

Transportation & Public Safety Committee

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TRANSPORTATION & PUBLIC SAFETY COMMITTEE

LEGISLATION ENACTED

certificates of title; applications (S.B. 1052) – Chapter 14

Allows a person to submit alternative documentation demonstrating the vehicle's date of sale to the Arizona Department of Transportation (ADOT) in lieu of a manufacturer's certificate of origin, as part of an application for a new vehicle certificate of title.

vehicle liability insurance; minimum limits (S.B. 1087) – Chapter 301

Increases minimum limits for vehicle liability insurance policies: 1) for bodily injury or death of one person, from \$15,000 to \$25,000; 2) for bodily injury or death of two or more persons, from \$30,000 to \$50,000; and 3) for injury or destruction of another person's property, from \$10,000 to \$15,000. The new minimum limits apply to insurance policies issued, reinstated or renewed beginning July 1, 2020.

~~prisoners; transition program; eligibility.~~ (NOW: rulemaking; exemption; AZPOST) (S.B. 1092) – Chapter 93 E

An emergency measure effective April 16, 2019, that exempts the Arizona Peace Officer Standards and Training Board from rulemaking requirements for one year to adopt a rule related to the minimum age requirement for a correctional officer who works for the Arizona Department of Corrections.

prisoner accounts; use; ADOT credentialing. (S.B. 1093) – Chapter 16

Allows the Arizona Department of Corrections (ADC), subject to criteria established by the Director of ADC, to withdraw monies from a prisoner's spendable account, rather than only a prisoner's dedicated discharge account, to pay for driver license or nonoperating identification license fees.

rental car surcharge; exception (S.B. 1214) – Chapter 206

[SEE THE FINANCE COMMITTEE.](#)

~~written vehicle accident reports~~ (NOW: written vehicle accident reports; threshold) (S.B. 1223) – Chapter 168

Increases, from \$1,000 to \$2,000, the property damage threshold that requires a law enforcement officer to complete a full written report of a motor vehicle accident.

class M driver licenses; applicability (S.B. 1258) – Chapter 59

Specifies that a class M driver license is not necessary to operate a motorcycle that has: 1) at least three wheels; 2) a three-point safety belt; 3) bucket or bench seats; and 4) a full enclosure or roll cage frame.

ADOT; proportional registration; temporary registration (S.B. 1259) – Chapter 307

Beginning September 1, 2020, allows the Arizona Department of Transportation (ADOT) to suspend or revoke a registration, license plate or permit for a commercial vehicle that is assigned to a commercial motor carrier (carrier) and licensed for international registration purposes if: 1) the Federal Motor Carrier Safety Administration (FMCSA) prohibits the carrier from operating; or 2) the carrier knowingly allowed or required a person to operate a vehicle in violation of a federal out-of-service order. ADOT may refuse to issue a new registration, license plate or permit if the FMCSA prohibits the carrier from operating and may reissue a registration, license plate or permit if the FMCSA allows the carrier to resume operating. Allows a carrier to use a temporary registration or temporary proportional registration issued by ADOT for a vehicle that has a federal out-of-service order from a previous owner on ADOT's record.

DUI; license reinstatement; evaluation requirements (S.B. 1307) – Chapter 309

Replaces the requirement that a person who has committed a driving under the influence violation and has been ordered by a court to equip any motor vehicle the person operates with an ignition interlock device (IID) on the later date of when the person's driving privilege is reinstated or on receipt of the person's conviction by the Arizona Department of Transportation (ADOT) with the requirement that the person equip an IID once the person has successfully completed alcohol or drug screening, education or treatment program requirements and is otherwise eligible for license or driving privilege reinstatement. A person whose license has been suspended or revoked may apply for license reinstatement when all requirements are met and ADOT may reinstate the license after review of the person's driving record and other sufficient evidence.

Includes physician assistants and registered nurse practitioners in the professionals from whom ADOT may accept an evaluation when determining if a person's driver license should be reinstated. An evaluation must have been performed within the 12 months preceding a reinstatement application. Physician assistants and registered nurse practitioners may request IID data from an IID manufacturer when performing an evaluation.

bodily fluids exposure; testing (S.B. 1317) – Chapter 21

Allows a public safety employee or volunteer who is exposed to blood or other bodily fluids as a result of rendering aid in a medical emergency while working in an official capacity to petition for a court order to test another person for diseases.

emergency management compact; workers (S.B. 1330) – Chapter 312

Allows the Governor to deploy volunteering officers, employees and members of a private entity or registered and credentialed volunteer organization to another state experiencing an emergency or disaster as duly declared by the governor of that state. Individuals who are deployed under these conditions are deemed emergency workers and are considered agents of the requesting state for tort liability and immunity purposes. Agents of a requesting state are not liable for any act or omission in good faith while so engaged or on account of maintaining or using any equipment or supplies in connection with a declared emergency.

alternative fuel vehicles; VLT (S.B. 1332) – Chapter 313

Beginning January 1, 2020, phases out the reduced vehicle license tax (VLT) for alternative fuel vehicles incrementally from January 1, 2022, through December 31, 2022. Alternative fuel vehicles registered in Arizona prior to January 1, 2022, will continue to pay a VLT based on 1 percent of the vehicle manufacturer's base retail price, with the VLT decreasing by 15 percent of the value for the preceding 12-month period each year after registration. Beginning January 1, 2022, the VLT for alternative fuel vehicles initially registered in Arizona is based on 20 percent of the vehicle manufacturer's base retail price. The VLT for alternative fuel vehicles purchased after January 1, 2023, must be calculated at 60 percent of the manufacturer's base retail price, in the same manner as non-alternative fuel vehicles. Removes separate VLT calculations for an alternative fuel vehicle that exceeds 10,000 pounds gross vehicle weight.

veteran special plates; branch seal (S.B. 1338) – Chapter 64

Beginning October 1, 2019, requires the Arizona Department of Transportation to design veteran special license plates containing the seal of the six military branches and the Native American Code Talker seal. Veterans and their immediate family members are eligible to select from the prescribed veteran special license plates.

fireworks; retail sales; enforcement (S.B. 1348) – Chapter 260

[SEE THE COMMERCE COMMITTEE.](#)

peace officers memorial board; continuation (S.B. 1351) – Chapter 66

Continues the Arizona Peace Officers Memorial Board for eight years, until July 1, 2027, retroactive to July 1, 2019.

miniature scooters; electric standup scooters (S.B. 1398) – Chapter 120

Grants an operator of an *electric standup scooter* the same statutory rights, privileges and duties as an operator of a bicycle, and allows the operation of *electric standup scooters* on bicycle paths and multiuse paths, unless otherwise regulated by a local authority. A local authority may consider the environmental and traffic benefits when regulating electric bicycles and electric

standup scooters. An *electric standup scooter* weighs less than 75 pounds, has a maximum speed of 20 miles per hour, meets outlined criteria and is not an *electric miniature scooter*. An *electric miniature scooter* weighs less than 30 pounds, has a maximum speed of 10 miles per hour and meets outlined criteria.

state fleet; neighborhood electric vehicles (S.B. 1442) – Chapter 160

Requires the Arizona Department of Administration to consider purchasing a *neighborhood electric vehicle*, which is a low-speed and emissions-free electric vehicle, before each new vehicle purchase. A neighborhood electric vehicle must be assigned to an agency or department that requests a vehicle from the state motor vehicle fleet unless the vehicle will be: 1) operating on a street with a posted speed limit exceeding 35 miles per hour; 2) carrying loads in excess of 1,500 pounds; or 3) transporting more than six persons.

alarm systems; low-voltage electric fences (S.B. 1448) – Chapter 67

Includes *low-voltage electric fence* in the definition of *alarm system* and subjects *low-voltage electric fences* to current regulations of *alarm systems*. Declares the regulation of low-voltage electric fence alarm systems to be of statewide concern, precluding further regulation by political subdivisions of Arizona.

affordable homeownership special plate (S.B. 1453) – Chapter 161

Beginning October 1, 2019, allows the Arizona Department of Transportation (ADOT) to issue the affordable homeownership special license plate (special plate) if a \$32,000 implementation fee is paid by December 31, 2019. Requires \$17 of the \$25 special plate fee collected from each special plate to be deposited into the Affordable Homeownership Special Plate Fund (Fund) and the first \$32,000 deposited into the Fund to be reimbursed to the person who paid the implementation fee. The Director of ADOT must annually distribute Fund monies to a qualifying organization.

~~appropriation; universities; student internships (NOW: firefighting foam; prohibited uses) (S.B. 1526) – Chapter 222~~

[SEE THE GOVERNMENT COMMITTEE.](#)

~~tow truck lighting (NOW: task force; towing safety; extension) (S.B. 1530) – Chapter 69~~

Extends the Towing Safety Task Force (Task Force) until December 31, 2019. The Task Force must submit a final report by December 1, 2019.

~~Alzheimer's disease research special plates (NOW: special plates; Alzheimer's; child abuse) (S.B. 1533) – Chapter 261~~

Beginning October 1, 2019, allows the Arizona Department of Transportation (ADOT) to issue an Alzheimer's disease research special license plate (special plate) if a \$32,000

implementation fee is paid by December 31, 2019. Requires \$17 of the \$25 special plate fee collected from each special plate to be deposited into the Alzheimer's Disease Research Fund (Fund) and the first \$32,000 deposited into the Fund to be reimbursed to the person who paid the implementation fee. The Director of ADOT must annually distribute monies in the Fund to a qualifying organization.

Requires the Governor's Office of Youth, Faith and Family to administer the Prevention of Child Abuse Fund (Prevention Fund) rather than the Director of the Division for Children. Monies in the Prevention Fund must be allocated directly to primary prevention programs and, beginning January 1, 2020, may be allocated to child and family advocacy centers.

moving violations; defensive driving school (NOW: traffic survival school; required completion) (H.B. 2005) – Chapter 201

Requires, rather than allows, the Arizona Department of Transportation (ADOT) to suspend or revoke a person's driver license or driving privilege if the person does not comply with an order to complete traffic survival school. Directs ADOT to remove a driver license suspension from a person's driving record if the person completes traffic survival school and other necessary requirements. Replaces permissive authority with a requirement that ADOT require a person to complete traffic survival school if ADOT receives notice of the person's conviction in another jurisdiction of an offense that is grounds for driver license suspension or revocation in Arizona.

collegiate bowl game special plates (H.B. 2006) – Chapter 162

Beginning October 1, 2019, allows the Arizona Department of Transportation (ADOT) to issue a collegiate football bowl game special license plate (special plate) if a \$32,000 implementation fee is paid by December 31, 2019. Requires \$17 of the \$25 special plate fee collected from each special plate to be deposited into the Collegiate Football Bowl Game Special Plate Fund (Fund) and the first \$32,000 deposited into the Fund to be reimbursed to the person who paid the implementation fee. The Director of ADOT must annually distribute Fund monies to a qualifying organization.

historic emergency vehicles; lighting; parades (H.B. 2012) – Chapter 47

Allows any emergency vehicle, rather than only a fire engine, used for hobby or display purposes that has been issued a historical license plate and has red or red and blue lights to be driven on a highway. The vehicle lights may only be activated in a parade, authorized historic vehicles assemblage or a test. If the vehicle is being transported to or from any of the above locations, the lights must be covered and not activated.

vehicle insurance cards; assigned numbers (H.B. 2063) – Chapter 139

Requires an insurer to include the number assigned to the insurer by the Arizona Department of Transportation on a motor vehicle insurance identification card, rather than on all documentary evidence issued by the insurer.

~~clean elections; enforcement; early contributions~~ (NOW: virtual training simulators; location) (H.B. 2076) – Chapter 283

SEE THE APPROPRIATIONS COMMITTEE.

county transportation excise tax. (H.B. 2109) – Chapter 50

Authorizes a Regional Transportation Authority to levy a county transportation excise tax of up to 20 percent, rather than 10 percent, of the current transaction privilege tax rate or jet fuel excise tax rate, if approved at a countywide election.

personal mobile cargo carrying devices (H.B. 2132) – Chapter 89

Beginning September 1, 2020, allows the operation of a *personal mobile cargo carrying device*, which is an electronically powered device that: 1) operates primarily on sidewalks and within crosswalks and is designed to transport property; 2) weighs less than 80 pounds, excluding cargo; 3) operates at a maximum speed of 12 miles per hour; 4) is equipped with technology to transport personal property with the active monitoring of a property owner; 5) is primarily designed to remain within 25 feet of the property owner; and 6) is equipped with a braking system that when active or engaged enables the personal mobile cargo carrying device to come to a controlled stop. Operators of personal mobile cargo carrying devices are subject to the same rights and duties as pedestrians unless the rights and duties by nature have no applicability.

~~AZPOST; membership~~ (NOW: membership; AZPOST) (H.B. 2189) – Chapter 43

Allows the two chief of police members of the Arizona Peace Officer Standards and Training Board to be appointed from a federally-recognized Native American tribe.

~~criminal justice records; prohibited uses~~ (NOW: prohibited uses; criminal justice records) (H.B. 2191) – Chapter 42

Prohibits a mugshot website operator from using criminal justice records or information contained in criminal justice records to solicit business for monetary gain. A mugshot website operator that violates the prohibition is subject to monetary penalties. An individual whose criminal justice record is published and who suffers a resulting monetary loss or adverse effect has a cause of action and may recover damages against the person who commits the violation. Acts relating to the dissemination of news or to a current or anticipated criminal or civil proceeding are exempt from the prohibition.

~~defensive driving schools; course curriculum~~ (NOW: ~~course curriculum; defensive driving schools~~) (NOW: defensive driving schools; course requirements) (H.B. 2265) – Chapter 287

Requires a defensive driving school to submit its future schedule of classroom defensive driving courses, including specified information for each course, to the Arizona Supreme Court. The course schedule may not be changed or canceled except for extraordinary circumstances. Scheduled defensive driving school classes may only admit students who are registered with the

school and an instructor may not teach a class for more than one defensive driving school in any given instruction period.

Prohibits the Arizona Supreme Court from conducting an efficacy study or adopting or amending any rules relating to defensive driving schools until July 1, 2020, except if an emergency necessitates otherwise.

prisoners; transition program; eligibility (H.B. 2266) – Chapter 228

Requires an inmate to agree to comply with specified conditions to be eligible for the 90-Day Transition Program. The Director of the Department of Corrections must exclude an inmate from the 90-Day Transition Program if the inmate: 1) fails to achieve eighth-grade functional literacy, unless enrolled in a literacy program; 2) is classified as close or maximum custody; or 3) has refused enrollment in or been removed for poor behavior from a major self-improvement program within the previous 18 months. Failure to achieve eighth-grade functional literacy does not disqualify a prisoner from community supervision if the prisoner is released to the 90-Day Transition Program and is enrolled in a program that prepares the prisoner to achieve eighth-grade functional literacy.

ADOT; consulting with third parties (NOW: texting while driving; prohibition; enforcement) (H.B. 2318) – Chapter 112 E

An emergency measure effective April 22, 2019, that prohibits a person from operating a motor vehicle on a street or highway while physically holding or supporting a portable wireless communication device or using a portable wireless communication device to engage in any text-based communication. A person may use a portable wireless communication device while driving to report illegal activity, summon emergency help, relay information related to occupational duties if the device is permanently or temporarily affixed to the vehicle, or while a person is stopped at a red light or railroad crossing. A person may also engage in voice-based communication through certain devices to direct text-based communication and may use portable wireless communication devices in a hands-free manner for navigation purposes. Operators of emergency, law enforcement or probation vehicles acting in an official capacity and operators of two-way radios who meet specified criteria are exempt from the prohibition.

Beginning January 1, 2021, a person found in violation of this prohibition is subject to a civil penalty. Prior to January 1, 2021, a peace officer may only issue warnings for violations unless a local authority has adopted an ordinance before April 22, 2019, that allows the issuance of citations. A peace officer may not take possession of or otherwise inspect a portable wireless communication device during a traffic stop. A person commits *serious physical injury or death by a moving violation* if the person causes serious physical injury or death while violating a texting while driving prohibition. The Arizona Department of Transportation must post signs at each entry point into Arizona stating that the use of portable wireless communication devices while driving is prohibited in Arizona and is subject to a civil penalty.

Outlines prohibitions and exceptions regarding the use of a portable wireless communication device to view images, watch videos or record videos during the operation of a motor vehicle on a public roadway or an off-highway vehicle on a trail.

Beginning January 1, 2021, deems the use of portable wireless communication devices while driving to be of statewide concern and preempts further local regulation.

motor vehicle accidents; restricted license (H.B. 2366) – Chapter 153

Requires, rather than allows, a court to direct the Arizona Department of Transportation to suspend or restrict a person's driving privilege for the person's first violation of *causing serious physical injury or death by a moving violation* for: 1) between 90 days and 180 days, if the violation results in serious physical injury; or 2) between 180 days and one year, if the violation results in death.

protected data; motor vehicle dealers (H.B. 2418) – Chapter 52

Prohibits a motor vehicle manufacturer or a third party from requiring a motor vehicle dealer (dealer) to grant direct or indirect access to the dealer's dealer data system to a manufacturer or third party or any person acting on their behalf. A dealer may submit or push data or information to a manufacturer or third party through any widely acceptable electronic file format or protocol that complies with specified standards.

Unless a dealer gives prior consent, a manufacturer or a third party may not access, share, sell, copy, use, transmit or require a dealer to share or provide access to protected dealer data. The prohibition does not apply to a manufacturer for specified, required manufacturer data. A manufacturer or third party may not engage in an act of cyber ransom or take an action to limit a dealer's ability to protect, store, copy, share or use protected dealer data. The dealer has the burden of proof when bringing a cause of action related to unlawful access to protected dealer data against a manufacturer.

Outlines requirements for a dealer data vendor (vendor) and allows a vendor and authorized integrator to access, use, store or share data from a dealer data system as allowed in the written agreement with the dealer.

animal cruelty; working animal; harassment (H.B. 2421) – Chapter 32

[SEE THE JUDICIARY COMMITTEE.](#)

space flight activities; release agreement (H.B. 2423) – Chapter 91

[SEE THE JUDICIARY COMMITTEE.](#)

highway rest area programs; repeal (NOW: highway rest area programs; continuation) (H.B. 2439) – Chapter 102

Continues the State Certified Rest Area Program and the Rest Area Sponsorship Sign Program for eight years, until July 1, 2027, retroactive to July 1, 2019.

community services special plates (H.B. 2442) – Chapter 211

Beginning October 1, 2019, allows the Arizona Department of Transportation (ADOT) to issue a community services special license plate (special plate) if a \$32,000 implementation fee is paid by December 31, 2019. Requires \$17 of the \$25 special plate fee collected from each special plate to be deposited into the Community Services Special Plate Fund (Fund) and the first \$32,000 deposited into the Fund to be reimbursed to the person who paid the implementation fee. The Director of ADOT must annually distribute Fund monies to a qualifying organization.

military services special plates (NOW: special plates; military; women veterans) (H.B. 2446) – Chapter 229

Beginning October 1, 2019, requires the Arizona Department of Transportation (ADOT) to design and issue seven women veterans special license plates (special plates) as follows: 1) one special plate with a logo approved by the Director of ADOT; 2) five special plates that each contain a seal for one of the five military branches; and 3) one special plate with the Native American Code Talkers Seal. A veteran or the immediate family member of a veteran who has been issued a veterans plate may be issued a veterans plate with a seal, and any other applicant may only receive a women veterans special plate with the standard logo.

vehicle emissions program; remote inspections (H.B. 2452) – Chapter 141

[SEE THE NATURAL RESOURCES & ENERGY COMMITTEE.](#)

state veterans' homes (H.B. 2487) – Chapter 78

Allows the Arizona Department of Veterans' Services to acquire property for the construction and operation of multiple veterans' home facilities throughout Arizona, rather than only a single facility in southern Arizona.

state highway work zones; accidents (H.B. 2492) – Chapter 255

Classifies operating a vehicle at a speed greater than allowed by traffic control devices in a designated state highway zone as *causing serious physical injury or death by a moving violation* if the violation results in an accident causing serious physical injury or death to another person.

critical health information; emergency responders (H.B. 2532) – Chapter 292

Allows a city, town or county to pass an ordinance that establishes a critical health information program (program) to provide emergency responders with specified information about a program participant who is involved in a motor vehicle accident and is unable to communicate with emergency responders. A program must be developed in consultation with interested parties and meet outlined criteria. Program participants must place a yellow decal in a specified location on the participant's vehicle and keep a yellow envelope containing critical health information in the vehicle's glove compartment. An emergency responder is authorized to search the glove

compartment of a participant's vehicle at the scene of the accident for the envelope and is not liable for damage to a vehicle when obtaining the health information or for civil damages as a result of any acts or omissions in response to inadequate information that do not amount to intentional misconduct or gross negligence.

distinguished flying cross license plates (H.B. 2589) – Chapter 178

Beginning October 1, 2019, directs the Arizona Department of Transportation (ADOT) to issue a distinctive license plate (plate) to a veteran who submits satisfactory proof that the person is a distinguished flying cross recipient or their immediate family member. Requires ADOT to collect and deposit in the Veterans' Donation Fund a \$25 fee for each pair of original plates and a \$5 renewal fee in addition to the special plate fees.

Renames the *extraordinary educators* special license plate and respective fund to the *all in for Arizona schools* special license plate and respective fund.

share the road special plates (H.B. 2606) – Chapter 157

Beginning October 1, 2019, allows the Arizona Department of Transportation (ADOT) to issue a share the road special license plate (special plate) if a \$32,000 implementation fee is paid by December 31, 2019. Requires \$17 of the \$25 special plate fee collected from each special plate to be deposited into the Share the Road Special Plate Fund (Fund) and the first \$32,000 deposited into the Fund to be reimbursed to the person who paid the implementation fee. The Director of ADOT must annually distribute Fund monies to qualifying organizations as outlined.

Allows ADOT to issue up to 150 dealer license plates to each dealer for new motor vehicles, rather than 30 dealer license plates plus one additional plate for every 50 vehicles sold.

peace officers; discipline; hearings; discovery (H.B. 2634) – Chapter 110

Permits a law enforcement officer (officer) under administrative investigation to retain a copy of the written notice informing the officer of all statutorily-outlined information relating to the investigation and any relevant, readily-available written, audio or video materials, with exceptions. An officer or their representative may record the officer's interview during an administrative investigation, but the recording is not an official record. All parties involved in an officer's appeal of a disciplinary action must disclose information throughout and up to the end of the appeal process.

humanitarian services special plates (H.B. 2707) – Chapter 234

Beginning October 1, 2019, allows the Arizona Department of Transportation (ADOT) to issue a humanitarian services special license plate (special plate) if a \$32,000 implementation fee is paid by December 31, 2019. Requires \$17 of the \$25 special plate fee collected from each special plate to be deposited into the Humanitarian Services Special Plate Fund (Fund) and the first \$32,000 deposited into the Fund to be reimbursed to the person who paid the implementation fee. The Director of ADOT must annually distribute Fund monies to a qualifying organization.

criminal justice; budget reconciliation; 2019-2020. ([H.B. 2752/S.B. 1557](#)) – Chapter 268

[SEE THE APPROPRIATIONS COMMITTEE.](#)

deported veterans; medical treatment ([H.C.M. 2001](#))

Urges the U.S. Congress to enact legislation to provide medical treatment and other benefits for all veterans of the U.S. Armed Forces, including those that have been deported.

motorcycle profiling; encouraging prevention ([H.M. 2002](#))

[SEE MEMORIALS & RESOLUTIONS.](#)

LEGISLATION VETOED

distracted driving ([S.B. 1141](#)) – VETOED

Prohibits a person from driving a motor vehicle while distracted. A distracted driving violation occurs when a person engages in an activity not related to the actual driving of a motor vehicle in a manner that visibly interferes with safely driving the vehicle and causes an immediate hazard or a failure to exercise necessary reasonable control of a vehicle to avoid collision.

The Governor indicates in his [veto message](#) that S.B. 1141 does not give drivers clear direction about what activities are prohibited and how the law would be enforced.