

BUREAU OF MOTOR VEHICLES

Sec. 7. (a) An individual who has successfully completed and paid for a bureau approved driver safety program shall be awarded a four (4) point credit that will be entered on the driver's driving summary.

(b) The four (4) point credit shall remain in effect for a three (3) year period; however, the four (4) point credit may only be credited to the driver once every three (3) years for successfully completing a bureau approved driver safety program. (Bureau of Motor Vehicles; 140 IAC 1-4.5-7; filed Nov 9, 1983, 3:41 p.m.: 7 IR 29; filed Sep 5, 1995, 12:00 p.m.: 19 IR 7; readopted filed Jul 30, 2001, 10:23 a.m.: 24 IR 4227; readopted filed Nov 14, 2007, 1:31 p.m.: 20071212-IR-140070562RFA; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA)

140 IAC 1-4.5-8 Unlicensed drivers

Authority: IC 9-14-2-2
Affected: IC 9-24-1

Sec. 8. Any person who operates a motor vehicle in violation of Indiana statutes or local ordinances shall receive the same points or sanctions, including suspension of the person's driving privileges, even if the person does not hold a valid driver's permit or license. (Bureau of Motor Vehicles; 140 IAC 1-4.5-8; filed Nov 9, 1983, 3:41 p.m.: 7 IR 29; readopted filed Jul 30, 2001, 10:23 a.m.: 24 IR 4227; readopted filed Nov 14, 2007, 1:31 p.m.: 20071212-IR-140070562RFA; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA)

140 IAC 1-4.5-9 Point value table (Repealed)

Sec. 9. (Repealed by Bureau of Motor Vehicles; filed Sep 5, 1995, 12:00 p.m.: 19 IR 15)

140 IAC 1-4.5-10 Point value table

Authority: IC 9-14-2-2
Affected: IC 7.1-5-7-7; IC 9-19; IC 9-21; IC 9-24; IC 9-25; IC 9-26-1; IC 9-30; IC 14-15; IC 35-42; IC 35-43-1-2; IC 35-44-3-3; IC 35-48-4

Sec. 10. (a) The bureau will periodically update the point value table, as needed, with the assistance of the point study committee. Points assessed in subsection (d), Table 1 shall be for:

- (1) violations of Indiana traffic statutes or local ordinances; or
- (2) out-of-state violations reported to the bureau from any state for which an equivalent offense exists in Indiana.
- (b) Requirements for recording conviction records shall be as follows:
 - (1) All records of traffic convictions received by the bureau from the court entering judgment or conviction shall be recorded based upon the Indiana Code cite.
 - (2) Leaving the scene of an accident under IC 9-26-1 shall be treated as an accident in excess of seven hundred fifty dollars (\$750) requiring a mandatory suspension unless the accident is specifically designated on the record of conviction as less than seven hundred fifty dollars (\$750).
 - (3) Suspensions, whether issued by the bureau or a court of competent jurisdiction, shall run concurrently unless the administrative hearing officer or court judge specifically designates that the suspensions run consecutively.
 - (4) Property damage or personal injury shall not be presumed to have occurred when assessing points for reckless driving violations unless such property damage or personal injury is specifically indicated on the record of conviction by the court.
 - (5) All equipment violations shall be imputed to the driver of the vehicle.

(c) Any traffic violation that is subject to statutory change shall retain the same point designation until the regulations are amended unless such traffic violation is entirely repealed by the statutory change whereby no points shall be assessed for that violation.

(d) Table 1, establishing the point value system, shall be as follows:

Table 1.
Point Value¹

Indiana Code Cross Reference	Description of Violation	Point Value ²
7.1-5-7-7	Possessing, consuming, or transporting alcohol while operating a motor	6 + MS
9-24-18-12	vehicle by an individual less than 21 years of age	

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9-19-3-1 et seq. (formerly 9-8-6-32, 9-8-6-33, 9-8-6-34)	Equipment violation with respect to brakes	4
9-19-4-1 et seq. (formerly 9-8-6-37.5)	Bumper violation	2
9-19-5-6 (formerly 9-8-6-41)	Failure of commercial vehicle to carry required emergency equipment	2
9-19-6-1 et seq. 9-21-7-1 et seq. (formerly 9-8-6-1 et seq.)	Equipment violation w/ respect to vehicle lights, reflectors, stop lights, warning signals; failure to use when required	2
9-19-7-1 9-21-10-9 (formerly 9-8-9-3.1)	No motorcycle headgear or protective eye wear (under 18 years of age)	4
9-19-7-2 (formerly 9-8-9-4)	Motorcycle equipment violation	2
9-19-8-1 et seq. (formerly 9-8-6-36.6)	Muffler violation	2
9-19-11-2 9-19-11-3 (formerly 9-8-13-2, 9-8-13-3)	Child restraint violation	8
9-21-3-7 9-21-3-8 9-21-3-9 9-21-3-10 9-21-3-11 (formerly 9-4-1-35)	Disregarding traffic control signal	4
9-21-4-11 9-21-4-17 9-21-4-18 9-21-8-29 9-21-8-30 9-21-8-31 9-21-8-32 9-21-8-33 9-21-8-34 9-21-8-35(a) 9-21-8-36 (formerly 9-4-1-81, 9-4-1-82, 9-4-1-83, 9-41-1-84 [<i>sic.</i> , 9-4-1- 84], 9-4-1-85, 9-4-1-87, 9-4-1- 110)	Failure to yield; failure to obey stop or yield signs	6
9-21-8-35(b) 9-21-8-35(c)	Failure to change lanes or decrease speed when approaching a stationary emergency, recovery, or maintenance vehicle	8
9-21-4-12 9-21-4-13 9-21-4-18 (formerly 9-4-1-70)	Improper passing in violation of clearly visible signs or markings	4
9-21-4-16 9-21-4-18 (formerly 9-4-1-107)	Disregarding stop sign at railroad crossing	6
9-21-5-1	Misc. speeding violations:	

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9-21-5-2	Excessive speed not indicated	2
9-21-5-3	1–15 MPH in excess of limit	2
9-21-5-4	16–25 MPH in excess of limit	4
9-21-5-5	Over 25 MPH in excess of limit	6
9-21-5-6		
9-21-5-11		
9-21-5-12 (formerly 9-4-1-57)		
9-21-5-7	Minimum speed violation, slow vehicle in improper lane	2
9-21-5-8		
9-21-5-9		
9-21-8-2(b)		
(formerly 9-4-1-59, 9-4-1-63(5))		
9-21-5-10	Unsafe speed on bridge or elevated structure	4
(formerly 9-4-1-60)		
9-21-6-1	Speed contest on streets or highways (drag racing)	8
(formerly 9-4-6-2)		
9-21-8-1	Disregarding police officer directing [<i>sic.</i>]	6
(formerly 9-4-1-24)		
9-21-8-2(a)	Driving on left side of road when not permitted	4
(formerly 9-4-1-63)		
9-21-8-4	Improper passing of another vehicle proceeding in opposite direction	4
(formerly 9-4-1-65)		
9-21-8-5	Improper passing (cutting in); refusing to give way to overtaking vehicle	4
(formerly 9-4-1-66)		
9-21-8-6	Improper passing to the right	4
(formerly 9-4-1-67)		
9-21-8-7	Improper passing to the left—interfering with safety of oncoming traffic	6
(formerly 9-4-1-68)		
9-21-8-7.5	Failure to merge at work site	8
9-21-8-8	Driving to the left of center on 2-way roadway (special conditions)	4
(formerly 9-4-1-69)		
9-21-8-9	Wrong way on a 1-way road	4
(formerly 9-4-1-71(b))		
9-21-8-10	Driving left of rotary island	4
(formerly 9-4-1-71)		
9-21-8-11	Improper driving on roadways with traffic lanes	4
(formerly 9-4-1-72)		
9-21-8-12	Lane restriction violation by truck	4
9-21-8-13		
(formerly 9-4-1-64)		
9-21-8-14	Following too closely	6
9-21-8-15		
9-21-8-16		
(formerly 9-4-1-73)		
9-21-8-18	Entrance or exit violation on limited access highways	4
(formerly 9-4-1-74)		
9-21-8-21	Improper turn at intersection	4
(formerly 9-4-1-75)		

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9-21-8-22 (formerly 9-4-1-76)	U-turn on curve or crest of grade, visibility less than 750 feet	4
9-21-8-23 (formerly 9-4-1-77)	Unsafe start from parked position	4
9-21-8-24	Failure to signal when required, improper signal	2
9-21-8-25		
9-21-8-26		
9-21-8-27		
9-21-8-28 (formerly 9-4-1-78, 9-4-1-79, 9-4-1-80)		
9-21-8-37 (formerly 9-4-1-89)	Driver fails to exercise due care to avoid pedestrian	6
9-21-8-39 (formerly 9-4-1-106)	Disregarding signal indicating approach of train	6
9-21-8-40 9-21-12-5 (formerly 9-4-1-108, 9-4-1-109)	Failure of commercial vehicle or other special vehicle to stop at railroad crossing	8 + MS
9-21-8-41 (formerly 9-4-1-33)	Disregarding official traffic control device	6
9-21-8-50 (formerly 9-4-1-73(b))	Reckless driving while operating a tractor-trailer combination	8
9-21-8-51 (formerly 9-4-1-56.2)	Failure to dim bright or blinding lights	4
9-21-8-52(a) (formerly 9-4-1-56.1)	Reckless driving	6
9-21-8-52(b) (formerly 9-4-1-56.1)	Reckless driving with damage to property or personal injury	8 + MS
9-21-9-4 9-19-16-4 (formerly 9-8-10-4)	No flashing amber or red light on slow moving vehicle when other lights not required (this is in addition to slow moving emblem)	2
9-21-10-1 (formerly 9-8-9-2(a))	Motorcycle passenger violation	4
9-21-10-3 (formerly 9-8-9-2(c))	Carrying package or parcel on motorcycle (both hands not on handlebars)	4
9-21-10-5 (formerly 9-8-9-2(e))	Operating motorcycle without headlamp illuminated	2
9-21-10-6 (formerly 9-8-9-2(f))	Operating motorcycles three or more abreast in single lane	4
9-21-10-6 (formerly 9-8-9-2(f))	Depriving motor vehicle (including motorcycle) of full lane usage	4
9-21-12-1 (formerly 9-4-1-123)	Passing of school bus while loading or unloading	8
9-21-12-1 (formerly 9-4-1-123)	Passing of school bus when arm signal is out	8
9-21-16-7 9-21-16-8 (formerly 9-4-1-115)	Failure to park properly at right hand curb or in violation of parking restrictions posted by official signs (highway only)	2
9-24-1-6	Operating without valid commercial license	8

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(formerly 9-1-4-26)		
9-24-6-15	Operating a commercial motor vehicle with a BAC above .04	8
9-24-6-16	Operating a commercial motor vehicle while disqualified	8
9-24-7-2	Driver education permit violation	4 + AH
(formerly 9-1-4-33(b))		
9-24-7-3	Learner permit violation	4 + AH
(formerly 9-1-4-33(c))		
9-24-8-2	Temporary motorcycle learner permit violation	4 + AH
(formerly 9-1-4-33.1)		
9-24-8-3	Motorcycle learner permit violation	4 + AH
(formerly 9-1-4-33.2)		
9-24-8-4	Improper motorcycle license endorsement	6
(formerly 9-1-4-33.3)		
9-24-11-3	Probationary license violation (under 18 years of age)	4
9-24-11-7	Violation of driver license restriction or mechanical control device requirement	4
9-24-11-8(b)		
(formerly 9-1-4-37)		
9-24-18-1	Operating without ever having a valid license	6 + AH
(formerly 9-1-4-26.5)		
9-24-18-2	Misuse of license; use of false information; unauthentic license	8 + AH
(formerly 9-1-4-47)		
9-24-18-3	Permitting unlicensed person to operate a motor vehicle	4 + AH
9-24-18-4	Permitting unlawful use of a motor vehicle	4
(formerly 9-1-4-49 [sic., 9-1-4-51])		
9-24-18-5	Driving while license is suspended or revoked	8 + MS
(formerly 9-1-4-52)		
9-24-18-8	Unlawful use of license to obtain alcohol	8 + MS
(formerly 9-1-7-2)		
9-25-4-1	Suspension of license and registration for	2 + MS
9-25-8-5	violation of financial responsibility requirements	
9-26-1-1	Leaving the scene of accident; failure to give information; failure of other	8 + MS
9-26-1-2	duties (personal injury, death, or property damage more than \$750 total)	
9-26-1-3		
9-26-1-4		
(formerly 9-4-1-40, 9-4-1-41, 9-4-1-42, 9-4-1-43, 9-4-1-44)		
9-26-1-2	Leaving the scene of accident; failure to give information; failure of other	8
9-26-1-3	duties (property damage only, less than \$750 total)	
9-26-1-4		
(formerly 9-4-1-40, 9-4-1-41, 9-4-1-42, 9-4-1-43, 9-4-1-44)		
9-30-4-8	Operating a vehicle with suspended registration;	8 + AH
(formerly 9-2-1-30)	violation of conditions of a restricted license	
9-30-5-1	Operating with BAC above .10 or with	8 + MS
(formerly 9-11-2-1)	controlled substance in bloodstream (Per Se)	
9-30-5-2	Operating while intoxicated (OWI)	8 + MS

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(formerly 9-11-2-4 [<i>sic.</i> , 9-11-2-2])		
9-30-5-3	OWI with Per Se or OWI conviction in past 5 years	8 + MS
(formerly 9-11-2-3)		
9-30-5-4	Per Se or OWI resulting in injury	8 + MS
(formerly 9-11-2-4)		
9-30-5-5	Per Se or OWI resulting in death	8 + MS
(formerly 9-11-2-5)		
9-30-5-6	Violation of probationary license (HTV)	8 + MS
9-30-5-13 (formerly 9-11-2-6)		
9-30-5-7	Interlock device violation	8
(formerly 9-11-2-7)		
9-30-5-8	Tampering with interlock device	8
(formerly 9-11-2-8)		
9-30-5-8.5	Operating with at least BAC .02%, but less than BAC .10% (under 21 years of age)	6
9-30-10-16	Operating a vehicle while suspended as a habitual traffic violator	8 + MS
9-30-10-17		
(formerly 9-12-3-1)		
9-30-13-1	Criminal recklessness with vehicle	8 + MS
35-42-2-2 (9-30-13-1 was formerly 9-4-1-54.5)		
9-30-13-2	Obstruction of traffic causing injury or death	8 + MS
35-42-2-4 (9-30-13-2 was formerly 9-4-1-54.5)		
9-30-13-3	Criminal mischief with vehicle	8 + MS
35-43-1-2 (9-30-13-3 was formerly 9-4-1-54.5)		
9-30-13-4	Involuntary manslaughter with a vehicle	8 + MS
35-42-1-4 (9-30-13-4 was formerly 9-4-1-54.5)		
9-30-13-4	Reckless homicide with a vehicle	8 + MS
35-42-1-5 (9-30-13-4 was formerly 9-4-1-54.5)		
9-30-15-3	Open container violation	6
9-30-15-4		
13-7-13-4	Unlawful transportation of hazardous waste	4 + MS
<i>[IC 13-7-13-4 was repealed by P.L.1-1996, SECTION 99, effective July 1, 1996]</i>		
14-15-8-8	Operating a personal watercraft or motorboat while intoxicated	8 + MS
14-15-8-13		
14-15-12-5		
14-15-8-9	Operation of motorboat after being ordered not to operate	8
14-15-8-10		
14-15-12-5	Dangerous operation of a personal watercraft or motorboat	8
14-15-12-10	Unsafe operation of personal watercraft	8
20-9.1-5-10	Speeding in school bus:	
	Speed not indicated	6

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	1-15 MPH in excess of limit	6
	Over 15 MPH in excess of limit	8
20-9.1-5-11	Failure of school bus to stop at railroad crossing	8 + MS
20-9.1-5-12	Stopping school bus to load or unload on left of 1-way thoroughfare	4
20-9.1-5-14	Improper use or failure of school bus to display stop arm signal	4
20-9.1-5-15	Improper use or failure of school bus to use directional signals	4
20-9.1-5-16	Improper use or failure of school bus to use red flashing warning lights	4
35-44-3-3(b)	Resisting law enforcement in vehicle	8 + MS

¹The court has the authority to suspend an individual's driver license on any traffic violation.

²Abbreviations have the following meaning:

"AH" means automatic hearing.

"MS" means mandatory suspension for a period of time up to one (1) year or as provided by statute or court order.

(Bureau of Motor Vehicles; 140 IAC 1-4.5-10; filed Sep 5, 1995, 12:00 p.m.: 19 IR 8; readopted filed Oct 17, 2001, 4:46 p.m.: 25 IR 903; readopted filed Nov 14, 2007, 1:31 p.m.: 20071212-IR-140070562RFA)

Rule 5. Procedures for Implementation and Conduct of Indiana's Pre-Motor Vehicle Registration Financial Responsibility Requirement (Repealed)

(Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA)

Rule 6. Procedures for Implementation and Conduct of Indiana's Post-Motor Vehicle Registration Financial Responsibility Requirement (Repealed)

(Repealed by Bureau of Motor Vehicles; filed Nov 26, 1996, 4:35 p.m.: 20 IR 938)

Rule 7. Self-Insurance

140 IAC 1-7-1 Definitions (Repealed)

Sec. 1. *(Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA)*

140 IAC 1-7-2 Requests for self-insurance; issuance of self-insurance certificate and number; certificate renewal

Authority: IC 9-14-2-2

Affected: IC 9-25

Sec. 2. (a) Any person applying to qualify as a self-insurer for the first time must file the person's request for approval for self-insurance with the bureau at least thirty (30) days prior to the date that the applicant wants the self-insurance to be in effect. This request for self-insurance must include the following:

(1) The name and address of the person requesting to be self-insured and the name and address of the self-insurance administrator.

(2) The number and types, which includes year, make, and model, of vehicles to be self-insured.

(3) An oath or affirmation by the self-insurance administrator, on a bureau approved form, that he or she shall discharge all legal duties of the self-insurer.

(4) The self-insurance administrator shall provide the bureau with a master list containing the names and addresses of all persons who will use such self-insurance to fulfill their financial responsibility requirements.

(5) After the bureau approves a request for self-insurance, the self-insurance administrator must provide the bureau with an updated master list of names and addresses every calendar month during which any change is made to the list.

(b) The commissioner or his or her designee shall determine whether to approve a request for self-insurance.

(c) The commissioner or his or her designee shall issue a self-insurance certificate and a self-insurance number to any person approved to receive such a certificate.

(d) Self-insurance certificates shall be renewed on January 2 of each year. *(Bureau of Motor Vehicles; 140 IAC 1-7-2; filed Dec 21, 1983, 1:16 p.m.: 7 IR 563, eff Jan 2, 1984 [IC 4-22-2-5 suspends the effectiveness of a rule document for thirty (30) days*