

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

CHAPTER 124
HOUSE BILL 2522

AN ACT

AMENDING SECTIONS 28-2351, 28-2403 AND 28-2444, ARIZONA REVISED STATUTES;
AMENDING TITLE 28, CHAPTER 7, ARTICLE 12, ARIZONA REVISED STATUTES, BY ADDING
SECTION 28-2452; AMENDING SECTIONS 28-6501, 28-6991 AND 28-6993, ARIZONA
REVISED STATUTES; 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 ~~28-2451~~ 28-2452, 28-2472, 28-2473, 28-2474, 28-2475 and
33 28-4533 and article 14 of this chapter, shall be the same color as and
34 similar in design 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
46 the department a completed application form as prescribed by the department

1 with the fee prescribed by section 28-2402 for special plates in addition to
2 the registration fee prescribed by section 28-2003.

3 2. Except for plates issued pursuant to sections 28-2404, 28-2412,
4 28-2413, 28-2414, 28-2416, 28-2416.01, 28-2417 through ~~28-2451~~ 28-2452,
5 28-2472, 28-2473, 28-2474 and 28-2475 and article 14 of this chapter, the
6 special plates shall be the same color as and similar to the design of the
7 regular license plates that is determined by the department.

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

12 4. Except as provided in sections 28-2416 and 28-2416.01, the
13 department shall charge the fee prescribed by section 28-2402 for each annual
14 renewal of special plates in addition to the registration fee prescribed by
15 section 28-2003.

16 B. Except as provided in sections 28-2416 and 28-2416.01, on
17 notification to the department and on payment of the transfer fee prescribed
18 by section 28-2402, a person who is issued special plates may transfer the
19 special plates to another vehicle the person owns or leases. Persons who are
20 issued special plates for hearing impaired persons pursuant to section
21 28-2408 and international symbol of access special plates pursuant to section
22 28-2409 are exempt from the transfer fee. If a person who is issued special
23 plates sells, trades or otherwise releases ownership of the vehicle on which
24 the plates have been displayed, the person shall immediately report the
25 transfer of the plates to the department or the person shall surrender the
26 plates to the department as prescribed by the director. It is unlawful for a
27 person to whom the plates have been issued to knowingly permit them to be
28 displayed on a vehicle except the vehicle authorized by the department.

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

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

32 1. Violates subsection B of this section.

33 2. Fraudulently gives false or fictitious information in the
34 application for or renewal of special plates or placards issued pursuant to
35 this article.

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

39 Sec. 3. Section 28-2444, Arizona Revised Statutes, is amended to read:
40 28-2444. Arizona professional hockey club special plates; fund

41 A. If, by December 31, ~~2011~~ 2015, an entity pays thirty-two thousand
42 dollars to the department for the implementation of this section, the
43 department shall issue Arizona professional hockey club special plates. The
44 entity that provides the thirty-two thousand dollars shall design the Arizona
45 professional hockey club special plates. The design and color of the Arizona
46 professional hockey club special plates are subject to the approval of the

1 department. The director may allow a request for Arizona professional hockey
2 club special plates to be combined with a request for personalized special
3 plates. If the director allows such a combination, the request shall be in a
4 form prescribed by the director and is subject to the fees for the
5 personalized special plates in addition to the fees required for the Arizona
6 professional hockey club special plates.

7 B. Of the twenty-five dollar fee required by section 28-2402 for the
8 original special plates and for renewal of special plates, eight dollars is a
9 special plate administration fee and seventeen dollars is an annual donation.

10 C. The department shall deposit, pursuant to sections 35-146 and
11 35-147, all special plate administration fees in the state highway fund
12 established by section 28-6991 and all donations collected pursuant to this
13 section in the Arizona professional hockey club special plate fund
14 established by this section.

15 D. The Arizona professional hockey club special plate fund is
16 established consisting of monies deposited pursuant to this section. The
17 director shall administer the fund. The first thirty-two thousand dollars in
18 the fund shall be reimbursed to the entity that paid the implementation fee
19 to the department pursuant to subsection A of this section. Not more than
20 ten ~~per cent~~ PERCENT of the monies deposited in the fund annually shall be
21 used for the cost of administering the fund. Monies in the fund are
22 continuously appropriated. The director shall allocate monies from the fund
23 through a private Arizona professional hockey organization's foundation that
24 is qualified under section 501(c)(3) of the United States internal revenue
25 code for federal income tax purposes. The director shall forward all monies
26 deposited in the Arizona professional hockey club special plate fund,
27 excluding administrative fees, to the foundation on an annual basis.

28 E. On notice from the director, the state treasurer shall invest and
29 divest monies in the fund as provided by section 35-313, and monies earned
30 from investment shall be credited to the fund.

31 Sec. 4. Title 28, chapter 7, article 12, Arizona Revised Statutes, is
32 amended by adding section 28-2452, to read:

33 28-2452. Health sciences educational institution special
34 plates; fund

35 A. IF, BY DECEMBER 31, 2015, A PERSON PAYS THIRTY-TWO THOUSAND DOLLARS
36 TO THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT
37 SHALL ISSUE HEALTH SCIENCES EDUCATIONAL INSTITUTION SPECIAL PLATES. THE
38 DESIGN AND COLOR OF THE HEALTH SCIENCES EDUCATIONAL INSTITUTION SPECIAL
39 PLATES ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW
40 A REQUEST FOR HEALTH SCIENCES EDUCATIONAL INSTITUTION SPECIAL PLATES TO BE
41 COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR
42 ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE
43 DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN
44 ADDITION TO THE FEES REQUIRED FOR HEALTH SCIENCES EDUCATIONAL INSTITUTION
45 SPECIAL PLATES.

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

4 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
5 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
6 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
7 SECTION IN THE HEALTH SCIENCES EDUCATIONAL INSTITUTION SPECIAL PLATE FUND
8 ESTABLISHED BY SUBSECTION D OF THIS SECTION.

9 D. THE HEALTH SCIENCES EDUCATIONAL INSTITUTION SPECIAL PLATE FUND IS
10 ESTABLISHED CONSISTING OF MONIES RECEIVED PURSUANT TO THIS SECTION. THE
11 DIRECTOR SHALL ADMINISTER THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN
12 THE FUND SHALL BE REIMBURSED TO THE PERSON THAT PROVIDES THE THIRTY-TWO
13 THOUSAND DOLLARS PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN TEN
14 PERCENT OF MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST
15 OF ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.
16 THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND, EXCLUDING
17 ADMINISTRATIVE FEES, TO A PRIVATE ENTITY THAT IS RECOGNIZED AS A NONPROFIT
18 CORPORATION UNDER SECTION 501(C) OF THE INTERNAL REVENUE CODE, THAT SOLELY
19 PROVIDES GRADUATE AND POSTGRADUATE EDUCATION IN THE HEALTH SCIENCES AND THAT
20 HAS AN ENROLLMENT OF AT LEAST THREE THOUSAND FULL-TIME STUDENTS. THE ENTITY
21 RECEIVING THE MONIES MUST USE THE MONIES FOR ACADEMIC SCHOLARSHIPS. FOR THE
22 PURPOSES OF THIS SUBSECTION, "HEALTH SCIENCES" INCLUDES MEDICINE, NURSING,
23 PHYSICIAN ASSISTANT STUDIES, PHARMACY, PHYSICAL THERAPY, OCCUPATIONAL
24 THERAPY, BIOMEDICAL SCIENCES, PODIATRY, CLINICAL PSYCHOLOGY, CARDIOVASCULAR
25 SCIENCE, NURSE ANESTHESIA, DENTISTRY, OPTOMETRY AND VETERINARY MEDICINE.

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

30 Sec. 5. Section 28-6501, Arizona Revised Statutes, is amended to read:

31 28-6501. Definition of highway user revenues

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

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

37 (a) The special plate administration fees prescribed in sections
38 28-2404, 28-2412 through ~~28-2451~~ 28-2452 and 28-2514.

39 (b) The donations prescribed in sections 28-2404, 28-2412 through
40 28-2415, 28-2417 through ~~28-2451~~ 28-2452, 28-2473, 28-2474 and 28-2475.

41 2. Section 28-1177.

42 3. Chapters 10 and 11 of this title.

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

45 Sec. 6. Section 28-6991, Arizona Revised Statutes, is amended to read:

46 28-6991. State highway fund; sources

1 A state highway fund is established that consists of:

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

4 2. Monies appropriated by the legislature.

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

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

15 5. Monies received from the United States under an act of Congress to
16 provide aid for the construction of rural post roads, but monies received on
17 projects for which the monies necessary to be provided by this state are
18 wholly derived from sources mentioned in paragraphs 2 and 3 of this section
19 shall be allotted by the department and deposited by the state treasurer in
20 the special account within the fund established for each project. On
21 completion of the project, on the satisfaction and discharge in full of all
22 obligations of any kind created and on request of the department, the
23 treasurer shall transfer the unexpended balance in the special account for
24 the project into the state highway fund, and the unexpended balance and any
25 further federal aid thereafter received on account of the project may be
26 spent under the general provisions of this title.

27 6. Monies in the custody of an officer or agent of this state from any
28 source that is to be used for the construction, improvement or maintenance of
29 state highways or bridges.

30 7. Monies deposited in the state general fund and arising from the
31 disposal of state personal property belonging to the department.

32 8. Receipts from the sale or disposal of any or all other property
33 held by the department and purchased with state highway monies.

34 9. Monies generated pursuant to section 28-410.

35 10. Monies distributed pursuant to section 28-5808, subsection B,
36 paragraph 2, subdivision (d).

37 11. Monies deposited pursuant to sections 28-1143, 28-2353 and 28-3003.

38 12. Except as provided in section 28-5101, the following monies:

39 (a) Monies deposited pursuant to section 28-2206 and section 28-5808,
40 subsection B, paragraph 2, subdivision (e).

41 (b) One dollar of each registration fee and one dollar of each title
42 fee collected pursuant to section 28-2003.

43 (c) Two dollars of each late registration penalty collected by the
44 director pursuant to section 28-2162.

45 (d) The air quality compliance fee collected pursuant to section
46 49-542.

1 (e) The special plate administration fees collected pursuant to
2 sections 28-2404, 28-2412 through 28-2416, 28-2416.01, 28-2417 through
3 ~~28-2451~~ 28-2452 and 28-2514.

4 (f) Monies collected pursuant to sections 28-372, 28-2155 and 28-2156
5 if the director is the registering officer.

6 13. Monies deposited pursuant to chapter 5, article 5 of this title.

7 14. Donations received pursuant to section 28-2269.

8 15. Dealer and registration monies collected pursuant to section
9 28-4304.

10 16. Abandoned vehicle administration monies deposited pursuant to
11 section 28-4804.

12 17. Monies deposited pursuant to section 28-710, subsection D,
13 paragraph 2.

14 18. Monies deposited pursuant to section 28-2065.

15 19. Monies deposited pursuant to section 28-7311.

16 20. Monies deposited pursuant to section 28-7059.

17 21. Monies deposited pursuant to section 28-1105.

18 22. Monies deposited pursuant to section 28-2448, subsection D.

19 23. Monies deposited pursuant to section 28-3415.

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

21 ~~28-6993.~~ State highway fund; authorized uses

22 A. Except as provided in subsection B of this section and section
23 28-6538, the state highway fund shall be used for any of the following
24 purposes in strict conformity with and subject to the budget as provided by
25 this section and by sections 28-6997 through 28-7003:

26 1. To pay salaries, wages, necessary travel expenses and other
27 expenses of officers and employees of the department and the incidental
28 office expenses, including telegraph, telephone, postal and express charges
29 and printing, stationery and advertising expenses.

30 2. To pay for both:

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

33 (b) The construction and repair of buildings or yards of the
34 department.

35 3. To pay the cost of both:

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

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

41 4. To pay land damages incurred by reason of establishing, opening,
42 altering, relocating, widening or abandoning portions of a state route or
43 state highway.

44 5. To reimburse the department revolving account.

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

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

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

10 9. To acquire, construct or improve entry roads to state parks or
11 roads within state parks.

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

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

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

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

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

24 C. Subject to legislative appropriation, the department may use the
25 monies in the state highway fund as prescribed in section 28-6991, paragraph
26 12 to carry out the duties imposed by this title for registration or titling
27 of vehicles, to operate joint title, registration and driver licensing
28 offices, to cover the administrative costs of issuing the air quality
29 compliance sticker, modifying the year validating tab and issuing the
30 windshield sticker and to cover expenses and costs in issuing special plates
31 pursuant to sections 28-2404, 28-2412 through ~~28-2451~~ 28-2452 and 28-2514.

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

35 E. Monies deposited in the state highway fund pursuant to section
36 28-2269 shall be used only as prescribed by that section.

37 F. Monies deposited in the state highway fund pursuant to section
38 28-710, subsection D, paragraph 2 shall only be used for state highway work
39 zone traffic control devices.

40 G. The department may exchange monies distributed to the state highway
41 fund pursuant to section 28-6538, subsection A, paragraph 1 for local
42 government surface transportation program federal monies suballocated to
43 councils of government and metropolitan planning organizations if the local
44 government scheduled to receive the federal monies concurs. An exchange of
45 state highway fund monies pursuant to this subsection shall be in an amount

1 that is at least equal to ninety ~~per-cent~~ PERCENT of the federal obligation
2 authority that exists in the project for which the exchange is proposed.

APPROVED BY THE GOVERNOR MARCH 30, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 31, 2015.