

Senate Engrossed House Bill

~~vehicle sales; emergency stop; prohibition~~
(now: motor vehicles; features; technology; prohibition)

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HOUSE BILL 2389

AN ACT

AMENDING TITLE 44, CHAPTER 9, ARTICLE 15, ARIZONA REVISED STATUTES, BY
ADDING SECTION 44-1371.01; RELATING TO MOTOR VEHICLE TRANSACTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 44, chapter 9, article 15, Arizona Revised
3 Statutes, is amended by adding section 44-1371.01, to read:

4 44-1371.01. Motor vehicle sales; emergency shut off
5 mechanisms prohibited; definitions

6 A. NOTWITHSTANDING ANY OTHER LAW:

7 1. A MOTOR VEHICLE MAY NOT KNOWINGLY BE SOLD OR LEASED IN THIS
8 STATE IF THE MOTOR VEHICLE HAS A MECHANISM THAT ALLOWS A PERSON THAT IS
9 NOT THE OWNER OF THE MOTOR VEHICLE AND THAT IS NOT IN POSSESSION OF THE
10 MOTOR VEHICLE'S MECHANICAL OR ELECTRONIC KEY TO REMOTELY SHUT OFF THE
11 MOTOR VEHICLE WITHOUT THE OWNER'S CONSENT.

12 2. THIS STATE OR ANY SUBDIVISION OF THIS STATE MAY NOT PROHIBIT OR
13 RESTRICT THE MANUFACTURING, SALE OR USE OF A MOTOR VEHICLE SOLELY BECAUSE
14 THE MOTOR VEHICLE DOES NOT CONTAIN A FEATURE OR TECHNOLOGY DESCRIBED IN
15 SUBSECTION B, PARAGRAPH 1, SUBDIVISION (b) OF THIS SECTION.

16 B. FOR THE PURPOSES OF THIS SECTION:

17 1. "MECHANISM":

18 (a) INCLUDES AN EMERGENCY STOP MECHANISM, AN EMERGENCY OFF
19 MECHANISM OR AN EMERGENCY POWER OFF MECHANISM.

20 (b) DOES NOT INCLUDE A MOBILE APPLICATION THAT ALLOWS THE OWNER OF
21 THE MOTOR VEHICLE TO DENY ACCESS TO THE MOTOR VEHICLE TO ANOTHER PERSON,
22 INCLUDING A GOVERNMENTAL ENTITY, AT ANY TIME OR AN ONBOARD COMPUTER SYSTEM
23 OR FEATURE THAT DOES ANY OF THE FOLLOWING:

24 (i) ADDRESSES AN IMMINENT CRITICAL SAFETY ISSUE THAT IMPACTS A
25 MECHANICAL OR SOFTWARE COMPONENT OF A MOTOR VEHICLE.

26 (ii) ACTIVATES IF A DRIVER IS INATTENTIVE, IMPAIRED, SUFFERS A
27 MEDICAL EMERGENCY OR EXPERIENCES A LOSS OF CONSCIOUSNESS.

28 (iii) TAKES CORRECTIVE ACTION IN A MOTOR VEHICLE WITH AN ENGAGED
29 PARTIAL DRIVING AUTOMATION FEATURE IF THE DRIVER IS NOT ATTENTIVE OR
30 ENGAGED IN THE DRIVING TASK AND DOES NOT RESPOND TO FEATURE WARNINGS.

31 (iv) AUTOMATICALLY BRINGS A MOTOR VEHICLE WITH AN ENGAGED AUTOMATED
32 DRIVING SYSTEM TO A MINIMAL RISK CONDITION.

33 (v) AUTOMATICALLY SHUTS OFF THE ENGINE OR MOTOR OF A MOTOR VEHICLE
34 IF THE MOTOR VEHICLE HAS BEEN PARKED FOR AN EXTENDED PERIOD OF TIME WHILE
35 THE ENGINE OR MOTOR IS ON.

36 2. "OWNER" INCLUDES A LIENHOLDER WHEN THE USE OF THE MECHANISM
37 DESCRIBED IN SUBSECTION A OF THIS SECTION IS A TERM OF A CONTRACT BETWEEN
38 THE LIENHOLDER AND THE OWNER OF THE MOTOR VEHICLE.