

~~traffic schools; instructors; fingerprint clearance~~  
(now: fingerprint clearance cards; temporary authorization)

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
Second Regular Session  
2026

# CHAPTER 119

## HOUSE BILL 2916

AN ACT

AMENDING SECTION 28-3413, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 12, ARTICLE 3.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1758.09; RELATING TO FINGERPRINT CLEARANCE CARDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-3413, Arizona Revised Statutes, is amended to  
3 read:

4 28-3413. License for schools; requirements; fingerprint  
5 clearance card

6 A. A person may not act as a traffic survival school unless the  
7 person applies for and obtains from the director a license in the manner  
8 and form prescribed by the director.

9 B. Rules adopted by the director shall state the requirements for a  
10 school license, including:

11 1. Requirements concerning location, equipment, courses of  
12 instruction, instructors, previous records of the school and instructors,  
13 insurance in an amount and with provisions that the director deems  
14 necessary to protect adequately the interests of the public and other  
15 matters prescribed by the director.

16 2. A requirement that traffic survival school courses of  
17 instruction must:

18 (a) Consist of at least eight hours of instruction and include  
19 information relating to aggressive driving as provided by section 28-695.

20 (b) Be offered and completed in person and may not be offered or  
21 completed online unless the governor declares a state of emergency. The  
22 department may grant a person who enrolls in a traffic survival school a  
23 onetime waiver of the in-person requirement if the person demonstrates to  
24 the department that completing the course in person would impose a  
25 substantial burden on the person.

26 C. Each applicant who owns twenty percent or more of an entity and  
27 each partner or stockholder who owns twenty percent or more of an entity  
28 and who seeks licensure pursuant to this article **AND EACH INSTRUCTOR WHO**  
29 **IS EMPLOYED BY OR UNDER CONTRACT WITH A TRAFFIC SURVIVAL SCHOOL** shall  
30 provide the department or a contracted private entity of the department  
31 pursuant to section 28-3411 with a valid fingerprint clearance card issued  
32 pursuant to section 41-1758.03.

33 Sec. 2. Title 41, chapter 12, article 3.1, Arizona Revised  
34 Statutes, is amended by adding section 41-1758.09, to read:

35 41-1758.09. Fingerprint clearance cards; authority;  
36 prohibition; application processing;  
37 employment; definition

38 A. **AN AGENCY IN THIS STATE WITHOUT STATUTORY AUTHORITY TO REQUIRE A**  
39 **FINGERPRINT CLEARANCE CARD MAY NOT REQUIRE A PERSON TO OBTAIN A**  
40 **FINGERPRINT CLEARANCE CARD AS A CONDITION OF LICENSURE, CERTIFICATION,**  
41 **REGISTRATION OR EMPLOYMENT.**

42 B. **NOTWITHSTANDING ANY OTHER LAW, FOR OCCUPATIONS AND POSITIONS**  
43 **THAT ARE PENDING APPROVAL FOR A FEDERAL CRIMINAL RECORDS CHECK PURSUANT TO**  
44 **SECTION 41-1750 AND PUBLIC LAW 92-544, A PERSON WHO IS REQUIRED TO OBTAIN**  
45 **AND POSSESS A VALID FINGERPRINT CLEARANCE CARD MAY BE GRANTED A TEMPORARY**

1 WORK AUTHORIZATION BY THE RELEVANT AGENCY WHILE THE PERSON'S FINGERPRINT  
2 CLEARANCE CARD APPLICATION IS BEING PROCESSED IF ALL OTHER REQUIREMENTS  
3 FOR THE WORK AUTHORIZATION, LICENSURE, REGISTRATION OR CERTIFICATION ARE  
4 MET.

5 C. A PERSON WHO IS GRANTED A TEMPORARY WORK AUTHORIZATION PURSUANT  
6 TO SUBSECTION B OF THIS SECTION IS AUTHORIZED TO WORK WHILE THE PERSON'S  
7 FINGERPRINT CLEARANCE CARD APPLICATION IS BEING PROCESSED IF THE PERSON  
8 DOES ALL OF THE FOLLOWING:

9 1. PROVIDES DOCUMENTATION TO THE RELEVANT AGENCY THAT SHOWS THE  
10 PERSON'S APPLICATION FOR A FINGERPRINT CLEARANCE CARD IS PENDING WITHIN  
11 THE DEPARTMENT.

12 2. CERTIFIES ON FORMS THAT ARE PROVIDED BY THE RELEVANT AGENCY AND  
13 THAT ARE NOTARIZED THAT THE PERSON MEETS THE FOLLOWING CONDITIONS:

14 (a) IS NOT AWAITING TRIAL ON AND HAS NEVER BEEN CONVICTED OF OR  
15 ADMITTED IN OPEN COURT OR PURSUANT TO A PLEA AGREEMENT TO COMMITTING ANY  
16 OF THE CRIMINAL OFFENSES LISTED IN SECTION 41-1758.03, SUBSECTION B OR C  
17 OR SECTION 41-1758.07, SUBSECTION B OR C, AS APPLICABLE, IN THIS STATE OR  
18 SIMILAR OFFENSES IN ANOTHER STATE OR JURISDICTION.

19 (b) IS NOT SUBJECT TO REGISTRATION AS A SEX OFFENDER IN THIS STATE  
20 OR ANY OTHER JURISDICTION.

21 D. THE TEMPORARY WORK AUTHORIZATION PURSUANT TO SUBSECTION B OF  
22 THIS SECTION EXPIRES IF THE DEPARTMENT DENIES THE ISSUANCE OF A  
23 FINGERPRINT CLEARANCE CARD, AND THE DEPARTMENT SHALL NOTIFY THE RELEVANT  
24 AGENCY OF THE DENIAL.

25 E. THE RELEVANT AGENCY MAY DO ANY OF THE FOLLOWING:

26 1. ADOPT ANY POLICIES AND PROCEDURES NECESSARY TO IMPLEMENT THIS  
27 SECTION.

28 2. CONDUCT A THIRD-PARTY BACKGROUND CHECK OF THE PERSON.

29 3. DENY THE TEMPORARY WORK AUTHORIZATION IF THE RELEVANT AGENCY HAS  
30 VERIFIABLE INFORMATION THAT THE PERSON IS AWAITING TRIAL ON OR HAS BEEN  
31 CONVICTED OF OR ADMITTED IN OPEN COURT OR PURSUANT TO A PLEA AGREEMENT TO  
32 COMMITTING ANY OF THE OFFENSES DESCRIBED IN SUBSECTION C, PARAGRAPH 2,  
33 SUBDIVISION (a) OF THIS SECTION OR IS SUBJECT TO REGISTRATION AS A SEX  
34 OFFENDER IN THIS STATE OR ANY OTHER JURISDICTION.

35 4. TAKE APPROPRIATE DISCIPLINARY ACTION AGAINST A PERSON WHO  
36 MISREPRESENTS ANY OF THE INFORMATION REQUIRED PURSUANT TO SUBSECTION C OF  
37 THIS SECTION.

38 F. FOR THE PURPOSES OF THIS SECTION, "AGENCY" INCLUDES A BOARD OR  
39 COMMISSION.

40 Sec. 3. Effective date

41 Section 28-3413, Arizona Revised Statutes, as amended by this act,  
42 is effective from and after December 31, 2026.

H.B. 2916

APPROVED BY THE GOVERNOR JUNE 4, 2026.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 5, 2026.