

REFERENCE TITLE: disability; voluntary disclosure; licenses

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HB 2330

Introduced by
Representative Willoughby

AN ACT

AMENDING SECTION 28-2051, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 7, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-2066; AMENDING SECTIONS 28-3165 AND 28-3166, ARIZONA REVISED STATUTES; RELATING TO DRIVER AND NONOPERATING IDENTIFICATION LICENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-2051, Arizona Revised Statutes, is amended to
3 read:

4 28-2051. Application for certificate of title; vision
5 screening test

6 A. A person shall apply to the department on a form prescribed or
7 authorized by the department for a certificate of title to a motor
8 vehicle, trailer or semitrailer. The person shall make the application
9 within fifteen days after the purchase or transfer of the vehicle, trailer
10 or semitrailer except that a licensed motor vehicle dealer shall make the
11 application within thirty days after the purchase or transfer. All
12 transferees shall sign the application, except that one transferee may
13 sign the application if both of the following apply:

14 1. The application is for the purposes of converting an
15 out-of-state certificate of title to a certificate of title issued
16 pursuant to this article.

17 2. The ownership or legal status of the motor vehicle, trailer or
18 semitrailer does not change.

19 B. The application shall contain:

20 1. The transferee's full name and either the driver license number
21 of the transferee or a number assigned by the department.

22 2. The transferee's complete residence address.

23 3. A brief description of the vehicle to be issued a certificate of
24 title.

25 4. The name of the manufacturer of the vehicle.

26 5. The serial number of the vehicle.

27 6. The last license plate number if applicable and if known and the
28 state in which the license plate number was issued.

29 7. If the application is for a certificate of title to a new
30 vehicle, the date of sale by the manufacturer or dealer to the person
31 first operating the vehicle.

32 8. If the application is in the name of a lessor:

33 (a) The lessor shown on the application as the owner or transferee.

34 (b) At the option of the lessor, the lessee shown on the
35 application as the registrant.

36 (c) The address of either the lessor or lessee.

37 (d) The signature of the lessor.

38 9. If the application is for a certificate of title to a specially
39 constructed, reconstructed or foreign vehicle, a statement of that fact.
40 For the purposes of this paragraph, "specially constructed vehicle" means
41 a vehicle not originally constructed under a distinctive name, make, model
42 or type by a generally recognized manufacturer of vehicles.

1 10. If an applicant rents or intends to rent the vehicle without a
2 driver, a statement of that fact.

3 11. SPACE FOR AN APPLICANT TO VOLUNTARILY INDICATE THAT THE
4 APPLICANT OR PERSON HAS A DISABILITY THAT CAN IMPAIR COMMUNICATION. FOR
5 THE PURPOSES OF THIS PARAGRAPH, "DISABILITY THAT CAN IMPAIR COMMUNICATION"
6 MEANS A CONDITION THAT CAN IMPAIR A PERSON'S ABILITY TO RECEIVE, SEND,
7 PROCESS OR COMPREHEND CONCEPTS OF VERBAL OR NONVERBAL COMMUNICATION OR
8 GRAPHIC SYMBOLS.

9 ~~11.~~ 12. Other information required by the department.

10 C. Unless subsection B, paragraph 8 of this section applies, on
11 request of an applicant, the department shall allow the applicant to
12 provide on the certificate of title of a motor vehicle, trailer or
13 semitrailer a post office box address that is regularly used by the
14 applicant.

15 D. A person shall submit the following information with an
16 application for a certificate of title:

17 1. To a vehicle previously registered:

18 (a) The odometer mileage disclosure statement prescribed by section
19 28-2058.

20 (b) If the applicant is applying for a certificate of title
21 pursuant to section 28-2060, the applicant's statement of the odometer
22 reading as of the date of application.

23 2. To a new vehicle:

24 (a) Either of the following:

25 (i) A manufacturer's certificate of origin showing the date of sale
26 to the dealer or person first receiving the vehicle from the manufacturer.
27 Before the department issues a certificate of title to a new vehicle, a
28 manufacturer's certificate of origin shall be surrendered to the
29 department.

30 (ii) A factory invoice, a form that is provided by the department
31 or other documentation that shows the date of sale to the dealer or the
32 person who first received the vehicle from the manufacturer.

33 (b) The name of the dealer or person.

34 (c) A description sufficient to identify the vehicle.

35 (d) A statement certifying that the vehicle was new when sold.

36 (e) If sold through a dealer, a statement by the dealer certifying
37 that the vehicle was new when sold to the applicant.

38 E. The department may request that an applicant who appears in
39 person for a certificate of title of a motor vehicle, trailer or
40 semitrailer satisfactorily complete the vision screening test prescribed
41 by the department.

1 Sec. 2. Title 28, chapter 7, article 2, Arizona Revised Statutes,
2 is amended by adding section 28-2066, to read:

3 28-2066. Disability that can impair communication
4 designation; records

5 A. IF A PERSON VOLUNTARILY INDICATES ON AN APPLICATION WHEN
6 REGISTERING A VEHICLE AS REQUIRED BY THIS TITLE THAT THE PERSON HAS A
7 DISABILITY THAT CAN IMPAIR COMMUNICATION, THE DEPARTMENT SHALL:

8 1. NOT INDICATE ON THE PERSON'S TITLE OR REGISTRATION THAT THE
9 PERSON HAS A DISABILITY THAT CAN IMPAIR COMMUNICATION.

10 2. MAINTAIN IN THE DEPARTMENT'S STATEWIDE MOTOR VEHICLE RECORDS
11 SYSTEM THE INDICATION THAT THE PERSON HAS A DISABILITY THAT CAN IMPAIR
12 COMMUNICATION.

13 3. ESTABLISH PROCEDURES TO SHARE WITH STATE AND LOCAL LAW
14 ENFORCEMENT OFFICERS THAT A PERSON HAS A DISABILITY THAT CAN IMPAIR
15 COMMUNICATION.

16 B. FOR THE PURPOSES OF THIS SECTION, "DISABILITY THAT CAN IMPAIR
17 COMMUNICATION" MEANS A CONDITION THAT CAN IMPAIR A PERSON'S ABILITY TO
18 RECEIVE, SEND, PROCESS OR COMPREHEND CONCEPTS OF VERBAL OR NONVERBAL
19 COMMUNICATION OR GRAPHIC SYMBOLS.

20 Sec. 3. Section 28-3165, Arizona Revised Statutes, is amended to
21 read:

22 28-3165. Nonoperating identification license; immunity;
23 rules; emancipated minors; definitions

24 A. On receipt of an application from a person who does not have a
25 valid driver license issued by this state or whose driving privilege is
26 suspended, the department shall issue a nonoperating identification
27 license that contains a distinguishing number assigned to the licensee,
28 the full legal name, the date of birth, the residence address and a brief
29 description of the licensee and either a facsimile of the signature of the
30 licensee or a space on which the licensee is required to write the
31 licensee's usual signature with pen and ink. A nonoperating
32 identification license that is issued to a person whose driving privilege
33 is suspended shall not be valid for more than one hundred eighty days from
34 the date of issuance.

35 B. On request of an applicant:

36 1. The department shall allow the applicant to provide on the
37 nonoperating identification license a post office box address that is
38 regularly used by the applicant.

39 2. If the applicant submits satisfactory proof to the department
40 that the applicant is a veteran, the department shall allow a
41 distinguishing mark to appear on the nonoperating identification license
42 that identifies that person as a veteran.

43 C. A person who is issued a license pursuant to this section shall
44 use it only for identification purposes of the licensee. The nonoperating
45 identification license does not grant authority to operate a motor vehicle

1 in this state. The department shall clearly label the nonoperating
2 identification license "for identification only, not for operation of a
3 motor vehicle".

4 D. On issuance of a driver license, the holder of a nonoperating
5 identification license shall surrender the nonoperating identification
6 license to the department and the department shall not refund any fee paid
7 for the issuance of the nonoperating identification license.

8 E. A nonoperating identification license shall contain the
9 photograph of the licensee. WHEN ISSUING A NONOPERATING IDENTIFICATION
10 LICENSE, the department shall use a process ~~in the issuance of~~
11 ~~nonoperating identification licenses~~ that prohibits as nearly as possible
12 the ability to superimpose a photograph on the license without ready
13 detection. The department shall process nonoperating identification
14 licenses and photo attachments in color.

15 F. On application, an applicant shall give the department
16 satisfactory proof of the applicant's full legal name, date of birth, sex
17 and residence address, if the applicant has a residence address, and that
18 the applicant's presence in the United States is authorized under federal
19 law. The application shall briefly describe the applicant, state whether
20 the applicant has been licensed, and if so, the type of license issued,
21 when and by what state or country and whether any such license is under
22 suspension, revocation or cancellation. The application shall contain
23 other identifying information required by the department.

24 G. The department may adopt and implement procedures to deny a
25 nonoperating identification license to a person who has been deported.
26 The department may adopt and implement procedures to reinstate a person's
27 privilege to apply for a nonoperating identification license if the
28 person's legal presence status is restored.

29 H. A nonoperating identification license issued by the department
30 is solely for the use and convenience of the applicant for identification
31 purposes.

32 I. The department shall adopt rules and establish fees for issuance
33 of a nonoperating identification license, except that the department shall
34 not require an examination.

35 J. The fees established pursuant to this section do not apply to
36 any of the following:

- 37 1. A person who is sixty-five years of age or older.
- 38 2. A person who is a recipient of public monies as an individual
39 with a disability under title XVI of the social security act, as amended.
- 40 3. A veteran who does not have a residence address.
- 41 4. A veteran whose residence address is the address of a shelter
42 that provides services to the homeless.
- 43 5. A child in the custody of the department of child safety.

K. If a person qualifies for a nonoperating identification license and is under the legal drinking age, the department shall issue a license that is marked by color, code or design to immediately distinguish it from a nonoperating identification license issued to a person of legal drinking age. The department shall indicate on the nonoperating identification license issued pursuant to this subsection the year in which the person will attain the legal drinking age.

L. If a minor has been emancipated pursuant to title 12, chapter 15, on application and proof of emancipation, the department shall issue a nonoperating identification license that contains the words "emancipated minor".

M. Notwithstanding any other law, if an applicant for a nonoperating identification license is at least sixteen years of age and either does not have a residence address or is in the department of child safety's custody, the applicant does not need a signature of the applicant's parent, guardian, foster parent or employer.

N. AN APPLICATION OR RENEWAL FOR A NONOPERATING IDENTIFICATION LICENSE MUST INCLUDE A SPACE ON WHICH AN APPLICANT OR A PERSON RENEWING THEIR NONOPERATING IDENTIFICATION LICENSE MAY VOLUNTARILY INDICATE THAT THE APPLICANT OR PERSON HAS A DISABILITY THAT CAN IMPAIR COMMUNICATION. THE DEPARTMENT SHALL:

1. NOT INDICATE ON THE APPLICANT'S OR PERSON'S NONOPERATING IDENTIFICATION LICENSE THAT THE APPLICANT OR PERSON HAS A DISABILITY THAT CAN IMPAIR COMMUNICATION.

2. MAINTAIN IN THE DEPARTMENT'S STATEWIDE MOTOR VEHICLE RECORDS SYSTEM THE INDICATION THAT THE PERSON HAS A DISABILITY THAT CAN IMPAIR COMMUNICATION.

3. ESTABLISH PROCEDURES TO SHARE WITH STATE AND LOCAL LAW ENFORCEMENT OFFICERS THAT A PERSON HAS A DISABILITY THAT CAN IMPAIR COMMUNICATION.

~~N.~~ 0. For the purposes of this section: ~~;~~

1. "DISABILITY THAT CAN IMPAIR COMMUNICATION" MEANS A CONDITION THAT CAN IMPAIR A PERSON'S ABILITY TO RECEIVE, SEND, PROCESS OR COMPREHEND CONCEPTS OF VERBAL OR NONVERBAL COMMUNICATION OR GRAPHIC SYMBOLS.

2. "Veteran" has the same meaning prescribed in section 41-601.

Sec. 4. Section 28-3166, Arizona Revised Statutes, is amended to read:

28-3166. Driver license content and application; marked licenses; emancipated minors

A. The department shall issue a driver license to a qualified applicant. The driver license shall contain a distinguishing number assigned to the licensee, the license class, any endorsements, the licensee's full name, date of birth and residence address, if the licensee has a residence address, a brief description of the licensee and either a facsimile of the signature of the licensee or a space on which the

1 licensee is required to write the licensee's usual signature with pen and
2 ink. A driver license is not valid until it is signed by the licensee.
3 On request of an applicant:

4 1. The department shall allow the applicant to provide on the
5 driver license a post office box address that is regularly used by the
6 applicant and that is located in the county in which the applicant
7 resides.

8 2. If the applicant submits satisfactory proof to the department
9 that the applicant is a veteran, the department shall allow a
10 distinguishing mark to appear on the license that identifies the person as
11 a veteran.

12 B. An application for a driver license and the driver license
13 issued shall contain the photo image of the applicant or licensee. WHEN
14 ISSUING A DRIVER LICENSE, the department shall use a process ~~in the~~
15 ~~issuance of driver licenses~~ that prohibits as nearly as possible the
16 ability to alter or reproduce the license or that prohibits the ability to
17 superimpose a photo image on the license without ready detection. The
18 department shall process driver licenses and photo images in color.

19 C. An applicant who is at least sixteen but under twenty-four years
20 of age shall provide the department with satisfactory proof of the
21 applicant's legal name and date of birth.

22 D. If a person is qualified for a driver license and is under the
23 legal drinking age, the department shall issue a license that is marked by
24 color, code or design to immediately distinguish it from a license issued
25 to a person of legal drinking age. The department shall indicate on the
26 driver license issued pursuant to this subsection the year in which the
27 person will attain the legal drinking age.

28 E. The department shall mark a special ignition interlock
29 restricted driver license issued pursuant to chapter 4, article 3.1 of
30 this title by color, code or design to immediately distinguish it from
31 other licenses issued by the department.

32 F. If a person is qualified for a driver license but is subject to
33 the certified ignition interlock device limitations prescribed in section
34 28-1381, 28-1382, 28-1383 or 28-3319, the department shall issue a license
35 that is marked by color, code or design to immediately distinguish it from
36 other licenses issued by the department.

37 G. The department shall not include information in the magnetic
38 stripe and bar code of a driver license other than information that the
39 department is authorized to obtain and place on a driver license pursuant
40 to this article.

41 H. If a minor has been emancipated pursuant to title 12, chapter
42 15, on application and proof of emancipation, the department shall issue a
43 driver license that contains the words "emancipated minor".

44 I. AN APPLICATION OR RENEWAL FOR A DRIVER LICENSE MUST INCLUDE A
45 SPACE ON WHICH AN APPLICANT OR A PERSON RENEWING THEIR DRIVER LICENSE MAY

1 VOLUNTARILY INDICATE THAT THE APPLICANT OR PERSON HAS A DISABILITY THAT
2 CAN IMPAIR COMMUNICATION. THE DEPARTMENT SHALL:

3 1. NOT INDICATE ON THE APPLICANT'S OR PERSON'S DRIVER LICENSE THAT
4 THE APPLICANT OR PERSON HAS A DISABILITY THAT CAN IMPAIR COMMUNICATION.

5 2. MAINTAIN IN THE DEPARTMENT'S STATEWIDE MOTOR VEHICLE RECORDS
6 SYSTEM THE INDICATION THAT THE PERSON HAS A DISABILITY THAT CAN IMPAIR
7 COMMUNICATION.

8 3. ESTABLISH PROCEDURES TO SHARE WITH STATE AND LOCAL LAW
9 ENFORCEMENT OFFICERS THAT A PERSON HAS A DISABILITY THAT CAN IMPAIR
10 COMMUNICATION.

11 J. FOR THE PURPOSES OF THIS SECTION, "DISABILITY THAT CAN IMPAIR
12 COMMUNICATION" MEANS A CONDITION THAT CAN IMPAIR A PERSON'S ABILITY TO
13 RECEIVE, SEND, PROCESS OR COMPREHEND CONCEPTS OF VERBAL OR NONVERBAL
14 COMMUNICATION OR GRAPHIC SYMBOLS.