

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

CHAPTER 255
HOUSE BILL 2492

AN ACT

AMENDING SECTION 28-672, ARIZONA REVISED STATUTES; RELATING TO MOTOR
VEHICLE ACCIDENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-672, Arizona Revised Statutes, is amended to
3 read:

4 28-672. Causing serious physical injury or death by a moving
5 violation; time limitation; penalties; violation;
6 classification; definition

7 A. A person is guilty of causing serious physical injury or death
8 by a moving violation if the person violates any one of the following and
9 the violation results in an accident causing serious physical injury or
10 death to another person:

11 1. Section 28-645, subsection A, paragraph 3, subdivision (a).

12 2. SECTION 28-710.

13 ~~2.~~ 3. Section 28-729.

14 ~~3.~~ 4. Section 28-771.

15 ~~4.~~ 5. Section 28-772.

16 ~~5.~~ 6. Section 28-773.

17 ~~6.~~ 7. Section 28-792.

18 ~~7.~~ 8. Section 28-794.

19 ~~8.~~ 9. Section 28-797, subsection F, G, H or I.

20 ~~9.~~ 10. Section 28-855, subsection B.

21 ~~10.~~ 11. Section 28-857, subsection A.

22 B. A person who violates this section shall attend and successfully
23 complete traffic survival school educational sessions that are designed to
24 improve the safety and habits of drivers and that are approved by the
25 department. In addition, the court may order the person to perform
26 community restitution.

27 C. The court shall report a conviction for a violation of this
28 section to the department and:

29 1. For a first violation of this section, may direct the department
30 to suspend the person's driving privilege for not more than one hundred
31 eighty days if the violation results in serious physical injury and not
32 more than one year if the violation results in death.

33 2. For a second or subsequent violation of this section within a
34 period of thirty-six months, shall direct the department to suspend the
35 person's driving privilege for one hundred eighty days if the violation
36 results in serious physical injury and one year if the violation results
37 in death.

38 D. If a person's driving privilege is suspended pursuant to any
39 other statute because of an incident involving a violation of this
40 section, the suspension period prescribed in subsection C of this section
41 shall run consecutively with the other suspension period.

42 E. If a person fails to successfully complete traffic survival
43 school educational sessions or perform community restitution pursuant to
44 this section, the court shall notify the department and the department
45 shall promptly suspend the driver license or permit of the driver or the

1 privilege of a nonresident to drive a motor vehicle in this state until
2 the order is satisfied.

3 F. If the person who suffers serious physical injury as a result of
4 a violation of this section appears before the court in which the action
5 is pending at any time before trial and acknowledges receipt of
6 satisfaction for the injury, on payment of the costs incurred, the court
7 shall order that the prosecution be dismissed and the defendant be
8 discharged. The reasons for the order shall be set forth and entered of
9 record, and the order shall be a bar to another prosecution for the same
10 offense.

11 G. Restitution awarded pursuant to section 13-603 as a result of a
12 violation of this section shall not exceed ~~one hundred thousand dollars~~
13 \$100,000.

14 H. A prosecution for a violation of this section must be commenced
15 within two years after actual discovery of the offense by the state or the
16 political subdivision having jurisdiction or discovery by the state or the
17 political subdivision that should have occurred with the exercise of
18 reasonable diligence, whichever first occurs.

19 I. A person who violates this section is guilty of a class 1
20 misdemeanor.

21 J. For the purposes of this section, "serious physical injury" has
22 the same meaning prescribed in section 13-105.

23 Sec. 2. Short title

24 This act may be cited as the "Jarvis K. Crenshaw Act".

APPROVED BY THE GOVERNOR MAY 25, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 25, 2019.