

REFERENCE TITLE: **venture trucks; regulation**

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

SB 1356

Introduced by
Senators Gould: Harper

AN ACT

AMENDING SECTIONS 28-101, 28-892, 28-943, 28-958.01, 28-959, 28-966, 28-2052, 28-2058, 28-2153 AND 28-4132, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 7, ARTICLE 15, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-2517; RELATING TO MOTOR VEHICLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 28-101, Arizona Revised Statutes, is amended to
3 read:
4 28-101. Definitions
5 In this title, unless the context otherwise requires:
6 1. "Alcohol" means any substance containing any form of alcohol,
7 including ethanol, methanol, propynol and isopropynol.
8 2. "Alcohol concentration" if expressed as a percentage means either:
9 (a) The number of grams of alcohol per one hundred milliliters of
10 blood.
11 (b) The number of grams of alcohol per two hundred ten liters of
12 breath.
13 3. "All-terrain vehicle" means a motor vehicle that satisfies all of
14 the following:
15 (a) Is designed primarily for recreational nonhighway all-terrain
16 travel.
17 (b) Is fifty or fewer inches in width.
18 (c) Has an unladen weight of eight hundred pounds or less.
19 (d) Travels on three or more low pressure tires.
20 (e) Has a seat to be straddled by the operator and handlebars for
21 steering control.
22 (f) Is operated on a public highway.
23 4. "Authorized emergency vehicle" means any of the following:
24 (a) A fire department vehicle.
25 (b) A police vehicle.
26 (c) An ambulance or emergency vehicle of a municipal department or
27 public service corporation that is designated or authorized by the department
28 or a local authority.
29 (d) Any other ambulance, fire truck or rescue vehicle that is
30 authorized by the department in its sole discretion and that meets liability
31 insurance requirements prescribed by the department.
32 5. "Aviation fuel" means all flammable liquids composed of a mixture
33 of selected hydrocarbons expressly manufactured and blended for the purpose
34 of effectively and efficiently operating an internal combustion engine for
35 use in an aircraft but does not include fuel for jet or turbine powered
36 aircraft.
37 6. "Bicycle" means a device, including a racing wheelchair, that is
38 propelled by human power and on which a person may ride and that has either:
39 (a) Two tandem wheels, either of which is more than sixteen inches in
40 diameter.
41 (b) Three wheels in contact with the ground, any of which is more than
42 sixteen inches in diameter.
43 7. "Board" means the transportation board.
44 8. "Bus" means a motor vehicle designed for carrying sixteen or more
45 passengers, including the driver.

1 9. "Business district" means the territory contiguous to and including
2 a highway if there are buildings in use for business or industrial purposes
3 within any six hundred feet along the highway, including hotels, banks or
4 office buildings, railroad stations and public buildings that occupy at least
5 three hundred feet of frontage on one side or three hundred feet collectively
6 on both sides of the highway.

7 10. "Combination of vehicles" means a truck or truck tractor and
8 semitrailer and any trailer that it tows but does not include a forklift
9 designed for the purpose of loading or unloading the truck, trailer or
10 semitrailer.

11 11. "Controlled substance" means a substance so classified under
12 section 102(6) of the controlled substances act (21 United States Code
13 section 802(6)) and includes all substances listed in schedules I through V
14 of 21 Code of Federal Regulations part 1308.

15 12. "Conviction" means:

16 (a) An unvacated adjudication of guilt or a determination that a
17 person violated or failed to comply with the law in a court of original
18 jurisdiction or by an authorized administrative tribunal.

19 (b) An unvacated forfeiture of bail or collateral deposited to secure
20 the person's appearance in court.

21 (c) A plea of guilty or no contest accepted by the court.

22 (d) The payment of a fine or court costs.

23 13. "County highway" means a public road constructed and maintained by
24 a county.

25 14. "Dealer" means a person who is engaged in the business of buying,
26 selling or exchanging motor vehicles, trailers or semitrailers and who has an
27 established place of business.

28 15. "Department" means the department of transportation acting directly
29 or through its duly authorized officers and agents.

30 16. "Director" means the director of the department of transportation.

31 17. "Drive" means to operate or be in actual physical control of a
32 motor vehicle.

33 18. "Driver" means a person who drives or is in actual physical control
34 of a vehicle.

35 19. "Driver license" means a license that is issued by a state to an
36 individual and that authorizes the individual to drive a motor vehicle.

37 20. "Electric personal assistive mobility device" means a
38 self-balancing two nontandem wheeled device with an electric propulsion
39 system that limits the maximum speed of the device to fifteen miles per hour
40 or less and that is designed to transport only one person.

41 21. "Farm tractor" means a motor vehicle designed and used primarily as
42 a farm implement for drawing implements of husbandry.

43 22. "Foreign vehicle" means a motor vehicle, trailer or semitrailer
44 that is brought into this state other than in the ordinary course of business

1 by or through a manufacturer or dealer and that has not been registered in
2 this state.

3 23. "Golf cart" means a motor vehicle that has not less than three
4 wheels in contact with the ground, that has an unladen weight of less than
5 one thousand eight hundred pounds, that is designed to be and is operated at
6 not more than twenty-five miles per hour and that is designed to carry not
7 more than four persons including the driver.

8 24. "Hazardous material" means a material, and its mixtures or
9 solutions, that the United States department of transportation determines
10 under 49 Code of Federal Regulations is, or any quantity of a material listed
11 as a select agent or toxin under 42 Code of Federal Regulations part 73 that
12 is, capable of posing an unreasonable risk to health, safety and property if
13 transported in commerce and that is required to be placarded or marked as
14 required by the department's safety rules prescribed pursuant to chapter 14
15 of this title.

16 25. "Implement of husbandry" means a vehicle designed primarily for
17 agricultural purposes and used exclusively in the conduct of agricultural
18 operations, including an implement or vehicle whether self-propelled or
19 otherwise that meets all of the following conditions:

20 (a) Is used exclusively for carrying products of farming from one part
21 of a farm to another part of the same farm or from one farm to another farm.

22 (b) Is used solely for agricultural purposes including the preparation
23 or harvesting of cotton, alfalfa, grains and other farm crops.

24 (c) Is only incidentally operated or moved on a highway whether as a
25 trailer or self-propelled unit.

26 26. "Limousine" means a motor vehicle providing prearranged ground
27 transportation service for an individual passenger, or a group of passengers,
28 that is arranged in advance or is operated on a regular route or between
29 specified points and includes ground transportation under a contract or
30 agreement for services that includes a fixed rate or time and is provided in
31 a motor vehicle with a seating capacity not exceeding fifteen passengers
32 including the driver.

33 27. "Livery vehicle" means a motor vehicle that:

34 (a) Has a seating capacity not exceeding fifteen passengers including
35 the driver.

36 (b) Provides passenger services for a fare determined by a flat rate
37 or flat hourly rate between geographic zones or within a geographic area.

38 (c) Is available for hire on an exclusive or shared ride basis.

39 (d) May do any of the following:

40 (i) Operate on a regular route or between specified places.

41 (ii) Offer prearranged ground transportation service as defined in
42 section 28-141.

43 (iii) Offer on demand ground transportation service pursuant to a
44 contract with a public airport, licensed business entity or organization.

1 28. "Local authority" means any county, municipal or other local board
2 or body exercising jurisdiction over highways under the constitution and laws
3 of this state.

4 29. "Manufacturer" means a person engaged in the business of
5 manufacturing motor vehicles, trailers or semitrailers.

6 30. "Moped" means a bicycle that is equipped with a helper motor if the
7 vehicle has a maximum piston displacement of fifty cubic centimeters or less,
8 a brake horsepower of one and one-half or less and a maximum speed of
9 twenty-five miles per hour or less on a flat surface with less than a one per
10 cent grade.

11 31. "Motor driven cycle" means a motorcycle, including every motor
12 scooter, with a motor that produces not more than five horsepower.

13 32. "Motor vehicle":

14 (a) Means either:

15 (i) A self-propelled vehicle.

16 (ii) For the purposes of the laws relating to the imposition of a tax
17 on motor vehicle fuel, a vehicle that is operated on the highways of this
18 state and that is propelled by the use of motor vehicle fuel.

19 (b) Does not include a motorized wheelchair, an electric personal
20 assistive mobility device or a motorized skateboard. For the purposes of this
21 subdivision:

22 (i) "Motorized skateboard" means a self-propelled device that has a
23 motor, a deck on which a person may ride and at least two tandem wheels in
24 contact with the ground.

25 (ii) "Motorized wheelchair" means a self-propelled wheelchair that is
26 used by a person for mobility.

27 33. "Motor vehicle fuel" includes all products that are commonly or
28 commercially known or sold as gasoline, including casinghead gasoline,
29 natural gasoline and all flammable liquids, and that are composed of a
30 mixture of selected hydrocarbons expressly manufactured and blended for the
31 purpose of effectively and efficiently operating internal combustion engines.
32 Motor vehicle fuel does not include inflammable liquids that are specifically
33 manufactured for racing motor vehicles and that are distributed for and used
34 by racing motor vehicles at a racetrack, use fuel as defined in section
35 28-5601, aviation fuel, fuel for jet or turbine powered aircraft or the
36 mixture created at the interface of two different substances being
37 transported through a pipeline, commonly known as transmix.

38 34. "Motorcycle" means a motor vehicle that has a seat or saddle for
39 the use of the rider and that is designed to travel on not more than three
40 wheels in contact with the ground but excluding a tractor and a moped.

41 35. "Neighborhood electric vehicle" means a self-propelled electrically
42 powered motor vehicle to which all of the following apply:

43 (a) The vehicle is emission free.

44 (b) The vehicle has at least four wheels in contact with the ground.

1 (c) The vehicle complies with the definition and standards for low
2 speed vehicles set forth in federal motor vehicle safety standard 500 and 49
3 Code of Federal Regulations sections 571.3(b) and 571.500, respectively.

4 36. "Nonresident" means a person who is not a resident of this state as
5 defined in section 28-2001.

6 37. "Off-road recreational motor vehicle" means a motor vehicle that is
7 designed primarily for recreational nonhighway all-terrain travel and that is
8 not operated on a public highway. Off-road recreational motor vehicle does
9 not mean a motor vehicle used for construction, building trade, mining or
10 agricultural purposes.

11 38. "Operator" means a person who drives a motor vehicle on a highway,
12 who is in actual physical control of a motor vehicle on a highway or who is
13 exercising control over or steering a vehicle being towed by a motor vehicle.

14 39. "Owner" means:

15 (a) A person who holds the legal title of a vehicle.

16 (b) If a vehicle is the subject of an agreement for the conditional
17 sale or lease with the right of purchase on performance of the conditions
18 stated in the agreement and with an immediate right of possession vested in
19 the conditional vendee or lessee, the conditional vendee or lessee.

20 (c) If a mortgagor of a vehicle is entitled to possession of the
21 vehicle, the mortgagor.

22 40. "Pedestrian" means any person afoot. A person who uses an electric
23 personal assistive mobility device or a manual or motorized wheelchair is
24 considered a pedestrian unless the manual wheelchair qualifies as a bicycle.
25 For the purposes of this paragraph, "motorized wheelchair" means a
26 self-propelled wheelchair that is used by a person for mobility.

27 41. "Power sweeper" means an implement, with or without motive power,
28 that is only incidentally operated or moved on a street or highway and that
29 is designed for the removal of debris, dirt, gravel, litter or sand whether
30 by broom, vacuum or regenerative air system from asphaltic concrete or cement
31 concrete surfaces, including parking lots, highways, streets and warehouses,
32 and a vehicle on which the implement is permanently mounted.

33 42. "Public transit" means the transportation of passengers on
34 scheduled routes by means of a conveyance on an individual passenger
35 fare-paying basis excluding transportation by a sight-seeing bus, school bus
36 or taxi or a vehicle not operated on a scheduled route basis.

37 43. "Reconstructed vehicle" means a vehicle that has been assembled or
38 constructed largely by means of essential parts, new or used, derived from
39 vehicles or makes of vehicles of various names, models and types or that, if
40 originally otherwise constructed, has been materially altered by the removal
41 of essential parts or by the addition or substitution of essential parts, new
42 or used, derived from other vehicles or makes of vehicles. For the purposes
43 of this paragraph, "essential parts" means integral and body parts, the
44 removal, alteration or substitution of which will tend to conceal the
45 identity or substantially alter the appearance of the vehicle.

1 44. "Residence district" means the territory contiguous to and
2 including a highway not comprising a business district if the property on the
3 highway for a distance of three hundred feet or more is in the main improved
4 with residences or residences and buildings in use for business.

5 45. "Right-of-way" when used within the context of the regulation of
6 the movement of traffic on a highway means the privilege of the immediate use
7 of the highway. Right-of-way when used within the context of the real
8 property on which transportation facilities and appurtenances to the
9 facilities are constructed or maintained means the lands or interest in lands
10 within the right-of-way boundaries.

11 46. "School bus" means a motor vehicle that is designed for carrying
12 more than ten passengers and that is either:

13 (a) Owned by any public or governmental agency or other institution
14 and operated for the transportation of children to or from home or school on
15 a regularly scheduled basis.

16 (b) Privately owned and operated for compensation for the
17 transportation of children to or from home or school on a regularly scheduled
18 basis.

19 47. "Semitrailer" means a vehicle that is with or without motive power,
20 other than a pole trailer, that is designed for carrying persons or property
21 and for being drawn by a motor vehicle and that is constructed so that some
22 part of its weight and that of its load rests on or is carried by another
23 vehicle. For the purposes of this paragraph, "pole trailer" has the same
24 meaning prescribed in section 28-601.

25 48. "State" means a state of the United States and the District of
26 Columbia.

27 49. "State highway" means a state route or portion of a state route
28 that is accepted and designated by the board as a state highway and that is
29 maintained by the state.

30 50. "State route" means a right-of-way whether actually used as a
31 highway or not that is designated by the board as a location for the
32 construction of a state highway.

33 51. "Street" or "highway" means the entire width between the boundary
34 lines of every way if a part of the way is open to the use of the public for
35 purposes of vehicular travel.

36 52. "Taxi" means a motor vehicle that has a seating capacity not
37 exceeding fifteen passengers, including the driver, that is registered as a
38 taxi in this state or any other state, that provides passenger services and
39 that:

40 (a) Does not operate on a regular route or between specified places.

41 (b) Offers local transportation for a fare determined primarily on the
42 basis of the distance traveled.

43 53. "Trailer" means a vehicle that is with or without motive power,
44 other than a pole trailer, that is designed for carrying persons or property
45 and for being drawn by a motor vehicle and that is constructed so that no

1 part of its weight rests on the towing vehicle. A semitrailer equipped with
2 an auxiliary front axle commonly known as a dolly is deemed to be a trailer.
3 For the purposes of this paragraph, "pole trailer" has the same meaning
4 prescribed in section 28-601.

5 54. "Truck" means a motor vehicle designed or used primarily for the
6 carrying of property other than the effects of the driver or passengers and
7 includes a motor vehicle to which has been added a box, a platform or other
8 equipment for such carrying.

9 55. "Truck tractor" means a motor vehicle that is designed and used
10 primarily for drawing other vehicles and that is not constructed to carry a
11 load other than a part of the weight of the vehicle and load drawn.

12 56. "Vehicle" means a device in, on or by which a person or property is
13 or may be transported or drawn on a public highway, excluding devices moved
14 by human power or used exclusively on stationary rails or tracks.

15 57. "Vehicle transporter" means either:

16 (a) A truck tractor capable of carrying a load and drawing a
17 semitrailer.

18 (b) A truck tractor with a stinger-steered fifth wheel capable of
19 carrying a load and drawing a semitrailer or a truck tractor with a dolly
20 mounted fifth wheel that is securely fastened to the truck tractor at two or
21 more points and that is capable of carrying a load and drawing a semitrailer.

22 58. "VENTURE TRUCK" MEANS A MOTOR VEHICLE THAT IS USED PRIMARILY FOR
23 CARRYING CARGO, TO WHICH A BOX, PLATFORM OR OTHER EQUIPMENT HAS BEEN AFFIXED
24 FOR THE PURPOSE OF CARRYING CARGO AND THAT HAS ALL OF THE FOLLOWING:

25 (a) NOT LESS THAN FOUR WHEELS IN CONTACT WITH THE GROUND.

26 (b) AN UNLADEN WEIGHT OF LESS THAN ONE THOUSAND EIGHT HUNDRED POUNDS.

27 (c) A PERMANENTLY INSTALLED ENGINE OR TRANSMISSION GOVERNOR LIMITING
28 THE VEHICLE'S SPEED TO NOT MORE THAN TWENTY-FIVE MILES PER HOUR.

29 (d) A DESIGN TO CARRY NOT MORE THAN TWO PERSONS INCLUDING THE DRIVER.

30 (e) A WHEEL BASE OF SIX FEET THREE INCHES OR LESS.

31 Sec. 2. Section 28-892, Arizona Revised Statutes, is amended to read:

32 28-892. Riding on motorcycle, venture truck, off-highway
33 vehicle, off-road recreational motor vehicle or
34 all-terrain vehicle; definition

35 A. A person operating a motorcycle, VENTURE TRUCK, OFF-HIGHWAY
36 VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or all-terrain vehicle shall
37 ride only on the permanent and regular seat attached to the motorcycle,
38 VENTURE TRUCK, OFF-HIGHWAY VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or
39 all-terrain vehicle. The operator of a motorcycle, VENTURE TRUCK,
40 OFF-HIGHWAY VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or all-terrain
41 vehicle shall not carry any other person and any other person shall not ride
42 on a motorcycle, VENTURE TRUCK, OFF-HIGHWAY VEHICLE, OFF-ROAD RECREATIONAL
43 MOTOR VEHICLE or all-terrain vehicle unless the motorcycle, VENTURE TRUCK,
44 OFF-HIGHWAY VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or all-terrain
45 vehicle is designed to carry more than one person. On a motorcycle, VENTURE

1 TRUCK, OFF-HIGHWAY VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or
2 all-terrain vehicle designed to carry more than one person, a passenger may
3 ride on the permanent and regular seat if it is designed for two persons or
4 on another seat firmly attached to the motorcycle, VENTURE TRUCK, OFF-HIGHWAY
5 VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or all-terrain vehicle at the
6 rear or side of the operator.

7 B. FOR THE PURPOSES OF THIS SECTION, "OFF-HIGHWAY VEHICLE" HAS THE
8 SAME MEANING PRESCRIBED IN SECTION 28-1171.

9 Sec. 3. Section 28-943, Arizona Revised Statutes, is amended to read:

10 28-943. Single beam road lighting equipment

11 Head lamps that are arranged to provide a single distribution of light
12 are permitted on motor vehicles manufactured and sold before January 1, 1951,
13 ~~and~~ on neighborhood electric vehicles AND ON VENTURE TRUCKS, in lieu of
14 multiple beam road lighting equipment specified in this article, if the
15 single distribution of light complies with the following requirements and
16 limitations:

17 1. The head lamps are aimed so that when the vehicle is not loaded
18 none of the high intensity portion of the light projects, at a distance of
19 twenty-five feet ahead, higher than a level of five inches below the level of
20 the center of the lamp that is aimed and in no case higher than forty-two
21 inches above the level on which the vehicle stands at a distance of
22 seventy-five feet ahead.

23 2. The intensity is sufficient to reveal persons and vehicles at a
24 distance of at least two hundred feet.

25 Sec. 4. Section 28-958.01, Arizona Revised Statutes, is amended to
26 read:

27 28-958.01. Rear fender splash guards

28 A. A person shall not operate a truck, trailer, semitrailer or bus on
29 a highway unless the vehicle is equipped with rear fender splash guards that
30 comply with the specifications provided in this section.

31 B. The splash guards:

32 1. Shall be attached in a manner that prevents the splashing of mud or
33 water on the windshield of other motor vehicles.

34 2. Shall extend to a length of not more than eight inches from the
35 ground.

36 3. Shall be wide enough to cover the full tread or treads of the tires
37 being protected.

38 4. Shall be installed close enough to the tread surface of the tire or
39 wheel to control the side throw of the bulk of the thrown road surface
40 material.

41 5. May be constructed of a flexible rubberized material.

42 6. Shall be attached in a manner that, regardless of movement either
43 in the splash guards or the vehicle, the splash guards retain their general
44 parallel relationship to the tread surface of the tire or wheel under all
45 ordinary operating conditions.

1 C. This section does not apply to:

2 1. A vehicle commonly known as a pickup truck with a manufacturer's
3 gross vehicle weight rating of ten thousand pounds or less **OR A VENTURE**
4 **TRUCK**, except that this section applies if the pickup truck has been modified
5 from the original bumper height design to raise the center of gravity of the
6 pickup truck.

7 2. A truck tractor or converter dolly when used in combination with
8 another vehicle.

9 3. A single, tandem or triple axle trailer with fenders that are wide
10 enough to cover the full tread or treads of the tires being protected and
11 that extend to a length of not more than fourteen inches from the ground.

12 Sec. 5. Section 28-959, Arizona Revised Statutes, is amended to read:
13 **28-959. Safety glass required; applicability; approval list;**
14 **denial or suspension of registration; definition**

15 A. A person shall not sell and the department shall not register a new
16 motor vehicle as specified in this section unless the vehicle is equipped
17 with safety glass wherever glass is used in doors, windows and windshields.
18 The safety glass shall be of a type approved by the director.

19 B. This section applies to passenger motor vehicles, other than golf
20 carts **AND VENTURE TRUCKS**, including passenger buses and school buses. For
21 trucks, including truck tractors, the requirements of this section for safety
22 glass apply to all glass used in doors, windows and windshields in the
23 drivers' compartments of the vehicles.

24 C. The director shall compile and publish a list of types of glass by
25 name that are approved by the director and that meet the requirements of this
26 section.

27 D. The director shall not register a new motor vehicle unless it is
28 equipped with an approved type of safety glass. The director shall suspend
29 the registration of any motor vehicle that is subject to this section and
30 that the director finds is not equipped with an approved type of safety
31 glass. The suspension shall continue until the motor vehicle is made to
32 conform to the requirements of this section.

33 E. A person shall not replace glass or glazing materials used in
34 partitions, doors, windows, windshields or wind deflectors in a motor vehicle
35 with a material other than safety glass of a type approved by the director.

36 F. For the purposes of this section, "safety glass" means either:

37 1. A product composed of glass that is manufactured, fabricated or
38 treated in a manner that substantially prevents shattering and flying of the
39 glass when struck or broken.

40 2. Other or similar products as approved by the director.

41 Sec. 6. Section 28-966, Arizona Revised Statutes, is amended to read:
42 **28-966. Neighborhood electric vehicles; venture trucks; speed;**
43 **restrictions**

44 A. A neighborhood electric vehicle **OR VENTURE TRUCK** shall not be
45 operated at a speed of more than twenty-five miles per hour.

1 B. A neighborhood electric vehicle OR VENTURE TRUCK shall not be
2 driven on a highway that has a posted speed limit of more than thirty-five
3 miles per hour. This subsection does not prohibit a neighborhood electric
4 vehicle OR VENTURE TRUCK from crossing a highway that has a posted speed
5 limit of more than thirty-five miles per hour at an intersection.

6 C. A neighborhood electric vehicle OR VENTURE TRUCK shall have a
7 notice of the operational restrictions applying to the vehicle permanently
8 attached to or painted on the vehicle in a location that is in clear view of
9 the driver.

10 Sec. 7. Section 28-2052, Arizona Revised Statutes, is amended to read:
11 28-2052. Title and registration of foreign vehicles

12 A. Except as provided in subsection E of this section, the owner of a
13 foreign vehicle that has been registered in another state or country and for
14 which an application for a certificate of title is made shall surrender to
15 the department the license plates assigned to the vehicle, the registration
16 card, the certificate of title, the certificate of ownership or other
17 evidence of foreign registration and satisfactory evidence of ownership
18 showing that the applicant is the lawful owner or possessor of the vehicle.

19 B. If in the course of interstate operation of a vehicle registered in
20 another state or country it is desirable to retain registration of the
21 vehicle in the other state or country, the applicant need not follow the
22 requirements of subsection A of this section but shall submit evidence of the
23 foreign registration and ownership for inspection. The department shall
24 register the vehicle on a proper showing of evidence of registration but
25 shall not issue a certificate of title for the vehicle.

26 C. The department shall inspect a foreign vehicle before titling or
27 registration, including examination and inspection to establish compliance
28 with section 28-955, under conditions and standards as required by the
29 director of environmental quality. The department may establish procedures
30 to accept vehicle inspections completed in another state.

31 D. Before the department issues a certificate of title to a vehicle
32 imported into this country, the owner shall obtain a certificate of
33 compliance that states that the vehicle meets all federal vehicle equipment
34 and emissions equipment requirements. This subsection does not apply to a
35 golf cart manufactured or modified before June 17, 1998, ~~or~~ A neighborhood
36 electric vehicle manufactured or modified before June 17, 1998 OR A VENTURE
37 TRUCK MANUFACTURED OR MODIFIED ON OR BEFORE DECEMBER 31, 1998.

38 E. The department may establish procedures to accept evidence that the
39 certificate of title or certificate of ownership has been voided or destroyed
40 by another state.

41 Sec. 8. Section 28-2058, Arizona Revised Statutes, is amended to read:
42 28-2058. Transfer of title; odometer mileage disclosure
43 statement

44 A. When the owner of a registered or unregistered vehicle transfers or
45 assigns the owner's title or interest to the vehicle:

1 1. If the vehicle is registered:

2 (a) The owner shall endorse on the certificate of title to the vehicle
3 an assignment with the warranty of title in the form printed on the
4 certificate.

5 (b) Except as provided in section 28-2094, the owner shall deliver the
6 certificate to the purchaser or transferee at the time of delivery of the
7 vehicle to the purchaser or transferee.

8 (c) The registration of the vehicle expires and the owner shall
9 transfer the license plates, surrender the license plates to the department
10 or an authorized third party or submit an affidavit of license plate
11 destruction within thirty days after the owner transfers or assigns the
12 owner's title or interest in the vehicle.

13 (d) Except as provided in section 28-2091, the acquiring owner shall
14 apply for registration or title, or both, within fifteen days after the
15 relinquishing owner transfers or assigns the relinquishing owner's title or
16 interest in the vehicle. The director may prorate the registration period as
17 the director deems necessary to coincide with emissions inspection
18 requirements.

19 (e) Except if the acquiring owner is an insurer who acquires the
20 vehicle pursuant to a claim settlement, the acquiring owner shall display on
21 the vehicle a temporary registration plate, another permit or a valid license
22 plate as prescribed by the department until ownership of the vehicle is
23 transferred in the department's records.

24 2. Regardless of whether or not the vehicle is registered:

25 (a) Except as provided in subsection B of this section, the owner
26 shall deliver to the purchaser or transferee an odometer mileage disclosure
27 statement in a form prescribed by the director.

28 (b) Except as provided in sections 28-2060 and 28-2091, the purchaser
29 or transferee shall present the certificate of title **OR PROOF OF OWNERSHIP**
30 **SATISFACTORY TO THE DIRECTOR IF THE PURCHASER OR TRANSFEEE IS UNABLE TO**
31 **OBTAIN A CERTIFICATE OF TITLE FROM THE SELLER** to the department with the
32 required fee within fifteen days after the transfer and:

33 (i) Except as provided in section 28-2064, the department shall issue
34 a new certificate of title **IF PROOF OF OWNERSHIP SATISFACTORY TO THE DIRECTOR**
35 **IS FURNISHED TO THE DEPARTMENT PURSUANT TO SECTION 28-2059.**

36 (ii) If required, the purchaser or transferee shall apply for and
37 obtain registration, and the department shall issue new license plates to the
38 purchaser or transferee.

39 B. The odometer disclosure requirement of subsection A of this section
40 does not apply to:

41 1. A motor vehicle that is ten model years of age or older.

42 2. A motor vehicle that has a gross vehicle weight rating of sixteen
43 thousand pounds or more.

44 3. A vehicle that is not self-propelled.

- 1 (c) A portable cement mixer.
- 2 (d) A single axle tow dolly as defined in section 28-1095.
- 3 (e) A tar pot.
- 4 (f) A water trailer used for watering livestock or for agricultural or
- 5 domestic purposes.
- 6 (g) A welder.
- 7 (h) Any other similar item designed and used primarily for
- 8 construction or building trade purposes.

9 9. An all-terrain vehicle, **A VENTURE TRUCK** or an off-road recreational
10 motor vehicle operating on a dirt road that is located in an unincorporated
11 area of this state. For the purposes of this paragraph, "dirt road" means an
12 unpaved or ungraveled road that is not maintained by this state or a city,
13 town or county of this state.

14 10. A person operating an off-highway vehicle who is participating in
15 an off-highway vehicle special event as defined in section 28-1171.

16 11. An all-terrain vehicle or an off-highway vehicle as defined in
17 section 28-1171 that is only incidentally operated or moved on a highway.

18 **12. A VENTURE TRUCK INCIDENTALLY OPERATED OR MOVED ON A HIGHWAY.**

19 E. A person who owns or operates a trailer that is exempt from
20 registration pursuant to subsection D, paragraph 2 of this section shall
21 notify the county assessor of the exemption, and the assessor shall assess
22 the trailer.

23 F. A person who violates subsection E of this section is guilty of a
24 class 2 misdemeanor.

25 Sec. 10. Title 28, chapter 7, article 15, Arizona Revised Statutes, is
26 amended by adding section 28-2517, to read:

27 **28-2517. Venture trucks**

28 **A. A NUMBER THAT IS APPROVED BY THE DIRECTOR AND THAT IDENTIFIES THE**
29 **TRUCK FOR OWNERSHIP AND REGISTRATION PURPOSES SHALL BE PERMANENTLY AFFIXED TO**
30 **THE FRAME OF A VENTURE TRUCK.**

31 **B. A VENTURE TRUCK SHALL NOT USE RIGHTS-OF-WAY DESIGNATED FOR**
32 **EXCLUSIVE USE BY BICYCLES.**

33 Sec. 11. Section 28-4132, Arizona Revised Statutes, is amended to
34 read:

35 **28-4132. Financial responsibility requirement exemptions**

36 This article does not apply to the owner or operator of any:

37 1. Farm tractor.

38 2. Trailer used solely in the operation of a farm for transporting the
39 unprocessed fiber or forage products of a farm or an implement of husbandry
40 designed primarily for or used in agricultural operations and only
41 incidentally operated or moved on a highway.

42 3. Road-roller or road machinery, including a power sweeper,
43 temporarily operating or moved on the highway.

44 4. Trailer not used for commercial purposes or semitrailer not used
45 for commercial purposes.

- 1 5. Motor vehicle rented without a driver that meets the requirements
2 of section 28-2166.
- 3 6. Motor vehicle registered pursuant to section 28-2154.
- 4 7. Motor vehicle owned by the United States government.
- 5 8. Golf cart used in the operation of a golf course or only
6 incidentally operated or moved on a highway.
- 7 9. All-terrain vehicle, **VENTURE TRUCK** or off-road recreational motor
8 vehicle operating on a dirt road that is located in an unincorporated area of
9 this state. For the purposes of this paragraph, "dirt road" means an unpaved
10 or ungraveled road that is not maintained by this state or a city, town or
11 county of this state.
- 12 10. Off-highway vehicle participating in an off-highway vehicle special
13 event as defined in section 28-1171.
- 14 11. **VENTURE TRUCK INCIDENTALLY OPERATED OR MOVED ON A HIGHWAY.**