

State of Arizona  
Senate  
Forty-eighth Legislature  
Second Regular Session  
2008

# SENATE BILL 1464

AN ACT

AMENDING SECTIONS 28-101, 28-892, 28-943, 28-958.01, 28-959, 28-966, 28-2052, 28-2058, 28-2153 AND 28-4132, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 7, ARTICLE 15, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-2517; RELATING TO MOTOR VEHICLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-101, Arizona Revised Statutes, is amended to  
3 read:

4 28-101. Definitions

5 In this title, unless the context otherwise requires:

6 1. "Alcohol" means any substance containing any form of alcohol,  
7 including ethanol, methanol, propynol and isopropynol.

8 2. "Alcohol concentration" if expressed as a percentage means either:

9 (a) The number of grams of alcohol per one hundred milliliters of  
10 blood.

11 (b) The number of grams of alcohol per two hundred ten liters of  
12 breath.

13 3. "All-terrain vehicle" means a motor vehicle that satisfies all of  
14 the following:

15 (a) Is designed primarily for recreational nonhighway all-terrain  
16 travel.

17 (b) Is fifty or fewer inches in width.

18 (c) Has an unladen weight of eight hundred pounds or less.

19 (d) Travels on three or more low pressure tires.

20 (e) Has a seat to be straddled by the operator and handlebars for  
21 steering control.

22 (f) Is operated on a public highway.

23 4. "Authorized emergency vehicle" means any of the following:

24 (a) A fire department vehicle.

25 (b) A police vehicle.

26 (c) An ambulance or emergency vehicle of a municipal department or  
27 public service corporation that is designated or authorized by the department  
28 or a local authority.

29 (d) Any other ambulance, fire truck or rescue vehicle that is  
30 authorized by the department in its sole discretion and that meets liability  
31 insurance requirements prescribed by the department.

32 5. "Aviation fuel" means all flammable liquids composed of a mixture  
33 of selected hydrocarbons expressly manufactured and blended for the purpose  
34 of effectively and efficiently operating an internal combustion engine for  
35 use in an aircraft but does not include fuel for jet or turbine powered  
36 aircraft.

37 6. "Bicycle" means a device, including a racing wheelchair, that is  
38 propelled by human power and on which a person may ride and that has either:

39 (a) Two tandem wheels, either of which is more than sixteen inches in  
40 diameter.

41 (b) Three wheels in contact with the ground, any of which is more than  
42 sixteen inches in diameter.

43 7. "Board" means the transportation board.

44 8. "Bus" means a motor vehicle designed for carrying sixteen or more  
45 passengers, including the driver.

1           9. "Business district" means the territory contiguous to and including  
2 a highway if there are buildings in use for business or industrial purposes  
3 within any six hundred feet along the highway, including hotels, banks or  
4 office buildings, railroad stations and public buildings that occupy at least  
5 three hundred feet of frontage on one side or three hundred feet collectively  
6 on both sides of the highway.

7           10. "Combination of vehicles" means a truck or truck tractor and  
8 semitrailer and any trailer that it tows but does not include a forklift  
9 designed for the purpose of loading or unloading the truck, trailer or  
10 semitrailer.

11           11. "Controlled substance" means a substance so classified under  
12 section 102(6) of the controlled substances act (21 United States Code  
13 section 802(6)) and includes all substances listed in schedules I through V  
14 of 21 Code of Federal Regulations part 1308.

15           12. "Conviction" means:

16           (a) An unvacated adjudication of guilt or a determination that a  
17 person violated or failed to comply with the law in a court of original  
18 jurisdiction or by an authorized administrative tribunal.

19           (b) An unvacated forfeiture of bail or collateral deposited to secure  
20 the person's appearance in court.

21           (c) A plea of guilty or no contest accepted by the court.

22           (d) The payment of a fine or court costs.

23           13. "County highway" means a public road constructed and maintained by  
24 a county.

25           14. "Dealer" means a person who is engaged in the business of buying,  
26 selling or exchanging motor vehicles, trailers or semitrailers and who has an  
27 established place of business.

28           15. "Department" means the department of transportation acting directly  
29 or through its duly authorized officers and agents.

30           16. "Director" means the director of the department of transportation.

31           17. "Drive" means to operate or be in actual physical control of a  
32 motor vehicle.

33           18. "Driver" means a person who drives or is in actual physical control  
34 of a vehicle.

35           19. "Driver license" means a license that is issued by a state to an  
36 individual and that authorizes the individual to drive a motor vehicle.

37           20. "Electric personal assistive mobility device" means a  
38 self-balancing two nontandem wheeled device with an electric propulsion  
39 system that limits the maximum speed of the device to fifteen miles per hour  
40 or less and that is designed to transport only one person.

41           21. "Farm tractor" means a motor vehicle designed and used primarily as  
42 a farm implement for drawing implements of husbandry.

43           22. "Foreign vehicle" means a motor vehicle, trailer or semitrailer  
44 that is brought into this state other than in the ordinary course of business

1 by or through a manufacturer or dealer and that has not been registered in  
2 this state.

3 23. "Golf cart" means a motor vehicle that has not less than three  
4 wheels in contact with the ground, that has an unladen weight of less than  
5 one thousand eight hundred pounds, that is designed to be and is operated at  
6 not more than twenty-five miles per hour and that is designed to carry not  
7 more than four persons including the driver.

8 24. "Hazardous material" means a material, and its mixtures or  
9 solutions, that the United States department of transportation determines  
10 under 49 Code of Federal Regulations is, or any quantity of a material listed  
11 as a select agent or toxin under 42 Code of Federal Regulations part 73 that  
12 is, capable of posing an unreasonable risk to health, safety and property if  
13 transported in commerce and that is required to be placarded or marked as  
14 required by the department's safety rules prescribed pursuant to chapter 14  
15 of this title.

16 25. "Implement of husbandry" means a vehicle designed primarily for  
17 agricultural purposes and used exclusively in the conduct of agricultural  
18 operations, including an implement or vehicle whether self-propelled or  
19 otherwise that meets all of the following conditions:

20 (a) Is used exclusively for carrying products of farming from one part  
21 of a farm to another part of the same farm or from one farm to another farm.

22 (b) Is used solely for agricultural purposes including the preparation  
23 or harvesting of cotton, alfalfa, grains and other farm crops.

24 (c) Is only incidentally operated or moved on a highway whether as a  
25 trailer or self-propelled unit.

26 26. "Limousine" means a motor vehicle providing prearranged ground  
27 transportation service for an individual passenger, or a group of passengers,  
28 that is arranged in advance or is operated on a regular route or between  
29 specified points and includes ground transportation under a contract or  
30 agreement for services that includes a fixed rate or time and is provided in  
31 a motor vehicle with a seating capacity not exceeding fifteen passengers  
32 including the driver.

33 27. "Livery vehicle" means a motor vehicle that:

34 (a) Has a seating capacity not exceeding fifteen passengers including  
35 the driver.

36 (b) Provides passenger services for a fare determined by a flat rate  
37 or flat hourly rate between geographic zones or within a geographic area.

38 (c) Is available for hire on an exclusive or shared ride basis.

39 (d) May do any of the following:

40 (i) Operate on a regular route or between specified places.

41 (ii) Offer prearranged ground transportation service as defined in  
42 section 28-141.

43 (iii) Offer on demand ground transportation service pursuant to a  
44 contract with a public airport, licensed business entity or organization.

1           28. "Local authority" means any county, municipal or other local board  
2 or body exercising jurisdiction over highways under the constitution and laws  
3 of this state.

4           29. "Manufacturer" means a person engaged in the business of  
5 manufacturing motor vehicles, trailers or semitrailers.

6           30. "Moped" means a bicycle that is equipped with a helper motor if the  
7 vehicle has a maximum piston displacement of fifty cubic centimeters or less,  
8 a brake horsepower of one and one-half or less and a maximum speed of  
9 twenty-five miles per hour or less on a flat surface with less than a one per  
10 cent grade.

11           31. "Motor driven cycle" means a motorcycle, including every motor  
12 scooter, with a motor that produces not more than five horsepower.

13           32. "Motor vehicle":

14           (a) Means either:

15           (i) A self-propelled vehicle.

16           (ii) For the purposes of the laws relating to the imposition of a tax  
17 on motor vehicle fuel, a vehicle that is operated on the highways of this  
18 state and that is propelled by the use of motor vehicle fuel.

19           (b) Does not include a motorized wheelchair, an electric personal  
20 assistive mobility device or a motorized skateboard. For the purposes of this  
21 subdivision:

22           (i) "Motorized skateboard" means a self-propelled device that has a  
23 motor, a deck on which a person may ride and at least two tandem wheels in  
24 contact with the ground.

25           (ii) "Motorized wheelchair" means a self-propelled wheelchair that is  
26 used by a person for mobility.

27           33. "Motor vehicle fuel" includes all products that are commonly or  
28 commercially known or sold as gasoline, including casinghead gasoline,  
29 natural gasoline and all flammable liquids, and that are composed of a  
30 mixture of selected hydrocarbons expressly manufactured and blended for the  
31 purpose of effectively and efficiently operating internal combustion engines.  
32 Motor vehicle fuel does not include inflammable liquids that are specifically  
33 manufactured for racing motor vehicles and that are distributed for and used  
34 by racing motor vehicles at a racetrack, use fuel as defined in section  
35 28-5601, aviation fuel, fuel for jet or turbine powered aircraft or the  
36 mixture created at the interface of two different substances being  
37 transported through a pipeline, commonly known as transmix.

38           34. "Motorcycle" means a motor vehicle that has a seat or saddle for  
39 the use of the rider and that is designed to travel on not more than three  
40 wheels in contact with the ground but excluding a tractor and a moped.

41           35. "Neighborhood electric vehicle" means a self-propelled electrically  
42 powered motor vehicle to which all of the following apply:

43           (a) The vehicle is emission free.

44           (b) The vehicle has at least four wheels in contact with the ground.

1 (c) The vehicle complies with the definition and standards for low  
2 speed vehicles set forth in federal motor vehicle safety standard 500 and 49  
3 Code of Federal Regulations sections 571.3(b) and 571.500, respectively.

4 36. "Nonresident" means a person who is not a resident of this state as  
5 defined in section 28-2001.

6 37. "Off-road recreational motor vehicle" means a motor vehicle that is  
7 designed primarily for recreational nonhighway all-terrain travel and that is  
8 not operated on a public highway. Off-road recreational motor vehicle does  
9 not mean a motor vehicle used for construction, building trade, mining or  
10 agricultural purposes.

11 38. "Operator" means a person who drives a motor vehicle on a highway,  
12 who is in actual physical control of a motor vehicle on a highway or who is  
13 exercising control over or steering a vehicle being towed by a motor vehicle.

14 39. "Owner" means:

15 (a) A person who holds the legal title of a vehicle.

16 (b) If a vehicle is the subject of an agreement for the conditional  
17 sale or lease with the right of purchase on performance of the conditions  
18 stated in the agreement and with an immediate right of possession vested in  
19 the conditional vendee or lessee, the conditional vendee or lessee.

20 (c) If a mortgagor of a vehicle is entitled to possession of the  
21 vehicle, the mortgagor.

22 40. "Pedestrian" means any person afoot. A person who uses an electric  
23 personal assistive mobility device or a manual or motorized wheelchair is  
24 considered a pedestrian unless the manual wheelchair qualifies as a bicycle.  
25 For the purposes of this paragraph, "motorized wheelchair" means a  
26 self-propelled wheelchair that is used by a person for mobility.

27 41. "Power sweeper" means an implement, with or without motive power,  
28 that is only incidentally operated or moved on a street or highway and that  
29 is designed for the removal of debris, dirt, gravel, litter or sand whether  
30 by broom, vacuum or regenerative air system from asphaltic concrete or cement  
31 concrete surfaces, including parking lots, highways, streets and warehouses,  
32 and a vehicle on which the implement is permanently mounted.

33 42. "Public transit" means the transportation of passengers on  
34 scheduled routes by means of a conveyance on an individual passenger  
35 fare-paying basis excluding transportation by a sight-seeing bus, school bus  
36 or taxi or a vehicle not operated on a scheduled route basis.

37 43. "Reconstructed vehicle" means a vehicle that has been assembled or  
38 constructed largely by means of essential parts, new or used, derived from  
39 vehicles or makes of vehicles of various names, models and types or that, if  
40 originally otherwise constructed, has been materially altered by the removal  
41 of essential parts or by the addition or substitution of essential parts, new  
42 or used, derived from other vehicles or makes of vehicles. For the purposes  
43 of this paragraph, "essential parts" means integral and body parts, the  
44 removal, alteration or substitution of which will tend to conceal the  
45 identity or substantially alter the appearance of the vehicle.

1           44. "Residence district" means the territory contiguous to and  
2 including a highway not comprising a business district if the property on the  
3 highway for a distance of three hundred feet or more is in the main improved  
4 with residences or residences and buildings in use for business.

5           45. "Right-of-way" when used within the context of the regulation of  
6 the movement of traffic on a highway means the privilege of the immediate use  
7 of the highway. Right-of-way when used within the context of the real  
8 property on which transportation facilities and appurtenances to the  
9 facilities are constructed or maintained means the lands or interest in lands  
10 within the right-of-way boundaries.

11           46. "School bus" means a motor vehicle that is designed for carrying  
12 more than ten passengers and that is either:

13           (a) Owned by any public or governmental agency or other institution  
14 and operated for the transportation of children to or from home or school on  
15 a regularly scheduled basis.

16           (b) Privately owned and operated for compensation for the  
17 transportation of children to or from home or school on a regularly scheduled  
18 basis.

19           47. "Semitrailer" means a vehicle that is with or without motive power,  
20 other than a pole trailer, that is designed for carrying persons or property  
21 and for being drawn by a motor vehicle and that is constructed so that some  
22 part of its weight and that of its load rests on or is carried by another  
23 vehicle. For the purposes of this paragraph, "pole trailer" has the same  
24 meaning prescribed in section 28-601.

25           48. "State" means a state of the United States and the District of  
26 Columbia.

27           49. "State highway" means a state route or portion of a state route  
28 that is accepted and designated by the board as a state highway and that is  
29 maintained by the state.

30           50. "State route" means a right-of-way whether actually used as a  
31 highway or not that is designated by the board as a location for the  
32 construction of a state highway.

33           51. "Street" or "highway" means the entire width between the boundary  
34 lines of every way if a part of the way is open to the use of the public for  
35 purposes of vehicular travel.

36           52. "Taxi" means a motor vehicle that has a seating capacity not  
37 exceeding fifteen passengers, including the driver, that is registered as a  
38 taxi in this state or any other state, that provides passenger services and  
39 that:

40           (a) Does not operate on a regular route or between specified places.

41           (b) Offers local transportation for a fare determined primarily on the  
42 basis of the distance traveled.

43           53. "Trailer" means a vehicle that is with or without motive power,  
44 other than a pole trailer, that is designed for carrying persons or property  
45 and for being drawn by a motor vehicle and that is constructed so that no

1 part of its weight rests on the towing vehicle. A semitrailer equipped with  
2 an auxiliary front axle commonly known as a dolly is deemed to be a trailer.  
3 For the purposes of this paragraph, "pole trailer" has the same meaning  
4 prescribed in section 28-601.

5 54. "Truck" means a motor vehicle designed or used primarily for the  
6 carrying of property other than the effects of the driver or passengers and  
7 includes a motor vehicle to which has been added a box, a platform or other  
8 equipment for such carrying.

9 55. "Truck tractor" means a motor vehicle that is designed and used  
10 primarily for drawing other vehicles and that is not constructed to carry a  
11 load other than a part of the weight of the vehicle and load drawn.

12 56. "Vehicle" means a device in, on or by which a person or property is  
13 or may be transported or drawn on a public highway, excluding devices moved  
14 by human power or used exclusively on stationary rails or tracks.

15 57. "Vehicle transporter" means either:

16 (a) A truck tractor capable of carrying a load and drawing a  
17 semitrailer.

18 (b) A truck tractor with a stinger-steered fifth wheel capable of  
19 carrying a load and drawing a semitrailer or a truck tractor with a dolly  
20 mounted fifth wheel that is securely fastened to the truck tractor at two or  
21 more points and that is capable of carrying a load and drawing a semitrailer.

22 58. "VENTURE TRUCK" MEANS A MOTOR VEHICLE THAT IS USED PRIMARILY FOR  
23 CARRYING CARGO, TO WHICH A BOX, PLATFORM OR OTHER EQUIPMENT HAS BEEN AFFIXED  
24 FOR THE PURPOSE OF CARRYING CARGO AND THAT HAS ALL OF THE FOLLOWING:

25 (a) NOT LESS THAN FOUR WHEELS IN CONTACT WITH THE GROUND.

26 (b) AN UNLADEN WEIGHT OF LESS THAN ONE THOUSAND EIGHT HUNDRED POUNDS.

27 (c) A PERMANENTLY INSTALLED ENGINE OR TRANSMISSION GOVERNOR LIMITING  
28 THE VEHICLE'S SPEED TO NOT MORE THAN TWENTY-FIVE MILES PER HOUR.

29 (d) A DESIGN TO CARRY NOT MORE THAN TWO PERSONS INCLUDING THE DRIVER.

30 (e) A WHEEL BASE OF SIX FEET THREE INCHES OR LESS.

31 Sec. 2. Section 28-892, Arizona Revised Statutes, is amended to read:

32 28-892. Riding on motorcycle, venture truck, off-highway  
33 vehicle, off-road recreational motor vehicle or  
34 all-terrain vehicle; definition

35 A. A person operating a motorcycle, VENTURE TRUCK, OFF-HIGHWAY  
36 VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or all-terrain vehicle shall  
37 ride only on the permanent and regular seat attached to the motorcycle,  
38 VENTURE TRUCK, OFF-HIGHWAY VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or  
39 all-terrain vehicle. The operator of a motorcycle, VENTURE TRUCK,  
40 OFF-HIGHWAY VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or all-terrain  
41 vehicle shall not carry any other person and any other person shall not ride  
42 on a motorcycle, VENTURE TRUCK, OFF-HIGHWAY VEHICLE, OFF-ROAD RECREATIONAL  
43 MOTOR VEHICLE or all-terrain vehicle unless the motorcycle, VENTURE TRUCK,  
44 OFF-HIGHWAY VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or all-terrain  
45 vehicle is designed to carry more than one person. On a motorcycle, VENTURE



1 TRUCK, OFF-HIGHWAY VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or  
2 all-terrain vehicle designed to carry more than one person, a passenger may  
3 ride on the permanent and regular seat if it is designed for two persons or  
4 on another seat firmly attached to the motorcycle, VENTURE TRUCK, OFF-HIGHWAY  
5 VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or all-terrain vehicle at the  
6 rear or side of the operator.

7 B. FOR THE PURPOSES OF THIS SECTION, "OFF-HIGHWAY VEHICLE" HAS THE  
8 SAME MEANING PRESCRIBED IN SECTION 28-1171.

9 Sec. 3. Section 28-943, Arizona Revised Statutes, is amended to read:

10 28-943. Single beam road lighting equipment

11 Head lamps that are arranged to provide a single distribution of light  
12 are permitted on motor vehicles manufactured and sold before January 1, 1951,  
13 ~~and~~ on neighborhood electric vehicles AND ON VENTURE TRUCKS, in lieu of  
14 multiple beam road lighting equipment specified in this article, if the  
15 single distribution of light complies with the following requirements and  
16 limitations:

17 1. The head lamps are aimed so that when the vehicle is not loaded  
18 none of the high intensity portion of the light projects, at a distance of  
19 twenty-five feet ahead, higher than a level of five inches below the level of  
20 the center of the lamp that is aimed and in no case higher than forty-two  
21 inches above the level on which the vehicle stands at a distance of  
22 seventy-five feet ahead.

23 2. The intensity is sufficient to reveal persons and vehicles at a  
24 distance of at least two hundred feet.

25 Sec. 4. Section 28-958.01, Arizona Revised Statutes, is amended to  
26 read:

27 28-958.01. Rear fender splash guards

28 A. A person shall not operate a truck, trailer, semitrailer or bus on  
29 a highway unless the vehicle is equipped with rear fender splash guards that  
30 comply with the specifications provided in this section.

31 B. The splash guards:

32 1. Shall be attached in a manner that prevents the splashing of mud or  
33 water on the windshield of other motor vehicles.

34 2. Shall extend to a length of not more than eight inches from the  
35 ground.

36 3. Shall be wide enough to cover the full tread or treads of the tires  
37 being protected.

38 4. Shall be installed close enough to the tread surface of the tire or  
39 wheel to control the side throw of the bulk of the thrown road surface  
40 material.

41 5. May be constructed of a flexible rubberized material.

1           6. Shall be attached in a manner that, regardless of movement either  
2 in the splash guards or the vehicle, the splash guards retain their general  
3 parallel relationship to the tread surface of the tire or wheel under all  
4 ordinary operating conditions.

5           C. This section does not apply to:

6           1. A vehicle commonly known as a pickup truck with a manufacturer's  
7 rating of three-quarter ton or less **OR A VENTURE TRUCK**, except that this  
8 section applies if the pickup truck has been modified from the original  
9 bumper height design to raise the center of gravity of the pickup truck.

10          2. A truck tractor or converter dolly when used in combination with  
11 another vehicle.

12          3. A single axle trailer with fenders **THAT ARE** wide enough to cover  
13 the full tread or treads of the tires being protected and that extend to a  
14 length of not more than fourteen inches from the ground.

15          Sec. 5. Section 28-959, Arizona Revised Statutes, is amended to read:

16          28-959. Safety glass required; applicability; approval list;  
17 denial or suspension of registration; definition

18          A. A person shall not sell and the department shall not register a new  
19 motor vehicle as specified in this section unless the vehicle is equipped  
20 with safety glass wherever glass is used in doors, windows and windshields.  
21 The safety glass shall be of a type approved by the director.

22          B. This section applies to passenger motor vehicles, other than golf  
23 carts **AND VENTURE TRUCKS**, including passenger buses and school buses. For  
24 trucks, including truck tractors, the requirements of this section for safety  
25 glass apply to all glass used in doors, windows and windshields in the  
26 drivers' compartments of the vehicles.

27          C. The director shall compile and publish a list of types of glass by  
28 name that are approved by the director and that meet the requirements of this  
29 section.

30          D. The director shall not register a new motor vehicle unless it is  
31 equipped with an approved type of safety glass. The director shall suspend  
32 the registration of any motor vehicle that is subject to this section and  
33 that the director finds is not equipped with an approved type of safety  
34 glass. The suspension shall continue until the motor vehicle is made to  
35 conform to the requirements of this section.

36          E. A person shall not replace glass or glazing materials used in  
37 partitions, doors, windows, windshields or wind deflectors in a motor vehicle  
38 with a material other than safety glass of a type approved by the director.

39          F. For the purposes of this section, "safety glass" means either:

40          1. A product composed of glass that is manufactured, fabricated or  
41 treated in a manner that substantially prevents shattering and flying of the  
42 glass when struck or broken.

43          2. Other or similar products as approved by the director.

1           Sec. 6. Section 28-966, Arizona Revised Statutes, is amended to read:  
2           28-966. Neighborhood electric vehicles; venture trucks; speed;  
3                                   restrictions

4           A. A neighborhood electric vehicle OR VENTURE TRUCK shall not be  
5 operated at a speed of more than twenty-five miles per hour.

6           B. A neighborhood electric vehicle OR VENTURE TRUCK shall not be  
7 driven on a highway that has a posted speed limit of more than thirty-five  
8 miles per hour. This subsection does not prohibit a neighborhood electric  
9 vehicle OR VENTURE TRUCK from crossing a highway that has a posted speed  
10 limit of more than thirty-five miles per hour at an intersection.

11           C. A neighborhood electric vehicle OR VENTURE TRUCK shall have a  
12 notice of the operational restrictions applying to the vehicle permanently  
13 attached to or painted on the vehicle in a location that is in clear view of  
14 the driver.

15           Sec. 7. Section 28-2052, Arizona Revised Statutes, is amended to read:  
16           28-2052. Title and registration of foreign vehicles

17           A. Except as provided in subsection E of this section, the owner of a  
18 foreign vehicle that has been registered in another state or country and for  
19 which an application for a certificate of title is made shall surrender to  
20 the department the license plates assigned to the vehicle, the registration  
21 card, the certificate of title, the certificate of ownership or other  
22 evidence of foreign registration and satisfactory evidence of ownership  
23 showing that the applicant is the lawful owner or possessor of the vehicle.

24           B. If in the course of interstate operation of a vehicle registered in  
25 another state or country it is desirable to retain registration of the  
26 vehicle in the other state or country, the applicant need not follow the  
27 requirements of subsection A of this section but shall submit evidence of the  
28 foreign registration and ownership for inspection. The department shall  
29 register the vehicle on a proper showing of evidence of registration but  
30 shall not issue a certificate of title for the vehicle.

31           C. The department shall inspect a foreign vehicle before titling or  
32 registration, including examination and inspection to establish compliance  
33 with section 28-955, under conditions and standards as required by the  
34 director of environmental quality. The department may establish procedures  
35 to accept vehicle inspections completed in another state.

36           D. Before the department issues a certificate of title to a vehicle  
37 imported into this country, the owner shall obtain a certificate of  
38 compliance that states that the vehicle meets all federal vehicle equipment  
39 and emissions equipment requirements. This subsection does not apply to a  
40 golf cart manufactured or modified before June 17, 1998, ~~or~~ A neighborhood  
41 electric vehicle manufactured or modified before June 17, 1998 OR A VENTURE  
42 TRUCK MANUFACTURED OR MODIFIED ON OR BEFORE DECEMBER 31, 1998.

43           E. The department may establish procedures to accept evidence that the  
44 certificate of title or certificate of ownership has been voided or destroyed  
45 by another state.





1           8. Wheeled equipment. For the purposes of this paragraph, "wheeled  
2 equipment" means:

3           (a) A compressor.

4           (b) A forklift.

5           (c) A portable cement mixer.

6           (d) A single axle tow dolly as defined in section 28-1095.

7           (e) A tar pot.

8           (f) A water trailer used for watering livestock or for agricultural or  
9 domestic purposes.

10          (g) A welder.

11          (h) Any other similar item designed and used primarily for  
12 construction or building trade purposes.

13          9. An all-terrain vehicle, **A VENTURE TRUCK** or an off-road recreational  
14 motor vehicle operating on a dirt road that is located in an unincorporated  
15 area of this state. For the purposes of this paragraph, "dirt road" means an  
16 unpaved or ungraveled road that is not maintained by this state or a city,  
17 town or county of this state.

18          10. A person operating an off-highway vehicle who is participating in  
19 an off-highway vehicle special event as defined in section 28-1171.

20          **11. A VENTURE TRUCK INCIDENTALLY OPERATED OR MOVED ON A HIGHWAY.**

21          E. A person who owns or operates a trailer that is exempt from  
22 registration pursuant to subsection D, paragraph 2 of this section shall  
23 notify the county assessor of the exemption, and the assessor shall assess  
24 the trailer.

25          F. A person who violates subsection E of this section is guilty of a  
26 class 2 misdemeanor.

27          Sec. 10. Title 28, chapter 7, article 15, Arizona Revised Statutes, is  
28 amended by adding section 28-2517, to read:

29          28-2517. Venture trucks

30          **A. A NUMBER THAT IS APPROVED BY THE DIRECTOR AND THAT IDENTIFIES THE**  
31 **TRUCK FOR OWNERSHIP AND REGISTRATION PURPOSES SHALL BE PERMANENTLY AFFIXED TO**  
32 **THE FRAME OF A VENTURE TRUCK.**

33          **B. A VENTURE TRUCK SHALL NOT USE RIGHTS-OF-WAY DESIGNATED FOR**  
34 **EXCLUSIVE USE BY BICYCLES.**

35          Sec. 11. Section 28-4132, Arizona Revised Statutes, is amended to  
36 read:

37          28-4132. Financial responsibility requirement exemptions

38          This article does not apply to the owner or operator of any:

39          1. Farm tractor.

40          2. Trailer used solely in the operation of a farm for transporting the  
41 unprocessed fiber or forage products of a farm or an implement of husbandry  
42 designed primarily for or used in agricultural operations and only  
43 incidentally operated or moved on a highway.

44          3. Road-roller or road machinery, including a power sweeper,  
45 temporarily operating or moved on the highway.

- 1           4. Trailer not used for commercial purposes or semitrailer not used  
2 for commercial purposes.
- 3           5. Motor vehicle rented without a driver that meets the requirements  
4 of section 28-2166.
- 5           6. Motor vehicle registered pursuant to section 28-2154.
- 6           7. Motor vehicle owned by the United States government.
- 7           8. Golf cart used in the operation of a golf course or only  
8 incidentally operated or moved on a highway.
- 9           9. All-terrain vehicle, **VENTURE TRUCK** or off-road recreational motor  
10 vehicle operating on a dirt road that is located in an unincorporated area of  
11 this state. For the purposes of this paragraph, "dirt road" means an unpaved  
12 or ungraveled road that is not maintained by this state or a city, town or  
13 county of this state.
- 14          10. Off-highway vehicle participating in an off-highway vehicle special  
15 event as defined in section 28-1171.
- 16          11. **VENTURE TRUCK INCIDENTALLY OPERATED OR MOVED ON A HIGHWAY.**