

ARIZONA HOUSE OF REPRESENTATIVES
Fiftieth Legislature – Second Regular Session

COMMITTEE ON TRANSPORTATION

Minutes of Meeting
Thursday, February 9, 2012
House Hearing Room 3 -- 9:00 a.m.

Chairman Williams called the meeting to order at 9:04 a.m. and roll call was taken by the secretary.

Members Present

Ms. Fann
Mr. Farley
Ms. Hobbs

Mrs. McLain
Mr. Meyer
Mr. Weiers, JP

Mr. Gray, Vice-Chairman
Mr. Williams, Chairman

Members Absent

None

Committee Action

HB2042 - DP (4-3-0-1)	HB2543 - DPA S/E (7-0-0-1)
HB2046 - DP (6-0-0-2)	HB2677 - DP (7-0-0-1)
HB2347 - DP (6-0-0-2)	HB2678 - HELD AT REQUEST OF SPONSOR
HB2358 - DP (6-2-0-0)	HB2679 - DP FAILED (2-4-0-2)
HB2499 - HELD AT REQUEST OF SPONSOR	HCM2004 - DPA (5-2-0-1)

CONSIDERATION OF BILLS

HB2499 - girls' youth organization special plates - HELD AT REQUEST OF SPONSOR

Chairman Williams announced that HB2499 will be held at the request of the sponsor.

HB2358 - public-private partnerships; toll facilities - DO PASS

Chairman Williams announced that the hearing on HB2358 will constitute a study session and stakeholder meeting after which a vote will be taken.

Vice-Chairman Gray moved that HB2358 do pass.

Tom Kwon, Majority Intern, explained that HB2358 establishes regulations for toll collection and enforcement under the authority of the Arizona Department of Transportation (ADOT) as Public Private Partnerships (P3) (Attachment 1).

Ms. Fann, sponsor, stated that HB2358 makes changes to previous legislation, HB2396 - transportation; public private partnerships (Laws 2009, Chapter 141) by adding an enforcement provision for toll evasion and repealing the fuel tax rebate for truckers. The Members may hear testimony from individuals concerned that the bill will lead to toll roads in Arizona, which it will not do, nor did HB2396. She said she does not support toll roads on existing highways, with the exception of the Interstate 15 (I-15) corridor.

Kevin Biesty, Legislative Liaison, Arizona Department of Transportation (ADOT), in support of HB2358, in response to questions, related that HB2358 states that misuse of data in the databases for enforcement purposes shall result in a penalty of \$10,000 per violation. He said P3s are very detailed and, depending on the project, it is possible to have a toll road with no toll (shadow toll). Many different types of options can be utilized for these projects, which is why there is not much detail in the bill. Processes are already in place as to who mails the citations and for oversight. The cost of implementing the program is borne by the private company.

In response to further questions, Mr. Biesty submitted that the government is not responsible for guaranteeing a profit when entering into a P3 partnership, but it does have the right to an enforcement mechanism. The Legislature directed ADOT to use this as a “tool in the toolbox” because there is no money for new construction. Gas taxes primarily fund roads and streets in Arizona; the federal gas tax has not been increased since 1981 and the state gas tax since the late 1980s or early 1990s. A toll is not a tax increase; it is a user fee because people have the choice of whether or not to use the toll road.

Mr. Farley stated that a toll road will not be built without a P3 because ADOT does not have the money. Another form of transportation funding is needed other than the gas tax, which is declining. Companies are interested in investing in infrastructure because there is a dependable, long-term return on investment.

Mr. Weiers referred to a handout (Attachment 2), noting that A7 states that electronic tolling allows some drivers to pay reduced tolls or no tolls. He contended that is not fair; if someone uses the road, the person should pay for the road. He added that he understood this bill was meant for I-15 on which bridges need to be repaired.

Mr. Farley stated that he believes the ultimate solution is to work with delegations from California, Utah and Nevada to obtain federal funding to fix the bridges on I-15. In other states, people buy monthly passes and receive a discount, so certain customers pay less or more depending on the frequency of use.

Mr. Biesty provided pictures of I-15 (Attachment 3), noting that there is a stretch with eight bridges that desperately need repair, estimated to cost \$250 million. The State Transportation Board (STB) instructed ADOT to look at it as a P3; a letter was sent to the Federal Highway Administration (FHA) indicating that one slot is open for tolling of an interstate and expressing interest in that slot so there is tolling capacity to fix and maintain the bridges in the future. I-15 benefits people mostly outside Arizona and it is the only roadway where triple trailers are

allowed in Arizona. If this bill passes and the federal government approves tolling of I-15, a public involvement process will begin. Attempts will be made to see if any companies are interested and whether it is beneficial to Arizona.

Mr. Biesty pointed out that anyone who drives on a toll facility can ask the state for a refund of the gas tax expended on that portion of the roadway, but truckers have more of an option because they pay motor carrier fees.

Ms. Fann noted that I-15 has been discussed, although it is not directly germane to this bill. It is not the taxpayers' or state's responsibility to ensure that a P3 is profitable, but a private company has the opportunity to submit a bid on a project and will expect some type of payment, which is why the enforcement provision is necessary. Discussion followed about P3s for roadways.

Gail Lewis, Director, P3 Initiatives, Arizona Department of Transportation (ADOT), stated that the kind of facilities that P3s can be used on was addressed in the underlying statute three years ago, and it is silent on whether it can be an existing or new facility; however, there are many investors in the world interested in a return on investment. The minimum level threshold for a true P3 is \$100 million, so the projects are generally for new capacity or new facilities, which almost negates any maintenance projects because most are under that amount; however, I-15 is an exception.

In response to questions, Mr. Biesty pointed out that ADOT has the authority to hire the resources that are needed and ensure that deals are in the best interest of the state. The original bill addresses procurement of contracts.

Ms. Lewis stated that rules have not been written for this program because ADOT has not engaged in negotiations for a project. There are guidelines on ADOT's website, but this is an instance that is primarily governed by the free market. The toll would be set at a rate that would repay investors for maintaining, operating and building the facility.

Chairman Williams expressed concern about giving ADOT the ability to become a taxing authority without oversight. Mr. Biesty responded that ADOT is an Executive agency so the Governor has the ultimate authority and oversight; the Legislature also has oversight of ADOT.

Karen Rasmussen, President/Chief Executive Officer, Arizona Trucking Association, opposed HB2358. She said she is confused because Mr. Biesty is saying the bill is not about I-15, but she was informed that it is. Additionally, the STB minutes of July 15, 2011 refer to an update by John McGee involving potential P3 projects for I-15 and State Route 89 in the near term, along with I-11 and the north-south corridor in Pinal County in the longer term. After pages of dialogue, there is reference to the refund provision ADOT is seeking to repeal and the toll evader due process issue. She read from ADOT's submission to the FHA on tolling I-15, which she said she learned about from one of the Congressional offices.

Ms. Rasmussen stated that the trucking industry pays 40 percent of the HURF funds, and an additional toll is double taxation, which is why this refund mechanism has been in statute since 1991. It does not even have to be a refund; it could be a credit or a shadow toll so a mechanism would not be necessary to apply for the credit. The trucking industry has advocated and still

advocates for an increase in fuel taxes for all fuels, including diesel, to fund highways and rebuild bridges.

Ms. Rasmussen noted that HB2358 assumes that all of the tolls will be collected electronically with technology used in adjacent states, which would be California or Colorado, even though there may be better technology. Also, the section on page 13 of the bill relating to motor vehicle lessors, lessees, rental companies, etc., places the burden on the lessor to prove who was operating the vehicle at the time it was tolled. She added that she was contacted by the Chairman of the Mohave County Board of Supervisors who provided a letter in opposition to the bill (Attachment 4).

In response to questions, Ms. Rasmussen stated that she was told by ADOT and the bill sponsor that the bill is about I-15. Ms. Fann indicated that when the discussion was held about the rebate, one of the concerns expressed by the truckers was that many of the existing roads in Arizona could become toll roads. She said I-15 is an exception, but remaining existing roads should never be tolled because they were paid for with tax dollars. She added that she was informed by rental companies that credit cards are taken on deposit to cover damages, and contracts state that the company has the right to charge the credit card for any fines, fees, etc.

Mr. Farley said perhaps it should be made clear in statute that the state should only implement P3 projects on infrastructure that does not exist and cannot be built with public funds. If the refund is not repealed and a new toll road is built, the refund will be taken from the Highway User Revenue Fund (HURF), which is dramatically declining and impacts local cities' and counties' ability to maintain roads. Only New York, out of 22 states with toll roads, refunds a tax that is not levied in Arizona so there is no precedent in the country to refund standard tolls to truckers.

Ms. Rasmussen replied that the New York Throughway refunds the fuel tax, which Arizona does collect. It is the only state that gives a refund; however, alternative routes are also available. Mr. Farley said perhaps alternative routes should be required if there is going to be new infrastructure.

David Berry, Vice President, Swift Transportation, opposed HB2358. He provided a handout showing an ad that appeared in the *Wall Street Journal* (Attachment 5). He noted that on May 8, 2006, *Behrens Magazine*, which covers the financial markets, had an interesting article about the fact that toll roads are a good deal because they have monopoly-like pricing power and the easiest to sell are those used heavily by out-of-state drivers, like I-15. Sensing a lucrative opportunity, Wall Street investment bankers, led by Goldman Sachs, have descended on state capitols attempting to convince toll authorities and legislators of the benefits of privatization. If that monopoly-like power is going to be granted, there must be checks and balances.

Mr. Berry said until a few minutes ago, he believed the sense of urgency to move this bill forward was because of the need to fix the bridges on I-15. If I-15 is off the table, the bill should be amended to state that existing roads cannot be tolled. There are also some technical corrections that can be worked out in the due process provisions. He added that there is no reasonable alternative route for I-15, which is why toll road operators view it as a profit opportunity.

Mr. Berry stated that it is frustrating and disappointing when truckers pay user fees, registration fees, etc., and then hear there is not enough money to fix bridges and roads. Refunding the user fees is an equity issue because the toll is to pay for the facility, and then to also have to pay the gas tax for cars and the diesel tax for trucks is not fair or equitable. He submitted that the net impact to HURF will be zero because dollars will flow into HURF through the gas tax through travel on the toll facility and flow right back out.

Mr. Farley stated that particularly on I-15, taxes are probably paid in Nevada or Utah and not Arizona. Mr. Berry replied that no matter where fuel is pumped, a report is filed at the end of the month by truckers in which fuel tax dollars are apportioned to Arizona according to the number of miles traveled in Arizona.

Ms. Fann pointed out that \$1.5 billion was swept from HURF by the Legislature and fuel taxes have not increased in many years; unfortunately, construction costs for new roads and maintenance have increased. That is what happened to the money collected from user fees, etc. Mr. Berry said he understands, but truckers were told there was a crisis, the bridges will fall down and this is the only answer; hence, the concern about why the bill is moving so fast without proper deliberations and debate.

Mr. Biesty related that when the bill was discussed three years ago, there was discussion about why the refund provision should be retained. ADOT objected to the provision because it is a bureaucratic nightmare. Another issue is the fact that the impact is on HURF, which is where the money is paid into, from other states as well.

George Cravens, President, Utility Trailer Sales of Arizona, representing self, opposed HB2358. He stated that there needs to be checks and balances and he is concerned about the toll road process not having oversight. He would like to know the timeline for repairing the bridges on I-15 and whether this legislation will address that issue if it takes three or four years to implement. HURF was swept to the tune of \$1.5 billion. It is discouraging when taxes are paid to maintain roads but are not used for that purpose, yet on the Loop 101 there is a beautiful pedestrian bridge for which money was found to build. He opined that there should be other options available so people are not forced to use a toll road. If the intent is not to toll I-15, it should be taken off the table.

David Williams, Vice President, Knight Transportation; Chairman, Arizona Trucking Association, opposed HB2358. He testified that this bill makes it more financially attractive to bring toll roads to Arizona. He is not opposed to tolling in general but, if there is a toll road, several provisions need to take place such as alternative routes and the refund provision. Tolling is a very inefficient way to collect revenues to pay for roads; an alternative would be raising fuel taxes for which there is already a mechanism to collect.

Vice-Chairman Gray announced the names of those who signed up in opposition to HB2358 but did not speak:

Jeff Sandquist, Arizona Trucking Association

Collin Stewart, Stewart Transport, Inc.

M. Bjorn Petersen, President, M. Bjorn Petersen Transportation

Wendy Briggs, Lobbyist, Arizona Trucking Association

Ryan Flynn, Vice President, TCI Leasing

Seth Apfel, representing self
Buster Johnson, Mohave County Supervisor, District III
Julia Vaillancourt, Commercial Insurance Agent, Southwest Truck Insurance Group
Matt Planeta, Southwest Truck Insurance
Rick Lotz, Business Manager, Empire Transport
Steve Hurlburt, General Manager, McLane Foodservice
Shon Rasmussen, Fleet Account Manager, RWC International, Ltd.
A. J. Planeta, Southwest Truck Insurance Group
Carl Cutter, Escort Driver, Old West Pilots
Richard Dungan, representing self
Dennis Love, Terminal Manager, HDS, Inc.
Thomas Robertson, representing self
Marshall Hall, Account Manager, RWC Idealease, LLC
Rebecca Hudson, Environmental Policy Analyst, Arizona Chamber of Commerce and Industry
Kerry Klimes, representing self
Bobby Carlson, Division President, Sunwest Grocery Distribution, McLane Company

Amanda McGinnis, Arizona Chapter, Associated General Contractors (AGC), spoke in favor of HB2358. She stated that there have been many discussions about this and colleagues in the trucking association always raise the issues of existing freeways and the rebate. This bill provides another “tool in the toolbox” for the Alternative Project Delivery process, and with infrastructure diminishing, it should be considered. It is not an overnight process; in fact, consideration of a P3 is one of the longest processes in Alternative Project Delivery. She asked the Members to consider moving the bill forward so discussions can continue. Regarding existing freeways, she understands people paid for a certain amount of capacity but, if additional capacity is added, ADOT should be able to toll or use a hotline to help with congestion mitigation, etc.

Vice-Chairman Gray announced the names of those who signed up in support of HB2358 but did not speak:

David Martin, Lobbyist, Arizona Chapter, Associated General Contractors
James Poggemeyer, representing self
Ken Smith, representing self
Jim Ogsbury, Legislative Director, League of Arizona Cities and Towns
Kevin Adam, Rural Transportation Liaison, Rural Transportation Advocacy Council
Ramon Gaanderse, Executive Director, Tucson Utility Contractors Association
Eric Emmert, East Valley Chambers of Commerce Alliance
Steve Trussell, Arizona Rock Products Association
Allen Mills, representing self
Ken Smith, HDR Engineering

Question was called on the motion that HB2358 do pass. The motion carried by a roll call vote of 6-2-0-0 (Attachment 6).

HCM2004 - transportation funding; restore to states - DO PASS AMENDED

Vice-Chairman Gray moved that HCM2004 do pass.

Tom Kwon, Majority Intern, explained that HCM2003 urges the U.S. Congress to enact legislation that allows states to manage gas tax dollars without intervention from the federal government (Attachment 7).

Vice-Chairman Gray, sponsor, stated that this is a request to the federal government to return federal gas tax money to Arizona to be used to maintain roads.

Vice-Chairman Gray announced the names of those who signed up in support of HCM2004 but did not speak:

Steve Trussell, Arizona Rock Products Association

David Martin, Lobbyist, Arizona Chapter, Associated General Contractors

Mr. Kwon explained that the amendment to HCM2004 changes a minor grammatical error of “face” to “faced” (Attachment 8).

Vice-Chairman Gray moved that the Gray two-line amendment to HCM2004 dated 2/3/12 (Attachment 8) be adopted. The motion carried.

Vice-Chairman Gray moved that HCM2004 as amended do pass. The motion carried by a roll call vote of 5-2-0-1 (Attachment 9).

HB2678 - virtual driver licenses - HELD AT REQUEST OF SPONSOR

Chairman Williams announced that HB2678 will be held at the request of the sponsor.

HB2677 - vehicle insurance; proof shown electronically - DO PASS

Vice-Chairman Gray moved that HB2677 do pass.

Tom Kwon, Majority Intern, explained that HB2677 allows vehicle insurance and identification to be displayed on a wireless communication device as evidence of financial responsibility (Attachment 10).

Vice-Chairman Gray assumed the Chair.

Representative Jeff Dial, sponsor, stated that insurance cards are required to be kept in vehicles, but a picture of the document can be taken with a smartphone. Insurance companies endorsed this because they would no longer have to mail out insurance cards, which will save money. It will be more convenient and conform state statutes to current technology. In response to a question, he noted that this is optional and individuals who do not request the card in virtual form will automatically be mailed a paper ID card.

Chairman Williams resumed the Chair.

David Childers, Property Casualty Insurers Association of America; Liberty Mutual; Nationwide, spoke in favor of HB2677. He stated that this is an effort to move toward the electronic age. It does not replace the ID card, but provides another option. All of the same

information that is on the paper card will be electronically provided. He acknowledged that it will be an application by which individuals can access their account, purchase insurance, make changes and communicate with the insurance company.

Gregory Harris, Progressive Insurance, in support of HB2677, stated that this legislation will permit electronic use of the proof of insurance card. He is looking forward to working with the Chairman and sponsor on issues that are identified.

Christopher Ziance, Senior Counsel, Progressive Insurance, spoke in favor of HB2677. He stated that this is a minor change to existing law to bring it into the 21st century. More and more people are signing up for paperless transactions, but even those customers are sent a paper ID card because it is the law. Progressive Insurance wants to do this countrywide; currently, there is legislation in Idaho and Colorado. Initially it will be an application that will show the ID card, and there is the potential to disable the application when a customer no longer has insurance.

Mrs. McLain said she believes the insurance companies notify the appropriate state agency when a customer's insurance lapses, which will probably continue with an electronic ID card. Mr. Ziance replied that different states have different systems. He responded to a question about how multiple vehicles will be handled.

Chairman Williams asked when actual application will occur. Mr. Ziance replied that as soon as enough states are on board, which will probably be in 2013.

Vice-Chairman Gray announced the names of those who signed up in support of HB2677 but did not speak:

- Don Isaacson, Arizona Fraternal Order of Police; State Farm Insurance
- Kerry Hayden, Government Affairs Representative, Farmers Insurance Group of Companies
- J. Michael Low, Attorney, Allstate
- Ellen Poole, Executive Director, SW Region, Government Relations, USAA
- Seth Apfel, representing self

Question was called on the motion that HB2677 do pass. The motion carried by a roll call vote of 7-0-0-1 (Attachment 11).

HB2679 - autonomous vehicles; ADOT rules - ~~DO PASS~~ FAILED

Vice-Chairman Gray moved that HB2679 do pass.

Tom Kwon, Majority Intern, explained that HB2679 requires the Director of the Arizona Department of Transportation (ADOT) to adopt rules authorizing the operation of autonomous vehicles (Attachment 12).

Representative Jeff Dial, sponsor, stated that he will be working with Google, which is interested in this, to make some minor changes. This will not happen next year, but 10 years from now. The bill allows testing by autonomous vehicles in different parts of the state as determined by the Director who will have the flexibility to create rules and work with interested companies. Autonomous vehicles will give parents and grandparents the freedom to be mobile and self-sufficient.

Kevin Biesty, Legislative Liaison, Arizona Department of Transportation (ADOT), neutral on HB2679, noted that the bill says the Director “shall” make rules. He was not aware of any company that wishes to test autonomous vehicles on the roadway so ADOT would like to talk to interested parties about what will be needed. He asked if “shall” can be changed “may.”

Vice-Chairman Gray announced the names of those who signed up in opposition to HB2679 but did not speak:

Knox Kimberly, Lobbyist, Alliance of Automobile Manufacturers

Bobbi Sparrow, Government Relations Director, Arizona Automobile Dealers Association

Question was called on the motion that HB2679 do pass. The motion failed by a roll call vote of 2-4-0-2 (Attachment 13).

HB2347 - public transportation authorities; board membership - DO PASS

Vice-Chairman Gray moved that HB2347 do pass.

Justin Riches, Majority Research Analyst, explained that HB2347 adds one member from a community college district and one member from an Indian Nation to the board of directors of an intergovernmental public transportation authority (Attachment 14).

Representative Russ Jones, sponsor, related that this is cleanup legislation from last session when the Legislature expanded transit authorities to include community colleges and Indian Nations, but unfortunately, did not provide the authority for them to sit on the board, which is what HB2347 does. He related that in rural Arizona, particularly in his district where Arizona Western College is eight to ten miles from the center of the city, there is a need for public transit to the campuses. If these entities are going to provide financial support, they want to participate in the process. The bill was requested by the newly-formed transit authority in Yuma County.

Vice-Chairman Gray announced the names of those who signed up in support of HB2347 but did not speak:

Eric Emmert, Yuma County

Question was called on the motion that HB2347 do pass. The motion carried by a roll call vote of 6-0-0-2 (Attachment 15).

HB2543 - traffic control signs; state highways - DO PASS AMENDED S/E
S/E: same subject

Vice-Chairman Gray moved that HB2543 do pass.

Vice-Chairman Gray moved that the Williams 24-line strike-everything amendment to HB2543 dated 2/7/12 (Attachment 16) be adopted.

Tom Kwon, Majority Intern, explained that the strike-everything amendment to HB2543 (Attachment 16) allows the Director of the Arizona Department of Transportation (ADOT) to

establish temporary procedures and criteria for making state highway signs for nonprofit museums (Attachment 17).

Representative Heather Carter, sponsor, advised that the strike-everything amendment to HB2543 allows the Director of ADOT to permit directional signs for the institutions outlined. She clarified that there is a repeal date because the intent is to provide signs until ADOT implements the Urban Logo Sign Program expected to be in place by September 30, 2014; if not, the issue will be addressed at that time.

Bill Dewalt, President/Director, Musical Instrument Museum (MIM) spoke in support of the strike-everything amendment to HB2543. He stated that MIM is a new addition to the cultural landscape of Arizona and has already become a national and international attraction. He worked with ADOT to find a solution for temporary signage to help visitors find MIM more easily. In response to questions, he related that about \$250 million has been invested in MIM to date. MIM has nearly 250,000 visitors per year.

Kevin Biesty, Legislative Liaison, Arizona Department of Transportation (ADOT), spoke in favor of the strike-everything amendment to HB2543. He remarked that the state will assume the Logo Sign Program on July 1, 2012 in rural Arizona, and at the same time, implement the Urban Logo Sign Program, which is estimated to take about 12 months. If something should happen to cause a delay, there will be another session to ask for an extension, but he does not anticipate any problems.

Vice-Chairman Gray announced the names of those who signed up in support of the strike-everything amendment to HB2543 but did not speak:

Justin Karim, Director of Operations, Musical Instrument Museum

Question was called on the motion that the Williams 24-line strike-everything amendment to HB2543 dated 2/7/12 (Attachment 16) be adopted. The motion carried.

Vice-Chairman Gray moved that HB2543 as amended do pass. The motion carried by a roll call vote of 7-0-0-1 (Attachment 18).

HB2042 - fallen hero special plates - DO PASS

Vice-Chairman Gray moved that HB2042 do pass.

Justin Riches, Majority Research Analyst, explained that HB2042 establishes the Fallen Hero Special License Plate (Attachment 19).

Representative Michelle Ugenti, sponsor, stated that if this plate is implemented, the money will go to the Pat Tillman Foundation. She knew Pat Tillman for many years and his family is excited about potentially being able to have a plate to raise money for veteran issues.

David Lucier, representing self, testified in support of HB2042 and related his association with veterans' organizations. He said it is most appropriate that this act is named after Pat Tillman who was not only a veteran, but also a fallen hero. The Pat Tillman Foundation continues his

legacy of excellence in academics, service and leadership. He urged the Members to help advance and establish Arizona as the most veteran supportive state in the nation by voting for the bill. In response to questions, he related that no public money is going toward this endeavor.

Representative Ugenti noted that Hunter Reilly was going to speak about the Pat Tillman Foundation, but he had to leave. The website is www.patillmanfoundation.org and the money is used to support veterans, current servicemen and women and their spouses. To date, \$2.5 million to \$3 million has been raised for scholarships across the country.

Michael Hall, Vice President, Student Affairs, Arizona State University; Arizona Veterans' Education Foundation, spoke in support of HB2042. He related that he is a former Marine. In November 2011, the Pat Tillman Foundation and another entity funded a report called *Completing the Mission*, which he utilized to demonstrate the positive outcomes that can be achieved when veterans are supported; this report was made available from funds the Foundation provided. The Foundation also provides funding for scholarships, not only for veterans, but dependents as well.

Vice-Chairman Gray announced the names of those who signed up in support of HB2042 but did not speak:

Hunter Riley, Pat Tillman Foundation

Mike Williams, Pat Tillman Foundation

Question was called on the motion that HB2042 do pass. The motion carried by a roll call vote of 4-3-0-1 (Attachment 20).

HB2046 - license plate covers; prohibition - DO PASS

Vice-Chairman Gray moved that HB2046 do pass.

Justin Riches, Majority Research Analyst, explained that HB2046 prohibits a person from applying a covering or any substance to a license plate or using an electronic device or electrochromatic film that obscures any numbers, characters or tabs on a license plate (Attachment 21).

Mr. Farley, sponsor, advised that he was asked by a highway patrol officer to sponsor this bill. The officer is concerned about the increasing use of license plate covers, currently not prohibited by law, that prevent officers from identifying license plates, particularly in summertime when there is a glare. If a license plate is required to identify a vehicle, there should also be a law requiring the license plate to be legible at all times.

Vice-Chairman Gray announced the names of those who signed up in support of HB2046 but did not speak:

Don Isaacson, Arizona Fraternal Order of Police

Knox Kimberly, Lobbyist, Alliance of Automobile Manufacturers

Kelsey Lundy, R & R Partners, Arizona Highway Patrol Association

Trey Williams, Legislative Liaison, Arizona Association of Counties

Vice-Chairman Gray announced the names of those who signed up in opposition to HB2046 but did not speak:

Ryan Denke, representing self

Question was called on the motion that HB2046 do pass. The motion carried by a roll call vote of 6-0-0-2 (Attachment 22).

Without objection, the meeting adjourned at 12:31 p.m.

Linda Taylor, Committee Secretary
March 1, 2012

(Original minutes, attachments and audio on file in the Chief Clerk's Office; video archives available at <http://www.azleg.gov>)