



ARIZONA STATE SENATE
Fifty-Second Legislature, Second Regular Session

REVISED
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 from 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 issued following the completion of alternative service of process.
2. Makes technical changes.
3. Becomes effective on the general effective date.

House Action

GHE	2/18/16	DP	8-0-0-1
3 rd Read	3/2/16		50-9-1

FACT SHEET - Revised

H.B. 2597

Page 2

Revisions

- Clarifies provisions.

Prepared by Senate Research

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KN/JN/ljs