

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

**CHAPTER 234**  
**HOUSE BILL 2707**

AN ACT

AMENDING SECTIONS 28-2351 AND 28-2403, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 7, ARTICLE 12, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-2463; AMENDING SECTION 28-6501, ARIZONA REVISED STATUTES; AMENDING SECTION 28-6991, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 248, SECTION 1, CHAPTER 307, SECTION 7 AND CHAPTER 308, SECTION 3; AMENDING SECTION 28-6991, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 248, SECTION 1, CHAPTER 298, SECTION 7, CHAPTER 307, SECTION 7 AND CHAPTER 308, SECTION 3; AMENDING SECTION 28-6993, ARIZONA REVISED STATUTES; RELATING TO SPECIAL LICENSE PLATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-2351, Arizona Revised Statutes, is amended to  
3 read:

4 28-2351. License plate provided; design

5 A. Notwithstanding any other law, the department shall provide to  
6 every owner one license plate for each vehicle registered. At the request  
7 of the owner and on payment of a fee in an amount prescribed by the  
8 director by rule, the department shall provide one additional license  
9 plate for a vehicle for which a special plate is requested pursuant to  
10 this chapter.

11 B. The license plate shall display the number assigned to the  
12 vehicle and to the owner of the vehicle and the name of this state, which  
13 may be abbreviated. The director shall coat the license plate with a  
14 reflective material that is consistent with the determination of the  
15 department regarding the color and design of license plates and special  
16 plates. The director shall design the license plate and the letters and  
17 numerals on the license plate to be of sufficient size to be plainly  
18 readable during daylight from a distance of one hundred feet. In addition  
19 to the standard license plate issued for a trailer before August 12, 2005,  
20 the director shall issue a license plate for trailers that has a design  
21 that is similar to the standard size license plate for trailers but that  
22 is the same size as the license plate for motorcycles. The trailer owner  
23 shall notify the department which size license plate the owner wants for  
24 the trailer.

25 C. Notwithstanding any other law, the department shall not contract  
26 with a nongovernmental entity to purchase or secure reflective material  
27 for the plates issued by the department unless the department has made a  
28 reasonable effort to secure qualified bids or proposals from as many  
29 individual responsible respondents as possible.

30 D. The department shall determine the color and design of the  
31 license plate. All other plates issued by the department, except the  
32 plates issued pursuant to sections 28-2404, 28-2412, 28-2413, 28-2414,  
33 28-2416, 28-2416.01, 28-2417 through ~~28-2462~~ 28-2463, 28-2472, 28-2473,  
34 28-2474, 28-2475 and 28-4533 and article 14 of this chapter, shall be the  
35 same color as and similar in design to the license plate as determined by  
36 the department.

37 E. A passenger motor vehicle that is rented without a driver shall  
38 receive the same type of license plate as is issued for a private  
39 passenger motor vehicle.

40 Sec. 2. Section 28-2403, Arizona Revised Statutes, is amended to  
41 read:

42 28-2403. Special plates; transfers; violation; classification

43 A. Except as otherwise provided in this article, the department  
44 shall issue or renew special plates in lieu of the regular license plates  
45 pursuant to the following conditions and procedures and only if the

1 requirements prescribed by this article for the requested special plates  
2 are met:

3 1. Except as provided in sections 28-2416 and 28-2416.01, a person  
4 who is the registered owner of a vehicle registered with the department or  
5 who applies for an original or renewal registration of a vehicle may  
6 submit to the department a completed application form as prescribed by the  
7 department with the fee prescribed by section 28-2402 for special plates  
8 in addition to the registration fee prescribed by section 28-2003.

9 2. Except for plates issued pursuant to sections 28-2404, 28-2412,  
10 28-2413, 28-2414, 28-2416, 28-2416.01, 28-2417 through ~~28-2462~~ 28-2463,  
11 28-2472, 28-2473, 28-2474 and 28-2475 and article 14 of this chapter, the  
12 special plates shall be the same color as and similar to the design of the  
13 regular license plates that is determined by the department.

14 3. Except as provided in section 28-2416, the department shall  
15 issue special plates only to the owner or lessee of a vehicle that is  
16 currently registered, including any vehicle that has a declared gross  
17 weight, as defined in section 28-5431, of twenty-six thousand pounds or  
18 less.

19 4. Except as provided in sections 28-2416 and 28-2416.01, the  
20 department shall charge the fee prescribed by section 28-2402 for each  
21 annual renewal of special plates in addition to the registration fee  
22 prescribed by section 28-2003.

23 B. Except as provided in sections 28-2416 and 28-2416.01, on  
24 notification to the department and on payment of the transfer fee  
25 prescribed by section 28-2402, a person who is issued special plates may  
26 transfer the special plates to another vehicle the person owns or leases.  
27 Persons who are issued special plates for hearing impaired persons  
28 pursuant to section 28-2408 and international symbol of access special  
29 plates pursuant to section 28-2409 are exempt from the transfer fee. If a  
30 person who is issued special plates sells, trades or otherwise releases  
31 ownership of the vehicle on which the plates have been displayed, the  
32 person shall immediately report the transfer of the plates to the  
33 department or the person shall surrender the plates to the department as  
34 prescribed by the director. It is unlawful for a person to whom the  
35 plates have been issued to knowingly permit them to be displayed on a  
36 vehicle except the vehicle authorized by the department.

37 C. The special plates shall be affixed to the vehicle for which  
38 registration is sought in lieu of the regular license plates.

39 D. A person is guilty of a class 3 misdemeanor who:

40 1. Violates subsection B of this section.

41 2. Fraudulently gives false or fictitious information in the  
42 application for or renewal of special plates or placards issued pursuant  
43 to this article.

1           3. Conceals a material fact or otherwise commits fraud in the  
2 application for or renewal of special plates or placards issued pursuant  
3 to this article.

4           Sec. 3. Title 28, chapter 7, article 12, Arizona Revised Statutes,  
5 is amended by adding section 28-2463, to read:

6           28-2463. Humanitarian services special plates; fund

7           A. IF, BY DECEMBER 31, 2019, A PERSON PAYS \$32,000 TO THE  
8 DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL  
9 ISSUE HUMANITARIAN SERVICES SPECIAL PLATES. THE PERSON THAT PROVIDES THE  
10 \$32,000 SHALL DESIGN THE HUMANITARIAN SERVICES SPECIAL PLATES. THE DESIGN  
11 AND COLOR OF THE HUMANITARIAN SERVICES SPECIAL PLATES ARE SUBJECT TO THE  
12 APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR  
13 HUMANITARIAN SERVICES SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR  
14 PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION,  
15 THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT  
16 TO THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES  
17 REQUIRED FOR THE HUMANITARIAN SERVICES SPECIAL PLATES.

18           B. OF THE \$25 FEE REQUIRED BY SECTION 28-2402 FOR THE ORIGINAL  
19 SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, \$8 IS A SPECIAL PLATE  
20 ADMINISTRATION FEE AND \$17 IS AN ANNUAL DONATION.

21           C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
22 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
23 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO  
24 THIS SECTION IN THE HUMANITARIAN SERVICES SPECIAL PLATE FUND ESTABLISHED  
25 BY THIS SECTION.

26           D. THE HUMANITARIAN SERVICES SPECIAL PLATE FUND IS ESTABLISHED  
27 CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE DIRECTOR  
28 SHALL ADMINISTER THE FUND. THE FIRST \$32,000 IN THE FUND SHALL BE  
29 REIMBURSED TO THE PERSON THAT PAID THE IMPLEMENTATION FEE TO THE  
30 DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN TEN  
31 PERCENT OF MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE  
32 COST OF ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY  
33 APPROPRIATED.

34           E. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND,  
35 EXCLUDING ADMINISTRATIVE FEES, TO A CHARITABLE ORGANIZATION THAT IS  
36 QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE  
37 CODE FOR FEDERAL INCOME TAX PURPOSES AND THAT MEETS ALL OF THE FOLLOWING:

- 38           1. WAS FOUNDED IN 1917 BY A RESIDENT OF THIS STATE.
- 39           2. HAS ALMOST ONE MILLION FIVE HUNDRED THOUSAND MEMBERS WORLDWIDE.
- 40           3. IS THE LARGEST NONGOVERNMENTAL ENTITY IN THE WORLD.
- 41           4. IS THE ONLY NONGOVERNMENTAL ENTITY WITH A PRESENCE AT THE UNITED  
42 NATIONS.
- 43           5. HAS A MISSION TO LEARN, DISCOVER, ACT AND CELEBRATE.
- 44           6. FOCUSES ON VISION, YOUTH, DISASTER RELIEF, HUMANITARIAN AID,  
45 DIABETES, HUNGER, THE ENVIRONMENT AND CHILDHOOD CANCER.

1 F. THE MONIES DISTRIBUTED PURSUANT TO SUBSECTION E OF THIS SECTION  
2 SHALL BE USED FOR THE FOLLOWING:

- 3 1. SUMMER CAMP PROGRAMS FOR SPECIAL NEEDS CHILDREN AND ADULTS.
- 4 2. VISION AND HEARING SERVICES.
- 5 3. MAINTAINING AND OPERATING THE CHARITABLE ORGANIZATION'S MEMORIAL  
6 AND VISITOR CENTER.
- 7 4. COMMUNITY SERVICE PROJECTS.
- 8 5. SENIOR CARE FACILITIES.

9 G. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST  
10 AND DIVEST MONIES IN THE FUND AS PROVIDED IN SECTION 35-313, AND MONIES  
11 EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

12 Sec. 4. Section 28-6501, Arizona Revised Statutes, is amended to  
13 read:

14 28-6501. Definition of highway user revenues

15 In this article, unless the context otherwise requires or except as  
16 otherwise provided by statute, "highway user revenues" means all monies  
17 received in this state from licenses, taxes, penalties, interest and fees  
18 authorized by the following:

- 19 1. Chapters 2, 7, 8 and 15 of this title, except for:

20 (a) The special plate administration fees prescribed in sections  
21 28-2404, 28-2407, 28-2412 through ~~28-2462~~ 28-2463 and 28-2514.

22 (b) The donations prescribed in sections 28-2404, 28-2407, 28-2412  
23 through 28-2415, 28-2417 through ~~28-2462~~ 28-2463, 28-2473, 28-2474 and  
24 28-2475.

- 25 2. Section 28-1177.

- 26 3. Chapters 10 and 11 of this title.

27 4. Chapter 16, articles 1, 2 and 4 of this title, except as  
28 provided in sections 28-5926 and 28-5927.

29 Sec. 5. Section 28-6991, Arizona Revised Statutes, as amended by  
30 Laws 2018, chapter 248, section 1, chapter 307, section 7 and chapter 308,  
31 section 3, is amended to read:

32 28-6991. State highway fund; sources

33 The state highway fund is established that consists of:

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

- 36 2. Monies appropriated by the legislature.

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

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

1 monies are surrendered by the county or city, and these monies shall be  
2 spent only as stated in the agreement.

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

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

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

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

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

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

26 11. Monies deposited pursuant to sections 28-1143, 28-2353 and  
27 28-3003.

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

29 (a) Monies deposited pursuant to section 28-2206 and section  
30 28-5808, subsection B, paragraph 2, subdivision (e).

31 (b) ~~One dollar~~ \$1 of each registration fee and ~~one dollar~~ \$1 of  
32 each title fee collected pursuant to section 28-2003.

33 (c) ~~Two dollars~~ \$2 of each late registration penalty collected by  
34 the director pursuant to section 28-2162.

35 (d) The air quality compliance fee collected pursuant to section  
36 49-542.

37 (e) The special plate administration fees collected pursuant to  
38 sections 28-2404, 28-2407, 28-2412 through 28-2416, 28-2416.01, 28-2417  
39 through ~~28-2462~~ 28-2463 and 28-2514.

40 (f) Monies collected pursuant to sections 28-372, 28-2155 and  
41 28-2156 if the director is the registering officer.

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

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

- 1           15. Dealer and registration monies collected pursuant to section  
2 28-4304.
- 3           16. Abandoned vehicle administration monies deposited pursuant to  
4 section 28-4804.
- 5           17. Monies deposited pursuant to section 28-710, subsection D,  
6 paragraph 2.
- 7           18. Monies deposited pursuant to section 28-2065.
- 8           19. Monies deposited pursuant to section 28-7311.
- 9           20. Monies deposited pursuant to section 28-7059.
- 10          21. Monies deposited pursuant to section 28-1105.
- 11          22. Monies deposited pursuant to section 28-2448, subsection D.
- 12          23. Monies deposited pursuant to section 28-3415.
- 13          24. Monies deposited pursuant to section 28-3002, subsection A,  
14 paragraph 14.
- 15          25. Monies deposited pursuant to section 28-7316.
- 16          26. Monies deposited pursuant to section 28-4302.
- 17          27. Monies deposited pursuant to section 28-3416.
- 18          28. Monies deposited pursuant to section 28-4504.
- 19          Sec. 6. Section 28-6991, Arizona Revised Statutes, as amended by  
20 Laws 2018, chapter 248, section 1, chapter 298, section 7, chapter 307,  
21 section 7 and chapter 308, section 3, is amended to read:  
22           28-6991. State highway fund; sources  
23           The state highway fund is established that consists of:  
24           1. Monies distributed from the Arizona highway user revenue fund  
25 pursuant to chapter 18 of this title.  
26           2. Monies appropriated by the legislature.  
27           3. Monies received from donations for the construction, improvement  
28 or maintenance of state highways or bridges. These monies shall be  
29 credited to a special account and shall be spent only for the purpose  
30 indicated by the donor.  
31           4. Monies received from counties or cities under cooperative  
32 agreements, including proceeds from bond issues. The state treasurer  
33 shall deposit these monies to the credit of the fund in a special account  
34 on delivery to the treasurer of a concise written agreement between the  
35 department and the county or city stating the purposes for which the  
36 monies are surrendered by the county or city, and these monies shall be  
37 spent only as stated in the agreement.  
38           5. Monies received from the United States under an act of Congress  
39 to provide aid for the construction of rural post roads, but monies  
40 received on projects for which the monies necessary to be provided by this  
41 state are wholly derived from sources mentioned in paragraphs 2 and 3 of  
42 this section shall be allotted by the department and deposited by the  
43 state treasurer in the special account within the fund established for  
44 each project. On completion of the project, on the satisfaction and  
45 discharge in full of all obligations of any kind created and on request of

1 the department, the treasurer shall transfer the unexpended balance in the  
2 special account for the project into the state highway fund, and the  
3 unexpended balance and any further federal aid thereafter received on  
4 account of the project may be spent under the general provisions of this  
5 title.

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

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

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

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

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

16 11. Monies deposited pursuant to sections 28-1143, 28-2353 and  
17 28-3003.

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

19 (a) Monies deposited pursuant to section 28-2206 and section  
20 28-5808, subsection B, paragraph 2, subdivision (e).

21 (b) ~~One dollar~~ \$1 of each registration fee and ~~one dollar~~ \$1 of  
22 each title fee collected pursuant to section 28-2003.

23 (c) ~~Two dollars~~ \$2 of each late registration penalty collected by  
24 the director pursuant to section 28-2162.

25 (d) The air quality compliance fee collected pursuant to section  
26 49-542.

27 (e) The special plate administration fees collected pursuant to  
28 sections 28-2404, 28-2407, 28-2412 through 28-2416, 28-2416.01, 28-2417  
29 through ~~28-2462~~ 28-2463 and 28-2514.

30 (f) Monies collected pursuant to sections 28-372, 28-2155 and  
31 28-2156 if the director is the registering officer.

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

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

35 15. Dealer and registration monies collected pursuant to section  
36 28-4304.

37 16. Abandoned vehicle administration monies deposited pursuant to  
38 section 28-4804.

39 17. Monies deposited pursuant to section 28-710, subsection D,  
40 paragraph 2.

41 18. Monies deposited pursuant to section 28-2065.

42 19. Monies deposited pursuant to section 28-7311.

43 20. Monies deposited pursuant to section 28-7059.

44 21. Monies deposited pursuant to section 28-1105.

45 22. Monies deposited pursuant to section 28-2448, subsection D.



1           23. Monies deposited pursuant to section 28-3415.

2           24. Monies deposited pursuant to section 28-3002, subsection A,  
3 paragraph 14.

4           25. Monies deposited pursuant to section 28-7316.

5           26. Monies deposited pursuant to section 28-4302.

6           27. Monies deposited pursuant to section 28-3416.

7           28. Monies deposited pursuant to section 28-4504.

8           29. Monies deposited pursuant to section 28-2098.

9           Sec. 7. Section 28-6993, Arizona Revised Statutes, is amended to  
10 read:

11           28-6993. State highway fund; authorized uses

12           A. Except as provided in subsection B of this section and section  
13 28-6538, the state highway fund shall be used for any of the following  
14 purposes in strict conformity with and subject to the budget as provided  
15 by this section and by sections 28-6997 through 28-7003:

16           1. To pay salaries, wages, necessary travel expenses and other  
17 expenses of officers and employees of the department and the incidental  
18 office expenses, including telegraph, telephone, postal and express  
19 charges and printing, stationery and advertising expenses.

20           2. To pay for both:

21           (a) Equipment, supplies, machines, tools, department offices and  
22 laboratories established by the department.

23           (b) The construction and repair of buildings or yards of the  
24 department.

25           3. To pay the cost of both:

26           (a) Engineering, construction, improvement and maintenance of state  
27 highways and parts of highways forming state routes.

28           (b) Highways under cooperative agreements with the United States  
29 that are entered into pursuant to this chapter and an act of Congress  
30 providing for the construction of rural post roads.

31           4. To pay land damages incurred by reason of establishing, opening,  
32 altering, relocating, widening or abandoning portions of a state route or  
33 state highway.

34           5. To reimburse the department revolving account.

35           6. To pay premiums on authorized indemnity bonds and on  
36 compensation insurance under the workers' compensation act.

37           7. To defray lawful expenses and costs required to administer and  
38 carry out the intent, purposes and provisions of this title, including  
39 repayment of obligations entered into pursuant to this title, payment of  
40 interest on obligations entered into pursuant to this title, repayment of  
41 loans and other financial assistance, including repayment of advances and  
42 interest on advances made to the department pursuant to section 28-7677,  
43 and payment of all other obligations and expenses of the board and  
44 department pursuant to chapter 21 of this title.

1           8. To pay lawful bills and charges incurred by the state engineer.

2           9. To acquire, construct or improve entry roads to state parks or  
3 roads within state parks.

4           10. To acquire, construct or improve entry roads to state prisons.

5           11. To pay the cost of relocating a utility facility pursuant to  
6 section 28-7156.

7           12. For the purposes provided in subsections C, D and E of this  
8 section and sections 28-1143, 28-2353 and 28-3003.

9           13. To pay the cost of issuing an Arizona centennial special plate  
10 pursuant to section 28-2448.

11           B. For each fiscal year, the department of transportation shall  
12 allocate and transfer monies in the state highway fund to the department  
13 of public safety for funding a portion of highway patrol costs in eight  
14 installments in each of the first eight months of a fiscal year that do  
15 not exceed ~~ten million dollars~~ \$10,000,000.

16           C. Subject to legislative appropriation, the department may use the  
17 monies in the state highway fund as prescribed in section 28-6991,  
18 paragraph 12 to carry out the duties imposed by this title for  
19 registration or titling of vehicles, to operate joint title, registration  
20 and driver licensing offices, to cover the administrative costs of issuing  
21 the air quality compliance sticker, modifying the year validating tab and  
22 issuing the windshield sticker and to cover expenses and costs in issuing  
23 special plates pursuant to sections 28-2404, 28-2407, 28-2412 through  
24 ~~28-2462~~ 28-2463 and 28-2514.

25           D. The department shall use monies deposited in the state highway  
26 fund pursuant to chapter 5, article 5 of this title only as prescribed by  
27 that article.

28           E. Monies deposited in the state highway fund pursuant to section  
29 28-2269 shall be used only as prescribed by that section.

30           F. Monies deposited in the state highway fund pursuant to section  
31 28-710, subsection D, paragraph 2 shall only be used for state highway  
32 work zone traffic control devices.

33           G. The department may exchange monies distributed to the state  
34 highway fund pursuant to section 28-6538, subsection A, paragraph 1 for  
35 local government surface transportation program federal monies  
36 suballocated to councils of government and metropolitan planning  
37 organizations if the local government scheduled to receive the federal  
38 monies concurs. An exchange of state highway fund monies pursuant to this  
39 subsection shall be in an amount that is at least equal to ninety percent  
40 of the federal obligation authority that exists in the project for which  
41 the exchange is proposed.

42           H. The department shall use monies deposited in the state highway  
43 fund pursuant to section 28-1105, subsection A, paragraph 2, subdivision  
44 (a) only for a transportation facility that is located within twenty  
45 drivable miles of the international port of entry and shall spend the

1 monies proportionally based on the amount of total monies collected  
2 pursuant to section 28-1105, subsection A, paragraph 2, subdivision (a).  
3 For the purposes of this subsection, "transportation facility" means a  
4 highway or a state route or a county, city or town road that is used by a  
5 commercial vehicle or a commercial vehicle combination for which an axle  
6 fee is paid pursuant to section 28-5474.

7       Sec. 8. Effective date

8       Except as provided in section 9 of this act, this act is effective  
9 from and after September 30, 2019.

10       Sec. 9. Conditional enactment

11       Section 28-6991, Arizona Revised Statutes, as amended by Laws 2018,  
12 chapter 248, section 1, chapter 298, section 7, chapter 307, section 7 and  
13 chapter 308, section 3 and this act, becomes effective on the date  
14 prescribed by Laws 2018, chapter 298, section 12 but only on the  
15 occurrence of the condition prescribed by Laws 2018, chapter 298,  
16 section 12 and not before from and after September 30, 2019.

APPROVED BY THE GOVERNOR MAY 14, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 14, 2019.