

REFERENCE TITLE: vehicle right-of-way; buses

State of Arizona
Senate
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SB 1277

Introduced by
Senators Burges, Farley; Representatives Borrelli, Fann: Senators
McComish, Pierce; Representatives Livingston, Steele

AN ACT

AMENDING SECTION 28-627, ARIZONA REVISED STATUTES; RELATING TO VEHICLE
REGULATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-627, Arizona Revised Statutes, is amended to
3 read:

4 28-627. Powers of local authorities

5 A. This chapter and chapters 4 and 5 of this title do not prohibit a
6 local authority, with respect to streets and highways under its jurisdiction
7 and within the reasonable exercise of the police power, from:

8 1. Regulating the standing or parking of vehicles.

9 2. Regulating traffic by means of police officers, traffic control
10 signals or volunteer posse organization members authorized by the sheriff
11 under section 11-441 for the purpose of directing traffic only.

12 3. Regulating or prohibiting processions or assemblages on the
13 highways.

14 4. Designating particular highways as one-way highways and requiring
15 that all vehicles on one-way highways be moved in one specific direction.

16 5. Regulating the speed of vehicles in public parks.

17 6. Designating any highway as a through highway and requiring that all
18 vehicles stop before entering or crossing the highway or designating any
19 intersection as a stop intersection and requiring all vehicles to stop at one
20 or more entrances to the intersection.

21 7. Restricting the use of highways as authorized in section 28-1106.

22 8. Regulating the operation of bicycles and requiring the registration
23 and licensing of bicycles, including the requirement of a registration fee.

24 9. Regulating or prohibiting the turning of vehicles or specified
25 types of vehicles at intersections.

26 10. Altering the prima facie speed limits as authorized by this
27 chapter.

28 11. Designating routes over streets and highways for vehicles not
29 exceeding one hundred two inches in width, exclusive of safety equipment.

30 12. Adopting other traffic regulations that are specifically authorized
31 by this chapter or chapter 4 or 5 of this title.

32 13. Designating routes on certain streets and highways for the purpose
33 of allowing off-highway vehicle operators to gain access to or from a
34 designated off-highway recreation facility as defined in section 28-1171,
35 off-highway vehicle trail as defined in section 28-1171 or off-highway
36 vehicle special event as defined in section 28-1171.

37 14. REQUIRING A VEHICLE THAT IS TRAVELING ON A STREET OR HIGHWAY TO
38 YIELD THE RIGHT-OF-WAY TO A BUS THAT IS ENTERING THE STREET OR HIGHWAY FROM A
39 BUS PULL-OUT LANE. IF A LOCAL AUTHORITY ENACTS AN ORDINANCE AS DESCRIBED IN
40 THIS PARAGRAPH, THE LOCAL AUTHORITY MUST REQUIRE THAT THERE BE A WARNING
41 DEVICE THAT IS VISIBLE TO TRAFFIC AND THAT INDICATES THE BUS DRIVER'S INTENT
42 TO ENTER THE STREET OR HIGHWAY.

43 B. A local authority shall not erect or maintain a stop sign or
44 traffic control signal at any location that requires the traffic on any state

1 highway to stop before entering or crossing any intersecting highway unless
2 approval in writing has first been obtained from the director.

3 C. An ordinance or regulation enacted under subsection A, paragraph 4,
4 5, 6, 7, 9 or 10 of this section is not effective until signs giving notice
5 of the local traffic regulations are posted on or at the entrances to the
6 highway or part of the highway affected as is most appropriate.

7 D. The definition of motor vehicle prescribed in section 28-101 does
8 not prevent a local authority from adopting ordinances that regulate or
9 prohibit the operation of motorized skateboards, except that a local
10 authority shall not adopt an ordinance that requires registration and
11 licensing of motorized skateboards. For the purposes of this subsection,
12 "motorized skateboard" means a self-propelled device that has a motor, a deck
13 on which a person may ride and at least two tandem wheels in contact with the
14 ground.

15 E. In addition to the appointment of peace officers, a local authority
16 may provide by ordinance for the appointment of:

17 1. Unarmed police aides or municipally approved private contractors
18 who are employed or contracted by the police department and who are empowered
19 to commence an action or proceeding before a court or judge for a violation
20 of the local authority's ordinances regulating the standing or parking of
21 vehicles. A municipally approved private contractor shall not include a
22 relative of an employee or of an elected official of the municipality. The
23 authority of the unarmed police aide or municipally approved private
24 contractor as authorized in this section is limited to the enforcement of the
25 ordinances of local authorities regulating the standing or parking of
26 vehicles. Pursuant to rules established by the supreme court, an unarmed
27 police aide appointed pursuant to this paragraph may serve any process
28 originating out of a municipal court in the municipality in which the unarmed
29 police aide is employed. Service of process under this paragraph shall only
30 be made during the hours the municipal court is open for the transaction of
31 business and only on court premises. This paragraph does not grant to
32 unarmed police aides or municipally approved private contractors other powers
33 or benefits to which peace officers of this state are entitled.

34 2. Traffic investigators who may:

35 (a) Investigate traffic accidents within the jurisdiction of the local
36 authority.

37 (b) Commence an action or proceeding before a court or judge for any
38 violation of a state statute or local ordinance relating to traffic, if the
39 violation is related to a traffic accident within the jurisdiction of the
40 local authority.

41 (c) Pursuant to rules established by the supreme court, serve any
42 process originating out of a municipal court in the municipality in which the
43 traffic investigator is employed. Service of process under paragraph 1 of
44 this subsection shall only be made during the hours the municipal court is
45 open for the transaction of business and only on court premises.

1 F. A traffic investigator appointed pursuant to this section shall:
2 1. Be unarmed at all times during the course of the traffic
3 investigator's duties.
4 2. Be an employee of the appointing local authority.
5 3. File written reports as required pursuant to section 28-667.
6 G. Notwithstanding subsection E of this section, an unarmed police
7 aide, a municipally approved private contractor or a traffic investigator
8 shall not serve any process resulting from a citation issued for a violation
9 of article 3 or 6 of this chapter or of a city or town ordinance for
10 excessive speed or failure to obey a traffic control device that is obtained
11 using a photo enforcement system.
12 H. This section does not grant other powers or benefits to traffic
13 investigators to which peace officers of this state are entitled.
14 I. Pursuant to section 28-1092, a local authority shall provide
15 reasonable access to and from terminals and service facilities on highways
16 under its jurisdiction.