

SENATE BILL No. 134

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2; IC 9-14-13-7; IC 9-21; IC 9-30-3-14; IC 34-6-2.1-129; IC 36-1-6-3.

Synopsis: Speed control in school zones. Authorizes a county or municipality to adopt and enforce an ordinance that regulates the use of a school zone speed control system (system) to detect certain violations. Provides a civil penalty for a violation. Specifies that a civil penalty must first be applied to defray the cost of the installation, operation, and maintenance of the system. Specifies the manner in which the remaining money from the civil penalty must be distributed. Requires a county or municipality to report data to the interim study committee on roads and transportation. Makes conforming changes.

Effective: July 1, 2026.

Hunley

January 5, 2026, read first time and referred to Committee on Homeland Security and Transportation.



Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

SENATE BILL No. 134

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

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

1 SECTION 1. IC 9-13-2-2.1 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2026]: **Sec. 2.1. "Agent", for purposes of IC 9-21-23, has the**
4 **meaning set forth in IC 9-21-23-1.**

5 SECTION 2. IC 9-13-2-110.7 IS ADDED TO THE INDIANA
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2026]: **Sec. 110.7. "Municipality", for**
8 **purposes of IC 9-21-23, has the meaning set forth in IC 9-21-23-4.**

9 SECTION 3. IC 9-13-2-121, AS AMENDED BY P.L.164-2020,
10 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2026]: Sec. 121. (a) Except as otherwise provided in
12 ~~subsection~~ **subsections (b) and (c)**, "owner" means a person, other than
13 a lienholder, that:

14 (1) holds the property in or title to, as applicable, a vehicle,
15 manufactured home, mobile home, off-road vehicle, snowmobile,
16 or watercraft; or
17 (2) is entitled to the use or possession of, as applicable, a vehicle,



1 manufactured home, off-road vehicle, snowmobile, or watercraft,
 2 through a lease or other agreement intended to operate as a
 3 security.

4 (b) "Owner" for purposes of IC 9-18.1-14.5, has the meaning set
 5 forth in 33 CFR 174.3.

6 (c) "Owner", for purposes of IC 9-21-23, has the meaning set
 7 forth in IC 9-21-23-5.

8 SECTION 4. IC 9-13-2-161.6 IS ADDED TO THE INDIANA
 9 CODE AS A NEW SECTION TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2026]: **Sec. 161.6. "School zone speed control**
 11 **system", for purposes of IC 9-21-23, has the meaning set forth in**
 12 **IC 9-21-23-6.**

13 SECTION 5. IC 9-14-13-7, AS ADDED BY P.L.198-2016,
 14 SECTION 193, IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2026]: Sec. 7. The bureau may disclose certain
 16 personal information that is not highly restricted personal information
 17 if the person requesting the information provides proof of identity and
 18 represents that the use of the personal information will be strictly
 19 limited to at least one (1) of the following:

20 (1) For use by a government agency, including a court or law
 21 enforcement agency, in carrying out its functions, or a person
 22 acting on behalf of a government agency in carrying out its
 23 functions, **including an agent in carrying out its**
 24 **responsibilities under IC 9-21-23.**

25 (2) For use in connection with matters concerning:

26 (A) motor vehicle or driver safety and theft;

27 (B) motor vehicle emissions;

28 (C) motor vehicle product alterations, recalls, or advisories;

29 (D) performance monitoring of motor vehicles, motor vehicle
 30 parts, and dealers;

31 (E) motor vehicle market research activities, including survey
 32 research;

33 (F) the removal of nonowner records from the original owner
 34 records of motor vehicle manufacturers; and

35 (G) motor fuel theft under IC 24-4.6-5.

36 (3) For use in the normal course of business by a business or its
 37 agents, employees, or contractors, but only:

38 (A) to verify the accuracy of personal information submitted
 39 by an individual to the business or its agents, employees, or
 40 contractors; and

41 (B) if information submitted to a business is not correct or is
 42 no longer correct, to obtain the correct information only for



1 purposes of preventing fraud by pursuing legal remedies
2 against, or recovering on a debt or security interest against, the
3 individual.

4 (4) For use in connection with a civil, a criminal, an
5 administrative, or an arbitration proceeding in a court or
6 government agency or before a self-regulatory body, including the
7 service of process, investigation in anticipation of litigation, and
8 the execution or enforcement of judgments and orders, or under
9 an order of a court.

10 (5) For use in research activities, and for use in producing
11 statistical reports, as long as the personal information is not
12 published, redisclosed, or used to contact the individuals who are
13 the subject of the personal information.

14 (6) For use by an insurer, an insurance support organization, or a
15 self-insured entity, or the agents, employees, or contractors of an
16 insurer, an insurance support organization, or a self-insured entity
17 in connection with claims investigation activities, anti-fraud
18 activities, rating, or underwriting.

19 (7) For use in providing notice to the owners of towed or
20 impounded vehicles.

21 (8) For use by a licensed private investigative agency or licensed
22 security service for a purpose allowed under this section.

23 (9) For use by an employer or its agent or insurer to obtain or
24 verify information relating to a holder of a commercial driver's
25 license that is required under the Commercial Motor Vehicle
26 Safety Act of 1986 (49 U.S.C. 31131 et seq.).

27 (10) For use in connection with the operation of private toll
28 transportation facilities.

29 (11) For any use in response to requests for individual motor
30 vehicle records when the bureau has obtained the written consent
31 of the person to whom the personal information pertains.

32 (12) For bulk distribution for surveys, marketing, or solicitations
33 when the bureau has obtained the written consent of the person to
34 whom the personal information pertains.

35 (13) For use by any person, when the person demonstrates, in a
36 form and manner prescribed by the bureau, that written consent
37 has been obtained from the individual who is the subject of the
38 information.

39 (14) For any other use specifically authorized by law that is
40 related to the operation of a motor vehicle or public safety.

41 However, this section does not affect the use of anatomical gift
42 information on a person's driver's license or identification document



issued by the bureau, nor does this section affect the administration of anatomical gift initiatives in Indiana.

SECTION 6. IC 9-21-5-6, AS AMENDED BY P.L.49-2024, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: 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 twenty (20) 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 on a highway with a functional classification of arterial or major collector within an urban district may be decreased to less than twenty-five (25) miles per hour under subdivision (1). An engineering and traffic investigation is not required to decrease the speed limit to twenty (20) miles per hour on a highway with a functional classification of minor collector or local road in an urban district.

(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 **and notwithstanding IC 9-21-23 or IC 36-1-3-8(a)**, 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. 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



1 school.

2 (3) Children are present.

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

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

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

11 **Notwithstanding IC 36-1-3-8(a), a city, town, or county may**
12 **establish speed limits on a street or highway upon which a school**
13 **is located if the street or highway is under the jurisdiction of the**
14 **city, town, or county, respectively, under IC 9-21-23.**

15 (g) Except as provided in subsection (h), a person who exceeds a
16 speed limit established by a local authority under this section commits
17 a Class C infraction.

18 (h) A person who exceeds a speed limit that is established under
19 subsection (d) or (f) commits a Class B infraction.

20 SECTION 7. IC 9-21-23 IS ADDED TO THE INDIANA CODE AS
21 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
22 1, 2026]:

23 **Chapter 23. School Zone Speed Control Program**

24 **Sec. 1. As used in this chapter, "agent" means a person that:**

- 25 (1) provides services to a county or municipality;
26 (2) operates, maintains, leases, or licenses school zone speed
27 control systems as authorized by a county or municipality; or
28 (3) is authorized to review and assemble a recorded image
29 captured by a school zone speed control system for review by
30 a police officer employed by a county or municipality.

31 **Sec. 2. As used in this chapter, "motor vehicle" has the meaning**
32 **set forth in IC 9-13-2-105(a).**

33 **Sec. 3. As used in this chapter, "motor vehicle rental company"**
34 **means a person that routinely engages in the business of renting**
35 **motor vehicles for periods of not more than thirty (30) days.**

36 **Sec. 4. As used in this chapter, "municipality" has the meaning**
37 **set forth in IC 36-1-2-11.**

38 **Sec. 5. As used in this chapter, "owner" means a person in**
39 **whose name a motor vehicle is registered under any of the**
40 **following:**

- 41 (1) IC 9-18.1.
42 (2) The law of another state.



(3) The law of a foreign country.

(4) The International Registration Plan.

Sec. 6. As used in this chapter, "school zone speed control system" means a photographic device, radar device, laser device, or another electrical or mechanical device or devices designed to:

(1) record the speed of a motor vehicle;

(2) obtain a clear photograph or other recorded image of the rear of the motor vehicle and the license plate affixed to the motor vehicle at the time the recorded speed of the motor vehicle exceeds a school zone speed limit;

(3) indicate on at least one (1) recorded image the date, time, and location of the violation of a school zone speed limit; and

(4) undergo an annual calibration check, the results of which are kept on file with the county or municipality that uses the school zone speed control system.

Sec. 7. As used in this chapter, "school zone speed limit" means a speed limit established under IC 9-21-5-6.

Sec. 8. (a) Notwithstanding IC 36-1-3-8(a)(8), a county or municipality may adopt an ordinance to use a school zone speed control system to enforce a violation of a school zone speed limit.

(b) An ordinance adopted under subsection (a) must be adopted as follows:

(1) In a municipality, by the legislative body of the municipality.

(2) In a county subject to IC 36-2-3.5 or IC 36-3-1, by the legislative body of the county.

(3) In any other county, by the executive of the county.

(c) An ordinance adopted under subsection (a) is subject to an interlocal agreement under IC 36-1-7.

Sec. 9. (a) A municipality, county, or school corporation that uses a school zone speed control system may enter into a contract with an agent for the installation, operation, notice processing, administration, and maintenance of the school zone speed control system.

(b) An agent is not required to be licensed under IC 25-30-1.

(c) The records, documents, and books kept by an agent are not considered public records (as defined in IC 5-14-3-2(r)).

Sec. 10. A county or municipality may adopt an ordinance to establish a school zone speed limit under IC 9-21-5-6 that is enforced by a school zone speed control system.

Sec. 11. (a) If a county or municipality adopts an ordinance under section 8 of this chapter, the ordinance must include the



1 following regarding the school zone speed control system:

2 (1) That the school zone speed control system is maintained in
3 accordance with specified self-test performance standards.

4 (2) That an ordinance adopted under this chapter may be
5 challenged pursuant to the requirements of IC 34-13-6.

6 (b) If a county or municipality adopts an ordinance under
7 section 8 of this chapter, the ordinance must include the following
8 regarding a violation:

9 (1) That a police officer employed by the county or
10 municipality:

11 (A) must review and approve an image recorded by the
12 school zone speed control system before notice of an
13 ordinance violation may be forwarded to the owner of the
14 motor vehicle; and

15 (B) may not forward notice of an ordinance violation to an
16 owner under clause (A) if, in the opinion of the police
17 officer, it was not possible for the operator of the motor
18 vehicle to safely avoid committing the ordinance violation
19 due to inclement weather conditions.

20 (2) Except as otherwise provided under this chapter, that the
21 owner of a motor vehicle identified through a school zone
22 speed control system is liable for the civil penalty for a
23 violation under this chapter.

24 (3) The defenses to a violation under section 17 of this
25 chapter.

26 (4) The civil penalty to be assessed for a violation under
27 section 18 of this chapter.

28 (5) That an owner may pay a civil penalty for a violation by
29 electronic means.

30 (6) That a county or municipality may bring an action under
31 IC 36-1-6 to enforce an ordinance or action taken under this
32 chapter.

33 (c) A county or municipality that adopts an ordinance under
34 section 8 of this chapter shall publish notice of the location of each
35 school zone speed control system on the website of the county or
36 municipality.

37 Sec. 12. (a) A school corporation that uses a school zone speed
38 control system to enforce an ordinance adopted under this chapter
39 must forward a recorded image produced by the school zone speed
40 control system to the law enforcement agency of the county or
41 municipality in which the school corporation is located for review
42 and approval by a police officer employed by the law enforcement



1 agency before notice of the ordinance violation may be sent to the
2 owner of the motor vehicle.

3 (b) A police officer described in subsection (a) may not send
4 notice of the ordinance violation to the owner of the motor vehicle
5 if, in the opinion of the police officer, the operator of the motor
6 vehicle could not have safely avoided committing the ordinance
7 violation due to inclement weather conditions.

8 Sec. 13. Before installing a school zone speed control system, a
9 county or municipality shall:

10 (1) conduct a public information campaign to inform drivers
11 about the use of a school zone speed control system to detect
12 speeds in excess of a school zone speed limit; and

13 (2) post signs indicating that school zone speed limits are
14 monitored by a school zone speed control system before the
15 entrance to a school zone in which a school zone speed control
16 system is in use.

17 Sec. 14. (a) A school zone speed control system must undergo an
18 annual calibration check performed by an independent calibration
19 laboratory.

20 (b) The independent calibration laboratory performing the
21 annual calibration check required under subsection (a) shall issue
22 a certificate of calibration to the Indiana department of
23 transportation for the school zone speed control system as proof
24 that:

25 (1) the annual calibration check was performed; and

26 (2) the school zone speed control system is accurately
27 calibrated.

28 Sec. 15. (a) A school zone speed control system may not be used
29 to take a photograph or recorded image of the front of a motor
30 vehicle.

31 (b) A photograph or recorded image of the front of a motor
32 vehicle obtained through the use of a school zone speed control
33 system may not be used as evidence of a violation under this
34 chapter.

35 (c) The information, photographs, and recorded images
36 collected under this chapter are confidential under IC 5-14-3.

37 (d) Except as otherwise provided in this section, information,
38 photographs, or recorded images collected under this chapter are
39 not discoverable by court order as evidence in a proceeding except
40 to assess a penalty under section 18 of this chapter.

41 (e) Information, photographs, or recorded images collected
42 under this chapter must be destroyed not later than two (2) years



1 after the date the information, photographs, or recorded images
2 are collected.

3 (f) Notwithstanding any other provision of law, information,
4 photographs, or recorded images collected by a school zone speed
5 control system are the exclusive property of the state of Indiana
6 and not the property of the manufacturer or vendor of the school
7 zone speed control system.

8 Sec. 16. (a) Except as otherwise provided by this chapter, use of
9 a photograph or recorded image obtained through the use of a
10 school zone speed control system for the purpose of enforcing a
11 traffic offense (as defined in IC 9-13-2-183) is prohibited.

12 (b) A photograph or recorded image obtained through the use
13 of a school zone speed control system may not be used as evidence
14 in any action other than the action to collect a school zone speed
15 limit civil penalty for which the photograph or recorded image was
16 obtained.

17 (c) Unless authorized by court order, a photograph or recorded
18 image obtained through the use of a school zone speed control
19 system may not be disclosed to anyone other than:

- 20 (1) the owner of the motor vehicle at the time the recorded
- 21 speed of the motor vehicle exceeded a school zone speed limit;
- 22 (2) an individual alleged to have been operating the motor
- 23 vehicle at the time the school zone speed limit was exceeded as
- 24 described in subdivision (1);
- 25 (3) an attorney representing an individual described in
- 26 subdivision (1) or (2);
- 27 (4) a law enforcement officer;
- 28 (5) the Indiana department of transportation;
- 29 (6) a person administering the school zone speed control
- 30 system; and
- 31 (7) the court in a proceeding for judicial review under
- 32 IC 4-21.5.

33 Sec. 17. (a) Except as provided in subsection (d), the owner of a
34 motor vehicle identified through a school zone speed control system
35 is liable for the civil penalty described in section 18 of this chapter
36 for exceeding a school zone speed limit.

37 (b) There is a rebuttable presumption that the owner of a motor
38 vehicle that is the subject of a photograph or recorded image was
39 operating the motor vehicle when the photograph or recorded
40 image was obtained through a school zone speed control system.

41 (c) The presumption under subsection (b) does not apply to an
42 owner that is a motor vehicle rental company.



1 (d) The owner of a motor vehicle may submit information to
2 rebut the presumption created by subsection (b).

3 (e) It is a defense under this section if any of the following apply:

4 (1) The person receiving a notice of violation issued under this
5 chapter:

6 (A) was not the owner of the motor vehicle; or

7 (B) was not operating the motor vehicle;

8 at the time that the school zone speed limit was exceeded.

9 (2) The motor vehicle was reported stolen prior to the time
10 that the school zone speed limit was exceeded and was not
11 recovered prior to that time.

12 (3) The school zone speed control system was not properly
13 tested for accuracy, certification, or calibration.

14 Sec. 18. (a) Notwithstanding IC 36-1-3-8(a)(10)(B), a person who
15 exceeds a school zone speed limit which is detected under this
16 chapter is subject to the following civil penalties:

17 (1) A written warning for the first violation.

18 (2) A civil penalty of seventy-five dollars (\$75) for the second
19 violation.

20 (3) A civil penalty of one hundred fifty dollars (\$150) for the
21 third and each subsequent violation.

22 (b) A county or municipality may impose a fee associated with
23 the electronic processing of the civil penalty imposed under
24 subsection (a).

25 (c) A county or municipality must apply at least fifty percent
26 (50%) of the amount of the civil penalty imposed under subsection
27 (a) to defray the cost to install, operate, and maintain a school zone
28 speed control system.

29 (d) The remaining money from the civil penalty imposed under
30 subsection (a) must be transferred to the general fund of the county
31 or municipality to be used for public safety and infrastructure.

32 Sec. 19. (a) Not later than November 1 of each year, each county
33 and municipality that uses a school zone speed control system
34 under this chapter shall submit a report to the interim study
35 committee on roads and transportation established by IC 2-5-1.3-4
36 that includes the following:

37 (1) The number of ordinance violation notices issued in a
38 school zone where a school zone speed control system was
39 operated.

40 (2) The amount of fines imposed for violations occurring in a
41 school zone where a school zone speed control system was
42 operated.



1 **(b) A report under this section must be submitted in an**
 2 **electronic format under IC 5-14-6.**

3 SECTION 8. IC 9-30-3-14, AS AMENDED BY P.L.111-2021,
 4 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2026]: Sec. 14. **This section does not apply to a violation of**
 6 **an ordinance adopted under IC 9-21-23.** If a court convicts a person
 7 for a moving traffic offense and the person is known or believed by the
 8 court not to be the owner of the motor vehicle, the court shall, within
 9 seven (7) days after entering the conviction, deposit with the United
 10 States Postal Service, first class postage prepaid, notice addressed to
 11 the owner of the motor vehicle giving the owner the following
 12 information:

- 13 (1) The name and address of the person convicted.
- 14 (2) The name and address of the owner of the motor vehicle.
- 15 (3) The offense upon which the conviction was made.
- 16 (4) The date of arrest of the person convicted and the location of
- 17 the place of the offense.
- 18 (5) The license plate number of the motor vehicle.
- 19 (6) The driver's or chauffeur's license number of the person
- 20 convicted.
- 21 (7) The date of the conviction and the name of the court making
- 22 the conviction.

23 SECTION 9. IC 34-6-2.1-129, AS ADDED BY P.L.186-2025,
 24 SECTION 176, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2026]: Sec. 129. "Moving traffic violation", for
 26 purposes of IC 34-28-5, means a violation of:

- 27 (1) a statute defining an infraction; or
 - 28 (2) an ordinance, **other than a violation under IC 9-21-23;**
- 29 that applies when a motor vehicle is in motion.

30 SECTION 10. IC 36-1-6-3 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Certain
 32 ordinances may be enforced by a municipal corporation without
 33 proceeding in court through:

- 34 (1) an admission of violation before the violations clerk under
- 35 IC 33-36; or
- 36 (2) administrative enforcement under section 9 of this chapter.

37 (b) Except as provided in subsection (a), a proceeding to enforce an
 38 ordinance must be brought in accordance with IC 34-28-5, section 4 of
 39 this chapter, or both.

40 (c) An ordinance defining a moving traffic violation may not be
 41 enforced under IC 33-36 and must be enforced in accordance with
 42 IC 34-28-5.



1 **(d) An ordinance adopted under IC 9-21-23 may be enforced**
2 **under IC 33-36 or IC 34-28-5.**

