

HOUSE BILL No. 1029

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-24; IC 10-11-2-34; IC 35-47-2-3.

Synopsis: BMV documentation indicating a handgun license. Provides that an individual must indicate on an application for or a renewal of a driver's license, permit, or identification card whether the individual possesses a handgun license (license). Requires the bureau of motor vehicles (bureau) to verify whether the individual has a license by contacting the superintendent of the state police department. Requires the bureau to place a notation on the individual's driver's license, permit, or identification card that indicates that the individual possesses a license. Makes a technical correction.

Effective: July 1, 2015.

Gutwein

January 6, 2015, read first time and referred to Committee on Roads and Transportation.



First Regular Session of the 119th General Assembly (2015)

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

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

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

HOUSE BILL No. 1029

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

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

- 1 SECTION 1. IC 9-24-6-2, AS AMENDED BY P.L.85-2013,
2 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 2. (a) The bureau shall adopt rules under
4 IC 4-22-2 to regulate persons required to hold a commercial driver's
5 license.
6 (b) The rules must carry out 49 U.S.C. 521, 49 U.S.C. 31104, 49
7 U.S.C. 31301 through 31306, 49 U.S.C. 31308 through 31317, and 49
8 CFR 383 through 384, and may not be more restrictive than the federal
9 Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public Law
10 106-159, 113 Stat. 1748).
11 (c) Rules adopted under this section must include the following:
12 (1) Establishment of classes and periods of validation of
13 commercial driver's licenses, including the period set forth in
14 IC 9-24-12-6(a).
15 (2) Standards for commercial driver's licenses, including



1 suspension and revocation procedures.

2 (3) Requirements for documentation of eligibility for legal
3 employment, as set forth in 8 CFR 274a.2, and proof of Indiana
4 residence.

5 (4) Development of written or oral tests, driving tests, and fitness
6 requirements.

7 (5) Defining the commercial driver's licenses by classification and
8 the information to be contained on the licenses, including a
9 unique identifier of the holder **and whether the holder has been**
10 **issued a handgun license under IC 35-47-2.**

11 (6) Establishing fees for the issuance of commercial driver's
12 licenses, including fees for testing and examination.

13 (7) Procedures for the notification by the holder of a commercial
14 driver's license to the bureau and the driver's employer of
15 pointable traffic offense convictions.

16 (8) Conditions for reciprocity with other states, including
17 requirements for a written commercial driver's license test and
18 operational skills test, and a hazardous materials endorsement
19 written test and operational skills test, before a license may be
20 issued.

21 (9) Certification of commercial motor vehicle operators who
22 transport one (1) or more metal coils that, individually or grouped
23 together, weigh at least two thousand two hundred sixty-eight
24 (2,268) kilograms (five thousand (5,000) pounds), as to proper
25 load securement of the metal coil or coils as provided in 49 CFR
26 393.120.

27 (10) Other rules necessary to administer this chapter.

28 (d) 49 CFR 383 through 384 and 49 CFR 393.120 are adopted as
29 Indiana law.

30 SECTION 2. IC 9-24-9-2, AS AMENDED BY P.L.85-2013,
31 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2015]: Sec. 2. (a) Except as provided in subsection (b), each
33 application for a license or permit under this chapter must require the
34 following information:

35 (1) The full legal name of the applicant.

36 (2) The applicant's date of birth.

37 (3) The gender of the applicant.

38 (4) The applicant's height, weight, hair color, and eye color.

39 (5) The principal address and mailing address of the applicant.

40 (6) A:

41 (A) valid Social Security number; or

42 (B) verification of an applicant's:



- 1 (i) ineligibility to be issued a Social Security number; and
 2 (ii) identity and lawful status.
- 3 (7) Whether the applicant has been subject to fainting spells or
 4 seizures.
- 5 (8) Whether the applicant has been licensed as an operator, a
 6 chauffeur, or a public passenger chauffeur or has been the holder
 7 of a learner's permit, and if so, when and by what state.
- 8 (9) Whether the applicant's license or permit has ever been
 9 suspended or revoked, and if so, the date of and the reason for the
 10 suspension or revocation.
- 11 (10) Whether the applicant has been convicted of a crime
 12 punishable as a felony under Indiana motor vehicle law or any
 13 other felony in the commission of which a motor vehicle was
 14 used.
- 15 (11) Whether the applicant has a physical or mental disability,
 16 and if so, the nature of the disability and other information the
 17 bureau directs.
- 18 (12) The signature of the applicant showing the applicant's legal
 19 name as it appears or will appear on the license or permit.
- 20 (13) A digital photograph of the applicant.
- 21 The bureau shall maintain records of the information provided under
 22 subdivisions (1) through (13).
- 23 (b) For purposes of subsection (a), an individual certified as a
 24 program participant in the address confidentiality program under
 25 IC 5-26.5 is not required to provide the individual's principal address
 26 and mailing address, but may provide an address designated by the
 27 office of the attorney general under IC 5-26.5 as the individual's
 28 principal address and mailing address.
- 29 (c) In addition to the information required by subsection (a), an
 30 applicant who is required to complete at least fifty (50) hours of
 31 supervised practice driving under IC 9-24-3-2.5(a)(1)(E) or
 32 IC 9-24-3-2.5(a)(2)(D) must submit to the bureau evidence of the time
 33 logged in practice driving. The bureau shall maintain a record of the
 34 time log provided.
- 35 (d) In addition to the information required under subsection (a), an
 36 application for a license or permit to be issued under this chapter must
 37 enable the applicant to indicate that the applicant is a veteran of the
 38 armed forces of the United States and wishes to have an indication of
 39 the applicant's veteran status appear on the license or permit. An
 40 applicant who wishes to have an indication of the applicant's veteran
 41 status appear on a license or permit must:
- 42 (1) indicate on the application that the applicant:



- 1 (A) is a veteran of the armed forces of the United States; and
 2 (B) wishes to have an indication of the applicant's veteran
 3 status appear on the license or permit; and
 4 (2) verify the applicant's veteran status by providing proof of
 5 discharge or separation, other than a dishonorable discharge, from
 6 the armed forces of the United States.

7 The bureau shall maintain records of the information provided under
 8 this subsection.

9 **(e) In addition to the information required under subsections (a)**
 10 **and (d), an application for a license or permit to be issued under**
 11 **this chapter must indicate whether the applicant possesses a**
 12 **handgun license issued under IC 35-47-2. The bureau shall**
 13 **maintain records of the information provided under this**
 14 **subsection.**

15 SECTION 3. IC 9-24-11-5, AS AMENDED BY P.L.216-2014,
 16 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2015]: Sec. 5. (a) Except as provided in subsection (h), a
 18 permit or license issued under this chapter must contain the following
 19 information:

- 20 (1) The full legal name of the permittee or licensee.
 21 (2) The date of birth of the permittee or licensee.
 22 (3) The address of the principal residence of the permittee or
 23 licensee.
 24 (4) The hair color and eye color of the permittee or licensee.
 25 (5) The date of issue and expiration date of the permit or license.
 26 (6) The gender of the permittee or licensee.
 27 (7) The unique identifying number of the permit or license.
 28 (8) The weight of the permittee or licensee.
 29 (9) The height of the permittee or licensee.
 30 (10) A reproduction of the signature of the permittee or licensee.
 31 (11) If the permittee or licensee is less than eighteen (18) years of
 32 age at the time of issuance, the dates on which the permittee or
 33 licensee will become:
 34 (A) eighteen (18) years of age; and
 35 (B) twenty-one (21) years of age.
 36 (12) If the permittee or licensee is at least eighteen (18) years of
 37 age but less than twenty-one (21) years of age at the time of
 38 issuance, the date on which the permittee or licensee will become
 39 twenty-one (21) years of age.
 40 (13) Except as provided in subsections (b), (c), and (j), a digital
 41 color photograph of the permittee or licensee.
 42 (b) A motorcycle learner's permit issued under IC 9-24-8 does not



1 require a digital photograph.

2 (c) The bureau may provide for the omission of a photograph or
3 computerized image from any license or permit if there is good cause
4 for the omission. However, a license issued without a digital
5 photograph must include the language described in subsection (f).

6 (d) The information contained on the permit or license as required
7 by subsection (a)(11) or (a)(12) for a permittee or licensee who is less
8 than twenty-one (21) years of age at the time of issuance shall be
9 printed prominently on the permit or license.

10 (e) ~~This subsection applies to a permit or license issued after~~
11 ~~January 1, 2007.~~ If the applicant for a permit or license submits
12 information to the bureau concerning the applicant's medical condition,
13 the bureau shall place an identifying symbol on the face of the permit
14 or license to indicate that the applicant has a medical condition of note.
15 The bureau shall include information on the permit or license that
16 briefly describes the medical condition of the holder of the permit or
17 license. The information must be printed in a manner that alerts a
18 person reading the permit or license to the existence of the medical
19 condition. The permittee or licensee is responsible for the accuracy of
20 the information concerning the medical condition submitted under this
21 subsection. The bureau shall inform an applicant that submission of
22 information under this subsection is voluntary.

23 (f) Any license or permit issued by the state that does not require a
24 digital photograph must include a statement that indicates that the
25 license or permit may not be accepted by any federal agency for federal
26 identification or any other federal purpose.

27 (g) A license or permit issued by the state to an individual who:

- 28 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant
- 29 visa status for entry in the United States;
- 30 (2) has a pending application for asylum in the United States;
- 31 (3) has a pending or approved application for temporary protected
- 32 status in the United States;
- 33 (4) has approved deferred action status; or
- 34 (5) has a pending application for adjustment of status to that of an
- 35 alien lawfully admitted for permanent residence in the United
- 36 States or conditional permanent residence status in the United
- 37 States;

38 must be clearly identified as a temporary license or permit. A
39 temporary license or permit issued under this subsection may not be
40 renewed without the presentation of valid documentary evidence
41 proving that the licensee's or permittee's temporary status has been
42 extended.



1 (h) The bureau may adopt rules under IC 4-22-2 to carry out this
2 section.

3 (i) For purposes of subsection (a), an individual certified as a
4 program participant in the address confidentiality program under
5 IC 5-26.5 is not required to provide the address of the individual's
6 principal residence, but may provide an address designated by the
7 office of the attorney general under IC 5-26.5 as the address of the
8 individual's principal residence.

9 (j) Subsection (a)(13) does not apply to temporary paper credentials
10 or paper extension credentials issued by the bureau.

11 **(k) After the bureau has verified with the superintendent of the**
12 **state police department as set forth in IC 10-11-2-34 that an**
13 **applicant for a permit or license possesses a handgun license, the**
14 **bureau shall place an indication on the permit or license that the**
15 **holder possesses a handgun license.**

16 SECTION 4. IC 9-24-12-5, AS AMENDED BY P.L.85-2013,
17 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2015]: Sec. 5. (a) Except as provided in subsection (b), an
19 individual applying for renewal of an operator's, a chauffeur's, or a
20 public passenger chauffeur's license must apply in person at a license
21 branch and do the following:

22 (1) Pass an eyesight examination.

23 (2) Pass a written examination if:

24 (A) the applicant has at least six (6) active points on the
25 applicant's driving record maintained by the bureau;

26 (B) the applicant holds a valid operator's license, has not
27 reached the applicant's twenty-first birthday, and has active
28 points on the applicant's driving record maintained by the
29 bureau; or

30 (C) the applicant is in possession of a driver's license that is
31 expired beyond one hundred eighty (180) days.

32 **(3) Indicate whether the individual has been issued a handgun**
33 **license under IC 35-47-2 since the last date of application for**
34 **or renewal of the operator's, chauffeur's, or public passenger**
35 **chauffeur's license.**

36 (b) The bureau may adopt rules under IC 4-22-2 concerning the
37 ability of a holder of an operator's, a chauffeur's, or a public passenger
38 chauffeur's license to renew the license by mail or by electronic service.
39 If rules are adopted under this subsection, the rules must provide that
40 an individual's renewal of a license by mail or by electronic service is
41 subject to the following conditions:

42 (1) A valid computerized image of the individual must exist



- 1 within the records of the bureau.
- 2 (2) The previous renewal of the individual's operator's,
3 chauffeur's, or public passenger chauffeur's license must not have
4 been by mail or by electronic service.
- 5 (3) The application for or previous renewal of the individual's
6 license must have included a test of the individual's eyesight
7 approved by the bureau.
- 8 (4) If the individual were applying for the license renewal in
9 person at a license branch, the individual would not be required
10 under subsection (a)(2) to submit to a written examination.
- 11 (5) The individual must be a citizen of the United States, as
12 shown in the records of the bureau.
- 13 (6) There must not have been any change in the:
14 (A) address; or
15 (B) name;
16 of the individual since the issuance or previous renewal of the
17 individual's operator's, chauffeur's, or public passenger chauffeur's
18 license.
- 19 (7) The operator's, chauffeur's, or public passenger chauffeur's
20 license of the individual must not be:
21 (A) suspended; or
22 (B) expired more than one hundred eighty (180) days;
23 at the time of the application for renewal.
- 24 (8) The individual must be less than seventy-five (75) years of age
25 at the time of the application for renewal.
- 26 **(9) The individual must indicate whether the individual has**
27 **been issued a handgun license under IC 35-47-2 since the last**
28 **date of application for or renewal of the operator's,**
29 **chauffeur's, or public passenger chauffeur's license.**
- 30 (c) An individual applying for the renewal of an operator's, a
31 chauffeur's, or a public passenger chauffeur's license must apply in
32 person at a license branch under subsection (a) if the individual is not
33 entitled to apply by mail or by electronic service under rules adopted
34 under subsection (b).
- 35 SECTION 5. IC 9-24-16-2, AS AMENDED BY P.L.221-2014,
36 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2015]: Sec. 2. (a) An application for an identification card
38 issued under this chapter must require the following information
39 concerning an applicant:
40 (1) The full legal name of the applicant.
41 (2) The applicant's date of birth.
42 (3) The gender of the applicant.



- 1 (4) The applicant's height, weight, hair color, and eye color.
 2 (5) The principal address and mailing address of the applicant.
 3 (6) A:
 4 (A) valid Social Security number; or
 5 (B) verification of an applicant's:
 6 (i) ineligibility to be issued a Social Security number; and
 7 (ii) identity and lawful status.
 8 (7) A digital photograph of the applicant.
 9 (8) The signature of the applicant showing the applicant's legal
 10 name as it will appear on the identification card.
 11 (9) If the applicant is also applying for a Class B motor driven
 12 cycle endorsement, verification that the applicant has
 13 satisfactorily completed the test required under section 3.6 of this
 14 chapter.

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

17 (b) The bureau may invalidate an identification card that the bureau
 18 believes to have been issued as a result of fraudulent documentation.

19 (c) The bureau:

- 20 (1) shall adopt rules under IC 4-22-2 to establish a procedure to
 21 verify an applicant's identity and lawful status; and
 22 (2) may adopt rules to establish a procedure to temporarily
 23 invalidate an identification card that it believes to have been
 24 issued based on fraudulent documentation.

25 (d) For purposes of subsection (a), an individual certified as a
 26 program participant in the address confidentiality program under
 27 IC 5-26.5 is not required to provide the individual's principal address
 28 and mailing address, but may provide an address designated by the
 29 office of the attorney general under IC 5-26.5 as the individual's
 30 principal address and mailing address.

31 (e) In addition to the information required under subsection (a), an
 32 application for an identification card to be issued under this chapter
 33 must enable the applicant to indicate that the applicant is a veteran of
 34 the armed forces of the United States and wishes to have an indication
 35 of the applicant's veteran status appear on the identification card. An
 36 applicant who wishes to have an indication of the applicant's veteran
 37 status appear on the identification card must:

- 38 (1) indicate on the application that the applicant:
 39 (A) is a veteran of the armed forces of the United States; and
 40 (B) wishes to have an indication of the applicant's veteran
 41 status appear on the identification card; and
 42 (2) verify the applicant's veteran status by providing proof of



1 discharge or separation, other than a dishonorable discharge, from
2 the armed forces of the United States.

3 The bureau shall maintain records of the information provided under
4 this subsection.

5 **(f) In addition to the information required under subsections (a)**
6 **and (e), an application for an identification card to be issued under**
7 **this chapter must indicate whether the applicant possesses a**
8 **handgun license issued under IC 35-47-2. The bureau shall**
9 **maintain records of the information provided under this**
10 **subsection.**

11 SECTION 6. IC 9-24-16-3, AS AMENDED BY P.L.221-2014,
12 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2015]: Sec. 3. (a) An identification card must have the same
14 dimensions and shape as a driver's license, but the card must have
15 markings sufficient to distinguish the card from a driver's license.

16 (b) Except as provided in subsection (g), the front side of an
17 identification card must contain the expiration date of the identification
18 card and the following information about the individual to whom the
19 card is being issued:

- 20 (1) Full legal name.
- 21 (2) The address of the principal residence.
- 22 (3) Date of birth.
- 23 (4) Date of issue and date of expiration.
- 24 (5) Unique identification number.
- 25 (6) Gender.
- 26 (7) Weight.
- 27 (8) Height.
- 28 (9) Color of eyes and hair.
- 29 (10) Reproduction of the signature of the individual identified.
- 30 (11) Whether the individual is blind (as defined in
- 31 IC 12-7-2-21(1)).
- 32 (12) If the individual is less than eighteen (18) years of age at the
- 33 time of issuance, the dates on which the individual will become:
- 34 (A) eighteen (18) years of age; and
- 35 (B) twenty-one (21) years of age.
- 36 (13) If the individual is at least eighteen (18) years of age but less
- 37 than twenty-one (21) years of age at the time of issuance, the date
- 38 on which the individual will become twenty-one (21) years of age.
- 39 (14) Digital photograph of the individual.

40 (c) The information contained on the identification card as required
41 by subsection (b)(12) or (b)(13) for an individual who is less than
42 twenty-one (21) years of age at the time of issuance shall be printed



1 prominently on the identification card.

2 (d) If the individual:

3 (1) has indicated on the application that the individual is a veteran
4 of the armed forces of the United States and wishes to have an
5 indication of the applicant's veteran status appear on the
6 identification card; and

7 (2) has provided proof of any discharge or separation, other than
8 a dishonorable discharge, from the armed forces of the United
9 States;

10 an indication of the individual's veteran status shall be shown on the
11 identification card.

12 (e) If the applicant for an identification card submits information to
13 the bureau concerning the applicant's medical condition, the bureau
14 shall place an identifying symbol on the face of the identification card
15 to indicate that the applicant has a medical condition of note. The
16 bureau shall include information on the identification card that briefly
17 describes the medical condition of the holder of the card. The
18 information must be printed in a manner that alerts a person reading the
19 card to the existence of the medical condition. The applicant for an
20 identification card is responsible for the accuracy of the information
21 concerning the medical condition submitted under this subsection. The
22 bureau shall inform an applicant that submission of information under
23 this subsection is voluntary.

24 (f) An identification card issued by the state to an individual who:

25 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant
26 visa status for entry in the United States;

27 (2) has a pending application for asylum in the United States;

28 (3) has a pending or approved application for temporary protected
29 status in the United States;

30 (4) has approved deferred action status; or

31 (5) has a pending application for adjustment of status to that of an
32 alien lawfully admitted for permanent residence in the United
33 States or conditional permanent residence status in the United
34 States;

35 must be clearly identified as a temporary identification card. A
36 temporary identification card issued under this subsection may not be
37 renewed without the presentation of valid documentary evidence
38 proving that the holder of the identification card's temporary status has
39 been extended.

40 (g) For purposes of subsection (b), an individual certified as a
41 program participant in the address confidentiality program under
42 IC 5-26.5 is not required to provide the address of the individual's



1 principal residence, but may provide an address designated by the
 2 office of the attorney general under IC 5-26.5 as the address of the
 3 individual's principal residence.

4 (h) The bureau shall validate an identification card for Class B
 5 motor driven cycle operation upon a highway by endorsement to an
 6 individual who:

7 (1) applies for or has previously been issued an identification card
 8 under this chapter;

9 (2) makes the appropriate application for endorsement; and

10 (3) satisfactorily completes the test required under section 3.6 of
 11 this chapter.

12 The bureau shall place a designation on the face of the identification
 13 card to indicate that the individual has received a Class B motor driven
 14 cycle endorsement.

15 **(i) After the bureau has verified with the superintendent of the**
 16 **state police department as set forth in IC 10-11-2-34 that an**
 17 **applicant for an identification card possesses a handgun license,**
 18 **the bureau shall place an indication on the identification card that**
 19 **the holder possesses a handgun license.**

20 SECTION 7. IC 9-24-16-4.5, AS AMENDED BY P.L.125-2012,
 21 SECTION 229, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2015]: Sec. 4.5. (a) The bureau may adopt rules
 23 under IC 4-22-2 concerning the ability of an individual to renew an
 24 identification card under section 5 of this chapter, apply for a
 25 replacement identification card under section 9 of this chapter, or apply
 26 for a replacement identification card under section 6 of this chapter by
 27 electronic service. If rules are adopted under this subsection, the rules
 28 must provide that an individual's renewal, amendment, or replacement
 29 of an identification card by electronic service is subject to the following
 30 conditions:

31 (1) A valid computerized image or digital photograph of the
 32 individual must exist within the records of the bureau.

33 (2) The individual must be a citizen of the United States, as
 34 shown in the records of the bureau.

35 (3) There must not have been any change in the:

36 (A) legal address; or

37 (B) name;

38 of the individual since the issuance or previous renewal of the
 39 identification card of the individual.

40 (4) The identification card of the individual must not be expired
 41 more than one hundred eighty (180) days at the time of the
 42 application for renewal.



1 **(5) The application states whether the individual has been**
 2 **issued a handgun license under IC 35-47-2 since the last date**
 3 **of application for, amendment of, replacement of, or renewal**
 4 **of the identification card.**

5 (b) An individual applying for:

- 6 (1) the renewal of an identification card; or
 7 (2) a replacement identification card;

8 must apply in person at a license branch if the individual is not entitled
 9 to apply by mail or by electronic service under rules adopted under
 10 subsection (a). **The individual must indicate on the application**
 11 **whether the individual has been issued a handgun license under**
 12 **IC 35-47-2 since the last date of application for, replacement of, or**
 13 **renewal of the identification card.**

14 SECTION 8. IC 10-11-2-34 IS ADDED TO THE INDIANA CODE
 15 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 16 1, 2015]: **Sec. 34. If the superintendent receives a request from the**
 17 **bureau of motor vehicles under:**

- 18 **(1) rules adopted as required under IC 9-24-6-2(c)(5);**
 19 **(2) IC 9-24-11-5(k); or**
 20 **(3) IC 9-24-16-3(i);**

21 **to verify that an individual has a handgun license, the**
 22 **superintendent shall promptly inform the bureau of motor vehicles**
 23 **as to whether the individual possesses a handgun license.**

24 SECTION 9. IC 35-47-2-3, AS AMENDED BY P.L.158-2013,
 25 SECTION 574, IS AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2015]: **Sec. 3. (a) A person desiring a license**
 27 **to carry a handgun shall apply:**

- 28 (1) to the chief of police or corresponding law enforcement officer
 29 of the municipality in which the applicant resides;
 30 (2) if that municipality has no such officer, or if the applicant does
 31 not reside in a municipality, to the sheriff of the county in which
 32 the applicant resides after the applicant has obtained an
 33 application form prescribed by the superintendent; or
 34 (3) if the applicant is a resident of another state and has a regular
 35 place of business or employment in Indiana, to the sheriff of the
 36 county in which the applicant has a regular place of business or
 37 employment.

38 The superintendent and local law enforcement agencies shall allow an
 39 applicant desiring to obtain or renew a license to carry a handgun to
 40 submit an application electronically under this chapter if funds are
 41 available to establish and maintain an electronic application system.

42 (b) The law enforcement agency which accepts an application for a



- 1 handgun license shall collect the following application fees:
- 2 (1) From a person applying for a four (4) year handgun license, a
- 3 ten dollar (\$10) application fee, five dollars (\$5) of which shall be
- 4 refunded if the license is not issued.
- 5 (2) From a person applying for a lifetime handgun license who
- 6 does not currently possess a valid Indiana handgun license, a fifty
- 7 dollar (\$50) application fee, thirty dollars (\$30) of which shall be
- 8 refunded if the license is not issued.
- 9 (3) From a person applying for a lifetime handgun license who
- 10 currently possesses a valid Indiana handgun license, a forty dollar
- 11 (\$40) application fee, thirty dollars (\$30) of which shall be
- 12 refunded if the license is not issued.

13 Except as provided in subsection (h), the fee shall be deposited into the

14 law enforcement agency's firearms training fund or other appropriate

15 training activities fund and used by the agency to train law enforcement

16 officers in the proper use of firearms or in other law enforcement

17 duties, or to purchase firearms, firearm related equipment, or body

18 armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers

19 employed by the law enforcement agency. The state board of accounts

20 shall establish rules for the proper accounting and expenditure of funds

21 collected under this subsection.

22 (c) The officer to whom the application is made shall ascertain the

23 applicant's name, full address, length of residence in the community,

24 whether the applicant's residence is located within the limits of any city

25 or town, the applicant's occupation, place of business or employment,

26 criminal record, if any, and convictions (minor traffic offenses

27 excepted), age, race, sex, nationality, date of birth, citizenship, height,

28 weight, build, color of hair, color of eyes, scars and marks, whether the

29 applicant has previously held an Indiana license to carry a handgun

30 and, if so, the serial number of the license and year issued, whether the

31 applicant's license has ever been suspended or revoked, and if so, the

32 year and reason for the suspension or revocation, and the applicant's

33 reason for desiring a license. The officer to whom the application is

34 made shall conduct an investigation into the applicant's official records

35 and verify thereby the applicant's character and reputation, and shall in

36 addition verify for accuracy the information contained in the

37 application, and shall forward this information together with the

38 officer's recommendation for approval or disapproval and one (1) set

39 of legible and classifiable fingerprints of the applicant to the

40 superintendent.

41 (d) The superintendent may make whatever further investigation the

42 superintendent deems necessary. Whenever disapproval is



1 recommended, the officer to whom the application is made shall
 2 provide the superintendent and the applicant with the officer's complete
 3 and specific reasons, in writing, for the recommendation of
 4 disapproval.

5 (e) If it appears to the superintendent that the applicant:

- 6 (1) has a proper reason for carrying a handgun;
- 7 (2) is of good character and reputation;
- 8 (3) is a proper person to be licensed; and
- 9 (4) is:

10 (A) a citizen of the United States; or

11 (B) not a citizen of the United States but is allowed to carry a
 12 firearm in the United States under federal law;

13 the superintendent shall issue to the applicant a qualified or an
 14 unlimited license to carry any handgun lawfully possessed by the
 15 applicant. The original license shall be delivered to the licensee. A
 16 copy shall be delivered to the officer to whom the application for
 17 license was made. A copy shall be retained by the superintendent for
 18 at least four (4) years in the case of a four (4) year license. The
 19 superintendent may adopt guidelines to establish a records retention
 20 policy for a lifetime license. A four (4) year license shall be valid for
 21 a period of four (4) years from the date of issue. A lifetime license is
 22 valid for the life of the individual receiving the license. The license of
 23 police officers, sheriffs or their deputies, and law enforcement officers
 24 of the United States government who have been honorably retired by
 25 a lawfully created pension board or its equivalent after twenty (20) or
 26 more years of service shall be valid for the life of these individuals.
 27 However, a lifetime license is automatically revoked if the license
 28 holder does not remain a proper person.

29 (f) At the time a license is issued and delivered to a licensee under
 30 subsection (e), the superintendent shall include with the license
 31 information concerning handgun safety rules that:

32 (1) neither opposes nor supports an individual's right to bear
 33 arms; and

34 (2) is:

35 (A) recommended by a nonprofit educational organization that
 36 is dedicated to providing education on safe handling and use
 37 of firearms;

38 (B) prepared by the state police department; and

39 (C) approved by the superintendent.

40 The superintendent may not deny a license under this section because
 41 the information required under this subsection is unavailable at the
 42 time the superintendent would otherwise issue a license. The state



1 police department may accept private donations or grants to defray the
 2 cost of printing and mailing the information required under this
 3 subsection.

4 (g) A license to carry a handgun shall not be issued to any person
 5 who:

- 6 (1) has been convicted of a felony;
- 7 (2) has had a license to carry a handgun suspended, unless the
 8 person's license has been reinstated;
- 9 (3) is under eighteen (18) years of age;
- 10 (4) is under twenty-three (23) years of age if the person has been
 11 adjudicated a delinquent child for an act that would be a felony if
 12 committed by an adult; or
- 13 (5) has been arrested for a Class A or Class B felony for an
 14 offense committed before July 1, 2014, for a Level 1, Level 2,
 15 Level 3, or Level 4 felony for an offense committed after June 30,
 16 2014, or any other felony that was committed while armed with
 17 a deadly weapon or that involved the use of violence, if a court
 18 has found probable cause to believe that the person committed the
 19 offense charged.

20 In the case of an arrest under subdivision (5), a license to carry a
 21 handgun may be issued to a person who has been acquitted of the
 22 specific offense charged or if the charges for the specific offense are
 23 dismissed. The superintendent shall prescribe all forms to be used in
 24 connection with the administration of this chapter.

25 (h) If the law enforcement agency that charges a fee under
 26 subsection (b) is a city or town law enforcement agency, the fee shall
 27 be deposited in the law enforcement continuing education fund
 28 established under IC 5-2-8-2.

29 (i) If a person who holds a valid license to carry a handgun issued
 30 under this chapter:

- 31 (1) changes the person's name;
- 32 (2) changes the person's address; or
- 33 (3) experiences a change, including an arrest or a conviction, that
 34 may affect the person's status as a proper person (as defined in
 35 IC 35-47-1-7) or otherwise disqualify the person from holding a
 36 license;

37 the person shall, not later than thirty (30) days after the date of a
 38 change described under subdivision (3), and not later than sixty (60)
 39 days after the date of the change described under subdivision (1) or (2),
 40 notify the superintendent, in writing, of the event described under
 41 subdivision (3) or, in the case of a change under subdivision (1) or (2),
 42 the person's new name or new address.



1 (j) The state police shall indicate on the form for a license to carry
2 a handgun the notification requirements of subsection (i).

3 (k) The state police department shall adopt rules under IC 4-22-2 to
4 implement an electronic application system under subsection (a). Rules
5 adopted under this section must require the superintendent to keep on
6 file one (1) set of classifiable and legible fingerprints from every
7 person who has received a license to carry a handgun so that a person
8 who applies to renew a license will not be required to submit an
9 additional set of fingerprints.

10 (l) Except as provided in subsection (m), for purposes of
11 IC 5-14-3-4(a)(1), the following information is confidential, may not
12 be published, and is not open to public inspection:

13 (1) Information submitted by a person under this section to:

14 (A) obtain; or

15 (B) renew;

16 a license to carry a handgun.

17 (2) Information obtained by a federal, state, or local government
18 entity in the course of an investigation concerning a person who
19 applies to:

20 (A) obtain; or

21 (B) renew;

22 a license to carry a handgun issued under this chapter.

23 (3) The name, address, and any other information that may be
24 used to identify a person who holds a license to carry a handgun
25 issued under this chapter.

26 (m) Notwithstanding subsection (l):

27 (1) any information concerning an applicant for or a person who
28 holds a license to carry a handgun issued under this chapter may
29 be released to a federal, state, or local government entity:

30 (A) for law enforcement purposes; ~~or~~

31 (B) to determine the validity of a license to carry a handgun;

32 ~~and or~~

33 **(C) for driver's license or identification card purposes**
34 **under IC 9-24; and**

35 (2) general information concerning the issuance of licenses to
36 carry handguns in Indiana may be released to a person conducting
37 journalistic or academic research, but only if all personal
38 information that could disclose the identity of any person who
39 holds a license to carry a handgun issued under this chapter has
40 been removed from the general information.

41 (n) A person who knowingly or intentionally violates this section
42 commits a Class B misdemeanor.

