

Advertising signs, signals, and devices; placement on or over roadway; prohibition; removal

Sec. 6. (a) A person may not place, maintain, or display an advertising sign, signal, or device on or over the roadway of a highway.

(b) A person may not place, maintain, or display an advertising sign, signal, or device on a highway in a city between the curb and sidewalk. If the curb and sidewalk join, a person may not place, maintain, or display on the sidewalk an advertising sign, signal, or device closer than ten (10) feet from the curb line. Overhanging signs may not overhang the curb.

(c) A person may not place, maintain, or display an advertising sign or device of any character within one hundred (100) feet of a highway outside the corporate limits of an incorporated city or town that obstructs the view of:

- (1) the highway; or
- (2) an intersecting highway, street, alley, or private driveway;

of a person traveling the highway for a distance of five hundred (500) feet or less from the sign or device as the person approaches the highway or intersecting highway.

(d) A person may not place, maintain, or display an advertising

sign or a device of a permanent or semipermanent character on a highway right-of-way.

(e) Each sign, signal, or marking prohibited under this section is declared to be a public nuisance. The authority having jurisdiction over the highway may remove or cause to be removed the prohibited sign, signal, or marking without notice.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-7

Designation or determination of the location of, necessity for, and extent of traffic control devices; order of department of transportation; violation; trial; certification of order; permits

Sec. 7. (a) Whenever, under this article, the Indiana department of transportation designates or determines the location of, necessity for, and extent of:

- (1) traffic control devices;
- (2) state speed limits, other than maximum limits;
- (3) speed limits on elevated structures;
- (4) no passing zones;
- (5) one-way roadways;
- (6) certain lanes for slow moving traffic;
- (7) course of turning movements at intersections;
- (8) dangerous railroad crossings requiring stops;
- (9) through highways and stop intersections;
- (10) angle parking; or
- (11) restrictions on the use of highways for certain periods or for certain vehicles, including low speed vehicles;

the designation or determination shall be by order of the commissioner of the Indiana department of transportation and shall, except for subdivision (1), be evidenced by official signs or markings under this article. The commissioner of the Indiana department of transportation may designate an order adopted under this subsection as an emergency rule and adopt the order in the same manner as emergency rules are adopted under IC 4-22-2-37.1.

(b) At a trial of a person charged with a violation of the restrictions imposed by subsection (a) and in all civil actions, oral evidence of the location and content of the signs or markings is prima facie evidence of the adoption and application of the restriction by the Indiana department of transportation and the validity of the adoption and application of the restriction. The Indiana department of transportation shall, upon request by a party in an action at law, furnish, under the seal of the Indiana department of transportation, a certification of the order establishing the restriction in question. A certification under this subsection shall be accepted by any court as conclusive proof of the designation or determination by the commissioner of the Indiana department of transportation. Certified copies shall be furnished without cost to the parties to a court action involving the restriction upon request.

(c) Whenever, under this article, a permit or permission of the Indiana department of transportation is required, the permit must be in writing and under the seal of the Indiana department of transportation.

As added by P.L.2-1991, SEC.9. Amended by P.L.21-2003, SEC.7; P.L.140-2013, SEC.11.

IC 9-21-4-8

Rules of statewide application not evidenced by official signs and not authorized by this article; adoption; use of administrative rules

Sec. 8. The rules for construction of private drives and controlling the cutting of curbs in cities and any other rules of statewide application that are:

- (1) not evidenced by official signs or markings;
- (2) made by the Indiana department of transportation; and
- (3) not authorized by this article but authorized by other statutes;

shall be adopted under IC 4-22-2.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-9

Administrative rules; adoption of rules of statewide application; exceptions

Sec. 9. (a) Except as provided in subsections (b) and (c), all rules of statewide application shall be adopted under IC 4-22-2.

(b) Traffic regulations carrying a penalty for violation and requiring the use of signs or markers to make them effective need not be adopted under IC 4-22-2.

(c) Traffic regulations, except maximum speed limits and worksite speed limits, shall be officially adopted by order of the Indiana department of transportation.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-10

Emergency rules; adoption under administrative rules provisions

Sec. 10. If the Indiana department of transportation designates a rule under section 8 or 9 of this chapter as an emergency rule, the department may adopt the rule under IC 4-22-2-37.1.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-11

Through highways; stop or yield intersections; designation; erection of signs

Sec. 11. The Indiana department of transportation, with reference to state highways and highway routes through cities, and local authorities, with reference to other highways under their jurisdiction, may, upon an engineering and traffic investigation, designate:

- (1) through highways and erect stop or yield signs at specified

entrances to the highways; or
(2) an intersection as a stop or yield intersection and erect stop or yield signs at one (1) or more entrances to the intersection.
As added by P.L.2-1991, SEC.9.

IC 9-21-4-12

No passing zones and narrow bridges on state highways; designation; erection of signs

Sec. 12. (a) The Indiana department of transportation may determine by an engineering and traffic investigation those parts of a state highway where overtaking and passing or driving to the left of the roadway would be especially hazardous and may, by appropriate signs or marks on the roadway, indicate the beginning and end of the zones.

(b) The Indiana department of transportation may determine that a bridge, a culvert, or an approach to a bridge or culvert on a state highway does not have sufficient clear roadway width to safely permit the passing of two (2) vehicles. A bridge or culvert described in this subsection shall be designated a one-lane bridge or a narrow bridge.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-13

No passing zones; designation by local authorities; erection of signs

Sec. 13. A local unit that has responsibility for roads and streets may determine by an engineering and traffic investigation those parts of a road or street, including bridges, under the unit's jurisdiction where overtaking and passing or driving to the left of the roadway would be especially hazardous. Upon making that determination, the local unit may, by ordinance, designate no-passing zones by appropriate signs or marks on the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-14

One-way highways and streets; designation; erection of signs

Sec. 14. The Indiana department of transportation may designate a highway or separate roadway under the department's jurisdiction for one-way traffic and shall erect appropriate signs giving notice of the designation.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-15

Repealed

(Repealed by P.L.81-1996, SEC.12.)

IC 9-21-4-16

Stopping at railroad crossings; procedure

Sec. 16. When a stop sign is erected at a railroad crossing, the

driver of a vehicle shall stop within fifty (50) feet but not less than ten (10) feet from the nearest track of the grade crossing and shall proceed only upon exercising due care.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-17

Preferential right-of-way at intersections; signs

Sec. 17. Whenever traffic at an intersection is controlled by signs, preferential right-of-way may be indicated by stop signs or yield signs under this chapter.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-18

Operation of motor vehicle; obeyance of markings or signs

Sec. 18. A person who drives a vehicle must obey the markings or signs posted under this chapter.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-19

Violations; Class C infraction

Sec. 19. A person who violates section 4, 5, 6, 16, 17, or 18 of this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-20

Highway work zones; signage; penalties

Sec. 20. (a) For purposes of this section, "highway work zone" has the meaning set forth in IC 8-23-2-15.

(b) The Indiana department of transportation shall design and manufacture or have manufactured signs that inform vehicle operators of the offenses and penalties under:

- (1) IC 9-21-5-11; and
- (2) IC 9-21-8-56.

(c) A sign described in subsection (b) shall be posted at a reasonable distance before a highway work zone by:

- (1) the Indiana department of transportation;
- (2) a political subdivision; or
- (3) a contractor of the:
 - (A) Indiana department of transportation; or
 - (B) political subdivision;

that is working at the highway work zone.

A sign that is posted before a highway work zone must be posted in accordance with the Indiana Manual on Uniform Traffic Control Devices or the Indiana Work Site Traffic Control Manual.

As added by P.L.40-2007, SEC.1.

IC 9-21-5

Chapter 5. Speed Limits

IC 9-21-5-0.1

Application of certain amendments to chapter

Sec. 0.1. The amendments made to section 11 of this chapter by P.L.40-2007 apply to civil judgments entered for infractions committed after June 30, 2007.

As added by P.L.220-2011, SEC.216.

IC 9-21-5-1

General restrictions; violation

Sec. 1. (a) A person may not drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions, having regard to the actual and potential hazards then existing. Speed shall be restricted as necessary to avoid colliding with a person, vehicle, or other conveyance on, near, or entering a highway in compliance with legal requirements and with the duty of all persons to use due care.

(b) A person who drives at a speed greater than is reasonable and prudent for the given weather or road conditions commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.188-2015, SEC.62.

IC 9-21-5-2

Maximum speed limits; violation

Sec. 2. (a) Except when a special hazard exists that requires lower speed for compliance with section 1 of this chapter, the slower speed limit specified in this section or established as authorized by section 3 of this chapter is the maximum lawful speed. A person may not drive a vehicle on a highway at a speed in excess of the following maximum limits:

- (1) Thirty (30) miles per hour in an urban district.
- (2) Fifty-five (55) miles per hour, except as provided in subdivisions (1), (3), (4), (5), (6), and (7).
- (3) Seventy (70) miles per hour on a highway on the national system of interstate and defense highways located outside of an urbanized area (as defined in 23 U.S.C. 101) with a population of at least fifty thousand (50,000), except as provided in subdivision (4).
- (4) Sixty-five (65) miles per hour for a vehicle (other than a bus) having a declared gross weight greater than twenty-six thousand (26,000) pounds on a highway on the national system of interstate and defense highways located outside an urbanized area (as defined in 23 U.S.C. 101) with a population of at least fifty thousand (50,000).
- (5) Sixty-five (65) miles per hour on:
 - (A) U.S. 20 from the intersection of U.S. 20 and County

- Road 17 in Elkhart County to the intersection of U.S. 20 and U.S. 31 in St. Joseph County;
 - (B) U.S. 31 from the intersection of U.S. 31 and U.S. 20 in St. Joseph County to the boundary line between Indiana and Michigan; and
 - (C) a highway classified by the Indiana department of transportation as an INDOT Freeway.
- (6) On a highway that is the responsibility of the Indiana finance authority established by IC 4-4-11:
- (A) seventy (70) miles per hour for:
 - (i) a motor vehicle having a declared gross weight of not more than twenty-six thousand (26,000) pounds; or
 - (ii) a bus; or
 - (B) sixty-five (65) miles per hour for a motor vehicle having a declared gross weight greater than twenty-six thousand (26,000) pounds.
- (7) Sixty (60) miles per hour on a highway that:
- (A) is not designated as a part of the national system of interstate and defense highways;
 - (B) has four (4) or more lanes;
 - (C) is divided into two (2) or more roadways by:
 - (i) an intervening space that is unimproved and not intended for vehicular travel;
 - (ii) a physical barrier; or
 - (iii) a dividing section constructed to impede vehicular traffic; and
 - (D) is located outside an urbanized area (as defined in 23 U.S.C. 101) with a population of at least fifty thousand (50,000).
- (8) Fifteen (15) miles per hour in an alley.
- (b) A person who violates subsection (a) commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.92-1991, SEC.2; P.L.1-1993, SEC.56; P.L.151-2005, SEC.2; P.L.1-2006, SEC.163; P.L.188-2015, SEC.63.

IC 9-21-5-3

Alteration of maximum speed limits; authorities; procedures

Sec. 3. The maximum speed limits set forth in section 2 of this chapter may be altered as follows:

- (1) By local jurisdictions under section 6 of this chapter.
- (2) By the Indiana department of transportation under section 12 of this chapter.
- (3) For the purposes of speed limits on a highway on the national system of interstate and defense highways, by order of the commissioner of the Indiana department of transportation to conform to any federal regulation concerning state speed limit laws.

(4) In worksites, by all jurisdictions under section 11 of this chapter.

As added by P.L.2-1991, SEC.9. Amended by P.L.235-2005, SEC.124; P.L.151-2005, SEC.3; P.L.1-2006, SEC.164.

IC 9-21-5-4

Reduction of speed; conditions where required; violation

Sec. 4. (a) The driver of each vehicle shall, consistent with section 1 of this chapter, drive at an appropriate reduced speed as follows:

- (1) When approaching and crossing an intersection or railway grade crossing.
- (2) When approaching and going around a curve.
- (3) When approaching a hill crest.
- (4) When traveling upon a narrow or winding roadway.
- (5) When special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions.

(b) A person who fails to drive at a reduced speed as required under subsection (a) commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.188-2015, SEC.64.

IC 9-21-5-5

Oversized vehicles; violation

Sec. 5. (a) In addition to the other limitations in this chapter, and in any oversize vehicle permit issued under IC 9-20, a vehicle that exceeds:

- (1) a width of ten (10) feet, six (6) inches;
- (2) a height of thirteen (13) feet, six (6) inches; or
- (3) a length of eighty-five (85) feet;

may not be operated at a speed greater than fifty-five (55) miles per hour.

(b) A person who operates a vehicle to which subsection (a) applies at a speed greater than fifty-five (55) miles per hour commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.85-1997, SEC.2; P.L.217-2003, SEC.7; P.L.188-2015, SEC.65.

IC 9-21-5-6

Speed limits greater or lesser than reasonable; alteration by local authority; engineering and traffic investigations; validity of speed limits; conditions; violation

Sec. 6. (a) Except as provided in subsections (e) and (f), whenever a local authority in the authority's jurisdiction determines that the maximum speed permitted under this chapter is greater or less than reasonable and safe under the conditions found to exist on a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit on the highway. The maximum limit declared under this section may do any of the following:

- (1) Decrease the limit within urban districts, but not to less than

twenty (20) miles per hour.

(2) Increase the limit within an urban district, but not to more than fifty-five (55) miles per hour during daytime and fifty (50) miles per hour during nighttime.

(3) Decrease the limit outside an urban district, but not to less than thirty (30) miles per hour.

(4) Decrease the limit in an alley, but to not less than five (5) miles per hour.

(5) Increase the limit in an alley, but to not more than thirty (30) miles per hour.

The local authority must perform an engineering and traffic investigation before a determination may be made to change a speed limit under subdivision (2), (3), (4), or (5) or before the speed limit within an urban district may be decreased to less than twenty-five (25) miles per hour under subdivision (1).

(b) Except as provided in subsection (f), a local authority in the authority's jurisdiction shall determine by an engineering and traffic investigation the proper maximum speed for all local streets and shall declare a reasonable and safe maximum speed permitted under this chapter for an urban district. However, an engineering and traffic study is not required to be performed for the local streets in an urban district under this subsection if the local authority determines that the proper maximum speed in the urban district is not less than twenty-five (25) miles per hour.

(c) An altered limit established under this section is effective at all times or during hours of darkness or at other times as may be determined when appropriate signs giving notice of the altered limit are erected on the street or highway.

(d) Except as provided in this subsection, a local authority may not alter a speed limit on a highway or extension of a highway in the state highway system. A city or town may establish speed limits on state highways upon which a school is located. A person who violates the speed limit in a reduced speed zone commits a Class B infraction. However, a speed limit established under this subsection is valid only if the following conditions exist:

(1) The limit is not less than twenty (20) miles per hour.

(2) The limit is imposed only in the immediate vicinity of the school.

(3) Children are present.

(4) The speed zone is properly signed. There must be:

(A) a sign located:

(i) where the reduced speed zone begins; or

(ii) as near as practical to the point where the reduced speed zone begins;

indicating the reduced speed limit; and

(B) a sign located at the end of the reduced speed zone indicating:

(i) the speed limit for the section of highway that follows;

or

(ii) the end of the reduced speed zone.

(5) The Indiana department of transportation has been notified of the limit imposed by certified mail.

(e) A local authority may decrease a limit on a street to not less than fifteen (15) miles per hour if the following conditions exist:

(1) The street is located within a park or playground established under IC 36-10.

(2) The:

(A) board established under IC 36-10-3;

(B) board established under IC 36-10-4; or

(C) park authority established under IC 36-10-5; requests the local authority to decrease the limit.

(3) The speed zone is properly signed.

(f) A city, town, or county may establish speed limits on a street or highway upon which a school is located if the street or highway is under the jurisdiction of the city, town, or county, respectively. However, a speed limit established under this subsection is valid only if the following conditions exist:

(1) The limit is not less than twenty (20) miles per hour.

(2) The limit is imposed only in the immediate vicinity of the school.

(3) Children are present.

(4) The speed zone is properly signed. There must be:

(A) a sign located where the reduced speed zone begins or as near as practical to the point where the reduced speed zone begins indicating the reduced speed limit and a sign located at the end of the reduced speed zone indicating the end of the reduced speed zone; and

(B) if the school operates on a twelve (12) month schedule, a sign indicating that the school is an all year school.

As added by P.L.2-1991, SEC.9. Amended by P.L.92-1991, SEC.3; P.L.1-1992, SEC.50; P.L.126-1993, SEC.1; P.L.169-2006, SEC.32; P.L.138-2009, SEC.2; P.L.52-2011, SEC.1; P.L.29-2015, SEC.1; P.L.188-2015, SEC.66.

IC 9-21-5-7

Reduction of speed; impeding normal and reasonable movement; right-of-way to other vehicles; violation

Sec. 7. (a) A person may not drive a motor vehicle at a slow speed that impedes or blocks the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with the law. A person who is driving:

(1) on a roadway that has not more than one (1) lane of traffic in each direction; and

(2) at a slow speed so that three (3) or more other vehicles are blocked and cannot pass on the left around the vehicle;

shall give right-of-way to the other vehicles by pulling off to the right

of the right lane at the earliest reasonable opportunity and allowing the blocked vehicles to pass.

(b) A person who fails to give right-of-way as required by subsection (a) commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.188-2015, SEC.67.

IC 9-21-5-8

Minimum speed limits

Sec. 8. Whenever the Indiana department of transportation within the department's jurisdiction or a local authority within the authority's jurisdiction determines, based on an engineering and traffic investigation, that slow speeds on a part of a highway consistently impede the normal and reasonable movement of traffic, the Indiana department of transportation or local authority may determine and declare a minimum speed limit below which a person may not drive a vehicle except when necessary for safe operation or in compliance with law. A limit determined under this subsection and declared by appropriate resolution, regulation, or ordinance becomes effective when appropriate sign or signals giving notice of the limit of speed are erected along the affected part of a highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-5-8.5

Low speed vehicles; violation

Sec. 8.5. (a) A person may not operate a low speed vehicle on a highway that has a speed limit in excess of thirty-five (35) miles per hour.

(b) A person who operates a low speed vehicle on a highway that has a speed limit in excess of thirty-five (35) miles per hour commits a Class C infraction.

As added by P.L.21-2003, SEC.8. Amended by P.L.221-2014, SEC.38; P.L.188-2015, SEC.68.

IC 9-21-5-9

Vehicles traveling at reduced speeds; use of right lane; prohibited operation in left most lane; violation

Sec. 9. (a) A vehicle that travels at a speed less than the established maximum shall travel in the right lanes to provide for better flow of traffic on the interstate highways.

(b) This subsection applies to the operation of a vehicle:

- (1) on a roadway that has two (2) or more lanes of traffic in each direction; and
- (2) in the left most lane, other than a lane designated for high occupancy vehicles.

Except as provided in subsection (c), a person who knows, or should reasonably know, that another vehicle is overtaking from the rear the vehicle that the person is operating may not continue to operate the vehicle in the left most lane.

(c) Subsection (b) does not apply:

- (1) when traffic conditions or congestion make it necessary to operate a vehicle in the left most lane;
- (2) when inclement weather, obstructions, or hazards make it necessary to operate a vehicle in the left most lane;
- (3) when compliance with a law, a regulation, an ordinance, or a traffic control device makes it necessary to operate a vehicle in the left most lane;
- (4) when exiting a roadway or turning to the left;
- (5) when paying a toll or user fee at a toll collection facility;
- (6) to an authorized emergency vehicle operated in the course of duty; or
- (7) to vehicles operated or used in the course of highway maintenance or construction.

(d) A person who violates this section commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.188-2015, SEC.69.

IC 9-21-5-10

Bridges and elevated structures; maximum speed; safety investigation; posting of signs; violations; conclusive evidence; violation

Sec. 10. (a) A person may not drive a vehicle over a bridge or other elevated structure constituting a part of a highway at a speed that is greater than the maximum speed that can be maintained with safety to the bridge or structure, when the structure is signposted as provided in this section.

(b) The Indiana department of transportation may conduct an investigation of a bridge or other elevated structure constituting a part of a highway. If the Indiana department of transportation finds that the structure cannot with safety to the structure withstand vehicles traveling at the speed otherwise permissible under this chapter, the Indiana department of transportation shall determine and declare the maximum speed of vehicles that the structure can withstand. The Indiana department of transportation shall cause or permit suitable signs stating the maximum speed to be erected and maintained at a distance of one hundred (100) feet or as near as practicable before each end of the structure.

(c) Upon the trial of a person charged with a violation of this section, proof of the determination of the maximum speed by the Indiana department of transportation and the existence of signs erected under subsection (b) constitutes conclusive evidence of the maximum speed that can be maintained with safety to the bridge or structure.

(d) A person who exceeds the speed limit sign posted on a bridge or other elevated structure under this section commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.188-2015, SEC.70.

IC 9-21-5-11

Temporary maximum speed limits; worksite speed limits; violation; penalties

Sec. 11. (a) Subject to subsection (b), the Indiana department of transportation, the Indiana finance authority, or a local authority may establish temporary maximum speed limits in their respective jurisdictions and in the vicinity of a worksite without conducting an engineering study and investigation required under this article. The establishing authority shall post signs notifying the traveling public of the temporary maximum speed limits established under this section.

(b) Worksite speed limits set under this section must be at least ten (10) miles per hour below the maximum established speed limit.

(c) A worksite speed limit set under this section may be enforced only if:

- (1) workers are present in the immediate vicinity of the worksite; or
- (2) if workers are not present in the immediate vicinity of the worksite, the establishing authority determines that the safety of the traveling public requires enforcement of the worksite speed limit.

(d) Notwithstanding IC 34-28-5-4(b), a judgment for the infraction of violating a speed limit set under this section must be entered as follows:

- (1) If the person has not previously committed the infraction of violating a speed limit set under this section, a judgment for a Class B infraction and a fine of at least three hundred dollars (\$300) shall be imposed.
- (2) If the person has committed one (1) infraction of violating a speed limit set under this section in the previous three (3) years, a judgment for a Class B infraction and a fine of at least five hundred dollars (\$500) shall be imposed.
- (3) If the person has committed two (2) or more infractions of violating a speed limit set under this section in the previous three (3) years, a judgment for a Class B infraction and a fine of one thousand dollars (\$1,000) shall be imposed.

(e) Notwithstanding IC 34-28-5-5(c), the funds collected as judgments for the infraction of violating a speed limit set under this section shall be transferred to the Indiana department of transportation to pay the costs of hiring off duty police officers to perform the duties described in IC 8-23-2-15(b).

(f) If judgment has been imposed for committing two (2) infractions under this section within one (1) year, an additional penalty of the suspension of the driving privileges of the person who committed the infractions may be imposed by the court imposing the sentence for the second violation. If the court suspends a person's driving privileges under this subsection, the court shall issue an order to the bureau:

- (1) stating that judgment against the person has been entered for committing the infraction of exceeding a worksite speed limit under this section for the second time in one (1) year; and
- (2) ordering the suspension of the person's driving privileges by the bureau under IC 9-30-13-9.

The suspension of a person's driving privileges under this section is in addition to any other penalties imposed under this section and any fee imposed under IC 33-37-5-14.

As added by P.L.2-1991, SEC.9. Amended by P.L.116-2001, SEC.1; P.L.235-2005, SEC.125; P.L.40-2007, SEC.2; P.L.66-2011, SEC.1; P.L.188-2015, SEC.71; P.L.41-2016, SEC.1.

IC 9-21-5-12

Maximum speeds greater or less than what is reasonably safe; declaration of new limit; variable limits based on time of day, types of vehicles, weather, and other factors

Sec. 12. (a) Whenever the Indiana department of transportation determines on the basis of an engineering and traffic investigation that a maximum speed set forth in this chapter is greater or less than is reasonable or safe under the conditions found to exist at an intersection or other place or on part of the state highway system, the Indiana department of transportation may determine and declare a reasonable and safe maximum limit at the intersection or on the part of the state highway system. The differing limit is effective when appropriate signs giving notice of the limit are erected.

(b) A maximum speed limit under this section may be declared to be effective at all times or at times indicated on the signs. Differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds. The differing limits are effective when posted on appropriate fixed or variable signs.

As added by P.L.2-1991, SEC.9.

IC 9-21-5-13

Repealed

(As added by P.L.2-1991, SEC.9. Amended by P.L.42-2000, SEC.1; P.L.116-2001, SEC.2; P.L.1-2005, SEC.23; P.L.231-2005, SEC.2. Repealed by P.L.188-2015, SEC.72.)

IC 9-21-5-14

Maximum speed of school buses and special purpose buses; violation

Sec. 14. (a) A person may not operate a school bus or a special purpose bus at a speed greater than:

- (1) sixty (60) miles per hour on a federal or state highway; or
- (2) forty (40) miles per hour on a county or township highway.

(b) If the posted speed limit is lower than the absolute limits set in this section or if the absolute limits do not apply, the maximum

lawful speed of a bus is the posted speed limit.

(c) A person who knowingly or intentionally exceeds a speed limit set forth in subsection (a) or (b) commits a Class C misdemeanor.

As added by P.L.1-2005, SEC.24. Amended by P.L.107-2006, SEC.2; P.L.114-2007, SEC.2; P.L.188-2015, SEC.73.

IC 9-21-6

Chapter 6. Speed Contests

IC 9-21-6-1

Speed contests; prohibition

Sec. 1. A person may not engage in a motor vehicle speed contest on a highway or street.

As added by P.L.2-1991, SEC.9.

IC 9-21-6-2

Obstruction of highways or streets

Sec. 2. A person may not obstruct or place a barricade or an obstacle across a highway or street:

(1) to facilitate or aid; or

(2) as an incident to;

a motor vehicle speed contest.

As added by P.L.2-1991, SEC.9.

IC 9-21-6-3

Violations; Class B misdemeanor; exceptions to penalty

Sec. 3. A person who violates this chapter commits a Class B misdemeanor, except as provided in IC 9-21-8-56(d), IC 9-21-8-56(f), IC 9-21-8-56(g), and IC 9-21-8-56(h).

As added by P.L.2-1991, SEC.9. Amended by P.L.40-2007, SEC.3; P.L.3-2008, SEC.78.

IC 9-21-7

Chapter 7. Vehicle Equipment

IC 9-21-7-1

Good working order and adjustment; safe mechanical condition

Sec. 1. A person may not drive or move on a highway a:

- (1) motor vehicle;
- (2) trailer;
- (3) semitrailer;
- (4) pole trailer; or
- (5) combination of a motor vehicle, trailer, semitrailer, or pole trailer;

unless the equipment upon the vehicle is in good working order and adjustment, as required in this article, and the vehicle is in a safe mechanical condition that does not endanger the person who drives the vehicle, another occupant of the vehicle, or a person upon the highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-7-2

Lights; time for display; exception

Sec. 2. (a) Except as provided in subsection (b) and section 8 of this chapter, each vehicle upon a highway:

- (1) between the time from sunset to sunrise; and
- (2) at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of five hundred (500) feet ahead;

must display lighted head lamps and other illuminating devices as required for different classes of vehicles under this chapter.

(b) All lamp equipment required for vehicles described in IC 9-19-6, including each tail lamp required by law, shall be lighted at the times mentioned in subsection (a), except that clearance and sidemarker lamps are not required to be lighted on a vehicle when the vehicle is operated within a municipality if there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet.

As added by P.L.2-1991, SEC.9. Amended by P.L.1-1991, SEC.94; P.L.34-2010, SEC.3; P.L.198-2016, SEC.363.

IC 9-21-7-3

Lights; requirements and restrictions

Sec. 3. (a) This section does not apply to a motorcycle or motor driven cycle.

(b) A motor vehicle must display at least two (2) lighted lamps, one (1) on each side at the front of the motor vehicle.

(c) Whenever a motor vehicle equipped with head lamps required under subsection (b) is also equipped with:

- (1) auxiliary lamps;
- (2) a spot lamp; or
- (3) any other lamp on the front of the motor vehicle projecting a beam of intensity greater than three hundred (300) candlepower;

not more than a total of four (4) lamps described in this subsection on the front of a vehicle may be lighted at one (1) time when upon a highway.

(d) Passenger buses, trucks, truck tractors, and certain trailers, semitrailers, and pole trailers must display clearance and marker lamps, reflectors, and stop lights as required under this title when operated upon a highway. Except as provided in subsection (e), all lamp equipment required on vehicles described in this subsection shall be lighted at the times specified in section 2 of this chapter.

(e) Clearance and sidemarker lamps are not required to be lighted on a vehicle described in subsection (d) when the vehicle is operated within a municipality where there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.39.

IC 9-21-7-4

High intensity beams

Sec. 4. (a) This section does not apply to head lamps, spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle warning lamps, and school bus warning lamps.

(b) A lighted lamp or illuminating device upon a motor vehicle that projects a beam of light of an intensity greater than three hundred (300) candlepower shall be directed so that no part of the high intensity part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five (75) feet from the vehicle.

As added by P.L.2-1991, SEC.9.

IC 9-21-7-5

Lights; distribution of beam; direction; illumination of objects; reduction of glare

Sec. 5. (a) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent to a roadway during the times specified in section 2 of this chapter, the person who drives the motor vehicle shall use a distribution of light or composite beam directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle.

(b) Whenever a person who drives a vehicle described in subsection (a) approaches an oncoming vehicle within five hundred (500) feet, the person shall use a distribution of light or composite beam aimed so that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light or

composite beam specified in IC 9-19-6-20 is considered to avoid glare at all times, regardless of road contour and loading.

(c) Except when overtaking and passing another vehicle, whenever the person who drives a vehicle described in subsection (a) follows another vehicle within two hundred (200) feet to the rear of the other vehicle, the person shall use a distribution of light permissible under this title other than the uppermost distribution of light specified in IC 9-19-6-20.

As added by P.L.2-1991, SEC.9.

IC 9-21-7-6

Combinations of vehicles; operation; lights; clearance lamps

Sec. 6. (a) Whenever motor and other vehicles are operated in combination during the time that lights are required under section 2 of this chapter, the person who drives the vehicles operated in combination is not required to light any lamp (except tail lamps) that, because of the lamp's location on a vehicle of the combination, would be obscured by another vehicle of the combination.

(b) Lighted clearance lamps shall be displayed on the front of the foremost vehicle of the combination described in subsection (a) required to have clearance lamps. All lights required on the rear of the rearmost vehicle of a combination shall be lighted.

As added by P.L.2-1991, SEC.9.

IC 9-21-7-7

Loads extending beyond body of vehicle; display of red light and flag

Sec. 7. (a) This subsection applies during the times specified in section 2 of this chapter. Whenever the load upon a vehicle extends to the rear four (4) feet or more beyond the bed or body of the vehicle, there shall be displayed at the extreme rear end of the load a red light or lantern plainly visible from a distance of at least five hundred (500) feet to the sides and rear. The red light or lantern required under this section is in addition to the red rear light required upon every vehicle. Clearance lights or reflectors on vehicles that are being transported may be used to delineate the extension of the load in lieu of other lights required in this section.

(b) This subsection applies during all times not specified in section 2 of this chapter. A vehicle described in subsection (a) shall display at the extreme rear end of the vehicle's load a red flag or cloth not less than twelve (12) inches square, displayed in a manner in which the entire area is of the flag or cloth visible to the person who drives a vehicle approaching from the rear.

As added by P.L.2-1991, SEC.9.

IC 9-21-7-8

Parked vehicles; lights; requirements; exempted vehicles

Sec. 8. (a) This section applies to a vehicle that is parked or

stopped upon a roadway or shoulder adjacent to a roadway between thirty (30) minutes after sunset and thirty (30) minutes before sunrise.

(b) If there is sufficient light to reveal a person or object within a distance of five hundred (500) feet upon the street or highway upon which the vehicle is parked, no lights need be displayed upon the parked vehicle.

(c) This subsection does not apply to a motor driven cycle. This subsection applies whether a vehicle parked or stopped is attended or unattended. If there is not sufficient light to reveal a person or object within a distance of five hundred (500) feet upon the highway upon which the vehicle is parked or stopped, the vehicle parked or stopped shall be equipped with one (1) or more lamps that meet the following requirements:

(1) At least one (1) lamp must display a white or amber light visible from a distance of five hundred (500) feet to the front of the vehicle.

(2) The lamp described in subdivision (1) or at least one (1) other lamp must display a red light visible from a distance of five hundred (500) feet to the rear of the vehicle.

(3) The lamp or lamps described in subdivisions (1) and (2) shall be installed as near as practicable on the side of the vehicle that is closest to passing traffic.

(d) Lighted head lamps upon a parked vehicle must be depressed or dimmed.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.40.

IC 9-21-7-9

Head lamps

Sec. 9. A motor vehicle may be operated under the conditions specified in section 2 of this chapter when equipped with two (2) lighted lamps upon the front of the motor vehicle capable of revealing persons and objects seventy-five (75) feet ahead instead of the lamps required under section 3 of this chapter. A vehicle equipped under this section may not be operated at a speed in excess of twenty (20) miles per hour.

As added by P.L.2-1991, SEC.9.

IC 9-21-7-10

Lights visible from front of vehicle; prohibition

Sec. 10. This section does not apply to a vehicle required or authorized under this title to display a red, red and white, or red and blue light that is visible from the front of the vehicle. A person may not drive or move a vehicle or equipment upon a highway with a lamp or device on the vehicle or equipment displaying a red, red and white, or red and blue light visible from directly in front of the center of the vehicle or equipment.

As added by P.L.2-1991, SEC.9. Amended by P.L.99-1991, SEC.3.

IC 9-21-7-11**Flashing lights**

Sec. 11. (a) Except as provided in subsection (b), a vehicle may not display flashing lights.

(b) Flashing lights may be displayed on a vehicle as follows:

- (1) On an authorized emergency vehicle.
- (2) On a school bus.
- (3) On snow-removal equipment.
- (4) As a means of indicating a right or left turn.
- (5) As a means of indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking, or passing.
- (6) On a vehicle used in a funeral procession.

As added by P.L.2-1991, SEC.9. Amended by P.L.80-2012, SEC.4.

IC 9-21-7-12**Repealed**

(Repealed by P.L.1-1991, SEC.95.)

IC 9-21-7-13**Violation; Class C infraction**

Sec. 13. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-8

Chapter 8. Vehicle Operation

IC 9-21-8-0.1

Repealed

(As added by P.L.220-2011, SEC.217. Repealed by P.L.63-2012, SEC.11.)

IC 9-21-8-0.4

"Solid waste hauler"

Sec. 0.4. As used in this chapter, "solid waste hauler" means a vehicle in which solid waste or recyclable materials are transported to a:

- (1) transfer station for further transport to a final disposal facility;
- (2) final disposal facility; or
- (3) materials recovery facility.

As added by P.L.188-2015, SEC.74.

IC 9-21-8-0.5

Text message

Sec. 0.5. As used in this chapter, "text message" means a communication in the form of electronic text sent from a telecommunications device.

As added by P.L.185-2011, SEC.3.

IC 9-21-8-1

Failure to comply with lawful order or law enforcement officer

Sec. 1. It is unlawful for a person to knowingly fail to comply with a lawful order or direction of a law enforcement officer invested by law with authority to direct, control, or regulate traffic.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-2

Roadways; use of right half; exceptions; traveling at reduced speeds

Sec. 2. (a) Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway except as follows:

- (1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing overtaking and passing.
- (2) When the right half of a roadway is closed to traffic under construction or repair.
- (3) Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable to a roadway divided into three (3) marked lanes.
- (4) Upon a roadway designated and signposted for one-way traffic.

(b) Upon all roadways, a vehicle proceeding at less than the normal speed of traffic at the time and place under the conditions then existing shall be driven:

- (1) in the right-hand lane then available for traffic; or
- (2) as close as practicable to the right-hand curb or edge of the roadway;

except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

(c) Upon all roadways, a motor driven cycle shall be driven as close as practicable to the right-hand curb or edge of the roadway except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.41.

IC 9-21-8-3

Lane use restrictions

Sec. 3. (a) The Indiana department of transportation may adopt rules to restrict the operation of a truck to a certain lane or lanes of a state maintained highway and to a certain lane or lanes of a street of a city or town that is a part of the state highway system and is maintained by the state.

(b) The Indiana department of transportation may post a state highway or a city or town street that is a part of the state highway system with appropriate directional signs and signals.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-4

Vehicles proceeding in opposite directions; single lane roadways; passing

Sec. 4. The persons who drive vehicles proceeding in opposite directions shall pass each other to the right. Upon roadways having width for not more than one (1) lane of traffic in each direction, each person who drives a vehicle subject to this section shall give to the other person who drives a vehicle at least one-half (1/2) of the main traveled part of the roadway as nearly as possible.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-5

Overtaking and passing; limitations; exceptions

Sec. 5. The following rules govern the overtaking and passing of vehicles proceeding in the same direction, subject to the limitations, exceptions, and special rules stated:

- (1) A person who drives a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left of the other vehicle at a safe distance and may not again drive to the right side of the roadway until safely clear of the overtaken

vehicle.

(2) Except when overtaking and passing on the right is permitted, a person who drives an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and may not increase the speed of the overtaken vehicle until completely passed by the overtaking vehicle.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-6

Overtaking and passing on the right; conditions

Sec. 6. (a) A person who drives a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

(1) When the vehicle overtaken is making or about to make a left turn.

(2) Upon a roadway with unobstructed pavement of sufficient width for two (2) or more lanes of vehicles moving lawfully in the direction being traveled by the overtaking vehicle.

(b) A person who drives a vehicle may overtake and pass another vehicle upon the right only under conditions that permit overtaking upon the right in safety. Overtaking upon the right may not be made by driving off the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-7

Overtaking and passing on the left; conditions

Sec. 7. A vehicle may not be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless the left side of the roadway is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit the overtaking and passing to be completely made without interfering with the safe operation of a vehicle approaching from the opposite direction or a vehicle overtaken. The overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred (100) feet of a vehicle approaching from the opposite direction.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-7.5

Overtaking and passing; worksite no passing zones

Sec. 7.5. (a) This section applies to a worksite:

(1) upon a highway divided into two (2) or more marked lanes for traffic moving in the same direction; and

(2) for which vehicles are instructed to merge from one (1) lane into another lane by an appropriate sign.

(b) A person who drives a vehicle may not pass another vehicle that is in the lane into which traffic is directed to merge within the posted no passing zone established by the Indiana department of

transportation.
As added by P.L.75-1999, SEC.2.

IC 9-21-8-8

Driving to the left side of the roadway; conditions

Sec. 8. (a) This section does not apply to a one-way roadway.

(b) A vehicle may not be driven to the left side of the roadway under the following conditions:

- (1) When approaching the crest of a grade or upon a curve in the highway where the view of the person who drives the vehicle is obstructed within a distance that creates a hazard if another vehicle might approach from the opposite direction.
- (2) When approaching within one hundred (100) feet of or traversing an intersection or a railroad grade crossing.
- (3) When the view is obstructed upon approaching within one hundred (100) feet of a bridge, viaduct, or tunnel.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-9

One-way streets

Sec. 9. A vehicle shall be driven upon a roadway designated and signposted for one-way traffic only in the direction designated.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-10

Rotary traffic islands

Sec. 10. A vehicle passing around a rotary traffic island shall be driven only to the right of the rotary traffic island.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-11

Roadways divided into three or more clearly marked lanes; rules

Sec. 11. Whenever a roadway has been divided into three (3) or more clearly marked lanes for traffic, the following rules apply:

- (1) A vehicle shall be driven as nearly as practicable entirely within a single lane and may not be moved from the lane until the person who drives the vehicle has first ascertained that the movement can be made with safety.
- (2) Upon a roadway that is divided into three (3) lanes, a vehicle may not be driven in the center lane except under any of the following conditions:
 - (A) When overtaking and passing another vehicle where the roadway is clearly visible and the center lane is clear of traffic within a safe distance.
 - (B) In preparation for a left turn.
 - (C) Where the center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted to give notice of the allocation.

(3) Official signs may be erected directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction. A person who drives a vehicle shall obey the directions of each sign.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-12

Interstate highways; lane use restrictions for trucks

Sec. 12. Except when passing a slower vehicle, entering or leaving a highway, or where a special hazard exists that requires, for safety reasons, the use of an alternate lane, a person may not operate a truck, truck tractor, road tractor, trailer, semitrailer, or pole trailer on an interstate highway in any lane except the far right lane.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-13

Interstate highways consisting of at least three lanes; lane use restrictions for trucks

Sec. 13. Except when entering or leaving a highway or where a special hazard exists that requires, for safety reasons, the use of an alternate lane, a person may not operate a truck, truck tractor, road tractor, trailer, semitrailer, or pole trailer on an interstate highway consisting of at least three (3) lanes in one (1) direction in any lane other than the two (2) far right lanes.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-14

Following other vehicles; distance restrictions

Sec. 14. A person who drives a motor vehicle may not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of both vehicles, the time interval between vehicles, and the condition of the highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-15

Trucks and tractor-trailers; following other trucks; distance restrictions

Sec. 15. Except when overtaking and passing, a person who drives a motor truck, motor truck drawing another vehicle, or tractor-trailer combination, when traveling upon a roadway outside of a business or residence district or upon a roadway that is a part of the interstate highway system, whether within or without a business or residence district, may not follow within three hundred (300) feet of another motor truck, motor truck drawing another vehicle, or a tractor-trailer combination.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-16

Caravans and motorcades; distance between vehicles; exceptions

Sec. 16. (a) This section does not apply to funeral or marching band processions.

(b) Motor vehicles being driven upon a roadway outside of a business or residence district in a caravan or motorcade, whether or not towing other vehicles, must be operated to allow sufficient space between each vehicle or combination of vehicles to enable another vehicle to enter and occupy the space without danger.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-17

Divided highways; restrictions

Sec. 17. Whenever a highway has been divided into two (2) roadways by:

- (1) leaving an intervening space;
- (2) a physical barrier; or
- (3) a clearly indicated dividing section constructed to impede vehicular traffic;

a vehicle shall be driven only upon the right-hand roadway. A vehicle may not be driven over, across, or within a dividing space, barrier, or section, except through an opening in the physical barrier, dividing section, or space or at a crossover or an intersection established by public authority.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-18

Limited access facilities; entrance and exit to and from

Sec. 18. A person may not drive a vehicle onto or from a limited access facility except at entrances and exits that are established by the public authority in control of the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-19

Freeways and interstate highways; entrance and exit to and from; special crossovers; "U" turns

Sec. 19. A person may not drive a vehicle onto or from a freeway or the interstate highway system except at entrances and exits that are established by the public authority in control of the highway. Whenever special crossovers between the main roadways of a freeway or the interstate highway system are provided for emergency vehicles or maintenance equipment only, the freeway or interstate highway system shall be posted prohibiting "U" turns. A person who drives a vehicle, except an emergency vehicle or maintenance equipment, may not use the crossovers or make a "U" turn anywhere on the freeway or interstate highway system.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-20

Pedestrians, bicycles, and other nonmotorized traffic; prohibition on use of highways

Sec. 20. The Indiana department of transportation may by resolution or order entered in its minutes, and local authorities may by ordinance, with respect to any freeway or interstate highway system under their respective jurisdictions, prohibit the use of a highway by pedestrians, bicycles, or other nonmotorized traffic or by a person operating a motor driven cycle. The Indiana department of transportation or the local authority adopting a prohibiting regulation shall erect and maintain official signs on the freeway or interstate highway system on which the regulations are applicable. If signs are erected, a person may not disobey the restrictions stated on the signs. *As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.42.*

IC 9-21-8-21

Intersections; right and left turns

Sec. 21. (a) A person who drives a vehicle intending to turn at an intersection must do the following:

- (1) Make both the approach for a right turn and a right turn as close as practical to the right-hand curb or edge of the roadway.
- (2) Make an approach for a left turn in that part of the right half of the roadway nearest the center line of the roadway. After entering the intersection, the person who drives a vehicle must make the left turn so as to leave the intersection to the right of the center line of the roadway being entered.
- (3) Make an approach for a left turn from a two-way street into a one-way street in that part of the right half of the roadway nearest the center line of the roadway and pass to the right of the center line where the center line enters the intersection.
- (4) Make a left turn from a one-way street into a two-way street by passing to the right of the center line of the street being entered upon leaving the intersection.
- (5) Where both streets or roadways are one way, make both the approach for a left turn and a left turn as close as practicable to the left-hand curb or edge of the roadway.

(b) The Indiana department of transportation and local authorities in their respective jurisdictions may cause markers, buttons, or signs to be placed within or adjacent to intersections requiring and directing that a different course from that specified in this section be traveled by vehicles turning at an intersection. When markers, buttons, or signs are placed under this subsection, a person who drives a vehicle may not turn the vehicle at an intersection other than as directed and required by the markers, buttons, or signs.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-22

Grades; proceeding in opposite direction on approach to crest

Sec. 22. A vehicle may not be turned so as to proceed in the

opposite direction upon any curve, or upon the approach to, or near the crest of a grade, where the vehicle cannot be seen by the person who drives any other vehicle approaching from either direction within seven hundred fifty (750) feet.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-23

Starting a vehicle that is stopped, standing, or parked

Sec. 23. A person may not start a vehicle that is stopped, standing, or parked until the movement can be made with reasonable safety.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-24

Slowing down, turning from a direct course, and changing lanes; performance with reasonable safety; signal

Sec. 24. A person may not:

- (1) slow down or stop a vehicle;
- (2) turn a vehicle from a direct course upon a highway; or
- (3) change from one (1) traffic lane to another;

unless the movement can be made with reasonable safety. Before making a movement described in this section, a person shall give a clearly audible signal by sounding the horn if any pedestrian may be affected by the movement and give an appropriate stop or turn signal in the manner provided in sections 27 through 28 of this chapter if any other vehicle may be affected by the movement.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-25

Turn signals

Sec. 25. A signal of intention to turn right or left shall be given continuously during not less than the last two hundred (200) feet traveled by a vehicle before turning or changing lanes. A vehicle traveling in a speed zone of at least fifty (50) miles per hour shall give a signal continuously for not less than the last three hundred (300) feet traveled by the vehicle before turning or changing lanes.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-26

Stopping or sudden decrease in speed; signal

Sec. 26. A person may not stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal to a person who drives a vehicle immediately to the rear when there is opportunity to give a signal.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-27

Stop or turn signals; hand or arm signals; signal lamps; exception for farm equipment; highway travel

Sec. 27. (a) Except as provided in subsection (b), a stop or turn signal required under this chapter may be given by means of the hand and arm or by a signal lamp or lamps or mechanical signal device.

(b) This subsection does not apply to farm tractors and implements of agriculture designed to be operated primarily in a farm field or on farm premises. A motor vehicle in use on a highway must be equipped with and a required signal shall be given by a signal lamp or lamps or mechanical signal device when either of the following conditions exist:

(1) The distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of the motor vehicle exceeds twenty-four (24) inches.

(2) The distance from the center of the top of the steering post to the rear limit of the body or load of the motor vehicle exceeds fourteen (14) feet. This measurement applies to a single vehicle and a combination of vehicles.

As added by P.L.2-1991, SEC.9. Amended by P.L.210-2005, SEC.33.

IC 9-21-8-28

Hand and arm signals; left turn; right turn; decrease in speed

Sec. 28. All signals required under this chapter may be given by hand and arm. A signal given under this section shall be given from the left side of the vehicle in the following manner:

(1) A left turn is indicated by extending the hand and arm horizontally.

(2) A right turn is indicated by extending the hand and arm upward.

(3) A stop or decreased speed is indicated by extending the hand and arm downward.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-29

Intersections; vehicles approaching from different highways; yield of right-of-way

Sec. 29. Except when approaching through highways and areas in which signs are posted giving other instructions, when two (2) vehicles approach or enter an intersection from different highways at approximately the same time, the person who drives the vehicle on the left shall yield the right-of-way to the vehicle on the right.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-30

Intersections; vehicles approaching from opposite directions; yield of right-of-way

Sec. 30. A person who drives a vehicle within an intersection intending to turn to the left shall yield the right-of-way to a vehicle approaching from the opposite direction that is within the intersection or so close to the intersection as to constitute an

immediate hazard. After yielding and giving a signal as required by this chapter, the person who drives the vehicle may make the left turn, and the persons who drive other vehicles approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-31

Entrance to through highways; stopping; yield of right-of-way

Sec. 31. (a) A person who drives a vehicle shall do the following:

(1) Stop as required under this article at the entrance to a through highway.

(2) Yield the right-of-way to other vehicles that have entered the intersection from the through highway or that are approaching so closely on the through highway as to constitute an immediate hazard.

(b) After yielding as described in subsection (a)(2), the person who drives a vehicle may proceed and persons who drive other vehicles approaching the intersection on the through highway shall yield the right-of-way to the vehicle proceeding into or across the through highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-32

Stop signs at intersections; duty to obey

Sec. 32. A person who drives a vehicle shall stop at an intersection where a stop sign is erected at one (1) or more entrances to a through highway that are not a part of the through highway and proceed cautiously, yielding to vehicles that are not required to stop.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-33

Yield signs; collision with pedestrian or vehicle

Sec. 33. (a) A person who drives a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions or stop if necessary. The person shall yield the right-of-way to a pedestrian legally crossing the roadway and to a vehicle in the intersection or approaching on another highway so closely as to present an immediate hazard. After yielding, the person may proceed, and all other vehicles approaching the intersection shall yield to the vehicle proceeding.

(b) If a person who drives a vehicle is involved in a collision with a pedestrian in a crosswalk or a vehicle in the intersection after driving past a yield sign without stopping, the collision is considered prima facie evidence of the person's failure to yield the right-of-way.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-34

Entrance to highway from private road or driveway; yield of right-of-way

Sec. 34. A person who drives a vehicle that is about to enter or cross a highway from a private road or driveway shall yield the right-of-way to all vehicles approaching on the highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-35

Vehicles displaying flashing lights; yield right-of-way; violation

Sec. 35. (a) Upon the immediate approach of an authorized emergency vehicle, when the person who drives the authorized emergency vehicle is giving audible signal by siren or displaying alternately flashing red, red and white, or red and blue lights, a person who drives another vehicle shall do the following unless otherwise directed by a law enforcement officer:

- (1) Yield the right-of-way.
- (2) Immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the highway clear of any intersection.
- (3) Stop and remain in the position until the authorized emergency vehicle has passed.

(b) Upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is giving a signal by displaying alternately flashing red, red and white, or red and blue lights, a person who drives an approaching vehicle shall:

- (1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or
- (2) proceeding with due caution, reduce the speed of the vehicle to a speed at least ten (10) miles per hour less than the posted speed limit, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

A person who violates this subsection commits a Class A infraction.

(c) Upon approaching a stationary recovery vehicle, a stationary utility service vehicle (as defined in IC 8-1-8.3-5), a stationary solid waste hauler, or a stationary road, street, or highway maintenance vehicle, when the vehicle is giving a signal by displaying alternately flashing amber lights, a person who drives an approaching vehicle shall:

- (1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the recovery vehicle, utility service vehicle, solid waste hauler, or road, street, or highway maintenance vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes

proceeding in the same direction as the approaching vehicle; or
(2) proceeding with due caution, reduce the speed of the vehicle to a speed at least ten (10) miles per hour less than the posted speed limit, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

A person who violates this section commits a Class B infraction.

(d) This section does not operate to relieve the person who drives an authorized emergency vehicle, a recovery vehicle, a utility service vehicle, solid waste hauler, or a road, street, or highway maintenance vehicle from the duty to operate the vehicle with due regard for the safety of all persons using the highway.

As added by P.L.2-1991, SEC.9. Amended by P.L.18-1999, SEC.1; P.L.39-2000, SEC.7; P.L.1-2001, SEC.6; P.L.14-2010, SEC.1; P.L.188-2015, SEC.75.

IC 9-21-8-36

Traffic control signals not in operation

Sec. 36. Except as provided in IC 9-21-17-8 and IC 9-21-3-7(b)(4)(C), when traffic control signals are not in place or not in operation, a person who drives a vehicle shall yield the right-of-way, slowing down or stopping if necessary to yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching closely from the opposite half of the roadway.

As added by P.L.2-1991, SEC.9. Amended by P.L.43-2011, SEC.5.

IC 9-21-8-37

Pedestrians and children; due care; caution

Sec. 37. Notwithstanding other provisions of this article or a local ordinance, a person who drives a vehicle shall do the following:

(1) Exercise due care to avoid colliding with a pedestrian or a person propelling a human powered vehicle, giving an audible signal when necessary.

(2) Exercise proper caution upon observing a child or an obviously confused, incapacitated, or intoxicated person.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-38

Safety zones

Sec. 38. A vehicle may not be driven through or within a safety zone.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-39

Railroad grade crossings

Sec. 39. Whenever a person who drives a vehicle approaches a railroad grade crossing, the person shall stop within fifty (50) feet

but not less than fifteen (15) feet from the nearest track of the railroad and may not proceed until the person can do so safely under the following circumstances:

- (1) When a clearly visible electric or mechanical signal device gives warning of the immediate approach of a train or other on-track equipment.
- (2) When a crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a train or other on-track equipment.
- (3) When a railroad train or other on-track equipment approaching within one thousand five hundred (1,500) feet of a highway crossing emits an audible signal and because of speed or nearness to the crossing is an immediate hazard.
- (4) When an approaching train or other on-track equipment is plainly visible and is in hazardous proximity to the crossing.

As added by P.L.2-1991, SEC.9. Amended by P.L.119-1995, SEC.6; P.L.8-2010, SEC.3.

IC 9-21-8-40

Heavy equipment or structures; railroad grade crossings; notice; procedure

Sec. 40. (a) A person may not operate or move a caterpillar tractor, steam shovel, derrick, roller, or any equipment or structure weighing more than ten (10) tons and having a normal operating speed of not more than six (6) miles per hour or a vertical body or load clearance of less than nine (9) inches above the level surface of a roadway upon or across tracks at a railroad grade crossing without first complying with this section.

(b) Notice of an intended crossing under this section shall be given to a superintendent of the railroad, and a reasonable time shall be given to the railroad to provide proper protection at the crossing.

(c) Before making a crossing under this section, the person operating or moving a vehicle or equipment described in subsection (a) shall first stop the vehicle or equipment not less than ten (10) feet and not more than fifty (50) feet from the nearest rail or the railway. While stopped, the person shall listen and look in both directions along the track for an approaching train or other on-track equipment and for signals indicating the approach of a train or other on-track equipment. The person shall not proceed until the crossing can be made safely.

(d) A crossing may not be made when warning is given by automatic signal, crossing gates, a flagman, or otherwise of the immediate approach of a railroad train or other on-track equipment.

As added by P.L.2-1991, SEC.9. Amended by P.L.8-2010, SEC.4.

IC 9-21-8-41

Traffic control devices; obedience of instructions; highway worksites; extraordinary care; safety controls

Sec. 41. (a) A person who drives a vehicle may not disobey the instructions of an official traffic control device placed in accordance with this article unless otherwise directed by a police officer.

(b) When a traffic control device or flagman is utilized at a worksite on a highway for traffic control, a person who drives a vehicle shall exercise extraordinary care to secure the mutual safety of all persons and vehicles at the worksite.

(c) All traffic shall observe and obey traffic control devices including signals, signs, and warnings, and all directions, signs, or warning devices that may be given or displayed by a police officer or flagman to safely control traffic movement at a worksite and promote safety at a worksite.

As added by P.L.2-1991, SEC.9. Amended by P.L.113-2014, SEC.21; P.L.217-2014, SEC.47.

IC 9-21-8-41.5

Vehicle entering school crossing zone; obedience of instructions

Sec. 41.5. (a) A person who drives a vehicle shall obey the instructions of a school crossing guard to stop the vehicle before entering a school crossing zone.

(b) Whenever a person who drives a vehicle approaches a school crossing zone, the person shall exercise extraordinary caution to secure the safety of children in the school crossing zone.

As added by P.L.116-1993, SEC.3.

IC 9-21-8-41.7

Duty of vehicle operator to obey instructions of railroad flagman

Sec. 41.7. (a) For purposes of this section, "railroad flagman" means a person who furnishes flag protection as prescribed by rules of the carrier.

(b) A person who operates a vehicle shall obey the instructions of a railroad flagman to stop the vehicle before approaching a location in which a train or other on-track equipment is or may be located.

As added by P.L.8-2010, SEC.5. Amended by P.L.50-2011, SEC.4.

IC 9-21-8-42

Sidewalks; approaching from an alley, driveway, or building

Sec. 42. A person who drives a vehicle within a business or residence district that is emerging from an alley, a driveway, or a building shall stop the vehicle immediately before driving onto a sidewalk or into the sidewalk area extending across an alleyway or a private driveway.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-43

Loaded vehicles; passengers; obstruction of view; interference with control of vehicle

Sec. 43. (a) A person may not drive a vehicle when any of the

following conditions exist:

(1) The vehicle:

(A) is loaded in a manner; or

(B) has more than three (3) persons in the front seat;

so as to obstruct the view of the person who drives the vehicle to the front or sides of the vehicle.

(2) The vehicle:

(A) is loaded in a manner; or

(B) has more than three (3) persons in the front seat;

so as to interfere with the person's control over the driving mechanism of the vehicle.

(b) A passenger in a vehicle may not do the following:

(1) Ride in a position that interferes with the view ahead or to the sides of the person who drives the vehicle.

(2) Interfere with the person's control over the driving mechanism of the vehicle.

As added by P.L.2-1991, SEC.9. Amended by P.L.1-1991, SEC.96; P.L.113-2014, SEC.22; P.L.217-2014, SEC.48.

IC 9-21-8-44

Coasting in neutral when traveling upon a down grade; prohibition

Sec. 44. (a) A person who drives a motor vehicle may not coast with the gears of the vehicle in neutral when traveling upon a down grade.

(b) A person who drives a commercial motor vehicle may not coast with the clutch disengaged when traveling upon a down grade.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-44.5

Compression release engine brakes

Sec. 44.5. (a) As used in this section, "compression release engine brake" means a hydraulically operated device that converts a power producing diesel engine into a power absorbing retarding mechanism.

(b) A person who drives a motor vehicle equipped with compression release engine brakes on the Indiana toll road in a county having a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000) may not use the motor vehicle's compression release engine brakes instead of the service brake system, except in the case of failure of the service brake system.

(c) This subsection does not apply to a motor vehicle that has compression release engine brakes with a factory installed muffler or an equivalent after market muffler. A person may not drive a motor vehicle equipped with compression release engine brakes unless the motor vehicle is equipped with a muffler in good working condition so that excessive noise is prevented.

As added by P.L.23-2001, SEC.2. Amended by P.L.1-2002, SEC.42;

P.L.119-2012, SEC.104; P.L.168-2015, SEC.1.

IC 9-21-8-45

Farm wagons; interstate and state highways; prohibitions

Sec. 45. (a) A farm wagon may not be operated on an interstate highway.

(b) In addition to the prohibition set forth in subsection (a), a farm wagon (as defined in IC 9-13-2-60(a)(2)) may not be operated on a highway designated as a part of the state highway system under IC 8-23-4-2, except that a farm wagon may cross a state highway, other than a limited access highway, at right angles for the purpose of getting from one (1) farm field to another when the operation can be done safely. The operator shall bring the farm wagon to a complete stop before proceeding across the state highway and shall yield the right-of-way to all traffic.

As added by P.L.2-1991, SEC.9. Amended by P.L.150-2009, SEC.13.

IC 9-21-8-46

Implements of agriculture on interstate highways

Sec. 46. A person may not drive or operate:

- (1) an implement of agriculture designed to be operated primarily in a farm field or on farm premises;
- (2) a piece of special machinery; or
- (3) a mini-truck;

upon any part of an interstate highway.

As added by P.L.2-1991, SEC.9. Amended by P.L.210-2005, SEC.34; P.L.180-2015, SEC.10.

IC 9-21-8-47

Vehicles that must be operated to avoid damage to highways or interference with traffic

Sec. 47. The following vehicles must be moved or operated so as to avoid any material damage to the highway or unreasonable interference with other highway traffic:

- (1) Machinery or equipment used in highway construction or maintenance by the Indiana department of transportation, counties, or municipalities.
- (2) Farm drainage machinery.
- (3) Implements of agriculture.
- (4) Firefighting apparatus owned or operated by a political subdivision or a volunteer fire department (as defined in IC 36-8-12-2).
- (5) Farm vehicles loaded with farm products.

As added by P.L.2-1991, SEC.9. Amended by P.L.1-1999, SEC.31; P.L.210-2005, SEC.35.

IC 9-21-8-48

Vehicles with contents escaping; prohibition from operation;

exceptions

Sec. 48. A vehicle, except:

- (1) a vehicle containing poultry or livestock being transported to market; or
- (2) a highway maintenance vehicle engaged in spreading sand or deicing chemicals;

may not be driven or moved on a highway if the vehicle's contents are dripping, sifting, leaking, or otherwise escaping from the vehicle.
As added by P.L.2-1991, SEC.9. Amended by P.L.79-1991, SEC.4.

IC 9-21-8-49

Violations; Class C infraction; exceptions

Sec. 49. Except as provided in sections 35, 50, 51, 52, 55, 56, and 58 of this chapter, a person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.18-1999, SEC.2; P.L.40-2007, SEC.4; P.L.65-2010, SEC.4; P.L.188-2015, SEC.76.

IC 9-21-8-50

Reckless operation of a tractor-trailer combination; Class B misdemeanor

Sec. 50. A person who operates a tractor-trailer combination in a reckless or deliberate attempt to:

- (1) endanger the safety or property of others; or
- (2) block the proper flow of traffic;

commits a Class B misdemeanor.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-51

Blinding lights; failure to dim; Class B infraction

Sec. 51. A person who:

- (1) operates a vehicle; and
- (2) fails to dim bright or blinding lights when meeting another vehicle or pedestrian;

commits a Class B infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-52

Reckless driving; passing a school bus with extended stop arm; penalty; license suspension

Sec. 52. (a) A person who operates a vehicle and who recklessly:

- (1) drives at such an unreasonably high rate of speed or at such an unreasonably low rate of speed under the circumstances as to:

- (A) endanger the safety or the property of others; or
- (B) block the proper flow of traffic;

- (2) passes another vehicle from the rear while on a slope or on a curve where vision is obstructed for a distance of less than

five hundred (500) feet ahead;

(3) drives in and out of a line of traffic, except as otherwise permitted; or

(4) speeds up or refuses to give one-half (1/2) of the roadway to a driver overtaking and desiring to pass;

commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if it causes bodily injury to a person.

(b) A person who operates a vehicle and who recklessly passes a school bus stopped on a roadway when the arm signal device specified in IC 9-21-12-13 is in the device's extended position commits a Class B misdemeanor. However, the offense is a Class A misdemeanor if it causes bodily injury to a person.

(c) If an offense under subsection (a) or (b) results in damage to the property of another person, it is a Class B misdemeanor and the court may recommend the suspension of the current driving license of the person convicted of the offense described in this subsection for a fixed period of not more than one (1) year.

(d) If an offense under subsection (a) or (b) causes bodily injury to a person, the court may recommend the suspension of the driving privileges of the person convicted of the offense described in this subsection for a fixed period of not more than one (1) year.

As added by P.L.2-1991, SEC.9. Amended by P.L.127-1993, SEC.1; P.L.1-2005, SEC.103; P.L.70-2009, SEC.3; P.L.217-2014, SEC.49; P.L.188-2015, SEC.77; P.L.198-2016, SEC.364.

IC 9-21-8-53

Speed violations; complaint or affidavit; summons, warrant, or notice; contents; negligence

Sec. 53. (a) In every charge of violation of a speed regulation under this article, the complaint or affidavit and the summons, warrant, or notice to appear must specify the following:

(1) The speed at which the defendant is alleged to have driven.

(2) The prima facie or fixed speed applicable within the district or at the location.

(b) The provisions of this article declaring or providing for fixed and prima facie speed limitations may not be construed to relieve the plaintiff in a civil action from the burden of proving negligence on the part of the defendant as the proximate cause of the damage alleged.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-54

Repealed

(As added by P.L.18-1999, SEC.3. Amended by P.L.39-2000, SEC.8. Repealed by P.L.188-2015, SEC.78.)

IC 9-21-8-55

Aggressive driving

Sec. 55. (a) This section does not apply to a law enforcement official engaged in the law enforcement official's official duties.

(b) For purposes of this section, a person engages in aggressive driving if, during one (1) episode of continuous driving of a vehicle, the person does or commits at least three (3) of the following:

- (1) Following a vehicle too closely in violation of IC 9-21-8-14.
- (2) Unsafe operation of a vehicle in violation of IC 9-21-8-24.
- (3) Overtaking another vehicle on the right by driving off the roadway in violation of IC 9-21-8-6.
- (4) Unsafe stopping or slowing a vehicle in violation of IC 9-21-8-26.
- (5) Unnecessary sounding of the horn in violation of IC 9-19-5-2.
- (6) Failure to yield in violation of IC 9-21-8-29 through IC 9-21-8-34.
- (7) Failure to obey a traffic control device in violation of IC 9-21-8-41.
- (8) Driving at an unsafe speed in violation of IC 9-21-5.
- (9) Repeatedly flashing the vehicle's headlights.

(c) A person who, with the intent to harass or intimidate a person in another vehicle, knowingly or intentionally engages in aggressive driving commits aggressive driving, a Class A misdemeanor, except as provided in IC 9-21-8-56(d), (f), (g), and (h).

As added by P.L.75-2006, SEC.2. Amended by P.L.40-2007, SEC.5.

IC 9-21-8-56

Highway work zones; penalties for violations

Sec. 56. (a) For purposes of this section, "highway work zone" has the meaning set forth in IC 8-23-2-15.

(b) Except as provided in subsections (f) through (h), a person who recklessly operates a vehicle in the immediate vicinity of a highway work zone when workers are present commits a Class A misdemeanor.

(c) Except as provided in subsections (f) through (h), a person who knowingly or intentionally operates a motor vehicle in the immediate vicinity of a highway work zone when workers are present with the intent to:

- (1) damage traffic control devices; or
- (2) inflict bodily injury on a worker;

commits a Class A misdemeanor.

(d) Except as provided in subsections (f) through (h), a person who knowingly, intentionally, or recklessly engages in:

- (1) aggressive driving, as defined in section 55 of this chapter;
- or

- (2) a speed contest, as prohibited under IC 9-21-6-1;

in the immediate vicinity of a highway work zone when workers are present commits a Class A misdemeanor.

(e) Except as provided in subsections (f) through (h), a person

who recklessly fails to obey a traffic control device or flagman, as prohibited under section 41 of this chapter, in the immediate vicinity of a highway work zone when workers are present commits a Class A misdemeanor.

(f) An offense under subsection (b), (c), (d), or (e) is a Level 6 felony if the person who commits the offense:

(1) has a prior unrelated conviction under this section in the previous five (5) years; or

(2) is operating the vehicle in violation of IC 9-30-5-1 or IC 9-30-5-2.

(g) An offense under subsection (b), (c), (d), or (e) is a Level 6 felony if the offense results in bodily injury to a worker in the worksite.

(h) An offense under subsection (b), (c), (d), or (e) is a Level 5 felony if the offense results in the death of a worker in the worksite.

(i) A person who knowingly, intentionally, or recklessly engages in an act described in section 55(b)(1), 55(b)(2), 55(b)(3), 55(b)(4), 55(b)(5), or 55(b)(6) of this chapter in the immediate vicinity of a highway work zone when workers are present commits a Class B infraction. Notwithstanding IC 34-28-5-5(c), the funds collected as judgments for an infraction under this subsection shall be transferred to the Indiana department of transportation to pay the costs of hiring off duty police officers to perform the duties described in IC 8-23-2-15(b).

As added by P.L.40-2007, SEC.6. Amended by P.L.66-2011, SEC.2; P.L.158-2013, SEC.148; P.L.217-2014, SEC.50.

IC 9-21-8-57

Operation of golf cart on highway

Sec. 57. A golf cart or off-road vehicle may not be operated on a highway except in accordance with:

(1) an ordinance adopted under IC 9-21-1-3(a)(14) and IC 9-21-1-3.3(a) authorizing the operation of a golf cart or an off-road vehicle on the highway; or

(2) IC 14-16-1-20 authorizing an off-road vehicle to operate on a highway.

As added by P.L.182-2009(ss), SEC.293. Amended by P.L.259-2013, SEC.17.

IC 9-21-8-58

Intrastate carriers of metal coils; certification

Sec. 58. (a) This section applies only to intrastate carriers of metal coils.

(b) 49 CFR 393.120 is adopted as Indiana law.

(c) A motor carrier (as defined in IC 8-2.1-17-10) may not initiate or terminate the commercial transport within Indiana by commercial motor vehicle of one (1) or more metal coils that, individually or grouped together, weigh at least two thousand two hundred

sixty-eight (2,268) kilograms (five thousand (5,000) pounds), as provided in 49 CFR 393.120, unless the operator of the commercial motor vehicle transporting the metal coil or coils is certified in proper load securement as provided in 49 CFR 393.120.

(d) An operator of a commercial motor vehicle may not initiate or terminate the commercial transport within Indiana by the commercial motor vehicle of one (1) or more metal coils that, individually or grouped together, weigh at least two thousand two hundred sixty-eight (2,268) kilograms (five thousand (5,000) pounds), as provided in 49 CFR 393.120, unless the operator of the commercial motor vehicle transporting the metal coil or coils is certified in proper load securement as provided in 49 CFR 393.120.

(e) The department of revenue shall adopt and enforce rules under IC 4-22-2 concerning the certification in proper load securement (as provided in 49 CFR 393.120) of operators of commercial motor vehicles engaged in the commercial transport of one (1) or more metal coils, as provided in 49 CFR 393.120. The rules adopted under this subsection must recognize metal coil shipping certificates issued by other states.

(f) A person who knowingly or intentionally violates subsection (c) or (d) commits a Class A misdemeanor.

As added by P.L.65-2010, SEC.5.

IC 9-21-8-59

Use of telecommunications device while operating a moving motor vehicle

Sec. 59. (a) A person may not use a telecommunications device to:

- (1) type a text message or an electronic mail message;
- (2) transmit a text message or an electronic mail message; or
- (3) read a text message or an electronic mail message;

while operating a moving motor vehicle unless the device is used in conjunction with hands free or voice operated technology, or unless the device is used to call 911 to report a bona fide emergency.

(b) A police officer may not, without the consent of the person:

- (1) confiscate a telecommunications device for the purpose of determining compliance with this section;
- (2) confiscate a telecommunications device and retain it as evidence pending trial for a violation of this section; or
- (3) extract or otherwise download information from a telecommunications device for a violation of this section unless:
 - (A) the police officer has probable cause to believe that the telecommunications device has been used in the commission of a crime;
 - (B) the information is extracted or otherwise downloaded under a valid search warrant; or
 - (C) otherwise authorized by law.

As added by P.L.185-2011, SEC.4. Amended by P.L.191-2014, SEC.1.

IC 9-21-9

Chapter 9. Slow Moving Vehicles

IC 9-21-9-0.5

Applicability

Sec. 0.5. (a) This chapter does not apply to the following:

- (1) An electric personal assistive mobility device.
- (2) A low speed vehicle.
- (3) Except as provided in subsection (b), a golf cart or off-road vehicle.
- (4) A motor driven cycle.

(b) An ordinance adopted in accordance with IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a) may require a golf cart or off-road vehicle to display a slow moving vehicle emblem in accordance with section 3 of this chapter or a red or amber flashing lamp in accordance with section 4 of this chapter. A fine assessed for a violation of an ordinance under this section shall be deposited in the general fund of the city, county, or town.

As added by P.L.143-2002, SEC.7. Amended by P.L.21-2003, SEC.9; P.L.150-2009, SEC.14; P.L.60-2012, SEC.2; P.L.259-2013, SEC.18; P.L.221-2014, SEC.43.

IC 9-21-9-1

Application of chapter

Sec. 1. This chapter applies to a vehicle that is:

- (1) pulled;
- (2) towed;
- (3) self-propelled; or
- (4) animal-drawn;

that is not under ordinary circumstances moved, operated, or driven at a speed greater than twenty-five (25) miles per hour.

As added by P.L.2-1991, SEC.9.

IC 9-21-9-2

Slow moving vehicle emblem; display

Sec. 2. Whenever a vehicle is moved, operated, or driven on a highway that is open for vehicular travel, the vehicle shall display a triangular slow moving vehicle emblem mounted as near as is practicable to the center of mass and at an approximate height of not less than three (3) and not more than five (5) feet from level ground or pavement surface. The emblem shall be mounted so as to be entirely visible from the rear, day or night. The emblem and the emblem's position of mounting on the vehicle must meet the specifications established by rules adopted by the Indiana criminal justice institute.

As added by P.L.2-1991, SEC.9. Amended by P.L.39-1993, SEC.6.

IC 9-21-9-3

Slow moving vehicle emblem; restrictions on use

Sec. 3. The use of the slow moving vehicle emblem described in section 2 of this chapter is restricted to the slow moving vehicles described in section 1 of this chapter. The use of the emblem on any other type of vehicle or stationary object on or along a highway is prohibited.

As added by P.L.2-1991, SEC.9.

IC 9-21-9-4**Flashing lamps; requirements**

Sec. 4. When a slow moving vehicle described in section 1 of this chapter is moved, operated, or driven on a highway at a time or under circumstances during which the use of lighted lamps on vehicles is required under this article, the slow moving vehicle must display, in addition to the slow moving vehicle emblem, a red or an amber flashing lamp mounted at a height as low as practicable that is visible from a distance of not less than five hundred (500) feet to the rear. The red or amber flashing lamp may be used at times other than when lighted lamps are required. A double-faced flashing lamp may be used, displaying amber light to the front and red or amber light to the rear.

As added by P.L.2-1991, SEC.9.

IC 9-21-9-5**Design, materials, and mounting of emblems; adoption of rules; considerations**

Sec. 5. (a) The Indiana criminal justice institute shall adopt rules under IC 4-22-2 establishing standards and specifications for the design, materials, and mounting of a standard slow moving vehicle emblem for the uniform identification of slow moving vehicles.

(b) In adopting rules under subsection (a), the Indiana criminal justice institute shall substantially adhere to the current recommendations of the American Society of Agricultural Engineers, the American National Standards Institute, and the Society of Automotive Engineers so that the slow moving vehicle emblem may be more universally recognizable and of adequate quality.

(c) The Indiana criminal justice institute shall adopt revisions to the standards and specifications adopted as required under subsection (a) as amendments are made to the recommendations of the American Society of Agricultural Engineers, the American National Standards Institute, and the Society of Automotive Engineers regarding the slow moving vehicle emblem.

As added by P.L.2-1991, SEC.9. Amended by P.L.39-1993, SEC.7; P.L.148-2005, SEC.4.

IC 9-21-9-6**Red flags**

Sec. 6. This chapter may not be construed to prohibit the use of

red flags in addition to the slow moving vehicle emblem on slow moving vehicles.

As added by P.L.2-1991, SEC.9.

IC 9-21-9-7

Violations; Class C infraction

Sec. 7. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-10

Chapter 10. Motorcycles

IC 9-21-10-1

Passengers; number; seating restrictions

Sec. 1. (a) In addition to the person who operates a motorcycle or a Class A motor driven cycle, one (1) person may be carried on the motorcycle or Class A motor driven cycle. A passenger may be carried only on a firmly attached and regular seat designed for passenger use.

(b) A passenger may not be carried on a Class B motor driven cycle.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.44.

IC 9-21-10-2

Passengers; interference with operation and control; obstruction of view

Sec. 2. A passenger may not be carried on a motorcycle or Class A motor driven cycle in a position that interferes with the operation or control of the motorcycle or Class A motor driven cycle or the view of the person who operates the motorcycle or Class A motor driven cycle.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.45.

IC 9-21-10-3

Packages, bundles, or other articles preventing proper use of handlebars or steering wheel

Sec. 3. A person who operates a motorcycle or motor driven cycle may not carry a package, bundle, or other article that prevents the person from keeping both hands on the handlebars or steering wheel.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.46; P.L.82-2015, SEC.6.

IC 9-21-10-4

Seating restrictions

Sec. 4. (a) Except as provided in subsection (b), a person may not drive, operate, or ride as a passenger on a motorcycle or Class A motor driven cycle in a position other than astride the seat or saddle provided.

(b) A person may not drive, operate, or ride as a passenger in an autocycle in a position other than on a seat.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.47; P.L.82-2015, SEC.7.

IC 9-21-10-5

Headlamps; illumination during operation

Sec. 5. Headlamps shall be illuminated at all times when a motorcycle or motor driven cycle is in operation.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.48.

IC 9-21-10-6

Traffic lanes; restrictions on use

Sec. 6. A motorcycle is entitled to the full use of a traffic lane and a vehicle may not be driven or operated in a manner that deprives another vehicle of the full use of a traffic lane. Motorcycles, other than autocycles, may, with the consent of both persons who operate the motorcycles, be operated with not more than two (2) abreast in a single traffic lane.

As added by P.L.2-1991, SEC.9. Amended by P.L.82-2015, SEC.8.

IC 9-21-10-7

Applicability of traffic regulations

Sec. 7. (a) Subject to subsection (b), all traffic regulations and all rights and duties inured from the traffic regulations that apply to a person who drives or operates a motor vehicle apply to a person who operates a motorcycle or motor driven cycle except the following:

- (1) Regulations that expressly do not apply to motorcycles or motor driven cycles.
- (2) Regulations that by their nature have no application.

(b) IC 9-21-3-7(b)(3)(D) applies to the operation of a motorcycle.

As added by P.L.2-1991, SEC.9. Amended by P.L.206-2014, SEC.2; P.L.221-2014, SEC.49.

IC 9-21-10-8

Motor driven cycles prohibited from operation on highways

Sec. 8. A motor driven cycle may not be operated on an interstate highway.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.50.

IC 9-21-10-9

Repealed

(As added by P.L.2-1991, SEC.9. Repealed by P.L.221-2014, SEC.51.)

IC 9-21-10-10

Renting or furnishing a motorcycle or Class A motor driven cycle to unlicensed driver

Sec. 10. A person may not rent, lease, or furnish a motorcycle or Class A motor driven cycle to another person for use on the streets and highways who is not regularly licensed to operate a motor vehicle by the state in which the other person is a resident.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.52.

IC 9-21-10-11

Authorizing use of motorcycle or Class A motor driven cycle by unlicensed driver

Sec. 11. A person to whom a motorcycle or Class A motor driven cycle is rented, leased, or furnished may not rent, sublease, or otherwise authorize the use of the motorcycle or Class A motor driven cycle on the streets and highways to a person who is not licensed to operate a vehicle in Indiana.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.53.

IC 9-21-10-12

Renting, leasing, or furnishing unsafe motorcycle or motor driven cycle

Sec. 12. A person may not rent, lease, or furnish a motorcycle or motor driven cycle that is not in safe operating condition.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.54.

IC 9-21-10-13

Violations; Class C infraction

Sec. 13. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-11

Chapter 11. Bicycles and Motorized Bicycles

IC 9-21-11-1

Parents and guardians; authorizing or permitting violation of chapter; bicycles; application of chapter

Sec. 1. (a) The parent of a child and the guardian of a protected person may not authorize or knowingly permit the child or protected person to violate this chapter.

(b) Subject to the exceptions stated, the provisions of this chapter applicable to bicycles apply whenever a bicycle is operated upon a highway or a path set aside for the exclusive use of bicycles.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-2

Roadways; rights and duties

Sec. 2. A person riding a bicycle or operating a Class B motor driven cycle upon a roadway has all the rights and duties under this article that are applicable to a person who drives a vehicle, except the following:

(1) Special regulations of this article.

(2) Those provisions of this article that by their nature have no application.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.55.

IC 9-21-11-3

Operation; seats; passengers

Sec. 3. (a) A person propelling a bicycle may not:

(1) ride other than upon the permanent and regular seat attached to the bicycle; or

(2) carry any other person upon the bicycle who is not seated upon a firmly attached and regular seat on the bicycle.

(b) A person may not ride upon a bicycle unless seated under this section.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-4

Number of passengers

Sec. 4. A bicycle may not be used to carry more persons at one (1) time than the number for which the bicycle is designed and equipped.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-5

Repealed

(As added by P.L.2-1991, SEC.9. Repealed by P.L.217-2014, SEC.51.)

IC 9-21-11-6

Lane use restrictions; riding two abreast

Sec. 6. A person riding a bicycle upon a roadway may not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-7

Packages, bundles, or other articles preventing proper use of handlebars

Sec. 7. A person who rides a bicycle may not carry a package, a bundle, or an article that prevents the person from keeping both hands upon the handlebars.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-8

Use of siren or whistle prohibited

Sec. 8. A bicycle may not be equipped with and a person may not use upon a bicycle a siren or whistle.

As added by P.L.2-1991, SEC.9. Amended by P.L.198-2016, SEC.365.

IC 9-21-11-9

Lamps and reflectors

Sec. 9. A bicycle operated on a highway from one-half (1/2) hour after sunset until one-half (1/2) hour before sunrise must be equipped with the following:

(1) A lamp on the front exhibiting a white light visible from a distance of at least five hundred (500) feet to the front.

(2) A lamp on the rear exhibiting a red light visible from a distance of five hundred (500) feet to the rear or a red reflector visible from a distance of five hundred (500) feet to the rear.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-10

Brakes

Sec. 10. A bicycle must be equipped with a brake that will enable the person who operates the bicycle to make the braked wheels skid on dry, level, clean pavement.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-11

Highways; regulations and requirements

Sec. 11. A person who operates a bicycle upon a highway shall observe the regulations and requirements of this article.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-12

Class B motor driven cycles; prohibitions on operation; conditions

Sec. 12. A Class B motor driven cycle may not be operated under any of the following conditions:

- (1) By an individual less than fifteen (15) years of age.
- (2) By an individual who does not have:
 - (A) an unexpired identification card with a Class B motor driven cycle endorsement issued to the individual by the bureau under IC 9-24-16;
 - (B) a valid driver's license; or
 - (C) a valid learner's permit.
- (3) On an interstate highway or a sidewalk.
- (4) At a speed greater than thirty-five (35) miles per hour.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.56; P.L.198-2016, SEC.366.

IC 9-21-11-13

Repealed

(As added by P.L.2-1991, SEC.9. Repealed by P.L.221-2014, SEC.57.)

IC 9-21-11-13.5

Repealed

(As added by P.L.206-2014, SEC.3. Repealed by P.L.198-2016, SEC.367.)

IC 9-21-11-14

Violations; Class C infraction

Sec. 14. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-12

Chapter 12. School Buses; Fire and Emergency Vehicles

IC 9-21-12-1

Arm signal device; duty to obey; presumption

Sec. 1. (a) A person who drives a vehicle that:

(1) meets or overtakes from any direction a school bus stopped on a roadway and is not stopped before reaching the school bus when the arm signal device specified in IC 9-21-12-13 is in the device's extended position; or

(2) proceeds before the arm signal device is no longer extended; commits a Class A infraction.

(b) This section is applicable only if the school bus is in substantial compliance with the markings required by the state school bus committee.

(c) There is a rebuttable presumption that the owner of the vehicle involved in the violation of this section committed the violation. This presumption does not apply to the owner of a vehicle involved in the violation of this section if the owner routinely engages in the business of renting the vehicle for periods of thirty (30) days or less. *As added by P.L.2-1991, SEC.9. Amended by P.L.127-1993, SEC.2; P.L.1-2005, SEC.104; P.L.217-2014, SEC.52.*

IC 9-21-12-2

Repealed

(As added by P.L.2-1991, SEC.9. Repealed by P.L.113-2014, SEC.23; P.L.217-2014, SEC.53.)

IC 9-21-12-3

Divided highways; vehicles approaching school bus; duty to use caution

Sec. 3. On a highway divided into two (2) or more roadways by:

(1) leaving an intervening space that is unimproved and not intended for vehicular travel;

(2) a physical barrier; or

(3) a dividing section constructed to impede vehicular traffic; and

if the school bus is on the opposite side of the traffic barrier, the person who drives an approaching vehicle need not stop and may proceed with due caution for the safety of children boarding or leaving the school bus.

As added by P.L.2-1991, SEC.9.

IC 9-21-12-4

Design and operation of school buses; rules; adoption

Sec. 4. (a) The state school bus committee established by IC 20-27-3-1 shall adopt and enforce rules that are consistent with this chapter to govern the design and operation of all school buses

used for the transportation of school children that are:

- (1) owned and operated by a school corporation; or
- (2) privately owned and operated under contract with a school corporation;

in Indiana. Rules adopted under this section shall by reference be made a part of a contract between a private school bus company and a school corporation.

(b) Each school corporation, the school corporation's officers and employees, and every person employed under contract by a school district is subject to the rules adopted under this section.

As added by P.L.2-1991, SEC.9. Amended by P.L.1-2005, SEC.105.

IC 9-21-12-5

Railroad crossings; duty to stop

Sec. 5. (a) This section does not apply to the following:

- (1) A street railway grade crossing within a business or residence district.
- (2) Abandoned or unused railroad grade crossings that are:
 - (A) designated by the Indiana department of transportation under IC 8-6-15-2; and
 - (B) marked with a "tracks out of service" sign that complies with the requirements of IC 8-6-15-3.

(b) A person who drives:

- (1) a motor vehicle, not including a school or private bus, carrying passengers for hire;
- (2) a school or private bus that is carrying passengers; or
- (3) a vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo;

shall, before crossing at grade a track of a railroad, stop the vehicle not more than fifty (50) feet and not less than fifteen (15) feet from the nearest rail of the railroad.

(c) While stopped in accordance with subsection (b), the person shall do the following:

- (1) Listen through an open window or door.
- (2) Look in both directions along the track for an approaching train or other on-track equipment and for signals indicating the approach of a train or other on-track equipment.
- (3) Not proceed until the person can proceed safely.

After stopping, the person shall cross only in a gear of the vehicle so there will be no necessity for changing gears while traversing the crossing. The person who drives the vehicle may not shift gears while crossing the track or tracks.

(d) If a police officer or traffic control signal directs traffic to proceed at a railroad crossing, the person who drives a vehicle subject to this section shall proceed in accordance with the instructions of the police officer or traffic control signal.

(e) Except as provided in subsection (f), a person who violates this section commits a Class C infraction.

(f) A person who knowingly or intentionally violates subsection (b)(2) commits a Class B misdemeanor.

As added by P.L.2-1991, SEC.9. Amended by P.L.119-1995, SEC.7; P.L.87-2003, SEC.2; P.L.8-2010, SEC.6; P.L.217-2014, SEC.54.

IC 9-21-12-6

Repealed

(As added by P.L.2-1991, SEC.9. Repealed by P.L.113-2014, SEC.24; P.L.217-2014, SEC.55.)

IC 9-21-12-7

Fire apparatus responding to alarm; following or driving into same block; prohibited vehicles

Sec. 7. (a) A person who drives a vehicle that is not on official business for the state, a unit of government, a fire department, including a volunteer fire department, a law enforcement agency, or an emergency ambulance service may not do any of the following:

- (1) Follow any fire apparatus traveling in response to a fire alarm at a distance closer than five hundred (500) feet.
- (2) Drive into or park a vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

(b) A person who violates this section commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.217-2014, SEC.56.

IC 9-21-12-8

Violation of duty to stop at railroad crossings; fine; suspension of driving privileges

Sec. 8. A person who is convicted of a violation of section 5 of this chapter shall, in addition to the fine and costs that are assessed against the person, have the person's driving privileges suspended for a period of not less than sixty (60) days.

As added by P.L.2-1991, SEC.9.

IC 9-21-12-9

Repealed

(As added by P.L.2-1991, SEC.9. Amended by P.L.127-1993, SEC.3; P.L.113-2014, SEC.25. Repealed by P.L.217-2014, SEC.57; P.L.109-2015, SEC.26.)

IC 9-21-12-10

Violation of provisions relating to design and operation of school buses; breach of contract

Sec. 10. A person who violates section 4 of this chapter commits breach of contract.

As added by P.L.2-1991, SEC.9.

IC 9-21-12-11

Repealed

(As added by P.L.2-1991, SEC.9. Amended by P.L.1-2005, SEC.25; P.L.231-2005, SEC.3; P.L.107-2006, SEC.3; P.L.39-2009, SEC.1; P.L.113-2014, SEC.26. Repealed by P.L.217-2014, SEC.58; P.L.109-2015, SEC.27.)

IC 9-21-12-12

Repealed

(As added by P.L.1-2005, SEC.26. Repealed by P.L.217-2014, SEC.59.)

IC 9-21-12-13

School bus; arm signal device

Sec. 13. (a) Except:

- (1) as provided in subsection (b); or
- (2) when a school bus is stopped at an intersection or another place where traffic is controlled by a traffic control device or a police officer;

whenever a school bus is stopped on a roadway to load or unload a student, the driver shall use an arm signal device, which must be extended while the bus is stopped.

(b) The governing body of a public school may authorize a school bus driver to load or unload a student at a location off the roadway that the governing body designates as a special school bus loading area. The driver is not required to extend the arm signal device when loading or unloading a student in the designated area.

(c) A school bus driver who knowingly or intentionally violates subsection (a) commits a Class C misdemeanor.

As added by P.L.1-2005, SEC.27. Amended by P.L.217-2014, SEC.60.

IC 9-21-12-14

School bus; directional signal

Sec. 14. Before a driver changes the direction of a school bus, the driver shall use a directional signal to indicate the change at least one hundred (100) feet before the driver turns. A school bus driver who knowingly or intentionally violates this section commits a Class C misdemeanor.

As added by P.L.1-2005, SEC.28. Amended by P.L.217-2014, SEC.61.

IC 9-21-12-15

School bus; flashing lights

Sec. 15. (a) The driver of a school bus shall use flashing lights as prescribed by the state school bus committee to give adequate warning that the school bus is stopped or about to stop on the roadway to load or unload a student.

(b) A school bus driver who knowingly or intentionally violates

subsection (a) commits a Class C misdemeanor.
As added by P.L.1-2005, SEC.29. Amended by P.L.217-2014, SEC.62.

IC 9-21-12-16

Forward area of school bus off limits to children

Sec. 16. (a) When a school bus is in motion, students are prohibited from occupying any space forward of a vertical plane drawn through the rear of the driver's seat and perpendicular to the longitudinal axis of the bus. Every school bus must:

- (1) be marked with a line or otherwise equipped in order to indicate the prohibited area to students; and
- (2) have clearly posted, at or near the front of the bus, a sign stating that it is a violation of Indiana law for a school bus to be operated with any students occupying the prohibited area.

(b) A school bus driver who knowingly or intentionally violates this section commits a Class C misdemeanor.

As added by P.L.1-2005, SEC.30. Amended by P.L.217-2014, SEC.63.

IC 9-21-12-17

Repealed

(As added by P.L.1-2005, SEC.31. Amended by P.L.107-2006, SEC.4; P.L.145-2009, SEC.4; P.L.8-2010, SEC.7. Repealed by P.L.113-2014, SEC.27; P.L.217-2014, SEC.64.)

IC 9-21-12-18

School bus and special purpose bus; obstruction of emergency exits and doors; driver penalties; employer penalties

Sec. 18. (a) Whenever a school bus or special purpose bus is transporting passengers, the school bus or special purpose bus emergency escape exits, doors, emergency exit windows, roof exits, and service doors must be free of any obstruction that:

- (1) inhibits or obstructs an exit; or
- (2) renders the means of exit hazardous.

(b) A driver who knowingly operates a school bus or special purpose bus in violation of subsection (a) commits a Class C misdemeanor.

(c) A person who knowingly directs a driver to operate a school bus or special purpose bus in violation of subsection (a) commits a Class C misdemeanor.

As added by P.L.107-2006, SEC.5. Amended by P.L.113-2014, SEC.28; P.L.217-2014, SEC.65; P.L.109-2015, SEC.28.

IC 9-21-12-19

School bus and special purpose bus; end of trip inspection

Sec. 19. (a) A person who operates a school bus or a special purpose bus shall visually inspect each seat within the interior of the

school bus or special purpose bus at the end of a trip during which students or passengers are transported to determine that no student or passenger has remained on the school bus or special purpose bus.

(b) The visual inspection required under subsection (a) must be conducted:

(1) at the conclusion of each trip during which students or passengers are transported; and

(2) before the operator exits the school bus or special purpose bus.

(c) A student or passenger is considered to have been left on a school bus or special purpose bus if:

(1) the operator has reached the end of a trip during which students or passengers are transported and exited the school bus or special purpose bus; and

(2) the student or passenger remains inside the school bus or special purpose bus.

(d) A school bus or special purpose bus owner shall report all instances of a student or passenger being left on the school bus or special purpose bus to the superintendent or the superintendent's designee immediately after the incident occurred.

(e) The superintendent or the superintendent's designee shall report all instances of a student or passenger being left on the school bus or special purpose bus to the department of education not later than five (5) working days after the incident occurred.

As added by P.L.39-2009, SEC.2.

IC 9-21-13

Chapter 13. Funeral Processions

IC 9-21-13-0.3

Repealed

(As added by P.L.236-2003, SEC.6. Repealed by P.L.80-2012, SEC.5.)

IC 9-21-13-0.5

Repealed

(As added by P.L.236-2003, SEC.7. Repealed by P.L.24-2006, SEC.4.)

IC 9-21-13-0.7

Markings for funeral escort vehicle

Sec. 0.7. (a) Except as provided in subsection (b), a funeral escort vehicle must be clearly marked with the words "funeral escort" on both the right and left sides of the vehicle in letters that are at least five (5) inches in height.

(b) A motorcycle that is a funeral escort vehicle must be clearly marked with the words "funeral escort" on both the right and left sides of the vehicle in letters that are at least two (2) inches in height.

(c) A funeral escort vehicle may not bear:

- (1) markings similar to the markings used by a law enforcement agency of the state or the federal government;
- (2) words, emblems, seals, or other insignia that could cause a reasonable person to confuse the funeral escort vehicle with a police vehicle; or
- (3) the words "sheriff", "police", "deputy", "marshal", "agent", "patrolman", "officer", or another word that could cause a reasonable person to confuse the operator of the funeral escort vehicle with a law enforcement officer.

As added by P.L.80-2012, SEC.6.

IC 9-21-13-1

Right-of-way at intersections; conditions; exceptions

Sec. 1. (a) A vehicle with lighted headlights in a funeral procession has the right-of-way at an intersection and may proceed through the intersection if the procession is headed by a lead or funeral escort vehicle displaying alternately flashing red and white, flashing red, or flashing amber lights or an authorized emergency vehicle, except if either of the following conditions exist:

- (1) When the right-of-way is required by an authorized emergency vehicle giving an audible signal.
- (2) When the vehicles in procession are directed otherwise by a police officer.

(b) Before assuming the right-of-way, a person who drives a vehicle in the funeral procession must exercise due caution with

regard to crossing traffic.

As added by P.L.2-1991, SEC.9. Amended by P.L.236-2003, SEC.8; P.L.80-2012, SEC.7.

IC 9-21-13-2

Driving between vehicles of a funeral procession; prohibition; exceptions

Sec. 2. A person who drives a vehicle that is not in a funeral procession may not drive the vehicle between the vehicles of the funeral procession, except when:

- (1) authorized to do so by a traffic officer; or
- (2) the vehicle is an authorized emergency vehicle giving audible signal by siren.

As added by P.L.2-1991, SEC.9.

IC 9-21-13-3

Formation of procession and lighting headlights for purpose of securing right-of-way; prohibition

Sec. 3. A person who drives a vehicle that is not a part of a funeral procession may not join the procession or form a procession and have headlights lighted for the purpose of securing the right-of-way granted by this chapter to funeral processions.

As added by P.L.2-1991, SEC.9. Amended by P.L.236-2003, SEC.9.

IC 9-21-13-4

Lead and escort vehicles; flashing lights; restrictions on use

Sec. 4. (a) The lead and funeral escort vehicles in a funeral procession may be equipped with flashing amber lights that may be used only when the vehicles are used in a funeral procession.

(b) Notwithstanding any other provisions in this article that govern emergency vehicles, the lead and funeral escort vehicles in a funeral procession may be equipped with flashing red lights that may be used only when the vehicles are used in a funeral procession. The flashing red lights may only be used to gain the right-of-way at intersections and to protect a funeral procession while crossing an intersection.

As added by P.L.2-1991, SEC.9. Amended by P.L.236-2003, SEC.10.

IC 9-21-13-4.5

Funeral procession; duty to exercise due caution; required lights

Sec. 4.5. (a) A person operating a vehicle in a funeral procession:

- (1) must exercise due caution while in the funeral procession; and
- (2) must follow the preceding vehicle in the funeral procession as closely as is practical and safe.

(b) A vehicle that is part of a funeral procession:

- (1) must have its headlights and taillights illuminated; and
- (2) may display flashing amber lights.

- (c) The operator of:
- (1) a vehicle immediately following the lead vehicle in a funeral procession; and
 - (2) the last vehicle in the funeral procession;
- may illuminate the vehicle's hazard warning lights while in the funeral procession.

As added by P.L.236-2003, SEC.11.

IC 9-21-13-5

Vehicle in procession; pennants, flags, or windshield stickers; lights

Sec. 5. A vehicle that is a part of a funeral procession may use:

- (1) funeral pennants or flags;
 - (2) windshield stickers; or
 - (3) an amber light as described in section 4.5(b) of this chapter;
- to identify the vehicle as a part of the procession.

As added by P.L.2-1991, SEC.9. Amended by P.L.236-2003, SEC.12.

IC 9-21-13-6

Passing of funeral processions; multiple lane highways

Sec. 6. A person who drives a vehicle may pass a funeral procession on the procession's left side on a multiple lane highway if the passing can be done safely.

As added by P.L.2-1991, SEC.9.

IC 9-21-13-7

Violations; Class C infraction

Sec. 7. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-14

Chapter 14. Marching Bands

IC 9-21-14-1

Application of chapter

Sec. 1. This chapter applies to an officially recognized performing organization, including bands, dance units, drill teams, color guards, flag corps, or rifle squads of the following:

- (1) A public school.
- (2) A private school.
- (3) A state supported college or university.
- (4) A private college or university located in Indiana accredited by a recognized regional accrediting agency.

As added by P.L.2-1991, SEC.9.

IC 9-21-14-2

Marching band procession

Sec. 2. As used in this chapter, "marching band procession" means an officially recognized performing organization, including a band, dance unit, drill team, color guard, flag corps, or rifle squad performing together or separately on a local road or street.

As added by P.L.2-1991, SEC.9.

IC 9-21-14-3

Right-of-way; requirements; exceptions

Sec. 3. (a) A marching band procession has the right-of-way on a local road or street and at an intersection and may proceed on the local road or street and through the intersection if the procession is headed by a person wearing a fluorescent jacket or a lead or escort vehicle displaying a revolving amber light with three hundred sixty (360) degree visibility, except under either of the following conditions:

- (1) When the right-of-way is required by an authorized emergency vehicle.
- (2) When the procession is directed otherwise by a police officer.

(b) A vehicle on the local road or street at the time the marching band procession is proceeding must pull over on the local road or street and yield the right-of-way until the procession has passed the vehicle.

(c) A pedestrian may not physically interfere with a marching band procession or the individuals in the procession.

(d) Before assuming the right-of-way, the marching band procession must exercise due caution with regard to crossing traffic.

As added by P.L.2-1991, SEC.9.

IC 9-21-14-4

Driving between vehicles of marching band procession;

authorization

Sec. 4. A person who drives a vehicle that is not in a marching band procession may not drive the vehicle between the vehicles of the marching band procession, except when:

- (1) authorized to do so by a traffic officer; or
- (2) the vehicle is an authorized emergency vehicle.

As added by P.L.2-1991, SEC.9.

IC 9-21-14-5**Formation of procession for purpose of securing right-of-way; prohibition**

Sec. 5. A pedestrian and a person who drives a vehicle that is not a part of a marching band procession may not form a procession for the purpose of securing the right-of-way granted by this section to marching band processions.

As added by P.L.2-1991, SEC.9.

IC 9-21-14-6**Lead and escort vehicles; flashing amber lights**

Sec. 6. The lead and escort vehicles in a marching band procession may be equipped with flashing amber lights. The revolving amber lights may be used to gain the right-of-way on a local road or street and at intersections and to protect a marching band procession while crossing an intersection.

As added by P.L.2-1991, SEC.9.

IC 9-21-14-7**Ordinances regulating band processions**

Sec. 7. Local units of government with jurisdiction over local roads and streets may adopt ordinances regulating marching band processions.

As added by P.L.2-1991, SEC.9.

IC 9-21-14-8**Violations; Class C infraction**

Sec. 8. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-15

Chapter 15. Disabled Vehicles

IC 9-21-15-1

Application of chapter

Sec. 1. This chapter applies to the following vehicles:

- (1) A motor truck.
- (2) A passenger bus.
- (3) A truck tractor.
- (4) A trailer.
- (5) A semitrailer.
- (6) A pole trailer.

As added by P.L.2-1991, SEC.9.

IC 9-21-15-2

Traveled portion of highway or shoulder during time when lights are required; warning devices; requirements

Sec. 2. Except as provided in section 6 of this chapter, whenever a vehicle is disabled upon the traveled portion of a highway or the shoulder of a highway outside of a municipality at a time when lighted lamps are required on vehicles, the person who drives the vehicle shall display the following warning devices upon the highway during the time the vehicle is disabled on the highway:

- (1) A lighted fusee, a lighted red electric lantern, or a portable red emergency reflector must be immediately placed at the traffic side of the vehicle in the direction of the nearest approaching traffic.
- (2) As soon as possible within the burning period of a fusee (fifteen (15) minutes), the person shall place three (3) liquid-burning flares (pot torches), three (3) lighted red electric lanterns, or three (3) portable red emergency reflectors on the traveled part of the highway in the following order:
 - (A) One (1) device approximately one hundred (100) feet from the disabled vehicle in the center of the lane occupied by the vehicle and toward traffic approaching in that lane.
 - (B) One (1) device approximately one hundred (100) feet in the opposite direction from the disabled vehicle and in the center of the traffic lane occupied by the vehicle.
 - (C) One (1) device at the traffic side of the disabled vehicle not less than ten (10) feet behind and not more than ten (10) feet in front of the vehicle in the direction of the nearest approaching traffic. If a lighted red electric lantern or a red portable emergency reflector has been placed at the traffic side of the vehicle under subdivision (1), the lantern or reflector may be used for this purpose.

As added by P.L.2-1991, SEC.9.

IC 9-21-15-3

Vehicle within 500 feet of a curve, hillcrest, or other obstruction; warning signals; requirements

Sec. 3. If a vehicle is disabled within five hundred (500) feet of a curve, hillcrest, or other obstruction to view, the warning signal in that direction shall be placed to afford ample warning to other users of the highway. The warning signal may not be placed less than five hundred (500) feet from the disabled vehicle.

As added by P.L.2-1991, SEC.9.

IC 9-21-15-4

Divided highways during time when lights are required; warning devices; requirements

Sec. 4. Whenever a vehicle is disabled upon a roadway of a divided highway during the time that lights are required, the warning devices prescribed in sections 2 and 6 of this chapter shall be placed as follows:

- (1) One (1) device at a distance of approximately two hundred (200) feet from the vehicle in the center of the lane occupied by the stopped vehicle and in the direction of traffic approaching in that lane.
- (2) One (1) device at a distance of approximately one hundred (100) feet from the vehicle, in the center of the lane occupied by the vehicle and in the direction of traffic approaching that lane.
- (3) One (1) device at the traffic side of the vehicle and approximately ten (10) feet from the vehicle in the direction of the nearest approaching traffic.

As added by P.L.2-1991, SEC.9.

IC 9-21-15-5

Traveled portion of highway or shoulder during time when lights are not required; warning devices; requirements

Sec. 5. Whenever a vehicle is disabled upon the traveled part of the highway or the shoulder of the highway outside of a municipality at a time when the display of fusees, flares, red electric lanterns, or portable red emergency reflectors is not required under this chapter, the person who drives the vehicle shall display two (2) red flags upon the roadway in the lane of traffic occupied by the disabled vehicle as follows:

- (1) One (1) flag at a distance of approximately one hundred (100) feet in advance of the vehicle.
- (2) One (1) flag at a distance of approximately one hundred (100) feet to the rear of the vehicle.

As added by P.L.2-1991, SEC.9.

IC 9-21-15-6

Vehicles used in transportation of flammable materials or vehicles using such materials as fuel; warning devices; requirements; prohibited devices

Sec. 6. (a) This section applies to the following:

- (1) A motor vehicle used in the transportation of explosives.
- (2) A cargo truck used for the transportation of a flammable liquid or compressed flammable gas.
- (3) A motor vehicle that uses compressed gas as a fuel.

(b) Whenever a motor vehicle is disabled upon a highway at a time or place described in section 2 of this chapter, the person who drives the vehicle shall immediately display the following warning devices:

- (1) One (1) red electric lantern or portable red emergency reflector placed on the roadway at the traffic side of the vehicle.
- (2) One (1) red electric lantern or portable red reflector placed approximately one hundred (100) feet to the front and one (1) placed approximately one hundred (100) feet to the rear of the disabled vehicle in the center of the traffic lane occupied by the vehicle.

(c) A flare, fusee, or signal produced by flame may not be used as a warning device for a disabled vehicle under this section.

As added by P.L.2-1991, SEC.9.

IC 9-21-15-7

Warning devices; rules and regulations; law governing

Sec. 7. A flare, fusee, red electric lantern, portable red emergency reflector, and flag to be displayed under this chapter must conform with the requirements of IC 9-19.

As added by P.L.2-1991, SEC.9.

IC 9-21-15-8

Violations; Class C infraction

Sec. 8. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-16

Chapter 16. Parking

IC 9-21-16-1

Stopping or parking a vehicle upon a highway; restrictions; exceptions

Sec. 1. (a) This section does not apply to a person who drives a vehicle that is disabled while on the paved, improved, or main traveled part of a highway in a manner and to the extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle on the highway.

(b) A person may not stop, park, or leave standing an attended or unattended vehicle upon the paved or main traveled part of a highway outside of a business or residence district, if it is practicable to stop, park, or leave the vehicle off the highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-16-2

Unobstructed passage of vehicles and clear view of stopped vehicle

Sec. 2. A person who stops, parks, or leaves a vehicle shall leave a sufficient unobstructed width of the roadway opposite the vehicle for the free passage of other vehicles and a clear view of the stopped vehicle from a distance of two hundred (200) feet in each direction upon the highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-16-3

Removal of vehicle from traveled portion of highway

Sec. 3. Whenever a police officer finds a vehicle standing upon a highway in violation of this chapter, the officer may require the person driving the vehicle or other person in charge of the vehicle to move the vehicle to a position off the paved, improved, or main traveled part of the highway. If:

- (1) a person directed by an officer fails or refuses to move the vehicle; or
- (2) the vehicle is unattended;

the officer may provide for the removal of the vehicle to the nearest available garage or other place of safety.

As added by P.L.2-1991, SEC.9.

IC 9-21-16-4

Obstruction of a bridge, causeway, or tunnel; removal of vehicle

Sec. 4. Whenever a police officer finds a vehicle unattended upon a bridge or causeway or in a tunnel where the vehicle constitutes an obstruction to traffic, the officer may provide for the removal of the vehicle to the nearest available garage or other place of safety.

As added by P.L.2-1991, SEC.9.

IC 9-21-16-5

Avoiding conflict with traffic or law enforcement officers; directions of police officers or traffic control devices

Sec. 5. A person may not stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or to avoid conflict with law or the directions of a police officer or traffic control device, in any of the following places:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within an intersection.
- (4) Within fifteen (15) feet of a fire hydrant.
- (5) On a crosswalk.
- (6) Within twenty (20) feet of a crosswalk at an intersection.
- (7) Within thirty (30) feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway.
- (8) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings.
- (9) Within fifty (50) feet of the nearest rail of a railroad crossing.
- (10) Within twenty (20) feet of the driveway entrance to a fire station and, on the side of a street opposite the entrance to a fire station, within seventy-five (75) feet of the entrance (when properly sign posted).
- (11) Alongside or opposite a street excavation or obstruction if stopping, standing, or parking would obstruct traffic.
- (12) On the roadway side of a vehicle stopped or parked at the edge or curb of a street.
- (13) Upon a bridge or other elevated structure upon a highway or within a highway tunnel.
- (14) At any place where official signs prohibit stopping.

As added by P.L.2-1991, SEC.9.

IC 9-21-16-5.5

Stopping or parking in fire lane; local ordinances; complaints; summons; volunteers

Sec. 5.5. (a) This section applies to a fire lane that is located on property that is privately or publicly owned.

(b) A person may not stop, stand, or park a vehicle in a fire lane.

(c) A fire lane must be marked with the words "No Parking Fire Lane" in white letters and a stripe of at least four (4) inches in width, in conformance with the Indiana Manual on Uniform Traffic Control Devices. The words and stripe must be placed twelve (12) feet from the sidewalk, curb, or building. The words "No Parking Fire Lane" must be positioned between the stripe and the sidewalk, curb, or building.

(d) This section does not prohibit a county, city, or town from adopting and enforcing an ordinance that regulates stopping, standing, and parking motor vehicles in a fire lane.

(e) An ordinance adopted under subsection (d) may not conflict with this section.

(f) A law enforcement agency authorized to enforce:

(1) subsection (b); or

(2) an ordinance adopted under subsection (d);

may appoint volunteers to issue complaints and summonses for violations of subsection (b) or an ordinance adopted under subsection (d).

(g) To issue complaints and summonses, a volunteer appointed under subsection (f) must:

(1) be at least twenty-one (21) years of age;

(2) complete a course of instruction concerning the enforcement of this chapter that is conducted by the appointing law enforcement agency;

(3) after successfully completing the course of instruction, obtain a certificate from the executive authority of the appointing law enforcement agency; and

(4) satisfy any other qualifications established by the law enforcement agency.

(h) The executive authority of a law enforcement agency that appoints volunteers under subsection (f) shall file a copy of each certificate issued under subsection (g)(3) with the prosecuting attorney having jurisdiction over the area served by the law enforcement agency.

(i) A complaint and summons issued by a volunteer appointed under subsection (f) has the same force and effect as a complaint and summons issued by a law enforcement officer for the same violation.

(j) A volunteer appointed under subsection (f) does not have powers of a law enforcement officer, except those powers granted under this section.

(k) The executive authority of a law enforcement authority that appoints a volunteer under subsection (f) may, at any time, revoke the certificate issued to the volunteer under subsection (g)(3). If a certificate is revoked under this subsection:

(1) the executive authority shall notify the prosecuting attorney with whom the certificate was filed under subsection (h) of the revocation; and

(2) the volunteer's powers under this section terminate immediately upon the revocation.

(l) A volunteer appointed under subsection (f) may not issue a complaint and summons upon private property unless the law enforcement agency that appointed the volunteer first receives permission from the property owner or the property manager.

(m) A property owner is not liable for property damage or personal injury resulting from the actions of a volunteer appointed

under subsection (f) issuing a complaint and summons.
As added by P.L.59-1993, SEC.3. Amended by P.L.8-2003, SEC.2.

IC 9-21-16-5.7

Complaints; summons; forms

Sec. 5.7. A person enforcing this chapter may issue a complaint and summons for a violation of section 5.5(b) of this chapter or an ordinance adopted under section 5.5(d) of this chapter on a form other than the forms described in IC 9-30-3-6. However, the complaint must comply with the Indiana Rules of Trial Procedure.
As added by P.L.8-2003, SEC.3.

IC 9-21-16-6

Movement of vehicle by nonowner

Sec. 6. A person may not move a vehicle not owned by the person into a prohibited area or away from a curb to a distance that is unlawful.
As added by P.L.2-1991, SEC.9.

IC 9-21-16-7

Parallel parking; roadways with adjacent curbs; regulations; motorcycles

Sec. 7. (a) Except as provided in subsection (b) and except where angle parking is permitted by local ordinance for streets under local control and by order of the Indiana department of transportation on streets and highways in the state highway system, including routes through cities and towns, a vehicle stopped or parked upon a roadway where there is an adjacent curb must be stopped or parked with the right-hand wheels of the vehicle parallel with and within twelve (12) inches of the right-hand curb.

(b) This subsection does not apply to an autocycle. A motorcycle stopped or parked upon a roadway where there is an adjacent curb may be stopped or parked with the rear wheel of the motorcycle to the curb and with the front tire facing the flow of traffic.
As added by P.L.2-1991, SEC.9. Amended by P.L.60-1998, SEC.1; P.L.82-2015, SEC.9.

IC 9-21-16-8

Signs prohibiting or restricting stopping, standing, or parking; posting

Sec. 8. The Indiana department of transportation may, with respect to highways under the department's jurisdiction, place signs prohibiting or restricting the stopping, standing, or parking of vehicles on a highway where an engineering investigation has revealed the need for a restriction. The signs must be official signs. A person may not stop, stand, or park a vehicle in violation of the restrictions stated on the signs.
As added by P.L.2-1991, SEC.9.

IC 9-21-16-9

Violations; Class C infraction

Sec. 9. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-17

Chapter 17. Pedestrians

IC 9-21-17-1

Traffic and pedestrian control signals

Sec. 1. (a) Pedestrians are subject to traffic and pedestrian control signals under this chapter.

(b) At all places that are not marked with pedestrian control signals, pedestrians are accorded the privileges and subject to the restrictions of this article.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-2

"Walk" and "don't walk" signals

Sec. 2. Whenever special pedestrian control signals exhibiting the words "walk" or "don't walk" are in place, the signals must indicate as follows:

(1) Flashing or steady "walk" means a pedestrian facing the signal may proceed across the roadway in the direction of the signal and a person who drives a vehicle shall yield the right-of-way to the pedestrian.

(2) Steady "don't walk" means a pedestrian may not start to cross the roadway in the direction of the signal. A pedestrian who has partially completed crossing on the "walk" signal shall proceed to a sidewalk or safety island while the "don't walk" signal is showing.

(3) Flashing "don't walk" means a pedestrian may not start to cross the roadway in the direction of the signal. A pedestrian who has already started to cross on the "walk" signal shall proceed to a sidewalk or safety island. If a countdown pedestrian signal indication is also shown, a pedestrian may cross if the pedestrian is able to proceed to the sidewalk or safety island by the time the steady "don't walk" signal is shown, and a person who drives a vehicle shall yield the right-of-way to the pedestrian.

As added by P.L.2-1991, SEC.9. Amended by P.L.8-2010, SEC.8.

IC 9-21-17-3

Duty to obey traffic control device; exception

Sec. 3. A pedestrian shall obey the instructions of an official traffic control device specifically applicable to the pedestrian, unless otherwise directed by a police officer.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-4

Crosswalks; local authorities; designation by ordinance

Sec. 4. A local authority:

(1) may, by ordinance, prohibit pedestrians from crossing a

roadway in a business district or a designated highway except in a crosswalk, which may be established by the ordinance; and (2) shall mark the crosswalks in a manner conforming to the uniform system of traffic control devices created under IC 9-21-3.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-5

Walking or running into the path of a vehicle; prohibition

Sec. 5. A pedestrian may not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close as to constitute an immediate hazard.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-6

Overtaking and passing a vehicle stopped at a crosswalk; prohibition

Sec. 6. Whenever a vehicle is stopped at a marked crosswalk or at an unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, a person who drives another vehicle approaching from the rear may not overtake and pass the stopped vehicle.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-7

Crossing roadway at point not marked as a crosswalk; yield of right-of-way to traffic

Sec. 7. A pedestrian crossing a roadway at a point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-8

Pedestrian tunnel or overhead crossing; yield of right-of-way to traffic

Sec. 8. A pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-9

Marked crosswalks; adjacent intersections; duty to obey

Sec. 9. Between adjacent intersections at which traffic control signals are in operation, pedestrians may not cross at any place except in a marked crosswalk.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-10

Diagonal crossing at intersections

Sec. 10. A pedestrian may not cross a roadway intersection diagonally unless authorized by official traffic control devices. When authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to diagonal crossing movements.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-11**Crosswalks; movement along right half**

Sec. 11. Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-12**Sidewalk available; prohibition on walking along or upon roadway**

Sec. 12. If a sidewalk is provided and the sidewalk's use is practicable, a pedestrian may not walk along and upon an adjacent roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-13**Sidewalk unavailable; use of shoulder**

Sec. 13. If a sidewalk is not available, a pedestrian walking along and upon a highway shall walk only on a shoulder, as far as practicable from the edge of the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-14**Sidewalk or shoulder unavailable; use of outside edge of roadway**

Sec. 14. If neither a sidewalk nor a shoulder is available, a pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of the roadway. If the roadway is two-way, the pedestrian shall walk only on the left side of the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-15**Yield of right-of-way to all vehicles on roadway**

Sec. 15. Except as otherwise provided in this chapter, a pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-16**Solicitation of rides; restrictions; emergency**

Sec. 16. A person may not stand in a roadway for the purpose of soliciting a ride from a person who drives a vehicle unless the person

soliciting a ride is faced with an emergency on the roadway, in which case the person may secure a ride to obtain assistance.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-17

Solicitation of employment or business on highway; prohibition

Sec. 17. A person may not stand on a highway for the purpose of soliciting employment or business from the occupant of a vehicle.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-18

Soliciting the watching or guarding of a vehicle; prohibition

Sec. 18. A person may not stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of a vehicle that is parked or about to be parked on a street or highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-19

Driving through safety zones and across sidewalks; restrictions; right-of-way

Sec. 19. (a) A vehicle may not at any time be driven through or within a safety zone.

(b) A person who drives a vehicle crossing a sidewalk shall yield the right-of-way to a pedestrian and all other traffic on the sidewalk.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-20

Emergency or police vehicles; use of audible and visual signals; yield of right-of-way

Sec. 20. (a) Upon the immediate approach of:

- (1) an authorized emergency vehicle making use of an audible signal and visual signals; or
- (2) a police vehicle properly and lawfully making use of an audible signal only;

a pedestrian shall yield the right-of-way to the authorized emergency vehicle.

(b) This section does not relieve the person who drives an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway or from the duty to exercise due care to avoid colliding with a pedestrian.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-21

Blind pedestrians; yield of right-of-way

Sec. 21. A person who drives a vehicle shall yield the right-of-way to a blind pedestrian carrying a clearly visible white cane or accompanied by a guide dog.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-22

Bridges; entering or remaining beyond signal or gate

Sec. 22. A pedestrian may not enter or remain upon a bridge or an approach to a bridge beyond the bridge signal, gate, or barrier after a bridge operation signal indication has been given.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-23

Railroad crossings; passing beyond gate or barrier in operation

Sec. 23. A pedestrian may not pass through, around, over, or under a crossing gate or barrier at a railroad grade crossing or bridge while the gate or barrier is closed or is being opened or closed.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-24

Violations; Class C infraction

Sec. 24. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-18

Chapter 18. Regulation of Traffic on Private Property

IC 9-21-18-1

Application of chapter

Sec. 1. This chapter applies to privately owned real property on which the public is invited to travel for business or, before January 1, 2021, residential purposes.

As added by P.L.2-1991, SEC.9. Amended by P.L.38-2016, SEC.1.

IC 9-21-18-2

"Private business property" or "shopping center" defined

Sec. 2. As used in this chapter, "private business property" or "shopping center" may be defined by ordinance of the unit entering into a contract under this chapter.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-3

Unit

Sec. 3. As used in this chapter, "unit" means a county, city, or town.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-4

Contract to empower unit to regulate parking and traffic by ordinance

Sec. 4. A unit and the owner or lessee of a shopping center or private business property located within the unit may contract to empower the unit to regulate by ordinance the parking of vehicles and the traffic at the shopping center or private business property, subject to approval by the fiscal body of the unit by ordinance.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-4.1

Residential complex traffic ordinances; requirements for adoption and enforcement; expiration

Sec. 4.1. (a) As used in this section, "electronic traffic ticket" has the meaning set forth in IC 9-30-3-2.5.

(b) As used in this section, "legislative body" has the meaning set forth in IC 36-1-2-9.

(c) As used in this section, "moving traffic ordinance" refers to an ordinance regulating the operation of a motor vehicle only while the motor vehicle is in motion.

(d) As used in this section, "residential complex traffic ordinance" refers to an ordinance adopted under subsection (e).

(e) A unit may enforce a residential complex traffic ordinance on the property of a residential complex if all the following conditions are met:

- (1) The unit's legislative body adopts the ordinance under this section.
 - (2) The owner of the residential complex requests in writing from the unit's executive that the unit enforce the residential complex traffic ordinance adopted under subdivision (1) on the property of the residential complex.
 - (3) The owner of the residential complex enters into an enforcement contract with the unit.
- (f) A residential complex traffic ordinance must satisfy the following:
- (1) The ordinance must be a moving traffic ordinance.
 - (2) The ordinance may not duplicate or conflict with Indiana law that is otherwise enforceable on the property of a residential complex.
 - (3) The ordinance must be reasonably consistent with other ordinances adopted by the unit.
 - (4) The ordinance must require the owner of the residential complex to enter into an enforcement contract with the unit as provided in subsection (h).
 - (5) If the unit's law enforcement agency (as defined in IC 35-47-15-2) issues electronic traffic tickets, the ordinance must require the unit's law enforcement agency to issue an electronic traffic ticket for a violation of the unit's ordinance on the property of a residential complex.
- (g) A residential complex traffic ordinance may do the following:
- (1) Incorporate by reference other moving traffic ordinances of the unit if those other ordinances do not conflict with this section.
 - (2) Define the term "residential complex" for purposes of the ordinance.
 - (3) Require the unit's executive to report to the legislative body regarding enforcement contracts entered into with the unit and any other information required by the legislative body regarding the residential complex traffic ordinance.
- (h) An enforcement contract must satisfy the following:
- (1) The contract must require the owner of the residential complex to install signs notifying residents of and visitors to the residential complex of the relevant provisions of the residential complex traffic ordinance. Signs installed under this subdivision must be placed in a sufficient number of locations to clearly mark where the relevant provisions of the ordinance applies. A sign placed at the entrance to the residential complex does not satisfy this subdivision.
 - (2) The unit may not charge the owner of the residential complex a fee for enforcing the residential complex traffic ordinance on the property of the residential complex.
 - (3) Enforcement of the residential complex traffic ordinance in the residential complex may not begin until both of the

following have occurred:

(A) The enforcement contract is signed by the unit and the residential complex.

(B) The residential complex has complied with subdivision (1), as determined by the unit.

(i) If the owner of a residential complex enters into an enforcement contract with a unit, then neither the owner nor the residential complex is subject to or incurs any liability, sanction, or adverse legal consequence for any loss or injury resulting from the manner in which the unit's law enforcement agency discharged its duties under the enforcement contract.

(j) Neither a residential complex nor its owner is subject to or incurs any liability, sanction, or adverse legal consequence for the owner's decision not to enter into an enforcement contract with a unit. The failure to enter into an enforcement contract with a unit is not admissible in any legal proceeding brought against a residential complex or its owner.

(k) This section expires December 31, 2020.

As added by P.L.38-2016, SEC.2.

IC 9-21-18-5

Contracts; provisions

Sec. 5. A contract entered into under section 4 of this chapter may provide for the following:

(1) The erection by the unit of the stop signs, flashing signals, or yield signs at specified locations in a parking area and the adoption of appropriate regulations, or the designation of an intersection in the parking area as a stop intersection or as a yield intersection and the ordering of signs or signals at one (1) or more entrances to that intersection.

(2) The prohibition or regulation of the turning of vehicles or specified types of vehicles at intersections or other designated locations in the parking areas.

(3) The regulation of a crossing of a roadway in the parking area by pedestrians.

(4) The designation of a separate roadway in the parking area for one-way traffic.

(5) The establishment and regulation of loading zones.

(6) The prohibition, regulation, restriction, or limitation of the stopping, standing, or parking of vehicles in specified areas of the parking area.

(7) The designation of safety zones in the parking area and fire lanes.

(8) The removal and storage of vehicles parked or abandoned in the parking area during snowstorms, floods, fires, or other public emergencies, or found unattended in the parking area where the vehicles constitute an obstruction to traffic, or where stopping, standing, or parking is prohibited, and for the payment

of reasonable charges for the removal and storage by the person who owns or operates the vehicle.

(9) The cost of planning, installation, maintenance, and enforcement of parking and traffic regulations to be paid by the unit, by the property owner or lessee, or for a percentage of that cost to be shared by both the unit and the property owner or lessee.

(10) The installation of parking meters on the shopping center or private business property parking area. The contract may establish whether the expense of installing those parking meters and maintenance of the parking meters is that of the unit or that of the shopping center or private business property owner or lessee, and whether any money obtained from those parking meters belongs to the unit or to the shopping center or private business property owner or lessee.

(11) Additional reasonable regulations with respect to traffic and parking in a parking area as local conditions may require for the safety and convenience of the public or of the users of the parking area.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-6

Contract period; restrictions on length

Sec. 6. A contract entered into between a unit and a shopping center or private business property owner under this chapter may not exceed twenty (20) years. A lessee of a shopping center or private business property may not enter into a contract under this chapter for a longer period of time than the length of the lease.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-7

Recording contract; effect of regulations; posting of notice

Sec. 7. A contract entered into between a unit and a shopping center or private business property owner or lessee under this chapter shall be recorded with the county recorder in the county in which the unit is located. No regulation made under the contract may take effect until three (3) days after the contract is recorded. Signs shall be posted within the shopping center or private business property not later than three (3) days after the contract is recorded stating that shopping center or private business property parking and traffic regulations are enforceable by local law enforcement officials.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-8

Violations of parking and traffic regulations; punishment; adoption

Sec. 8. The unit may adopt an ordinance providing for punishment of violations of the parking and traffic regulations in effect at a

shopping center or private business property under the contract.
As added by P.L.2-1991, SEC.9.

IC 9-21-18-9

Stop signs installed after July 1, 1990; requirements

Sec. 9. A stop sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements:

- (1) The face of the sign must have a red background with white letters and a white border.
- (2) The sign must be an octagon.
- (3) The sign must measure at least twenty-four (24) inches wide and twenty-four (24) inches high.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-10

Yield signs installed after July 1, 1990; requirements

Sec. 10. A yield sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements:

- (1) The face of the sign must have a red border band and a white interior with the word "yield" in red inside the border band.
- (2) The sign must be a downward pointing equilateral triangle.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-11

Do not enter signs installed after July 1, 1990; requirements

Sec. 11. A do not enter sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements:

- (1) The face of the sign must have a white background with a red circle containing the words "do not enter" in white letters with a horizontal white bar.
- (2) The sign must be a square.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-12

Wrong way signs installed after July 1, 1990; requirements

Sec. 12. A wrong way sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements:

- (1) The face of the sign must have a red background with a white border containing the words "wrong way" in white letters.
- (2) The sign must be a rectangle.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-13

Pedestrian crossing signs installed after July 1, 1990; requirements

Sec. 13. A pedestrian crossing sign that is installed after July 1, 1990, to control the movement of vehicular and pedestrian traffic in an area subject to this chapter must meet the following requirements:

- (1) The face of the sign must have a white background with black legend and a black border.
- (2) The sign must be either rectangular or square.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-14

Owners of property; regulation of property use; powers

Sec. 14. Except as provided in sections 9 through 13 of this chapter, nothing in this chapter may be construed to prevent the owner of real property used by the public for purposes of vehicular travel by permission of the owner and not as a matter of right from:

- (1) prohibiting the property's use;
- (2) requiring other, different, or additional conditions than those specified in this chapter; or
- (3) otherwise regulating the property's use as determined best to the owner.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-15

Violations; Class C infraction

Sec. 15. A person who installs a sign that violates section 9, 10, 11, 12, or 13 of this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-19

Chapter 19. Entrances to State Highways From Private Property

IC 9-21-19-1

Permit requirements

Sec. 1. A person may not:

(1) construct a private entrance, driveway, or approach connecting with a highway in the state highway system or the state maintained route through a city or town; or

(2) cut or remove a curb along a highway;

without a written permit from the Indiana department of transportation. The action must be in accordance with the rules and requirements of the department.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-2

Rules and requirements for entrances; adoption

Sec. 2. The Indiana department of transportation shall adopt rules and requirements for private entrances, driveways, and approaches necessary to provide for drainage of the highway, preservation of the highway, and the safety and convenience of traffic on the highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-3

Structures connected to entrances; minimum distance from highway; requirements

Sec. 3. The rules and requirements adopted under section 2 of this chapter may include the minimum distance that gasoline pumps, buildings, and other structures to which private entrances, driveways, or approaches make a connection may be placed next to the property line of the state highway or next to the outside edge of sidewalks along routes through incorporated cities and towns.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-4

Supervision of work by department of transportation; construction expenses

Sec. 4. All work on private entrances, driveways, and approaches shall be done under the supervision and to the satisfaction of the Indiana department of transportation. The entire expense of constructing private entrances, driveways, and approaches shall be paid by the person to whom a permit is given.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-5

Bond or cash deposit

Sec. 5. The Indiana department of transportation may require,

before granting a permit, that a sufficient bond be given or cash deposit be made with the Indiana department of transportation to ensure the carrying out of the terms of the permit. The bond or deposit shall be returned when the requirements of the permit have been met.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-6

Maintenance and repair of entrances; removal of entrances at owner's expense

Sec. 6. The owners or occupants of property abutting a state highway shall maintain and keep in repair all private entrances, driveways, and approaches. Private entrances, driveways, and approaches may not be constructed or maintained in a manner that obstructs or interferes with the highway, traffic, or a drain or ditch that has been constructed on or that serves the highway. An owner or occupant of abutting property shall remove private entrances, driveways, and approaches at the owner's expense when requested to do so by the Indiana department of transportation.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-7

Construction or reconstruction of state highways; inclusion of construction of public and existing private approaches and drainage structures in improvement; location of drives; duties of owner

Sec. 7. When a highway in the state highway system or the state maintained route through a city or town is constructed or reconstructed, the construction of all public road approaches and existing private approaches, together with the drainage structures required for the road's protection, shall be included as a part of the improvement of the highway or state maintained route. The Indiana department of transportation may require the changing of the location of existing drives, in the interest of safety to the motoring public, when the highway is constructed or reconstructed. The owner or occupant of the abutting property shall make a change in location under the direction of the Indiana department of transportation. Upon the completion of the highway, the owners or occupants of adjoining lands shall keep in repair all private entrances, driveways, and approaches from highways.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-8

Violations; Class C infraction

Sec. 8. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-20

Chapter 20. Designation of Authorized Emergency Vehicles

IC 9-21-20-1

Emergency vehicle; designation; prohibited vehicles

Sec. 1. (a) The Indiana department of transportation may designate as an authorized emergency vehicle a vehicle:

- (1) other than an ambulance that is owned by a person other than a hospital; and
- (2) that is used in emergency service.

(b) The Indiana department of transportation may designate and authorize other emergency vehicles under the rules the department prescribes.

As added by P.L.2-1991, SEC.9.

IC 9-21-20-2

Vehicles not affiliated with a hospital, law enforcement agency, or fire department; prohibition on withholding approval

Sec. 2. The Indiana emergency medical services commission may not withhold approval of a motor vehicle as an authorized emergency vehicle because the motor vehicle is not affiliated with a hospital, law enforcement agency, or fire department.

As added by P.L.2-1991, SEC.9.

IC 9-21-20-3

Department of correction; department vehicles; policies and procedures

Sec. 3. The department of correction shall establish policies and procedures for the designation of departmental vehicles as authorized emergency vehicles.

As added by P.L.2-1991, SEC.9.

IC 9-21-21

Chapter 21. Farm Vehicles Involved in Commercial Enterprises

IC 9-21-21-0.5

Expiration

Sec. 0.5. This chapter expires December 31, 2016.
As added by P.L.198-2016, SEC.368.

IC 9-21-21-1

Repealed

(As added by P.L.210-2005, SEC.36. Repealed by P.L.215-2014, SEC.5.)

IC 9-21-21-2

Farm trucks used for personal purposes

Sec. 2. A farm truck may be used for personal purposes if the vehicle otherwise qualifies for that class of registration.
As added by P.L.210-2005, SEC.36. Amended by P.L.215-2014, SEC.6.

IC 9-21-21-3

Farm vehicles in commercial usage

Sec. 3. Except as provided in section 4.3 of this chapter, if the owner of a farm truck, farm trailer, or farm semitrailer and tractor begins to operate the farm truck, farm trailer, or farm semitrailer and tractor or permits the farm truck, farm trailer, or farm semitrailer and tractor to be operated:

- (1) in the conduct of a commercial enterprise; or
- (2) for the transportation of farm products after the commodities have entered the channels of commerce during a registration year for which the applicable registration fee under IC 9-29-5 has been paid;

the owner shall pay the amount computed under IC 9-29-5-13.5(b) due for the remainder of the registration year for the license fee.

As added by P.L.210-2005, SEC.36. Amended by P.L.21-2007, SEC.2; P.L.191-2007, SEC.3; P.L.215-2014, SEC.7; P.L.216-2014, SEC.50.

IC 9-21-21-4

Repealed

(As added by P.L.210-2005, SEC.36. Repealed by P.L.21-2007, SEC.5.)

IC 9-21-21-4.3

Intrastate operation for perishable crop transportation; extension of license

Sec. 4.3. (a) Notwithstanding section 3 of this chapter, subsection

(b), and IC 9-18-2-4, a farm truck, farm trailer, or farm semitrailer and tractor may be operated intrastate for the transportation of seasonal, perishable, fruit or vegetables to the first point of processing for not more than one (1) thirty (30) day period in a registration year established by IC 9-18-2-7. Before a vehicle may be operated as provided in this subsection, the owner shall pay to the bureau:

- (1) the applicable license fee due under IC 9-29-5; and
- (2) eight and one-half percent (8.5%) of the applicable license fee paid under IC 9-29-5;

for the farm truck, farm trailer, or farm semitrailer and tractor.

(b) Notwithstanding section 3 of this chapter, subsection (a), and IC 9-18-2-4, a farm truck, farm trailer, or farm semitrailer and tractor may be operated intrastate for the transportation of tomatoes or silage to the first point of processing for a period of not more than one (1) seventy-one (71) day period in a registration year established by IC 9-18-2-7. Before a vehicle may be operated as provided in this subsection, the owner shall pay to the bureau:

- (1) the applicable license fee due under IC 9-29-5; and
- (2) seventeen percent (17%) of the applicable license fee paid under IC 9-29-5;

for the farm truck, farm trailer, or farm semitrailer and tractor.

(c) The bureau shall adopt rules under IC 4-22-2 to authorize the operation of a farm truck, farm trailer, or farm semitrailer and tractor in the manner provided in this section.

As added by P.L.191-2007, SEC.4. Amended by P.L.215-2014, SEC.8; P.L.216-2014, SEC.51.

IC 9-21-21-5

Penalties for improper use of farm vehicle

Sec. 5. In addition to the penalty provided in section 7 of this chapter, and except as provided in section 4.3 of this chapter, a person that operates a vehicle or allows a vehicle that the person owns to be operated when the vehicle is:

- (1) registered under this chapter as a farm truck, farm trailer, or farm semitrailer and tractor; and
- (2) operated as set forth in section 3 of this chapter;

commits a Class C infraction. However, the offense is a Class B infraction if, within the three (3) years preceding the commission of the offense, the person had a prior unrelated judgment under this section.

As added by P.L.210-2005, SEC.36. Amended by P.L.191-2007, SEC.5.

IC 9-21-21-6

Venue for prosecution

Sec. 6. For purposes of this chapter, the operation of a vehicle in violation of section 3 of this chapter is a continuing offense and the

venue for prosecution lies in a county in which the unlawful operation occurred. However, a:

- (1) judgment against; or
- (2) finding by the court for;

the owner or operator bars a prosecution in another county.

As added by P.L.210-2005, SEC.36.

IC 9-21-21-7

Impoundment of farm vehicle operated improperly

Sec. 7. (a) Except as provided in subsection (b), a police officer who discovers a vehicle registered under this chapter as a farm truck, farm trailer, or farm semitrailer and tractor that is being operated as set forth in section 3 of this chapter:

- (1) may take the vehicle into the police officer's custody; and
- (2) may cause the vehicle to be taken to and stored in a suitable place until:
 - (A) the legal owner of the vehicle can be found; or
 - (B) the proper certificate of registration and license plates have been procured and the amount computed under IC 9-29-5-13.5 has been paid.

(b) A vehicle being operated in violation of section 3 of this chapter that is carrying perishable fruits or vegetables or livestock may not be impounded, and the operator may proceed to the point of destination after having been stopped by a police officer under subsection (a).

As added by P.L.210-2005, SEC.36.