
HOUSE BILL No. 1461

AM146111 has been incorporated into introduced printing.

Synopsis: Road funding.

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2025

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Introduced

First Regular Session of the 124th General Assembly (2025)

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

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

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1461

A BILL FOR AN ACT to amend the Indiana Code concerning transportation and to make an appropriation.

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

1 SECTION 1. IC 5-23-8-4 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2025]: **Sec. 4. One (1) or more governmental bodies may enter**
4 **into a public-private agreement with respect to a transportation**
5 **project for the long term development, design, construction,**
6 **reconstruction, maintenance, repair, and financing of any shared**
7 **arterial roadways, including the costs associated with the**
8 **acquisition of right-of-way.**

9 SECTION 2. IC 6-3.5-4-2, AS AMENDED BY P.L.236-2023,
10 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2025]: Sec. 2. (a) An adopting entity of any county may,
12 subject to the limitation imposed by subsection (e), adopt an ordinance
13 to impose a county vehicle excise tax in accordance with this chapter
14 on each vehicle that is subject to the vehicle excise tax under IC 6-6-5
15 and that is registered in the county.

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4 (1) at a rate of not less than two percent (2%) nor more than ten
5 percent (10%); or
6 (2) at a specific amount of at least seven dollars and fifty cents
7 (\$7.50) and not more than twenty-five dollars (\$25).

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

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 fifty dollars (\$50).

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

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

33 (f) Notwithstanding any other provision of this chapter or
34 IC 6-3.5-5, ordinances adopted by a county council before June 1,
35 2013, to impose or change the county vehicle excise tax and the annual
36 wheel tax in the county remain in effect until the ordinances are
37 amended or repealed under this chapter or IC 6-3.5-5.

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



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

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

21 SECTION 3. IC 6-3.5-4-12 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 12. **(a) Except as**
23 **provided in subsection (b),** in the case of a county that contains a
24 consolidated city, the city-county council may appropriate money
25 derived from the surtax to the department of transportation established
26 by IC 36-3-5-4 for use by the department under law. The city-county
27 council may not appropriate money derived from the surtax for any
28 other purpose.

32 SECTION 4. IC 6-3.5-5-2, AS AMENDED BY P.L.178-2019,
33 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2025]: Sec. 2. (a) The adopting entity of any county may,
35 subject to the limitation imposed by subsection (b), adopt an ordinance
36 to impose a county wheel tax in accordance with this chapter on each
37 vehicle that:

38 (1) is included in one (1) of the classes of vehicles listed in
39 section 3 of this chapter;
40 (2) is not exempt from the wheel tax under section 4 of this
41 chapter; and
42 (3) is registered in the county.



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

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

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

20 The adopting entity shall state the initial wheel tax rates in the
21 ordinance that imposes the tax.

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

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

28 (1) registration year immediately preceding the current
29 registration year;
30 (2) current registration year; and
31 (3) registration year immediately following the current
32 registration year.

39 SECTION 5. IC 6-3.5-5-14 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14. (a) **Except as**
41 **provided in subsection (b)**, in the case of a county that contains a

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1 consolidated city, the city-county council may appropriate money
2 derived from the wheel tax to:

3 (1) the department of transportation established by IC 36-3-5-4
4 for use by the department under law; or
5 (2) an authority established under IC 36-7-23.

6 **(b) Beginning July 1, 2025, the city-county council must
7 appropriate money derived from the wheel tax for the purposes
8 allowed under IC 8-14-1-4(c).**

9 **(b)(c)** The city-county council may not appropriate money derived
10 from the wheel tax for any other purpose.

11 SECTION 6. IC 8-14-1-1, AS AMENDED BY P.L.185-2018,
12 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2025]: Sec. 1. As used in this chapter:

14 (1) "Motor vehicle highway account" means the account of the
15 general fund of the state known as the "motor vehicle highway
16 account" to which is credited collections from motor vehicle
17 registration fees, licenses, driver's and chauffeur's license fees,
18 gasoline taxes, auto transfer fees, certificate of title fees, weight
19 taxes or excise taxes and all other similar special taxes, duties or
20 excises of all kinds on motor vehicles, trailers, motor vehicle
21 fuel, or motor vehicle owners or operators. The account also
22 includes **the following**:

23 (A) Amounts distributed to the fund by the bureau of motor
24 vehicles under IC 9.

25 **(B) Money transferred to the fund by the state
26 comptroller under IC 8-23-30-2(i).**

27 (2) The term "department" refers to the Indiana department of
28 transportation.

29 (3) The term "highways" includes roadway, rights of way,
30 bridges, drainage structures, signs, guard rails, protective
31 structures in connection with highways, drains, culverts, and
32 bridges and the substructure and superstructure of bridges and
33 approaches thereto and streets and alleys of cities or towns.

34 (4) The term "construction" means the planning, supervising,
35 inspecting, actual building, draining, and all expenses incidental
36 to the construction of a highway.

37 (5) The term "reconstruction" means a widening or a rebuilding
38 of the highway or any portion thereof.

39 (6) The term "maintenance" when used in reference to cities,
40 towns, and counties as applied to that part of the highway other
41 than bridges, means the constant making of needed repairs, to



1 preserve a smooth surfaced highway, adequately drained,
2 marked and guarded by protective structures for public safety
3 and, as to bridges, means the constant making of needed repairs
4 to preserve a smooth surfaced highway thereon and the safety
5 and preservation of the bridge and its approaches, together with
6 the substructure and superstructure thereof; and such term also
7 means and includes the acquisition and use, in any manner, of all
8 needed equipment, fuel, materials, and supplies essential and
9 incident thereto.

10 (7) The term "preservation" means the preventative treatment,
11 nonstructural treatment, rehabilitation, or structural repairs made
12 to transportation infrastructure and related drainage that are
13 included in an asset management plan approved by the Indiana
14 department of transportation in collaboration with the local
15 technical assistance program at Purdue University.

16 (8) The term "vehicle registration" means the number of vehicles
17 subject to registration under IC 9-18 (before January 1, 2017) or
18 IC 9-18.1 (after December 31, 2016) which are registered
19 thereunder, and, when used with respect to the state, shall mean
20 the number of vehicles registered in the state and, when used in
21 respect to a county, city, or town, shall mean the number of
22 vehicles registered by owners resident in the county, city, or
23 town.

24 SECTION 7. IC 8-14-1-4, AS AMENDED BY P.L.179-2023,
25 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2025]: Sec. 4. (a) The funds allocated to the respective
27 counties of the state from the motor vehicle highway account shall
28 annually be budgeted as provided by law, and, when distributed shall
29 be used for construction, reconstruction, preservation, and maintenance
30 of the highways of the respective counties, including highways which
31 traverse the streets of incorporated towns, the cost of the repair and
32 maintenance of which prior to the tenth day of September, 1932, was
33 paid from the county gravel road repair fund excepting where the
34 department is charged by law with the maintenance or construction of
35 any such highway so traversing such streets. Subject to subsection (b),
36 any surplus existing in the funds at the end of the year shall thereafter
37 continue as a part of the highway funds of the said counties and shall
38 be rebudgeted and used as already provided in this chapter. The
39 purchase, rental and repair of highway equipment, painting of bridges
40 and acquisition of grounds for erection and construction of storage
41 buildings, acquisition of rights of way and the purchase of fuel oil, and

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1 supplies necessary to the performance of construction, reconstruction,
 2 preservation, and maintenance of highways, shall be paid out of the
 3 highway account of the various counties.

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

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

14 SECTION 8. IC 8-14-1-4.1 IS ADDED TO THE INDIANA CODE
 15 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 16 1, 2025]: **Sec. 4.1. (a) This section applies:**

17 (1) **beginning after June 30, 2026; and**
 18 (2) **to all counties except a county containing a consolidated**
 19 **city as described in section 4(c) of this chapter and only if the**
 20 **county uses the PASER rating system.**

21 (b) **As used in this section, "PASER" refers to the pavement**
 22 **surface evaluation and rating system used as part of a**
 23 **transportation asset management plan submitted to the local**
 24 **technical assistance program at Purdue University.**

25 (c) **If in the preceding calendar year:**
 26 (1) **a county's highways have an average PASER rating of at**
 27 **least six (6); and**
 28 (2) **not more than fifteen percent (15%) of the county's**
 29 **highways are in failed condition, as represented by a PASER**
 30 **rating of one (1) or two (2);**

31 **the county shall use at least forty percent (40%) of the money**
 32 **distributed from the motor vehicle highway account for the**
 33 **construction, reconstruction, and preservation of the county's**
 34 **highways.**

35 SECTION 9. IC 8-14-1-5, AS AMENDED BY P.L.179-2023,
 36 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2025]: Sec. 5. (a) Subject to subsection (c), all funds allocated
 38 to cities and towns from the motor vehicle highway account shall be
 39 used by the cities and towns for the construction, reconstruction,
 40 preservation, repair, maintenance, oiling, sprinkling, snow removal,
 41 weed and tree cutting and cleaning of their highways as herein defined,
 42 and including also any curbs, and the city's or town's share of the cost



1 of the separation of the grades of crossing of public highways and
 2 railroads, the purchase or lease of highway construction, preservation,
 3 and maintenance equipment, the purchase, erection, operation and
 4 maintenance of traffic signs and signals, and safety zones and devices,
 5 and the painting of surfaces in highways for purposes of safety and
 6 traffic regulation. All of such funds shall be budgeted as provided by
 7 law.

8 (b) In addition to purposes for which funds may be expended
 9 under subsection (a), monies allocated to cities and towns under this
 10 chapter may be expended for the payment of principal and interest on
 11 bonds sold primarily to finance road, street, or thoroughfare projects.

12 (c) Except as provided in subsection (d) **and section 5.1 of this**
 13 **chapter**, for funds distributed to a city or town from the motor vehicle
 14 highway account, the city or town shall use at least fifty percent (50%)
 15 of the money for the construction, reconstruction, and preservation of
 16 the city's or town's highways.

17 (d) This subsection applies to a consolidated city. For funds
 18 distributed to a consolidated city from the motor vehicle highway
 19 account, the consolidated city shall use at least sixty-five percent (65%)
 20 of the money for the construction, reconstruction, and preservation of
 21 the consolidated city's highways.

22 SECTION 10. IC 8-14-1-5.1 IS ADDED TO THE INDIANA
 23 CODE AS A NEW SECTION TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2025]: Sec. 5.1. (a) **This section applies:**

25 (1) **beginning after June 30, 2026; and**
 26 (2) **to all cities and towns except a consolidated city as**
 27 **described in section 5(d) of this chapter and only if the city**
 28 **or town uses the PASER rating system.**

29 (b) **As used in this section, "PASER" refers to the pavement**
 30 **surface evaluation and rating system used as part of a**
 31 **transportation asset management plan submitted to the local**
 32 **technical assistance program at Purdue University.**

33 (c) **If in the preceding calendar year:**
 34 (1) **a city or town's highways have an average PASER rating**
 35 **of at least six (6); and**
 36 (2) **not more than fifteen percent (15%) of the city or town's**
 37 **highways are in failed condition, as represented by a PASER**
 38 **rating of one (1) or two (2);**

39 **the city or town shall use at least forty percent (40%) of the money**
 40 **distributed from the motor vehicle highway account for the**
 41 **construction, reconstruction, and preservation of the city or town's**
 42 **highways.**



1 SECTION 11. IC 8-14-3-3, AS AMENDED BY P.L.10-2019,
 2 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2025]: Sec. 3. **(a) As used in this section, "PASER" refers**
 4 **to the pavement surface evaluation and rating system used as part**
 5 **of a transportation asset management plan submitted to the local**
 6 **technical assistance program at Purdue University.**

7 **(b) There is annually appropriated two hundred fifty thousand**
 8 **dollars (\$250,000) from the motor vehicle highway account to the**
 9 **department to develop and maintain a centralized electronic statewide**
 10 **asset management data base that may be used to aggregate data on**
 11 **local road conditions. The data base shall be developed in cooperation**
 12 **with the department and the office of management and budget.**

13 **(c) The department, in coordination with the local technical**
 14 **assistance program at Purdue University, shall administer:**

15 **(1) a PASER certification program for PASER raters**
 16 **submitting data to the statewide asset management data**
 17 **base; and**

18 **(2) a quality assurance program for PASER data, consisting**
 19 **of a team of certified PASER raters throughout the state.**

20 SECTION 12. IC 8-14.5-6-1, AS AMENDED BY P.L.218-2017,
 21 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2025]: Sec. 1. Except as provided in sections 2 and 5 of this
 23 chapter, the authority may, by resolution, issue and sell bonds or notes
 24 of the authority for the purpose of providing funds to carry out the
 25 provisions of this article with respect to the construction of a project or
 26 projects or the refunding of any bonds or notes, together with any
 27 reasonable costs associated with a refunding. **However, except as**
 28 **provided in IC 8-15.5-6-1, the authority may not issue any bonds or**
 29 **notes for the construction of a project:**

30 **(1) after July 1, 2007, for a project that is not a railroad crossing**
 31 **upgrade project described in IC 8-14.5-8; and**

32 **(2) after June 30, 2025, for a railroad crossing upgrade project**
 33 **described in IC 8-14.5-8.**

34 The amount of the bonds or notes issued for **purposes of subdivision**
 35 **(2) a railroad crossing upgrade project described in IC 8-14.5-8**
 36 **may not cause the annual payments on all the bonds and notes for this**
 37 **purpose to exceed ten million dollars (\$10,000,000).**

38 SECTION 13. IC 8-14.5-7-5, AS ADDED BY P.L.246-2005,
 39 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2025]: Sec. 5. The authority may, by resolution, ~~before July~~
 41 ~~1, 2009~~, issue grant anticipation revenue bonds or notes for any
 42 purpose that is authorized by IC 8-14.5-6 and for which the department



1 may use federal highway revenues.

2 SECTION 14. IC 8-15-3-36, AS ADDED BY P.L.218-2017,
 3 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 UPON PASSAGE]: Sec. 36. (a) Before July 1, 2017, the department
 5 shall submit a request to the Federal Highway Administration for a
 6 waiver to toll lanes on interstate highways. If

7 (1) a waiver is granted under this subsection; and

8 (2) the department, with the approval of the governor, decides to
 9 establish toll lanes, **the department shall submit a request to**
 10 **the Federal Highway Administration for a waiver to toll**
 11 **lanes on interstate highways. If a waiver is granted under**
 12 **this section, toll lanes may be established in accordance with**
 13 **this title. under the waiver;**

14 (b) The first toll lanes established on an interstate highway must
 15 be located at least seventy-five (75) miles from an interstate highway
 16 or bridge on which travel is subject to tolling as of July 1, 2017. **This**
 17 **subsection does not apply if a waiver is applied for under**
 18 **subsection (a) after January 1, 2025.**

19 (b) The department shall engage an outside consulting firm to
 20 conduct a feasibility study on tolling the interstate highways, including
 21 revenue projections based on an analysis of optimal tolling rates,
 22 vehicle counts and types by state of registration, and traffic diversion.

23 (c) The feasibility study described in subsection (b) must consider
 24 the following:

25 (1) The economic impact and feasibility of tolling particular
 26 interstate highways.

27 (2) The ability to provide discounts, credits, or otherwise lessen
 28 the impact of tolling on local, commuter, and in-state operators.

29 (3) Information related to the number and impact of out-of-state
 30 operators expected to use interstate highways in Indiana.

31 (4) The rationale for the federal authorization of any tolling plan
 32 that may be submitted by the state to the United States
 33 Department of Transportation.

34 (5) The optimal levels at which tolls may reasonably be expected
 35 to be set for passenger vehicles and other vehicles.

36 (6) Appropriate tolling rules regarding population center local
 37 traffic.

38 (7) The state's ability to enter into monetization agreements or
 39 long term contracts for initial construction, long term
 40 maintenance, installation, and operation of tolling facilities.

41 (8) Any estimates of which highway facilities would be



conducive to tolling operations.

(9) Goals for participation by women-owned and minority owned business enterprises:

(10) Ways to maximize the use of Indiana workers and products made in Indiana:

(d) A written report on the feasibility study shall be delivered before November 1, 2017, to the governor, the legislative council, and the budget committee. The report to the legislative council must be in an electronic format under IC 5-14-6. This subsection expires December 31, 2017.

(e) If, after review of the feasibility study, the governor determines that tolling is the best means of achieving major interstate system improvements in Indiana, the governor shall create a strategic plan for tolling interstate highways and submit the strategic plan to the budget committee before December 1, 2018.

SECTION 15. IC 8-15.5-1-2, AS AMENDED BY P.L.19-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) This article contains full and complete authority for public-private agreements between the authority, a private entity, and, where applicable, a governmental entity. Except as provided in this article, no law, procedure, proceeding, publication, notice, consent, approval, order, or act by the authority or any other officer, department, agency, or instrumentality of the state or any political subdivision is required for the authority to enter into a public-private agreement with a private entity under this article, or for a project that is the subject of a public-private agreement to be constructed, acquired, maintained, repaired, operated, financed, transferred, or conveyed.

(b) Before the authority or the department may issue a request for proposals for or enter into a public-private agreement under this article that would authorize an operator to impose user fees for the operation of motor vehicles on all or part of a toll road project, the general assembly must adopt a statute authorizing the imposition of user fees. However, during the period beginning July 1, 2011, and ending June 30, 2031, the general assembly is not required to enact a statute authorizing the authority or the department to issue a request for proposals or enter into a public-private agreement to authorize an operator to impose user fees for the operation of motor vehicles on all or part of the following projects:

(+) A project on which construction begins after June 30, 2011, not including any part of Interstate Highway 69 other than a part

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described in subdivision (3).

(2) The addition of toll lanes, including high occupancy toll lanes, to a highway, roadway, or other facility in existence on July 1, 2011, if the number of nontolled lanes on the highway, roadway, or facility as of July 1, 2011, does not decrease due to the addition of the toll lanes.

(3) A project that is located within a metropolitan planning area (as defined by 23 U.S.C. 134) and that connects the state of Indiana with the commonwealth of Kentucky.

10 However, neither the authority nor the department may issue a request
11 for proposals for a public-private agreement under this article that
12 would authorize an operator to impose user fees unless the budget
13 committee has reviewed the request for proposals.

14 (c) (b) Except as provided in subsection (b), Before the authority
15 or an operator may carry out any of the following activities under this
16 article, the general assembly must enact a statute authorizing that
17 activity:

18 (1) Imposing user fees on motor vehicles for use of Interstate
19 Highway 69.

25 (d) (c) The general assembly is not required to enact a statute
26 authorizing the authority or the department to issue a request for
27 proposals or enter into a public-private agreement for a freeway
28 project.

29 (e) (d) The authority may enter into a public-private agreement for
30 a facility project if the general assembly, by statute, authorizes the
31 authority to enter into a public-private agreement for the facility
32 project.

33 (f) (e) As permitted by subsection (e), (d), the general assembly
34 authorizes the authority to enter into public-private agreements for a
35 state park inn and related improvements at Potato Creek State Park.

36 SECTION 16. IC 8-16-3-1 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. Notwithstanding
38 IC 8-18-8-5, all municipal corporations and county executives may
39 provide a cumulative bridge fund to provide funds for the cost of
40 construction, maintenance, and repair of bridges, approaches, and
41 grade separations **under their jurisdiction**. However, in those counties

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1 in which a cumulative bridge fund has been established, the county
 2 executive is responsible for providing funds for all bridges, including
 3 those in municipalities, within the counties except those bridges on the
 4 state highway system. The county executive may use this fund for
 5 making county wide bridge inspection and safety ratings of all bridges
 6 in a county not on the state highway system. The inspection and safety
 7 ratings shall meet all the criteria of the National Bridge Inspection
 8 Standards promulgated by the Federal Highway Administration, U.S.
 9 Department of Transportation and shall be supervised and approved by
 10 a competent, qualified engineer, registered in the state.

11 SECTION 17. IC 8-17-1-0.3 IS ADDED TO THE INDIANA
 12 CODE AS A NEW SECTION TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2025]: Sec. 0.3. **As used in this chapter,**
 14 **"bridge"** means a structure, including supports, erected over a
 15 depression or an obstruction, such as water, a highway, or a
 16 railway that has:

- 17 (1) a track or passageway for carrying traffic or moving
 18 loads; and
- 19 (2) an opening measured along the center of the roadway of
 20 more than twenty (20) feet between under copings of
 21 abutments or spring lines of arches or extreme ends of
 22 opening for multiple boxes.

23 SECTION 18. IC 8-17-1-46 IS ADDED TO THE INDIANA
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2025]: Sec. 46. (a) **A county is responsible for**
 26 **the construction, reconstruction, maintenance, and inspection of a**
 27 **bridge that meets the following requirements:**

- 28 (1) Is located in the county, including a bridge that is located
 29 within the corporate limits of a municipality.
- 30 (2) Has a span length greater than twenty (20) feet.
- 31 (3) Is not part of the state highway system.
- 32 (4) Meets either of the following:
 - 33 (A) The bridge was inspected by the county after
 34 January 1, 2024.
 - 35 (B) The bridge was added to the county inventory by the
 36 county executive after December 31, 2024.
- 37 (b) A municipality is responsible for the construction,
 38 reconstruction, and maintenance of a bridge that meets the
 39 following requirements:
 - 40 (1) Is located within the corporate limits of the municipality.
 - 41 (2) Has a span length equal to or less than twenty (20) feet.
 - 42 (3) Is not part of the state highway system.



1 **(c) A new bridge that may be the responsibility of the county**
 2 **under subsection (a) must be developed in consultation with the**
 3 **county.**

4 SECTION 19. IC 8-17-4.1-1, AS AMENDED BY P.L.185-2018,
 5 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2025]: Sec. 1. (a) This chapter applies to:

- 7 (1) all counties; and
- 8 (2) municipalities with a population of at least ~~fifteen thousand~~
 9 ~~(15,000)~~. **five thousand (5,000).**

10 (b) As used in this chapter, "governing body" means the county
 11 executive, the city executive, or the town legislative body.

12 SECTION 20. IC 8-18-22-6, AS AMENDED BY P.L.256-2017,
 13 SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2025]: Sec. 6. (a) Except as provided in subsection (b), the
 15 county fiscal body may pledge revenues for the payment of principal
 16 and interest on the bonds and for other purposes under the ordinance
 17 as provided by IC 5-1-14-4, including revenues from the following
 18 sources:

- 19 (1) The motor vehicle highway account.
- 20 (2) The local road and street account.
- 21 (3) The county vehicle excise tax.
- 22 (4) The county wheel tax.
- 23 (5) The local income tax (IC 6-3.6).
- 24 (6) Assessments.
- 25 (7) Any other unappropriated or unencumbered money.

26 (b) The county fiscal body may ~~not~~ pledge to levy ad valorem
 27 property taxes for these purposes. ~~except for revenues from the~~ following:

- 29 (1) IC 8-16-3.
- 30 (2) IC 8-16-3.1.

31 (c) If the county fiscal body has pledged revenues from the local
 32 income tax as set forth in subsection (a), the local income tax council
 33 (as defined in IC 6-3.6-2-12) may covenant that the council will not
 34 repeal or modify the tax in a manner that would adversely affect owners
 35 of outstanding bonds issued under this chapter. The local income tax
 36 council may make the covenant by adopting an ordinance using
 37 procedures described in IC 6-3.6-3.

38 SECTION 21. IC 8-23-30-1, AS ADDED BY P.L.146-2016,
 39 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2025]: Sec. 1. The following definitions apply throughout this
 41 chapter:



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1 accordance with subsections (h) and (i).

2 (g) Beginning on June 30, 2025, and on June 30 of each state
 3 fiscal year thereafter, of the first two hundred million dollars
 4 (\$200,000,000) in the fund, the department must allocate the
 5 amount as follows:

6 (1) One hundred million dollars (\$100,000,000) must be set
 7 aside to make matching grants in the next state fiscal year to
 8 all local units other than local units described in subdivision
 9 (2).

10 (2) After making the allocation under subdivision (1), the
 11 next one hundred million dollars (\$100,000,000) must be set
 12 aside to make matching grants in the next state fiscal year
 13 only for the following local units:

14 (A) Counties with a population of at least one hundred
 15 thousand (100,000).

16 (B) All cities.

17 (h) This subsection applies only to a state fiscal year ending on
 18 June 30, 2025. After the department allocates money in the fund
 19 under subsection (g), and only if the balance of money in the fund
 20 is more than two hundred million dollars (\$200,000,000), the state
 21 comptroller shall transfer the amount of money in the fund that is
 22 more than two hundred million dollars (\$200,000,000) to the
 23 department 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 project
 26 as described in IC 8-14.5-8. Money transferred to the department
 27 under this subsection is continuously appropriated.

28 (i) This subsection applies to a state fiscal year ending on June
 29 30, 2026, and on June 30 of each state fiscal year thereafter. After
 30 the department allocates money in the fund under subsection (g),
 31 and only if the balance of money in the fund is more than two
 32 hundred million dollars (\$200,000,000) shall transfer the amount
 33 of money in the fund that is more than two hundred million dollars
 34 (\$200,000,000) to the motor vehicle highway account established
 35 under IC 8-14-1 for distribution in accordance with IC 8-14-1.

36 (f) (j) Money in the fund is continuously appropriated for the
 37 purpose of the fund.

38 (g) (k) Money in the fund may not be transferred, assigned, or
 39 otherwise removed from the fund by the state board of finance, the
 40 budget agency, or any other agency until after budget committee
 41 review, except that for either or both of the following purposes:

42 (1) The department may distribute funds to a local unit that has



1 been approved for a grant under this chapter without budget
2 committee review.

6 SECTION 23. IC 8-23-30-3, AS AMENDED BY P.L.218-2017,
7 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2025]: Sec. 3. **(a) Subject to subsection (b)**, a local unit may
9 apply to the department for a grant from the fund for an eligible project
10 if the local unit:

11 (1) uses a transportation asset management plan approved by the
12 department; and
13 (2) commits to a local match by using one (1) or more of the
14 following:
15 (A) Any money the local unit is authorized to use for a local
16 road or bridge project.
17 (B) Money received by the local unit as a special
18 distribution of local income taxes under IC 6-3.6-9-17.
19 (C) Money in the local unit's rainy day fund under
20 IC 36-1-8-5.1

21 The application must be in the form and manner prescribed by the
22 department.

27 SECTION 24. IC 8-23-30-6, AS AMENDED BY P.L.218-2017,
28 SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2025]: Sec. 6. If the department approves a grant to a local
30 unit under this chapter, the required local matching amount by the local
31 unit is equal to the following applicable percentage of the total cost of
32 the eligible project:

33 (1) For a county applicant, the following:
34 (A) Fifty percent (50%), if the county has a population
35 greater than or equal to fifty thousand (50,000).
36 (B) ~~Twenty-five~~ Twenty percent (25%), (20%), if the
37 county has a population of less than fifty thousand (50,000).
38 (2) For a city or town applicant, the following:
39 (A) Fifty percent (50%), if the city or town has a population
40 greater than or equal to ten thousand (10,000).
41 (B) ~~Twenty-five~~ Twenty percent (25%), (20%), if the city

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or town has a population of less than ten thousand (10,000).

SECTION 25. IC 8-23-30-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 7.5. (a) A local unit that is eligible to receive a grant from money allocated under section 2(g)(2) of this chapter is not eligible to receive a grant from money allocated under section 2(g)(1) of this chapter.**

(b) A local unit that is approved for a grant under this chapter from money allocated under section 2(g)(2) of this chapter is entitled to a grant that is equal to three (3) times the amount of a grant made to a local unit that is approved to receive a grant from money allocated under section 2(g)(1) of this chapter.

SECTION 26. IC 34-28-5-5, AS AMENDED BY P.L.19-2023, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) A defendant against whom a judgment is entered is liable for costs. Costs are part of the judgment and may not be suspended except under IC 9-30-3-12. Whenever a judgment is entered against a person for the commission of two (2) or more civil violations (infractions or ordinance violations), the court may waive the person's liability for costs for all but one (1) of the violations. This subsection does not apply to judgments entered for violations constituting:

(1) Class D infractions; or

(2) Class C infractions for unlawfully parking in a space reserved for a person with a physical disability under IC 5-16-9-5 or IC 5-16-9-8.

(b) If a judgment is entered:

(1) for a violation constituting:

(A) a Class D infraction; or

(B) a Class C infraction for unlawfully parking in a space reserved for a person with a physical disability under IC 5-16-9-5 or IC 5-16-9-8; or

(2) in favor of the defendant in any case;

the defendant is not liable for costs.

(c) Except for costs, and except as provided in subsections (e) and and IC 9-21-5-11(e), the funds collected as judgments for violations statutes defining infractions shall be deposited in the state general end.

(d) A judgment may be entered against a defendant under this section or section 4 of this chapter upon a finding by the court that the defendant:

(1) violated:

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11 (1) To pay compensation of commissioners appointed under
12 IC 33-33-49.

13 (2) To pay costs of the county's guardian ad litem program.

14 (f) The funds collected for an infraction judgment described in
15 section 4(i) of this chapter shall be transferred to a dedicated toll
16 revenue fund created as part of a project ~~under IC 8-15.5-1-2(b)(3)~~
17 **that is located within a metropolitan planning area (as defined by**
18 **23 U.S.C. 134) and that connects the state of Indiana with the**
19 **commonwealth of Kentucky.** The money in the fund does not revert
20 to the county general fund or state general fund and may be used only
21 to pay the cost of operating, maintaining, and repairing the tolling
22 system for a project ~~under IC 8-15.5-1-2(b)(3)~~**, that is located within**
23 **a metropolitan planning area (as defined by 23 U.S.C. 134) and**
24 **that connects the state of Indiana with the commonwealth of**
25 **Kentucky**, including major repairs, replacements, and improvements.

26 SECTION 27. IC 36-6-9-7, AS ADDED BY P.L.129-2019,
27 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2025]: Sec. 7. A township that meets the requirements of
29 section 5 of this chapter must:

30 (1) adopt a capital improvement plan not later than September
31 30 2020; **of each calendar year**; and
32 (2) submit a copy of the adopted capital improvement plan to the
33 department of local government finance in the manner
34 prescribed by the department.

35 SECTION 28. IC 36-6-10 IS ADDED TO THE INDIANA CODE
36 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2025]:

38 **Chapter 10. Township Roads and Infrastructure Fund**
39 **Sec. 1. A township shall establish a fund for the improvement**
40 **and maintenance of the roads and infrastructure within the**
41 **township's boundaries.**

42 Sec. 2. A township must enter into a written memorandum of



1 **understanding with a city, town, or county, as applicable, for,**
 2 **subject to section 3 of this chapter, the transfer of funds from a**
 3 **fund established under section 1 of this chapter to the city, town,**
 4 **or county for the purpose of bidding out projects that are:**

5 **(1) for the improvement of roads and infrastructure within**
 6 **the township's boundaries; and**
 7 **(2) approved by the township.**

8 **Sec. 3. A transfer of funds from a fund established under**
 9 **section 1 of this chapter for a purpose allowed under this chapter**
 10 **must be accomplished in the same manner that a township makes**
 11 **transfers from the rainy day fund as set forth in IC 36-1-8-5.1,**
 12 **except that the amount of the transfer of unobligated cash balances**
 13 **as described in IC 36-1-8-5.1(d)(2)(B)(iii) shall contribute thirty**
 14 **percent (30%) of the township's total annual budget adopted under**
 15 **IC 6-1.1-17.**

16 **SECTION 29. IC 36-9-42.2-4.5, AS ADDED BY P.L.218-2017,**
 17 **SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE**
 18 **JULY 1, 2025]: Sec. 4.5. As used in this chapter, "transportation asset**
 19 **management plan" has the meaning set forth in IC 8-23-30-1(4).**
 20 **IC 8-23-30-1(5).**

21 **SECTION 30. [EFFECTIVE JULY 1, 2025] (a) As used in this**
 22 **SECTION, "department" means the Indiana department of**
 23 **administration created by IC 4-13-1-2.**

24 **(b) As used in this SECTION, "Indiana road data" means**
 25 **information, in any form, that:**

26 **(1) is controlled or readily accessible by the state of Indiana;**
 27 **and**
 28 **(2) can be used to provide information regarding:**
 29 **(A) road and bridge conditions; and**
 30 **(B) the deterioration or life cycle status of roads and**
 31 **bridges.**

32 **(c) Not later than October 1, 2025, the department shall issue**
 33 **a request for information regarding computer technology that can**
 34 **be used to:**

35 **(1) enhance:**
 36 **(A) the collection of Indiana road data;**
 37 **(B) the evaluation of Indiana road data; and**
 38 **(C) the display, visualization, and monitoring of data**
 39 **concerning:**
 40 **(i) the condition, maintenance, and repair of; or**
 41 **(ii) other capital investment in;**
 42 **Indiana roads based on Indiana road data; and**



(2) allow members of the public to voluntarily submit data, information, or other feedback regarding Indiana road conditions for purposes of augmenting Indiana road data; with the goal of better informing Indiana citizens and informing decision making regarding road and bridge maintenance.

(d) The department shall report the results of the request for information to:

(1) the legislative council (IC 2-5-1.1-1);

(2) the department; and

(3) the local technical assistance program at Purdue University.

The information provided to the legislative council under this subsection must be submitted in an electronic format under IC 5-14-6.

(e) If the department receives no responses to the request for information, the department shall report that result under subsection (d).

(f) This SECTION expires December 31, 2026.

SECTION 31. An emergency is declared for this act.

