

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 201
HOUSE BILL 2005

AN ACT

AMENDING SECTIONS 28-3303 AND 28-3306, 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. Section 28-3303, Arizona Revised Statutes, is amended to
3 read:

4 28-3303. Suspension or revocation of driver license or
5 privilege for actions outside of state

6 A. Except as provided in subsection B of this section, the
7 department may suspend or revoke the license or driving privilege of a
8 resident of this state or the privilege of a nonresident to drive a motor
9 vehicle in this state ~~or may~~ AND SHALL require the person to successfully
10 complete approved traffic survival school educational sessions as
11 prescribed in section 28-3306 on receipt of notice of a conviction of the
12 person of an offense in another jurisdiction that would be grounds for the
13 suspension or revocation of the person's driver license if the offense had
14 been committed in this state. Section 28-3306, subsections C through G
15 apply if a person's license or driving privilege is suspended or revoked
16 or if a person is required to successfully complete approved driver
17 educational sessions as provided by this subsection.

18 B. The department shall revoke the license or driving privilege of
19 a resident of this state or the privilege of a nonresident to drive a
20 motor vehicle in this state after receiving notice of a conviction of the
21 person in another jurisdiction and after determining that the conviction
22 was for an offense that if committed in this state would be grounds for
23 revocation pursuant to section 28-3304 or chapter 3, 4 or 5 of this title.

24 C. The department may suspend or revoke the driver license of a
25 resident of this state who fails to comply with the terms of a traffic
26 citation that is lawfully issued in a jurisdiction outside this state
27 pursuant to the nonresident violator compact adopted by chapter 6, article
28 4 of this title.

29 D. Notwithstanding chapter 6, articles 3 and 4 of this title and in
30 lieu of suspension of a driver license or driving privileges, the
31 department may issue a temporary driver license that is valid for a period
32 of not more than one hundred eighty days.

33 Sec. 2. Section 28-3306, Arizona Revised Statutes, is amended to
34 read:

35 28-3306. Discretionary license suspension or revocation;
36 traffic survival school; hearing

37 A. The department may suspend or revoke the license of a driver or
38 require a licensee to attend and successfully complete approved traffic
39 survival school educational sessions designed to improve the safety and
40 habits of drivers on a showing by department records or other sufficient
41 evidence that the licensee:

- 42 1. Has committed an offense for which mandatory revocation of the
43 license is required on conviction.

- 1 2. Has been involved as a driver in an accident resulting in the
2 death or personal injury of another or serious property damage.
- 3 3. Has been convicted of or adjudged to have violated traffic
4 regulations governing the movement of vehicles with such a frequency that
5 it indicates a disrespect for traffic laws and a disregard for the safety
6 of other persons on the highways.
- 7 4. Has been convicted of reckless driving as provided in section
8 28-693 or is a habitually reckless or negligent driver of a motor vehicle.
- 9 5. Is medically, psychologically or physically incapable of
10 operating a motor vehicle and, based on law enforcement, medical or other
11 department information, the continued operation of a motor vehicle by the
12 licensee would endanger the public health, safety and welfare.
- 13 6. Has committed or permitted an act involving an unlawful or
14 fraudulent use of the license.
- 15 7. Has committed an offense in another jurisdiction that if
16 committed in this state is grounds for suspension or revocation.
- 17 8. Has been convicted of a violation of section 28-1381 or 28-1382.
- 18 9. Has been convicted of a violation of section 28-1464.
- 19 B. On receipt of satisfactory evidence of a violation of a driver
20 license restriction, the department may suspend or revoke the driver
21 license.
- 22 C. On suspending or revoking the license of a person or requiring a
23 licensee to attend and successfully complete approved traffic survival
24 school educational sessions designed to improve the safety and habits of
25 drivers pursuant to this section, the department shall notify the licensee
26 in writing immediately.
- 27 D. On the receipt of the person's request for a hearing, the
28 department shall set the hearing within sixty days. The department may
29 hold the hearing in person, by telephone or by videoconference. If the
30 department holds the hearing in person, the department shall hold the
31 hearing in the county where the licensee resides unless the law
32 enforcement agency issuing the citation or affidavit that authorizes the
33 suspension or revocation requests at the time of issuance that the hearing
34 be held in the county where the violation allegedly occurred.
- 35 E. If a hearing is held, the department or its duly authorized
36 agent may administer oaths, may issue subpoenas for the attendance of
37 witnesses and the production of relevant books and papers and may require
38 a reexamination of the licensee.
- 39 F. At the hearing, the department shall either rescind its order of
40 suspension or its order requiring the licensee to attend and successfully
41 complete approved traffic survival school educational sessions or, if good
42 cause exists, the department may uphold or extend the order, revoke the
43 license or make any order that is within its discretionary power under
44 this section and that is in the interest of public safety.

1 G. If a licensee receives notice requiring the licensee to attend
2 and successfully complete approved traffic survival school educational
3 sessions and the department receives information of noncompliance with
4 this order, the department ~~may~~ SHALL amend the order to suspend or revoke
5 the license.

6 H. A person whose driver license is suspended or revoked as
7 provided in subsection A, paragraph 5 of this section may submit a written
8 request to the department for an administrative hearing. The person shall
9 submit the request for a hearing within fifteen days after the department
10 provides the person with notice of suspension or revocation. On receipt
11 of a proper request for a hearing, the department shall provide the person
12 with an opportunity for a hearing in the county where the person resides
13 within thirty days after the department receives the request. The request
14 for a hearing does not stay a summary suspension issued by the department.

15 I. The department shall remove a suspension from a record if the
16 person has completed all requirements imposed under this title or by a
17 court in this state, INCLUDING THE SUCCESSFUL COMPLETION OF TRAFFIC
18 SURVIVAL SCHOOL EDUCATIONAL SESSIONS, except for payment of reinstatement
19 fees as prescribed by section 28-3002. The person shall pay the
20 appropriate reinstatement fees that ~~is~~ ARE required under section 28-3002
21 when conducting a transaction with the department.

APPROVED BY THE GOVERNOR MAY 10, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 10, 2019.