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**IC 9-21-10**

Chapter 10. Motorcycles

**IC 9-21-10-1**

**Passengers; number; seating restrictions**

Sec. 1. In addition to the person who operates a motorcycle that has only two (2) wheels in contact with the ground or pavement, one (1) person may be carried on the motorcycle. A passenger may be carried only on a firmly attached and regular seat designed for passenger use.

*As added by P.L.2-1991, SEC.9.*

**IC 9-21-10-2**

**Passengers; interference with operation and control; obstruction of view**

Sec. 2. A passenger may not be carried on a motorcycle in a position that interferes with the operation or control of the motorcycle or the view of the person who operates the motorcycle.

*As added by P.L.2-1991, SEC.9.*

**IC 9-21-10-3**

**Packages, bundles, or other articles preventing proper use of handlebars**

Sec. 3. A person who operates a motorcycle may not carry a package, bundle, or other article that prevents the person from keeping both hands on the handlebars.

*As added by P.L.2-1991, SEC.9.*

**IC 9-21-10-4**

**Seating restrictions**

Sec. 4. A person may not drive, operate, or ride as a passenger on a motorcycle that has only two (2) wheels in contact with the ground or pavement in a position other than astride the seat or saddle provided.

*As added by P.L.2-1991, SEC.9.*

**IC 9-21-10-5**

**Headlamps; illumination during operation**

Sec. 5. Headlamps shall be illuminated at all times when a motorcycle is in operation.

*As added by P.L.2-1991, SEC.9.*

**IC 9-21-10-6**

**Traffic lanes; restrictions on use**

Sec. 6. A motorcycle is entitled to the full use of a traffic lane and a vehicle may not be driven or operated in a manner that deprives another vehicle of the full use of a traffic lane. Motorcycles may, with the consent of both persons who operate the motorcycles, be operated with not more than two (2) abreast in a single traffic lane.

*As added by P.L.2-1991, SEC.9.*

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### **IC 9-21-10-7**

#### **Traffic regulations; application to motorcycles**

Sec. 7. All traffic regulations and all rights and duties inured from the traffic regulations that apply to a person who drives or operates a motor vehicle apply to a person who operates a motorcycle, except the following:

- (1) Regulations that expressly do not apply to motorcycles.
- (2) Regulations that by their nature have no application.

*As added by P.L.2-1991, SEC.9.*

### **IC 9-21-10-8**

#### **Motorcycles prohibited from operation on highways**

Sec. 8. A motorcycle:

- (1) with a design speed of not more than thirty (30) miles per hour; and
- (2) that has a seat, but not a saddle;

may not be operated on an interstate highway or on a highway outside the limits of a city or town.

*As added by P.L.2-1991, SEC.9.*

### **IC 9-21-10-9**

#### **Drivers or passengers under 18 years of age; headgear and goggles**

Sec. 9. If a person who is less than eighteen (18) years of age is operating or riding on a motorcycle on the streets or highways, the person shall wear the following:

- (1) Protective headgear meeting the minimum standards set by the bureau.
- (2) Protective glasses, goggles, or a transparent face shield.

*As added by P.L.2-1991, SEC.9.*

### **IC 9-21-10-10**

#### **Renting or furnishing a motorcycle to an unlicensed driver; prohibition**

Sec. 10. A person may not rent, lease, or furnish a motorcycle to another person for use on the streets and highways who is not regularly licensed to operate a motor vehicle by the state in which the other person is a resident.

*As added by P.L.2-1991, SEC.9.*

### **IC 9-21-10-11**

#### **Subleasing or otherwise authorizing use of motorcycle to an unlicensed driver; prohibition**

Sec. 11. A person to whom a motorcycle is rented, leased, or furnished may not rent, sublease, or otherwise authorize the use of the motorcycle on the streets and highways to a person who is not licensed to operate a vehicle in Indiana.

*As added by P.L.2-1991, SEC.9.*

### **IC 9-21-10-12**

#### **Renting, leasing, or furnishing an unsafe motorcycle; prohibition**

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Sec. 12. A person may not rent, lease, or furnish a motorcycle that is not in safe operating condition.

*As added by P.L.2-1991, SEC.9.*

### **IC 9-21-10-13**

#### **Violations; Class C infraction**

Sec. 13. A person who violates this chapter commits a Class C infraction.  
*As added by P.L.2-1991, SEC.9.*

## **IC 9-19-7**

### Chapter 7. Motorcycle Equipment

#### **IC 9-19-7-1**

##### **Minors; protective headgear and face shields**

Sec. 1. An individual less than eighteen (18) years of age who is operating or riding on a motorcycle on the streets or highways shall do the following:

- (1) Wear protective headgear meeting the minimum standards set by the bureau.
- (2) Wear protective glasses, goggles, or transparent face shields.

*As added by P.L.2-1991, SEC.7.*

#### **IC 9-19-7-2**

##### **Handlebars; brakes; footrests; lamps and reflectors**

Sec. 2. (a) Except as provided in subsection (b), a motorcycle operated on the streets or highways by a resident of Indiana must meet the following requirements:

- (1) Be equipped with handlebars that rise not more than fifteen (15) inches above the level of the driver's seat or saddle, when occupied.
- (2) Be equipped with brakes in good working order on both front and rear wheels.
- (3) Be equipped with footrests or pegs for both operator and passenger.
- (4) Be equipped with lamps and reflectors meeting the standards of the United States Department of Transportation.

(b) A motorcycle manufactured before January 1, 1956, is not required to be equipped with lamps and other illuminating devices under subsection (a) if the motorcycle is not operated at the times when lighted head lamps and other illuminating devices are required under IC 9-21-7-2.

*As added by P.L.2-1991, SEC.7. Amended by P.L.1-1992, SEC.49; P.L.63-1994, SEC.1.*

#### **IC 9-19-7-2.5**

##### **Rear view mirrors; speedometers; turn signals**

Sec. 2.5. A motorcycle manufactured before January 1, 1956, is not required to be equipped with the following devices:

- (1) A rear view mirror.
- (2) A speedometer.
- (3) Mechanical or electric turn signals.

*As added by P.L.63-1994, SEC.5.*

#### **IC 9-19-7-3**

##### **Classification of violations**

Sec. 3. A person who violates this chapter commits a Class C infraction.  
*As added by P.L.2-1991, SEC.7.*

## **IC 9-24-8**

### Chapter 8. Motorcycle License, Permit, or Endorsement

## **IC 9-24-8-1**

### **Development and issuance; standards**

Sec. 1. (a) The bureau shall develop and issue the following:

- (1) A temporary motorcycle learner's permit.
- (2) A motorcycle learner's permit.
- (3) A motorcycle operator's license or a license endorsement.

(b) The bureau shall determine reasonable standards for a motorcycle operator's license or a license endorsement for the operation of a motorcycle.

*As added by P.L.2-1991, SEC.12.*

## **IC 9-24-8-2**

### **Temporary learner's permit**

Sec. 2. (a) The bureau shall issue a temporary motorcycle learner's permit to an individual who meets the following conditions:

- (1) Is at least fifteen (15) years of age.
- (2) Is enrolled in an approved motorcycle driver education and training course.
- (3) Presents a certificate of enrollment to the bureau.
- (4) Is not ineligible under IC 9-24-2-1.

(b) The bureau shall validate a temporary motorcycle learner's permit upon certification by the instructor of an approved motorcycle driver education and training course that the holder has satisfactorily completed the course and passed the written test described in section 4 of this chapter.

(c) The holder of a validated temporary motorcycle learner's permit may only operate a motorcycle under the following conditions:

- (1) The holder must wear a helmet that meets the standards established by the United States Department of Transportation under 49 CFR 571.218 as in effect January 1, 1979.
- (2) The motorcycle may be operated only during daylight hours.
- (3) The motorcycle may not carry passengers other than the operator.
- (4) The holder must be under the supervision of a licensed motorcycle operator who must be at least eighteen (18) years of age.

(d) A temporary motorcycle learner's permit authorizes the permit holder to operate a motorcycle upon a highway while enrolled in an approved motorcycle driver education and training course and only when the holder is under the direct supervision of an instructor who has received training in the use and operation of motorcycles and who has been:

- (1) certified to teach motorcycle driver education by the state board of education; or
- (2) approved as a motorcycle instructor by the bureau of motor vehicles.

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*As added by P.L.2-1991, SEC.12.*

## **IC 9-24-8-3**

### **Learner's permit**

Sec. 3. (a) The bureau shall issue a motorcycle learner's permit to an individual who meets the following conditions:

- (1) The individual holds a valid operator's, chauffeur's, or public passenger chauffeur's license issued under this article.
- (2) The individual passes a written examination developed by the bureau concerning the safe

operation of a motorcycle.

(b) A motorcycle learner's permit authorizes the permit's holder to operate a motorcycle upon a highway during a period of one (1) year under the following conditions:

(1) The holder wears a helmet that meets the standards established by the United States Department of Transportation under 49 CFR 571.218 as in effect January 1, 1979.

(2) The motorcycle is operated only during daylight hours.

(3) The motorcycle does not carry passengers other than the operator.

*As added by P.L.2-1991, SEC.12.*

#### **IC 9-24-8-4**

##### **Operator's license and endorsement**

Sec. 4. (a) Except as provided in subsections (c) and (d), the bureau shall:

(1) issue a motorcycle operator's license; or

(2) validate an operator's, a chauffeur's, or a public passenger chauffeur's license for motorcycle operation upon a highway by endorsement;  
to a person who meets the conditions in subsection (b).

(b) A person must meet at least one (1) of the following conditions to obtain a license or validation under subsection (a):

(1) Satisfactorily complete the written test, hold a motorcycle learner's permit for at least thirty (30) days, and:

(A) satisfactorily complete an approved operational skills test; or

(B) satisfactorily complete a motorcycle operator safety education course approved by the department of education as set forth in IC 20-30-13-9.

(2) Hold a current motorcycle operator endorsement or motorcycle operator's license from any other jurisdiction and successfully complete the written test.

(c) The bureau may not issue a motorcycle operator's license or endorsement to an individual less than sixteen (16) years and thirty (30) days of age.

(d) If an applicant for a motorcycle license or license endorsement is less than eighteen (18) years of age, the bureau may not issue a license or validate a license described in subsection (a) if the applicant is ineligible under IC 9-24-2-1.

(e) The bureau shall develop and implement both a written test and an operational skills test that must be designed to determine whether an applicant for a motorcycle operator's license or endorsement is competent to operate a motorcycle upon a highway. The written test must be made available at license branch locations approved by the bureau. The operational skills test must be given at locations designated by the bureau. The bureau shall adopt rules by July 1, 2007, under IC 4-22-2 to establish standards for persons administering operational skills tests and the provisions of the operational skills test. An individual applying for a motorcycle operator's license or endorsement must pass the written exam before taking the operational skills test. If an applicant fails to satisfactorily complete either the written or operational tests, the applicant may reapply for and must be offered the examination upon the same terms and conditions as applicants may reapply for and be offered examinations for an operator's license. The bureau shall publish and make available at all locations where an individual may apply for an operator's license information concerning motorcycle operator licensing or endorsement.

(f) An individual who:

(1) has held a motorcycle learner's permit for at least thirty (30) days; or

(2) holds a temporary motorcycle learner's permit, has successfully completed an approved motorcycle driver education and training course, and possesses a valid operator's, chauffeur's, or public passenger chauffeur's license;

may apply for a motorcycle operator's license or endorsement not later than the expiration date of the holder's permit. However, not more than three (3) examinations may be allowed a holder during the period the permit is valid. A holder of a learner's permit or a temporary learner's permit who does not pass

the written and operating skills examination during the period for which the permit is valid must obtain a new learner's permit.

*As added by P.L.2-1991, SEC.12. Amended by P.L.45-2006, SEC.1; P.L.156-2006, SEC.9.*

#### **IC 9-24-8-5**

##### **Violations**

Sec. 5. A person who violates this chapter commits a Class C infraction.

*As added by P.L.2-1991, SEC.12.*

#### **IC 9-24-8-6**

##### **Operating under the influence of alcohol; revocation**

Sec. 6. In addition to any other penalty, the bureau shall revoke the motorcycle learner's permit of a person holding a motorcycle learner's permit who is convicted of operating a motorcycle under the influence of alcohol for at least (1) year from the date of the conviction.

*As added by P.L.2-1991, SEC.12.*