

State of Arizona  
Senate  
Fifty-fourth Legislature  
Second Regular Session  
2020

# SENATE BILL 1115

## 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 28-2469; AMENDING SECTION 28-6501, ARIZONA REVISED STATUTES; AMENDING SECTION 28-6991, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2019, CHAPTER 157, SECTION 6, CHAPTER 161, SECTION 5, CHAPTER 162, SECTION 5, CHAPTER 211, SECTION 5, CHAPTER 234, SECTION 5 AND CHAPTER 261, SECTION 5; AMENDING SECTION 28-6991, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2019, CHAPTER 157, SECTION 7, CHAPTER 161, SECTION 6, CHAPTER 162, SECTION 6, CHAPTER 211, SECTION 6, CHAPTER 234, SECTION 6 AND CHAPTER 261, SECTION 6; AMENDING SECTION 28-6993, ARIZONA REVISED STATUTES; RELATING TO SPECIAL 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 ~~28-2468~~ 28-2469, 28-2472, 28-2473,  
34 28-2474, 28-2475, 28-2476 and 28-4533 and article 14 of this chapter,  
35 shall be the same color as and similar in design to the license plate as  
36 determined by 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 ~~28-2468~~ 28-2469,  
11 28-2472, 28-2473, 28-2474, 28-2475 and 28-2476 and article 14 of this  
12 chapter, the special plates shall be the same color as and similar to the  
13 design of the 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~~ ALLOW them to be displayed on  
36 a 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 28-2469, to read:

6           28-2469. Veterans of overseas conflicts special plates; fund

7           A. IF, BY DECEMBER 31, 2020, A PERSON PAYS \$32,000 TO THE  
8 DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL  
9 ISSUE VETERANS OF OVERSEAS CONFLICTS SPECIAL PLATES. THE PERSON THAT  
10 PROVIDES THE \$32,000 SHALL DESIGN THE VETERANS OF OVERSEAS CONFLICTS  
11 SPECIAL PLATES. THE DESIGN AND COLOR OF THE VETERANS OF OVERSEAS  
12 CONFLICTS SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT.  
13 THE DIRECTOR MAY ALLOW A REQUEST FOR VETERANS OF OVERSEAS CONFLICTS  
14 SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL  
15 PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE  
16 IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE  
17 PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR THE  
18 VETERANS OF OVERSEAS CONFLICTS SPECIAL PLATES.

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

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

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

35           E. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND,  
36 EXCLUDING ADMINISTRATIVE FEES, TO AN ENTITY THAT IS QUALIFIED UNDER  
37 SECTION 501(c)(19) OF THE UNITED STATES INTERNAL REVENUE CODE FOR FEDERAL  
38 INCOME TAX PURPOSES. THE ENTITY MAY ONLY USE THE MONIES TO TRAIN AND PAY  
39 PERSONS THROUGHOUT THIS STATE WHERE NEEDED TO PROCESS VETERANS CLAIMS FOR  
40 SERVICE-CONNECTED DISABILITIES AND ILLNESSES. THE ENTITY MUST:

41           1. BE LOCATED IN THIS STATE.

42           2. HAVE A MISSION TO:

43           (a) FOSTER CAMARADERIE AMONG UNITED STATES VETERANS OF OVERSEAS  
44 CONFLICTS.

45           (b) SERVE VETERANS, THE MILITARY AND THE COMMUNITY.

- 1 (c) ADVOCATE ON BEHALF OF ALL VETERANS.  
2 3. HAVE A VISION TO ENSURE THAT VETERANS ARE RESPECTED FOR THEIR  
3 SERVICE, ALWAYS RECEIVE THEIR EARNED ENTITLEMENTS AND ARE RECOGNIZED FOR  
4 THE SACRIFICES THEY AND THEIR LOVED ONES MAKE ON BEHALF OF THE UNITED  
5 STATES.  
6 4. HAVE THE FOLLOWING CORE VALUES:  
7 (a) ALWAYS PUT THE INTEREST OF THE ENTITY'S MEMBERS FIRST.  
8 (b) TREAT DONORS AS PARTNERS IN THE ENTITY'S CAUSE.  
9 (c) PROMOTE PATRIOTISM.  
10 (d) HONOR MILITARY SERVICE.  
11 (e) ENSURE THE CARE OF VETERANS AND THEIR FAMILIES.  
12 (f) SERVE THE ENTITY'S COMMUNITIES.  
13 (g) PROMOTE A POSITIVE IMAGE OF VETERANS OF FOREIGN WARS.  
14 (h) RESPECT THE DIVERSITY OF VETERAN OPINIONS.  
15 F. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST  
16 AND DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES  
17 EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND.  
18 Sec. 4. Section 28-6501, Arizona Revised Statutes, is amended to  
19 read:  
20 28-6501. Definition of highway user revenues  
21 In this article, unless the context otherwise requires or except as  
22 otherwise provided by statute, "highway user revenues" means all monies  
23 received in this state from licenses, taxes, penalties, interest and fees  
24 authorized by the following:  
25 1. Chapters 2, 7, 8 and 15 of this title, except for:  
26 (a) The special plate administration fees prescribed in sections  
27 28-2404, 28-2407, 28-2412 through ~~28-2468~~ 28-2469 and 28-2514.  
28 (b) The donations prescribed in sections 28-2404, 28-2407, 28-2412  
29 through 28-2415, 28-2417 through ~~28-2468~~ 28-2469, 28-2473, 28-2474,  
30 28-2475 and 28-2476.  
31 2. Section 28-1177.  
32 3. Chapters 10 and 11 of this title.  
33 4. Chapter 16, articles 1, 2 and 4 of this title, except as  
34 provided in sections 28-5926 and 28-5927.  
35 Sec. 5. Section 28-6991, Arizona Revised Statutes, as amended by  
36 Laws 2019, chapter 157, section 6, chapter 161, section 5, chapter 162,  
37 section 5, chapter 211, section 5, chapter 234, section 5 and chapter 261,  
38 section 5, is amended to read:  
39 28-6991. State highway fund; sources  
40 The state highway fund is established that consists of:  
41 1. Monies distributed from the Arizona highway user revenue fund  
42 pursuant to chapter 18 of this title.  
43 2. Monies appropriated by the legislature.

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

5           4. Monies received from counties or cities under cooperative  
6 agreements, including proceeds from bond issues. The state treasurer  
7 shall deposit these monies to the credit of the fund in a special account  
8 on delivery to the treasurer of a concise written agreement between the  
9 department and the county or city stating the purposes for which the  
10 monies are surrendered by the county or city, and these monies shall be  
11 spent only as stated in the agreement.

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

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

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

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

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

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

35           11. Monies deposited pursuant to sections 28-1143, 28-2353 and  
36 28-3003.

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

38           (a) Monies deposited pursuant to section 28-2206 and section  
39 28-5808, subsection B, paragraph 2, subdivision (e).

40           (b) \$1 of each registration fee and \$1 of each title fee collected  
41 pursuant to section 28-2003.

42           (c) \$2 of each late registration penalty collected by the director  
43 pursuant to section 28-2162.

44           (d) The air quality compliance fee collected pursuant to section  
45 49-542.

1 (e) The special plate administration fees collected pursuant to  
2 sections 28-2404, 28-2407, 28-2412 through 28-2416, 28-2416.01, 28-2417  
3 through ~~28-2468~~ 28-2469 and 28-2514.

4 (f) Monies collected pursuant to sections 28-372, 28-2155 and  
5 28-2156 if the director is the registering officer.

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

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

9 15. Dealer and registration monies collected pursuant to section  
10 28-4304.

11 16. Abandoned vehicle administration monies deposited pursuant to  
12 section 28-4804.

13 17. Monies deposited pursuant to section 28-710, subsection D,  
14 paragraph 2.

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

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

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

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

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

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

21 24. Monies deposited pursuant to section 28-3002, subsection A,  
22 paragraph 14.

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

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

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

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

27 Sec. 6. Section 28-6991, Arizona Revised Statutes, as amended by  
28 Laws 2019, chapter 157, section 7, chapter 161, section 6, chapter 162,  
29 section 6, chapter 211, section 6, chapter 234, section 6 and chapter 261,  
30 section 6, is amended to read:

31 ~~28-6991.~~ State highway fund; sources

32 The state highway fund is established that consists of:

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

35 2. Monies appropriated by the legislature.

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

40 4. Monies received from counties or cities under cooperative  
41 agreements, including proceeds from bond issues. The state treasurer  
42 shall deposit these monies to the credit of the fund in a special account  
43 on delivery to the treasurer of a concise written agreement between the  
44 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) \$1 of each registration fee and \$1 of each title fee collected  
32 pursuant to section 28-2003.

33 (c) \$2 of each late registration penalty collected by the director  
34 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 ~~28-2468~~ 28-2469 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          29. Monies deposited pursuant to section 28-2098.

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

22           28-6993. State highway fund; authorized uses

23           A. Except as provided in subsection B of this section and section  
24 28-6538, the state highway fund shall be used for any of the following  
25 purposes in strict conformity with and subject to the budget as provided  
26 by this section and by sections 28-6997 through 28-7003:

27           1. To pay salaries, wages, necessary travel expenses and other  
28 expenses of officers and employees of the department and the incidental  
29 office expenses, including telegraph, telephone, postal and express  
30 charges and printing, stationery and advertising expenses.

31           2. To pay for both:

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

34           (b) The construction and repair of buildings or yards of the  
35 department.

36           3. To pay the cost of both:

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

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

42           4. To pay land damages incurred by reason of establishing, opening,  
43 altering, relocating, widening or abandoning portions of a state route or  
44 state highway.

45           5. To reimburse the department revolving account.

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

3           7. To defray lawful expenses and costs required to administer and  
4 carry out the intent, purposes and provisions of this title, including  
5 repayment of obligations entered into pursuant to this title, payment of  
6 interest on obligations entered into pursuant to this title, repayment of  
7 loans and other financial assistance, including repayment of advances and  
8 interest on advances made to the department pursuant to section 28-7677,  
9 and payment of all other obligations and expenses of the board and  
10 department pursuant to chapter 21 of this title.

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

12           9. To acquire, construct or improve entry roads to state parks or  
13 roads within state parks.

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

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

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

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

21           B. For each fiscal year, the department of transportation shall  
22 allocate and transfer monies in the state highway fund to the department  
23 of public safety for funding a portion of highway patrol costs in eight  
24 installments in each of the first eight months of a fiscal year that do  
25 not exceed \$10,000,000.

26           C. Subject to legislative appropriation, the department may use the  
27 monies in the state highway fund as prescribed in section 28-6991,  
28 paragraph 12 to carry out the duties imposed by this title for  
29 registration or titling of vehicles, to operate joint title, registration  
30 and driver licensing offices, to cover the administrative costs of issuing  
31 the air quality compliance sticker, modifying the year validating tab and  
32 issuing the windshield sticker and to cover expenses and costs in issuing  
33 special plates pursuant to sections 28-2404, 28-2407, 28-2412 through  
34 ~~28-2468~~ 28-2469 and 28-2514.

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

38           E. Monies deposited in the state highway fund pursuant to section  
39 28-2269 shall be used only as prescribed by that section.

40           F. Monies deposited in the state highway fund pursuant to section  
41 28-710, subsection D, paragraph 2 shall only be used for state highway  
42 work zone traffic control devices.

43           G. The department may exchange monies distributed to the state  
44 highway fund pursuant to section 28-6538, subsection A, paragraph 1 for  
45 local government surface transportation program federal monies

1 suballocated to councils of government and metropolitan planning  
2 organizations if the local government scheduled to receive the federal  
3 monies concurs. An exchange of state highway fund monies pursuant to this  
4 subsection shall be in an amount that is at least equal to ninety percent  
5 of the federal obligation authority that exists in the project for which  
6 the exchange is proposed.

7 H. The department shall use monies deposited in the state highway  
8 fund pursuant to section 28-1105, subsection A, paragraph 2, subdivision  
9 (a) only for a transportation facility that is located within twenty  
10 drivable miles of the international port of entry and shall spend the  
11 monies proportionally based on the amount of total monies collected  
12 pursuant to section 28-1105, subsection A, paragraph 2, subdivision (a).  
13 For the purposes of this subsection, "transportation facility" means a  
14 highway or a state route or a county, city or town road that is used by a  
15 commercial vehicle or a commercial vehicle combination for which an axle  
16 fee is paid pursuant to section 28-5474.

17 Sec. 8. Conditional enactment

18 Section 28-6991, Arizona Revised Statutes, as amended by Laws 2019,  
19 chapter 157, section 7, chapter 161, section 6, chapter 162, section 6,  
20 chapter 211, section 6, chapter 234, section 6 and chapter 261, section 6  
21 and this act, becomes effective on the date prescribed by Laws 2018,  
22 chapter 298, section 12 but only on the occurrence of the condition  
23 prescribed by Laws 2018, chapter 298, section 12.