

REFERENCE TITLE: excessive speeding

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

HB 2409

Introduced by
Representatives Kolodin: Keshel, Kupper, Marshall

AN ACT

AMENDING SECTIONS 28-695 AND 28-701.02, ARIZONA REVISED STATUTES; RELATING
TO SPEED RESTRICTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-695, Arizona Revised Statutes, is amended to
3 read:

4 28-695. Aggressive driving; violation; classification;
5 definition

6 A. A person commits aggressive driving if both of the following
7 occur:

8 1. During a course of conduct the person commits a violation of
9 either section 28-701, subsection A or section 28-701.02, **SUBSECTION A,**
10 **PARAGRAPH 1** and at least two of the following violations:

11 (a) Failure to obey traffic control devices as provided in section
12 28-644.

13 (b) Overtaking and passing another vehicle on the right by driving
14 off the pavement or main traveled portion of the roadway as provided in
15 section 28-724.

16 (c) Unsafe lane change as provided in section 28-729.

17 (d) Following a vehicle too closely as provided in section 28-730.

18 (e) Failure to yield the right-of-way as provided in article 9 of
19 this chapter.

20 2. The person's driving is an immediate hazard to another person or
21 vehicle.

22 B. A person convicted of aggressive driving is guilty of a class 1
23 misdemeanor.

24 C. In addition to any other penalty prescribed by law:

25 1. A person convicted of a violation of this section shall attend
26 and successfully complete approved traffic survival school educational
27 sessions that are designed to improve the safety and habits of drivers and
28 that are approved by the department.

29 2. The court shall forward the abstract of conviction to the
30 department and may order the department to suspend the person's driving
31 privilege for thirty days.

32 D. If a person who is convicted of a violation of this section has
33 been previously convicted of a violation of this section within a period
34 of twenty-four months:

35 1. The person is guilty of a class 1 misdemeanor.

36 2. In addition to any other penalty prescribed by law, the court
37 shall forward the abstract of conviction to the department. On receipt of
38 the abstract of conviction, the department shall suspend the driving
39 privilege of the person for one year.

40 E. The dates of the commission of the offense determine whether
41 subsection D of this section applies. A second or subsequent violation
42 for which a conviction occurs as provided in this section does not include
43 a conviction for an offense arising out of the same series of acts.

1 F. After completing not less than forty-five consecutive days of
2 the suspension period required by subsection D of this section, a person
3 whose driving privilege is suspended for a violation of this section and
4 who is sentenced pursuant to subsection D of this section may apply to the
5 department for a restricted driver license that allows the person to
6 operate a motor vehicle during the period of suspension subject to the
7 restrictions described in section 28-144.

8 G. For the purposes of this section, "course of conduct" means a
9 series of acts committed during a single, continuous period of driving.

10 Sec. 2. Section 28-701.02, Arizona Revised Statutes, is amended to
11 read:

12 28-701.02. Excessive speeds; classification; definition

13 A. A person shall not:

- 14 1. Exceed thirty-five miles per hour approaching a school crossing.
15 2. Exceed the posted speed limit in a business or residential
16 district by more than twenty miles per hour, ~~or~~ or if no speed limit is
17 posted, exceed forty-five miles per hour.
18 3. Exceed the posted speed limit by more than twenty miles per hour
19 in other locations.

20 B. A person who violates subsection A, **PARAGRAPH 1** of this section
21 is guilty of a class 3 misdemeanor.

22 C. A person who is charged with a violation of **SUBSECTION A,**
23 **PARAGRAPH 2 OR 3 OF** this section may ~~not~~ be issued a civil complaint for a
24 violation of section 28-701 ~~if the civil complaint alleges a violation~~
25 ~~arising out of the same circumstances.~~

26 **D. FOR THE PURPOSES OF THIS SECTION, "BUSINESS OR RESIDENTIAL**
27 **DISTRICT" INCLUDES AN ARTERIAL STREET ONLY IF THE ARTERIAL STREET PROVIDES**
28 **DIRECT ACCESS TO A HOME OR BUSINESS WITHOUT TRAVERSING ANOTHER STREET OR A**
29 **PARKING LOT.**