

REFERENCE TITLE: homeowners' associations; traffic enforcement; penalties

State of Arizona
Senate
Fifty-second Legislature
First Regular Session
2015

SB 1385

Introduced by
Senators Kavanagh: McGuire

AN ACT

AMENDING TITLE 33, CHAPTER 16, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING
SECTION 33-1818.01; RELATING TO PLANNED COMMUNITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 33, chapter 16, article 1, Arizona Revised Statutes,
3 is amended by adding section 33-1818.01, to read:

4 33-1818.01. Association enforcement authority: roadways and
5 parking: limitation

6 FOR A PLANNED COMMUNITY IN WHICH THE ASSOCIATION OWNS OR OTHERWISE HAS
7 LEGAL AUTHORITY OVER THE ROADS AND PARKING AREAS IN THE PLANNED COMMUNITY AND
8 THAT TAKES ENFORCEMENT ACTION REGARDING THE USE OF THOSE ROADS OR PARKING
9 AREAS, THE FOLLOWING APPLY:

10 1. THE ASSOCIATION SHALL PROVIDE WRITTEN NOTICE TO THE OWNER REGARDING
11 THE DATE, TIME AND LOCATION OF THE VIOLATION WITHIN TWENTY-FOUR HOURS AFTER
12 THE VIOLATION OCCURS.

13 2. THE NOTICE OF THE VIOLATION SHALL STATE THE MAKE AND MODEL OF THE
14 VEHICLE AND SHALL DESCRIBE THE OPERATOR OF THE VEHICLE.

15 3. ANY MONETARY FINE, PENALTY OR OTHER FEE, HOWEVER DENOMINATED, THAT
16 IS ASSESSED AGAINST THE OWNER RELATING TO THE VIOLATION MAY NOT EXCEED THE
17 FEE FOR THE SAME VIOLATION THAT WOULD HAVE BEEN ISSUED BY AN ENFORCEMENT
18 OFFICER IN THE CITY OR TOWN IN WHICH THE PLANNED COMMUNITY IS LOCATED OR, IF
19 NOT LOCATED IN A CITY OR TOWN, IN THE COUNTY IN WHICH THE PLANNED COMMUNITY
20 IS LOCATED.

21 Sec. 2. Applicability

22 Section 33-1818.01, Arizona Revised Statutes, applies to any
23 enforcement action taken on behalf of a planned community after the effective
24 date of this act.