HOUSE BILL 2132

AN ACT

AMENDING SECTION 28-101, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 9, SECTION 1, CHAPTER 163, SECTION 1, CHAPTER 166, SECTION 1, CHAPTER 306, SECTION 1 AND CHAPTER 324, SECTION 1; AMENDING SECTION 28-101, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 306, SECTION 2; AMENDING SECTION 28-101, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 9, SECTION 1, CHAPTER 163, SECTION 1, CHAPTER 166, SECTION 1, CHAPTER 298, SECTION 3, CHAPTER 306, SECTION 1 AND CHAPTER 324, SECTION 1; AMENDING SECTION 28-904, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 306, SECTION 5; AMENDING SECTION 28-904, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 306, SECTION 6; AMENDING SECTION 28-908, ARIZONA REVISED STATUTES; RELATING TO TRANSPORTATION DEVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 28-101, Arizona Revised Statutes, as amended by Laws 2018, chapter 9, section 1, chapter 163, section 1, chapter 166, section 1, chapter 306, section 1 and chapter 324, section 1, is amended to read:

28-101. Definitions
In this title, unless the context otherwise requires:
1. "Alcohol" means any substance containing any form of alcohol, including ethanol, methanol, propynol and isopropynol.
2. "Alcohol concentration" if expressed as a percentage means either:
   (a) The number of grams of alcohol per one hundred milliliters of blood.
   (b) The number of grams of alcohol per two hundred ten liters of breath.
3. "All-terrain vehicle" means either of the following:
   (a) A motor vehicle that satisfies all of the following:
      (i) Is designed primarily for recreational nonhighway all-terrain travel.
      (ii) Is fifty or fewer inches in width.
      (iii) Has an unladen weight of one thousand two hundred pounds or less.
      (iv) Travels on three or more nonhighway tires.
      (v) Is operated on a public highway.
   (b) A recreational off-highway vehicle that satisfies all of the following:
      (i) Is designed primarily for recreational nonhighway all-terrain travel.
      (ii) Is eighty or fewer inches in width.
      (iii) Has an unladen weight of two thousand five hundred pounds or less.
      (iv) Travels on four or more nonhighway tires.
      (v) Has a steering wheel for steering control.
      (vi) Has a rollover protective structure.
      (vii) Has an occupant retention system.
4. "Authorized emergency vehicle" means any of the following:
   (a) A fire department vehicle.
   (b) A police vehicle.
   (c) An ambulance or emergency vehicle of a municipal department or public service corporation that is designated or authorized by the department or a local authority.
   (d) Any other ambulance, fire truck or rescue vehicle that is authorized by the department in its sole discretion and that meets liability insurance requirements prescribed by the department.
5. "Autocycle" means a three-wheeled motorcycle on which the driver and passengers ride in a fully or partially enclosed seating area that is equipped with a roll cage, safety belts for each occupant and antilock brakes and that is designed to be controlled with a steering wheel and pedals.

6. "Aviation fuel" means all flammable liquids composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating an internal combustion engine for use in an aircraft but does not include fuel for jet or turbine powered aircraft.

7. "Bicycle" means a device, including a racing wheelchair, that is propelled by human power and on which a person may ride and that has either:
   (a) Two tandem wheels, either of which is more than sixteen inches in diameter.
   (b) Three wheels in contact with the ground, any of which is more than sixteen inches in diameter.

8. "Board" means the transportation board.

9. "Bus" means a motor vehicle designed for carrying sixteen or more passengers, including the driver.

10. "Business district" means the territory contiguous to and including a highway if there are buildings in use for business or industrial purposes within any six hundred feet along the highway, including hotels, banks or office buildings, railroad stations and public buildings that occupy at least three hundred feet of frontage on one side or three hundred feet collectively on both sides of the highway.

11. "Certificate of ownership" means a paper or an electronic record that is issued in another state or a foreign jurisdiction and that indicates ownership of a vehicle.

12. "Certificate of title" means a paper document or an electronic record that is issued by the department and that indicates ownership of a vehicle.

13. "Combination of vehicles" means a truck or truck tractor and semitrailer and any trailer that it tows but does not include a forklift designed for the purpose of loading or unloading the truck, trailer or semitrailer.

14. "Controlled substance" means a substance so classified under section 102(6) of the controlled substances act (21 United States Code section 802(6)) and includes all substances listed in schedules I through V of 21 Code of Federal Regulations part 1308.

15. "Conviction" means:
   (a) An unvacated adjudication of guilt or a determination that a person violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal.
(b) An unvacated forfeiture of bail or collateral deposited to secure the person’s appearance in court.

c) A plea of guilty or no contest accepted by the court.

d) The payment of a fine or court costs.

16. "County highway" means a public road that is constructed and maintained by a county.

17. "Dealer" means a person who is engaged in the business of buying, selling or exchanging motor vehicles, trailers or semitrailers and who has an established place of business and has paid fees pursuant to section 28-4302.

18. "Department" means the department of transportation acting directly or through its duly authorized officers and agents.

19. "Digital network or software application" has the same meaning prescribed in section 28-9551.

20. "Director" means the director of the department of transportation.

21. "Drive" means to operate or be in actual physical control of a motor vehicle.

22. "Driver" means a person who drives or is in actual physical control of a vehicle.

23. "Driver license" means a license that is issued by a state to an individual and that authorizes the individual to drive a motor vehicle.

24. "Electric bicycle" means a bicycle or tricycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts and that meets the requirements of one of the following classes:

    (a) "Class 1 electric bicycle" means a bicycle or tricycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle or tricycle reaches the speed of twenty miles per hour.

    (b) "Class 2 electric bicycle" means a bicycle or tricycle that is equipped with an electric motor that may be used exclusively to propel the bicycle or tricycle and that is not capable of providing assistance when the bicycle or tricycle reaches the speed of twenty miles per hour.

    (c) "Class 3 electric bicycle" means a bicycle or tricycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle or tricycle reaches the speed of twenty-eight miles per hour.

25. "Electric personal assistive mobility device" means a self-balancing device with one wheel or two nontandem wheels and an electric propulsion system that limits the maximum speed of the device to fifteen miles per hour or less and that is designed to transport only one person.

26. "Evidence" includes both of the following:
(a) A display on a wireless communication device of a department-generated driver license, nonoperating identification license, vehicle registration card or other official record of the department that is presented to a law enforcement officer or in a court or an administrative proceeding.

(b) An electronic or digital license plate authorized pursuant to section 28-364.

27. "Farm" means any lands primarily used for agriculture production.

28. "Farm tractor" means a motor vehicle designed and used primarily as a farm implement for drawing implements of husbandry.

29. "Foreign vehicle" means a motor vehicle, trailer or semitrailer that is brought into this state other than in the ordinary course of business by or through a manufacturer or dealer and that has not been registered in this state.

30. "Golf cart" means a motor vehicle that has not less than three wheels in contact with the ground, that has an unladen weight of less than one thousand eight hundred pounds, that is designed to be and is operated at not more than twenty-five miles per hour and that is designed to carry not more than four persons including the driver.

31. "Hazardous material" means a material, and its mixtures or solutions, that the United States department of transportation determines under 49 Code of Federal Regulations is, or any quantity of a material listed as a select agent or toxin under 42 Code of Federal Regulations part 73 that is, capable of posing an unreasonable risk to health, safety and property if transported in commerce and that is required to be placarded or marked as required by the department's safety rules prescribed pursuant to chapter 14 of this title.

32. "Implement of husbandry" means a vehicle that is designed primarily for agricultural purposes and that is used exclusively in the conduct of agricultural operations, including an implement or vehicle whether self-propelled or otherwise that meets both of the following conditions:

(a) Is used solely for agricultural purposes including the preparation or harvesting of cotton, alfalfa, grains and other farm crops.

(b) Is only incidentally operated or moved on a highway whether as a trailer or self-propelled unit. For the purposes of this subdivision, "incidentally operated or moved on a highway" means travel between a farm and another part of the same farm, from one farm to another farm or between a farm and a place of repair, supply or storage.

33. "Limousine" means a motor vehicle providing prearranged ground transportation service for an individual passenger, or a group of passengers, that is arranged in advance or is operated on a regular route or between specified points and includes ground transportation under a contract or agreement for services that includes a fixed rate or time and
is provided in a motor vehicle with a seating capacity not exceeding fifteen passengers including the driver.

34. "Livery vehicle" means a motor vehicle that:
   (a) Has a seating capacity not exceeding fifteen passengers including the driver.
   (b) Provides passenger services for a fare determined by a flat rate or flat hourly rate between geographic zones or within a geographic area.
   (c) Is available for hire on an exclusive or shared ride basis.
   (d) May do any of the following:
      (i) Operate on a regular route or between specified places.
      (ii) Offer prearranged ground transportation service as defined in section 28-141.
      (iii) Offer on demand ground transportation service pursuant to a contract with a public airport, licensed business entity or organization.

35. "Local authority" means any county, municipal or other local board or body exercising jurisdiction over highways under the constitution and laws of this state.

36. "Manufacturer" means a person engaged in the business of manufacturing motor vehicles, trailers or semitrailers.

37. "Moped" means a bicycle, not including an electric bicycle, that is equipped with a helper motor if the vehicle has a maximum piston displacement of fifty cubic centimeters or less, a brake horsepower of one and one-half or less and a maximum speed of twenty-five miles per hour or less on a flat surface with less than a one percent grade.

38. "Motorcycle" means a motor vehicle that has a seat or saddle for the use of the rider and that is designed to travel on not more than three wheels in contact with the ground but excludes a tractor, an electric bicycle and a moped.

39. "Motor driven cycle" means a motorcycle, including every motor scooter, with a motor that produces not more than five horsepower but does not include an electric bicycle.

40. "Motorized quadricycle" means a self-propelled motor vehicle to which all of the following apply:
   (a) The vehicle is self-propelled by an emission-free electric motor and may include pedals operated by the passengers.
   (b) The vehicle has at least four wheels in contact with the ground.
   (c) The vehicle seats at least eight passengers, including the driver.
   (d) The vehicle is operable on a flat surface using solely the electric motor without assistance from the pedals or passengers.
   (e) The vehicle is a commercial motor vehicle as defined in section 28-5201.
(f) The vehicle is a limousine operating under a vehicle for hire company permit issued pursuant to section 28-9503.

(g) The vehicle is manufactured by a motor vehicle manufacturer that is licensed pursuant to chapter 10 of this title.

(h) The vehicle complies with the definition and standards for low-speed vehicles set forth in federal motor vehicle safety standard 500 and 49 Code of Federal Regulations sections 571.3(b) and 571.500, respectively.

41. "Motor vehicle":
   (a) Means either:
   (i) A self-propelled vehicle.
   (ii) For the purposes of the laws relating to the imposition of a tax on motor vehicle fuel, a vehicle that is operated on the highways of this state and that is propelled by the use of motor vehicle fuel.
   (b) Does not include a personal delivery device, A PERSONAL MOBILE CARGO CARRYING DEVICE, a motorized wheelchair, an electric personal assistive mobility device, an electric bicycle or a motorized skateboard.
   For the purposes of this subdivision:
   (i) "Motorized skateboard" means a self-propelled device that has a motor, a deck on which a person may ride and at least two tandem wheels in contact with the ground.
   (ii) "Motorized wheelchair" means a self-propelled wheelchair that is used by a person for mobility.

42. "Motor vehicle fuel" includes all products that are commonly or commercially known or sold as gasoline, including casinghead gasoline, natural gasoline and all flammable liquids, and that are composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating internal combustion engines. Motor vehicle fuel does not include inflammable liquids that are specifically manufactured for racing motor vehicles and that are distributed for and used by racing motor vehicles at a racetrack, use fuel as defined in section 28-5601, aviation fuel, fuel for jet or turbine powered aircraft or the mixture created at the interface of two different substances being transported through a pipeline, commonly known as transmix.

43. "Neighborhood electric vehicle" means a self-propelled electrically powered motor vehicle to which all of the following apply:
   (a) The vehicle is emission free.
   (b) The vehicle has at least four wheels in contact with the ground.
   (c) The vehicle complies with the definition and standards for low-speed vehicles set forth in federal motor vehicle safety standard 500 and 49 Code of Federal Regulations sections 571.3(b) and 571.500, respectively.
44. "Nonresident" means a person who is not a resident of this state as defined in section 28-2001.

45. "Off-road recreational motor vehicle" means a motor vehicle that is designed primarily for recreational nonhighway all-terrain travel and that is not operated on a public highway. Off-road recreational motor vehicle does not mean a motor vehicle used for construction, building trade, mining or agricultural purposes.

46. "Operator" means a person who drives a motor vehicle on a highway, who is in actual physical control of a motor vehicle on a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.

47. "Owner" means:
   (a) A person who holds the legal title of a vehicle.
   (b) If a vehicle is the subject of an agreement for the conditional sale or lease with the right of purchase on performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, the conditional vendee or lessee.
   (c) If a mortgagor of a vehicle is entitled to possession of the vehicle, the mortgagor.

48. "Pedestrian" means any person afoot. A person who uses an electric personal assistive mobility device or a manual or motorized wheelchair is considered a pedestrian unless the manual wheelchair qualifies as a bicycle. For the purposes of this paragraph, "motorized wheelchair" means a self-propelled wheelchair that is used by a person for mobility.

49. "Personal delivery device":
   (a) Means an electronically powered device that:
       (i) Is operated primarily on sidewalks and within crosswalks and that is designed to transport property.
       (ii) Weighs less than two hundred pounds, excluding cargo, unless otherwise authorized by a local authority pursuant to section 28-627.
       (iii) Operates at a maximum speed of seven miles per hour, unless otherwise authorized by a local authority pursuant to section 28-627.
       (iv) Is equipped with technology to allow for the operation of the device with or without the active control or monitoring of a natural person.
       (v) Is equipped with a braking system that when active or engaged enables the personal delivery device to come to a controlled stop.
   (b) DOES NOT INCLUDE A PERSONAL MOBILE CARGO CARRYING DEVICE.

50. "PERSONAL MOBILE CARGO CARRYING DEVICE" MEANS AN ELECTRONICALLY POWERED DEVICE THAT:
   (a) IS OPERATED PRIMARILY ON SIDEWALKS AND WITHIN CROSSWALKS AND THAT IS DESIGNED TO TRANSPORT PROPERTY.
(b) WEIGHS LESS THAN EIGHTY POUNDS, EXCLUDING CARGO.
(c) OPERATES AT A MAXIMUM SPEED OF TWELVE MILES PER HOUR.
(d) IS EQUIPPED WITH TECHNOLOGY TO TRANSPORT PERSONAL PROPERTY WITH
THE ACTIVE MONITORING OF A PROPERTY OWNER AND THAT IS PRIMARILY DESIGNED
TO REMAIN WITHIN TWENTY-FIVE FEET OF THE PROPERTY OWNER.
(e) IS EQUIPPED WITH A BRAKING SYSTEM THAT WHEN ACTIVE OR ENGAGED
ENABLES THE PERSONAL MOBILE CARGO CARRYING DEVICE TO COME TO A CONTROLLED
STOP.

50. 51. "Power sweeper" means an implement, with or without motive
power, that is only incidentally operated or moved on a street or highway
and that is designed for the removal of debris, dirt, gravel, litter or
sand whether by broom, vacuum or regenerative air system from asphaltic
concrete or cement concrete surfaces, including parking lots, highways,
streets and warehouses, and a vehicle on which the implement is
permanently mounted.

51. 52. "Public transit" means the transportation of passengers on
scheduled routes by means of a conveyance on an individual passenger
fare-paying basis excluding transportation by a sightseeing bus, school
bus or taxi or a vehicle not operated on a scheduled route basis.

52. 53. "Reconstructed vehicle" means a vehicle that has been
assembled or constructed largely by means of essential parts, new or used,
derived from vehicles or makes of vehicles of various names, models and
types or that, if originally otherwise constructed, has been materially
altered by the removal of essential parts or by the addition or
substitution of essential parts, new or used, derived from other vehicles
or makes of vehicles. For the purposes of this paragraph, "essential
parts" means integral and body parts, the removal, alteration or
substitution of which will tend to conceal the identity or substantially
alter the appearance of the vehicle.

53. 54. "Residence district" means the territory contiguous to and
including a highway not comprising a business district if the property on
the highway for a distance of three hundred feet or more is in the main
improved with residences or residences and buildings in use for business.

54. 55. "Right-of-way" when used within the context of the
regulation of the movement of traffic on a highway means the privilege of
the immediate use of the highway. Right-of-way when used within the
context of the real property on which transportation facilities and
appurtenances to the facilities are constructed or maintained means the
lands or interest in lands within the right-of-way boundaries.

55. 56. "School bus" means a motor vehicle that is designed for
carrying more than ten passengers and that is either:

(a) Owned by any public or governmental agency or other institution
and operated for the transportation of children to or from home or school
on a regularly scheduled basis.
(b) Privately owned and operated for compensation for the transportation of children to or from home or school on a regularly scheduled basis.

57. "Semitrailer" means a vehicle that is with or without motive power, other than a pole trailer or single-axle tow dolly, that is designed for carrying persons or property and for being drawn by a motor vehicle and that is constructed so that some part of its weight and that of its load rests on or is carried by another vehicle. For the purposes of this paragraph, "pole trailer" has the same meaning prescribed in section 28-601.

58. "Single-axle tow dolly" means a nonvehicle device that is drawn by a motor vehicle, that is designed and used exclusively to transport another motor vehicle and on which the front or rear wheels of the drawn motor vehicle are mounted on the tow dolly while the other wheels of the drawn motor vehicle remain in contact with the ground.


60. "State highway" means a state route or portion of a state route that is accepted and designated by the board as a state highway and that is maintained by the state.

61. "State route" means a right-of-way whether actually used as a highway or not that is designated by the board as a location for the construction of a state highway.

62. "Street" or "highway" means the entire width between the boundary lines of every way if a part of the way is open to the use of the public for purposes of vehicular travel.

63. "Taxi" means a motor vehicle that has a seating capacity not exceeding fifteen passengers, including the driver, that provides passenger services and that:

(a) Does not primarily operate on a regular route or between specified places.

(b) Offers local transportation for a fare determined on the basis of the distance traveled or prearranged ground transportation service as defined in section 28-141 for a predetermined fare.

64. "Title transfer form" means a paper or an electronic form that is prescribed by the department for the purpose of transferring a certificate of title from one owner to another owner.

65. "Traffic survival school" means a school that offers educational sessions to drivers who are required to attend and successfully complete educational sessions pursuant to this title that are designed to improve the safety and habits of drivers and that are approved by the department.

66. "Trailer" means a vehicle that is with or without motive power, other than a pole trailer or single-axle tow dolly, that is designed for carrying persons or property and for being drawn by a motor
vehicle and that is constructed so that no part of its weight rests on the

towing vehicle. A semitrailer equipped with an auxiliary front axle

commonly known as a dolly is deemed to be a trailer. For the purposes of

this paragraph, "pole trailer" has the same meaning prescribed in section

28-601.

"Transportation network company" has the same meaning

prescribed in section 28-9551.

"Transportation network company vehicle" has the same

meaning prescribed in section 28-9551.

"Transportation network service" has the same meaning

prescribed in section 28-9551.

"Truck" means a motor vehicle designed or used primarily

for the carrying of property other than the effects of the driver or

passengers and includes a motor vehicle to which has been added a box, a

platform or other equipment for such carrying.

"Truck tractor" means a motor vehicle that is designed and

used primarily for drawing other vehicles and that is not constructed to

carry a load other than a part of the weight of the vehicle and load

drawn.

"Vehicle":

(a) Means a device in, on or by which a person or property is or

may be transported or drawn on a public highway.

(b) Does not include:

(i) Electric bicycles and devices moved by human power.

(ii) Devices used exclusively on stationary rails or tracks.

(iii) Personal delivery devices.

(iv) PERSONAL MOBILE CARGO CARRYING DEVICES.

"Vehicle transporter" means either:

(a) A truck tractor capable of carrying a load and drawing a

semitrailer.

(b) A truck tractor with a stinger-steered fifth wheel capable of

carrying a load and drawing a semitrailer or a truck tractor with a dolly

mounted fifth wheel that is securely fastened to the truck tractor at two

or more points and that is capable of carrying a load and drawing a

semitrailer.

Sec. 2. Section 28-101, Arizona Revised Statutes, as amended by

Laws 2018, chapter 306, section 2, is amended to read:

28-101. Definitions

In this title, unless the context otherwise requires:

1. "Alcohol" means any substance containing any form of alcohol,

including ethanol, methanol, propynol and isopropynol.

2. "Alcohol concentration" if expressed as a percentage means

either:

(a) The number of grams of alcohol per one hundred milliliters of

blood.
(b) The number of grams of alcohol per two hundred ten liters of breath.

3. "All-terrain vehicle" means either of the following:
   (a) A motor vehicle that satisfies all of the following:
       (i) Is designed primarily for recreational nonhighway all-terrain travel.
       (ii) Is fifty or fewer inches in width.
       (iii) Has an unladen weight of one thousand two hundred pounds or less.
       (iv) Travels on three or more nonhighway tires.
   (v) Is operated on a public highway.
   (b) A recreational off-highway vehicle that satisfies all of the following:
       (i) Is designed primarily for recreational nonhighway all-terrain travel.
       (ii) Is sixty-five or fewer inches in width.
       (iii) Has an unladen weight of one thousand eight hundred pounds or less.
       (iv) Travels on four or more nonhighway tires.

4. "Authorized emergency vehicle" means any of the following:
   (a) A fire department vehicle.
   (b) A police vehicle.
   (c) An ambulance or emergency vehicle of a municipal department or public service corporation that is designated or authorized by the department or a local authority.
   (d) Any other ambulance, fire truck or rescue vehicle that is authorized by the department in its sole discretion and that meets liability insurance requirements prescribed by the department.

5. "Autocycle" means a three-wheeled motorcycle on which the driver and passengers ride in a fully or partially enclosed seating area that is equipped with a roll cage, safety belts for each occupant and antilock brakes and that is designed to be controlled with a steering wheel and pedals.

6. "Aviation fuel" means all flammable liquids composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating an internal combustion engine for use in an aircraft but does not include fuel for jet or turbine powered aircraft.

7. "Bicycle" means a device, including a racing wheelchair, that is propelled by human power and on which a person may ride and that has either:
   (a) Two tandem wheels, either of which is more than sixteen inches in diameter.
   (b) Three wheels in contact with the ground, any of which is more than sixteen inches in diameter.
8. "Board" means the transportation board.
9. "Bus" means a motor vehicle designed for carrying sixteen or more passengers, including the driver.
10. "Business district" means the territory contiguous to and including a highway if there are buildings in use for business or industrial purposes within any six hundred feet along the highway, including hotels, banks or office buildings, railroad stations and public buildings that occupy at least three hundred feet of frontage on one side or three hundred feet collectively on both sides of the highway.
11. "Certificate of ownership" means a paper or an electronic record that is issued in another state or a foreign jurisdiction and that indicates ownership of a vehicle.
12. "Certificate of title" means a paper document or an electronic record that is issued by the department and that indicates ownership of a vehicle.
13. "Combination of vehicles" means a truck or truck tractor and semitrailer and any trailer that it tows but does not include a forklift designed for the purpose of loading or unloading the truck, trailer or semitrailer.
14. "Controlled substance" means a substance so classified under section 102(6) of the controlled substances act (21 United States Code section 802(6)) and includes all substances listed in schedules I through V of 21 Code of Federal Regulations part 1308.
15. "Conviction" means:
   (a) An unvacated adjudication of guilt or a determination that a person violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal.
   (b) An unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court.
   (c) A plea of guilty or no contest accepted by the court.
   (d) The payment of a fine or court costs.
16. "County highway" means a public road that is constructed and maintained by a county.
17. "Dealer" means a person who is engaged in the business of buying, selling or exchanging motor vehicles, trailers or semitrailers and who has an established place of business and has paid fees pursuant to section 28-4302.
18. "Department" means the department of transportation acting directly or through its duly authorized officers and agents.
19. "Digital network or software application" has the same meaning prescribed in section 28-9551.
20. "Director" means the director of the department of transportation.
21. "Drive" means to operate or be in actual physical control of a motor vehicle.
22. "Driver" means a person who drives or is in actual physical control of a vehicle.

23. "Driver license" means a license that is issued by a state to an individual and that authorizes the individual to drive a motor vehicle.

24. "Electric personal assistive mobility device" means a self-balancing device with one wheel or two nontandem wheels and an electric propulsion system that limits the maximum speed of the device to fifteen miles per hour or less and that is designed to transport only one person.

25. "Farm" means any lands primarily used for agriculture production.

26. "Farm tractor" means a motor vehicle designed and used primarily as a farm implement for drawing implements of husbandry.

27. "Foreign vehicle" means a motor vehicle, trailer or semitrailer that is brought into this state other than in the ordinary course of business by or through a manufacturer or dealer and that has not been registered in this state.

28. "Golf cart" means a motor vehicle that has not less than three wheels in contact with the ground, that has an unladen weight of less than one thousand eight hundred pounds, that is designed to be and is operated at not more than twenty-five miles per hour and that is designed to carry not more than four persons including the driver.

29. "Hazardous material" means a material, and its mixtures or solutions, that the United States department of transportation determines under 49 Code of Federal Regulations is, or any quantity of a material listed as a select agent or toxin under 42 Code of Federal Regulations part 73 that is, capable of posing an unreasonable risk to health, safety and property if transported in commerce and that is required to be placarded or marked as required by the department's safety rules prescribed pursuant to chapter 14 of this title.

30. "Implement of husbandry" means a vehicle that is designed primarily for agricultural purposes and that is used exclusively in the conduct of agricultural operations, including an implement or vehicle whether self-propelled or otherwise that meets both of the following conditions:

   (a) Is used solely for agricultural purposes including the preparation or harvesting of cotton, alfalfa, grains and other farm crops.

   (b) Is only incidentally operated or moved on a highway whether as a trailer or self-propelled unit. For the purposes of this subdivision, "incidentally operated or moved on a highway" means travel between a farm and another part of the same farm, from one farm to another farm or between a farm and a place of repair, supply or storage.

31. "Limousine" means a motor vehicle providing prearranged ground transportation service for an individual passenger, or a group of passengers, that is arranged in advance or is operated on a regular route
or between specified points and includes ground transportation under a
contract or agreement for services that includes a fixed rate or time and
is provided in a motor vehicle with a seating capacity not exceeding
fifteen passengers including the driver.

32. "Livery vehicle" means a motor vehicle that:
   (a) Has a seating capacity not exceeding fifteen passengers
   including the driver.
   (b) Provides passenger services for a fare determined by a flat
   rate or flat hourly rate between geographic zones or within a geographic
   area.
   (c) Is available for hire on an exclusive or shared ride basis.
   (d) May do any of the following:
       (i) Operate on a regular route or between specified places.
       (ii) Offer prearranged ground transportation service as defined in
            section 28-141.
       (iii) Offer on demand ground transportation service pursuant to a
            contract with a public airport, licensed business entity or organization.

33. "Local authority" means any county, municipal or other local
    board or body exercising jurisdiction over highways under the constitution
    and laws of this state.

34. "Manufacturer" means a person engaged in the business of
    manufacturing motor vehicles, trailers or semitrailers.

35. "Moped" means a bicycle that is equipped with a helper motor if
    the vehicle has a maximum piston displacement of fifty cubic centimeters
    or less, a brake horsepower of one and one-half or less and a maximum
    speed of twenty-five miles per hour or less on a flat surface with less
    than a one percent grade.

36. "Motorcycle" means a motor vehicle that has a seat or saddle
    for the use of the rider and that is designed to travel on not more than
    three wheels in contact with the ground but excludes a tractor and a
    moped.

37. "Motor driven cycle" means a motorcycle, including every motor
    scooter, with a motor that produces not more than five horsepower.

38. "Motorized quadricycle" means a self-propelled motor vehicle to
    which all of the following apply:
       (a) The vehicle is self-propelled by an emission-free electric
           motor and may include pedals operated by the passengers.
       (b) The vehicle has at least four wheels in contact with the
           ground.
       (c) The vehicle seats at least eight passengers, including the
           driver.
       (d) The vehicle is operable on a flat surface using solely the
           electric motor without assistance from the pedals or passengers.
       (e) The vehicle is a commercial motor vehicle as defined in section
           28-5201.
(f) The vehicle is a limousine operating under a vehicle for hire company permit issued pursuant to section 28-9503.

(g) The vehicle is manufactured by a motor vehicle manufacturer that is licensed pursuant to chapter 10 of this title.

(h) The vehicle complies with the definition and standards for low-speed vehicles set forth in federal motor vehicle safety standard 500 and 49 Code of Federal Regulations sections 571.3(b) and 571.500, respectively.

39. "Motor vehicle":
   (a) Means either:
   (i) A self-propelled vehicle.
   (ii) For the purposes of the laws relating to the imposition of a tax on motor vehicle fuel, a vehicle that is operated on the highways of this state and that is propelled by the use of motor vehicle fuel.
   (b) Does not include A PERSONAL MOBILE CARGO CARRYING DEVICE, a motorized wheelchair, an electric personal assistive mobility device or a motorized skateboard. For the purposes of this subdivision:
      (i) "Motorized skateboard" means a self-propelled device that has a motor, a deck on which a person may ride and at least two tandem wheels in contact with the ground.
      (ii) "Motorized wheelchair" means a self-propelled wheelchair that is used by a person for mobility.

40. "Motor vehicle fuel" includes all products that are commonly or commercially known or sold as gasoline, including casinghead gasoline, natural gasoline and all flammable liquids, and that are composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating internal combustion engines. Motor vehicle fuel does not include inflammable liquids that are specifically manufactured for racing motor vehicles and that are distributed for and used by racing motor vehicles at a racetrack, use fuel as defined in section 28-5601, aviation fuel, fuel for jet or turbine powered aircraft or the mixture created at the interface of two different substances being transported through a pipeline, commonly known as transmix.

41. "Neighborhood electric vehicle" means a self-propelled electrically powered motor vehicle to which all of the following apply:
   (a) The vehicle is emission free.
   (b) The vehicle has at least four wheels in contact with the ground.
   (c) The vehicle complies with the definition and standards for low-speed vehicles set forth in federal motor vehicle safety standard 500 and 49 Code of Federal Regulations sections 571.3(b) and 571.500, respectively.

42. "Nonresident" means a person who is not a resident of this state as defined in section 28-2001.
43. "Off-road recreational motor vehicle" means a motor vehicle that is designed primarily for recreational nonhighway all-terrain travel and that is not operated on a public highway. Off-road recreational motor vehicle does not mean a motor vehicle used for construction, building trade, mining or agricultural purposes.

44. "Operator" means a person who drives a motor vehicle on a highway, who is in actual physical control of a motor vehicle on a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.

45. "Owner" means:
   (a) A person who holds the legal title of a vehicle.
   (b) If a vehicle is the subject of an agreement for the conditional sale or lease with the right of purchase on performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, the conditional vendee or lessee.
   (c) If a mortgagor of a vehicle is entitled to possession of the vehicle, the mortgagor.

46. "Pedestrian" means any person afoot. A person who uses an electric personal assistive mobility device or a manual or motorized wheelchair is considered a pedestrian unless the manual wheelchair qualifies as a bicycle. For the purposes of this paragraph, "motorized wheelchair" means a self-propelled wheelchair that is used by a person for mobility.

47. "PERSONAL MOBILE CARGO CARRYING DEVICE" MEANS AN ELECTRONICALLY POWERED DEVICE THAT:
   (a) IS OPERATED PRIMARILY ON SIDEWALKS AND WITHIN CROSSWALKS AND THAT IS DESIGNED TO TRANSPORT PROPERTY.
   (b) WEIGHS LESS THAN EIGHTY POUNDS, EXCLUDING CARGO.
   (c) OPERATES AT A MAXIMUM SPEED OF TWELVE MILES PER HOUR.
   (d) IS EQUIPPED WITH TECHNOLOGY TO TRANSPORT PERSONAL PROPERTY WITH THE ACTIVE MONITORING OF A PROPERTY OWNER AND THAT IS PRIMARILY DESIGNED TO REMAIN WITHIN TWENTY-FIVE FEET OF THE PROPERTY OWNER.
   (e) IS EQUIPPED WITH A BRAKING SYSTEM THAT WHEN ACTIVE OR ENGAGED ENABLES THE PERSONAL MOBILE CARGO CARRYING DEVICE TO COME TO A CONTROLLED STOP.

48. "Power sweeper" means an implement, with or without motive power, that is only incidentally operated or moved on a street or highway and that is designed for the removal of debris, dirt, gravel, litter or sand whether by broom, vacuum or regenerative air system from asphaltic concrete or cement concrete surfaces, including parking lots, highways, streets and warehouses, and a vehicle on which the implement is permanently mounted.

49. "Public transit" means the transportation of passengers on scheduled routes by means of a conveyance on an individual passenger
fare-paying basis excluding transportation by a sightseeing bus, school
bus or taxi or a vehicle not operated on a scheduled route basis.

50. "Reconstructed vehicle" means a vehicle that has been
assembled or constructed largely by means of essential parts, new or used,
derived from vehicles or makes of vehicles of various names, models and
types or that, if originally otherwise constructed, has been materially
altered by the removal of essential parts or by the addition or
substitution of essential parts, new or used, derived from other vehicles
or makes of vehicles. For the purposes of this paragraph, "essential
parts" means integral and body parts, the removal, alteration or
substitution of which will tend to conceal the identity or substantially
alter the appearance of the vehicle.

51. "Residence district" means the territory contiguous to and
including a highway not comprising a business district if the property on
the highway for a distance of three hundred feet or more is in the main
improved with residences or residences and buildings in use for business.

52. "Right-of-way" when used within the context of the
regulation of the movement of traffic on a highway means the privilege of
the immediate use of the highway. Right-of-way when used within the
context of the real property on which transportation facilities and
appurtenances to the facilities are constructed or maintained means the
lands or interest in lands within the right-of-way boundaries.

53. "School bus" means a motor vehicle that is designed for
carrying more than ten passengers and that is either:
(a) Owned by any public or governmental agency or other institution
and operated for the transportation of children to or from home or school
on a regularly scheduled basis.
(b) Privately owned and operated for compensation for the
transportation of children to or from home or school on a regularly
scheduled basis.

54. "Semitrailer" means a vehicle that is with or without
motive power, other than a pole trailer, that is designed for carrying
persons or property and for being drawn by a motor vehicle and that is
constructed so that some part of its weight and that of its load rests on
or is carried by another vehicle. For the purposes of this paragraph,
"pole trailer" has the same meaning prescribed in section 28-601.

55. "State" means a state of the United States and the
District of Columbia.

56. "State highway" means a state route or portion of a state
route that is accepted and designated by the board as a state highway and
that is maintained by the state.

57. "State route" means a right-of-way whether actually used
as a highway or not that is designated by the board as a location for the
construction of a state highway.
57.  "Street" or "highway" means the entire width between the
boundary lines of every way if a part of the way is open to the use of the
public for purposes of vehicular travel.
58.  "Taxi" means a motor vehicle that has a seating capacity
not exceeding fifteen passengers, including the driver, that provides
passenger services and that:
   (a) Does not primarily operate on a regular route or between
specified places.
   (b) Offers local transportation for a fare determined on the basis
of the distance traveled or prearranged ground transportation service as
defined in section 28-141 for a predetermined fare.
59.  "Title transfer form" means a paper or an electronic form
that is prescribed by the department for the purpose of transferring a
certificate of title from one owner to another owner.
60.  "Traffic survival school" means a school that offers
educational sessions to drivers who are required to attend and
successfully complete educational sessions pursuant to this title that are
designed to improve the safety and habits of drivers and that are approved
by the department.
61.  "Trailer" means a vehicle that is with or without motive
power, other than a pole trailer, that is designed for carrying persons or
property and for being drawn by a motor vehicle and that is constructed so
that no part of its weight rests on the towing vehicle. A semitrailer
equipped with an auxiliary front axle commonly known as a dolly is deemed
to be a trailer. For the purposes of this paragraph, "pole trailer" has
the same meaning prescribed in section 28-601.
62.  "Transportation network company" has the same meaning
prescribed in section 28-9551.
63.  "Transportation network company vehicle" has the same
meaning prescribed in section 28-9551.
64.  "Transportation network service" has the same meaning
prescribed in section 28-9551.
65.  "Truck" means a motor vehicle designed or used primarily
for the carrying of property other than the effects of the driver or
passengers and includes a motor vehicle to which has been added a box, a
platform or other equipment for such carrying.
66.  "Truck tractor" means a motor vehicle that is designed and
used primarily for drawing other vehicles and that is not constructed to
carry a load other than a part of the weight of the vehicle and load
drawn.
67.  "Vehicle":
   (a) Means a device in, on or by which a person or property is or
may be transported or drawn on a public highway.
   (b) Does not include:
   (i) Devices moved by human power.
(ii) Devices used exclusively on stationary rails or tracks.

(iii) PERSONAL MOBILE CARGO CARRYING DEVICES.

69. "Vehicle transporter" means either:
(a) A truck tractor capable of carrying a load and drawing a
semitrailer.
(b) A truck tractor with a stinger-steered fifth wheel capable of
carrying a load and drawing a semitrailer or a truck tractor with a dolly
mounted fifth wheel that is securely fastened to the truck tractor at two
or more points and that is capable of carrying a load and drawing a
semitrailer.

Sec. 3. Section 28-101, Arizona Revised Statutes, as amended by
Laws 2018, chapter 9, section 1, chapter 163, section 1, chapter 166,
section 1, chapter 298, section 3, chapter 306, section 1 and chapter 324,
section 1, is amended to read:

28-101. Definitions

In this title, unless the context otherwise requires:
1. "Alcohol" means any substance containing any form of alcohol,
including ethanol, methanol, propynol and isopropynol.
2. "Alcohol concentration" if expressed as a percentage means
either:
(a) The number of grams of alcohol per one hundred milliliters of
blood.
(b) The number of grams of alcohol per two hundred ten liters of
breath.
3. "All-terrain vehicle" means either of the following:
(a) A motor vehicle that satisfies all of the following:
(i) Is designed primarily for recreational nonhighway all-terrain
travel.
(ii) Is fifty or fewer inches in width.
(iii) Has an unladen weight of one thousand two hundred pounds or
less.
(iv) Travels on three or more nonhighway tires.
(v) Is operated on a public highway.
(b) A recreational off-highway vehicle that satisfies all of the
following:
(i) Is designed primarily for recreational nonhighway all-terrain
travel.
(ii) Is eighty or fewer inches in width.
(iii) Has an unladen weight of two thousand five hundred pounds or
less.
(iv) Travels on four or more nonhighway tires.
(v) Has a steering wheel for steering control.
(vi) Has a rollover protective structure.
(vii) Has an occupant retention system.
4. "Authorized emergency vehicle" means any of the following:
   (a) A fire department vehicle.
   (b) A police vehicle.
   (c) An ambulance or emergency vehicle of a municipal department or
corporation that is designated or authorized by the
department or a local authority.
   (d) Any other ambulance, fire truck or rescue vehicle that is
authorized by the department in its sole discretion and that meets
liability insurance requirements prescribed by the department.
5. "Autocycle" means a three-wheeled motorcycle on which the driver
and passengers ride in a fully or partially enclosed seating area that is
equipped with a roll cage, safety belts for each occupant and antilock
brakes and that is designed to be controlled with a steering wheel and
pedals.
6. "Automotive recycler" means a person that is engaged in the
business of buying or acquiring a motor vehicle solely for the purpose of
dismantling, selling or otherwise disposing of the parts or accessories
and that removes parts for resale from six or more vehicles in a calendar
year.
7. "Aviation fuel" means all flammable liquids composed of a
mixture of selected hydrocarbons expressly manufactured and blended for
the purpose of effectively and efficiently operating an internal
combustion engine for use in an aircraft but does not include fuel for jet
or turbine powered aircraft.
8. "Bicycle" means a device, including a racing wheelchair, that is
propelled by human power and on which a person may ride and that has
either:
   (a) Two tandem wheels, either of which is more than sixteen inches
in diameter.
   (b) Three wheels in contact with the ground, any of which is more
than sixteen inches in diameter.
9. "Board" means the transportation board.
10. "Bus" means a motor vehicle designed for carrying sixteen or
more passengers, including the driver.
11. "Business district" means the territory contiguous to and
including a highway if there are buildings in use for business or
industrial purposes within any six hundred feet along the highway,
including hotels, banks or office buildings, railroad stations and public
buildings that occupy at least three hundred feet of frontage on one side
or three hundred feet collectively on both sides of the highway.
12. "Certificate of ownership" means a paper or an electronic
record that is issued in another state or a foreign jurisdiction and that
indicates ownership of a vehicle.
13. "Certificate of title" means a paper document or an electronic record that is issued by the department and that indicates ownership of a vehicle.

14. "Combination of vehicles" means a truck or truck tractor and semitrailer and any trailer that it tows but does not include a forklift designed for the purpose of loading or unloading the truck, trailer or semitrailer.

15. "Controlled substance" means a substance so classified under section 102(6) of the controlled substances act (21 United States Code section 802(6)) and includes all substances listed in schedules I through V of 21 Code of Federal Regulations part 1308.

16. "Conviction" means:
   (a) An unvacated adjudication of guilt or a determination that a person violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal.
   (b) An unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court.
   (c) A plea of guilty or no contest accepted by the court.
   (d) The payment of a fine or court costs.

17. "County highway" means a public road that is constructed and maintained by a county.

18. "Dealer" means a person who is engaged in the business of buying, selling or exchanging motor vehicles, trailers or semitrailers and who has an established place of business and has paid fees pursuant to section 28-4302.

19. "Department" means the department of transportation acting directly or through its duly authorized officers and agents.

20. "Digital network or software application" has the same meaning prescribed in section 28-9551.

21. "Director" means the director of the department of transportation.

22. "Drive" means to operate or be in actual physical control of a motor vehicle.

23. "Driver" means a person who drives or is in actual physical control of a vehicle.

24. "Driver license" means a license that is issued by a state to an individual and that authorizes the individual to drive a motor vehicle.

25. "Electric bicycle" means a bicycle or tricycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts and that meets the requirements of one of the following classes:
   (a) "Class 1 electric bicycle" means a bicycle or tricycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle or tricycle reaches the speed of twenty miles per hour.
(b) "Class 2 electric bicycle" means a bicycle or tricycle that is equipped with an electric motor that may be used exclusively to propel the bicycle or tricycle and that is not capable of providing assistance when the bicycle or tricycle reaches the speed of twenty miles per hour.

(c) "Class 3 electric bicycle" means a bicycle or tricycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle or tricycle reaches the speed of twenty-eight miles per hour.

26. "Electric personal assistive mobility device" means a self-balancing device with one wheel or two nontandem wheels and an electric propulsion system that limits the maximum speed of the device to fifteen miles per hour or less and that is designed to transport only one person.

27. "Evidence" includes both of the following:
   (a) A display on a wireless communication device of a department-generated driver license, nonoperating identification license, vehicle registration card or other official record of the department that is presented to a law enforcement officer or in a court or an administrative proceeding.
   (b) An electronic or digital license plate authorized pursuant to section 28-364.

28. "Farm" means any lands primarily used for agriculture production.

29. "Farm tractor" means a motor vehicle designed and used primarily as a farm implement for drawing implements of husbandry.

30. "Foreign vehicle" means a motor vehicle, trailer or semitrailer that is brought into this state other than in the ordinary course of business by or through a manufacturer or dealer and that has not been registered in this state.

31. "Golf cart" means a motor vehicle that has not less than three wheels in contact with the ground, that has an unladen weight of less than one thousand eight hundred pounds, that is designed to be and is operated at not more than twenty-five miles per hour and that is designed to carry not more than four persons including the driver.

32. "Hazardous material" means a material, and its mixtures or solutions, that the United States department of transportation determines under 49 Code of Federal Regulations is, or any quantity of a material listed as a select agent or toxin under 42 Code of Federal Regulations part 73 that is, capable of posing an unreasonable risk to health, safety and property if transported in commerce and that is required to be placarded or marked as required by the department's safety rules prescribed pursuant to chapter 14 of this title.

33. "Implement of husbandry" means a vehicle that is designed primarily for agricultural purposes and that is used exclusively in the conduct of agricultural operations, including an implement or vehicle
whether self-propelled or otherwise that meets both of the following conditions:

   (a) Is used solely for agricultural purposes including the preparation or harvesting of cotton, alfalfa, grains and other farm crops.
   (b) Is only incidentally operated or moved on a highway whether as a trailer or self-propelled unit. For the purposes of this subdivision, "incidentally operated or moved on a highway" means travel between a farm and another part of the same farm, from one farm to another farm or between a farm and a place of repair, supply or storage.

34. "Limousine" means a motor vehicle providing prearranged ground transportation service for an individual passenger, or a group of passengers, that is arranged in advance or is operated on a regular route or between specified points and includes ground transportation under a contract or agreement for services that includes a fixed rate or time and is provided in a motor vehicle with a seating capacity not exceeding fifteen passengers including the driver.

35. "Livery vehicle" means a motor vehicle that:
   (a) Has a seating capacity not exceeding fifteen passengers including the driver.
   (b) Provides passenger services for a fare determined by a flat rate or flat hourly rate between geographic zones or within a geographic area.
   (c) Is available for hire on an exclusive or shared ride basis.
   (d) May do any of the following:
      (i) Operate on a regular route or between specified places.
      (ii) Offer prearranged ground transportation service as defined in section 28-141.
      (iii) Offer on demand ground transportation service pursuant to a contract with a public airport, licensed business entity or organization.

36. "Local authority" means any county, municipal or other local board or body exercising jurisdiction over highways under the constitution and laws of this state.

37. "Manufacturer" means a person engaged in the business of manufacturing motor vehicles, trailers or semitrailers.

38. "Moped" means a bicycle, not including an electric bicycle, that is equipped with a helper motor if the vehicle has a maximum piston displacement of fifty cubic centimeters or less, a brake horsepower of one and one-half or less and a maximum speed of twenty-five miles per hour or less on a flat surface with less than a one percent grade.

39. "Motorcycle" means a motor vehicle that has a seat or saddle for the use of the rider and that is designed to travel on not more than three wheels in contact with the ground but excludes a tractor, an electric bicycle and a moped.
40. "Motor driven cycle" means a motorcycle, including every motor scooter, with a motor that produces not more than five horsepower but does not include an electric bicycle.

41. "Motorized quadricycle" means a self-propelled motor vehicle to which all of the following apply:
   (a) The vehicle is self-propelled by an emission-free electric motor and may include pedals operated by the passengers.
   (b) The vehicle has at least four wheels in contact with the ground.
   (c) The vehicle seats at least eight passengers, including the driver.
   (d) The vehicle is operable on a flat surface using solely the electric motor without assistance from the pedals or passengers.
   (e) The vehicle is a commercial motor vehicle as defined in section 28-5201.
   (f) The vehicle is a limousine operating under a vehicle for hire company permit issued pursuant to section 28-9503.
   (g) The vehicle is manufactured by a motor vehicle manufacturer that is licensed pursuant to chapter 10 of this title.
   (h) The vehicle complies with the definition and standards for low-speed vehicles set forth in federal motor vehicle safety standard 500 and 49 Code of Federal Regulations sections 571.3(b) and 571.500, respectively.

42. "Motor vehicle":
   (a) Means either:
      (i) A self-propelled vehicle.
      (ii) For the purposes of the laws relating to the imposition of a tax on motor vehicle fuel, a vehicle that is operated on the highways of this state and that is propelled by the use of motor vehicle fuel.
   (b) Does not include a scrap vehicle, a personal delivery device, a PERSONAL MOBILE CARGO CARRYING DEVICE, a motorized wheelchair, an electric personal assistive mobility device, an electric bicycle or a motorized skateboard. For the purposes of this subdivision:
      (i) "Motorized skateboard" means a self-propelled device that has a motor, a deck on which a person may ride and at least two tandem wheels in contact with the ground.
      (ii) "Motorized wheelchair" means a self-propelled wheelchair that is used by a person for mobility.

43. "Motor vehicle fuel" includes all products that are commonly or commercially known or sold as gasoline, including casinghead gasoline, natural gasoline and all flammable liquids, and that are composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating internal combustion engines. Motor vehicle fuel does not include inflammable liquids that are specifically manufactured for racing motor vehicles and that are
distributed for and used by racing motor vehicles at a racetrack, use fuel as defined in section 28-5601, aviation fuel, fuel for jet or turbine powered aircraft or the mixture created at the interface of two different substances being transported through a pipeline, commonly known as transmix.

44. "Neighborhood electric vehicle" means a self-propelled electrically powered motor vehicle to which all of the following apply:
   (a) The vehicle is emission free.
   (b) The vehicle has at least four wheels in contact with the ground.
   (c) The vehicle complies with the definition and standards for low-speed vehicles set forth in federal motor vehicle safety standard 500 and 49 Code of Federal Regulations sections 571.3(b) and 571.500, respectively.

45. "Nonresident" means a person who is not a resident of this state as defined in section 28-2001.

46. "Off-road recreational motor vehicle" means a motor vehicle that is designed primarily for recreational nonhighway all-terrain travel and that is not operated on a public highway. Off-road recreational motor vehicle does not mean a motor vehicle used for construction, building trade, mining or agricultural purposes.

47. "Operator" means a person who drives a motor vehicle on a highway, who is in actual physical control of a motor vehicle on a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.

48. "Owner" means:
   (a) A person who holds the legal title of a vehicle.
   (b) If a vehicle is the subject of an agreement for the conditional sale or lease with the right of purchase on performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, the conditional vendee or lessee.
   (c) If a mortgagor of a vehicle is entitled to possession of the vehicle, the mortgagor.

49. "Pedestrian" means any person afoot. A person who uses an electric personal assistive mobility device or a manual or motorized wheelchair is considered a pedestrian unless the manual wheelchair qualifies as a bicycle. For the purposes of this paragraph, "motorized wheelchair" means a self-propelled wheelchair that is used by a person for mobility.

50. "Personal delivery device":
   (a) Means an electronically powered device that:
      (i) Is operated primarily on sidewalks and within crosswalks and that is designed to transport property.
(b) (ii) Weighs less than two hundred pounds, excluding cargo, unless otherwise authorized by a local authority pursuant to section 28-627.

(c) (iii) Operates at a maximum speed of seven miles per hour, unless otherwise authorized by a local authority pursuant to section 28-627.

(d) (iv) Is equipped with technology to allow for the operation of the device with or without the active control or monitoring of a natural person.

(e) (v) Is equipped with a braking system that when active or engaged enables the personal delivery device to come to a controlled stop.

DOES NOT INCLUDE A PERSONAL MOBILE CARGO CARRYING DEVICE.

"PERSONAL MOBILE CARGO CARRYING DEVICE" MEANS AN ELECTRONICALLY POWERED DEVICE THAT:

(a) IS OPERATED PRIMARILY ON SIDEWALKS AND WITHIN CROSSWALKS AND THAT IS DESIGNED TO TRANSPORT PROPERTY.

(b) WEIGHS LESS THAN EIGHTY POUNDS, EXCLUDING CARGO.

(c) OPERATES AT A MAXIMUM SPEED OF TWELVE MILES PER HOUR.

(d) IS EQUIPPED WITH TECHNOLOGY TO TRANSPORT PERSONAL PROPERTY WITH THE ACTIVE MONITORING OF A PROPERTY OWNER AND THAT IS PRIMARILY DESIGNED TO REMAIN WITHIN TWENTY-FIVE FEET OF THE PROPERTY OWNER.

(e) IS EQUIPPED WITH A BRAKING SYSTEM THAT WHEN ACTIVE OR ENGAGED ENABLES THE PERSONAL MOBILE CARGO CARRYING DEVICE TO COME TO A CONTROLLED STOP.

"Power sweeper" means an implement, with or without motive power, that is only incidentally operated or moved on a street or highway and that is designed for the removal of debris, dirt, gravel, litter or sand whether by broom, vacuum or regenerative air system from asphaltic concrete or cement concrete surfaces, including parking lots, highways, streets and warehouses, and a vehicle on which the implement is permanently mounted.

"Public transit" means the transportation of passengers on scheduled routes by means of a conveyance on an individual passenger fare-paying basis excluding transportation by a sightseeing bus, school bus or taxi or a vehicle not operated on a scheduled route basis.

"Reconstructed vehicle" means a vehicle that has been assembled or constructed largely by means of essential parts, new or used, derived from vehicles or makes of vehicles of various names, models and types or that, if originally otherwise constructed, has been materially altered by the removal of essential parts or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles. For the purposes of this paragraph, "essential parts" means integral and body parts, the removal, alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the vehicle.
54.  "Residence district" means the territory contiguous to and including a highway not comprising a business district if the property on the highway for a distance of three hundred feet or more is in the main improved with residences or residences and buildings in use for business.

55.  "Right-of-way" when used within the context of the regulation of the movement of traffic on a highway means the privilege of the immediate use of the highway. Right-of-way when used within the context of the real property on which transportation facilities and appurtenances to the facilities are constructed or maintained means the lands or interest in lands within the right-of-way boundaries.

56.  "School bus" means a motor vehicle that is designed for carrying more than ten passengers and that is either:
   (a) Owned by any public or governmental agency or other institution and operated for the transportation of children to or from home or school on a regularly scheduled basis.
   (b) Privately owned and operated for compensation for the transportation of children to or from home or school on a regularly scheduled basis.

57.  "Scrap metal dealer" has the same meaning prescribed in section 44-1641.

58.  "Scrap vehicle" has the same meaning prescribed in section 44-1641.

59.  "Semitrailer" means a vehicle that is with or without motive power, other than a pole trailer or single-axle tow dolly, that is designed for carrying persons or property and for being drawn by a motor vehicle and that is constructed so that some part of its weight and that of its load rests on or is carried by another vehicle. For the purposes of this paragraph, "pole trailer" has the same meaning prescribed in section 28-601.

60.  "Single-axle tow dolly" means a nonvehicle device that is drawn by a motor vehicle, that is designed and used exclusively to transport another motor vehicle and on which the front or rear wheels of the drawn motor vehicle are mounted on the tow dolly while the other wheels of the drawn motor vehicle remain in contact with the ground.

61.  "State" means a state of the United States and the District of Columbia.

62.  "State highway" means a state route or portion of a state route that is accepted and designated by the board as a state highway and that is maintained by the state.

63.  "State route" means a right-of-way whether actually used as a highway or not that is designated by the board as a location for the construction of a state highway.

64.  "Street" or "highway" means the entire width between the boundary lines of every way if a part of the way is open to the use of the public for purposes of vehicular travel.
"Taxi" means a motor vehicle that has a seating capacity not exceeding fifteen passengers, including the driver, that provides passenger services and that:
(a) Does not primarily operate on a regular route or between specified places.
(b) Offers local transportation for a fare determined on the basis of the distance traveled or prearranged ground transportation service as defined in section 28-141 for a predetermined fare.

"Title transfer form" means a paper or an electronic form that is prescribed by the department for the purpose of transferring a certificate of title from one owner to another owner.

"Traffic survival school" means a school that offers educational sessions to drivers who are required to attend and successfully complete educational sessions pursuant to this title that are designed to improve the safety and habits of drivers and that are approved by the department.

"Trailer" means a vehicle that is with or without motive power, other than a pole trailer or single-axle tow dolly, that is designed for carrying persons or property and for being drawn by a motor vehicle and that is constructed so that no part of its weight rests on the towing vehicle. A semitrailer equipped with an auxiliary front axle commonly known as a dolly is deemed to be a trailer. For the purposes of this paragraph, "pole trailer" has the same meaning prescribed in section 28-601.

"Transportation network company" has the same meaning prescribed in section 28-9551.

"Transportation network company vehicle" has the same meaning prescribed in section 28-9551.

"Transportation network service" has the same meaning prescribed in section 28-9551.

"Truck" means a motor vehicle designed or used primarily for the carrying of property other than the effects of the driver or passengers and includes a motor vehicle to which has been added a box, a platform or other equipment for such carrying.

"Truck tractor" means a motor vehicle that is designed and used primarily for drawing other vehicles and that is not constructed to carry a load other than a part of the weight of the vehicle and load drawn.

"Vehicle":
(a) Means a device in, on or by which a person or property is or may be transported or drawn on a public highway.
(b) Does not include:
(i) Electric bicycles and devices moved by human power.
(ii) Devices used exclusively on stationary rails or tracks.
(iii) Personal delivery devices.
(iv) Scrap vehicle VEHICLES.

(v) PERSONAL MOBILE CARGO CARRYING DEVICES.

76. "Vehicle transporter" means either:

(a) A truck tractor capable of carrying a load and drawing a semitrailer.

(b) A truck tractor with a stinger-steered fifth wheel capable of carrying a load and drawing a semitrailer or a truck tractor with a dolly mounted fifth wheel that is securely fastened to the truck tractor at two or more points and that is capable of carrying a load and drawing a semitrailer.

Sec. 4. Section 28-904, Arizona Revised Statutes, as amended by Laws 2018, chapter 306, section 5, is amended to read:

28-904. Driving on sidewalk

A. A person shall not drive a vehicle on a sidewalk area except on a permanent or duly authorized temporary driveway.

B. This section does not apply to a motorized wheelchair, AN electric personal assistive mobility device, a personal delivery device, A PERSONAL MOBILE CARGO CARRYING DEVICE, an authorized emergency vehicle, A security vehicle owned by this state or A small service vehicle owned by this state or a political subdivision of this state.

Sec. 5. Section 28-904, Arizona Revised Statutes, as amended by Laws 2018, chapter 306, section 6, is amended to read:

28-904. Driving on sidewalk

A. A person shall not drive a vehicle on a sidewalk area except on a permanent or duly authorized temporary driveway.

B. This section does not apply to a motorized wheelchair, electric personal assistive mobility device, PERSONAL MOBILE CARGO CARRYING DEVICE, authorized emergency vehicle, security vehicle owned by this state or small service vehicle owned by this state or a political subdivision of this state.

Sec. 6. Section 28-908, Arizona Revised Statutes, as amended by Laws 2018, chapter 306, section 2 and this act and section 28-904, Arizona Revised Statutes, as amended by Laws 2018, chapter 306, section 6 and this act, are effective from and after August 31, 2020.
Sec. 8. **Conditional enactment**

Section 28-101, Arizona Revised Statutes, as amended by Laws 2018, chapter 9, section 1, chapter 163, section 1, chapter 166, section 1, chapter 298, section 3, chapter 306, section 1, chapter 324, section 1 and this act, becomes effective on the date prescribed by Laws 2018, chapter 298, section 12 but only on the occurrence of the condition prescribed by Laws 2018, chapter 298, section 12.

APPROVED BY THE GOVERNOR APRIL 16, 2019.