

REFERENCE TITLE: unlawful presence; commercial vehicle; forfeiture

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

HB 2345

Introduced by
Representative Livingston

AN ACT

AMENDING TITLE 28, CHAPTER 14, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 28-5233; AMENDING SECTION 28-6501, ARIZONA REVISED
STATUTES; RELATING TO COMMERCIAL DRIVER LICENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 28, chapter 14, article 2, Arizona Revised
3 Statutes, is amended by adding section 28-5233, to read:

4 28-5233. Unlawful presence; falsification of commercial
5 driver license; violation; classification; civil
6 penalty; vehicle forfeiture; disposition of monies

7 A. NOTWITHSTANDING ANY OTHER LAW, IT IS UNLAWFUL FOR A PERSON WHOSE
8 PRESENCE IN THE UNITED STATES IS NOT AUTHORIZED UNDER FEDERAL LAW AND WHO
9 POSSESSES A FALSIFIED COMMERCIAL DRIVER LICENSE. A PERSON WHO VIOLATES
10 THIS SUBSECTION IS GUILTY OF A CLASS 5 FELONY.

11 B. NOTWITHSTANDING ANY OTHER LAW, IF A PERSON VIOLATES SUBSECTION A
12 OF THIS SECTION AND THE PERSON WAS OPERATING THE COMMERCIAL MOTOR VEHICLE
13 AT THE TIME THE VIOLATION OCCURRED, A PEACE OFFICER SHALL SEIZE THE
14 COMMERCIAL MOTOR VEHICLE FOR FORFEITURE.

15 C. IF A COMMERCIAL MOTOR VEHICLE IS SEIZED FOR FORFEITURE PURSUANT
16 TO SUBSECTION B OF THIS SECTION AND THE COMMERCIAL MOTOR VEHICLE IS TITLED
17 OR REGISTERED TO:

18 1. THE PERSON WHO VIOLATED SUBSECTION A OF THIS SECTION, THE
19 COMMERCIAL MOTOR VEHICLE SHALL BE SOLD AT AUCTION.

20 2. A PERSON WHO WAS NOT OPERATING THE COMMERCIAL MOTOR VEHICLE AT
21 THE TIME OF THE VIOLATION PURSUANT TO SUBSECTION A OF THIS SECTION BUT THE
22 PERSON KNOWINGLY EMPLOYED THE PERSON IN VIOLATION OF SUBSECTION A OF THIS
23 SECTION, BOTH OF THE FOLLOWING APPLY:

24 (a) THE COMMERCIAL MOTOR VEHICLE SHALL BE SOLD AT AUCTION.

25 (b) THE EMPLOYER SHALL PAY A CIVIL PENALTY EQUAL TO THE AMOUNT OF
26 THE FAIR MARKET VALUE OF THE COMMERCIAL MOTOR VEHICLE SEIZED FOR
27 FORFEITURE PURSUANT TO SUBSECTION B OF THIS SECTION.

28 D. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
29 35-147, ANY PROCEEDS OR CIVIL PENALTIES COLLECTED PURSUANT TO SUBSECTION C
30 OF THIS SECTION IN THE ARIZONA HIGHWAY USER REVENUE FUND ESTABLISHED BY
31 SECTION 28-6533.

32 Sec. 2. Section 28-6501, Arizona Revised Statutes, is amended to
33 read:

34 28-6501. Definition of highway user revenues

35 In this article, unless the context otherwise requires or except as
36 otherwise provided by statute, "highway user revenues" means all monies
37 received in this state from licenses, taxes, penalties, interest and fees
38 authorized by the following:

39 1. Chapters 2, 7, 8 and 15 of this title, except for:

40 (a) The special plate administration fees prescribed in sections
41 28-2404, 28-2407, 28-2412 through 28-2470.39 and 28-2514.

1 (b) The donations prescribed in sections 28-2404, 28-2407, 28-2412
2 through 28-2415, 28-2417 through 28-2470.39, 28-2473, 28-2474, 28-2475 and
3 28-2476.
4 2. Section 28-1177.
5 3. Chapters 10 and 11 of this title.
6 4. SECTION 28-5233.
7 ~~4.~~ 5. Chapter 16, articles 1, 2 and 4 of this title, except as
8 provided in sections 28-5926 and 28-5927.