



**ARIZONA STATE SENATE**  
*Fifty-Second Legislature, Second Regular Session*

**FINAL AMENDED**  
**FACT SHEET FOR H.B. 2591**

civil traffic violations; alternative service

Purpose

Prohibits the suspension or revocation of driving privileges as a result of a citation issued by alternative service of process.

Background

Current statute states that a person receiving a notice of violation obtained using a photo enforcement system in the mail for excessive speed or failure to obey a traffic control device is not required to respond to the notice of violation or identify who is in the photo. Failure to respond to a notice of violation could result in official service of process (A.R.S. § 28-1602).

The Arizona Rules of Civil Procedure states that service upon individuals is completed upon delivering a copy of the summons and pleading to the individual personally, or by leaving copies at the individuals' house with a person of suitable age and discretion. If this means of service proves impractical, the court may allow for alternative or substitute forms of service.

Alternative or substitute service of process is required to be sent by certified mail and a notice must be posted on the front door of the business or residence (A.R.S. § 28-1602).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits the suspension or revocation of driving privileges as a result of a citation that is served by alternative service of process.
2. Makes technical changes.
3. Becomes effective on January 1, 2017.

Amendments Adopted by Committee of the Whole

1. Implements delayed effective date of January 1, 2017.
2. Makes technical changes.

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House Action

GHE	2/18/16	DP	8-0-0-1
3 <sup>rd</sup> Read	3/2/16		50-9-1
Final Read	5/6/16		32-22-6

Senate Action

TRANS	3/15/16	DP	7-0-1
3 <sup>rd</sup> Read	4/19/16		26-2-2

Signed by the Governor 5/19/16

Chapter 370

Prepared by Senate Research

June 2, 2016

KN/JN/lis