

Transportation Committee

Senator Bob Worsley, Chairman



Liisa Laikko, Research Analyst

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TRANSPORTATION COMMITTEE

LEGISLATION ENACTED

autocycles; class M license; exemption (S.B. 1051) – Chapter 33

Adds a definition of *autocycle* and provides a class M driver license exemption for autocycle riders.

personalized classic car license plate (S.B. 1146) – Chapter 82

Permits the request for a classic car special license plate to be combined with the request for a personalized license plate, subject to both fees.

military scholarship special plates (H.B. 2092) – Chapter 96

Requires the Arizona Department of Transportation (ADOT) to issue a military scholarship special plate if an entity pays \$32,000 for its implementation by December 31, 2015. Stipulates that the entity that pays the implementation fee must design the plate, subject to ADOT's approval. Monies collected from the plate will be deposited in a separate subaccount in the Veterans' Donation Fund, with a portion of each license plate fee dispersed to the organization that pays for the plate's implementation. Requires the Director of the Department of Veterans' Services to annually allocate monies from the subaccount to a qualifying foundation that provides need-based scholarships to children of the U.S. military, so long as the foundation: 1) has been in existence for at least 52 years; 2) provides more than 33,000 scholarships that are valued at almost \$90,000,000; 3) has a mission that includes honoring marines and educating their children; and 4) awards scholarship monies to children of marines and navy corpsmen who were killed or wounded in combat or who have demonstrated financial need.

autocycles; motorized quadricycles (H.B. 2211) – Chapter 279

Adds the definition of *motorized quadricycle* and provides requirements and regulations for the vehicle.

ATV and motorcycle passengers (H.B. 2236) – Chapter 173

Specifies that a motorcycle cannot carry passengers unless designed to do so and an all-terrain vehicle cannot carry passengers unless equipped to do so. A passenger is allowed to ride on a permanent and regular seat or another seat attached to either the rear or side of a motorcycle that is designed to carry more than one person or an all-terrain vehicle that is equipped to carry more than one person.

pipeline safety; civil penalties (H.B. 2259) – Chapter 26

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Increases the maximum civil penalty for a violation of the safety standards relating to pipeline transportation and pipeline facilities, from \$100,000 to \$200,000 for each violation, and any related series of violations from \$1,000,000 to \$2,000,000.

contract progress payments; design professionals (H.B. 2336) – Chapter 282

Defines a *design professional* as an individual or firm registered to provide any architecture, engineering, geology, landscape-architecture or land-surveying services and includes design professionals in statutory prompt payment and contracting guidelines. Changes related to this inclusion may not be applied to contracts in existence prior to July 3, 2015.

Permits the Arizona Department of Transportation (ADOT) to respond to a prompt payment invoice electronically, indicating any items that will not be compensated because they are not approved or certified under the agreement.

Establishes a limited notice to proceed through which ADOT may authorize and pay for labor, materials, work or services from a design professional ahead of the finalization of a contract or contract modification.

motorcycles; all-terrain vehicles; cycles; equipment (H.B. 2345) – Chapter 118

Removes the handlebar height restriction prohibiting a person from operating a motorcycle, all-terrain vehicle or motor driven cycle equipped with handlebars that position the operator's hands above their shoulders when sitting astride the seat. Removes the requirement that a motorcycle, all-terrain vehicle or motor driven cycle needs to be equipped with handrails for the passenger.

off-highway vehicles; enforcement (H.B. 2365) – Chapter 305

Permits, rather than requires, all state, county or municipal peace officers and other authorized state employees to enforce rules and regulations relating to off-highway vehicles and allows enforcement on all state and federal lands. Specifies the definition of *off-highway vehicle* does not include a vehicle that is used in the exploration of mining of minerals or aggregates as defined in statute. States a payment by an agency of this state to an owner, easement holder or lessee for allowing public recreational access to those premises is not the payment of an admission fee or other consideration by a recreational user.

annual report; licensee; filing extension (NOW: DPS; towing contracts; surveys) (H.B. 2416) – Chapter 265

Requires the Director of the Department of Public Safety (DPS) to establish the maximum allowable rates for towing vehicle classifications used in DPS agreements with a towing firm for towing or storage services, or both. Requires the Director of DPS (Director) to consult, each even numbered year, with a statewide towing industry association and providers of towing services from each geographical towing area to review information including contract rates and the current industry retail rates. Allows DPS, prior to the expiration of an existing

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contract, to adjust the towing service fees to reflect the information received or any other relevant information.

Requires the Director to establish a heavy duty rotator recovery vehicle classification for towing services. The rules must include rates and general guidelines for the use of heavy duty rotator recovery vehicles. Establishes a definition of heavy duty rotator recovery vehicle. Stipulates that the sections relating to heavy duty rotator recovery vehicles are repealed as of the date DPS adopts rules establishing the definition for the heavy duty rotator recovery vehicle classification. DPS is required to notify the Director of the Arizona Legislative Council when the definition has been adopted.

Adds that the Director must adopt guidelines to protect consumers against being overcharged for towing services.

vehicle towing (H.B. 2422) – Chapter 307

Removes the requirement for a person operating a tow truck to obtain a bond before registering with the Department of Public Safety (DPS). Also adds if a towing firm has a contractual agreement with DPS or a county, city or town for towing or storage services, or both, and that towing firm acquires another firm with a contractual agreement, both agreements remain valid for one year or until the end of the agreement, whichever is shorter.

vehicle equipment; lighting. (NOW: eligibility; defensive driving schools) (H.B. 2308) – Chapter 281

SEE THE PUBLIC SAFETY, MILITARY & TECHNOLOGY COMMITTEE.

special plates; health sciences; hockey (H.B. 2522) – Chapter 124

Health Sciences Special Plate – Requires the Arizona Department of Transportation (ADOT) to issue a health sciences special plate if an entity pays \$32,000 for its implementation by December 31, 2015. Stipulates that the entity that pays the implementation fee must design the plate, subject to ADOT's approval. Monies collected from the plate will be deposited in the Health Sciences Educational Institution Fund, created by this legislation, with a portion of each license plate fee being dispersed to the organization that pays for the plate's implementation. Requires the Director of ADOT to annually allocate monies, excluding administrative fees, to a private entity that: 1) is a nonprofit qualified under U.S. Internal Revenue Code § 501(c); 2) solely provides graduate and postgraduate education in health sciences; and 3) has an enrollment of at least 3,000 full-time students. The entity that receives the monies is required to use it for academic scholarships.

Hockey Club Special Plates – Extends the funding deadline for the Arizona Professional Hockey Club Special Plate from December 31, 2011, to December 31, 2015.

towed vehicles; local authority (H.B. 2523) – Chapter 176

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Authorizes a person in this state to choose any towing company or operator of a towing vehicle to transport a motor vehicle from a towing company's storage premises to a vehicle repair facility.

firefighters; professional golf; special plates (H.B. 2524) – Chapter 59

Requires the Arizona Department of Transportation (ADOT) to issue the Firefighter Special Plate and the Arizona Professional Golf Special Plate if an entity pays \$32,000 for each plate's implementation by December 31, 2015. Stipulates that the entity that pays the implementation fee must design the plate, subject to ADOT's approval. Creates a fund for each special plate and requires the Director of ADOT to administer the fund. A portion of each license plate fee is dispersed to the organization that pays for each of the plate's implementation. The Director must annually allocate monies from the funds to a qualifying foundation and defines the foundations that qualify for each plate.

license plates; trailers; issuance (NOW: reciprocal driver license agreements) (H.B. 2609) – Chapter 294

Reciprocal Driver License – Permits the Arizona Department of Transportation (ADOT) to waive the written and driving examinations required for licensure for an operator of a motor vehicle for a person who holds a valid driver license issued by a foreign country in which the operator previously resided and who applies for an initial driver license in this state as an original applicant, if all of the following conditions apply: 1) the Director of ADOT (Director) determines that the standards of the foreign country for licensing operators of motor vehicles are substantially similar to those of this state; 2) the foreign country extends the same reciprocal driver license application privileges to persons licensed in this state; 3) the Director and the foreign country have exchanged letters or other documentation to confirm the reciprocal extension of privileges to operate motor vehicles; and 4) the original applicant complies with the mandatory motor vehicle insurance requirements.

Allows a person holding a valid driver license issued by a foreign country that qualifies for the reciprocal operating privileges to apply for a Class D, G, or M license and requires the person to surrender the foreign country driver license to ADOT. The reciprocal operating privileges do not apply to commercial driver licensing and ADOT is required to publish on its website a current list of foreign countries for which reciprocal operating privileges have been extended and withdrawn.

Voluntary Travel License – Requires, by April 1, 2016, ADOT to issue a driver license or non-operating identification license that allows the applicant to board a federally regulated commercial aircraft or to access restricted areas in federal facilities, nuclear power plants or military facilities on request. This license will be valid for a period up to eight years and may not contain radio frequency identification technology.

Exempts ADOT from rulemaking requirements for one year for issuing the license and requires ADOT to provide public notice and opportunity for public comment at least 30 days before a rule is adopted or amended. The Director must set a fee for the license. Specifies that

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this act only becomes effective if by January 1, 2021, the state requests a waiver from the federal government from complying with the Real ID Act of 2005 and the federal government does not grant the waiver and establishes related notification requirements.

community college collegiate special plates (H.B. 2610) – Chapter 295

Requires the Arizona Department of Transportation (ADOT) to issue a special plate for each qualified community college district (district) with a full-time student count of over 50,000 students and requires the district to establish and administer a Community College District Collegiate Special Plate Fund (Fund) consisting of monies received from the collegiate plate annual donations. The Fund is exempt from lapsing and the monies must be used for academic scholarships.

LEGISLATION VETOED

vehicle insurance cards; barcode (H.B. 2327) – VETOED

Permits an insurance company to place an encrypted barcode on a vehicle insurance card.

The Governor indicates in his veto message that current law does not prohibit insurance companies from placing a barcode on insurance cards. He also states that he believes it is best for the insurance companies to decide how to introduce barcodes in this state.