

House Engrossed Senate Bill
photo radar enforcement; civil penalty

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE BILL 1624

AN ACT

AMENDING SECTIONS 28-1602 AND 41-1731, ARIZONA REVISED STATUTES; RELATING
TO TRAFFIC ENFORCEMENT AND OFFICER TRAINING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-1602, Arizona Revised Statutes, is amended to
3 read:

4 28-1602. Photo enforcement violations; law enforcement
5 review; violation; classification; service of
6 process; no duty to identify photo or respond;
7 civil penalty; definitions

8 A. Notwithstanding any other law, if a person receives a notice of
9 violation in the mail for a violation of chapter 3, article 3 or 6 of this
10 title or of a city or town ordinance for excessive speed or failure to
11 obey a traffic control device that is obtained using a photo enforcement
12 system, the person does not have to do either of the following:

- 13 1. Identify who is in the photo.
- 14 2. Respond to the notice of violation.

15 B. The notice of violation must state the following:

16 1. The notice OF VIOLATION is not a court issued document and the
17 recipient is under no obligation to identify the person or respond to the
18 notice OF VIOLATION.

19 2. Failure to respond to the notice OF VIOLATION may result in
20 official service that may result in an additional fee being levied.

21 C. Before a citation is issued, a law enforcement agency must
22 review evidence that is recorded by a photo enforcement system to
23 determine whether a violation of chapter 3, article 3 or 6 of this title
24 or of a city or town ordinance for excessive speed or failure to obey a
25 traffic control device occurred.

26 D. A photo enforcement company may not determine whether a
27 violation of chapter 3, article 3 or 6 of this title occurred for the
28 purpose of ~~the issuance of~~ ISSUING a citation. A violation of this
29 subsection is a class 1 misdemeanor.

30 E. In addition to any other means authorized by the Arizona rules
31 of civil procedure, alternative service of process must be sent by
32 certified mail with an additional copy by regular mail and a notice must
33 be posted on the front door of the business or residence and, if present
34 and accessible, a residence's garage door. Service of the complaint is
35 complete on filing the mailing receipt and proof of posting in the court
36 having jurisdiction of the violation. Notwithstanding any other law, a
37 person's driving privileges may not be suspended or revoked as a result of
38 a citation that is served by alternative service of process under this
39 subsection.

40 F. If a law enforcement agency issues a citation as a result of a
41 photo enforcement system and serves the citation in a manner other than
42 what is prescribed by section 28-1593, subsection A, the agency shall
43 inform the person that there is no obligation to identify the driver or
44 respond to the citation. Failure to respond to the citation will result in
45 the probability that the person will be formally served pursuant to state

1 law and the Arizona rules of civil procedure which will likely result in
2 the person being required to pay the cost of the service.

3 G. IF A PERSON IS FOUND RESPONSIBLE FOR A CIVIL TRAFFIC VIOLATION
4 THAT RESULTS FROM A PHOTO ENFORCEMENT SYSTEM, EXCEPT FOR A RED LIGHT
5 VIOLATION PURSUANT TO SECTION 28-645 OR A SCHOOL CROSSING VIOLATION
6 PURSUANT TO SECTION 28-797:

7 1. THE PERSON IS SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN \$75.
8 \$15 OF THE CIVIL PENALTY COLLECTED SHALL BE DEPOSITED IN THE PEACE OFFICER
9 TRAINING EQUIPMENT FUND ESTABLISHED BY SECTION 41-1731.

10 2. A DEPARTMENT OR AGENCY OF THIS STATE MAY NOT CONSIDER THE
11 VIOLATION FOR THE PURPOSE OF DETERMINING WHETHER THE PERSON'S DRIVER
12 LICENSE SHOULD BE SUSPENDED OR REVOKED.

13 3. A COURT MAY NOT TRANSMIT ABSTRACTS OF RECORDS OF THE VIOLATION
14 TO THE DEPARTMENT.

15 4. AN INSURER MAY NOT CONSIDER THE VIOLATION AS A TRAFFIC VIOLATION
16 AGAINST THE PERSON FOR THE PURPOSES OF ESTABLISHING RATES FOR MOTOR
17 VEHICLE LIABILITY INSURANCE OR DETERMINING THE INSURABILITY OF THE PERSON.
18 AN INSURER MAY NOT CANCEL OR REFUSE TO RENEW ANY POLICY OF INSURANCE
19 BECAUSE OF THE VIOLATION.

20 ~~G.~~ H. For the purposes of this section:

21 1. "Notice of violation" means a notice issued by a photo
22 enforcement company or municipality that is not a uniform traffic ticket
23 and complaint.

24 2. "Photo enforcement system" has the same meaning prescribed in
25 section 28-601.

26 Sec. 2. Section 41-1731, Arizona Revised Statutes, is amended to
27 read:

28 41-1731. Peace officer training equipment fund; exemptions

29 A. The peace officer training equipment fund is established
30 consisting of monies deposited pursuant to sections 12-114, ~~and~~ 12-116.10
31 AND 28-1602. The state treasurer shall administer the fund. Monies in the
32 fund may be used only for peace officer equipment.

33 B. The state treasurer shall invest and divest monies in the fund
34 as provided by section 35-313, and monies earned from investment shall be
35 credited to the fund.

36 C. Monies in the fund:

37 1. Do not revert to the state general fund at the end of the fiscal
38 year.

39 2. Are exempt from the provisions of section 35-190 relating to
40 lapsing of appropriations.

41 3. Are subject to legislative appropriation.