

IC 9-19-9

Chapter 9. Odometers

IC 9-19-9-1

Advertising, sale, use, or installation of devices causing odometers to misregister mileage

Sec. 1. A person may not:

- (1) advertise for sale;
- (2) sell;
- (3) use; or
- (4) install;

any device that causes an odometer to register mileage other than the mileage driven by the vehicle as registered by the odometer within the manufacturer's designed tolerance.

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

IC 9-19-9-2

Disconnecting, resetting, or altering odometer

Sec. 2. A person may not:

- (1) disconnect;
- (2) reset; or
- (3) alter;

the odometer of any motor vehicle with intent to change the number of miles indicated on the odometer.

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

IC 9-19-9-3

Operation of vehicle with disconnected or nonfunctional odometer

Sec. 3. (a) This section applies to all motor vehicles except the following:

- (1) Motorcycles.
- (2) Trucks the declared gross weight of which exceeds eleven thousand (11,000) pounds.
- (3) Motor vehicles that have a model year on their registration card that is at least five (5) years earlier than the year the vehicle is in operation on a street or highway.

(b) A person may not knowingly operate a motor vehicle on a street or highway if the odometer of the vehicle is disconnected or nonfunctional.

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

IC 9-19-9-4

Service, repair, or replacement of odometer

Sec. 4. This chapter does not prohibit the service, repair, or replacement of an odometer if the mileage indicated on the odometer remains the same as before the service, repair, or replacement. If the odometer is incapable of registering the same mileage as before the service, repair, or replacement, the odometer shall be adjusted to read zero (0) and a notice in writing shall be attached to the left door frame of the vehicle by the owner or the owner's agent specifying the

mileage before repair or replacement of the odometer and the date on which the odometer was repaired or replaced. A person may not knowingly remove or alter a notice affixed to a motor vehicle under this section.

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

IC 9-19-9-5

Fraudulent violations and omissions; classification of offense

Sec. 5. A person who, with intent to defraud:

(1) violates this chapter; or

(2) omits to do any act that is required by this chapter;

commits a Class D felony.

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

IC 9-19-9-6

Corporate directors, officers, or agents; criminal liability

Sec. 6. An individual director, officer, or agent of a corporation who authorizes, orders, or performs any of the acts or practices prohibited by this chapter is subject to criminal liability in accordance with IC 35-41-2-4.

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

IC 9-19-9-7

Deceptive acts; civil penalties; recovery by attorney general

Sec. 7. A person who:

(1) violates this chapter; or

(2) violates 49 U.S.C. 32709 (as in effect January 1, 1995);

commits a deceptive act and is subject to a civil penalty of not more than one thousand five hundred dollars (\$1,500) for each violation in addition to other remedies available under this chapter and IC 24-5-0.5. The attorney general, acting in the name of the state, has the exclusive right to petition for recovery of such a penalty, and the penalty may be recovered only in an action brought under IC 24-5-0.5-4(c).

As added by P.L.2-1991, SEC.7. Amended by P.L.54-2009, SEC.4.