

REFERENCE TITLE: defensive driving schools; fees

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

HB 2453

Introduced by
Representative Marshall: Senator Gowan

AN ACT

AMENDING SECTIONS 28-3396 AND 28-3397, ARIZONA REVISED STATUTES; RELATING
TO DEFENSIVE DRIVING SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 28-3396, Arizona Revised Statutes, is amended to read:

28-3396. Court diversion fee

A. The presiding judge of each court shall:

1. Set the amount of the court diversion fee that an individual, including an individual who holds a commercial driver license, who attends a defensive driving school may be assessed.

2. Charge an individual a ~~forty-five dollar~~ \$45 surcharge if the individual attends a defensive driving school.

3. Immediately inform the supreme court in writing of the amount of the court diversion fee that is established for the court and the total cost to attend a defensive driving school.

4. Immediately inform the supreme court in writing of any changes in the total cost to attend a defensive driving school.

B. Payment of the court diversion fee and surcharge is in lieu of payment of a civil penalty or criminal fine and any surcharge that are imposed for a traffic violation.

C. The ~~driving school~~ COURT OF RECORD OR A VENDOR THAT IS CONTRACTED BY THE COURT shall collect the court diversion fee and surcharge before or at the time an individual attends the DRIVING school. ~~On receipt of the diversion fee, the defensive driving school shall transmit the fee promptly to the appropriate court pursuant to procedures prescribed by the supreme court.~~ On receipt of the surcharge, the ~~defensive driving school~~ COURT OF RECORD OR A VENDOR THAT IS CONTRACTED BY THE COURT shall transmit the surcharge promptly to the state treasurer for deposit, pursuant to sections 35-146 and 35-147, as follows:

1. The first ~~ten million four hundred thousand dollars~~ \$10,400,000 in revenue annually in the department of public safety forensics fund established by section 41-1730.

2. All remaining ~~money~~ MONIES in the state general fund.

Sec. 2. Section 28-3397, Arizona Revised Statutes, is amended to read:

28-3397. Additional fees; disposition; prohibition by a contracted vendor

A. In addition to the court diversion fee and the fee for the cost to attend a defensive driving school, a person who attends a defensive driving school pursuant to this article or by a court order shall pay a fee of not more than ~~fifteen dollars~~ \$15 that is established by the supreme court.

B. Before or at the time an individual attends a defensive driving school, the ~~school~~ COURT OF RECORD OR A VENDOR THAT IS CONTRACTED BY THE COURT shall collect the defensive driving school fund fee established pursuant to this section and the SCHOOL SHALL COLLECT THE fee, if any, charged by the defensive driving school for the course.

1 C. The ~~defensive driving school~~ COURT OF RECORD OR A VENDOR THAT IS
2 CONTRACTED BY THE COURT shall transmit the fee established by the supreme
3 court pursuant to this section to the supreme court. The supreme court
4 shall deposit the fee in the defensive driving school fund established by
5 section 28-3398 pursuant to procedures established by the supreme court.
6 D. A VENDOR THAT IS CONTRACTED BY THE COURT TO PROCESS PAYMENTS
7 UNDER THIS SECTION MAY NOT BE AFFILIATED WITH ANY DEFENSIVE DRIVING SCHOOL
8 IN THIS STATE.