

REFERENCE TITLE: license; driver; nonoperating; medical indicia

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

HB 2772

Introduced by
Representative Powell

AN ACT

AMENDING SECTIONS 28-3167 AND 36-3251, 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 28-3167, Arizona Revised Statutes, is amended to
3 read:

4 28-3167. Medical code information on license; prehospital
5 medical care directive; rules; immunity

6 A. The department shall provide on each driver license and on each
7 nonoperating identification license a space where a licensee may indicate
8 that the licensee suffers from some type of adverse medical condition
9 using a medical code prescribed by the department if the licensee presents
10 a signed statement from a physician who is licensed pursuant to title 32,
11 chapter 13, 14 or 17 or a registered nurse practitioner who is licensed
12 pursuant to title 32, chapter 15 stating that the person suffers from the
13 condition.

14 B. The department shall prescribe by rule a medical code to
15 identify the medical conditions using a system of numerals or letters
16 commonly accepted by the medical profession. Except for the purposes of
17 entering the medical code on the driver license or nonoperating
18 identification license, and unless the person affirmatively requests in
19 writing that the person wants the medical code as part of the computer
20 record, the department shall not maintain the medical code in the
21 department computer after the department issues the driver license or
22 nonoperating identification license.

23 C. THE DEPARTMENT SHALL PROVIDE ON EACH DRIVER LICENSE AND ON EACH
24 NONOPERATING IDENTIFICATION LICENSE A SPACE WHERE A LICENSEE MAY INDICATE
25 THAT THE LICENSEE HAS A PREHOSPITAL MEDICAL CARE DIRECTIVE BY USING AN
26 ORANGE SYMBOL PRESCRIBED BY THE DEPARTMENT PURSUANT TO SUBSECTION D OF
27 THIS SECTION IF THE LICENSEE PROVIDES PROOF TO THE DEPARTMENT OF A
28 PREHOSPITAL MEDICAL CARE DIRECTIVE THAT FULFILLS THE REQUIREMENTS OF TITLE
29 36, CHAPTER 32, ARTICLE 4. THE DEPARTMENT IS NOT REQUIRED TO ACCEPT OR
30 INTERPRET MEDICAL CARE DIRECTIVES THAT DO NOT MEET THE REQUIREMENTS OF
31 TITLE 36, CHAPTER 32, ARTICLE 4. THE LICENSEE SHALL AFFIRM TO THE
32 DEPARTMENT AT EACH RENEWAL OF THE DRIVER LICENSE OR NONOPERATING
33 IDENTIFICATION LICENSE THAT A PREHOSPITAL MEDICAL CARE DIRECTIVE REMAINS
34 IN EFFECT FOR THE LICENSEE.

35 D. THE DEPARTMENT SHALL PRESCRIBE BY RULE AN ORANGE SYMBOL TO
36 IDENTIFY THE PREHOSPITAL MEDICAL CARE DIRECTIVE. THE DEPARTMENT SHALL
37 MAINTAIN THE PREHOSPITAL MEDICAL CARE DIRECTIVE IN THE DEPARTMENT'S
38 COMPUTER RECORDS AFTER THE DEPARTMENT ISSUES THE DRIVER LICENSE OR
39 NONOPERATING IDENTIFICATION LICENSE. EXCEPT FOR THE PURPOSE OF INDICATING
40 THE ORANGE SYMBOL ON THE DRIVER LICENSE OR NONOPERATING IDENTIFICATION
41 LICENSE, AND UNLESS THE LICENSEE AFFIRMATIVELY REQUESTS IN WRITING THAT
42 THE LICENSEE WANTS THE PREHOSPITAL MEDICAL CARE DIRECTIVE AS PART OF THE
43 COMPUTER RECORDS, THE DEPARTMENT MAY NOT MAINTAIN THE PREHOSPITAL MEDICAL
44 CARE DIRECTIVE IN THE DEPARTMENT'S COMPUTER RECORDS AFTER THE DEPARTMENT
45 ISSUES THE DRIVER LICENSE OR NONOPERATING IDENTIFICATION LICENSE.

1 ~~E.~~ E. The department and this state are exempt from liability for
2 damages from the use of medical code OR PREHOSPITAL MEDICAL CARE DIRECTIVE
3 information provided on a license pursuant to this section.

4 Sec. 2. Section 36-3251, Arizona Revised Statutes, is amended to
5 read:

6 36-3251. Prehospital medical care directives; form; effect;
7 immunity; definitions

8 A. Notwithstanding any law or a health care directive to the
9 contrary, a person may execute a prehospital medical care directive that,
10 in the event of cardiac or respiratory arrest, directs the withholding of
11 cardiopulmonary resuscitation by emergency medical system personnel,
12 hospital emergency department personnel and, as provided in subsection L
13 of this section, direct care staff persons. For the purposes of this
14 article, "cardiopulmonary resuscitation" includes cardiac compression,
15 endotracheal intubation and other advanced airway management, artificial
16 ventilation, defibrillation, administration of advanced cardiac life
17 support drugs and related emergency medical procedures. Authorization for
18 the withholding of cardiopulmonary resuscitation does not include the
19 withholding of other medical interventions, such as intravenous fluids,
20 oxygen or other therapies deemed necessary to provide comfort care or to
21 alleviate pain.

22 B. A prehospital medical care directive shall be printed on an
23 orange background and may be used in either letter or wallet size. The
24 directive shall be in the following form:

25 Prehospital Medical Care Directive

26 (side one)

27 In the event of cardiac or respiratory arrest, I refuse
28 any resuscitation measures, including cardiac compression,
29 endotracheal intubation and other advanced airway management,
30 artificial ventilation, defibrillation, administration of
31 advanced cardiac life support drugs and related emergency
32 medical procedures.

33 Patient: _____ date: _____

34 (Signature or mark)

35 Attach recent photograph here or provide all of the
36 following information below:

37 Date of birth _____ sex _____

38 Eye color _____ hair color _____ race _____

39 Hospice program (if any) _____

40 Name and telephone number of patient's physician
41 _____

42 (side two)

43 I have explained this form and its consequences to the
44 signer and obtained assurance that the signer understands that
45 death may result from any refused care listed above.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

_____ date _____

(Licensed health care provider)

I was present when this was signed (or marked). The patient then appeared to be of sound mind and free from duress.

_____ date _____

(Witness)

C. A person who has a valid prehospital medical care directive pursuant to this section may wear an identifying bracelet on either the wrist or the ankle. The bracelet shall be substantially similar to identification bracelets worn in hospitals. The bracelet shall be on an orange background and state the following in bold type:

Do Not Resuscitate

Patient: _____

Patient's physician: _____

D. If the person has designated an agent to make health care decisions under section 36-3221 or has been appointed a guardian for health care decisions pursuant to title 14, that agent or guardian shall sign if the person is no longer competent to do so.

E. A prehospital medical care directive is effective until it is revoked or superseded by a new document.

F. Emergency medical system personnel, hospital emergency department personnel and direct care staff persons who make a good faith effort to identify the patient and who rely on an apparently genuine directive, **AN ORANGE SYMBOL INDICATED ON THE PATIENT'S DRIVER LICENSE OR NONOPERATING IDENTIFICATION LICENSE** or a photocopy of a directive on orange paper are immune from liability to the same extent and under the same conditions as prescribed in section 36-3205. If a person has any doubt as to the validity of a directive or the medical situation, that person shall proceed with resuscitative efforts as otherwise required by law. Emergency medical system personnel and direct care staff persons are not required to accept or interpret medical care directives that do not meet the requirements of this section.

G. In the absence of a physician, a person without vital signs who is not resuscitated pursuant to a prehospital medical care directive may be pronounced dead by any peace officer of this state, a professional nurse licensed pursuant to title 32, chapter 15 or an emergency medical technician certified pursuant to this title.

H. This section does not apply to situations involving mass casualties or to medical emergencies involving children and adults with disabilities in public or private schools that are not licensed health care institutions as defined in section 36-401.

I. After being notified of a death by emergency medical system personnel, the person's physician or the county medical examiner is then responsible for signing the death certificate.

1 J. The office of emergency medical services in the department of
2 health services shall print prehospital medical care directive forms and
3 make them available to the public. The department may charge a fee that
4 covers the department's costs to prepare the form. The department and its
5 employees are immune from civil liability for issuing prehospital medical
6 care directive forms that meet the requirements of this section. A person
7 may use a form that is not prepared by the department of health services
8 if that form meets the requirements of this section. If an organization
9 distributes a prehospital medical care directive form that meets the
10 requirements of this section, that organization and its employees are also
11 immune from civil liability.

12 K. Any prehospital medical care directive prepared before April 24,
13 1994 is valid if it was valid at the time it was prepared.

14 L. A direct care staff person may comply with a prehospital medical
15 care directive pursuant to this section if the physician of the person who
16 has the valid prehospital medical care directive has ordered a hospice
17 plan of care.

18 M. The department of economic security or the Arizona health care
19 cost containment system administration may prescribe guidance for training
20 and education of direct care staff persons regarding the requirements of
21 this section.

22 N. For the purposes of this section:

23 1. "Direct care staff person" means a person who is employed or
24 contracted to provide direct services pursuant to title 36, chapter 5.1.

25 2. "Emergency medical system personnel" includes emergency medical
26 technicians at all levels who are certified by the department of health
27 services and medical personnel who are licensed by this state and who are
28 operating outside of an acute care hospital under the direction of an
29 emergency medical system agency recognized by the department of health
30 services.