

PRINTING CODE. Deletions appear in <this style type>. Insertions appear in [this style type]. Typeface changes are shown in <this > < style > < type > or in [this] [style] [type].

SENATE BILL No. 179

Proposed Changes to January 27, 2026 printing by AM017912

DIGEST OF PROPOSED AMENDMENT

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.

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

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

- 1 SECTION 1. IC 5-30-2-3 IS ADDED TO THE INDIANA CODE
- 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2023 (RETROACTIVE)]: Sec. 3. A contract may not be awarded
- 4 under this article to a progressive design-builder (as defined in
- 5 IC 8-23-9.5-10).
- 6 SECTION 2. IC 6-3.5-4-2, AS AMENDED BY P.L.173-2025,
- 7 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 UPON PASSAGE]: Sec. 2. (a) An adopting entity of any county may,
- 9 subject to the limitation imposed by subsection (e), adopt an ordinance
- 10 to impose a county vehicle excise tax in accordance with this chapter
- 11 on each vehicle that is subject to the vehicle excise tax under IC 6-6-5
- 12 and that is registered in the county. However, a county may not after

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

1 December 31, 2026, impose a county vehicle excise tax on a vehicle
 2 that is registered in an adopting municipality (as defined in
 3 IC 6-3.5-10-1) in which a municipal vehicle excise tax is in effect.

4 (b) If a county does not use a transportation asset management
 5 plan approved by the Indiana department of transportation, the
 6 adopting entity of the county may impose the surtax either:

7 (1) at a rate of not less than two percent (2%) nor more than ten
 8 percent (10%); or

9 (2) at a specific amount of at least seven dollars and fifty cents
 10 (\$7.50) and not more than twenty-five dollars (\$25).

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

14 (c) Except as provided in subsection (i), if a county uses a
 15 transportation asset management plan approved by the Indiana
 16 department of transportation, the adopting entity of the county may
 17 impose the surtax either:

18 (1) at a rate of at least two percent (2%) and not more than
 19 twenty percent (20%); or

20 (2) at a specific amount of at least seven dollars and fifty cents
 21 (\$7.50) and not more than fifty dollars (\$50).

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

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

28 (1) Impose the county vehicle excise tax at the same rate or
 29 amount on each vehicle that is subject to the tax.

30 (2) Impose the county vehicle excise tax on vehicles subject to
 31 the tax at one (1) or more different rates based on the class of
 32 vehicle listed in IC 6-6-5-2(a).

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

36 (f) Notwithstanding any other provision of this chapter or
 37 IC 6-3.5-5, ordinances adopted by a county council before June 1,
 38 2013, to impose or change the county vehicle excise tax and the annual
 39 wheel tax in the county remain in effect until the ordinances are
 40 amended or repealed under this chapter or IC 6-3.5-5.

41 (g) Except as provided under section 7.5 of this chapter (before its
 42 expiration on December 31, 2023) and subject to subsection (h), a

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

1 county vehicle excise tax imposed by this chapter for a vehicle is due
 2 and shall be paid each year at the time the vehicle is registered.

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

6 (1) registration year immediately preceding the current
 7 registration year;

8 (2) current registration year; and

9 (3) registration year immediately following the current
 10 registration year.

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

15 (1) at a rate of at least two percent (2%) and not more than
 16 twenty percent (20%); or

17 (2) at a specific amount of at least seven dollars and fifty cents
 18 (\$7.50) and not more than one hundred fifty dollars (\$150).

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

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

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

26 **(2) for a distribution made in a subsequent year, September**
 27 **1 of the prior calendar year.**

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

42 **(b) If an adopting entity received a distribution under**

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

1 IC 8-23-30-2(k) in the prior calendar year, the adopting entity must
 2 provide a copy of the adopted ordinance to the bureau of motor
 3 vehicles not later than May 1 of the subsequent year.

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

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

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

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

20 (c) An adopting entity must provide the bureau of motor
 21 vehicles with an ordinance adopted under this section not later
 22 than:

23 (1) for an ordinance adopted before May 1, 2026, not later
 24 than May 1, 2026; and

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

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

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

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

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

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

1 (2) for a distribution made in a subsequent year, September
 2 1 of the prior calendar year.

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

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

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

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

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

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

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

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

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

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

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

1 vehicle that:

2 (1) is included in one (1) of the classes of vehicles listed in
 3 section 3 of this chapter;

4 (2) is not exempt from the wheel tax under section 4 of this
 5 chapter; and

6 (3) is registered in the county.

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

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

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

22 (1) may not be less than five dollars (\$5) and may not exceed
 23 forty dollars (\$40), if the county does not use a transportation
 24 asset management plan approved by the Indiana department of
 25 transportation; or

26 (2) may not be less than five dollars (\$5) and may not exceed
 27 eighty dollars (\$80), if the county uses a transportation asset
 28 management plan approved by the Indiana department of
 29 transportation.

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

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

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

38 (1) registration year immediately preceding the current
 39 registration year;

40 (2) current registration year; and

41 (3) registration year immediately following the current
 42 registration year.

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

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

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

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

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

34 (1) the population of a city or town that is an adopting
 35 municipality in which a municipal wheel tax is in effect is
 36 considered to be zero (0);

37 (2) the street mileage 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) miles; and

40 (3) the allocation to a city or town that is an adopting
 41 municipality in which a municipal wheel tax is in effect is
 42 zero dollars (\$0).

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

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

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

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

10 (2) as a contribution to an authority established under
11 IC 36-7-23; or

12 (3) for the county's, city's, or town's contribution to obtain a grant
13 from the local road and bridge matching grant fund under
14 IC 8-23-30.

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

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

41 (c) This subsection applies to a county containing a consolidated
42 city. For funds distributed to a county from the motor vehicle highway

M
a
r
k
u
p

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 account, the county shall use at least sixty-five percent (65%) of the
2 money for the construction, reconstruction, and preservation of the
3 county's highways.

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

8 SECTION 11. IC 8-14-2-4, AS AMENDED BY P.L.9-2024,
9 SECTION 292, IS AMENDED TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The state comptroller shall
11 establish a special account to be called the "local road and street
12 account" and credit this account monthly with thirty-seven percent
13 (37%) of the money deposited in the highway, road and street fund.

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

19 (c) After distributing E85 incentive payments required under
20 section 8 of this chapter, the state comptroller shall allocate to each
21 county the remaining money in this account on the basis of the ratio of
22 each county's passenger car registrations to the total passenger car
23 registrations of the state. The state comptroller shall further determine
24 the suballocation between the county and the cities within the county
25 as follows:

26 (1) In counties having a population of more than fifty thousand
27 (50,000), sixty percent (60%) of the money shall be distributed
28 on the basis of the population of the city or town as a percentage
29 of the total population of the county and forty percent (40%)
30 distributed on the basis of the ratio of city and town street
31 mileage to county road mileage.

32 (2) In counties having a population of fifty thousand (50,000) or
33 less, twenty percent (20%) of the money shall be distributed on
34 the basis of the population of the city or town as a percentage of
35 the total population of the county and eighty percent (80%)
36 distributed on the basis of the ratio of city and town street
37 mileage to county road mileage.

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

M
a
r
k
u
p



1 (4) Money allocated under the provisions of this section to
2 counties containing a consolidated city shall be credited or
3 allocated to the department of transportation of the consolidated
4 city.

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

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

12 SECTION 12.] IC 8-23-2-6.1 IS ADDED TO THE INDIANA
13 CODE AS A NEW SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2026]: Sec. 6.1. (a) The department may
15 assume the responsibilities of the United States Department of
16 Transportation with respect to the United States Department of
17 Transportation's duties under the federal National Environmental
18 Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other federal
19 environmental laws. The department may:

20 (1) assume responsibility under 23 U.S.C. 326 and 23 U.S.C.
21 327; and

22 (2) enter into one (1) or more agreements, including
23 memoranda of understanding, with the United States
24 Department of Transportation related to:

25 (A) designating categorical exclusions from federally
26 required environmental assessments or impact
27 statements for highway projects, as provided in 23
28 U.S.C. 326; and

29 (B) the federal surface transportation project delivery
30 program for the delivery of transportation projects,
31 including highway, railroad, public transportation, and
32 multimodal projects, as provided in 23 U.S.C. 327.

33 (b) Except as provided in subsection (c), the department
34 waives its immunity from civil liability, including immunity from
35 suit in federal court, and consents to the jurisdiction of the federal
36 courts over its civil liability with regard to the compliance,
37 discharge, or enforcement of the responsibilities assumed by the
38 department under subsection (a).

39 (c) Subsection (b) applies only to those actions that are
40 authorized under subsection (a) and does not create liability for the
41 department that exceeds the liability created under 23 U.S.C. 326
42 and 23 U.S.C. 327.

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

1 (d) The department may adopt rules under IC 4-22-2 to
2 implement this section. The department may adopt the relevant
3 federal environmental standards as the standards for a program
4 described in subsection (a)(2).

5 SECTION ~~13~~ [13]. ~~IC 8-23-2-12.7~~ [IC 8-23-9.5-0.1] IS
6 ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ
7 AS FOLLOWS [EFFECTIVE JULY 1, ~~2026~~: ~~Sec. 12.7~~] [2023
8 (RETROACTIVE)]: Sec. 0.1. It is the intent of the general assembly
9 that this chapter applies only to a contract for the delivery of a
10 project of the department. This chapter does not apply to a
11 contract for the delivery of a project of a public agency (as defined
12 in IC 5-30-1-11).

13 SECTION 14. IC 8-23-9.5-18, AS ADDED BY P.L.60-2023,
14 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2026]: Sec. 18. (a) Upon approval of the final scoring of the
16 CMGCs or the PDBs by the commissioner, the department shall enter
17 into negotiations with the CMGC or PDB with the highest score as
18 determined under section 17 of this chapter for a contract.

19 (b) If the department is unable to negotiate a contract with the
20 person with the highest score for an amount of compensation that the
21 department and the person determine to be fair and reasonable, the
22 department shall terminate negotiations with that person. The
23 department or its authorized representative may then undertake
24 negotiations with the person with the next highest score and continue
25 in this manner until an agreement is reached or until a determination
26 is made by the department to reject all proposals submitted under this
27 chapter.

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

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

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

42 (1) The federal Surface Transportation Block Grant Program (23

M
a
r
k
u
p



1 U.S.C. 133).
2 (2) The United States Fish and Wildlife Service.
3 SECTION 16. IC 8-23-30-1, AS AMENDED BY P.L.173-2025,
4 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2026]: Sec. 1]. (a) As used in this ~~section, "construction~~
6 ~~engineering inspection services" means services performed during the~~
7 ~~construction of a project to ensure the project is built in accordance~~
8 ~~with the plans and specifications for the project. The term does not~~
9 ~~include the design or engineering of a project.~~
10 —>[chapter, "eligible project" means either of the following:
11 (1) A project:
12 (A) that is undertaken by a local unit;
13 (B) that repairs or increases the capacity of local roads and
14 bridges; and
15 (C) that is part of the local unit's transportation asset
16 management plan.
17 (2) A project that:
18 (A) is undertaken by a local unit; and
19 (B) reduces the risk to human life from low water crossings.
20 **](b) As used in this ~~section, "contractor" means a person who~~**
21 **~~provides construction engineering inspection services for a project~~**
22 **~~under a contract with the department.~~**
23 —(c)>[chapter, "enhanced asset management plan" refers to a
24 data driven asset management plan adopted by a local unit that:
25 (1) is designed to maximize the lifecycle performance and
26 cost effective management of the entire network of
27 transportation assets for which the local unit is responsible;
28 (2) inventories all streets or road segments within the local
29 unit's transportation network, including sufficient detail to
30 support network-level and segment-level analysis;
31 (3) includes objective, repeatable condition assessments for
32 each street or road segment using the Pavement Surface
33 Evaluation and Rating (PASER) system or another
34 pavement condition rating methodology approved by the
35 department;
36 (4) incorporates measures of roadway deterioration,
37 roughness, surface distress, or other physical characteristics
38 approved by the department relevant to pavement
39 performance and remaining service life;
40 (5) concatenates geospatial data with the asset condition or
41 rating data of each street or segment;
42 (6) is used by the local unit to prioritize maintenance,

M
a
r
k
u
p

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 preservation, rehabilitation, and reconstruction activities in
 2 a manner intended to extend asset service life and minimize
 3 long term lifecycle costs across the entire transportation
 4 network;
 5 (7) is updated at intervals established by the department to
 6 ensure the ongoing accuracy and usefulness of the data for
 7 lifecycle management purposes, but not less than once every
 8 year; and
 9 (8) makes the concatenated geospatial data and asset
 10 condition or rating data available for access and display on
 11 both the local unit's website, and the website maintained by
 12 the local technical assistance program.

13 ~~(b) (c)~~ As used in this ~~section, "third party" means a person who is~~
 14 ~~not an employee of a contractor.~~

15 ~~— (d) A contractor is not civilly or criminally liable for a claim made~~
 16 ~~by a third party concerning:~~

- 17 ~~— (1) death or bodily injury;~~
- 18 ~~— (2) property damage;~~
- 19 ~~— (3) design defects; or~~
- 20 ~~— (4) any other loss, damage, or expense;~~

21 ~~arising from a motor vehicle accident that occurs within a worksite (as~~
 22 ~~defined in IC 9-13-2-200) of a project for which the contractor~~
 23 ~~provided construction engineering inspection services.~~

24 ~~— SECTION 3>~~ [chapter, "fund" refers to the local road and bridge
 25 matching grant fund established by section 2 of this chapter.

26 ~~(e) (d)~~ As used in this chapter, "local unit" means a county or
 27 municipality.

28 ~~(d) (e)~~ As used in this chapter, "low water crossing" means a
 29 public road waterway crossing:

- 30 (1) other than a bridge where construction improvements have
 31 been made in the stream, river, or lake bed to provide a firm
 32 surface for vehicles to travel across the water course; and
 33 (2) that is designed and constructed to be passable to traffic most
 34 of the year during periods of ordinary stream flow but is
 35 impassable to traffic during periods of high water.

36 ~~(e) (f)~~ As used in this chapter, "transportation asset management
 37 plan" includes planning for drainage systems and rights-of-way that
 38 affect transportation assets.

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

- 41 (1) IC 6-3.5-5, in the case of a county; and
- 42 (2) IC 6-3.5-11, in the case of a municipality.

M
a
r
k
u
p



1 SECTION 17. IC 8-23-30-2, AS AMENDED BY P.L.173-2025,
2 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 2. (a) The local road and bridge matching
4 grant fund is established to provide matching grants to local units for
5 eligible projects.

6 (b) The department shall administer the fund.

7 (c) The fund consists of the following:

8 (1) Appropriations by the general assembly.

9 (2) Interest deposited in the fund under subsection (d).

10 (3) Money deposited in or transferred to the fund from any other
11 source.

12 (d) The treasurer of state shall invest money in the fund not
13 currently needed to meet the obligations of the fund in the same
14 manner as other public money may be invested. Interest that accrues
15 from these investments shall be deposited in the fund.

16 (e) Money in the fund at the end of a state fiscal year does not
17 revert to the state general fund.

18 (f) Not later than June 1, 2025, the department shall report to the
19 state comptroller the amount of matching grants awarded by the
20 department from the fund in the state fiscal year beginning July 1,
21 2024, and ending June 30, 2025, that the department will not distribute
22 before July 1, 2025.

23 (g) The state comptroller shall determine the balance of the money
24 in the fund on June 15, 2025, and on June 15 of each year thereafter.
25 After determining the balance of money in the fund under this
26 subsection, the money in the fund must be allocated in accordance with
27 subsection (h), transferred in accordance with subsections (i) and (j),
28 and distributed in accordance with subsection (k).

29 (h) After determining the balance of the money in the fund under
30 subsection (g), the money in the fund must first be allocated as follows:

31 (1) On June 30, 2025, the department must allocate the total of
32 the amount determined under subsection (f) plus one hundred
33 million dollars (\$100,000,000) of money in the fund to make
34 matching grants in the state fiscal year beginning July 1, 2025,
35 and ending June 30, 2026, to all local units. The department may
36 not award more than ~~one hundred million dollars (\$100,000,000)~~
37 **one hundred seventy-five million dollars (\$175,000,000)** of
38 matching grants in the state fiscal year beginning July 1, 2025,
39 and ending June 30, 2026. **The department may not award a**
40 **local unit more than one (1) matching grant in the state fiscal**
41 **year beginning July 1, 2025, and ending June 30, 2026.**

42 (2) On June 30, 2026, and June 30 of each year thereafter, the

M
a
r
k
u
p



- 1 department must allocate the first one hundred million dollars
- 2 (\$100,000,000) of money in the fund to make matching grants in
- 3 the next state fiscal year to all local units.
- 4 (i) After the department allocates the money in the fund under
- 5 subsection (h), the state comptroller shall make the following five (5)
- 6 transfers:
- 7 (1) On June 30, 2026, a transfer of:
- 8 (A) to the state general fund, the total amount of the state
- 9 tax credits certified for 2025 by the department of state
- 10 revenue under IC 6-3.1-38.1-8(c); and
- 11 (B) to the department, an amount equal to twenty million
- 12 dollars (\$20,000,000) minus the amount under clause (A)
- 13 for deposit in the state highway road construction and
- 14 improvement fund established under IC 8-14-10 for the
- 15 department's use in financing a railroad crossing upgrade
- 16 project as described in IC 8-14.5-8.
- 17 (2) On June 30, 2027, a transfer of:
- 18 (A) to the state general fund, the total amount of the state
- 19 tax credits certified for 2026 by the department of state
- 20 revenue under IC 6-3.1-38.1-8(c); and
- 21 (B) to the department, an amount equal to twenty million
- 22 dollars (\$20,000,000) minus the amount under clause (A)
- 23 for deposit in the state highway road construction and
- 24 improvement fund established under IC 8-14-10 for the
- 25 department's use in financing a railroad crossing upgrade
- 26 project as described in IC 8-14.5-8.
- 27 (3) On June 30, 2028, a transfer of:
- 28 (A) to the state general fund, the total amount of the state
- 29 tax credits certified for 2027 by the department of state
- 30 revenue under IC 6-3.1-38.1-8(c); and
- 31 (B) to the department, an amount equal to twenty million
- 32 dollars (\$20,000,000) minus the amount under clause (A)
- 33 for deposit in the state highway road construction and
- 34 improvement fund established under IC 8-14-10 for the
- 35 department's use in financing a railroad crossing upgrade
- 36 project as described in IC 8-14.5-8.
- 37 (4) On June 30, 2029, a transfer of twenty million dollars
- 38 (\$20,000,000) to the department for deposit in the state highway
- 39 road construction and improvement fund established under
- 40 IC 8-14-10 for the department's use in financing a railroad
- 41 crossing upgrade project as described in IC 8-14.5-8.
- 42 (5) On June 30, 2030, a transfer of twenty million dollars

M
a
r
k
u
p



1 (\$20,000,000) to the department for deposit in the state highway
2 road construction and improvement fund established under
3 IC 8-14-10 for the department's use in financing a railroad
4 crossing upgrade project as described in IC 8-14.5-8.

5 (j) Beginning on June 30, 2027, and on June 30 of each year
6 thereafter, [until the consolidated city is no longer able to match the
7 distribution as required under this subsection,] after the department
8 allocates the money under subsection (h) and the state comptroller
9 makes a transfer under subsection (i), when applicable, the state
10 comptroller shall transfer fifty million dollars (\$50,000,000) of money
11 in the fund to the consolidated city in Marion County for the
12 construction, reconstruction, and preservation of the consolidated city's
13 local streets (as defined in IC 8-14-2-1(9)). The consolidated city in
14 Marion County shall not use these revenues for:

- 15 (1) reducing the capacity of existing roads and streets;
- 16 (2) greenways;
- 17 (3) bike lanes;
- 18 (4) bike trails; and
- 19 (5) sidewalks.

20 One hundred percent (100%) of the money distributed to the
21 consolidated city under this subsection shall be matched with an
22 appropriation by the consolidated city. The appropriation required
23 under this subsection must be new revenue [each year] and may not
24 include revenue allocated to public safety purposes under IC 6-3.6-6[
25 or revenue that was previously used for a match under this
26 subsection].]

27 (k) ~~Beginning~~ On June 30, ~~2027,~~ **2026, after the state**
28 **comptroller makes a transfer under subsection (i),** and on June 30
29 of each year thereafter, after the state comptroller makes a transfer
30 under subsection (j), the state comptroller shall distribute the remainder
31 of the money in the fund, as follows:

- 32 (1) To be eligible to receive a distribution under this subsection,
33 a local unit must have:
 - 34 (A) adopted a wheel tax [and vehicle excise tax]; and
 - 35 (B) provided the local technical assistance program at
36 Purdue University with an updated transportation asset
37 management plan within the last twelve (12) months.
- 38 (2) The distribution to a local unit eligible to receive a
39 distribution under subdivision (1) must be proportional to the
40 local unit's share of the total lane mileage for all local units
41 eligible to receive a distribution under subdivision (1). The
42 department shall provide to the state comptroller the total lane

M
a
r
k
u
p



1 mileage for purposes of making the distribution under this
2 subsection.

3 A local unit may use a distribution made under this subsection only for
4 eligible projects. [A local unit that is eligible for a distribution
5 under this subsection may receive a matching grant under this
6 chapter, subject to the limits provided in section 3.5 of this
7 chapter.]

8 (l) Money in the fund is continuously appropriated for the purpose
9 of the fund.

10 (m) Money in the fund may not be transferred, assigned, or
11 otherwise removed from the fund by the state board of finance, the
12 budget agency, or any other agency until after budget committee
13 review, except for either or both of the following purposes:

14 (1) The department may distribute funds to a local unit that has
15 been approved for a grant under this chapter without budget
16 committee review.

17 (2) To transfer money in the fund under subsections (i) and (j)
18 and to make a distribution under subsection (k) without budget
19 committee review.

20 SECTION ~~<4>~~[18]. IC 8-23-30-3.5, AS ADDED BY
21 P.L.173-2025, SECTION 29, IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3.5. In each state
23 fiscal year beginning after June 30, ~~2027~~, **2026**, a local unit that
24 receives a distribution under section 2(k) of this chapter may ~~[not]~~
25 ~~[apply <for a grant under>]~~ [be eligible for a grant from the local road
26 and bridge matching grant fund described in under] section 2(h) of
27 this chapter ~~<in an amount that is greater than the maximum grant~~
28 ~~amount>].~~ The grant distribution amount may not exceed the
29 maximum amount in an amount that is greater than the maximum
30 grant amount] set under section 8 of this chapter minus the amount the
31 local unit received from a distribution under section 2(k) of this
32 chapter. [A distribution made under section 2(k) of this chapter
33 may limit the total amount a local unit is eligible to receive from
34 the local road and bridge grant matching grant under section 2(h)
35 of this chapter only for the calendar year in which the funds are
36 received.

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

M
a
r
k
u
p



1 region in which the local unit is located.

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

6 SECTION ~~5~~ [20]. IC 8-23-30-6, AS AMENDED BY
7 P.L.173-2025, SECTION 31, IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. If the department
9 approves a grant to a local unit under this chapter, the required local
10 matching amount by the local unit is equal to the following applicable
11 percentage of the total cost of the eligible project:

- 12 (1) For a county applicant, the following:
 - 13 (A) Fifty percent (50%), if the county has a population
 - 14 greater than or equal to fifty-five thousand (55,000).
 - 15 (B) Twenty percent (20%), if the county has a population of
 - 16 less than fifty-five thousand (55,000).
- 17 (2) For a city or town applicant, the following:
 - 18 (A) Fifty percent (50%), if the city or town has a population
 - 19 greater than or equal to ~~ten thousand (10,000):~~ **twelve**
 - 20 **thousand five hundred (12,500).**
 - 21 (B) Twenty percent (20%), if the city or town has a
 - 22 population of less than ~~ten thousand (10,000):~~ **twelve**
 - 23 **thousand five hundred (12,500).**

24 SECTION ~~6~~ [21]. IC 9-20-4-1, AS AMENDED BY
25 P.L.198-2016, SECTION 339, IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Except as
27 provided in subsections (b) and (c), a person may not operate or cause
28 to be operated upon a highway a vehicle or combination of vehicles
29 having weight in excess of one (1) or more of the following limitations:

- 30 (1) The total gross weight, with load, in pounds of any vehicle or
- 31 combination of vehicles may not exceed an overall gross weight
- 32 on a group of two (2) or more consecutive axles produced by
- 33 application of the following formula:

34
$$W = 500 \{ [(LN) \div (N-1)] + 12N + 36 \}$$

35 where W equals the overall gross weight on any group of two (2)
36 or more consecutive axles to the nearest five hundred (500)
37 pounds, L equals the distance in feet between the extreme of any
38 group of two (2) or more consecutive axles, and N equals the
39 number of axles in the group under consideration, except that
40 two (2) consecutive sets of tandem axles may carry a gross load
41 of thirty-four thousand (34,000) pounds each, providing the
42 overall distance between the first and last axles of the

M
a
r
k
u
p



- 1 consecutive sets of tandem axles is thirty-six (36) feet or more.
- 2 The overall gross weight limit, calculated under this subdivision,
- 3 may not exceed eighty thousand (80,000) pounds.
- 4 (2) The weight concentrated on the roadway surface from any
- 5 tandem axle group may not exceed the following:
- 6 (A) Thirty-four thousand (34,000) pounds total weight.
- 7 (B) Twenty thousand (20,000) pounds on an individual axle
- 8 in a tandem group.
- 9 (3) A vehicle may not have a maximum wheel weight, unladen
- 10 or with load, in excess of eight hundred (800) pounds per inch
- 11 width of tire, measured between the flanges of the rim or an axle
- 12 weight in excess of twenty thousand (20,000) pounds.
- 13 (b) The enforcement of weight limits under this section is subject
- 14 to the following:
- 15 (1) It is lawful to operate within the scope of a permit, under
- 16 weight limitations established by the Indiana department of
- 17 transportation and in effect on July 1, 1956, as provided in
- 18 IC 9-20-6.
- 19 (2) It is lawful to operate or cause to be operated a vehicle or
- 20 combination of vehicles on a heavy duty highway or an extra
- 21 heavy duty highway designated by the Indiana department of
- 22 transportation if operated within the imposed limitations.
- 23 (3) Subsection (a) does not apply to any highway, road, street, or
- 24 bridge for which a lesser weight limit is imposed by local
- 25 authorities under IC 9-20-1-3 or IC 9-20-7-2. However, the local
- 26 authority may by appropriate action establish and designate a
- 27 county or city highway, road, or street or part of a highway, road,
- 28 or street as a heavy duty highway subject to the weight
- 29 limitations established under IC 9-20-5.
- 30 (4) Vehicles operated on toll road facilities are subject to rules
- 31 of weight adopted for toll road facilities by the Indiana
- 32 department of transportation under IC 8-15-2 and are not subject
- 33 to subsection (a) when operated on a toll road facility.
- 34 (5) For purposes of a heavy duty vehicle that is equipped with an
- 35 auxiliary power unit, the weight limitations provided in
- 36 subsection (a) are increased by four hundred (400) pounds.
- 37 (6) For purposes of a vehicle that uses natural gas as a motor fuel
- 38 **or is powered primarily by means of electric battery power,**
- 39 the weight limitations provided in subsection (a) are increased
- 40 by two thousand (2,000) pounds.
- 41 (c) The greater of the weight limits imposed under subsection (a)
- 42 or this subsection applies to vehicles operated upon a highway. The

M
a
r
k
u
p

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 weight limits in effect on January 4, 1975, for any highway that is not
2 designated as a heavy duty highway under IC 9-20-5 are the following:

3 (1) The total gross weight, with load, in pounds of a vehicle or
4 combination of vehicles may not exceed seventy-three thousand
5 two hundred eighty (73,280) pounds.

6 (2) The total weight concentrated on the roadway surface from
7 a tandem axle group may not exceed sixteen thousand (16,000)
8 pounds for each axle of a tandem assembly.

9 (3) A vehicle may not have a maximum wheel weight, unladen
10 or with load, in excess of eight hundred (800) pounds per inch
11 width of tire, measured between the flanges of the rim, or an axle
12 weight greater than eighteen thousand (18,000) pounds.

13 (d) For purposes of this section, "auxiliary power unit" means an
14 integrated system that:

15 (1) provides heat, air conditioning, engine warming, or
16 electricity to components on a heavy duty vehicle; and

17 (2) is certified by the administrator of the United States
18 Environmental Protection Agency under 40 CFR 89 as meeting
19 applicable emission standards.

20 (e) For purposes of this section, "heavy duty vehicle" means a
21 vehicle that:

22 (1) has a gross vehicle weight rating greater than eight thousand
23 five hundred (8,500) pounds; and

24 (2) is powered by a diesel engine.

25 SECTION ~~290~~[22]. IC 9-20-6-2, AS AMENDED BY
26 P.L.182-2009(ss), SECTION 290, IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The Indiana
28 department of transportation or local authority that:

29 (1) has jurisdiction over a highway or street; and

30 (2) is responsible for the repair and maintenance of the highway
31 or street;

32 may, upon proper application in writing and upon good cause shown,
33 grant a permit for transporting heavy vehicles and loads or other
34 objects not conforming to this article, including a vehicle transporting
35 an ocean going container, if the department or authority finds that other
36 traffic will not be seriously affected and the highway or bridge will not
37 be seriously damaged.

38 (b) The permit granted under subsection (a) must authorize the
39 operation of a tractor-semitrailer and load that:

40 (1) exceeds the maximum length limitation under this chapter;
41 and

42 (2) is subject to regulation under this chapter;

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

1 from one-half (1/2) hour before sunrise to one-half (1/2) hour after
2 sunset.

- 3 (c) A permit may be issued under this section for the following:
- 4 (1) A single trip. **A permit issued under this subdivision is**
- 5 **valid for five (5) days from the date it is issued. [However, if**
- 6 **a tractor-semitrailer and load require a law enforcement**
- 7 **escort, a permit issued under this subdivision is valid for ten**
- 8 **(10) days from the date it is issued.]**(2) A definite time not
- 9 exceeding thirty (30) days.
- 10 (3) A ninety (90) day period.
- 11 (4) A one (1) year period.

12 (d) This subsection applies to the transportation of ocean going
13 containers that:

- 14 (1) have been sealed at the place of origin and have not been
- 15 opened except by an agent of the federal government that may
- 16 inspect the contents; and
- 17 (2) are being transported to or from a distribution facility.

18 The total gross weight, with load of a vehicle or combination of
19 vehicles transporting an ocean going container may not exceed
20 ninety-five thousand (95,000) pounds. A permit issued under this
21 section must be issued on an annual basis. A permit issued under this
22 subsection may not impose a limit on the number of movements
23 generated by the applicant or operator of a vehicle granted a permit
24 under this subsection.

25 [SECTION 23. IC 9-20-9-1, AS AMENDED BY P.L.227-2025,

26 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

27 JULY 1, 2026]: Sec. 1. (a) As used in this section, "drive away or tow

28 away" means the delivery service performed by a transport operator by

29 which motor vehicles in transit are delivered by driving singly or in

30 combination by the towbar, saddlemount, or fullmount methods or any

31 lawful combination of those methods, including coupling equipment or

32 where a truck or tractor draws or tows a semitrailer or trailer in transit.

33 (b) A combination of two (2) vehicles coupled together, including

34 load, may not exceed a total length of sixty (60) feet, except for the

35 following:

- 36 (1) A combination of two (2) vehicles coupled together that are
- 37 especially constructed to transport other vehicles or boats. This
- 38 exception includes any combination of a truck, tractor,
- 39 semitrailer, and trailer if the combination is used exclusively or
- 40 primarily in connection with motorsports.
- 41 (2) A combination of two (2) vehicles coupled together being
- 42 transported in a drive away or tow away service.

M
a
r
k
u
p



1 (3) A pole trailer owned by or operated for a public utility (as
 2 defined in IC 8-1-2-1), while the pole trailer is being used in
 3 connection with the utility services of the public utility.
 4 (4) Trailers used in transporting oil field equipment or pipe for
 5 the transmission of oil or gas.
 6 (5) Construction vehicles with a towbar connection used in
 7 connection with a trailer used to haul heavy equipment **or**
 8 **construction materials.**
 9 SECTION 24. IC 9-28-4-6, AS AMENDED BY P.L.42-2007,
 10 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2026]: Sec. 6. (a) The department of state revenue, on behalf
 12 of the state, may enter into reciprocal agreements providing for the
 13 registration of vehicles on an apportionment or allocation basis with the
 14 proper authority of any state, any commonwealth, the District of
 15 Columbia, a state or province of a foreign country, or a territory or
 16 possession of either the United States or of a foreign country.
 17 (b) To implement this chapter, the state may enter into and become
 18 a member of the International Registration Plan or other designation
 19 that may be given to a reciprocity plan developed by the American
 20 Association of Motor Vehicle Administrators.
 21 (c) The department of state revenue may adopt rules under
 22 IC 4-22-2 to carry out and enforce the provisions of the International
 23 Registration Plan or any other agreement entered into under this
 24 chapter.
 25 (d) If the state enters into the International Registration Plan or
 26 into any other agreement under this chapter, and if the provisions set
 27 forth in the plan or other agreements are different from provisions
 28 prescribed by law, then the agreement provisions prevail.
 29 (e) All payments for the renewal of a fleet of vehicles previously
 30 registered under the International Registration Plan are due on or
 31 before the **fifteenth last** day of the last month of the registration period
 32 preceding the period being renewed.
 33 (f) All payments for billings, other than renewal, issued under the
 34 International Registration Plan are due within fifteen (15) days after the
 35 mailing date on the billing unless stated otherwise.
 36 (g) This chapter constitutes complete authority for the registration
 37 of vehicles, including the registration of fleet vehicles, upon an
 38 apportionment or allocation basis without reference to or application
 39 of any other Indiana law.
 40 (h) A person who fails to comply with subsections (e) and (f) is
 41 subject to the penalties and interest imposed under IC 6-8.1-10.
 42] SECTION ~~25~~ [25]. IC 32-19.5 IS ADDED TO THE INDIANA

M
a
r
k
u
p

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 CODE AS A NEW ARTICLE TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2026]:

3 **ARTICLE 19.5. DESCRIBING REAL PROPERTY;**
4 **INDIANA PLANE COORDINATE SYSTEM**

5 **Chapter 1. Applicability and Definitions**

6 **Sec. 1. Nothing in this article prohibits a person from using:**

- 7 (1) the most recent or a prior version of the SPCS established
8 by the NGS; or
9 (2) the Indiana Coordinate System of 1983, as provided in
10 IC 32-19;

11 to state the geographic positions or locations of points above, on, or
12 below the surface of the earth within Indiana.

13 **Sec. 2. As used in this article, "INPCS" means the Indiana**
14 **Plane Coordinate System, as described in IC 32-19.5-2-1.**

15 **Sec. 3. As used in this article, "LDP" means low distortion**
16 **map projections and refers to a zone yielding minimized**
17 **differences between ground-measured horizontal distances and the**
18 **corresponding grid coordinate distances.**

19 **Sec. 4. As used in this article, "NGS" means the National**
20 **Geodetic Survey or its successors.**

21 **Sec. 5. As used in this article, "NSRS" means the National**
22 **Spatial Reference System or its successors.**

23 **Sec. 6. As used in this article, "SPCS" means the State Plane**
24 **Coordinate System or its successors.**

25 **Sec. 7. As used in this article, "zone" means the area**
26 **constituted in Indiana to be portrayed by a specified conformal**
27 **map projection and its defining parameters.**

28 **Chapter 2. Designation of the Indiana Plane Coordinate**
29 **System; Zones**

30 **Sec. 1. The most recent system of plane coordinates established**
31 **by the NGS, based on the NSRS, and known as the SPCS, for**
32 **defining and stating the geographic positions or locations of points**
33 **on the surface of earth within Indiana shall be known as the**
34 **"Indiana Plane Coordinate System".**

35 **Sec. 2. (a) For purposes of the use of the INPCS, ~~the state of~~**
36 **>Indiana is divided into a statewide zone layer and a multizone**
37 **layer.**

38 **(b) The statewide zone layer:**

- 39 (1) consists of a single zone, which is constituted by the total
40 area included in Indiana;
41 (2) should generally be used for applications such as:
42 (A) a statewide digital orthoimagery;

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

- 1 (B) a statewide geographic information system; and
 2 (C) emergency management and preparedness mapping;
 3 and
 4 (3) should generally not be used for applications such as:
 5 (A) original, retracement, or route surveys, as described
 6 in 865 IAC 1-12;
 7 (B) describing real property; and
 8 (C) the design and construction of large facilities or
 9 massive civil infrastructure such as manufacturing
 10 plants, bridges, and dams.
 11 (c) The multizone layer:
 12 (1) consists of multiple LDP zones that are constituted by the
 13 areas included in individual counties or specified groups of
 14 counties; and
 15 (2) should generally be used for applications such as:
 16 (A) original, retracement, or route surveys, as described
 17 in 865 IAC 1-12;
 18 (B) describing real property;
 19 (C) the design and construction of large facilities or
 20 massive civil infrastructure such as manufacturing
 21 plants, bridges, and dams; and
 22 (D) city or county geographic information systems.

23 Sec. 3. The use of the term "Indiana Plane Coordinate
 24 System" or ["INPCS"] on any map, report of survey, or other
 25 document must be limited to coordinates based on the INPCS as
 26 described in this article.

27 Chapter 3. Coordinates; Geodetic Control; Recording
 28 Requirements

29 Sec. 1. (a) The plane coordinates of a point to be used in
 30 expressing the geographic position or location of the point in the
 31 appropriate zone of the INPCS must consist of two (2) distances,
 32 expressed in feet and decimals of a foot or meters and decimals of
 33 a meter. When a value is expressed in feet, it must be expressed in
 34 international feet (1 foot = 0.3048 meters).

35 (b) The distance described in subsection (a) that gives the
 36 distance east of the Y axis is the "east or x-coordinate". The
 37 distance described in subsection (a) that gives the distance north of
 38 the X axis is the "north or y-coordinate".

39 (c) The Y axis of any zone must be parallel with the central
 40 median of that zone. The X axis of any zone must be at right angles
 41 to the central median of that zone.

42 Sec. 2. To locate the position of the coordinate systems on the

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

1 surface of the earth within Indiana, the position of the INPCS must
 2 be established by geodetic control points or positioning systems,
 3 such as the Continuously Operating Reference Stations (CORS)
 4 that are part of the National Oceanic and Atmospheric
 5 Administration CORS Network, or similar points and systems
 6 whose positions have been established from those points and
 7 systems.

8 **Sec. 3. Coordinates based on the Indiana coordinate system of**
 9 **1927 (as described in IC 32-19), the Indiana coordinate system of**
 10 **1983 (as described in IC 32-19), the INPCS, or any other**
 11 **coordinate system published by an agency of the federal**
 12 **government or the state, including the Indiana Geospatial**
 13 **Coordinate System, purporting to define the position of a point on**
 14 **a land boundary map may not be presented to be recorded in any**
 15 **public land records or deed records unless the recording document**
 16 **contains the following:**

- 17 (1) The method used to relate the coordinates to the NSRS.
 18 (2) The name and zone of the coordinate system, including
 19 the following metadata:
 20 (A) Reference frame or datum.
 21 (B) Datum realization.
 22 (C) Epoch.
 23 (D) Units.

24 **Sec. 4. The official geodetic datums to which geodetic**
 25 **coordinates are referenced within Indiana must be as defined for**
 26 **the NSRS.**

27 **Chapter 4. Descriptions of Land Using the Indiana Plane**
 28 **Coordinate System**

29 **Sec. 1. As established for use in any of the zones within the**
 30 **multizone layer, the INPCS:**

- 31 (1) must be named; and
 32 (2) in any land description in which it is used, must be
 33 designated by the official name promulgated by the National
 34 Oceanic and Atmospheric Administration's NGS.

35 **Sec. 2. When a tract of land to be defined by a single**
 36 **description extends from one (1) zone into other adjacent zones, the**
 37 **positions of all points on the boundaries of the tract being defined**
 38 **must be referred to by the zone that is specifically named in the**
 39 **description.**

40 **Sec. 3. (a) Descriptions of tracts of land by reference to the**
 41 **United States public land surveys, other original pertinent surveys,**
 42 **or subdivisions are recognized as the basic and prevailing method**

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

1 for describing such tracts.

2 (b) If coordinates of the INPCS are used to describe a tract of
3 land that, in the same document, is also described by reference to
4 any subdivision, line, or corner of the United States public land
5 surveys, other original pertinent surveys, or subdivisions:

6 (1) the description by coordinates must be construed as
7 supplemental to the basic description of the subdivision, line,
8 or corner contained in the official plats and field notes filed
9 of record; and

10 (2) in the event of any conflict, the description by reference
11 to the subdivision, line, or corner of the United States land
12 surveys, other original pertinent surveys, or subdivisions
13 prevails over the description by coordinates.

14 SECTION ~~<9>~~[26]. ~~<IC 34-30-2.1-87.2 IS ADDED TO THE~~
15 ~~INDIANA CODE>~~[IC 36-6-9-5,] AS ~~<A NEW~~
16 ~~SECTIONLS6725>~~[AMENDED BY P.L.173-2025, SECTION 36, IS
17 AMENDED] TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:
18 ~~<Sec. 87.2. IC 8-23-2-12.7 (Concerning contractors providing~~
19 ~~construction engineering inspection services to the Indiana~~
20 ~~department of transportation):~~

21 ~~—SECTION 10>~~[Sec. 5. (a) Before July 1, 2025; January 1, 2028,
22 this chapter applies to a township if the total amount of funds in a
23 township's capital improvement funds exceeds:

- 24 (1) one hundred fifty percent (150%) of the township's total
25 annual budget estimate prepared under IC 6-1.1-17-2 for the
26 ensuing year; and
- 27 (2) two hundred thousand dollars (\$200,000).

28 (b) After June 30, 2025; December 31, 2027, this chapter applies
29 to all townships, including those townships that have merged under
30 IC 36-6-1.5 or reorganized under IC 36-1.5.

31 SECTION 27. IC 36-6-9-7, AS AMENDED BY P.L.173-2025,
32 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2026]: Sec. 7. A township that meets the requirements of
34 section 5 of this chapter must:

- 35 (1) adopt a capital improvement plan not later than September
36 30 of each calendar year; and
- 37 (2) submit a copy of the adopted capital improvement plan to the
38 department of local government finance not later than five (5)
39 business days after a budget is adopted under
40 IC 6-1.1-17-5(a). The submission must be in the manner
41 prescribed by the department.

42 SECTION 28. IC 36-6-9-11, AS ADDED BY P.L.129-2019,

M
a
r
k
u
p



1 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2026]: Sec. 11. ~~A~~ **The plan adopted in the immediately**
3 **preceding calendar year** shall be considered by the county fiscal body
4 in reviewing the township budget under IC 6-1.1-17-3.6.

5 SECTION 29. IC 36-6-9-12, AS ADDED BY P.L.173-2025,
6 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2026]: Sec. 12. (a) ~~Beginning July 1, 2025;~~ **January 1, 2028,**
8 a township must adopt a plan on an annual basis. The township must
9 file the plan with the department of local government finance in the
10 form and manner prescribed by the department of local government
11 finance.

12 (b) A plan must include:
13 (1) the balance of all unrestricted funds that exceed the
14 township's budget for the following year; and
15 (2) the purpose for which all unrestricted funds are being
16 retained.

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

22 SECTION 31]. **An emergency is declared for this act.**

M
a
r
k
u
p

SB 179—LS 6725/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY