State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

CHAPTER 58

HOUSE BILL 2480

AN ACT

AMENDING SECTIONS 28-2531, 28-4593 AND 28-4594, ARIZONA REVISED STATUTES; RELATING TO MOTOR VEHICLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Section 1. Section 28-2531, Arizona Revised Statutes, is amended to read:

28-2531. Registration; violation; classification; exceptions

A. A person is guilty of a class 5 felony who:

1. Intentionally removes a manufacturer's serial or identification number from, defaces, alters or destroys a manufacturer's serial or identification number on or knowingly possesses any removed, defaced, altered or destroyed manufacturer's serial or identification number from a motor vehicle.

2. Is in possession of a motor vehicle knowing or having reason to know that a manufacturer's serial or vehicle identification number has been removed, defaced, altered or destroyed without the permission of the department.

3. Knowingly issues a license plate without payment of the full amount of the registration and weight fee payable on the date of issuance of the license plate.

B. A person is guilty of a class 2 misdemeanor who:

1. Displays or possesses a registration card or license plate knowing it to be fictitious or to have been stolen, canceled, revoked, suspended or altered.

2. Lends to a person or knowingly permits the use of the person's registration card or license plate by a person not entitled to the card or plate.

3. Knowingly fails or refuses to surrender to the department on demand a license plate that has been suspended, canceled or revoked.

4. Uses a false or fictitious name or address in an application for registration of a vehicle or for a renewal or duplicate of a registration.

5. Knowingly makes a false statement or conceals a material fact or otherwise commits fraud in an application for registration of a vehicle or for a renewal or duplicate of a registration.

6. Knowingly issues a registration card that does not contain all information required to be shown on the card.

7. Knowingly places information on a registration card that does not appear on the certificate of title of the vehicle.

8. Operates on a street or highway a motor vehicle without an emissions control device as required by section 28-955 or with a device that has been dismantled or disconnected or is otherwise inoperative.

9. Displays or possesses a registration card or license plate while operating a vehicle on a highway after the person certifies to the department pursuant to section 28-4152 that the vehicle is nonoperational, is in storage or will not be operated on a highway of this state and does not have evidence of current financial responsibility applicable to the motor vehicle.
10. Intentionally alters, forges or counterfeits a permanent
disability removable windshield placard issued by this state or another
state or country.

C. This section does not apply to law enforcement officers or
employees of the United States, this state or a political subdivision of
this state if the violation occurs in the course of their official duties.

D. Subsection A, paragraph 2 of this section does not apply to a
towing company that has a vehicle in its possession pursuant to section
9-499.05, 11-251.04, 28-872 or 28-4834 or a business acting in good faith
and in the normal course of business and in conformance with all
applicable laws.

E. SUBSECTION A, PARAGRAPHS 1 AND 2 OF THIS SECTION DO NOT APPLY TO
A PERSON WHO, FOR MOTOR VEHICLES MANUFACTURED BEFORE 1981, REMOVES AND
REINSTALLS A MANUFACTURER'S SERIAL OR IDENTIFICATION NUMBER FROM A MOTOR
VEHICLE IF THE REMOVAL AND REINSTALLATION ARE REASONABLY NECESSARY FOR
REPAIR OR RESTORATION, UNLESS THE PERSON KNOWS OR HAS REASON TO KNOW THAT
THE MOTOR VEHICLE IS STOLEN.

Sec. 2. Section 28-4593, Arizona Revised Statutes, is amended to
read:

28-4593. Altering a serial or identification number;
classification

A. A person who knowingly removes, defaces, alters or destroys a
manufacturer's serial or identification number of a motor vehicle or major
component part of a vehicle without the permission of the department is
guilty of a class 3 misdemeanor.

B. A person who intentionally removes, defaces, alters or destroys
a manufacturer's serial or identification number of a motor vehicle or
major component part of a vehicle with the intent to alter the identity of
that or another motor vehicle or major component part is guilty of a class
5 felony.

C. THIS SECTION DOES NOT APPLY TO A PERSON WHO, FOR MOTOR VEHICLES
MANUFACTURED BEFORE 1981, REMOVES AND REINSTALLS A MANUFACTURER'S SERIAL
OR IDENTIFICATION NUMBER FROM A MOTOR VEHICLE IF THE REMOVAL AND
REINSTALLATION ARE REASONABLY NECESSARY FOR REPAIR OR RESTORATION, UNLESS
THE PERSON KNOWS OR HAS REASON TO KNOW THAT THE MOTOR VEHICLE IS STOLEN.

Sec. 3. Section 28-4594, Arizona Revised Statutes, is amended to
read:

28-4594. Altered serial or identification number; contraband;
seizure; disposition

A. Except if a manufacturer's serial or identification number of a
motor vehicle or major component part of a vehicle is removed, defaced,
altered or destroyed with the permission of the department OR IS REMOVED
AND REINSTALLED AS DESCRIBED IN SECTION 28-2531, SUBSECTION E or if a
special serial or identifying number issued by the department has been
properly affixed to a vehicle pursuant to section 28-2165, a motor vehicle
or major component part of the vehicle that has had the manufacturer's or department's serial or identification number removed, defaced, altered or destroyed and a serial or identification number so removed are contraband.

B. A law enforcement agency shall both:
1. Immediately seize and store the motor vehicle or major component part of a vehicle or serial or identification number that is contraband pursuant to subsection A of this section.
2. Attempt to restore the original manufacturer's serial or identification numbers on the item seized as follows:
   (a) If the original identification numbers can be permanently restored and the last owner as identified on official title records maintained by the vehicle registration agency of the state, country or territory in which the vehicle was last issued a certificate of title or the person or entity to which a certificate of title was assigned by the last owner as identified on official title records can be found, the law enforcement agency shall return the motor vehicle or major component part of a vehicle to the person or entity.
   (b) If the original identification numbers can be temporarily restored and the last owner as identified on official title records maintained by the vehicle registration agency of the state, country or territory in which the vehicle was last issued a certificate of title or the person or entity to which a certificate of title was assigned by the last owner as identified on official title records can be found, the county attorney of the county in which the motor vehicle or major component part of a vehicle was seized or the attorney general, within sixty days after the date of seizure or such other reasonable time that is set by the court, shall file a petition or action in the superior court in the county in which the item was seized or in Maricopa county to forfeit the motor vehicle or major component part of a vehicle to this state for use or other appropriate disposition by the law enforcement agency that seized the item or for such other disposition as the state deems appropriate. The petition shall set forth probable cause that the item is contraband. A copy of the petition or notice of pending forfeiture shall be served as follows:
      (i) On the person from whom the item was seized by certified mail to the person's last known address.
      (ii) On the last owner and any lienholders or interest holders identified on official title records by certified mail to the names and addresses identified on official title records.
      (iii) On any other known interest holders by certified mail to each holder's last known address.
      (iv) By publication in one issue of a newspaper of general circulation in the county in which the property was seized.
   (c) If the original identification numbers cannot be permanently or temporarily restored or the last owner as identified on official title records...
records cannot be found, the county attorney in the county in which the
motor vehicle or major component part of a vehicle was seized or the
attorney general, within sixty days after the date of seizure or such
other reasonable time as is set by the court, shall file a petition or
action in the superior court in the county in which the item was seized or
in Maricopa county to forfeit the motor vehicle or major component part of
a vehicle to this state for use or other appropriate disposition by the
law enforcement agency that seized the item or for such other disposition
as the state deems appropriate. The petition shall set forth probable
cause that the item is contraband. A copy of the petition or notice of
pending forfeiture shall be served on the person from whom the item was
seized by certified mail to the person’s last known address.

C. If a verified claim is not filed within the time period provided
in section 28-4595, subsection A, the court shall declare the seized item
to be contraband and shall sign an order forfeiting the seized item to the
state for use or other appropriate disposition by the law enforcement
agency that seized the item or for other disposition as the state deems
appropriate.

APPROVED BY THE GOVERNOR MARCH 24, 2022.