

REFERENCE TITLE: **electronic driver licenses; ADOT authority**

State of Arizona  
Senate  
Fifty-second Legislature  
First Regular Session  
2015

# **SB 1237**

Introduced by  
Senators Dial: Worsley

**AN ACT**

**AMENDING SECTIONS 28-363 AND 28-3169, ARIZONA REVISED STATUTES; RELATING TO THE DEPARTMENT OF TRANSPORTATION.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 28-363, Arizona Revised Statutes, is amended to  
3 read:  
4 28-363. Duties of the director; administration  
5 A. The director shall:  
6 1. Supervise and administer the overall activities of the department  
7 and its divisions and employees.  
8 2. Appoint assistant directors for each of the divisions.  
9 3. Provide for the assembly and distribution of information to the  
10 public concerning department activities.  
11 4. Delegate functions, duties or powers as the director deems  
12 necessary to carry out the efficient operation of the department.  
13 5. Exercise complete and exclusive operational control and  
14 jurisdiction over the use of state highways and routes.  
15 6. Coordinate the design, right-of-way purchase and construction of  
16 controlled access highways that are either state routes or state highways and  
17 related grade separations of controlled access highways.  
18 7. Coordinate the design, right-of-way purchase, construction,  
19 standard and reduced clearance grade separation, extension and widening of  
20 arterial streets and highways under chapters 17 and 18 of this title.  
21 8. Assist regional transportation planning agencies, councils of  
22 government, tribal governments, counties, cities and towns in the development  
23 of their regional and local transportation plans to ensure that the streets,  
24 highways and other regionally significant modes of transportation within each  
25 county form an integrated and efficient regional system.  
26 9. On or before December 1, present an annual report to the speaker of  
27 the house of representatives and the president of the senate documenting the  
28 expenditures of monies under chapters 17 and 18 of this title during the  
29 previous fiscal year relating to the design, right-of-way purchase or  
30 construction of controlled access highways that are accepted in the state  
31 highway system as state routes or state highways or related grade separations  
32 of controlled access highways that are included in the regional  
33 transportation plans of the counties.  
34 10. Designate the necessary agencies for enforcing the provisions of  
35 the laws the director administers or enforces.  
36 11. Exercise other duties or powers as the director deems necessary to  
37 carry out the efficient operation of the department.  
38 12. Cooperate with the Arizona-Mexico commission in the governor's  
39 office and with researchers at universities in this state to collect data and  
40 conduct projects in the United States and Mexico on issues that are within  
41 the scope of the department's duties and that relate to quality of life,  
42 trade and economic development in this state in a manner that will help the  
43 Arizona-Mexico commission to assess and enhance the economic competitiveness  
44 of this state and of the Arizona-Mexico region.

1           13. Develop a plan to increase use of bypass routes by vehicles on days  
2 of poor visibility in the Phoenix metropolitan area.

3           14. DEVELOP, PILOT OR IMPLEMENT VIRTUAL OR ELECTRONIC CREDENTIALS,  
4 RECORDS, PROCEDURES, PROCESSES AND SYSTEMS AS THE DIRECTOR DEEMS NECESSARY TO  
5 CARRY OUT THE FUNCTIONS AND DUTIES OF THE DEPARTMENT.

6           B. The assistant directors appointed pursuant to subsection A of this  
7 section are subject to title 41, chapter 4, article 4.

8           C. The director shall not spend any monies, adopt any rules or  
9 implement any policies or programs to convert signs to the metric system or  
10 to require the use of the metric system with respect to designing or  
11 preparing plans, specifications, estimates or other documents for any highway  
12 project before the conversion or use is required by federal law, except that  
13 the director may:

14           1. Spend monies and require the use of the metric system with respect  
15 to designing or preparing plans, specifications, estimates or other documents  
16 for a highway project that is awarded before October 1, 1997 and that is  
17 exclusively metric from its inception.

18           2. Prepare for conversion to and use of the metric system not more  
19 than six months before the conversion or use is required by federal law.

20           Sec. 2. Section 28-3169, Arizona Revised Statutes, is amended to read:

21           28-3169. Possession and display of driver license; defense

22           A. A licensee shall have a legible driver license in the licensee's  
23 immediate possession at all times when operating a motor vehicle. On demand  
24 of a justice of the peace, a police officer or a field deputy or inspector of  
25 the department, a licensee shall display the license. IF THE DEPARTMENT  
26 IMPLEMENTS PROCEDURES FOR VIRTUAL OR ELECTRONIC DRIVER LICENSES, THE DRIVER  
27 LICENSE MAY BE DISPLAYED ON A WIRELESS COMMUNICATION DEVICE THAT IS IN THE  
28 MOTOR VEHICLE. IF A PERSON DISPLAYS THE DRIVER LICENSE ON A WIRELESS  
29 COMMUNICATION DEVICE PURSUANT TO THIS SUBSECTION, THE PERSON IS NOT  
30 CONSENTING FOR A JUSTICE OF THE PEACE, A POLICE OFFICER OR A FIELD DEPUTY OR  
31 INSPECTOR OF THE DEPARTMENT TO ACCESS OTHER CONTENTS OF THE WIRELESS  
32 COMMUNICATION DEVICE.

33           B. A person who is served a complaint for violating this section is  
34 not responsible if the person produces in court or the office of the police  
35 officer or field deputy or inspector of the department a legible driver  
36 license, A VIRTUAL OR ELECTRONIC DRIVER LICENSE or an authorized duplicate of  
37 the license issued to the person that was valid at the time of the alleged  
38 violation of this section. A COURT MAY REQUIRE A PERSON TO PRODUCE A LEGIBLE  
39 DRIVER LICENSE, NOT INCLUDING A VIRTUAL OR ELECTRONIC DRIVER LICENSE, OR AN  
40 AUTHORIZED DUPLICATE OF THE LICENSE FOR THE PURPOSES OF THIS SUBSECTION.