

ARIZONA HOUSE OF REPRESENTATIVES  
Fifty-second Legislature – Second Regular Session  
**COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE**  
Report of Regular Meeting  
Tuesday, February 16, 2016  
House Hearing Room 1 -- 2:00 p.m.

MINUTES RECEIVED  
CHIEF CLERK'S OFFICE

2-17-16

Convened 4:36 p.m.

Recessed

Reconvened

Adjourned 7:14 p.m.

Members Present

Mr. Ackerley  
Mr. Andrade  
Mr. Borrelli  
Mr. Campbell  
Ms. Fann  
Mrs. Fernandez  
Mr. Kopec  
Mr. Stevens, Vice-Chairman  
Mr. Gray, Chairman

Members Absent

Agenda

Original Agenda – Attachment 1

Request to Speak

Report – Attachment 2

Committee Action

<u>Bill</u>	<u>Action</u>	<u>Vote</u>	<u>Attachments</u> (Summaries, Amendments, Roll Call, Attendance)
HB2080	HELD		
HB2441	HELD		
HB2493	DP	6-2-1-0	3, 4
HB2540	DP	5-4-0-0	5, 6
HB2584	DPA	9-0-0-0	7, 8, 9
HB2509	DP	8-0-0-1	10, 11
HB2543	DPA	9-0-0-0	12, 13, 14
HB2593	DP	9-0-0-0	15, 16
HR2002	DPA	9-0-0-0	17, 18, 19
Committee attendance			20

*Andrea Allen*

Andrea Allen, Chairman Assistant  
February 17, 2016

(Original attachments on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

ADDENDUM #2 - 02/12/16 ADDENDUM #2 - 02/12/16 ADDENDUM #2 - 02/12/16

ARIZONA HOUSE OF REPRESENTATIVES  
Fifty-second Legislature - Second Regular Session

Convened 4:36p  
adjourned 7:14p

REGULAR MEETING AGENDA

**COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE**

DATE Tuesday, February 16, 2016

ROOM HHR 1

TIME 2:00 P.M.

Members:

Mr. Ackerley  
Mr. Andrade  
Mr. Borrelli

Mr. Campbell  
Ms. Fann  
Mrs. Fernandez

Mr. Kopec  
Mr. Stevens, Vice-Chairman  
Mr. Gray, Chairman

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Bills	Short Title	Strike Everything Title
HB2493	<u>dp</u> use fuel taxes; adjustment (Bowers: Shope)	
	<u>6.2.1.0</u> TI, RULES	
HB2509	<u>dp</u> vehicle equipment; lighting (Gray, Borrelli: Ackerley, et al)	
	<u>8.0.0.1</u> TI, RULES	
HB2540	<u>dp</u> prohibition; photo radar (Townsend, Boyer, Petersen, et al)	
	<u>5.4.0.0</u> TI, RULES	
HB2543	<u>dpa</u> national motor vehicle title system (Gray)	
	<u>9.0.0.0</u> TI held 0-0-0-0-0, RULES	
HB2584	<u>dpa</u> data center tax relief; qualification (Stevens)	
	<u>9.0.0.0</u> TI, RULES	
HB2593	<u>dp</u> intersection; definition (Ackerley: Campbell, Gray)	
	<u>9.0.0.0</u> TI, RULES	

Bills	Short Title	Strike Everything Title
HR2002	Taiwan; United States; trade; support (Gray)	
<u>dpa</u>		
<u>9.0.0.0</u>	TI, RULES	

**ADDENDUM #1 - 02/12/16**

*HB2080	driving instruction permit; age requirement (Townsend: Borrelli, Finchem)	
<u>Held</u>		
	TI held 0-0-0-0-0, RULES	

**ADDENDUM #2 - 02/12/16**

HB2441	motor vehicle franchises; motorcycle dealers (Petersen: Farnsworth E, Begay)	
<u>Held</u>		
	TI, RULES	

\* On previous agenda

**ORDER OF BILLS TO BE SET BY THE CHAIRMAN**

JY  
2/12/16

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032, TDD (602) 926-3241.

# Information Registered on the Request to Speak System

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## *House Transportation and Infrastructure (2/16/2016)*

### **HB2493, use fuel taxes; adjustment**

#### **Testified in support:**

Mike Williams, AZ PETROLEUM MARKETERS ASSN; Amanda Gray, Arizona Petroleum Marketers Association; Mike Williams, AZ PETROLEUM MARKETERS ASSN, CIRCLE K; John Lueth, representing self; Nancy Smith, representing self; Ronald Gilley, representing self

#### **Testified as opposed:**

Bobbi Sparrow, AZ AUTOMOBILE DEALERS ASSN; Tony Bradley, President and CEO, Arizona Trucking Association; Eric Emmert, East Valley Chambers Of Commerce Alliance ; Ronald Guerra, representing self

#### **Support:**

David Martin, Arizona Chapter Associated General Contractors; Mark Ellery, Caljet Of America; Keely Hitt, representing self; Lawrence Schmieder, representing self

#### **Neutral:**

Marcus Dell'Artino, ARIZONA LODGING AND TOURISM ASSOCIATION; Bill Fathauer, Arizona Department Of Transportation

#### **Oppose:**

Spencer Kamps, HOME BUILDERS ASSOCIATION OF CENTRAL AZ; Tom Farley, AZ AUTOMOBILE DEALERS ASSN; Don Isaacson, Arizona Automobile Dealers Association; Wendy Briggs, Arizona Trucking Association; Robert Heidt, representing self; Farrell Quinlan, State Director, NATIONAL FEDERATION OF INDEPENDENT BUSINESS; Nick Simonetta, Barnett's Towing; Bas Aja, DIR. GOV RELATIONS, Arizona Cattlemen's Association; Nick Debus, CHANDLER CHAMBER OF COMMERCE; Tom Dorn, Arizona Professional Towing And Recovery Association ; Amanda Rusing, Mesa Chamber Of Commerce; Wendy Briggs, Arizona Trucking Association; Meghaen Dell'Artino, ALL CITY TOWING

#### **All Comments:**

David Martin, Arizona Chapter Associated General Contractors: Provided it does not affect HURF revenues.; Mike Williams, AZ PETROLEUM MARKETERS ASSN, CIRCLE K: .; Marcus Dell'Artino, ARIZONA LODGING AND TOURISM ASSOCIATION: Concerns regarding inequity of price between in state and out of state users.; Robert Heidt, Self: This bill is a tax increase that impacts multiple industries and burdens businesses with additional paperwork.; Nick Simonetta, Barnett's Towing: Barnett's Towing is a family owned Arizona company in business for over 50 years. It estimates that HB2493 will cost the company thousands of dollars annually, and that the "fuel tax adjustment" won't come close to offsetting the increase in taxes.; Mark Ellery, Caljet Of America: Arizona's largest independent motor fuel distribution facility supports this bill.; Lawrence Schmieder, Self: Circle K Stores Inc; John Lueth, Self: Representing Senergy Petroleum; Nancy Smith, Self: representing Senergy Petroleum; Ronald Gilley, Self: Represent Circle K Stores

## **HB2509, vehicle equipment; lighting**

### **Support:**

Mike Williams, AZ Police Association, CLEAA

### **Oppose:**

Erica Keppler, representing self

### **All Comments:**

Erica Keppler, Self: This bill should read "every manufacturer installed brake light." Someone installing aftermarket improvements like light bars to their vehicles will be in violation if one little LED out of 60 burns out. Aftermarket improvements should not count.

## **HB2540, prohibition; photo radar**

### **Testified in support:**

Mark Spear, representing self; Delyan Radichkov, representing self; Shawn Dow, representing self; Ryan Denke, representing self; Benjamin Kruse, representing self

### **Testified as opposed:**

Stan Barnes, AMERICAN TRAFFIC SOLUTIONS INC; Peter Wingert, representing self; timothy grier, representing self; Michael Gardner, MESA, CITY OF

### **Support:**

Scott Ottersen, LD17 PC, representing self; Danny Ray, representing self; Elisha Dorfsmith, representing self; Stephanie Seigla, representing self; Joe Romack, representing self; David Richardson, representing self; James delton, representing self; Daniel Salerno, representing self; Corey Spofford, representing self; Philip Hubacek, representing self; David Pool, representing self; Willie Stubbs, representing self; Clyde Ingalsbe, representing self; Mark Tipping, representing self; Michael Gibbs, representing self; Shirley Lamonna, representing self; Joel Alcott, representing self; Ross Trumble, representing self

### **Oppose:**

Dale Wiebusch, Legislative Associate, LEAGUE OF ARIZONA CITIES & TOWNS; Ryan Peters, CHANDLER, CITY OF; Amber Wakeman, City Of El Mirage; Terry McDonald, representing self; Lana Mook, representing self; Douglas Cole, representing self; Leonard Clark Clark, representing self; Brad Lundahl, SCOTTSDALE, CITY OF; Janna Day, National Safety Council Arizona Chapter; Michael Cavaiola, representing self; Liana Garcia, REDFLEX TRAFFIC SYSTEMS

### **All Comments:**

Mark Spear, Self: I strongly support HB2540 as it parallels our citizen vote of 65% in Tucson to eliminate Photo Enforcement. Photo Enforcement has shown itself to be near ineffective for safety and unfair to those who are cited for irrationally small violations.; Joe Romack, Self: Photo radar does not change driver behavior. The locations are always in high volume traffic ares, NOT where accident rates are high. A camera is only triggered by speed, and not by driving behavior. Cameras replacing cops is not the solution.; David Richardson, Self: Please pass without changes.; James delton, Self: Photo radar doesn't improve safety. The UK did a very large study on this and found it created more accidents than it prevented.; Daniel Salerno, Self: This bill supports the right of the

accused to face their accuser in court and many other rights outlined by law. Pass with no amendments to water down original intent.; Philip Hubacek, Self: I urge passage of this bill as written; David Pool, Self: I urge you to pass the bill as written; Willie Stubbs, Self: The voters have overwhelmingly voted against traffic cameras. I approve this bill.; Clyde Ingalsbe, Self: I would like this bill to pass as written.; Michael Gibbs, Self: The people of Arizona have spoken! Traffic laws are to be enforced by law enforcement personnel. For-profit companies are the big winners while motorists are the losers--faced with invalid legal service and denial of the right to face one's accuser.; Terry McDonald, Self: Police Chief for the City of El Mirage; Lana Mook, Self: Mayor of the City of El Mirage; Joel Alcott, Self: I am the Tenth Amendment Center state director. I strongly support this bill.; Peter Wingert, Self: Peter Wingert is the Chief of Police for the Town of Paradise Valley; Douglas Cole, Self: On behalf of the Town of Paradise Valley; Benjamin Kruse, Self: These Vile SCAMeras need to go.

### **HB2543, national motor vehicle title system**

#### **Testified in support:**

Stuart Goodman, Arizona Automotive Wholesalers Association

#### **Support:**

David Childers, Other; John Fischl, representing self

#### **Neutral:**

Bill Fathauer, Arizona Department Of Transportation

#### **All Comments:**

David Childers, Other: Liberty Mutual Insurance Company supports this legislation; John Fischl, Self: Arizona Automotive Recyclers Association supports this bill and amendment in it's present form.

### **HB2584, data center tax relief; qualification**

#### **Testified in support:**

Michael Gardner, MICROSOFT CORPORATION, PAYPAL, INC; Russell Smoldon, Arizona Data Center Coalition (ADCC)

#### **Support:**

Marcus Dell'Artino, APOLLO GROUP INC; Steven Zylstra, representing self; James Hamilton, IO DATA CENTERS; Jeff Sandquist, AMERICAN EXPRESS COMPANY; Wendy Briggs, American Express; Michael DiMaria, CENTURYLINK, INC

#### **Neutral:**

Sean Laux, AZ DEPT OF REVENUE

#### **All Comments:**

Steven Zylstra, Self: The Arizona Technology Council supports this bill.

## **HB2593, intersection; definition**

### **Testified in support:**

Mark Spear, representing self; Ryan Denke, representing self

### **Testified as neutral:**

Dale Wiebusch, Legislative Associate, LEAGUE OF ARIZONA CITIES & TOWNS

### **Support:**

james delton, representing self; Paul Emmert, representing self; Scott Ottersen, LD17 PC, representing self

### **Neutral:**

Bill Fathauer, Arizona Department Of Transportation

### **All Comments:**

Mark Spear, Self: I support HB2593 as it brings Arizona into compliance with the federal MUTCD and 48 other states. It is most logical to begin the Intersection at the same point that is the stopping point. This definition will reduce Red Light violations.; james delton, Self: YES.This bill changes the Intersection Definition to include the approach from the Stop Line to the prolongation of the curb lines. It is compatible with the Federal MUTCD as Arizona law requires. It will reduce Red Light violations by at least 50%.; Paul Emmert, Self: I speak in favor of aligning our traffic intersection definition with that of the Federal MUTCD. Drivers should not experience hidden and ambiguous intersection boundaries in order to safety transgress busy intersections.; Dale Wiebusch, LEAGUE OF ARIZONA CITIES & TOWNS: Would like to have a stakeholders meeting to further study this issue.

## **HB2441, motor vehicle franchises; motorcycle dealers**

### **Support:**

Mike Williams, APACHE HONDA

### **Oppose:**

Jessie Armendt, AZ AUTOMOBILE DEALERS ASSN; Bobbi Sparrow, AZ AUTOMOBILE DEALERS ASSN; Tom Farley, AZ AUTOMOBILE DEALERS ASSN; Jeremy Gerlach, RIDENOW POWERSPORTS MANAGEMENT GROUP; Don Isaacson, Arizona Automobile Dealers Association



# HOUSE OF REPRESENTATIVES

HB 2493

use fuel taxes; adjustment

Prime Sponsor: Representative Bowers, LD 25

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X Committee on Transportation and Infrastructure

Caucus and COW

House Engrossed

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## OVERVIEW

HB 2493 makes various adjustments to the use fuel tax system to create a one-tier tax from the current two-tier tax.

## PROVISIONS

1. Removes the requirement for which the University of Arizona chemistry department is to analyze motor fuel vehicle samples and supply a report to the director for the purpose of motor fuel testing per the Arizona Department of Transportation (ADOT).
2. Repeals standards regarding the collection of use fuel taxes and fuel dispenser labels.
3. Enforces a use fuel tax of \$0.26 on a use class motor vehicle or a light class motor vehicle.
4. Entitles the owner of a light class motor vehicle or a use class motor vehicle exempted from the weight fee that is driven by use fuel to collect a use fuel tax adjustment of \$70 at the time of registration, per registration year.
  - a. Requires ADOT to deduct from the refund, if an owner of such a vehicle requests a refund, in the computed amount as follows:
    - i. For a vehicle registered for a one year period, 1/12 for each full month of the registration period that has not yet expired.
    - ii. For a vehicle registered for a two year period, 1/24 for each full month of the registration period that has not yet expired.
    - iii. For a vehicle registered for a five year period, 1/60 for each full month of the registration period that has not yet expired.
5. Removes the requirement that a use class vehicle is to pay the use fuel tax for a light class motor vehicle if the vehicle is a truck that is at least 25 years old, has been issued a historic vehicle license plate, and is not used as a commercial vehicle.
6. Strikes language that allows a vendor to apply for a refund of the difference between the amount of the use class motor vehicle use fuel tax paid and the amount of the light class motor vehicle use fuel tax on the same number of gallons purchased.
  - a. Removes the conditions for which a vendor may file a refund application.
  - b. Deletes the presumption that if a vendor's dealings in use fuel primarily involves delivery of use fuel into fuel tanks of motor vehicles, then that vendor's total use fuel purchases have been delivered into the fuel tanks of motor vehicles on a public highway.
7. Repeals language regarding requirements and conditions of vendor receipts.
8. Repeals civil penalty language pertaining to a fraudulent use fuel purchaser.

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**HB 2493**

9. Removes the requirement that an individual who sells use fuel for delivery into a vehicle fuel tank to be licensed as a vendor and keep separate records.
10. Strikes the requirement that sales and transfers of use fuel must be recorded and include receipts.
11. Makes technical and conforming changes.

**CURRENT LAW**

The use fuel tax applies to diesel fuel, and not to gasoline and alternative fuels. The tax is \$0.18/gallon for vehicles that weigh less than 26,000 pounds, and \$0.26/gallon for vehicles that weigh more than 26,000 pounds. Revenues from this tax are deposited into the Highway User Revenue Fund (HURF). The use fuel tax is collected and paid to the ADOT by a supplier. The supplier adds the tax to the price of the use fuel in order to recover the tax from the consumer (A.R.S. § 28-5606).

**ARIZONA HOUSE OF REPRESENTATIVES**  
**Fifty-second Legislature - Second Regular Session**

**ROLL CALL VOTE**

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE BILL NO. HB 2493

DATE February 16, 2016 MOTION: dp

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Ackerley		✓			
Mr. Andrade		✓			
Mr. Borrelli		✓			
Mr. Campbell		✓			
Ms. Fann	✓		✓		
Mrs. Fernandez	✓		✓		
Mr. Kopec				✓	
Mr. Stevens, Vice-Chairman		✓			
Mr. Gray, Chairman		✓			
		6	2	1	0

Andrea Allen  
 COMMITTEE SECRETARY

APPROVED:

Rick Gray  
 RICK GRAY, Chairman  
 DAVID W. STEVENS, Vice-Chairman

ATTACHMENT 4



# HOUSE OF REPRESENTATIVES

HB 2540

prohibition; photo radar

Prime Sponsor: Representative Townsend, LD 16

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X Committee on Transportation and Infrastructure

Caucus and COW

House Engrossed

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## OVERVIEW

HB 2540 prohibits a local authority or state agency from using a photo enforcement system.

## PROVISIONS

1. Prevents a local authority or state agency from using a photo enforcement system to detect a red light or speed limit violator.
2. Repeals requirements and standards related to photo enforcement systems and makes relative conforming changes.
3. Contains a legislative intent statement.

## CURRENT LAW

A.R.S. Title 28, Article 21 regulates the use of photo enforcement systems. Article 21 outlines (1) the definition of photo enforcement systems, (2) exemptions for first responders, (3) placement requirements of photo enforcement systems, (4) standards for photo enforcement zones and signage, (5) specifications for red light violators and (6) standards for photo enforcement systems on state highways.

**ARIZONA HOUSE OF REPRESENTATIVES  
Fifty-second Legislature - Second Regular Session**

**ROLL CALL VOTE**

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE BILL NO. HB 2540

DATE February 16, 2016 MOTION: dp

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Ackerley		✓			
Mr. Andrade			✓		
Mr. Borrelli		✓			
Mr. Campbell		✓			
Ms. Fann			✓		
Mrs. Fernandez			✓		
Mr. Kopec			✓		
Mr. Stevens, Vice-Chairman		✓			
Mr. Gray, Chairman		✓			
		5	4	0	0

*Andree Allen*  
COMMITTEE SECRETARY

APPROVED:  
*R Gray*  
RICK GRAY, Chairman  
DAVID W. STEVENS, Vice-Chairman

ATTACHMENT 6



# HOUSE OF REPRESENTATIVES

HB 2584

data center tax relief; qualification

Prime Sponsor: Representative Stevens, LD 14

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X Committee on Transportation & Infrastructure

Caucus and COW

House Engrossed

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## OVERVIEW

HB 2584 changes requirements and qualifications to the tax relief allotted to the owner, operator or qualified colocation tenant of a certified computer data center and modifies certification revocation by the Arizona Commerce Authority (ACA) and Department of Revenue (DOR).

## PROVISIONS

1. States that the effective date of certification for tax relief from ACA is the date on which the application was submitted to the ACA.
  - a. Requires the copy of the certification sent by ACA to the DOR to include the certification's effective date.
2. Changes investment requirements that the data center must meet in order to be eligible for the tax relief to include costs of improvements and stipulates that investment cost requirements are met whether the land, buildings, improvements, modular data centers or computer data center equipment are owned or leased or paid pursuant to a right to use agreement.
3. Requires the owner or operator's detailed records of all investment created by a new computer data center to include costs of improvement.
4. Allows ACA, rather than DOR, to revoke the certification of a new computer data center if it is determined that the investment requirements have not been met or there has been a violation of the requirements for qualifying and continuing as a sustainable redevelopment center.
5. Allows DOR to recapture all or part of the tax relief provided to contributing qualified colocation tenants of a computer data center, in addition to the owner and operator, if the data center's certification was revoked and states that noncontributing qualified colocation tenants are not subject to recapture any part of tax relief received.
6. Stipulates that ACA may give special consideration to allow temporary exemption from recapture of tax relief in the case of extraordinary hardship due to factors beyond the control of the contributing qualified colocation tenants, in addition to the owner and operator.
7. Strikes the provision allowing DOR to revoke certification of a new computer data center and recapture tax relief if the data center generates electricity for resale purposes or generates, provides or sells electricity outside of the computer data center.

**HB 2584**

8. Prohibits DOR from recapturing any tax relief provided directly to the owner, operator or qualified colocation tenant before the date of revocation if the computer data center violated the requirements for qualifying and continuing as a sustainable redevelopment center.
9. Allows an owner or operator to appeal any revocation of certification with the Office of Administrative Hearings, rather than through the state board of tax appeals.
10. Stipulates that ACA has exclusive authority over issues related to certification, including determinations as to whether a computer data center has satisfied investment requirements, constitutes a qualified sustainable redevelopment project or has committed other violations.
11. Stipulates that DOR has exclusive authority over the administration of tax relief.
12. Requires the owner or operator to notify ACA and DOR with any changes to the list of qualified colocation tenants within 30 days.
13. Stipulates that the failure of an owner or operator to provide the list of qualified colocation tenants or notify ACA or DOR of changes within 30 days is not grounds for termination of the computer data center's certification, but may preclude unlisted colocation tenants from receive tax relief until the list is provided or updated.
14. States that for the purposes of qualifying and continuing as a sustainable redevelopment project:
  - a. An owner, after receiving certification, may substantially demolish any or all of an existing building to the extent reasonably necessary to accommodate future computer data center use, and the demolition is not cause for loss of certification as a sustainable redevelopment project;
  - b. An existing building that has been substantially demolished before certification is not eligible to qualify as a sustainable development project;
  - c. An owner or operator may increase the size of an existing building with a sustainable redevelopment project in an unlimited manner, so long as the expansion fits in within the computer data center boundary described in its application to ACA.
  - d. Expansion activities do not prevent a facility from maintaining its classification as a sustainable redevelopment project.
  - e. All construction activities and investments related to such demolition or expansion are considered part of the sustainable redevelopment project.
15. Clarifies that the owner or operator may be a single individual or entity or multiple affiliated entities.
16. Removes the requirement that the owner, operator or qualified collation tenant of a computer data center must present the retailer its certificate of qualification in order to ensure that:
  - a. The retail classification does not apply to gross proceeds of sales or gross income from computer data center equipment and that the storage, use or consumption of computer data center equipment is exempt from the use tax.
  - b. A city, town or special taxing district does not levy a transaction privilege, sales, use or other similar tax on computer data center equipment and allows rented or leased computer data center equipment from the tax.
17. Stipulates that renting or leasing computer data center equipment by the owner, operator or qualified colocation tenant of the computer data center or an authorized agent of the owner, operator or qualified colocation tenant during the qualification period for use in certified

**HB 2584**

computer data centers must be deducted from the tax base for the personal property rental classification.

18. Modifies the definition of:

- a. *Computer data center equipment* to include equipment that is owned, leased or used by the owner or operator pursuant to a contract for right to use the equipment.
- b. *Qualification period* to begin upon the effective date of the computer data centers certification, rather than the date on which the data center was certified and stipulates that the qualification period for a qualified colocation tenant may not extend beyond the qualification period for the owner or operator of the data center.
- c. *Sustainable redevelopment project* to include a computer data center that occupies or replaces an existing building that was acquired by the owner through purchase or lease after September 1, 2006.

19. Defines *contributing qualified colocation tenant, existing building, operator and software*.

20. Makes technical and clarifying changes.

**CURRENT LAW**

A.R.S. § 41-1519 allows the owner or operator of a computer data center to be eligible to receive tax relief. The owner or operator must send a required form to ACA, who must approve or deny the center's eligibility within 60 days and subsequently issue certification. DOR is permitted to revoke a certification and recapture all or part of the tax relief provided to the owner or operator if certain requirements are not met. Currently, computer data center equipment is exempt from the tax imposed on the retail classification, the use tax and municipal taxes on privilege, sales, use or other similar municipal taxes if, at the time of purchase, the owner, operator or qualified colocation tenant presents the retailer its certificate (A.R.S §§ 42-5061, 42-5159, 42-6004).

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2584

(Reference to printed bill)

- 1 Page 3, line 18, strike "EXPIRES" insert "TERMINATES"  
2 Line 20, strike the second "THE"  
3 Strike lines 21 through 25  
4 Line 26, strike "NOT APPLY TO AN EXISTING COMPUTER DATA CENTER."  
5 Line 29, strike "L" insert "M"  
6 Line 34, strike "EXPIRES" insert "TERMINATES"  
7 Page 4, line 36, strike "INCREASE" insert "EXPAND THE BOUNDARIES OF A CERTIFIED  
8 COMPUTER DATA CENTER BY INCREASING"  
9 Line 37, after "PROJECT" insert "OR BY BUILDING ADDITIONAL IMPROVEMENTS"  
10 Line 38, after "EXPANSION" strike remainder of line  
11 Line 39, strike "IN ITS APPLICATION TO THE AUTHORITY" insert "IS CONSTRUCTED ON  
12 THE SAME PARCEL OF LAND ON WHICH THE ORIGINAL SUSTAINABLE REDEVELOPMENT  
13 PROJECT IS LOCATED OR ON A CONTIGUOUS PARCEL, REGARDLESS OF WHETHER THE  
14 CONTIGUOUS PARCEL WAS WITHIN THE ORIGINAL DESCRIPTION OF THE BOUNDARIES OF  
15 THE CERTIFIED COMPUTER DATA CENTER"  
16 Page 7, line 4, after "owner" insert a comma; strike "or"; after "operator" insert  
17 "OR ANOTHER QUALIFIED COLOCATION TENANT"  
18 Line 6, strike "~~for~~ AND RUNS" insert "for"  
19 Strike lines 15 through 20  
20 Line 21, strike "(b)" insert "IS EITHER:  
21 (a) A NEWLY CONSTRUCTED DATA CENTER THAT ATTAINS CERTIFICATION UNDER  
22 THE ENERGY STAR OR GREEN GLOBES STANDARD, THE LEADERSHIP IN ENERGY AND  
23 ENVIRONMENTAL DESIGN GREEN BUILDING RATING STANDARD DEVELOPED BY THE UNITED

Adopted  # of Verbals \_\_\_\_\_  
Failed \_\_\_\_\_ Withdrawn \_\_\_\_\_  
Not Offered \_\_\_\_\_ Analysts Initials \_\_\_\_\_

1 STATES GREEN BUILDING COUNCIL OR AN EQUIVALENT GREEN BUILDING STANDARD AND  
2 WAS NOT PREVIOUSLY CERTIFIED UNDER THESE STANDARDS.

3 (b) A DATA CENTER THAT OCCUPIES AN EXISTING FACILITY THAT EITHER:

4 (i) WAS AT LEAST FIFTY PERCENT VACANT FOR SIX OF THE TWELVE  
5 CONSECUTIVE MONTHS BEFORE THE ACQUISITION BY PURCHASE OR LEASE OF OR WITH  
6 RESPECT TO THE FACILITY.

7 (ii)"

8 Amend title to conform

DAVID W. STEVENS

2584ds1  
02/15/2016  
11:29 AM  
C: dmt

**ARIZONA HOUSE OF REPRESENTATIVES**  
**Fifty-second Legislature - Second Regular Session**

**ROLL CALL VOTE**

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE BILL NO. HB 2584

DATE February 16, 2016 MOTION: dpa

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Ackerley		✓			
Mr. Andrade		✓			
Mr. Borrelli		✓			
Mr. Campbell		✓			
Ms. Fann		✓			
Mrs. Fernandez		✓			
Mr. Kopec		✓			
Mr. Stevens, Vice-Chairman		✓			
Mr. Gray, Chairman		✓			
		9	0	0	0

*Andrea Allen*  
 COMMITTEE SECRETARY

APPROVED:  
*R Gray*  
 RICK GRAY, Chairman  
 DAVID W. STEVENS, Vice-Chairman

ATTACHMENT 9



# HOUSE OF REPRESENTATIVES

HB 2509

vehicle equipment; lighting

Prime Sponsor: Representative Gray, LD 21

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X Committee on Transportation and Infrastructure

Caucus and COW

House Engrossed

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## OVERVIEW

HB 2509 requires each lamp on a vehicle to meet statutory requirements.

## PROVISIONS

1. Stipulates that each tail, stop and signal lamp on a motor vehicle must meet statutory requirements.

## CURRENT LAW

A.R.S. § 28-925 requires a vehicle to be equipped with at least one tail lamp mounted on the rear of the vehicle and states that the tail lamp must emit a red light plainly visible from a distance of 500 feet to the rear. A.R.S. § 28-939 requires a stop lamp and a signal lamp or lamps to be visible in daytime and nighttime from a distance of 100 feet. Furthermore, a vehicle with a stop lamp or other signal lamp must be maintained in good working condition, not project a glaring or dazzling light, and a mechanical signal device must be self-illuminating when in use from sunset to sunrise (A.R.S. § 28-922). A.R.S. § 28-927 states that a person may not sell a new motor vehicle or drive a vehicle on the highway unless it is equipped with a stop lamp that meets statutory requirements.

**ARIZONA HOUSE OF REPRESENTATIVES  
Fifty-second Legislature - Second Regular Session**

**ROLL CALL VOTE**

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE BILL NO. HB 2509

DATE February 16, 2016 MOTION: dp

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Ackerley		✓			
Mr. Andrade		✓			
Mr. Borrelli		✓			
Mr. Campbell		✓			
Ms. Fann		✓			
Mrs. Fernandez		✓			
Mr. Kopec		✓			
Mr. Stevens, Vice-Chairman					✓
Mr. Gray, Chairman		✓			
		8	0	0	1

Andrea Allen  
COMMITTEE SECRETARY

APPROVED:

Rick Gray  
RICK GRAY, Chairman  
DAVID W. STEVENS, Vice-Chairman

ATTACHMENT 11



# HOUSE OF REPRESENTATIVES

HB 2543

national motor vehicle title system

Prime Sponsor: Representative Gray, LD 21

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X Committee on Transportation and Infrastructure

Caucus and COW

House Engrossed

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## OVERVIEW

HB 2543 requires the Department of Transportation (ADOT) and local authorities to adopt rules to enforce the National Motor Vehicle Title Information System (NMVTIS).

## PROVISIONS

1. Mandates ADOT and local authorities to adopt rules to enforce NMVTIS.

## CURRENT LAW

Not currently addressed in statute.

## ADDITIONAL INFORMATION

NMVTIS is a federal system that is operated and managed by the U.S. Department of Justice (DOJ) and the American Association of Motor Vehicle Administrators (AAMVA) and was created for the purpose of providing information between states on motor vehicle titles. The Vehicle History Reports provide information on vehicle (1) title issue date, (2) theft history (if any), (3) salvage history (if any), (4) brand assigned to a vehicle and date applied (if any), (5) latest odometer data and (6) current and previous state title data. The reports can be obtained by contacting the individual's current state motor vehicle titling agency and paying a fee.

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2543

(Reference to printed bill)

- 1 Page 1, line 6, after "DEPARTMENT" strike remainder of line, insert "OF
- 2 TRANSPORTATION, THE DEPARTMENT OF PUBLIC SAFETY"
- 3 Line 7, strike "ALLOW THE DEPARTMENT"; strike "TO" insert "MAY"
- 4 Amend title to conform

RICK GRAY

2543GRAY  
02/03/2016  
04:21 PM  
H: ab/ajh

Adopted  # of Verbals \_\_\_\_\_  
Failed \_\_\_\_\_ Withdrawn \_\_\_\_\_  
Not Offered \_\_\_\_\_ Analysts Initials \_\_\_\_\_

**ARIZONA HOUSE OF REPRESENTATIVES  
Fifty-second Legislature - Second Regular Session**

**ROLL CALL VOTE**

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE BILL NO. HB 2543

DATE February 16, 2016 MOTION: dpa

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Ackerley		✓			
Mr. Andrade		✓			
Mr. Borrelli		✓			
Mr. Campbell		✓			
Ms. Fann		✓			
Mrs. Fernandez		✓			
Mr. Kopec		✓			
Mr. Stevens, Vice-Chairman		✓			
Mr. Gray, Chairman		✓			
		9	0	0	0

Andrea Allen  
COMMITTEE SECRETARY

APPROVED:

R Gray  
RICK GRAY, Chairman  
DAVID W. STEVENS, Vice-Chairman

ATTACHMENT 14



# HOUSE OF REPRESENTATIVES

HB 2593

intersection; definition

Prime Sponsor: Representative Ackerley, LD 2

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X Committee on Transportation and Infrastructure

Caucus and COW

House Engrossed

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## OVERVIEW

HB 2593 expands the definition of *intersection* to include a location at a traffic control signal regardless of the distance between the sections and whether or not there are stop lines, yield lines, or a crosswalk.

## PROVISIONS

1. Includes to the definition of *intersection* a location at a traffic control signal regardless of the distance between the separate intersections.
2. States an intersection may consist of:
  - a. Two intersections and the roadway between them in the case a stop line, yield line or crosswalk is not designated between the separate intersections.
  - b. The area within the crosswalk or beyond the designated stop line, yield line or both if they are present on the roadway.
  - c. The area extending to the far side of a crosswalk designated on a roadway on the departure from the intersection.
3. Specifies an intersection does not include the junction of an alley or driveway with a roadway or highway unless the roadway or highway is controlled by a traffic control device.

## CURRENT LAW

A.R.S. § 28-601(8) defines an *intersection* as the area embraced within the prolongation or connection of the lateral curb lines, or if none, the lateral boundary lines of the roadways of two highways that join one another at, or approximately at, right angles, or the area within which vehicles traveling on different highways joining at any other angle may come in conflict. If a highway includes two roadways thirty or more feet apart, each crossing of each roadway of the divided highway by an intersecting highway is a separate intersection. If the intersecting highway also includes two roadways thirty or more feet apart, each crossing of two roadways of the highways is a separate intersection.

**ARIZONA HOUSE OF REPRESENTATIVES  
Fifty-second Legislature - Second Regular Session**

**ROLL CALL VOTE**

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE BILL NO. HB 2593

DATE February 16, 2016 MOTION: dp

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Ackerley		✓			
Mr. Andrade		✓			
Mr. Borrelli		✓			
Mr. Campbell		✓			
Ms. Fann		✓			
Mrs. Fernandez		✓			
Mr. Kopec		✓			
Mr. Stevens, Vice-Chairman		✓			
Mr. Gray, Chairman		✓			
		9	0	0	0

Andrea Allen  
COMMITTEE SECRETARY

APPROVED:

R Gray  
RICK GRAY, Chairman  
DAVID W. STEVENS, Vice-Chairman

ATTACHMENT 16



# HOUSE OF REPRESENTATIVES

HR 2002

Taiwan; United States; trade; support  
Prime Sponsor: Representative Gray, LD 21

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X Committee on Transportation and Infrastructure

Caucus and COW

House Engrossed

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## OVERVIEW

HR 2002 resolves the House of Representatives of the State of Arizona supports the negotiation of a United States-Taiwan bilateral investment agreement (BIA) and free-trade agreement (FTA), as well as Taiwan's participation in the Trans-Pacific Partnership (TPP) and in international organizations.

## PROVISIONS

1. States the House of Representatives of the State of Arizona is in support of the negotiation of a United States-Taiwan BIA and FTA, and Taiwan's participation in the TPP and other international organizations, as well as applauds Taiwan for its deepening democratization.
2. Asks the Secretary of State to transmit a copy of this Resolution to the President of the United States, each Member of Congress from the State of Arizona, the United States Secretary of State and the United States Trade Representative.

## CURRENT LAW

Not currently addressed in statute.

## ADDITIONAL INFORMATION

Arizona's ninth largest export market and eighth largest import market is Taiwan. More than 56% of total exports to Taiwan come from Arizona's industries and include machinery, and computer and electronic products.

Taiwan is also the tenth largest trading partner of the United States and the second largest buyer of United States agricultural products.

The trade in services between the United States and Taiwan in 2012 totaled \$19 billion, and a \$4 billion surplus in services exports to Taiwan.

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.R. 2002  
(Reference to printed resolution)

- 1 Page 1, strike lines 23 through 30
- 2 Line 42, strike "or Free Trade Agreement (FTA)"
- 3 Line 43, strike "in the TPP and"
- 4 Page 2, line 10, strike "or FTA"
- 5 Line 11, strike "in the TPP and"
- 6 Amend title to conform

RICHARD C. ANDRADE

HR2002ANDRADE  
02/12/2016  
05:46 PM  
H: CA/rca

Adopted  # of Verbals \_\_\_\_\_  
Failed \_\_\_\_\_ Withdrawn \_\_\_\_\_  
Not Offered \_\_\_\_\_ Analysts Initials \_\_\_\_\_

**ARIZONA HOUSE OF REPRESENTATIVES  
Fifty-second Legislature - Second Regular Session**

**ROLL CALL VOTE**

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE BILL NO. HR 2002

DATE February 16, 2016 MOTION: dpa

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Ackerley		✓			
Mr. Andrade		✓			
Mr. Borrelli		✓			
Mr. Campbell		✓			
Ms. Fann		✓			
Mrs. Fernandez		✓			
Mr. Kopec		✓			
Mr. Stevens, Vice-Chairman		✓			
Mr. Gray, Chairman		✓			
		9	0	0	0

Andree Allen  
COMMITTEE SECRETARY

APPROVED:

R. Gray  
RICK GRAY, Chairman  
DAVID W. STEVENS, Vice-Chairman

ATTACHMENT 19

**ARIZONA STATE LEGISLATURE**  
 Fifty-second Legislature - Second Regular Session  
**COMMITTEE ATTENDANCE RECORD**

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

CHAIRMAN: Rick Gray VICE-CHAIRMAN: David W. Stevens

DATE	2/16/16	/16	/16	/16	/16
CONVENED	4:36pm	m	m	m	m
RECESSED					
RECONVENED					
ADJOURNED	7:14p				
MEMBERS					
Mr. Ackerley	✓				
Mr. Andrade	✓				
Mr. Borrelli	✓				
Mr. Campbell	✓				
Ms. Fann	✓				
Mrs. Fernandez	✓				
Mr. Kopec	✓				
Mr. Stevens, Vice-Chairman	✓				
Mr. Gray, Chairman	✓				

√ Present      --- Absent      exc Excused