

PROPOSAL NO. 4, 2025

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LAWRENCE,
INDIANA IMPOSING A MUNICIPAL WHEEL TAX AND MOTOR VEHICLE
LICENSE EXCISE SURTAX AND CREATING THE CITY OF LAWRENCE
WHEEL TAX FUND AND THE CITY OF LAWRENCE MOTOR VEHICLE
LICENSE EXCISE SURTAX FUND**

WHEREAS, the Community Crossings Matching Grant Program (the “CCMG Program”) is a partnership between the Indiana Department of Transportation (“INDOT”) and Hoosier communities, both urban and rural, designed to invest in infrastructure projects that catalyze economic development, create jobs, and strengthen local transportation networks;

WHEREAS, the CCMG Program provides funding to cities, towns, and counties across Indiana to make improvements to local roads and bridges;

WHEREAS, absent the adoption of this Ordinance, the City of Lawrence, Indiana (the “City”) would not be eligible for the CCMG Program;

WHEREAS, Ind. Code §6-3.5-11 *et seq.* (the “Wheel Tax Act”) authorizes the Common Council of the City (the “Common Council”) to impose by ordinance an annual wheel tax (“Wheel Tax”) of not more than Forty Dollars (\$40.00) on certain motor vehicles registered in the City;

WHEREAS, Ind. Code §6-3.5-10 *et seq.* (the “Excise Tax Act”) authorizes the Common Council to impose by ordinance an annual license excise tax surtax (the “Excise Surtax”) at a rate of not more than Twenty-Five Dollars (\$25.00) on certain motor vehicles registered in the City;

WHEREAS, the Wheel Tax Act authorizes the Common Council to impose the Wheel Tax at a different rate for each class of vehicle subject to the Wheel Tax Act. In addition, the Wheel Tax Act authorizes the Common Council to establish different rates within different classes of buses, recreational vehicles, semitrailers, tractors, and trucks based on weight classification established by the Indiana Bureau of Motor Vehicles (“BMV”);

WHEREAS, the Excise Tax Act authorizes the Common Council to impose the Excise Surtax on each motor vehicle that is subject to the tax, or impose the Excise Tax on vehicles subject to the Excise Surtax at one or more different amounts based upon the class of vehicles;

WHEREAS, the Wheel Tax Act prohibits the Common Council from adopting an ordinance imposing a Wheel Tax unless the Common Council concurrently adopts an ordinance under Ind. Code §6-3.5-10-1 *et seq.* to impose the annual motor vehicle license excise surtax;

WHEREAS, pursuant to Ind. Code §6-3.5-10-1 *et seq.*, the Common Council is concurrently adopting a Motor Vehicle License Excise Surtax;

WHEREAS, the City utilizes a transportation asset management plan, which has been approved by INDOT and is outlined in Exhibit A, which is attached and incorporated herein by reference; and

WHEREAS, the Common Council deems it necessary to impose the Excise Surtax and the Wheel Tax so that it may generate revenue to support the safe operation and continued maintenance of the streets and roads under the jurisdiction of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL AS FOLLOWS:

SECTION 1. Title 7 (Local Tax Revenue), Article 1 (Motor Vehicle Taxes), Chapter 1 (Wheel Tax Fund) is hereby created and added to the Code of Ordinances of the City as follows:

Wheel Tax Fund.

- (a) Definitions. The definitions and provisions set forth in Ind. Code §6-3.5-11-1 are incorporated herein by reference and shall apply throughout this Ordinance.
- (b) City of Lawrence Wheel Tax Fund. The “City of Lawrence Wheel Tax Fund” is hereby created and shall be a non-reverting fund. The City may only use the revenue from the Wheel Tax for the following purposes:
- (1) to construct, reconstruct, repair, or maintain streets and roads that are under the jurisdiction of the City;
 - (2) as a contribution to an authority established under Ind. Code §36-7-23;
 - (3) for the City’s contribution to obtain a grant from the local road and bridge matching grant fund under Ind. Code 8-23-30; and
 - (4) any other allowable uses under Ind. Code §6-3.5-11.
- (c) Imposition and Rate of Wheel Tax. Effective January 1, 2026, the following vehicles registered in the City of Lawrence and subject to the Wheel Tax shall incur a Wheel Tax in the amount of Forty Dollars (\$40.00) pursuant to Ind. Code §6-3.5-11-1 *et seq.*
- (1) Buses;
 - (2) Recreational vehicles;
 - (3) Semitrailers;
 - (4) Trailers with a declared gross weight of more than nine thousand (9,000) pounds; and
 - (5) Trucks and tractors with a declared gross weight of more than eleven thousand (11,000) pounds.
- (ci) Pursuant to Ind. Code §6-3.5-11-4, a vehicle is exempt from the Wheel Tax if the vehicle is:
- (1) owned by the State of Indiana;
 - (2) owned by a state agency of the State of Indiana;
 - (3) owned by a political subdivision of the State of Indiana;
 - (4) subject to the annual license excise surtax imposed pursuant to Ind. Code §6-3.5-10;
 - (5) a bus owned and operated by a religious or non-profit youth organization and used to transport persons to religious services or for the benefit of its members;
 - (6) a school bus;
 - (7) a motor vehicle that is funeral equipment and that is used in the operation of funeral services as defined in Ind. Code §25-15-2-17; or
 - (8) any other vehicle exempt pursuant to Ind. Code §6-3.5-11-4.
- (e) The Wheel Tax shall be paid to the Indiana Bureau of Motor Vehicles each year at the time the vehicle is registered. The City’s Controller shall deposit the Wheel Tax revenues received in a fund to be known as the “City of Lawrence Wheel Tax Fund” and shall distribute the City of Lawrence Wheel Tax Fund consistent with Ind. Code §6-3.5-11-1 *et seq.*
- (f) Accounting of Wheel Tax Fund. On or before October 1 of each year, the City Controller shall provide the Common Council with an estimate of the Wheel Tax revenues to be received by the City during the next calendar year. The City shall include the estimated Wheel Tax revenues in the City’s budget estimate for the calendar year.
- (g) Transmittal of Ordinance. The Common Council authorizes Mayor Deborah Whitfield (the “Mayor”) or the Mayor’s designee to provide a copy of this Ordinance to the Indiana Department of Revenue and the Indiana Bureau of Motor Vehicles and required by Ind. Code §6-3.5-11-8.

SECTION 2. Title 7 (Local Tax Revenue), Article 1 (Motor Vehicle Taxes), Chapter 2 (Motor Vehicle License Excise Surtax Fund) is hereby created and added to the Code of Ordinances of the City as follows:

Motor Vehicle License Excise Surtax Fund.

- (a) Definitions. The definitions and provisions set forth in Ind. Code §6-3.5-10-1 are incorporated herein by reference and shall apply throughout this Ordinance.
- (b) City of Lawrence Motor Vehicle License Excise Surtax Fund. The “City of Lawrence Motor Vehicle License Excise Surtax Fund” is hereby created and shall be a non-reverting fund. The City may use the Excise Surtax revenues for the following purposes:
 - (1) to construct, reconstruct, repair, or maintain streets and roads under the City's jurisdiction;
 - (2) for the City’s contribution to obtain a grant from the local road and bridge matching grant fund under Ind. Code 8-23-30; or
 - (3) any other allowable uses under Ind. Code §6-3.5-10.
- (c) Imposition and Rate of Excise Surtax. Effective January 1, 2026, the following vehicles, registered in the City of Lawrence and subject to the Motor Vehicle License Excise Tax, shall be subject to the Excise Surtax in the amount of Twenty-Five Dollars (\$25.00), pursuant to Ind. Code §6-3.5-10-1 *et seq.*
 - (1) Passenger motor vehicles.
 - (2) Motorcycles.
 - (3) Motor driven cycles.
 - (4) Collector vehicles.
 - (5) Trailer vehicles with a declared gross weight of 9,000 pounds or less.
 - (6) Trucks with a declared gross weight of 11,000 pounds or less.
 - (7) Mini-trucks.
 - (8) Military vehicles.

The Excise Surtax shall be paid with the registration of each such vehicle.
- (d) The City Controller shall deposit revenue received from the Excise Surtax in a fund to be known as the “City of Lawrence Motor Vehicle License Excise Surtax Fund” and shall distribute the Surtax Fund consistent with Ind. Code §6- 3.5-10-10.
- (e) Accounting of Excise Surtax Fund. On or before October 1 of each year, the City Controller shall provide the Common Council with an estimate of the Excise Surtax revenues to be received by the City during the next calendar year. The City shall include the estimated Excise Surtax revenues in the City’s budget estimate for the calendar year.
- (f) Transmittal of Ordinance. The Common Council authorizes the Mayor or the Mayor’s designee to provide a copy of this Ordinance to the Indiana Department of Revenue and the Indiana Bureau of Motor Vehicles and required by Ind. Code §6-3.5-10-6.

SECTION 3. The WHEREAS Recitals are incorporated herein by reference.

SECTION 4. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed. This Ordinance shall have no effect upon any other sections of the Code of Ordinances of the City of Lawrence, Indiana or ordinances not specifically changed by this Ordinance, except as herein provided, and all other sections of the Code of Ordinances of the City of Lawrence, Indiana not inconsistent herewith remain the same.

SECTION 5. The sections, paragraphs, sentences, clauses, phrases and words of this

Ordinance are separable, and if any word, phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a Court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this ordinance.

SECTION 6. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

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ADOPTED this _____ day of _____ 2025.

Attest: _____
Leatrice Adkisson,
City Clerk

Zach Cramer,
President

Presented by me to the Mayor of the City of Lawrence, Indiana, this _____ day of _____, 2025, at _____ o'clock _____ . m.

Leatrice Adkisson, City Clerk

Presented to me and signed this _____ day of _____, 2025, at _____ o'clock _____ . m.

Deborah Whitfield, Mayor

Exhibit A
City of Lawrence
Transportation Asset Management Plan

Year	Rating	Treatment Used	Estimated Cost per Mile	Estimated Miles	Estimated Cost
2025	5	Mill and Overlay - 1.5"	246,354.62	2.25	554,297.89
2025	3-4	Mill and Overlay - 2.5"	384,046.73	2.45	940,914.50
2026	5	Mill and Overlay - 1.5"	295,677.37	1.21	357,769.62
2026	3-4	Mill and Overlay - 2.5"	446,875.30	2.7	1,206,563.31
2027	5	Mill and Overlay - 1.5"	325,242.78	5.1	1,658,738.18
2028	5	Mill and Overlay - 1.5"	465,701.33	3.6	1,676,524.79
2029	5	Mill and Overlay - 1.5"	624,039.78	0.95	592,837.80
2029	3-4	Mill and Overlay - 2.5"	598,812.90	2.45	1,467,091.61



Asset Management Plan – Lawrence

Objectives & Measures

A. Define the agency performance goals and expected level of service for both pavements and bridges:

The city currently does not oversee or maintain any bridges within the city limits. The City of Lawrence's evaluation of the existing roadway system indicated an average PASER rating for the city of 6.44 a 0.02-point decrease from the ratings done in 2023. After reviewing costs for maintaining the existing roadway average PASER rating, the city indicated that the city's goal should be to perform maintenance/construction on many of the City's worst roads over the next 5 years. The proposed plan shows that after an average contribution from the town of \$3,000,000 through the 2025-2029 construction years, the city's average PASER will be 6.21 in 2028. Extra maintenance in any construction year may be performed in order to maintain a higher PASER rating. INDOT has indicated that for each dollar spent on preventative maintenance, a municipality can save \$6 to \$14 on future repairs per their website <http://www.in.gov/indot/2595.htm>. This strategy would be able to save the city on funding requirements in future pavement work and would eventually lower the tax burden to maintain roads within the city limits.

B. Define the rating system used:

The City of Lawrence used the PASER (Pavement Surface Evaluation and Rating) System developed by the University of Wisconsin-Madison Transportation Center to rate the pavement and create a pavement management plan based on the recommended treatments given in the PASER manual.

C. Describe the process used to develop a work plan:

The maintenance work plan created focused on fixing the worst roads as the City has 3.1 miles of roadway with a PASER of 4 requiring HMA overlay with a deep milling and patching. The strategy implemented focused on a "triage approach" of fixing the worst roadways in a very poor state of condition ranked by priority of roadway classification, traffic volume, and PASER rating as soon as possible. Costs for these treatments were generated based on historic bids from other cities in the State of Indiana such as Franklin, Avon, Monticello, and Seymour, as well as the INDOT unit price Summary. Treatment costs were then scaled up each year in the future with a 4% inflation factor. Budget was established at a maximum of around \$3,000,000 per year contribution from Lawrence at the 1:1 match rate for cities with a population of greater than 10,000. Tables were created to show what work will be necessary on which street segments for the next 5 years.



The City of Lawrence plans to use Community Crossing Matching Grant funds as part of their 5 year road treatment plan and plan on applying for funds to pave the following locations in 2025:

1. Geist Valley Estates Subdivision (2.27 miles) - \$730,000 est. CN
2. 52nd Street from German Church Road to Sandwood (0.75 mile) - \$690,000 est. CN
3. Fairways East Subdivision (1.00 mile) - \$340,000 est. CN
4. 56th Street from German Church Rd. to Carroll Rd. (1.00 mile) - \$775,000 est. CN
5. Carroll Rd. from Pendleton Pike to 79th St. (0.78 mile) - \$570,000 est. CN

D. Describe the monitoring program and plan for making updates and adjustments:

The monitoring program includes a yearly check to ensure that the treatments projected in the 5-year plan are still relevant for the year the work is proposed. The entire roadway network will be reevaluated using the PASER system every 2 years to determine progress and ensure the network is responding according to the plan.

E. Describe drainage and ROW conditions:

Lawrence's streets are platted and the city's Right of Way can be viewed on the City of Indianapolis GIS website:

<https://maps.indy.gov/MapIndy/>

Drainage is currently served through the combined usage of stand-up curbs, curb & gutters, and yard swales constructed in the Right of Way. Stormwater is also conveyed via storm and combined storm and sanitary systems to treatment facilities and Fall Creek.