

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

SENATE BILL 1236

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, 28-2440, 28-2441 AND 28-2442; 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~~ 28-2442, 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~~ 28-2442,
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, 28-2440, 28-2441 and
24 28-2442, to read:

25 28-2437. Multiple sclerosis awareness special plates

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

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

39 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
40 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
41 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
42 SECTION IN THE MULTIPLE SCLEROSIS AWARENESS FUND ESTABLISHED BY SECTION
43 36-120.

1 28-2438. Hunger relief special plates: fund

2 A. IF, BY JUNE 30, 2012, AN ENTITY PAYS THIRTY-TWO THOUSAND DOLLARS TO
3 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL
4 ISSUE HUNGER RELIEF SPECIAL PLATES. THE ENTITY THAT PROVIDES THE THIRTY-TWO
5 THOUSAND DOLLARS SHALL DESIGN THE HUNGER RELIEF SPECIAL PLATES. THE DESIGN
6 AND COLOR OF THE HUNGER RELIEF SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF
7 THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR HUNGER RELIEF SPECIAL
8 PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE
9 DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED
10 BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL
11 PLATES IN ADDITION TO THE FEES REQUIRED FOR THE HUNGER RELIEF SPECIAL PLATES.

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

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

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

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

43 28-2439. Childhood cancer research special plates

44 A. IF, BY DECEMBER 31, 2012, THIRTY-TWO THOUSAND DOLLARS IS PAID TO
45 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL

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

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

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

19 28-2440. Litter prevention and cleanup special plates; fund

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

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

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

40 D. THE LITTER PREVENTION AND CLEANUP SPECIAL PLATE FUND IS ESTABLISHED
41 CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE DIRECTOR SHALL
42 ADMINISTER THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN THE FUND SHALL
43 BE REIMBURSED TO THE ENTITY THAT PAID THE IMPLEMENTATION FEE TO THE
44 DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN TEN PER

1 CENT OF MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST OF
2 ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.

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

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

10 28-2441. Arizona professional hockey club special plates; fund

11 A. IF, BY DECEMBER 31, 2011, AN ENTITY PAYS THIRTY-TWO THOUSAND
12 DOLLARS TO THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE
13 DEPARTMENT SHALL ISSUE ARIZONA PROFESSIONAL HOCKEY CLUB SPECIAL PLATES. THE
14 ENTITY THAT PROVIDES THE THIRTY-TWO THOUSAND DOLLARS SHALL DESIGN THE ARIZONA
15 PROFESSIONAL HOCKEY CLUB SPECIAL PLATES. THE DESIGN AND COLOR OF THE ARIZONA
16 PROFESSIONAL HOCKEY CLUB SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF THE
17 DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR ARIZONA PROFESSIONAL HOCKEY
18 CLUB SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL
19 PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A
20 FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE
21 PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR THE ARIZONA
22 PROFESSIONAL HOCKEY CLUB SPECIAL PLATES.

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

26 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
27 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
28 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
29 SECTION IN THE ARIZONA PROFESSIONAL HOCKEY CLUB SPECIAL PLATE FUND
30 ESTABLISHED BY THIS SECTION.

31 D. THE ARIZONA PROFESSIONAL HOCKEY CLUB SPECIAL PLATE FUND IS
32 ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE
33 DIRECTOR SHALL ADMINISTER THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN
34 THE FUND SHALL BE REIMBURSED TO THE ENTITY THAT PAID THE IMPLEMENTATION FEE
35 TO THE DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN
36 TEN PER CENT OF THE MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR
37 THE COST OF ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY
38 APPROPRIATED. THE DIRECTOR SHALL ALLOCATE MONIES FROM THE FUND THROUGH A
39 PRIVATE ARIZONA PROFESSIONAL HOCKEY ORGANIZATION'S FOUNDATION THAT IS
40 QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE CODE
41 FOR FEDERAL INCOME TAX PURPOSES. THE DIRECTOR SHALL FORWARD ALL MONIES
42 DEPOSITED IN THE ARIZONA PROFESSIONAL HOCKEY CLUB SPECIAL PLATE FUND,
43 EXCLUDING ADMINISTRATIVE FEES, TO THE FOUNDATION ON AN ANNUAL BASIS.

1 E. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
2 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
3 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

4 28-2442. Arizona public broadcast television special plates:
5 fund

6 A. IF, BY DECEMBER 31, 2011, AN ENTITY PAYS THIRTY-TWO THOUSAND
7 DOLLARS TO THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE
8 DEPARTMENT SHALL ISSUE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATES.
9 THE ENTITY THAT PROVIDES THE THIRTY-TWO THOUSAND DOLLARS SHALL DESIGN THE
10 ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATES. THE DESIGN AND COLOR OF
11 THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATES ARE SUBJECT TO THE
12 APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR ARIZONA
13 PUBLIC BROADCAST TELEVISION SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR
14 PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE
15 REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE
16 FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR
17 THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATES.

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

21 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
22 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
23 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
24 SECTION IN THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATE FUND
25 ESTABLISHED BY THIS SECTION.

26 D. THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATE FUND IS
27 ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE
28 DIRECTOR SHALL ADMINISTER THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN
29 THE FUND SHALL BE REIMBURSED TO THE ENTITY THAT PAID THE IMPLEMENTATION FEE
30 TO THE DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN
31 TEN PER CENT OF THE MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR
32 THE COST OF ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY
33 APPROPRIATED. THE DIRECTOR SHALL ALLOCATE MONIES FROM THE FUND TO A
34 FOUNDATION OF A PUBLIC BROADCAST TELEVISION IN THIS STATE THAT IS LICENSED AS
35 A FULL-POWER NONCOMMERCIAL EDUCATIONAL STATION BY THE FEDERAL COMMUNICATIONS
36 COMMISSION AND THAT PROVIDES A NONCOMMERCIAL AND NONSECTARIAN EDUCATIONAL
37 BROADCAST SERVICE THAT IS AVAILABLE TO TELEVISION VIEWERS LOCATED IN CENTRAL
38 AND NORTHERN ARIZONA. THE FOUNDATION MUST BE A CHARITABLE ORGANIZATION THAT
39 IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE
40 CODE FOR FEDERAL INCOME TAX PURPOSES. THE DIRECTOR SHALL FORWARD ALL MONIES
41 DEPOSITED INTO THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATE FUND,
42 EXCLUDING ADMINISTRATIVE FEES, TO THE FOUNDATION ON AN ANNUAL BASIS.

43 E. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
44 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
45 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

1 Sec. 5. Section 28-6501, Arizona Revised Statutes, is amended to read:
2 28-6501. Definition of highway user revenues

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

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

8 (a) The special plate administration fees prescribed in sections
9 28-2404, 28-2412 through ~~28-2436~~ 28-2442 and 28-2514.

10 (b) The donations prescribed in sections 28-2404, 28-2412 through
11 28-2415, 28-2417 through ~~28-2436~~ 28-2442, 28-2453, 28-2454 and 28-2455.

12 2. Section 28-1177.

13 3. Chapters 10 and 11 of this title.

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

16 Sec. 6. Section 28-6991, Arizona Revised Statutes, is amended to read:
17 28-6991. State highway fund; sources

18 A state highway fund is established that consists of:

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

21 2. Monies appropriated by the legislature.

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

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

32 5. Monies received from the United States under an act of Congress to
33 provide aid for the construction of rural post roads, but monies received on
34 projects for which the monies necessary to be provided by this state are
35 wholly derived from sources mentioned in paragraphs 2 and 3 of this section
36 shall be allotted by the department and deposited by the state treasurer in
37 the special account within the fund established for each project. On
38 completion of the project, on the satisfaction and discharge in full of all
39 obligations of any kind created and on request of the department, the
40 treasurer shall transfer the unexpended balance in the special account for
41 the project into the state highway fund, and the unexpended balance and any
42 further federal aid thereafter received on account of the project may be
43 spent under the general provisions of this title.

- 1 6. Monies in the custody of an officer or agent of this state from any
- 2 source that is to be used for the construction, improvement or maintenance of
- 3 state highways or bridges.
- 4 7. Monies deposited in the state general fund and arising from the
- 5 disposal of state personal property belonging to the department.
- 6 8. Receipts from the sale or disposal of any or all other property
- 7 held by the department and purchased with state highway monies.
- 8 9. Monies generated pursuant to section 28-410.
- 9 10. Monies distributed pursuant to section 28-5808, subsection B,
- 10 paragraph 2, subdivision (d).
- 11 11. Monies deposited pursuant to sections 28-1143, 28-2353 and 28-3003.
- 12 12. Except as provided in section 28-5101, the following monies:
- 13 (a) Monies deposited pursuant to section 28-2206 and section 28-5808,
- 14 subsection B, paragraph 2, subdivision (e).
- 15 (b) One dollar of each registration fee and one dollar of each title
- 16 fee collected pursuant to section 28-2003.
- 17 (c) Two dollars of each late registration penalty collected by the
- 18 director pursuant to section 28-2162.
- 19 (d) The air quality compliance fee collected pursuant to section
- 20 49-542.
- 21 (e) The special plate administration fees collected pursuant to
- 22 sections 28-2404, 28-2412 through 28-2416, 28-2416.01, 28-2417 through
- 23 ~~28-2436~~ 28-2442 and 28-2514.
- 24 (f) Monies collected pursuant to sections 28-372, 28-2155 and 28-2156
- 25 if the director is the registering officer.
- 26 13. Monies deposited pursuant to chapter 5, article 5 of this title.
- 27 14. Donations received pursuant to section 28-2269.
- 28 15. Dealer and registration monies collected pursuant to section
- 29 28-4304.
- 30 16. Abandoned vehicle administration monies deposited pursuant to
- 31 section 28-4804.
- 32 17. Monies deposited pursuant to section 28-710, subsection D,
- 33 paragraph 2.
- 34 18. Monies deposited pursuant to section 28-2065.
- 35 ~~19. Donations deposited pursuant to section 28-2430.~~
- 36 ~~20.~~ 19. Monies deposited pursuant to section 28-7311.
- 37 ~~21.~~ 20. Monies deposited pursuant to section 28-7059.
- 38 Sec. 7. Section 28-6993, Arizona Revised Statutes, is amended to read:
- 39 28-6993. State highway fund; authorized uses
- 40 A. Except as provided in subsection B of this section and section
- 41 28-6538, the state highway fund shall be used for any of the following
- 42 purposes in strict conformity with and subject to the budget as provided by
- 43 this section and by sections 28-6997 through 28-7003:

- 1 1. To pay salaries, wages, necessary travel expenses and other
2 expenses of officers and employees of the department and the incidental
3 office expenses, including telegraph, telephone, postal and express charges
4 and printing, stationery and advertising expenses.
- 5 2. To pay for both:
 - 6 (a) Equipment, supplies, machines, tools, department offices and
7 laboratories established by the department.
 - 8 (b) The construction and repair of buildings or yards of the
9 department.
- 10 3. To pay the cost of both:
 - 11 (a) Engineering, construction, improvement and maintenance of state
12 highways and parts of highways forming state routes.
 - 13 (b) Highways under cooperative agreements with the United States that
14 are entered into pursuant to this chapter and an act of Congress providing
15 for the construction of rural post roads.
- 16 4. To pay land damages incurred by reason of establishing, opening,
17 altering, relocating, widening or abandoning portions of a state route or
18 state highway.
- 19 5. To reimburse the department revolving account.
- 20 6. To pay premiums on authorized indemnity bonds and on compensation
21 insurance under the workers' compensation act.
- 22 7. To defray lawful expenses and costs required to administer and
23 carry out the intent, purposes and provisions of this title, including
24 repayment of obligations entered into pursuant to this title, payment of
25 interest on obligations entered into pursuant to this title, repayment of
26 loans and other financial assistance, including repayment of advances and
27 interest on advances made to the department pursuant to section 28-7677, and
28 payment of all other obligations and expenses of the board and department
29 pursuant to chapter 21 of this title.
- 30 8. To pay lawful bills and charges incurred by the state engineer.
- 31 9. To acquire, construct or improve entry roads to state parks or
32 roads within state parks.
- 33 10. To acquire, construct or improve entry roads to state prisons.
- 34 11. To pay the cost of relocating a utility facility pursuant to
35 section 28-7156.
- 36 12. For the purposes provided in subsections C, D and E of this section
37 and sections 28-1143, 28-2353 and 28-3003.
 - 38 B. For each fiscal year, the department of transportation shall
39 allocate and transfer monies in the state highway fund to the department of
40 public safety for funding a portion of highway patrol costs in eight
41 installments in each of the first eight months of a fiscal year that do not
42 exceed ten million dollars.
 - 43 C. Subject to legislative appropriation, the department may use the
44 monies in the state highway fund as prescribed in section 28-6991, paragraph
45 12 to carry out the duties imposed by this title for registration or titling

1 of vehicles, to operate joint title, registration and driver licensing
2 offices, to cover the administrative costs of issuing the air quality
3 compliance sticker, modifying the year validating tab and issuing the
4 windshield sticker and to cover expenses and costs in issuing special plates
5 pursuant to sections 28-2404, 28-2412 through ~~28-2436~~ 28-2442 and 28-2514.

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

9 E. Monies deposited in the state highway fund pursuant to section
10 28-2269 shall be used only as prescribed by that section.

11 F. Monies deposited in the state highway fund pursuant to section
12 28-710, subsection D, paragraph 2 shall only be used for state highway work
13 zone traffic control devices.

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

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

24 36-120. Multiple sclerosis awareness fund

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

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

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

35 36-121. Childhood cancer and rare childhood disease research
36 fund

37 A. THE CHILDHOOD CANCER AND RARE CHILDHOOD DISEASE RESEARCH FUND IS
38 ESTABLISHED CONSISTING OF MONIES RECEIVED PURSUANT TO SECTION 28-2439. THE
39 DIRECTOR SHALL ADMINISTER THE FUND. NOT MORE THAN TEN PER CENT OF MONIES
40 DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING
41 THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS RECEIVED SHALL BE REIMBURSED
42 TO THE PERSON OR ENTITY THAT PAID THE IMPLEMENTATION FEE. MONIES IN THE FUND
43 ARE CONTINUOUSLY APPROPRIATED. THE DIRECTOR SHALL ANNUALLY DISTRIBUTE MONIES
44 IN THE FUND.

1 B. THE DIRECTOR SHALL ALLOCATE MONIES FROM THE FUND TO HEALTH CARE
2 PROVIDERS AND RESEARCH INSTITUTIONS THAT ARE LOCATED IN THIS STATE, THAT ARE
3 NONPROFIT ORGANIZATIONS AND THAT ARE ENGAGED IN PHASE I CLINICAL TRIALS
4 RELATING TO RESEARCH ON PEDIATRIC CANCER OR OTHER RARE PEDIATRIC DISEASES.
5 THE MONIES MAY BE USED IN A COLLABORATIVE STUDY OR RESEARCH PROGRAM WITH
6 OTHER FACILITIES OUTSIDE OF THIS STATE. NONPROFIT ORGANIZATIONS RECEIVING
7 MONIES FROM THE FUND SHALL USE THE MONIES FOR THE PURPOSES PRESCRIBED IN THIS
8 SUBSECTION EVEN IF THE MONIES ARE AGGREGATED WITH OTHER MONIES.
9 C. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190
10 RELATING TO LAPSING OF APPROPRIATIONS.