

PROPOSED AMENDMENT

SB 179 # 12

DIGEST

Various changes. Incorporates the language contained in AM017909 and AM 0179011. Provides that, effective July 1, 2023, only the Indiana department of transportation may enter into a contract for the delivery of a project with a progressive design-builder. Removes the language from the bill regarding immunity for contractors providing construction engineering inspection services. Adds language regarding the validity of single trip permits. Adds language clarifying a local unit's eligibility for: (1) a grant from the local road and bridge matching grant fund (fund); and (2) a distribution from the fund based on the local unit's share of total lane mileage. Provides that the Indiana department of transportation may give preference in awarding grants from the fund to local units that have adopted an enhanced asset management plan. Amends certain requirements for township capital improvement plans. Makes technical corrections.

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- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 5-30-2-3 IS ADDED TO THE INDIANA CODE
4 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
5 **1, 2023 (RETROACTIVE)]:** **Sec. 3. A contract may not be awarded**
6 **under this article to a progressive design-builder (as defined in**
7 **IC 8-23-9.5-10).**
8 SECTION 2. IC 6-3.5-4-2, AS AMENDED BY P.L.173-2025,
9 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 UPON PASSAGE]: Sec. 2. (a) An adopting entity of any county may,
11 subject to the limitation imposed by subsection (e), adopt an ordinance
12 to impose a county vehicle excise tax in accordance with this chapter
13 on each vehicle that is subject to the vehicle excise tax under IC 6-6-5
14 and that is registered in the county. **However, a county may not after**
15 **December 31, 2026, impose a county vehicle excise tax on a vehicle**
16 **that is registered in an adopting municipality (as defined in**
17 **IC 6-3.5-10-1) in which a municipal vehicle excise tax is in effect.**
18 (b) If a county does not use a transportation asset management plan
19 approved by the Indiana department of transportation, the adopting
20 entity of the county may impose the surtax either:
21 (1) at a rate of not less than two percent (2%) nor more than ten

- 1 percent (10%); or
- 2 (2) at a specific amount of at least seven dollars and fifty cents
- 3 (\$7.50) and not more than twenty-five dollars (\$25).

4 However, the surtax on a vehicle may not be less than seven dollars and
5 fifty cents (\$7.50). The adopting entity shall state the surtax rate or
6 amount in the ordinance which imposes the tax.

7 (c) Except as provided in subsection (i), if a county uses a
8 transportation asset management plan approved by the Indiana
9 department of transportation, the adopting entity of the county may
10 impose the surtax either:

- 11 (1) at a rate of at least two percent (2%) and not more than twenty
12 percent (20%); or
- 13 (2) at a specific amount of at least seven dollars and fifty cents
14 (\$7.50) and not more than fifty dollars (\$50).

15 However, the surtax on a vehicle may not be less than seven dollars and
16 fifty cents (\$7.50). The adopting entity shall state the surtax rate or
17 amount in the ordinance that imposes the tax.

18 (d) Subject to the limits and requirements of this section and except
19 as provided in IC 6-6-5-0.5(2), the adopting entity may do any of the
20 following:

- 21 (1) Impose the county vehicle excise tax at the same rate or
22 amount on each vehicle that is subject to the tax.
- 23 (2) Impose the county vehicle excise tax on vehicles subject to the
24 tax at one (1) or more different rates based on the class of vehicle
25 listed in IC 6-6-5-2(a).

26 (e) The adopting entity may not adopt an ordinance to impose the
27 surtax unless it concurrently adopts an ordinance under IC 6-3.5-5 to
28 impose the wheel tax.

29 (f) Notwithstanding any other provision of this chapter or
30 IC 6-3.5-5, ordinances adopted by a county council before June 1,
31 2013, to impose or change the county vehicle excise tax and the annual
32 wheel tax in the county remain in effect until the ordinances are
33 amended or repealed under this chapter or IC 6-3.5-5.

34 (g) Except as provided under section 7.5 of this chapter (before its
35 expiration on December 31, 2023) and subject to subsection (h), a
36 county vehicle excise tax imposed by this chapter for a vehicle is due
37 and shall be paid each year at the time the vehicle is registered.

38 (h) If the county vehicle excise tax imposed by this chapter was not
39 paid for one (1) or more preceding years, the bureau may collect only
40 the county vehicle excise tax imposed by this chapter for the:

- 1 (1) registration year immediately preceding the current
 2 registration year;
 3 (2) current registration year; and
 4 (3) registration year immediately following the current
 5 registration year.

6 (i) Beginning July 1, 2025, if a county containing a consolidated city
 7 uses a transportation asset management plan approved by the Indiana
 8 department of transportation, the adopting entity of the county may
 9 impose the surtax either:

- 10 (1) at a rate of at least two percent (2%) and not more than twenty
 11 percent (20%); or
 12 (2) at a specific amount of at least seven dollars and fifty cents
 13 (\$7.50) and not more than one hundred fifty dollars (\$150).

14 However, the surtax on a vehicle may not be less than seven dollars and
 15 fifty cents (\$7.50). The adopting entity shall state the surtax rate or
 16 amount in the ordinance that imposes the tax.

17 **(j) To be eligible for a distribution under IC 8-23-30-2(k), a**
 18 **county must adopt a county vehicle excise tax and a county wheel**
 19 **tax, as provided in IC 6-3.5-5-2, not later than:**

- 20 **(1) for the distribution made in 2026, May 1, 2026; and**
 21 **(2) for a distribution made in a subsequent year, September**
 22 **1 of the prior calendar year.**

23 SECTION 3. IC 6-3.5-4-3, AS AMENDED BY P.L.178-2019,
 24 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 UPON PASSAGE]: Sec. 3. **(a)** If an adopting entity adopts an
 26 ordinance imposing the surtax after December 31 but before September
 27 1 of the following year, a ~~vehicle is subject to the tax if it is registered~~
 28 ~~in the county~~ **surtax applies** after December 31 of the year in which
 29 the ordinance is adopted. If an adopting entity adopts an ordinance
 30 imposing the surtax after August 31 but before the following January
 31 1, a ~~vehicle is subject to the tax if it is registered in the county~~ **surtax**
 32 **applies** after December 31 of the year following the year in which the
 33 ordinance is adopted. However, in the first year the surtax is effective,
 34 the surtax does not apply to the registration of a vehicle for the
 35 registration year that commenced in the calendar year preceding the
 36 year the surtax is first effective.

37 **(b) If an adopting entity received a distribution under**
 38 **IC 8-23-30-2(k) in the prior calendar year, the adopting entity must**
 39 **provide a copy of the adopted ordinance to the bureau of motor**
 40 **vehicles not later than May 1 of the subsequent year.**

1 SECTION 4. IC 6-3.5-4-4, AS AMENDED BY P.L.178-2019,
 2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 UPON PASSAGE]: Sec. 4. (a) After January 1 but before September
 4 1 of any year, the adopting entity may, subject to the limitations
 5 imposed by subsection (b), adopt an ordinance to rescind the surtax. If
 6 the adopting entity adopts such an ordinance, the surtax does not apply
 7 to a vehicle registered after December 31 of the year the ordinance is
 8 adopted.

9 (b) The adopting entity may not adopt an ordinance to rescind the
 10 surtax unless it concurrently adopts an ordinance under IC 6-3.5-5 to
 11 rescind the wheel tax. In addition, the adopting entity may not adopt an
 12 ordinance to rescind the surtax if:

13 (1) any portion of a loan obtained by the county under IC 8-14-8
 14 is unpaid; or

15 (2) any bonds issued by the county under IC 8-14-9 are
 16 outstanding.

17 **(c) An adopting entity must provide the bureau of motor**
 18 **vehicles with an ordinance adopted under this section not later**
 19 **than:**

20 **(1) for an ordinance adopted before May 1, 2026, not later**
 21 **than May 1, 2026; and**

22 **(2) for an ordinance adopted after April 30, 2026, not later**
 23 **than September 1 of the year the ordinance is adopted.**

24 SECTION 5. IC 6-3.5-4-6, AS AMENDED BY P.L.178-2019,
 25 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2026]: Sec. 6. (a) If an adopting entity adopts an ordinance to
 27 impose, rescind, or change the rate or amount of the surtax, the
 28 adopting entity shall send a copy of the ordinance, and, if applicable,
 29 a copy of the letter from the Indiana department of transportation
 30 approving the adopting entity's transportation asset management plan,
 31 to the bureau of motor vehicles on or before September 1, to be
 32 effective January 1 of the following calendar year.

33 (b) An adopting entity shall submit all copies under subsection (a)
 34 in a manner prescribed by the bureau of motor vehicles.

35 **(c) To be eligible for a distribution under IC 8-23-30-2(k), an**
 36 **adopting entity must provide the bureau of motor vehicles with a**
 37 **copy of the adopting entity's approved transportation asset**
 38 **management plan not later than:**

39 **(1) for the distribution made in 2026, May 1, 2026; and**

40 **(2) for a distribution made in a subsequent year, September**

1 **1 of the prior calendar year.**

2 SECTION 6. IC 6-3.5-4-13, AS AMENDED BY P.L.146-2016,
3 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 13. (a) In the case of a county that does not
5 contain a consolidated city of the first class, the county treasurer shall
6 deposit the surtax revenues in a fund to be known as the " _____
7 County Surtax Fund".

8 (b) Before the twentieth day of each month, the county auditor shall
9 allocate the money deposited in the county surtax fund during that
10 month among the county and the cities and the towns in the county **that**
11 **are not adopting municipalities (as defined in IC 6-3.5-10-1) in**
12 **which a municipal vehicle excise tax is in effect.** The county auditor
13 shall allocate the money to counties, cities, and towns under
14 IC 8-14-2-4(c)(1) through IC 8-14-2-4(c)(3), **except that for purposes**
15 **of making the allocations:**

16 **(1) the population of a city or town that is an adopting**
17 **municipality in which a municipal vehicle excise tax is in**
18 **effect is considered to be zero (0);**

19 **(2) the street mileage of a city or town that is an adopting**
20 **municipality in which a municipal vehicle excise tax is in**
21 **effect is considered to be zero (0) miles; and**

22 **(3) the allocation to a city or town that is an adopting**
23 **municipality in which a municipal vehicle excise tax is in**
24 **effect is zero dollars (\$0).**

25 (c) Before the twenty-fifth day of each month, the county treasurer
26 shall distribute to the county and the cities and towns in the county the
27 money deposited in the county surtax fund during that month. The
28 county treasurer shall base the distribution on allocations made by the
29 county auditor for that month under subsection (b).

30 (d) A county, city, or town may only use the surtax revenues it
31 receives under this section:

32 (1) to construct, reconstruct, repair, or maintain streets and roads
33 under its jurisdiction; or

34 (2) for the county's, city's, or town's contribution to obtain a grant
35 from the local road and bridge matching grant fund under
36 IC 8-23-30.

37 SECTION 7. IC 6-3.5-5-2, AS AMENDED BY P.L.173-2025,
38 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 UPON PASSAGE]: Sec. 2. (a) The adopting entity of any county may,
40 subject to the limitation imposed by subsection (b), adopt an ordinance

1 to impose a county wheel tax in accordance with this chapter on each
2 vehicle that:

- 3 (1) is included in one (1) of the classes of vehicles listed in
4 section 3 of this chapter;
5 (2) is not exempt from the wheel tax under section 4 of this
6 chapter; and
7 (3) is registered in the county.

8 **However, a county may not after December 31, 2026, impose a**
9 **county wheel tax on a vehicle that is registered in an adopting**
10 **municipality (as defined in IC 6-3.5-11-1) in which a municipal**
11 **wheel tax is in effect.**

12 (b) The adopting entity of a county may not adopt an ordinance to
13 impose the wheel tax unless it concurrently adopts an ordinance under
14 IC 6-3.5-4 to impose the county vehicle excise tax.

15 (c) The adopting entity may impose the wheel tax at a different rate
16 for each of the classes of vehicles listed in section 3 of this chapter. In
17 addition, the adopting entity may establish different rates within the
18 classes of buses, semitrailers, trailers, tractors, and trucks based on
19 weight classifications of those vehicles that are established by the
20 bureau of motor vehicles for use throughout Indiana. Except as
21 otherwise provided in subsection (f), the wheel tax rate for a particular
22 class or weight classification of vehicles:

- 23 (1) may not be less than five dollars (\$5) and may not exceed
24 forty dollars (\$40), if the county does not use a transportation
25 asset management plan approved by the Indiana department of
26 transportation; or
27 (2) may not be less than five dollars (\$5) and may not exceed
28 eighty dollars (\$80), if the county uses a transportation asset
29 management plan approved by the Indiana department of
30 transportation.

31 The adopting entity shall state the initial wheel tax rates in the
32 ordinance that imposes the tax.

33 (d) Subject to subsection (e), a wheel tax imposed by this chapter
34 for a vehicle is due and shall be paid each year at the time the vehicle
35 is registered.

36 (e) If the county wheel tax imposed by this chapter was not paid for
37 one (1) or more preceding years, the bureau may collect only the
38 county wheel tax imposed by this chapter for the:

- 39 (1) registration year immediately preceding the current
40 registration year;

- 1 (2) current registration year; and
 2 (3) registration year immediately following the current
 3 registration year.

4 (f) Beginning July 1, 2025, if a county containing a consolidated city
 5 uses a transportation asset management plan approved by the Indiana
 6 department of transportation, the wheel tax rate for a particular class or
 7 weight classification of vehicles may not be less than five dollars (\$5)
 8 and may not exceed two hundred forty dollars (\$240).

9 SECTION 8. IC 6-3.5-5-5, AS AMENDED BY P.L.218-2017,
 10 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 UPON PASSAGE]: Sec. 5. If an adopting entity adopts an ordinance
 12 imposing the wheel tax after December 31 but before September 1 of
 13 the following year, ~~a vehicle described in section 2(a) of this chapter~~
 14 ~~is subject to the wheel tax if it is registered in the county~~ **applies** after
 15 December 31 of the year in which the ordinance is adopted. If an
 16 adopting entity adopts an ordinance imposing the wheel tax after
 17 August 31 but before the following January 1, ~~a vehicle described in~~
 18 ~~section 2(a) of this chapter is subject to the wheel tax if it is registered~~
 19 ~~in the county~~ **applies** after December 31 of the year following the year
 20 in which the ordinance is adopted. However, in the first year the tax is
 21 effective, the tax does not apply to the registration of a motor vehicle
 22 for the registration year that commenced in the calendar year preceding
 23 the year the tax is first effective.

24 SECTION 9. IC 6-3.5-5-15, AS AMENDED BY P.L.146-2016,
 25 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 UPON PASSAGE]: Sec. 15. (a) In the case of a county that does not
 27 contain a consolidated city, the county treasurer shall deposit the wheel
 28 tax revenues in a fund to be known as the "County Wheel Tax Fund".

29 (b) Before the twentieth day of each month, the county auditor shall
 30 allocate the money deposited in the county wheel tax fund during that
 31 month among the county and the cities and the towns in the county **that**
 32 **are not adopting municipalities (as defined in IC 6-3.5-11-1) in**
 33 **which a municipal wheel tax is in effect.** The county auditor shall
 34 allocate the money to counties, cities, and towns under
 35 IC 8-14-2-4(c)(1) through IC 8-14-2-4(c)(3), **except that for purposes**
 36 **of making the allocations:**

- 37 **(1) the population of a city or town that is an adopting**
 38 **municipality in which a municipal wheel tax is in effect is**
 39 **considered to be zero (0);**
 40 **(2) the street mileage of a city or town that is an adopting**

1 **municipality in which a municipal wheel tax is in effect is**
 2 **considered to be zero (0) miles; and**
 3 **(3) the allocation to a city or town that is an adopting**
 4 **municipality in which a municipal wheel tax is in effect is zero**
 5 **dollars (\$0).**

6 (c) Before the twenty-fifth day of each month, the county treasurer
 7 shall distribute to the county and the cities and towns in the county the
 8 money deposited in the county wheel tax fund during that month. The
 9 county treasurer shall base the distribution on allocations made by the
 10 county auditor for that month under subsection (b).

11 (d) A county, city, or town may only use the wheel tax revenues it
 12 receives under this section:

- 13 (1) to construct, reconstruct, repair, or maintain streets and roads
 14 under its jurisdiction;
 15 (2) as a contribution to an authority established under IC 36-7-23;
 16 or
 17 (3) for the county's, city's, or town's contribution to obtain a grant
 18 from the local road and bridge matching grant fund under
 19 IC 8-23-30.

20 SECTION 10. IC 8-14-1-4, AS AMENDED BY P.L.173-2025,
 21 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2026]: Sec. 4. (a) The funds allocated to the respective
 23 counties of the state from the motor vehicle highway account shall
 24 annually be budgeted as provided by law, and, when distributed shall
 25 be used for construction, reconstruction, preservation, and maintenance
 26 of the highways of the respective counties, including highways which
 27 traverse the streets of incorporated towns, the cost of the repair and
 28 maintenance of which prior to the tenth day of September, 1932, was
 29 paid from the county gravel road repair fund excepting where the
 30 department is charged by law with the maintenance or construction of
 31 any such highway so traversing such streets. Subject to subsection (b),
 32 any surplus existing in the funds at the end of the year shall thereafter
 33 continue as a part of the highway funds of the said counties and shall
 34 be rebudgeted and used as already provided in this chapter. The
 35 purchase, rental and repair of highway equipment, painting of bridges
 36 and acquisition of grounds for erection and construction of storage
 37 buildings, acquisition of rights of way and the purchase of fuel oil, and
 38 supplies necessary to the performance of construction, reconstruction,
 39 preservation, and maintenance of highways, shall be paid out of the
 40 highway account of the various counties.

1 (b) Except as provided in subsection (c) and section 4.1 of this
 2 chapter, for funds distributed to a county from the motor vehicle
 3 highway account, the county shall use at least fifty percent (50%) of the
 4 money for the construction, reconstruction, and preservation of the
 5 county's highways.

6 (c) This subsection applies to a county containing a consolidated
 7 city. For funds distributed to a county from the motor vehicle highway
 8 account, the county shall use at least sixty-five percent (65%) of the
 9 money for the construction, reconstruction, and preservation of the
 10 county's highways.

11 **(d) A county, including a county containing a consolidated city,**
 12 **may not budget or designate any funds that are distributed to the**
 13 **county from the motor vehicle highway account for a project to be**
 14 **selected by an individual member of the county fiscal body.**

15 SECTION 11. IC 8-14-2-4, AS AMENDED BY P.L.9-2024,
 16 SECTION 292, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The state comptroller shall
 18 establish a special account to be called the "local road and street
 19 account" and credit this account monthly with thirty-seven percent
 20 (37%) of the money deposited in the highway, road and street fund.

21 (b) The state comptroller shall distribute to units of local
 22 government money from this account each month. Before making any
 23 other distributions under this chapter, the state comptroller shall
 24 distribute E85 incentive payments to all political subdivisions entitled
 25 to a payment under section 8 of this chapter.

26 (c) After distributing E85 incentive payments required under section
 27 8 of this chapter, the state comptroller shall allocate to each county the
 28 remaining money in this account on the basis of the ratio of each
 29 county's passenger car registrations to the total passenger car
 30 registrations of the state. The state comptroller shall further determine
 31 the suballocation between the county and the cities within the county
 32 as follows:

33 (1) In counties having a population of more than fifty thousand
 34 (50,000), sixty percent (60%) of the money shall be distributed on
 35 the basis of the population of the city or town as a percentage of
 36 the total population of the county and forty percent (40%)
 37 distributed on the basis of the ratio of city and town street mileage
 38 to county road mileage.

39 (2) In counties having a population of fifty thousand (50,000) or
 40 less, twenty percent (20%) of the money shall be distributed on

1 the basis of the population of the city or town as a percentage of
 2 the total population of the county and eighty percent (80%)
 3 distributed on the basis of the ratio of city and town street mileage
 4 to county road mileage.

5 (3) For the purposes of allocating funds as provided in this
 6 section, towns which become incorporated as a town between the
 7 effective dates of decennial censuses shall be eligible for
 8 allocations upon the effectiveness of a corrected population count
 9 for the town under IC 1-1-3.5.

10 (4) Money allocated under the provisions of this section to
 11 counties containing a consolidated city shall be credited or
 12 allocated to the department of transportation of the consolidated
 13 city.

14 (d) Each month the state comptroller shall inform the department of
 15 the amounts allocated to each unit of local government from the local
 16 road and street account.

17 **(e) A county, including a county containing a consolidated city,**
 18 **may not budget or designate any funds that are distributed to the**
 19 **county from the local road and street account for a project to be**
 20 **selected by an individual member of the county fiscal body."**

21 Page 2, delete lines 18 through 38, begin a new paragraph and
 22 insert:

23 "SECTION 12. IC 8-23-9.5-0.1 IS ADDED TO THE INDIANA
 24 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2023 (RETROACTIVE)]: **Sec. 0.1. It is the**
 26 **intent of the general assembly that this chapter applies only to a**
 27 **contract for the delivery of a project of the department. This**
 28 **chapter does not apply to a contract for the delivery of a project of**
 29 **a public agency (as defined in IC 5-30-1-11).**

30 SECTION 13. IC 8-23-9.5-18, AS ADDED BY P.L.60-2023,
 31 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2026]: Sec. 18. (a) Upon approval of the final scoring of the
 33 CMGCs or the PDBs by the commissioner, the department shall enter
 34 into negotiations with the CMGC or PDB with the highest score as
 35 determined under section 17 of this chapter for a contract.

36 (b) If the department is unable to negotiate a contract with the
 37 person with the highest score for an amount of compensation that the
 38 department and the person determine to be fair and reasonable, the
 39 department shall terminate negotiations with that person. The
 40 department or its authorized representative may then undertake

1 negotiations with the person with the next highest score and continue
 2 in this manner until an agreement is reached or until a determination
 3 is made by the department to reject all proposals submitted under this
 4 chapter.

5 (c) If the department does not receive at least two (2) proposals, the
 6 department may not enter into a contract under this chapter.

7 (d) The department may only enter into a contract for services under
 8 this chapter for not more than ~~two (2)~~ **five (5)** projects each calendar
 9 year.

10 SECTION 14. IC 8-23-23-6, AS ADDED BY P.L.173-2025,
 11 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2026]: Sec. 6. The commissioner shall ensure that the
 13 department makes information available to county boards of
 14 commissioners and county highway departments about funding from
 15 federal and private sources that might be available to the counties for
 16 projects involving the reconstruction or replacement of low water
 17 crossings (as defined in ~~IC 8-23-30-1(d)~~, **IC 8-23-30-1(e)**), including
 18 the following:

19 (1) The federal Surface Transportation Block Grant Program (23
 20 U.S.C. 133).

21 (2) The United States Fish and Wildlife Service.

22 SECTION 15. IC 8-23-30-1, AS AMENDED BY P.L.173-2025,
 23 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2026]: Sec. 1. (a) As used in this chapter, "eligible project"
 25 means either of the following:

26 (1) A project:

27 (A) that is undertaken by a local unit;

28 (B) that repairs or increases the capacity of local roads and
 29 bridges; and

30 (C) that is part of the local unit's transportation asset
 31 management plan.

32 (2) A project that:

33 (A) is undertaken by a local unit; and

34 (B) reduces the risk to human life from low water crossings.

35 **(b) As used in this chapter, "enhanced asset management plan"**
 36 **refers to a data driven asset management plan adopted by a local**
 37 **unit that:**

38 **(1) is designed to maximize the lifecycle performance and cost**
 39 **effective management of the entire network of transportation**
 40 **assets for which the local unit is responsible;**

- 1 **(2) inventories all streets or road segments within the local**
 2 **unit's transportation network, including sufficient detail to**
 3 **support network-level and segment-level analysis;**
 4 **(3) includes objective, repeatable condition assessments for**
 5 **each street or road segment using the Pavement Surface**
 6 **Evaluation and Rating (PASER) system or another pavement**
 7 **condition rating methodology approved by the department;**
 8 **(4) incorporates measures of roadway deterioration,**
 9 **roughness, surface distress, or other physical characteristics**
 10 **approved by the department relevant to pavement**
 11 **performance and remaining service life;**
 12 **(5) concatenates geospatial data with the asset condition or**
 13 **rating data of each street or segment;**
 14 **(6) is used by the local unit to prioritize maintenance,**
 15 **preservation, rehabilitation, and reconstruction activities in**
 16 **a manner intended to extend asset service life and minimize**
 17 **long term lifecycle costs across the entire transportation**
 18 **network;**
 19 **(7) is updated at intervals established by the department to**
 20 **ensure the ongoing accuracy and usefulness of the data for**
 21 **lifecycle management purposes, but not less than once every**
 22 **year; and**
 23 **(8) makes the concatenated geospatial data and asset**
 24 **condition or rating data available for access and display on**
 25 **both the local unit's website, and the website maintained by**
 26 **the local technical assistance program.**
- 27 **(b) (c)** As used in this chapter, "fund" refers to the local road and
 28 bridge matching grant fund established by section 2 of this chapter.
- 29 **(e) (d)** As used in this chapter, "local unit" means a county or
 30 municipality.
- 31 **(d) (e)** As used in this chapter, "low water crossing" means a public
 32 road waterway crossing:
- 33 (1) other than a bridge where construction improvements have
 34 been made in the stream, river, or lake bed to provide a firm
 35 surface for vehicles to travel across the water course; and
 36 (2) that is designed and constructed to be passable to traffic most
 37 of the year during periods of ordinary stream flow but is
 38 impassable to traffic during periods of high water.
- 39 **(e) (f)** As used in this chapter, "transportation asset management
 40 plan" includes planning for drainage systems and rights-of-way that

1 affect transportation assets.

2 (f) (g) As used in this chapter, "wheel tax" means the tax imposed
3 in an ordinance adopted under:

4 (1) IC 6-3.5-5, in the case of a county; and

5 (2) IC 6-3.5-11, in the case of a municipality."

6 Page 5, line 2, after "thereafter," insert "**until the consolidated city
7 is no longer able to match the distribution as required under this
8 subsection,**".

9 Page 5, line 18, after "revenue" insert "**each year**".

10 Page 5, line 19, after "IC 6-3.6-6" delete "." and insert "**or revenue
11 that was previously used for a match under this subsection.**".

12 Page 5, line 27, delete "tax;" and insert "**tax and vehicle excise
13 tax;**".

14 Page 5, line 38, after "projects." insert "**A local unit that is eligible
15 for a distribution under this subsection may receive a matching
16 grant under this chapter, subject to the limits provided in section
17 3.5 of this chapter.**".

18 Page 6, delete lines 9 through 16, begin a new paragraph and insert:
19 "SECTION 17. IC 8-23-30-3.5, AS ADDED BY P.L.173-2025,
20 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 UPON PASSAGE]: Sec. 3.5. In each state fiscal year beginning after
22 June 30, ~~2027~~, **2026**, a local unit that receives a distribution under
23 section 2(k) of this chapter may ~~not apply~~ **be eligible** for a grant ~~from
24 the local road and bridge matching grant fund described in under
25 section 2(h) of this chapter. The grant distribution amount may not
26 exceed the maximum amount in an amount that is greater than the
27 maximum grant amount set under section 8 of this chapter minus the
28 amount the local unit received from a distribution under section 2(k) of
29 this chapter. A distribution made under section 2(k) of this chapter
30 may limit the total amount a local unit is eligible to receive from
31 the local road and bridge grant matching grant under section 2(h)
32 of this chapter only for the calendar year in which the funds are
33 received.~~

34 SECTION 19. IC 8-23-30-5, AS AMENDED BY P.L.173-2025,
35 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2026]: Sec. 5. (a) In the evaluation of applications for grants
37 from the fund for projects described in section 1(a) of this chapter, the
38 department shall give preference to projects that are anticipated by the
39 department to have the greatest regional economic significance for the
40 region in which the local unit is located.

1 **(b) Notwithstanding subsection (a), the department may give**
 2 **preference to projects submitted by local units that have submitted**
 3 **enhanced asset management plans to the department and the local**
 4 **technical assistance program at Purdue University."**

5 Page 9, line 16, after "issued." insert "**However, if a**
 6 **tractor-semitrailer and load require a law enforcement escort, a**
 7 **permit issued under this subdivision is valid for ten (10) days from**
 8 **the date it is issued."**

9 Page 9, between lines 32 and 33, begin a new paragraph and insert:
 10 "SECTION 22. IC 9-20-9-1, AS AMENDED BY P.L.227-2025,
 11 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2026]: Sec. 1. (a) As used in this section, "drive away or tow
 13 away" means the delivery service performed by a transport operator by
 14 which motor vehicles in transit are delivered by driving singly or in
 15 combination by the towbar, saddlemount, or fullmount methods or any
 16 lawful combination of those methods, including coupling equipment or
 17 where a truck or tractor draws or tows a semitrailer or trailer in transit.

18 (b) A combination of two (2) vehicles coupled together, including
 19 load, may not exceed a total length of sixty (60) feet, except for the
 20 following:

21 (1) A combination of two (2) vehicles coupled together that are
 22 especially constructed to transport other vehicles or boats. This
 23 exception includes any combination of a truck, tractor,
 24 semitrailer, and trailer if the combination is used exclusively or
 25 primarily in connection with motorsports.

26 (2) A combination of two (2) vehicles coupled together being
 27 transported in a drive away or tow away service.

28 (3) A pole trailer owned by or operated for a public utility (as
 29 defined in IC 8-1-2-1), while the pole trailer is being used in
 30 connection with the utility services of the public utility.

31 (4) Trailers used in transporting oil field equipment or pipe for the
 32 transmission of oil or gas.

33 (5) Construction vehicles with a towbar connection used in
 34 connection with a trailer used to haul heavy equipment **or**
 35 **construction materials.**

36 SECTION 22. IC 9-28-4-6, AS AMENDED BY P.L.42-2007,
 37 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2026]: Sec. 6. (a) The department of state revenue, on behalf
 39 of the state, may enter into reciprocal agreements providing for the
 40 registration of vehicles on an apportionment or allocation basis with the

1 proper authority of any state, any commonwealth, the District of
 2 Columbia, a state or province of a foreign country, or a territory or
 3 possession of either the United States or of a foreign country.

4 (b) To implement this chapter, the state may enter into and become
 5 a member of the International Registration Plan or other designation
 6 that may be given to a reciprocity plan developed by the American
 7 Association of Motor Vehicle Administrators.

8 (c) The department of state revenue may adopt rules under
 9 IC 4-22-2 to carry out and enforce the provisions of the International
 10 Registration Plan or any other agreement entered into under this
 11 chapter.

12 (d) If the state enters into the International Registration Plan or into
 13 any other agreement under this chapter, and if the provisions set forth
 14 in the plan or other agreements are different from provisions prescribed
 15 by law, then the agreement provisions prevail.

16 (e) All payments for the renewal of a fleet of vehicles previously
 17 registered under the International Registration Plan are due on or
 18 before the ~~fifteenth last~~ day of the last month of the registration period
 19 preceding the period being renewed.

20 (f) All payments for billings, other than renewal, issued under the
 21 International Registration Plan are due within fifteen (15) days after the
 22 mailing date on the billing unless stated otherwise.

23 (g) This chapter constitutes complete authority for the registration
 24 of vehicles, including the registration of fleet vehicles, upon an
 25 apportionment or allocation basis without reference to or application
 26 of any other Indiana law.

27 (h) A person who fails to comply with subsections (e) and (f) is
 28 subject to the penalties and interest imposed under IC 6-8.1-10."

29 Page 10, line 26, delete "the state of".

30 Page 11, line 15, delete "INPCS" and insert ""INPCS"".

31 Page 13, delete lines 4 through 8, begin a new paragraph and insert:

32 "SECTION 25. IC 36-6-9-5, AS AMENDED BY P.L.173-2025,
 33 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2026]: Sec. 5. (a) Before ~~July 1, 2025~~, **January 1, 2028**, this
 35 chapter applies to a township if the total amount of funds in a
 36 township's capital improvement funds exceeds:

37 (1) one hundred fifty percent (150%) of the township's total
 38 annual budget estimate prepared under IC 6-1.1-17-2 for the
 39 ensuing year; and

40 (2) two hundred thousand dollars (\$200,000).

1 (b) After ~~June 30, 2025~~, **December 31, 2027**, this chapter applies
 2 to all townships, **including those townships that have merged under**
 3 **IC 36-6-1.5 or reorganized under IC 36-1.5.**

4 SECTION 26. IC 36-6-9-7, AS AMENDED BY P.L.173-2025,
 5 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2026]: Sec. 7. A township that meets the requirements of
 7 section 5 of this chapter must:

8 (1) adopt a capital improvement plan not later than September 30
 9 of each calendar year; and

10 (2) submit a copy of the adopted capital improvement plan to the
 11 department of local government finance **not later than five (5)**
 12 **business days after a budget is adopted under**
 13 **IC 6-1.1-17-5(a). The submission must be** in the manner
 14 prescribed by the department.

15 SECTION 27. IC 36-6-9-11, AS ADDED BY P.L.129-2019,
 16 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2026]: Sec. 11. ~~A~~ **The plan adopted in the immediately**
 18 **preceding calendar year** shall be considered by the county fiscal body
 19 in reviewing the township budget under IC 6-1.1-17-3.6.

20 SECTION 28. IC 36-6-9-12, AS ADDED BY P.L.173-2025,
 21 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2026]: Sec. 12. (a) Beginning ~~July 1, 2025~~, **January 1, 2028**,
 23 a township must adopt a plan on an annual basis. The township must
 24 file the plan with the department of local government finance in the
 25 form and manner prescribed by the department of local government
 26 finance.

27 (b) A plan must include:

28 (1) the balance of all unrestricted funds that exceed the township's
 29 budget for the following year; and

30 (2) the purpose for which all unrestricted funds are being retained.

31 SECTION 28. IC 36-9-42.2-4.5, AS AMENDED BY P.L.173-2025,
 32 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2026]: Sec. 4.5. As used in this chapter, "transportation asset
 34 management plan" has the meaning set forth in ~~IC 8-23-30-1(e)~~.
 35 **IC 8-23-30-1(f).**"

36 Renumber all SECTIONS consecutively.

(Reference is to SB 179 as reprinted January 27, 2026.)