

Senate Engrossed House Bill

~~driving on right; education~~
(now: right-hand driving; transfer notice; education)

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

CHAPTER 267
HOUSE BILL 2692

AN ACT

AMENDING SECTIONS 28-721 AND 28-2058, ARIZONA REVISED STATUTES; RELATING
TO TRAFFIC AND VEHICLE REGULATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-721, Arizona Revised Statutes, is amended to
3 read:

4 28-721. Driving on right side of roadway; driving on
5 shoulder; exceptions; education

6 A. On all roadways of sufficient width, a person shall drive a
7 vehicle on the right half of the roadway except as follows:

8 1. When overtaking and passing another vehicle proceeding in the
9 same direction under the rules governing the movement.

10 2. When the right half of a roadway is closed to traffic while
11 under construction or repair.

12 3. On a roadway divided into three marked lanes for traffic under
13 the rules applicable on the roadway.

14 4. On a roadway designated and signposted for one-way traffic.

15 B. On all roadways, a person driving a vehicle proceeding at less
16 than the normal speed of traffic at the time and place and under the
17 conditions then existing shall drive the vehicle in the right-hand lane
18 then available for traffic or as close as practicable to the right-hand
19 curb or edge of the roadway, except when overtaking and passing another
20 vehicle proceeding in the same direction or when preparing for a left turn
21 at an intersection or into a private road or driveway.

22 C. In an age restricted community that is located in an
23 unincorporated area of a county with a population of more than three
24 million persons, a person may drive a golf cart or a neighborhood electric
25 vehicle on a paved shoulder that is adjacent to a roadway or as close as
26 practicable to the right-hand curb or edge of a paved roadway if there is
27 no delineated paved shoulder.

28 D. DEFENSIVE DRIVING SCHOOL COURSES THAT ARE OFFERED BY DEFENSIVE
29 DRIVING SCHOOLS OPERATED PURSUANT TO CHAPTER 8, ARTICLE 7 OF THIS TITLE
30 AND TRAFFIC SURVIVAL SCHOOLS OPERATED PURSUANT TO CHAPTER 8, ARTICLE 7.1
31 OF THIS TITLE SHALL INCLUDE EDUCATIONAL INFORMATION RELATING TO
32 SUBSECTIONS A AND B OF THIS SECTION. THE DEPARTMENT SHALL INCLUDE
33 INFORMATION RELATING TO SUBSECTIONS A AND B OF THIS SECTION IN ANY OF THE
34 DEPARTMENT'S EXAMINATION, INFORMATION AND EDUCATION MATERIALS.

35 Sec. 2. Section 28-2058, Arizona Revised Statutes, is amended to
36 read:

37 28-2058. Transfer of title; odometer mileage disclosure
38 statement; education

39 A. When the owner of a registered or unregistered vehicle transfers
40 or assigns the owner's title or interest to the vehicle:

41 1. If the vehicle is registered:

42 (a) The owner shall endorse on the certificate of title or title
43 transfer form an assignment with the warranty of title.

44 (b) Except as provided in section 28-2094, the owner shall deliver
45 the certificate of title or title transfer form to the purchaser or

1 transferee at the time of delivery of the vehicle to the purchaser or
2 transferee.

3 (c) The registration of the vehicle expires and the owner shall
4 transfer the license plates, surrender the license plates to the
5 department or an authorized third party or submit an affidavit of license
6 plate destruction within thirty days after the owner transfers or assigns
7 the owner's title or interest in the vehicle.

8 (d) Except as provided in section 28-2091, the acquiring owner
9 shall apply for registration or a certificate of title, or both, within
10 fifteen days after the relinquishing owner transfers or assigns the
11 relinquishing owner's **CERTIFICATE OF** title or interest in the
12 vehicle. The director may prorate the registration period as the director
13 deems necessary to coincide with emissions inspection requirements.

14 (e) Except if the acquiring owner is an insurer who acquires the
15 vehicle pursuant to a claim settlement, the acquiring owner shall display
16 on the vehicle a temporary registration plate, another permit or a valid
17 license plate as prescribed by the department until ownership of the
18 vehicle is transferred in the department's records.

19 2. Regardless of whether or not the vehicle is registered:

20 (a) Except as provided in subsection B of this section, the owner
21 shall deliver to the purchaser or transferee an odometer mileage
22 disclosure statement in a form prescribed by the director.

23 (b) Except as provided in sections 28-2051, 28-2060 and 28-2091,
24 the purchaser or transferee shall present the certificate of title or
25 title transfer form to the department with the required fee within fifteen
26 days after the transfer and:

27 (i) The department shall issue a new certificate of title.

28 (ii) If required, the purchaser or transferee shall apply for and
29 obtain registration, and the department shall issue new license plates to
30 the purchaser or transferee.

31 B. The odometer disclosure requirement of subsection A of this
32 section does not apply to:

33 1. A motor vehicle that is ten model years of age or older.

34 2. A motor vehicle that has a gross vehicle weight rating of
35 sixteen thousand pounds or more.

36 3. A vehicle that is not self-propelled.

37 4. A motor vehicle that is sold directly by the manufacturer to an
38 agency of the United States in conformity with contractual specifications.

39 5. A new motor vehicle that is purchased for resale and not for use
40 by the purchaser.

41 **C. IN THE DEPARTMENT'S INFORMATION AND EDUCATION MATERIALS, THE**
42 **DEPARTMENT SHALL INCLUDE INFORMATION RELATING TO THE PROCESS BY WHICH AN**
43 **INDIVIDUAL MAY NOTIFY THE DEPARTMENT WHEN THE TITLE TO OR AN INTEREST IN A**
44 **VEHICLE IS TRANSFERRED OR ASSIGNED.**

45 Sec. 3. Effective date

46 This act is effective from and after December 31, 2021.

APPROVED BY THE GOVERNOR APRIL 20, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 20, 2021.