

REFERENCE TITLE: license plates; special

State of Arizona  
Senate  
Fiftieth Legislature  
First Regular Session  
2011

## **SB 1236**

Introduced by  
Senators Gray, Aboud; Barto; Representatives Court, Goodale

### AN ACT

AMENDING SECTIONS 28-2351, 28-2403 AND 28-2430, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 7, ARTICLE 12, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 28-2437, 28-2438, 28-2439 AND 28-2440; AMENDING SECTIONS 28-6501, 28-6991 AND 28-6993, ARIZONA REVISED STATUTES; AMENDING TITLE 36, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 36-120 AND 36-121; RELATING TO SPECIAL LICENSE PLATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-2351, Arizona Revised Statutes, is amended to  
3 read:

4 28-2351. License plate provided; design

5 A. The department shall provide to every owner one license plate for  
6 each vehicle registered. At the request of the owner and on payment of any  
7 required fee, the department shall provide either one or two license plates  
8 for a vehicle for which a special plate is requested pursuant to this  
9 chapter, except that the department shall provide one license plate if the  
10 special plate is issued pursuant to section 28-2416 or 28-2416.01.

11 B. The license plate shall display the number assigned to the vehicle  
12 and to the owner of the vehicle and the name of this state, which may be  
13 abbreviated. The director shall coat the license plate with a reflective  
14 material that is consistent with the determination of the department  
15 regarding the color and design of license plates and special plates. The  
16 director shall design the license plate and the letters and numerals on the  
17 license plate to be of sufficient size to be plainly readable during daylight  
18 from a distance of one hundred feet. In addition to the standard license  
19 plate issued for a trailer before August 12, 2005, the director shall issue a  
20 license plate for trailers that has a design that is similar to the standard  
21 size license plate for trailers but that is the same size as the license  
22 plate for motorcycles. The trailer owner shall notify the department which  
23 size license plate the owner wants for the trailer.

24 C. Notwithstanding any other law, the department shall not contract  
25 with a nongovernmental entity to purchase or secure reflective material for  
26 the plates issued by the department unless the department has made a  
27 reasonable effort to secure qualified bids or proposals from as many  
28 individual responsible respondents as possible.

29 D. The department shall determine the color and design of the license  
30 plate. All other plates issued by the department, except the plates issued  
31 pursuant to sections 28-2404, 28-2412, 28-2413, 28-2414, 28-2416, 28-2416.01,  
32 28-2417 through ~~28-2436~~ 28-2440, 28-2452, 28-2453, 28-2454 and 28-2455 and  
33 article 14 of this chapter, shall be the same color as and similar in design  
34 to the license plate as determined by the department.

35 E. A passenger motor vehicle rented without a driver shall receive the  
36 same type of license plate as issued for a private passenger motor vehicle.

37 Sec. 2. Section 28-2403, Arizona Revised Statutes, is amended to read:  
38 28-2403. Special plates; transfers; violation; classification

39 A. Except as otherwise provided in this article, the department shall  
40 issue or renew special plates in lieu of the regular license plates pursuant  
41 to the following conditions and procedures and only if the requirements  
42 prescribed by this article for the requested special plates are met:

43 1. Except as provided in sections 28-2416 and 28-2416.01, a person who  
44 is the registered owner of a vehicle registered with the department or who  
45 applies for an original or renewal registration of a vehicle may submit to

1 the department a completed application form as prescribed by the department  
2 with the fee prescribed by section 28-2402 for special plates in addition to  
3 the registration fee prescribed by section 28-2003.

4 2. Except for plates issued pursuant to sections 28-2404, 28-2412,  
5 28-2413, 28-2414, 28-2416, 28-2416.01, 28-2417 through ~~28-2436~~ 28-2440,  
6 28-2452, 28-2453, 28-2454 and 28-2455 and article 14 of this chapter, the  
7 special plates shall be the same color as and similar to the design of the  
8 regular license plates that is determined by the department.

9 3. Except as provided in section 28-2416, the department shall issue  
10 special plates only to the owner or lessee of a vehicle that is currently  
11 registered, including any vehicle that has a declared gross weight, as  
12 defined in section 28-5431, of twenty-six thousand pounds or less.

13 4. Except as provided in sections 28-2416 and 28-2416.01, the  
14 department shall charge the fee prescribed by section 28-2402 for each annual  
15 renewal of special plates in addition to the registration fee prescribed by  
16 section 28-2003.

17 B. Except as provided in sections 28-2416 and 28-2416.01, on  
18 notification to the department and on payment of the transfer fee prescribed  
19 by section 28-2402, a person who is issued special plates may transfer the  
20 special plates to another vehicle the person owns or leases. Persons who are  
21 issued special plates for hearing impaired persons pursuant to section  
22 28-2408 and international symbol of access special plates pursuant to section  
23 28-2409 are exempt from the transfer fee. If a person who is issued special  
24 plates sells, trades or otherwise releases ownership of the vehicle on which  
25 the plates have been displayed, the person shall immediately report the  
26 transfer of the plates to the department or the person shall surrender the  
27 plates to the department as prescribed by the director. It is unlawful for a  
28 person to whom the plates have been issued to knowingly permit them to be  
29 displayed on a vehicle except the vehicle authorized by the department.

30 C. The special plates shall be affixed to the vehicle for which  
31 registration is sought in lieu of the regular license plates.

32 D. A person is guilty of a class 3 misdemeanor who:

33 1. Violates subsection B of this section.

34 2. Fraudulently gives false or fictitious information in the  
35 application for or renewal of special plates or placards issued pursuant to  
36 this article.

37 3. Conceals a material fact or otherwise commits fraud in the  
38 application for or renewal of special plates or placards issued pursuant to  
39 this article.

40 Sec. 3. Section 28-2430, Arizona Revised Statutes, is amended to read:

41 ~~28-2430.~~ In God we trust special plates

42 A. If an ~~entity receives thirty-two thousand dollars through donations~~  
43 ~~for the issuance of the in God we trust special plate and~~ INCORPORATED  
44 NONPROFIT CORPORATION gives the department ~~the~~ thirty-two thousand dollars,  
45 the department shall issue the in God we trust special plates. The entity

1 that provides the thirty-two thousand dollars shall design the in God we  
2 trust special plates. The design and color of the in God we trust special  
3 plates are subject to the approval of the department. The director may allow  
4 a request for in God we trust special plates to be combined with a request  
5 for personalized special plates. If the director allows such a combination,  
6 the request shall be in a form prescribed by the director and is subject to  
7 the fees for the personalized special plates in addition to the fees required  
8 for the in God we trust special plates.

9 B. Of the twenty-five dollar fee required by section 28-2402 for the  
10 original special plates and for renewal of special plates, eight dollars is a  
11 special plate administration fee and seventeen dollars is an annual donation.

12 C. The department shall deposit, pursuant to sections 35-146 and  
13 35-147, all special plate administration fees ~~and all donations collected~~  
14 ~~pursuant to this section~~ in the state highway fund established by section  
15 28-6991 AND SHALL DISTRIBUTE ALL DONATIONS COLLECTED PURSUANT TO THIS SECTION  
16 AS AUTHORIZED IN A WRITTEN RESOLUTION OF THE INCORPORATED NONPROFIT  
17 CORPORATION THAT PROVIDED THE THIRTY-TWO THOUSAND DOLLARS FOR IMPLEMENTATION  
18 OF THIS SECTION. THE INCORPORATED NONPROFIT CORPORATION SHALL FILE A COPY OF  
19 THIS RESOLUTION WITH THE DEPARTMENT. THE INCORPORATED NONPROFIT CORPORATION  
20 MUST USE THE DONATIONS TO PROMOTE THE NATIONAL MOTTO "IN GOD WE TRUST", FIRST  
21 AMENDMENT RIGHTS AND THE HERITAGE OF THIS STATE AND NATION.

22 Sec. 4. Title 28, chapter 7, article 12, Arizona Revised Statutes, is  
23 amended by adding sections 28-2437, 28-2438, 28-2439 and 28-2440, to read:

24 28-2437. Multiple sclerosis awareness special plates

25 A. IF, BY DECEMBER 31, 2011, THIRTY-TWO THOUSAND DOLLARS IS PAID TO  
26 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL  
27 ISSUE MULTIPLE SCLEROSIS AWARENESS SPECIAL PLATES. THE DIRECTOR OF THE  
28 DEPARTMENT, OR THE DIRECTOR'S DESIGNEE, SHALL DESIGN THE MULTIPLE SCLEROSIS  
29 AWARENESS SPECIAL PLATES. THE DIRECTOR MAY ALLOW A REQUEST FOR MULTIPLE  
30 SCLEROSIS AWARENESS SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR  
31 PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE  
32 REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE  
33 FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR  
34 MULTIPLE SCLEROSIS AWARENESS SPECIAL PLATES.

35 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE  
36 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A  
37 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

38 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
39 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
40 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS  
41 SECTION IN THE MULTIPLE SCLEROSIS AWARENESS FUND ESTABLISHED BY SECTION  
42 36-120.

43 28-2438. Hunger relief special plates; fund

44 A. IF, BY JUNE 30, 2012, AN ENTITY PAYS THIRTY-TWO THOUSAND DOLLARS TO  
45 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL

1 ISSUE HUNGER RELIEF SPECIAL PLATES. THE ENTITY THAT PROVIDES THE THIRTY-TWO  
2 THOUSAND DOLLARS SHALL DESIGN THE HUNGER RELIEF SPECIAL PLATES. THE DESIGN  
3 AND COLOR OF THE HUNGER RELIEF SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF  
4 THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR HUNGER RELIEF SPECIAL  
5 PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE  
6 DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED  
7 BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL  
8 PLATES IN ADDITION TO THE FEES REQUIRED FOR THE HUNGER RELIEF SPECIAL PLATES.

9 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE  
10 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A  
11 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

12 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
13 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
14 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS  
15 SECTION IN THE HUNGER RELIEF SPECIAL PLATE FUND ESTABLISHED BY SUBSECTION D  
16 OF THIS SECTION.

17 D. THE HUNGER RELIEF SPECIAL PLATE FUND IS ESTABLISHED CONSISTING OF  
18 MONIES RECEIVED PURSUANT TO THIS SECTION. THE DIRECTOR SHALL ADMINISTER THE  
19 FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS RECEIVED SHALL BE REIMBURSED TO  
20 THE ENTITY THAT PAID THE IMPLEMENTATION FEE TO THE DEPARTMENT PURSUANT TO  
21 SUBSECTION A OF THIS SECTION. MONIES IN THE FUND ARE CONTINUOUSLY  
22 APPROPRIATED. THE DIRECTOR SHALL ANNUALLY ALLOCATE ALL MONIES FROM THE FUND  
23 TO AN ORGANIZATION THAT OPERATES STATEWIDE TO COORDINATE FOOD BANK SERVICES  
24 AND THAT IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL  
25 REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES. THE ORGANIZATION SHALL  
26 ESTABLISH A PROCESS TO DISTRIBUTE THE MONIES ANNUALLY TO ORGANIZATIONS THAT  
27 PROVIDE FOOD DISTRIBUTION TO HUNGRY PEOPLE IN THIS STATE AND THAT ARE  
28 QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE CODE  
29 FOR FEDERAL INCOME TAX PURPOSES. TO THE EXTENT POSSIBLE, THE DISTRIBUTING  
30 ORGANIZATION SHALL DISTRIBUTE MONIES COLLECTED IN A GEOGRAPHIC REGION TO  
31 ORGANIZATIONS SERVING INDIVIDUALS IN THAT REGION. THE DIRECTOR SHALL FORWARD  
32 ALL MONIES DEPOSITED IN THE HUNGER RELIEF SPECIAL PLATE FUND TO THE  
33 ORGANIZATION ON AN ANNUAL BASIS. THE ORGANIZATION MAY RETAIN NOT MORE THAN  
34 TEN PER CENT OF THE MONIES FOR DOCUMENTED EXPENSES RELATED TO AN APPLICATION  
35 AND AWARD PROCESS.

36 E. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND  
37 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED  
38 FROM INVESTMENT SHALL BE CREDITED TO THE FUND. MONIES IN THE FUND ARE EXEMPT  
39 FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

40 28-2439. Childhood cancer research special plates

41 A. IF, BY DECEMBER 31, 2012, THIRTY-TWO THOUSAND DOLLARS IS PAID TO  
42 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL  
43 ISSUE CHILDHOOD CANCER RESEARCH SPECIAL PLATES. THE PERSON OR ENTITY THAT  
44 PROVIDES THE THIRTY-TWO THOUSAND DOLLARS FOR IMPLEMENTATION OF THIS SECTION  
45 SHALL DESIGN THE CHILDHOOD CANCER RESEARCH SPECIAL PLATES. THE DESIGN AND

1 COLOR OF THE CHILDHOOD CANCER RESEARCH SPECIAL PLATES ARE SUBJECT TO THE  
2 APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR CHILDHOOD  
3 CANCER RESEARCH SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED  
4 SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL  
5 BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE  
6 PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR CHILDHOOD  
7 CANCER RESEARCH SPECIAL PLATES.

8 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE  
9 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A  
10 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

11 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
12 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
13 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS  
14 SECTION IN THE CHILDHOOD CANCER AND RARE CHILDHOOD DISEASE RESEARCH FUND  
15 ESTABLISHED BY SECTION 36-121.

16 28-2440. Litter prevention and cleanup special plates; fund

17 A. IF, BY DECEMBER 31, 2011, AN ENTITY PAYS THIRTY-TWO THOUSAND  
18 DOLLARS TO THE DEPARTMENT FOR IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT  
19 SHALL ISSUE LITTER PREVENTION AND CLEANUP SPECIAL PLATES. THE ENTITY THAT  
20 PROVIDES THE THIRTY-TWO THOUSAND DOLLARS SHALL DESIGN THE LITTER PREVENTION  
21 AND CLEANUP SPECIAL PLATES. THE DESIGN AND COLOR OF THE LITTER PREVENTION  
22 AND CLEANUP SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT.  
23 THE DIRECTOR MAY ALLOW A REQUEST FOR LITTER PREVENTION AND CLEANUP SPECIAL  
24 PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE  
25 DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED  
26 BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL  
27 PLATES IN ADDITION TO THE FEES REQUIRED FOR THE LITTER PREVENTION AND CLEANUP  
28 SPECIAL PLATES.

29 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE  
30 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A  
31 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

32 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
33 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
34 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS  
35 SECTION IN THE LITTER PREVENTION AND CLEANUP SPECIAL PLATE FUND ESTABLISHED  
36 BY THIS SECTION.

37 D. THE LITTER PREVENTION AND CLEANUP SPECIAL PLATE FUND IS ESTABLISHED  
38 CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE DIRECTOR SHALL  
39 ADMINISTER THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN THE FUND SHALL  
40 BE REIMBURSED TO THE ENTITY THAT PAID THE IMPLEMENTATION FEE TO THE  
41 DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN TEN PER  
42 CENT OF MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST OF  
43 ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.

1 E. THE DIRECTOR SHALL ANNUALLY DISTRIBUTE MONIES IN THE FUND TO AN  
2 ENTITY THAT IS QUALIFIED UNDER SECTION 501(C)(3) OF THE UNITED STATES  
3 INTERNAL REVENUE CODE, THAT IS ASSOCIATED WITH THE DEPARTMENT TO ASSIST WITH  
4 LITTER PREVENTION AND LITTER CLEANUP AND THAT OPERATES STATEWIDE.

5 F. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND  
6 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED  
7 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

8 Sec. 5. Section 28-6501, Arizona Revised Statutes, is amended to read:  
9 28-6501. Definition of highway user revenues

10 In this article, unless the context otherwise requires or except as  
11 otherwise provided by statute, "highway user revenues" means all monies  
12 received in this state from licenses, taxes, penalties, interest and fees  
13 authorized by the following:

14 1. Chapters 2, 7, 8 and 15 of this title, except for:

15 (a) The special plate administration fees prescribed in sections  
16 28-2404, 28-2412 through ~~28-2436~~ 28-2440 and 28-2514.

17 (b) The donations prescribed in sections 28-2404, 28-2412 through  
18 28-2415, 28-2417 through ~~28-2436~~ 28-2440, 28-2453, 28-2454 and 28-2455.

19 2. Section 28-1177.

20 3. Chapters 10 and 11 of this title.

21 4. Chapter 16, articles 1, 2 and 4 of this title, except as provided  
22 in sections 28-5926 and 28-5927.

23 Sec. 6. Section 28-6991, Arizona Revised Statutes, is amended to read:  
24 28-6991. State highway fund; sources

25 A state highway fund is established that consists of:

26 1. Monies distributed from the Arizona highway user revenue fund  
27 pursuant to chapter 18 of this title.

28 2. Monies appropriated by the legislature.

29 3. Monies received from donations for the construction, improvement or  
30 maintenance of state highways or bridges. These monies shall be credited to  
31 a special account and shall be spent only for the purpose indicated by the  
32 donor.

33 4. Monies received from counties under cooperative agreements,  
34 including proceeds from bond issues. The state treasurer shall deposit these  
35 monies to the credit of the fund in a special account on delivery to the  
36 treasurer of a concise written agreement between the department and the  
37 county stating the purposes for which the monies are surrendered by the  
38 county, and these monies shall be spent only as stated in the agreement.

39 5. Monies received from the United States under an act of Congress to  
40 provide aid for the construction of rural post roads, but monies received on  
41 projects for which the monies necessary to be provided by this state are  
42 wholly derived from sources mentioned in paragraphs 2 and 3 of this section  
43 shall be allotted by the department and deposited by the state treasurer in  
44 the special account within the fund established for each project. On  
45 completion of the project, on the satisfaction and discharge in full of all

- 1 obligations of any kind created and on request of the department, the  
2 treasurer shall transfer the unexpended balance in the special account for  
3 the project into the state highway fund, and the unexpended balance and any  
4 further federal aid thereafter received on account of the project may be  
5 spent under the general provisions of this title.
- 6 6. Monies in the custody of an officer or agent of this state from any  
7 source that is to be used for the construction, improvement or maintenance of  
8 state highways or bridges.
- 9 7. Monies deposited in the state general fund and arising from the  
10 disposal of state personal property belonging to the department.
- 11 8. Receipts from the sale or disposal of any or all other property  
12 held by the department and purchased with state highway monies.
- 13 9. Monies generated pursuant to section 28-410.
- 14 10. Monies distributed pursuant to section 28-5808, subsection B,  
15 paragraph 2, subdivision (d).
- 16 11. Monies deposited pursuant to sections 28-1143, 28-2353 and 28-3003.
- 17 12. Except as provided in section 28-5101, the following monies:
- 18 (a) Monies deposited pursuant to section 28-2206 and section 28-5808,  
19 subsection B, paragraph 2, subdivision (e).
- 20 (b) One dollar of each registration fee and one dollar of each title  
21 fee collected pursuant to section 28-2003.
- 22 (c) Two dollars of each late registration penalty collected by the  
23 director pursuant to section 28-2162.
- 24 (d) The air quality compliance fee collected pursuant to section  
25 49-542.
- 26 (e) The special plate administration fees collected pursuant to  
27 sections 28-2404, 28-2412 through 28-2416, 28-2416.01, 28-2417 through  
28 ~~28-2436~~ 28-2440 and 28-2514.
- 29 (f) Monies collected pursuant to sections 28-372, 28-2155 and 28-2156  
30 if the director is the registering officer.
- 31 13. Monies deposited pursuant to chapter 5, article 5 of this title.
- 32 14. Donations received pursuant to section 28-2269.
- 33 15. Dealer and registration monies collected pursuant to section  
34 28-4304.
- 35 16. Abandoned vehicle administration monies deposited pursuant to  
36 section 28-4804.
- 37 17. Monies deposited pursuant to section 28-710, subsection D,  
38 paragraph 2.
- 39 18. Monies deposited pursuant to section 28-2065.
- 40 ~~19. Donations deposited pursuant to section 28-2430.~~
- 41 ~~20.~~ 19. Monies deposited pursuant to section 28-7311.
- 42 ~~21.~~ 20. Monies deposited pursuant to section 28-7059.

1           Sec. 7. Section 28-6993, Arizona Revised Statutes, is amended to read:  
2           28-6993. State highway fund; authorized uses  
3           A. Except as provided in subsection B of this section and section  
4 28-6538, the state highway fund shall be used for any of the following  
5 purposes in strict conformity with and subject to the budget as provided by  
6 this section and by sections 28-6997 through 28-7003:  
7           1. To pay salaries, wages, necessary travel expenses and other  
8 expenses of officers and employees of the department and the incidental  
9 office expenses, including telegraph, telephone, postal and express charges  
10 and printing, stationery and advertising expenses.  
11           2. To pay for both:  
12           (a) Equipment, supplies, machines, tools, department offices and  
13 laboratories established by the department.  
14           (b) The construction and repair of buildings or yards of the  
15 department.  
16           3. To pay the cost of both:  
17           (a) Engineering, construction, improvement and maintenance of state  
18 highways and parts of highways forming state routes.  
19           (b) Highways under cooperative agreements with the United States that  
20 are entered into pursuant to this chapter and an act of Congress providing  
21 for the construction of rural post roads.  
22           4. To pay land damages incurred by reason of establishing, opening,  
23 altering, relocating, widening or abandoning portions of a state route or  
24 state highway.  
25           5. To reimburse the department revolving account.  
26           6. To pay premiums on authorized indemnity bonds and on compensation  
27 insurance under the workers' compensation act.  
28           7. To defray lawful expenses and costs required to administer and  
29 carry out the intent, purposes and provisions of this title, including  
30 repayment of obligations entered into pursuant to this title, payment of  
31 interest on obligations entered into pursuant to this title, repayment of  
32 loans and other financial assistance, including repayment of advances and  
33 interest on advances made to the department pursuant to section 28-7677, and  
34 payment of all other obligations and expenses of the board and department  
35 pursuant to chapter 21 of this title.  
36           8. To pay lawful bills and charges incurred by the state engineer.  
37           9. To acquire, construct or improve entry roads to state parks or  
38 roads within state parks.  
39           10. To acquire, construct or improve entry roads to state prisons.  
40           11. To pay the cost of relocating a utility facility pursuant to  
41 section 28-7156.  
42           12. For the purposes provided in subsections C, D and E of this section  
43 and sections 28-1143, 28-2353 and 28-3003.

1 B. For each fiscal year, the department of transportation shall  
2 allocate and transfer monies in the state highway fund to the department of  
3 public safety for funding a portion of highway patrol costs in eight  
4 installments in each of the first eight months of a fiscal year that do not  
5 exceed ten million dollars.

6 C. Subject to legislative appropriation, the department may use the  
7 monies in the state highway fund as prescribed in section 28-6991, paragraph  
8 12 to carry out the duties imposed by this title for registration or titling  
9 of vehicles, to operate joint title, registration and driver licensing  
10 offices, to cover the administrative costs of issuing the air quality  
11 compliance sticker, modifying the year validating tab and issuing the  
12 windshield sticker and to cover expenses and costs in issuing special plates  
13 pursuant to sections 28-2404, 28-2412 through ~~28-2436~~ 28-2440 and 28-2514.

14 D. The department shall use monies deposited in the state highway fund  
15 pursuant to chapter 5, article 5 of this title only as prescribed by that  
16 article.

17 E. Monies deposited in the state highway fund pursuant to section  
18 28-2269 shall be used only as prescribed by that section.

19 F. Monies deposited in the state highway fund pursuant to section  
20 28-710, subsection D, paragraph 2 shall only be used for state highway work  
21 zone traffic control devices.

22 G. The department may exchange monies distributed to the state highway  
23 fund pursuant to section 28-6538, subsection A, paragraph 1 for local  
24 government surface transportation program federal monies suballocated to  
25 councils of government and metropolitan planning organizations if the local  
26 government scheduled to receive the federal monies concurs. An exchange of  
27 state highway fund monies pursuant to this subsection shall be in an amount  
28 that is at least equal to ninety per cent of the federal obligation authority  
29 that exists in the project for which the exchange is proposed.

30 Sec. 8. Title 36, chapter 1, article 1, Arizona Revised Statutes, is  
31 amended by adding sections 36-120 and 36-121, to read:

32 36-120. Multiple sclerosis awareness fund

33 A. THE MULTIPLE SCLEROSIS AWARENESS FUND IS ESTABLISHED CONSISTING OF  
34 MONIES RECEIVED PURSUANT TO SECTION 28-2437. THE DIRECTOR SHALL ADMINISTER  
35 THE FUND. NOT MORE THAN TEN PER CENT OF MONIES DEPOSITED IN THE FUND  
36 ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING THE FUND. MONIES IN THE  
37 FUND ARE CONTINUOUSLY APPROPRIATED. THE DIRECTOR SHALL DISTRIBUTE MONIES IN  
38 THE FUND BEFORE JULY 1 OF EACH YEAR.

39 B. THE DIRECTOR SHALL ALLOCATE MONIES FROM THE FUND FOR MULTIPLE  
40 SCLEROSIS AWARENESS AND OUTREACH SERVICES IN THIS STATE.

41 C. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190  
42 RELATING TO LAPSING OF APPROPRIATIONS.

