

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

CHAPTER 294
HOUSE BILL 2609

AN ACT

AMENDING TITLE 28, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-413; AMENDING SECTION 28-3002, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 8, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-3175; AMENDING SECTION 28-6991, ARIZONA REVISED STATUTES; RELATING TO DRIVER LICENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 28, chapter 2, article 4, Arizona Revised Statutes,
3 is amended by adding section 28-413, to read:

4 28-413. Reciprocal driver license agreement: foreign countries

5 A. THE DEPARTMENT MAY WAIVE THE REQUIREMENTS FOR A WRITTEN EXAMINATION
6 AND THE DRIVING EXAMINATION REQUIRED PURSUANT TO SECTION 28-3164 FOR AN
7 OPERATOR OF A MOTOR VEHICLE HOLDING A VALID DRIVER LICENSE ISSUED BY A
8 FOREIGN COUNTRY IN WHICH THE OPERATOR PREVIOUSLY RESIDED AND WHO APPLIES FOR
9 AN INITIAL DRIVER LICENSE IN THIS STATE AS AN ORIGINAL APPLICANT, IF ALL OF
10 THE FOLLOWING CONDITIONS ARE MET:

11 1. THE DIRECTOR DETERMINES THAT THE STANDARDS OF THE FOREIGN COUNTRY
12 FOR LICENSING OPERATORS OF MOTOR VEHICLES ARE SUBSTANTIALLY SIMILAR TO THOSE
13 OF THIS STATE.

14 2. THE FOREIGN COUNTRY EXTENDS THE SAME RECIPROCAL DRIVER LICENSE
15 APPLICATION PRIVILEGES TO PERSONS LICENSED IN THIS STATE.

16 3. THE DIRECTOR AND THE FOREIGN COUNTRY HAVE EXCHANGED LETTERS OR
17 OTHER DOCUMENTATION TO CONFIRM THE RECIPROCAL EXTENSION OF PRIVILEGES TO
18 OPERATE MOTOR VEHICLES.

19 4. THE ORIGINAL APPLICANT UNDER THIS SECTION COMPLIES WITH THE
20 MANDATORY MOTOR VEHICLE INSURANCE PROVISIONS OF CHAPTER 9, ARTICLES 1 AND 4
21 OF THIS TITLE.

22 B. A PERSON WHO HOLDS A VALID DRIVER LICENSE THAT MEETS THE
23 REQUIREMENTS OF SUBSECTION A, MAY APPLY TO THE DEPARTMENT FOR A CLASS D, G OR
24 M LICENSE. THE PERSON APPLYING FOR THE ORIGINAL LICENSE SHALL SURRENDER THE
25 FOREIGN COUNTRY DRIVER LICENSE TO THE DEPARTMENT UPON SUCCESSFUL APPLICATION.

26 C. THE DEPARTMENT SHALL PUBLISH ON ITS PUBLIC INTERNET SITE A CURRENT
27 LIST OF FOREIGN COUNTRIES FOR WHICH RECIPROCAL OPERATING PRIVILEGES HAVE BEEN
28 EXTENDED AND WITHDRAWN.

29 D. THIS SECTION SHALL NOT APPLY TO COMMERCIAL DRIVER LICENSING.

30 E. THE DIRECTOR MAY ADOPT RULES TO IMPLEMENT THIS SECTION.

31 Sec. 2. Section 28-3002, Arizona Revised Statutes, is amended to read:

32 28-3002. Fees; driver licenses; disposition

33 A. The following fees are required:

34 1. For each original or initial application or renewal application, if
35 a written examination is required, for the following:

36 (a) Class A driver license, twenty-five dollars.

37 (b) Class B driver license, twenty-five dollars.

38 (c) Class C driver license, twelve dollars fifty cents.

39 (d) Class D driver license issued pursuant to section 28-3171, ten
40 dollars.

41 (e) Class M driver license issued pursuant to section 28-3171, ten
42 dollars.

1 2. Except as provided in paragraph 1, for each original, renewal or
2 reinstatement application for a class D, G or M license:

3 Age	Fee
4 50 or older	\$10.00
5 45-49	\$15.00
6 40-44	\$20.00
7 39 or younger	\$25.00

8 3. For each original or initial application or renewal examination, if
9 a written application is required, for the following endorsements to a driver
10 license:

- 11 (a) Bus endorsement, ten dollars.
- 12 (b) Hazardous materials endorsement, ten dollars.
- 13 (c) Tank vehicle endorsement, ten dollars.
- 14 (d) Double-triple trailer endorsement, ten dollars.
- 15 (e) Motorcycle endorsement, seven dollars.

16 4. For taking each driving test for a:

- 17 (a) Class A driver license, twenty-five dollars.
- 18 (b) Class B driver license, twenty-five dollars.
- 19 (c) Class C driver license, twelve dollars fifty cents.
- 20 (d) Bus endorsement, five dollars.

21 5. For each application for an instruction permit under:

- 22 (a) Section 28-3154 or 28-3156, seven dollars.
- 23 (b) Section 28-3155, three dollars.
- 24 (c) Section 28-3225, class A, twenty-five dollars.
- 25 (d) Section 28-3225, class B, twenty-five dollars.
- 26 (e) Section 28-3225, class C, twelve dollars fifty cents.

27 6. For each renewal application, if a written examination is not
28 required, for a:

- 29 (a) Class A driver license and any endorsement, other than a hazardous
30 materials endorsement, to the license, fifteen dollars.
- 31 (b) Class B driver license and any endorsement, other than a hazardous
32 materials endorsement, to the license, fifteen dollars.
- 33 (c) Class C driver license and any endorsement, other than a hazardous
34 materials endorsement, to the license, ten dollars.

35 7. For each application for a duplicate of a driver license, an amount
36 determined by the director.

37 8. For each application for a duplicate of an instruction permit, two
38 dollars.

39 9. In addition to the fees prescribed in paragraph 2 and except as
40 provided in paragraph 11:

- 41 (a) For reinstatement of driving privileges after suspension or
42 disqualification, ten dollars.
- 43 (b) For reinstatement of driving privileges after revocation, twenty
44 dollars.

1 10. For each application for an extension by mail of a driver license,
2 five dollars.

3 11. In addition to the fees prescribed in paragraph 2, for
4 reinstatement of driving privileges that were suspended or denied pursuant to
5 section 28-1385 after completion of the suspension or revocation, fifty
6 dollars.

7 12. For vision screening tests of out-of-state drivers, five dollars.

8 13. For class D or M driver license skills tests for out-of-state
9 drivers, fifteen dollars.

10 14. FOR A DRIVER LICENSE OR NONOPERATING IDENTIFICATION LICENSE ISSUED
11 PURSUANT TO SECTION 28-3175, AN AMOUNT TO BE DETERMINED BY THE DIRECTOR.

12 B. Except as otherwise provided by statute, the director shall
13 immediately deposit, pursuant to sections 35-146 and 35-147, fees collected
14 under this section in the Arizona highway user revenue fund.

15 Sec. 3. Title 28, chapter 8, article 4, Arizona Revised Statutes, is
16 amended by adding section 28-3175, to read:

17 28-3175. Driver licenses; nonoperating identification licenses;
18 use for boarding aircraft; accessing restricted
19 areas; rules

20 A. NOTWITHSTANDING ANY OTHER LAW, ON OR BEFORE APRIL 1, 2016, IF A
21 DRIVER LICENSE APPLICANT OR NONOPERATING IDENTIFICATION LICENSE APPLICANT
22 REQUESTS A DRIVER LICENSE OR NONOPERATING IDENTIFICATION LICENSE THAT ALLOWS
23 THE APPLICANT TO BOARD A FEDERALLY REGULATED COMMERCIAL AIRCRAFT OR TO ACCESS
24 RESTRICTED AREAS IN FEDERAL FACILITIES, NUCLEAR POWER PLANTS OR MILITARY
25 FACILITIES, THE DEPARTMENT MUST ISSUE THE APPLICANT THE DRIVER LICENSE OR
26 NONOPERATING IDENTIFICATION LICENSE.

27 B. A DRIVER LICENSE OR NONOPERATING IDENTIFICATION LICENSE ISSUED
28 PURSUANT TO THIS SECTION:

29 1. SHALL BE VALID FOR A PERIOD NOT TO EXCEED EIGHT YEARS.

30 2. MAY NOT CONTAIN RADIO FREQUENCY IDENTIFICATION TECHNOLOGY.

31 C. THE DEPARTMENT SHALL ADOPT RULES TO IMPLEMENT THIS SECTION.

32 Sec. 4. Section 28-6991, Arizona Revised Statutes, is amended to read:

33 28-6991. State highway fund; sources

34 A state highway fund is established that consists of:

35 1. Monies distributed from the Arizona highway user revenue fund
36 pursuant to chapter 18 of this title.

37 2. Monies appropriated by the legislature.

38 3. Monies received from donations for the construction, improvement or
39 maintenance of state highways or bridges. These monies shall be credited to
40 a special account and shall be spent only for the purpose indicated by the
41 donor.

42 4. Monies received from counties under cooperative agreements,
43 including proceeds from bond issues. The state treasurer shall deposit these
44 monies to the credit of the fund in a special account on delivery to the
45 treasurer of a concise written agreement between the department and the

1 county stating the purposes for which the monies are surrendered by the
2 county, and these monies shall be spent only as stated in the agreement.

3 5. Monies received from the United States under an act of Congress to
4 provide aid for the construction of rural post roads, but monies received on
5 projects for which the monies necessary to be provided by this state are
6 wholly derived from sources mentioned in paragraphs 2 and 3 of this section
7 shall be allotted by the department and deposited by the state treasurer in
8 the special account within the fund established for each project. On
9 completion of the project, on the satisfaction and discharge in full of all
10 obligations of any kind created and on request of the department, the
11 treasurer shall transfer the unexpended balance in the special account for
12 the project into the state highway fund, and the unexpended balance and any
13 further federal aid thereafter received on account of the project may be
14 spent under the general provisions of this title.

15 6. Monies in the custody of an officer or agent of this state from any
16 source that is to be used for the construction, improvement or maintenance of
17 state highways or bridges.

18 7. Monies deposited in the state general fund and arising from the
19 disposal of state personal property belonging to the department.

20 8. Receipts from the sale or disposal of any or all other property
21 held by the department and purchased with state highway monies.

22 9. Monies generated pursuant to section 28-410.

23 10. Monies distributed pursuant to section 28-5808, subsection B,
24 paragraph 2, subdivision (d).

25 11. Monies deposited pursuant to sections 28-1143, 28-2353 and
26 28-3003.

27 12. Except as provided in section 28-5101, the following monies:

28 (a) Monies deposited pursuant to section 28-2206 and section 28-5808,
29 subsection B, paragraph 2, subdivision (e).

30 (b) One dollar of each registration fee and one dollar of each title
31 fee collected pursuant to section 28-2003.

32 (c) Two dollars of each late registration penalty collected by the
33 director pursuant to section 28-2162.

34 (d) The air quality compliance fee collected pursuant to section
35 49-542.

36 (e) The special plate administration fees collected pursuant to
37 sections 28-2404, 28-2412 through 28-2416, 28-2416.01, 28-2417 through
38 28-2451 and 28-2514.

39 (f) Monies collected pursuant to sections 28-372, 28-2155 and 28-2156
40 if the director is the registering officer.

41 13. Monies deposited pursuant to chapter 5, article 5 of this title.

42 14. Donations received pursuant to section 28-2269.

43 15. Dealer and registration monies collected pursuant to section
44 28-4304.

- 1 16. Abandoned vehicle administration monies deposited pursuant to
- 2 section 28-4804.
- 3 17. Monies deposited pursuant to section 28-710, subsection D,
- 4 paragraph 2.
- 5 18. Monies deposited pursuant to section 28-2065.
- 6 19. Monies deposited pursuant to section 28-7311.
- 7 20. Monies deposited pursuant to section 28-7059.
- 8 21. Monies deposited pursuant to section 28-1105.
- 9 22. Monies deposited pursuant to section 28-2448, subsection D.
- 10 23. Monies deposited pursuant to section 28-3415.
- 11 24. **MONIES DEPOSITED PURSUANT TO SECTION 28-3002, SUBSECTION A,**
- 12 **PARAGRAPH 14.**

13 Sec. 5. Exemption from rulemaking

14 For the purposes of section 28-3175, Arizona Revised Statutes, as added

15 by this act, and section 28-3002, Arizona Revised Statutes, as amended by

16 this act, the department of transportation is exempt from the rulemaking

17 requirements of title 41, chapter 6, Arizona Revised Statutes, for one year

18 after the effective date of section 28-3175, Arizona Revised Statutes. The

19 department of transportation shall provide public notice and an opportunity

20 for public comment on proposed rules at least thirty days before a rule is

21 adopted or amended.

22 Sec. 6. Conditional enactment; notice

23 A. Section 28-3175, Arizona Revised Statutes, as added by this act,

24 and sections 28-3002 and 28-6991, Arizona Revised Statutes, as amended by

25 this act, become effective only if by January 1, 2021 this state requests the

26 federal government to grant this state a waiver from complying with the

27 requirements of the REAL ID act of 2005 (P.L. 109-13, division B; 119 Stat.

28 302) and the federal government does not grant the waiver.

29 B. Section 28-3175, Arizona Revised Statutes, and section 28-3002,

30 Arizona Revised Statutes, as amended by this act, do not become effective if

31 by January 1, 2021:

- 32 1. This state does not request the waiver described in subsection A of
- 33 this section.
- 34 2. This state requests the waiver described in subsection A of this
- 35 section and receives the waiver from the federal government.

36 C. The department of transportation shall notify in writing the

37 director of the Arizona legislative council within three business days of the

38 date that the waiver is both:

- 39 1. Requested.
- 40 2. Granted or denied.

APPROVED BY THE GOVERNOR APRIL 13, 2015.

H.B. 2609

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 14, 2015.