

HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **SB 1274** \_\_\_\_\_

Fann \_\_\_\_\_ Floor Amendment

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This amendment establishes the First Responder Special License Plate and Fund, with the proceeds going to the a charitable organization that offers immediate financial assistance, emotional support, peer training, and professional referral services to families of public safety officers who are seriously injured or killed in the line of duty.

This is contingent upon an entity paying, \$32,000 to ADOT by December 31, 2015.

Amendment explanation prepared by \_\_\_\_\_

Phone Number \_\_\_\_\_

lcs

4/2/2015

FANN FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1274

(Reference to Senate engrossed bill)

1 Page 6, between lines 4 and 5, insert:

2 "Sec. 7 Section 28-2351, Arizona Revised Statutes, is amended to read:

3 28-2351. License plate provided; design

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

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

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

1           D. The department shall determine the color and design of the license  
2 plate. All other plates issued by the department, except the plates issued  
3 pursuant to sections 28-2404, 28-2412, 28-2413, 28-2414, 28-2416, 28-2416.01,  
4 28-2417 through ~~28-2451~~ 28-2452, 28-2472, 28-2473, 28-2474, 28-2475 and  
5 28-4533 and article 14 of this chapter, shall be the same color as and  
6 similar in design to the license plate as determined by the department.

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

9           Sec. 8. Section 28-2403, Arizona Revised Statutes, is amended to read:  
10 28-2403. Special plates; transfers; violation; classification

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

15           1. Except as provided in sections 28-2416 and 28-2416.01, a person who  
16 is the registered owner of a vehicle registered with the department or who  
17 applies for an original or renewal registration of a vehicle may submit to  
18 the department a completed application form as prescribed by the department  
19 with the fee prescribed by section 28-2402 for special plates in addition to  
20 the registration fee prescribed by section 28-2003.

21           2. Except for plates issued pursuant to sections 28-2404, 28-2412,  
22 28-2413, 28-2414, 28-2416, 28-2416.01, 28-2417 through ~~28-2451~~ 28-2452,  
23 28-2472, 28-2473, 28-2474 and 28-2475 and article 14 of this chapter, the  
24 special plates shall be the same color as and similar to the design of the  
25 regular license plates that is determined by the department.

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

30           4. Except as provided in sections 28-2416 and 28-2416.01, the  
31 department shall charge the fee prescribed by section 28-2402 for each annual

1 renewal of special plates in addition to the registration fee prescribed by  
2 section 28-2003.

3 B. Except as provided in sections 28-2416 and 28-2416.01, on  
4 notification to the department and on payment of the transfer fee prescribed  
5 by section 28-2402, a person who is issued special plates may transfer the  
6 special plates to another vehicle the person owns or leases. Persons who are  
7 issued special plates for hearing impaired persons pursuant to section  
8 28-2408 and international symbol of access special plates pursuant to section  
9 28-2409 are exempt from the transfer fee. If a person who is issued special  
10 plates sells, trades or otherwise releases ownership of the vehicle on which  
11 the plates have been displayed, the person shall immediately report the  
12 transfer of the plates to the department or the person shall surrender the  
13 plates to the department as prescribed by the director. It is unlawful for a  
14 person to whom the plates have been issued to knowingly permit them to be  
15 displayed on a vehicle except the vehicle authorized by the department.

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

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

19 1. Violates subsection B of this section.

20 2. Fraudulently gives false or fictitious information in the  
21 application for or renewal of special plates or placards issued pursuant to  
22 this article.

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

26 Sec. 9. Title 28, chapter 7, article 12, Arizona Revised Statutes, is  
27 amended by adding section 28-2452, to read:

28 28-2452. First responder special plates: fund

29 A. IF, BY DECEMBER 31, 2015, A PERSON PAYS THIRTY-TWO THOUSAND DOLLARS  
30 TO THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT  
31 SHALL ISSUE FIRST RESPONDER SPECIAL PLATES. THE PERSON WHO PROVIDES THE  
32 THIRTY-TWO THOUSAND DOLLARS SHALL DESIGN THE FIRST RESPONDER SPECIAL PLATES.

1 THE DESIGN AND COLOR OF THE FIRST RESPONDER SPECIAL PLATES ARE SUBJECT TO THE  
2 APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR FIRST  
3 RESPONDER 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 THE FIRST  
7 RESPONDER 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 FIRST RESPONDER SPECIAL PLATE FUND ESTABLISHED BY THIS  
15 SECTION.

16 D. THE FIRST RESPONDER SPECIAL PLATE FUND IS ESTABLISHED CONSISTING OF  
17 MONIES DEPOSITED PURSUANT TO THIS SECTION. THE DIRECTOR SHALL ADMINISTER THE  
18 FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN THE FUND SHALL BE REIMBURSED  
19 TO THE PERSON WHO PAID THE IMPLEMENTATION FEE TO THE DEPARTMENT PURSUANT TO  
20 SUBSECTION A OF THIS SECTION. NOT MORE THAN TEN PERCENT OF THE MONIES  
21 DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING  
22 THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.

23 E. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND TO AN  
24 ENTITY THAT IS A CHARITABLE ORGANIZATION THAT IS QUALIFIED UNDER SECTION  
25 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE CODE FOR FEDERAL INCOME TAX  
26 PURPOSES. THE ENTITY MUST OFFER IMMEDIATE FINANCIAL ASSISTANCE, EMOTIONAL  
27 SUPPORT, PEER TRAINING AND PROFESSIONAL REFERRAL SERVICES TO FAMILIES OF  
28 PUBLIC SAFETY OFFICERS AND FIREFIGHTERS WHO ARE SERIOUSLY INJURED OR KILLED  
29 IN THE LINE OF DUTY. THE ENTITY MUST OFFER SCHOLARSHIPS TO FAMILY MEMBERS OF  
30 PUBLIC SAFETY OFFICERS AND FIREFIGHTERS WHO WISH TO CONTINUE THEIR EDUCATION  
31 BEYOND HIGH SCHOOL. THE ENTITY MUST HAVE BEEN IN EXISTENCE FOR AT LEAST  
32 FORTY-FIVE YEARS.

1 F. 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 Renumber to conform

5 Page 12, between lines 28 and 29, insert:

6 "Sec. 15. Section 28-6993, Arizona Revised Statutes, is amended to  
7 read:

8 28-6993. State highway fund; authorized uses

9 A. Except as provided in subsection B of this section and section  
10 28-6538, the state highway fund shall be used for any of the following  
11 purposes in strict conformity with and subject to the budget as provided by  
12 this section and by sections 28-6997 through 28-7003:

13 1. To pay salaries, wages, necessary travel expenses and other  
14 expenses of officers and employees of the department and the incidental  
15 office expenses, including telegraph, telephone, postal and express charges  
16 and printing, stationery and advertising expenses.

17 2. To pay for both:

18 (a) Equipment, supplies, machines, tools, department offices and  
19 laboratories established by the department.

20 (b) The construction and repair of buildings or yards of the  
21 department.

22 3. To pay the cost of both:

23 (a) Engineering, construction, improvement and maintenance of state  
24 highways and parts of highways forming state routes.

25 (b) Highways under cooperative agreements with the United States that  
26 are entered into pursuant to this chapter and an act of Congress providing  
27 for the construction of rural post roads.

28 4. To pay land damages incurred by reason of establishing, opening,  
29 altering, relocating, widening or abandoning portions of a state route or  
30 state highway.

31 5. To reimburse the department revolving account.

1           6. To pay premiums on authorized indemnity bonds and on compensation  
2 insurance under the workers' compensation act.

3           7. To defray lawful expenses and costs required to administer and  
4 carry out the intent, purposes and provisions of this title, including  
5 repayment of obligations entered into pursuant to this title, payment of  
6 interest on obligations entered into pursuant to this title, repayment of  
7 loans and other financial assistance, including repayment of advances and  
8 interest on advances made to the department pursuant to section 28-7677, and  
9 payment of all other obligations and expenses of the board and department  
10 pursuant to chapter 21 of this title.

11           8. To pay lawful bills and charges incurred by the state engineer.

12           9. To acquire, construct or improve entry roads to state parks or  
13 roads within state parks.

14           10. To acquire, construct or improve entry roads to state prisons.

15           11. To pay the cost of relocating a utility facility pursuant to  
16 section 28-7156.

17           12. For the purposes provided in subsections C, D and E of this section  
18 and sections 28-1143, 28-2353 and 28-3003.

19           13. To pay the cost of issuing an Arizona centennial special plate  
20 pursuant to section 28-2448.

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

26           C. Subject to legislative appropriation, the department may use the  
27 monies in the state highway fund as prescribed in section 28-6991, paragraph  
28 12 to carry out the duties imposed by this title for registration or titling  
29 of vehicles, to operate joint title, registration and driver licensing  
30 offices, to cover the administrative costs of issuing the air quality  
31 compliance sticker, modifying the year validating tab and issuing the

1 windshield sticker and to cover expenses and costs in issuing special plates  
2 pursuant to sections 28-2404, 28-2412 through ~~28-2451~~ 28-2452 and 28-2514.

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

6 E. Monies deposited in the state highway fund pursuant to section  
7 28-2269 shall be used only as prescribed by that section.

8 F. Monies deposited in the state highway fund pursuant to section  
9 28-710, subsection D, paragraph 2 shall only be used for state highway work  
10 zone traffic control devices.

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

19 Renumber to conform

20 Amend title to conform

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KAREN FANN

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