

REFERENCE TITLE: ADOT; revisions

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

## **HB 2399**

Introduced by  
Representative Biasiucci

### AN ACT

AMENDING SECTIONS 28-101, 28-337 AND 28-737, ARIZONA REVISED STATUTES; REPEALING SECTION 28-2410, ARIZONA REVISED STATUTES; AMENDING SECTIONS 28-3158, 28-3165, 28-3173, 28-3319, 28-3321, 28-4882, 28-5606, 28-5614, 28-5805, 28-7041 AND 28-8328, ARIZONA REVISED STATUTES; RELATING TO THE DEPARTMENT OF TRANSPORTATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-101, Arizona Revised Statutes, is amended to  
3 read:

4 28-101. Definitions

5 In this title, unless the context otherwise requires:

6 1. "Alcohol" means any substance containing any form of alcohol,  
7 including ethanol, methanol, propynol and isopropynol.

8 2. "Alcohol concentration" if expressed as a percentage means  
9 either:

10 (a) The number of grams of alcohol per one hundred milliliters of  
11 blood.

12 (b) The number of grams of alcohol per two hundred ten liters of  
13 breath.

14 3. "All-terrain vehicle" means either of the following:

15 (a) A motor vehicle that satisfies all of the following:

16 (i) Is designed primarily for recreational nonhighway all-terrain  
17 travel.

18 (ii) Is fifty or fewer inches in width.

19 (iii) Has an unladen weight of one thousand two hundred pounds or  
20 less.

21 (iv) Travels on three or more nonhighway tires.

22 (v) Is operated on a public highway.

23 (b) A recreational off-highway vehicle that satisfies all of the  
24 following:

25 (i) Is designed primarily for recreational nonhighway all-terrain  
26 travel.

27 (ii) Is eighty or fewer inches in width.

28 (iii) Has an unladen weight of two thousand five hundred pounds or  
29 less.

30 (iv) Travels on four or more nonhighway tires.

31 (v) Has a steering wheel for steering control.

32 (vi) Has a rollover protective structure.

33 (vii) Has an occupant retention system.

34 4. "APPLY AND APPLICATION" MEANS THE PROCESS IN WHICH A PERSON  
35 PROVIDES REQUIRED INFORMATION IN A MANNER PRESCRIBED BY THE DEPARTMENT FOR  
36 SERVICES RENDERED BY THE DEPARTMENT.

37 ~~4.~~ 5. "Authorized emergency vehicle" means any of the following:

38 (a) A fire department vehicle.

39 (b) A police vehicle.

40 (c) An ambulance or emergency vehicle of a municipal department or  
41 public service corporation that is designated or authorized by the  
42 department or a local authority.

43 (d) Any other ambulance, fire truck or rescue vehicle that is  
44 authorized by the department in its sole discretion and that meets  
45 liability insurance requirements prescribed by the department.

1           ~~5.~~ 6. "Autocycle" means a three-wheeled motorcycle on which the  
2 driver and passengers ride in a fully or partially enclosed seating area  
3 that is equipped with a roll cage, safety belts for each occupant and  
4 antilock brakes and that is designed to be controlled with a steering  
5 wheel and pedals.

6           ~~6.~~ 7. "Automated driving system" means the hardware and software  
7 that are collectively capable of performing the entire dynamic driving  
8 task on a sustained basis, regardless of whether it is limited to a  
9 specific operational design domain.

10          ~~7.~~ 8. "Automotive recycler" means a person that is engaged in the  
11 business of buying or acquiring a motor vehicle solely for the purpose of  
12 dismantling, selling or otherwise disposing of the parts or accessories  
13 and that removes parts for resale from six or more vehicles in a calendar  
14 year.

15          ~~8.~~ 9. "Autonomous vehicle" means a motor vehicle that is equipped  
16 with an automated driving system.

17          ~~9.~~ 10. "Aviation fuel" means all flammable liquids composed of a  
18 mixture of selected hydrocarbons expressly manufactured and blended for  
19 the purpose of effectively and efficiently operating an internal  
20 combustion engine for use in an aircraft but does not include fuel for jet  
21 or turbine powered aircraft.

22          ~~10.~~ 11. "Bicycle" means a device, including a racing wheelchair,  
23 that is propelled by human power and on which a person may ride and that  
24 has either:

25           (a) Two tandem wheels, either of which is more than sixteen inches  
26 in diameter.

27           (b) Three wheels in contact with the ground, any of which is more  
28 than sixteen inches in diameter.

29          ~~11.~~ 12. "Board" means the transportation board.

30          ~~12.~~ 13. "Bus" means a motor vehicle designed for carrying sixteen  
31 or more passengers, including the driver.

32          ~~13.~~ 14. "Business district" means the territory contiguous to and  
33 including a highway if there are buildings in use for business or  
34 industrial purposes within any six hundred feet along the highway,  
35 including hotels, banks or office buildings, railroad stations and public  
36 buildings that occupy at least three hundred feet of frontage on one side  
37 or three hundred feet collectively on both sides of the highway.

38          ~~14.~~ 15. "Certificate of ownership" means a paper or an electronic  
39 record that is issued in another state or a foreign jurisdiction and that  
40 indicates ownership of a vehicle.

41          ~~15.~~ 16. "Certificate of title" means a paper document or an  
42 electronic record that is issued by the department and that indicates  
43 ownership of a vehicle.

44          ~~16.~~ 17. "Combination of vehicles" means a truck or truck tractor  
45 and semitrailer and any trailer that it tows but does not include a

1 forklift designed for the purpose of loading or unloading the truck,  
2 trailer or semitrailer.

3 ~~17.~~ 18. "Controlled substance" means a substance so classified  
4 under section 102(6) of the controlled substances act (21 United States  
5 Code section 802(6)) and includes all substances listed in schedules I  
6 through V of 21 Code of Federal Regulations part 1308.

7 ~~18.~~ 19. "Conviction" means:

8 (a) An unvacated adjudication of guilt or a determination that a  
9 person violated or failed to comply with the law in a court of original  
10 jurisdiction or by an authorized administrative tribunal.

11 (b) An unvacated forfeiture of bail or collateral deposited to  
12 secure the person's appearance in court.

13 (c) A plea of guilty or no contest accepted by the court.

14 (d) The payment of a fine or court costs.

15 ~~19.~~ 20. "County highway" means a public road that is constructed  
16 and maintained by a county.

17 ~~20.~~ 21. "Dealer" means a person who is engaged in the business of  
18 buying, selling or exchanging motor vehicles, trailers or semitrailers and  
19 who has an established place of business and has paid fees pursuant to  
20 section 28-4302.

21 ~~21.~~ 22. "Department" means the department of transportation acting  
22 directly or through its duly authorized officers and agents.

23 ~~22.~~ 23. "Digital network or software application" has the same  
24 meaning prescribed in section 28-9551.

25 ~~23.~~ 24. "Director" means the director of the department of  
26 transportation.

27 ~~24.~~ 25. "Drive" means to operate or be in actual physical control  
28 of a motor vehicle.

29 ~~25.~~ 26. "Driver" means a person who drives or is in actual  
30 physical control of a vehicle.

31 ~~26.~~ 27. "Driver license" means a license that is issued by a state  
32 to an individual and that authorizes the individual to drive a motor  
33 vehicle.

34 ~~27.~~ 28. "Dynamic driving task":

35 (a) Means all of the real-time operational and tactical functions  
36 required to operate a vehicle in on-road traffic.

37 (b) Includes:

38 (i) Lateral vehicle motion control by steering.

39 (ii) Longitudinal motion control by acceleration and deceleration.

40 (iii) Monitoring the driving environment by object and event  
41 detection, recognition, classification and response preparation.

42 (iv) Object and event response execution.

43 (v) Maneuver planning.

44 (vi) Enhancing conspicuity by lighting, signaling and gesturing.

1 (c) Does not include strategic functions such as trip scheduling  
2 and selecting destinations and waypoints.

3 ~~28.~~ 29. "Electric bicycle" means a bicycle or tricycle that is  
4 equipped with fully operable pedals and an electric motor of less than  
5 seven hundred fifty watts and that meets the requirements of one of the  
6 following classes:

7 (a) "Class 1 electric bicycle" means a bicycle or tricycle that is  
8 equipped with an electric motor that provides assistance only when the  
9 rider is pedaling and that ceases to provide assistance when the bicycle  
10 or tricycle reaches the speed of twenty miles per hour.

11 (b) "Class 2 electric bicycle" means a bicycle or tricycle that is  
12 equipped with an electric motor that may be used exclusively to propel the  
13 bicycle or tricycle and that is not capable of providing assistance when  
14 the bicycle or tricycle reaches the speed of twenty miles per hour.

15 (c) "Class 3 electric bicycle" means a bicycle or tricycle that is  
16 equipped with an electric motor that provides assistance only when the  
17 rider is pedaling and that ceases to provide assistance when the bicycle  
18 or tricycle reaches the speed of twenty-eight miles per hour.

19 ~~29.~~ 30. "Electric miniature scooter" means a device that:

20 (a) Weighs less than thirty pounds.

21 (b) Has two or three wheels.

22 (c) Has handlebars.

23 (d) Has a floorboard on which a person may stand while riding.

24 (e) Is powered by an electric motor or human power, or both.

25 (f) Has a maximum speed that does not exceed ten miles per hour,  
26 with or without human propulsion, on a paved level surface.

27 ~~30.~~ 31. "Electric personal assistive mobility device" means a  
28 self-balancing device with one wheel or two nontandem wheels and an  
29 electric propulsion system that limits the maximum speed of the device to  
30 fifteen miles per hour or less and that is designed to transport only one  
31 person.

32 ~~31.~~ 32. "Electric standup scooter":

33 (a) Means a device that:

34 (i) Weighs less than seventy-five pounds.

35 (ii) Has two or three wheels.

36 (iii) Has handlebars.

37 (iv) Has a floorboard on which a person may stand while riding.

38 (v) Is powered by an electric motor or human power, or both.

39 (vi) Has a maximum speed that does not exceed twenty miles per  
40 hour, with or without human propulsion, on a paved level surface.

41 (b) Does not include an electric miniature scooter.

42 ~~32.~~ 33. "Evidence" includes both of the following:

43 (a) A display on a wireless communication device of a  
44 department-generated driver license, nonoperating identification license,  
45 vehicle registration card or other official record of the department that

1 is presented to a law enforcement officer or in a court or an  
2 administrative proceeding.

3 (b) An electronic or digital license plate authorized pursuant to  
4 section 28-364.

5 ~~33.~~ 34. "Farm" means any lands primarily used for agriculture  
6 production.

7 ~~34.~~ 35. "Farm tractor" means a motor vehicle designed and used  
8 primarily as a farm implement for drawing implements of husbandry.

9 ~~35.~~ 36. "Foreign vehicle" means a motor vehicle, trailer or  
10 semitrailer that is brought into this state other than in the ordinary  
11 course of business by or through a manufacturer or dealer and that has not  
12 been registered in this state.

13 ~~36.~~ 37. "Fully autonomous vehicle" means an autonomous vehicle  
14 that is equipped with an automated driving system designed to function as  
15 a level four or five system under SAE J3016 and that may be designed to  
16 function either:

17 (a) Solely by use of the automated driving system.

18 (b) By a human driver when the automated driving system is not  
19 engaged.

20 ~~37.~~ 38. "Golf cart" means a motor vehicle that has not less than  
21 three wheels in contact with the ground, that has an unladen weight of  
22 less than one thousand eight hundred pounds, that is designed to be and is  
23 operated at not more than twenty-five miles per hour and that is designed  
24 to carry not more than four persons including the driver.

25 ~~38.~~ 39. "Gross combined weight rating" means the sum of the gross  
26 vehicle weight rating of a motor vehicle and the trailer or semitrailer  
27 the motor vehicle tows.

28 ~~39.~~ 40. "Gross vehicle weight rating" means the weight that is  
29 assigned by the motor vehicle manufacturer to a motor vehicle and that  
30 represents the maximum recommended total weight, including the vehicle and  
31 the load for the vehicle.

32 ~~40.~~ 41. "Hazardous material" means a material, and its mixtures or  
33 solutions, that the United States department of transportation determines  
34 under 49 Code of Federal Regulations is, or any quantity of a material  
35 listed as a select agent or toxin under 42 Code of Federal Regulations  
36 part 73 that is, capable of posing an unreasonable risk to health, safety  
37 and property if transported in commerce and that is required to be  
38 placarded or marked as required by the department's safety rules  
39 prescribed pursuant to chapter 14 of this title.

40 ~~41.~~ 42. "Human driver" means a natural person in the vehicle who  
41 performs in real time all or part of the dynamic driving task or who  
42 achieves a minimal risk condition for the vehicle.

43 ~~42.~~ 43. "Implement of husbandry" means a vehicle that is designed  
44 primarily for agricultural purposes and that is used exclusively in the  
45 conduct of agricultural operations, including an implement or vehicle that

1 uses an automated driving system or that is autonomous or that is  
2 self-propelled or otherwise, whether operated manually, equipped with an  
3 automated driving system that is not in use or equipped with an automated  
4 driving system that is in use, and that meets both of the following  
5 conditions:

6 (a) Is used solely for agricultural purposes, including the  
7 preparation or harvesting of cotton, alfalfa, grains, specialty crops and  
8 other farm crops. For the purposes of this subdivision, "specialty crops"  
9 includes fruits, vegetables, tree nuts, dried fruits and horticulture and  
10 nursery crops, including floriculture.

11 (b) Is only incidentally operated or moved on a highway whether as  
12 a trailer or an autonomous vehicle or a self-propelled unit. For the  
13 purposes of this subdivision, "incidentally operated or moved on a  
14 highway" means travel between a farm and another part of the same farm,  
15 from one farm to another farm or between a farm and a place of repair,  
16 supply or storage.

17 ~~43.~~ 44. "Limousine" means a motor vehicle providing prearranged  
18 ground transportation service for an individual passenger, or a group of  
19 passengers, that is arranged in advance or is operated on a regular route  
20 or between specified points and includes ground transportation under a  
21 contract or agreement for services that includes a fixed rate or time and  
22 is provided in a motor vehicle with a seating capacity not exceeding  
23 fifteen passengers including the driver.

24 ~~44.~~ 45. "Livery vehicle" means a motor vehicle that:

25 (a) Has a seating capacity not exceeding fifteen passengers  
26 including the driver.

27 (b) Provides passenger services for a fare determined by a flat  
28 rate or flat hourly rate between geographic zones or within a geographic  
29 area.

30 (c) Is available for hire on an exclusive or shared ride basis.

31 (d) May do any of the following:

32 (i) Operate on a regular route or between specified places.

33 (ii) Offer prearranged ground transportation service as defined in  
34 section 28-141.

35 (iii) Offer on demand ground transportation service pursuant to a  
36 contract with a public airport, licensed business entity or organization.

37 ~~45.~~ 46. "Local authority" means any county, municipal or other  
38 local board or body exercising jurisdiction over highways under the  
39 constitution and laws of this state.

40 ~~46.~~ 47. "Manufacturer" means a person engaged in the business of  
41 manufacturing motor vehicles, trailers or semitrailers.

42 ~~47.~~ 48. "Minimal risk condition":

43 (a) Means a condition to which a human driver or an automated  
44 driving system may bring a vehicle in order to reduce the risk of a crash  
45 when a given trip cannot or should not be completed.

- 1 (b) Includes bringing the vehicle to a complete stop.
- 2 ~~48.~~ 49. "Moped" means a bicycle, not including an electric  
3 bicycle, an electric miniature scooter or an electric standup scooter,  
4 that is equipped with a helper motor if the vehicle has a maximum piston  
5 displacement of fifty cubic centimeters or less, a brake horsepower of one  
6 and one-half or less and a maximum speed of twenty-five miles per hour or  
7 less on a flat surface with less than a one percent grade.
- 8 ~~49.~~ 50. "Motorcycle" means a motor vehicle that has a seat or  
9 saddle for the use of the rider and that is designed to travel on not more  
10 than three wheels in contact with the ground but excludes a tractor, an  
11 electric bicycle, an electric miniature scooter, an electric standup  
12 scooter and a moped.
- 13 ~~50.~~ 51. "Motor driven cycle" means a motorcycle, including every  
14 motor scooter, with a motor that produces not more than five horsepower  
15 but does not include an electric bicycle, an electric miniature scooter or  
16 an electric standup scooter.
- 17 ~~51.~~ 52. "Motorized quadricycle" means a self-propelled motor  
18 vehicle to which all of the following apply:
- 19 (a) The vehicle is self-propelled by an emission-free electric  
20 motor and may include pedals operated by the passengers.
- 21 (b) The vehicle has at least four wheels in contact with the  
22 ground.
- 23 (c) The vehicle seats at least eight passengers, including the  
24 driver.
- 25 (d) The vehicle is operable on a flat surface using solely the  
26 electric motor without assistance from the pedals or passengers.
- 27 (e) The vehicle is a commercial motor vehicle as defined in section  
28 28-5201.
- 29 (f) The vehicle is a limousine operating under a vehicle for hire  
30 company permit issued pursuant to section 28-9503.
- 31 (g) The vehicle is manufactured by a motor vehicle manufacturer  
32 that is licensed pursuant to chapter 10 of this title.
- 33 (h) The vehicle complies with the definition and standards for  
34 low-speed vehicles set forth in 49 Code of Federal Regulations sections  
35 571.3(b) and 571.500, respectively.
- 36 ~~52.~~ 53. "Motor vehicle":
- 37 (a) Means either:
- 38 (i) A self-propelled vehicle.
- 39 (ii) For the purposes of the laws relating to the imposition of a  
40 tax on motor vehicle fuel, a vehicle that is operated on the highways of  
41 this state and that is propelled by the use of motor vehicle fuel.
- 42 (b) Does not include a scrap vehicle, a personal delivery device, a  
43 personal mobile cargo carrying device, a motorized wheelchair, an electric  
44 personal assistive mobility device, an electric bicycle, an electric

1 miniature scooter, an electric standup scooter or a motorized skateboard.  
2 For the purposes of this subdivision:

3 (i) "Motorized skateboard" means a self-propelled device that does  
4 not have handlebars and that has a motor, a deck on which a person may  
5 ride and at least two tandem wheels in contact with the ground.

6 (ii) "Motorized wheelchair" means a self-propelled wheelchair that  
7 is used by a person for mobility.

8 ~~53.~~ 54. "Motor vehicle fuel" includes all products that are  
9 commonly or commercially known or sold as gasoline, including casinghead  
10 gasoline, natural gasoline and all flammable liquids, and that are  
11 composed of a mixture of selected hydrocarbons expressly manufactured and  
12 blended for the purpose of effectively and efficiently operating internal  
13 combustion engines. Motor vehicle fuel does not include inflammable  
14 liquids that are specifically manufactured for racing motor vehicles and  
15 that are distributed for and used by racing motor vehicles at a racetrack,  
16 use fuel as defined in section 28-5601, aviation fuel, fuel for jet or  
17 turbine powered aircraft or the mixture created at the interface of two  
18 different substances being transported through a pipeline, commonly known  
19 as transmix.

20 ~~54.~~ 55. "Neighborhood electric shuttle":

21 (a) Means a self-propelled electrically powered motor vehicle to  
22 which all of the following apply:

23 (i) The vehicle is emission free.

24 (ii) The vehicle has at least four wheels in contact with the  
25 ground.

26 (iii) The vehicle is capable of transporting at least eight  
27 passengers, including the driver.

28 (iv) The vehicle is a commercial motor vehicle as defined in  
29 section 28-5201.

30 (v) The vehicle is a vehicle for hire as defined in section 28-9501  
31 and operates under a vehicle for hire company permit issued pursuant to  
32 section 28-9503.

33 (vi) The vehicle complies with the definition and standards for  
34 low-speed vehicles set forth in 49 Code of Federal Regulations sections  
35 571.3(b) and 571.500, respectively.

36 (b) Includes a vehicle that meets the standards prescribed in  
37 subdivision (a) of this paragraph and that has been modified after market  
38 and not by the manufacturer to transport up to fifteen passengers,  
39 including the driver.

40 ~~55.~~ 56. "Neighborhood electric vehicle" means a self-propelled  
41 electrically powered motor vehicle to which all of the following apply:

42 (a) The vehicle is emission free.

43 (b) The vehicle has at least four wheels in contact with the  
44 ground.

1 (c) The vehicle complies with the definition and standards for  
2 low-speed vehicles, unless excepted or exempted under federal law, set  
3 forth in 49 Code of Federal Regulations sections 571.3(b) and 571.500,  
4 respectively.

5 ~~56.~~ 57. "Neighborhood occupantless electric vehicle" means a  
6 neighborhood electric vehicle that is not designed, intended or marketed  
7 for human occupancy.

8 ~~57.~~ 58. "Nonresident" means a person who is not a resident of this  
9 state as defined in section 28-2001.

10 ~~58.~~ 59. "Off-road recreational motor vehicle" means a motor  
11 vehicle that is designed primarily for recreational nonhighway all-terrain  
12 travel and that is not operated on a public highway. Off-road  
13 recreational motor vehicle does not mean a motor vehicle used for  
14 construction, building trade, mining or agricultural purposes.

15 ~~59.~~ 60. "Operational design domain":

16 (a) Means operating conditions under which a given automated  
17 driving system is specifically designed to function.

18 (b) Includes roadway types, speed range, environmental conditions,  
19 such as weather or time of day, and other domain constraints.

20 ~~60.~~ 61. "Operator" means a person who drives a motor vehicle on a  
21 highway, who is in actual physical control of a motor vehicle on a highway  
22 or who is exercising control over or steering a vehicle being towed by a  
23 motor vehicle.

24 ~~61.~~ 62. "Owner" means:

25 (a) A person who holds the legal title of a vehicle.

26 (b) If a vehicle is the subject of an agreement for the conditional  
27 sale or lease with the right of purchase on performance of the conditions  
28 stated in the agreement and with an immediate right of possession vested  
29 in the conditional vendee or lessee, the conditional vendee or lessee.

30 (c) If a mortgagor of a vehicle is entitled to possession of the  
31 vehicle, the mortgagor.

32 ~~62.~~ 63. "Pedestrian" means any person afoot. A person who uses an  
33 electric personal assistive mobility device or a manual or motorized  
34 wheelchair is considered a pedestrian unless the manual wheelchair  
35 qualifies as a bicycle. For the purposes of this paragraph, "motorized  
36 wheelchair" means a self-propelled wheelchair that is used by a person for  
37 mobility.

38 ~~63.~~ 64. "Personal delivery device":

39 (a) Means a device that is both of the following:

40 (i) Manufactured for transporting cargo and goods in an area  
41 described in section 28-1225.

42 (ii) Equipped with automated driving technology, including software  
43 and hardware, that enables the operation of the device with the remote  
44 support and supervision of a human.

45 (b) Does not include a personal mobile cargo carrying device.

1           ~~64.~~ 65. "Personal mobile cargo carrying device" means an  
2 electronically powered device that:

3           (a) Is operated primarily on sidewalks and within crosswalks and  
4 that is designed to transport property.

5           (b) Weighs less than eighty pounds, excluding cargo.

6           (c) Operates at a maximum speed of twelve miles per hour.

7           (d) Is equipped with technology to transport personal property with  
8 the active monitoring of a property owner and that is primarily designed  
9 to remain within twenty-five feet of the property owner.

10          (e) Is equipped with a braking system that when active or engaged  
11 enables the personal mobile cargo carrying device to come to a controlled  
12 stop.

13          ~~65.~~ 66. "Power sweeper" means an implement, with or without motive  
14 power, that is only incidentally operated or moved on a street or highway  
15 and that is designed for the removal of debris, dirt, gravel, litter or  
16 sand whether by broom, vacuum or regenerative air system from asphaltic  
17 concrete or cement concrete surfaces, including parking lots, highways,  
18 streets and warehouses, and a vehicle on which the implement is  
19 permanently mounted.

20          ~~66.~~ 67. "Public transit" means the transportation of passengers on  
21 scheduled routes by means of a conveyance on an individual passenger  
22 fare-paying basis excluding transportation by a sightseeing bus, school  
23 bus or taxi or a vehicle not operated on a scheduled route basis.

24          ~~67.~~ 68. "Reconstructed vehicle" means a vehicle that has been  
25 assembled or constructed largely by means of essential parts, new or used,  
26 derived from vehicles or makes of vehicles of various names, models and  
27 types or that, if originally otherwise constructed, has been materially  
28 altered by the removal of essential parts or by the addition or  
29 substitution of essential parts, new or used, derived from other vehicles  
30 or makes of vehicles. For the purposes of this paragraph, "essential  
31 parts" means integral and body parts, the removal, alteration or  
32 substitution of which will tend to conceal the identity or substantially  
33 alter the appearance of the vehicle.

34          ~~68.~~ 69. "Residence district" means the territory contiguous to and  
35 including a highway not comprising a business district if the property on  
36 the highway for a distance of three hundred feet or more is in the main  
37 improved with residences or residences and buildings in use for business.

38          ~~69.~~ 70. "Right-of-way" when used within the context of the  
39 regulation of the movement of traffic on a highway means the privilege of  
40 the immediate use of the highway. Right-of-way when used within the  
41 context of the real property on which transportation facilities and  
42 appurtenances to the facilities are constructed or maintained means the  
43 lands or interest in lands within the right-of-way boundaries.

44          ~~70.~~ 71. "SAE J3016" means surface transportation recommended  
45 practice J3016 taxonomy and definitions for terms related to driving

1 automation systems for on-road motor vehicles published by SAE  
2 international in June 2018.

3 ~~71.~~ 72. "School bus" means a motor vehicle that is designed for  
4 carrying more than ten passengers and that is either:

5 (a) Owned by any public or governmental agency or other institution  
6 and operated for the transportation of children to or from home or school  
7 on a regularly scheduled basis.

8 (b) Privately owned and operated for compensation for the  
9 transportation of children to or from home or school on a regularly  
10 scheduled basis.

11 ~~72.~~ 73. "Scrap metal dealer" has the same meaning prescribed in  
12 section 44-1641.

13 ~~73.~~ 74. "Scrap vehicle" has the same meaning prescribed in section  
14 44-1641.

15 ~~74.~~ 75. "Semitrailer" means a vehicle that is with or without  
16 motive power, other than a pole trailer or single-axle tow dolly, that is  
17 designed for carrying persons or property and for being drawn by a motor  
18 vehicle and that is constructed so that some part of its weight and that  
19 of its load rests on or is carried by another vehicle. For the purposes of  
20 this paragraph, "pole trailer" has the same meaning prescribed in section  
21 28-601.

22 ~~75.~~ 76. "Single-axle tow dolly" means a nonvehicle device that is  
23 drawn by a motor vehicle, that is designed and used exclusively to  
24 transport another motor vehicle and on which the front or rear wheels of  
25 the drawn motor vehicle are mounted on the tow dolly while the other  
26 wheels of the drawn motor vehicle remain in contact with the ground.

27 ~~76.~~ 77. "State" means a state of the United States and the  
28 District of Columbia.

29 ~~77.~~ 78. "State highway" means a state route or portion of a state  
30 route that is accepted and designated by the board as a state highway and  
31 that is maintained by the state.

32 ~~78.~~ 79. "State route" means a right-of-way whether actually used  
33 as a highway or not that is designated by the board as a location for the  
34 construction of a state highway.

35 ~~79.~~ 80. "Street" or "highway" means the entire width between the  
36 boundary lines of every way if a part of the way is open to the use of the  
37 public for purposes of vehicular travel.

38 ~~80.~~ 81. "Taxi" means a motor vehicle that has a seating capacity  
39 not exceeding fifteen passengers, including the driver, that provides  
40 passenger services and that:

41 (a) Does not primarily operate on a regular route or between  
42 specified places.

43 (b) Offers local transportation for a fare determined on the basis  
44 of the distance traveled or prearranged ground transportation service as  
45 defined in section 28-141 for a predetermined fare.

1           ~~81.~~ 82. "Title transfer form" means a paper or an electronic form  
2 that is prescribed by the department for the purpose of transferring a  
3 certificate of title from one owner to another owner.

4           ~~82.~~ 83. "Traffic survival school" means a school that is licensed  
5 pursuant to chapter 8, article 7.1 of this title and that offers  
6 educational sessions that are designed to improve the safety and habits of  
7 drivers and that are approved by the department.

8           ~~83.~~ 84. "Trailer" means a vehicle that is with or without motive  
9 power, other than a pole trailer or single-axle tow dolly, that is  
10 designed for carrying persons or property and for being drawn by a motor  
11 vehicle and that is constructed so that no part of its weight rests on the  
12 towing vehicle. A semitrailer equipped with an auxiliary front axle  
13 commonly known as a dolly is deemed to be a trailer. For the purposes of  
14 this paragraph, "pole trailer" has the same meaning prescribed in section  
15 28-601.

16           ~~84.~~ 85. "Transportation network company" has the same meaning  
17 prescribed in section 28-9551.

18           ~~85.~~ 86. "Transportation network company vehicle" has the same  
19 meaning prescribed in section 28-9551.

20           ~~86.~~ 87. "Transportation network service" has the same meaning  
21 prescribed in section 28-9551.

22           ~~87.~~ 88. "Truck" means a motor vehicle designed or used primarily  
23 for the carrying of property other than the effects of the driver or  
24 passengers and includes a motor vehicle to which has been added a box, a  
25 platform or other equipment for such carrying.

26           ~~88.~~ 89. "Truck tractor" means a motor vehicle that is designed and  
27 used primarily for drawing other vehicles and that is not constructed to  
28 carry a load other than a part of the weight of the vehicle and load  
29 drawn.

30           ~~89.~~ 90. "Vehicle":

31           (a) Means a device in, on or by which a person or property is or  
32 may be transported or drawn on a public highway.

33           (b) Does not include:

34           (i) Electric bicycles, electric miniature scooters, electric  
35 standup scooters and devices moved by human power.

36           (ii) Devices used exclusively on stationary rails or tracks.

37           (iii) Personal delivery devices.

38           (iv) Scrap vehicles.

39           (v) Personal mobile cargo carrying devices.

40           ~~90.~~ 91. "Vehicle transporter" means either:

41           (a) A truck tractor capable of carrying a load and drawing a  
42 semitrailer.

1 (b) A truck tractor with a stinger-steered fifth wheel capable of  
2 carrying a load and drawing a semitrailer or a truck tractor with a dolly  
3 mounted fifth wheel that is securely fastened to the truck tractor at two  
4 or more points and that is capable of carrying a load and drawing a  
5 semitrailer.

6 Sec. 2. Section 28-337, Arizona Revised Statutes, is amended to  
7 read:

8 28-337. High occupancy vehicle lane; lane degradation;  
9 priority use

10 A. In accordance with 23 United States Code section 166, the  
11 department shall develop procedures to monitor the impact that single  
12 occupancy vehicles authorized under sections 28-2416 and 28-2416.01 have  
13 on the operation of the high occupancy vehicle lanes.

14 B. If a high occupancy vehicle lane becomes degraded due to the  
15 authorization of single occupancy vehicles authorized under sections  
16 28-2416 and 28-2416.01, use of the lane is restricted to the following  
17 vehicles in the following priority:

- 18 1. Passenger vehicles with two or more occupants, including the  
19 driver.
- 20 2. Public transit buses.
- 21 3. Buses with two or more occupants, including the driver.
- 22 4. Motorcycles.
- 23 5. Alternative fuel vehicles.
- 24 6. Low emission and energy efficient vehicles **AS DEFINED IN SECTION**  
25 **28-601.**
- 26 7. **BLOOD TRANSPORT VEHICLES AS DEFINED IN SECTION 28-737.**

27 C. The department shall limit **THE** use **OF THE HIGH OCCUPANCY VEHICLE**  
28 **LANES** to vehicles in the priority order prescribed in subsection B of this  
29 section and shall maintain those restrictions while the lane or portion of  
30 the lane remains degraded.

31 D. For the purposes of this section, a high occupancy vehicle lane  
32 is degraded if vehicles operating on the facility, or portions of the  
33 facility, are failing to maintain a speed of forty-five miles per hour or  
34 greater ninety ~~per cent~~ **PERCENT** of the time over a consecutive one hundred  
35 ~~eighty day~~ **EIGHTY-DAY** period during morning and evening weekday peak hour  
36 periods.

37 Sec. 3. Section 28-737, Arizona Revised Statutes, is amended to  
38 read:

39 28-737. High occupancy vehicle lanes; exceptions; civil  
40 penalty; definitions

41 A. Except as provided in sections 28-2416 and 28-2416.01 and  
42 subsection B of this section, a person shall not drive a vehicle carrying  
43 fewer than two persons, including the driver, in a high occupancy vehicle  
44 lane at any time the use of the high occupancy vehicle lane is restricted  
45 to vehicles carrying two or more persons, including the driver.

1 B. Subsection A OF THIS SECTION does not apply to any of the  
2 following:

3 1. During the performance of a tow truck operator's duties, a tow  
4 truck operator driving a tow truck.

5 2. A person driving a motorcycle.

6 3. A person driving a public transportation vehicle.

7 4. An authorized emergency vehicle ~~as defined in section 28-101~~  
8 that is in use by a first responder in the line of duty.

9 5. A BLOOD TRANSPORT VEHICLE IF THE VEHICLE DISPLAYS ON EACH SIDE  
10 AND ON THE REAR OF THE VEHICLE A REMOVABLE DECAL OR SIGN INDICATING THAT  
11 THE VEHICLE IS TRANSPORTING HUMAN BLOOD OR BLOOD PRODUCTS.

12 C. A person who violates subsection A of this section is subject to  
13 a civil penalty of ~~two hundred dollars~~ \$200.

14 D. Notwithstanding section 28-1554, ~~one hundred dollars~~ \$100 of  
15 each civil penalty collected pursuant to subsection C of this section  
16 shall be deposited in the state general fund.

17 E. For the purposes of this section: ~~—~~

18 1. "BLOOD TRANSPORT VEHICLE" MEANS A MOTOR VEHICLE THAT IS OWNED OR  
19 OPERATED BY A NONPROFIT GENERAL BLOOD BANKING OPERATION, A NONPROFIT BLOOD  
20 BANK OR A NONPROFIT BLOOD BANK'S AGENT AND THAT IS TRANSPORTING BLOOD OR  
21 BLOOD PRODUCTS BETWEEN COLLECTION POINTS, HOSPITALS OR BLOOD STORAGE  
22 CENTERS.

23 2. "Public transportation vehicle" means any vehicle that provides  
24 a public entity's public transportation service and either:

25 ~~1.~~ (a) Is owned or operated by the public entity.

26 ~~2.~~ (b) Is operated under a contract with the public entity.

27 Sec. 4. Repeal

28 Section 28-2410, Arizona Revised Statutes, is repealed.

29 Sec. 5. Section 28-3158, Arizona Revised Statutes, is amended to  
30 read:

31 ~~28-3158.~~ Driver license or instruction permit application

32 A. A person who applies for an instruction permit or for a driver  
33 license shall use a form furnished by the department.

34 B. An applicant shall pay the fee prescribed by section 28-3002 for  
35 a driver license or for an instruction permit issued under section  
36 28-3154, 28-3155, 28-3156 or 28-3225. The department shall refund an  
37 application fee pursuant to section 28-373.

38 C. An applicant for an instruction permit or a driver license shall  
39 give the department satisfactory proof of the applicant's full legal name,  
40 date of birth, sex and domicile residence address in this state, if the  
41 applicant has a residence address, and that the applicant's presence in  
42 the United States is authorized under federal law.

- 1 D. The application for an instruction permit or a driver license  
2 ~~shall state~~ MAY INCLUDE the following:
- 3 1. A brief description of the applicant and any other identifying  
4 information required by the department.
- 5 2. Whether the applicant has been licensed, and if so, the type of  
6 license issued, when the license was issued and what state or country  
7 issued the license.
- 8 3. If the applicant was never licensed, the applicant's last  
9 previous state or country of residence.
- 10 4. The social security number of the applicant.
- 11 5. OTHER INFORMATION REQUIRED BY THE DEPARTMENT.
- 12 E. The department shall:
- 13 1. Verify that a social security number provided by an applicant is  
14 a valid number assigned to that applicant.
- 15 2. Retain the social security number in its records.
- 16 F. The social security number provided to the department pursuant  
17 to subsection D of this section for an applicant's driver license or  
18 instruction permit shall not appear on an applicant's driver license or  
19 instruction permit unless the applicant requests that the social security  
20 number appear on the applicant's driver license or instruction permit as  
21 the driver license or instruction permit number. Except as provided in  
22 sections 28-455 and 41-1954, the department shall not release the social  
23 security number to any person unless the applicant requests that the  
24 social security number appear on the applicant's driver license or  
25 instruction permit as the driver license or instruction permit number.  
26 The provisions of this subsection shall be included in each application.
- 27 G. The department may adopt and implement procedures to deny a  
28 driver license or instruction permit to a person who has been deported.  
29 The department may adopt and implement procedures to reinstate a person's  
30 privilege to apply for a driver license or permit if the person's legal  
31 presence status is restored.
- 32 H. On request of an applicant, the department shall allow the  
33 applicant to provide on the license or permit a post office box address  
34 that is regularly used by the applicant.
- 35 I. The department may request an applicant who appears in person  
36 for a license, a duplicate license or reinstatement of a driving privilege  
37 to complete satisfactorily the vision screening prescribed by the  
38 department.
- 39 J. If a driver license applicant submits satisfactory proof to the  
40 department that the applicant is a veteran, on request of the applicant,  
41 the department shall allow a distinguishing mark to appear on the license  
42 that identifies the person as a veteran.

1           Sec. 6. Section 28-3165, Arizona Revised Statutes, is amended to  
2 read:

3           28-3165. Nonoperating identification license; immunity;  
4                                   rules; emancipated minors; definition

5           A. On receipt of an application from a person who does not have a  
6 valid driver license issued by this state or whose driving privilege is  
7 suspended, the department shall issue a nonoperating identification  
8 license that contains a distinguishing number assigned to the licensee,  
9 the full legal name, the date of birth, the residence address and a brief  
10 description of the licensee and either a facsimile of the signature of the  
11 licensee or a space on which the licensee is required to write the  
12 licensee's usual signature with pen and ink. A nonoperating  
13 identification license that is issued to a person whose driving privilege  
14 is suspended shall not be valid for more than one hundred eighty days from  
15 the date of issuance.

16           B. On request of an applicant:

17           1. The department shall allow the applicant to provide on the  
18 nonoperating identification license a post office box address that is  
19 regularly used by the applicant.

20           2. If the applicant submits satisfactory proof to the department  
21 that the applicant is a veteran, the department shall allow a  
22 distinguishing mark to appear on the nonoperating identification license  
23 that identifies that person as a veteran.

24           3. If the applicant elects to show and submits satisfactory proof  
25 to the department that the applicant is an enrolled member of a federally  
26 recognized Indian tribe located in this state, the department shall allow  
27 a distinguishing mark to appear on the nonoperating identification license  
28 that identifies the applicant as a native American. The distinguishing  
29 mark may not identify a specific Indian tribe or other specific personal  
30 information that is submitted on the documents that provide satisfactory  
31 proof that the person is an enrolled member of a federally recognized  
32 Indian tribe located in this state. Documents that provide satisfactory  
33 proof that the person is an enrolled member of a federally recognized  
34 Indian tribe located in this state include:

35           (a) An enhanced tribal card.

36           (b) A tribal identification card.

37           (c) A tribal certificate of Indian blood.

38           (d) A tribal or bureau of Indian affairs affidavit of birth.

39           C. A person who is issued a license pursuant to this section shall  
40 use it only for identification purposes of the licensee. The nonoperating  
41 identification license does not grant authority to operate a motor vehicle  
42 in this state. The department shall clearly label the nonoperating  
43 identification license "for identification only, not for operation of a  
44 motor vehicle".

1 D. On issuance of a driver license, the holder of a nonoperating  
2 identification license shall surrender the nonoperating identification  
3 license to the department, and the department shall not refund any fee  
4 paid for the issuance of the nonoperating identification license.

5 E. A nonoperating identification license shall contain the  
6 photograph of the licensee. When issuing a nonoperating identification  
7 license, the department shall use a process that prohibits as nearly as  
8 possible the ability to superimpose a photograph on the license without  
9 ready detection. The department shall process nonoperating identification  
10 licenses and photo attachments in color.

11 F. On application, an applicant shall give the department  
12 satisfactory proof of the applicant's full legal name, date of birth, sex  
13 and residence address, if the applicant has a residence address, and that  
14 the applicant's presence in the United States is authorized under federal  
15 law. ~~The application shall briefly describe the applicant, state whether~~  
16 ~~the applicant has been licensed, and if so, the type of license issued,~~  
17 ~~when and by what state or country and whether any such license is under~~  
18 ~~suspension, revocation or cancellation. The application shall contain~~  
19 ~~other identifying information required by the department. AS NECESSARY,~~  
20 ~~THE DEPARTMENT MAY REQUIRE OTHER IDENTIFYING INFORMATION FROM THE~~  
21 ~~APPLICANT.~~

22 G. The department may adopt and implement procedures to deny a  
23 nonoperating identification license to a person who has been deported.  
24 The department may adopt and implement procedures to reinstate a person's  
25 privilege to apply for a nonoperating identification license if the  
26 person's legal presence status is restored.

27 H. A nonoperating identification license issued by the department  
28 is solely for the use and convenience of the applicant for identification  
29 purposes.

30 I. The department shall adopt rules and establish fees for issuance  
31 of a nonoperating identification license, except that the department shall  
32 not require an examination.

33 J. The fees established pursuant to this section do not apply to  
34 any of the following:

- 35 1. A person who is sixty-five years of age or older.
- 36 2. A person who is a recipient of public monies as an individual  
37 with a disability under title XVI of the social security act, as amended.
- 38 3. A veteran who does not have a residence address.
- 39 4. A veteran whose residence address is the address of a shelter  
40 that provides services to the homeless.
- 41 5. A child who is in the custody of the department of child safety.

42 K. If a person qualifies for a nonoperating identification license  
43 and is under the legal drinking age, the department shall issue a license  
44 that is marked by color, code or design to immediately distinguish it from  
45 a nonoperating identification license issued to a person of legal drinking

1 age. The department shall indicate on the nonoperating identification  
2 license issued pursuant to this subsection the year in which the person  
3 will attain the legal drinking age.

4 L. If a minor has been emancipated pursuant to title 12, chapter  
5 15, on application and proof of emancipation, the department shall issue a  
6 nonoperating identification license that contains the words "emancipated  
7 minor".

8 M. Notwithstanding any other law, if an applicant for a  
9 nonoperating identification license is at least sixteen years of age and  
10 either does not have a residence address or is in the department of child  
11 safety's custody, the applicant does not need a signature of the  
12 applicant's parent, guardian, foster parent or employer.

13 N. For the purposes of this section, "veteran" has the same meaning  
14 prescribed in section 41-601.

15 Sec. 7. Section 28-3173, Arizona Revised Statutes, is amended to  
16 read:

17 28-3173. License update

18 A. By written notice the department shall require a licensee to  
19 update the licensee's photograph ~~or present or mail to the department in a~~  
20 ~~form prescribed by the department a report based on a vision test~~  
21 ~~performed by the department or an examination by an optometrist or an~~  
22 ~~ophthalmologist or physician licensed to practice medicine;~~ if the license  
23 has not been updated in the preceding ~~twelve~~ SIXTEEN years.

24 B. The director may require a licensee to update the licensee's  
25 license at any time during the ~~twelve year~~ SIXTEEN-YEAR period from the  
26 date of issuance.

27 Sec. 8. Section 28-3319, Arizona Revised Statutes, is amended to  
28 read:

29 28-3319. Action after license suspension, revocation or  
30 denial for driving under the influence or refusal  
31 of test; ignition interlock device requirement;  
32 definitions

33 A. If, pursuant to section 28-1321, 28-1381, 28-1382, 28-1383,  
34 28-3320 or 28-3322, the license of a driver or the driving privilege of a  
35 nonresident is suspended or revoked, the department shall not terminate  
36 the suspension or revocation or issue a special ignition interlock  
37 restricted driver license, if applicable, pursuant to chapter 4, article  
38 3.1 of this title until the person provides proof of financial  
39 responsibility pursuant to chapter 9, article 3 of this title.

40 B. If, pursuant to section 28-1321, 28-1381, 28-1382, 28-1383,  
41 28-3320 or 28-3322, an unlicensed resident is denied a license or permit  
42 to operate a motor vehicle, the department shall not issue a license or  
43 permit until the person provides proof of financial responsibility  
44 pursuant to chapter 9, article 3 of this title.

1 C. If a person whose license or driving privilege is suspended or  
2 revoked pursuant to section 28-1321, 28-1381, 28-1382, 28-1383 or 28-1385  
3 is ordered, pursuant to section 28-1381, 28-1382, 28-1383 or 28-1385, to  
4 attend alcohol or other drug screening, education, **EVIDENCE-BASED**  
5 **PSYCHOTHERAPY** or treatment, the department shall not either:

6 1. Terminate the suspension or issue a special ignition interlock  
7 restricted driver license, if applicable, pursuant to chapter 4, article  
8 3.1 of this title until the person or licensed treatment facility provides  
9 proof that the person has completed or is participating satisfactorily in  
10 alcohol or other drug screening, education, **EVIDENCE-BASED PSYCHOTHERAPY**  
11 or treatment.

12 2. Issue a new license or a special ignition interlock restricted  
13 driver license, if applicable, pursuant to chapter 4, article 3.1 of this  
14 title to operate a motor vehicle after the revocation until the person or  
15 licensed treatment facility provides proof that the person has completed  
16 **OR IS SATISFACTORILY PARTICIPATING IN** the court-ordered program.

17 D. Except as provided in subsection E of this section, on receipt  
18 of a report of conviction from a court for a violation that involved  
19 intoxicating liquor or that specifically requires the installation of a  
20 certified ignition interlock device, the department shall require any  
21 motor vehicle the convicted person operates to be equipped with a  
22 functioning certified ignition interlock device and the convicted person  
23 to meet the requirements prescribed in section 28-1461 as follows:

24 1. For twelve months if:

25 (a) Except as provided in subsection ~~G~~ H of this section, the  
26 person is convicted of a violation of section 28-1381, section 28-1382,  
27 subsection A, paragraph 1 or section 28-1383, subsection A, paragraph 3,  
28 subdivision (a).

29 (b) The department determines that within a period of eighty-four  
30 months the person is convicted of a second or subsequent violation of  
31 section 28-1381 or section 28-1382, subsection A, paragraph 1 with a prior  
32 conviction of a violation of section 28-1381, 28-1382 or 28-1383 or an act  
33 in another jurisdiction that if committed in this state would be a  
34 violation of section 28-1381, 28-1382 or 28-1383.

35 2. For eighteen months if the person is convicted of a violation of  
36 section 28-1382, subsection A, paragraph 2.

37 3. For twenty-four months if:

38 (a) The person is convicted of a violation of section 28-1382,  
39 subsection A, paragraph 2 and the department determines that within a  
40 period of eighty-four months the person has a prior conviction of a  
41 violation of section 28-1381, 28-1382 or 28-1383 or an act in another  
42 jurisdiction that if committed in this state would be a violation of  
43 section 28-1381, 28-1382 or 28-1383.

44 (b) The person is convicted of a violation of section 28-1383,  
45 subsection A, paragraph 1, 2, 4 or 5 or paragraph 3, subdivision (b).

1 E. If a person is required to equip a motor vehicle with a  
2 certified ignition interlock device pursuant to subsection D of this  
3 section and the person has a medical condition that prevents the person  
4 from using the certified ignition interlock device during the entire time  
5 period required by subsection D of this section, the department OF  
6 TRANSPORTATION shall require monthly alcohol and drug screening instead of  
7 the certified ignition interlock device for the time period prescribed by  
8 subsection D of this section. The department OF TRANSPORTATION shall  
9 require evidence of the medical condition that is satisfactory to the  
10 department OF TRANSPORTATION and in a manner prescribed by the department  
11 OF TRANSPORTATION from an authorized physician as defined in section  
12 28-2409 or an authorized physician assistant as defined in section  
13 28-2409. The alcohol or drug screening shall be provided by a facility  
14 approved by the department of health services, the United States  
15 department of veterans affairs, a substance abuse counselor as defined in  
16 section 28-3005 or a probation department.

17 F. The requirement prescribed in subsection D of this section  
18 begins on the date the person successfully completes the alcohol or other  
19 drug screening, education, EVIDENCE-BASED PSYCHOTHERAPY or treatment  
20 program requirements of this title and the person is otherwise eligible to  
21 reinstate the person's driver license or driving privilege. If the person  
22 is issued a special ignition interlock restricted driver license for the  
23 violations giving rise to the requirements prescribed in subsection D of  
24 this section or pursuant to section 28-1321, subsection P or section  
25 28-1385, subsection J, the person shall be credited for the amount of time  
26 that a certified ignition interlock device is installed on the person's  
27 motor vehicle after the department authorizes the installation of the  
28 certified ignition interlock device on that person's motor vehicle.

29 G. A person who is required to equip a motor vehicle with a  
30 certified ignition interlock device pursuant to this section shall comply  
31 with chapter 4, article 5 of this title.

32 H. The department shall defer the remainder of the time period  
33 prescribed in subsection D, paragraph 1, subdivision (a) of this section  
34 commencing with the later of six months from the date the interlock was  
35 installed or the completion of the requirements of this subsection if all  
36 of the following apply:

37 1. The person is sentenced pursuant to section 28-1381,  
38 subsection I.

39 2. The person successfully completes an alcohol education program  
40 consisting of at least sixteen hours pursuant to section 28-1381.

41 3. The person has maintained a functioning ignition interlock  
42 device on all motor vehicles the person operates and has met the  
43 requirements of section 28-1461.

1           4. The person has not attempted to operate a vehicle with an  
2 alcohol concentration of 0.08 or more two or more times during the period  
3 of license restriction or limitation.

4           5. At the time of the offense, the person was not involved in a  
5 motor vehicle accident that resulted in physical injury or property  
6 damage.

7           6. All necessary compliance information has been provided to the  
8 department by the ignition interlock device provider, the alcohol  
9 screening program and the alcohol education program.

10          I. The deferment pursuant to subsection H of this section is  
11 permanent, unless the person is arrested for a violation of section  
12 28-1381, 28-1382 or 28-1383 that occurs during the period of the  
13 deferment. If the person is arrested as described in this subsection, the  
14 department shall revoke the deferment and require the person to complete  
15 the remainder of the time period prescribed in subsection D, paragraph 1,  
16 subdivision (a) of this section.

17          J. Notwithstanding any other law, the department shall reduce the  
18 length of time that a person is required to have a functioning certified  
19 ignition interlock device installed in a motor vehicle pursuant to  
20 subsection D of this section by the length of time that the person is  
21 incarcerated in a jail or prison facility for a violation of section  
22 28-1381 or 28-1383 that did not involve intoxicating liquor.

23          K. For the purposes of this section: ~~;~~

24           1. "Certified ignition interlock device" has the same meaning  
25 prescribed in section 28-1301.

26           2. "EVIDENCE-BASED PSYCHOTHERAPY" HAS THE SAME MEANING PRESCRIBED  
27 IN SECTION 28-1381.

28          Sec. 9. Section 28-3321, Arizona Revised Statutes, is amended to  
29 read:

30           28-3321. Moving violations by persons under eighteen years of  
31 age; traffic survival school; suspension

32          A person who ~~holds a driver permit or license and who~~ is found  
33 responsible for a moving civil traffic violation pursuant to this title or  
34 who is convicted of a moving criminal traffic offense pursuant to this  
35 title, excluding violations of sections 28-693, 28-695, 28-708, 28-1381,  
36 28-1382, 28-1383 and 28-3174, and who commits the moving civil traffic  
37 violation or moving criminal traffic offense while the person is under  
38 eighteen years of age is subject to the following:

39           1. On receipt of the first record of judgment or conviction, the  
40 department shall order the person to attend and successfully complete  
41 traffic survival school educational sessions.

42           2. On receipt of the second record of judgment or conviction, the  
43 department shall suspend the person's driving privilege for three months.

44           3. On receipt of the third record of judgment or conviction, the  
45 department shall suspend the person's driving privilege for six months.

1           Sec. 10. Section 28-4882, Arizona Revised Statutes, is amended to  
2 read:

3           28-4882. Junk vehicle; disposition

4           A. If a vehicle has been reported abandoned under section 28-4838,  
5 the person making the report may request that the vehicle be processed as  
6 a junk vehicle. An agent of the department shall inspect the vehicle to  
7 determine if the vehicle is a junk vehicle.

8           B. On making a determination that the vehicle is a junk vehicle,  
9 the director shall cause a search of department records to be made, or if  
10 a junk vehicle is registered in another state, make inquiry of the vehicle  
11 registration agency in that state, to ascertain the name and address of  
12 the owner and lienholder, if any, or any other person identified on the  
13 department's record.

14           C. On receipt of information disclosing the name and address of the  
15 owner and lienholder, if any, or any other person identified on the  
16 department's record who may have an interest in the vehicle, the director  
17 shall give notice to all interested persons of the director's intention to  
18 allow the disposition of the junk vehicle as prescribed by this section.  
19 The director shall give the notice by mail within five days for a vehicle  
20 with a record in this state or within thirty days for all other vehicles.

21           D. If the records of the department or out of state jurisdiction do  
22 not disclose the name and address of the owner and lienholder, if any, or  
23 any other person who is identified on the department's record and who may  
24 have an interest in the vehicle, or if the notice is returned marked  
25 unclaimed or addressee unknown, the department shall publish the notice of  
26 the intention of the director to allow the disposition of the junk vehicle  
27 as prescribed by this article ~~once in a newspaper of general circulation~~  
28 ~~in the county in which the junk vehicle was found~~ ON THE DEPARTMENT'S  
29 WEBSITE FOR AT LEAST THIRTY DAYS. The published notice shall include a  
30 statement that the department will make available to the public a complete  
31 vehicle description of junk vehicles.

32           E. If the vehicle is unclaimed at the expiration of thirty days  
33 after the date placed on the notification mailed by the department or  
34 within ten days of the publication as provided in subsections C and D of  
35 this section, the director shall determine if the vehicle is a stolen  
36 vehicle. On receiving notification that the vehicle has not been reported  
37 stolen, the director shall issue written authorization to the owner of the  
38 property authorizing the owner of the property or a licensed automotive  
39 recycler to dispose of the junk vehicle pursuant to section 28-4883.

40           Sec. 11. Section 28-5606, Arizona Revised Statutes, is amended to  
41 read:

42           28-5606. Imposition of motor fuel taxes

43           A. In addition to all other taxes provided by law, a tax of  
44 ~~eighteen cents~~ \$.18 per gallon is imposed on motor vehicle fuel possessed,  
45 used or consumed in this state.

1 B. To partially compensate this state for the use of its highways:

2 1. A use fuel tax is imposed on use fuel used in the propulsion of  
3 a light class motor vehicle on a highway in this state at the same rate  
4 per gallon as the motor vehicle fuel tax prescribed in subsection A of  
5 this section, except that there is no use fuel tax on alternative fuels.

6 2. A use fuel tax is imposed on use fuel used in the propulsion of  
7 a use class motor vehicle on a highway in this state at the rate of  
8 ~~twenty-six cents~~ \$.26 for each gallon, except that there is no use fuel  
9 tax on alternative fuels and use class vehicles that are exempt pursuant  
10 to section 28-5432 from the weight fee prescribed in section 28-5433 are  
11 subject to the use fuel tax imposed by paragraph 1 of this subsection.

12 ~~3. Through December 31, 2024, a use fuel tax is imposed on use fuel~~  
13 ~~used in the propulsion of a motor vehicle transporting forest products in~~  
14 ~~compliance with the requirements of section 41-1516 on a highway in this~~  
15 ~~state at the rate of nine cents for each gallon, except that there is no~~  
16 ~~use fuel tax on alternative fuels.~~

17 C. The motor vehicle fuel and use fuel taxes imposed pursuant to  
18 this section and the aviation fuel taxes imposed pursuant to section  
19 28-8344 are conclusively presumed to be direct taxes on the consumer or  
20 user but shall be collected and remitted to the department by suppliers  
21 for the purpose of convenience and facility only. Motor vehicle fuel, use  
22 fuel and aviation fuel taxes that are collected and paid to the department  
23 by a supplier are considered to be advance payments, shall be added to the  
24 price of motor vehicle fuel, use fuel or aviation fuel and shall be  
25 recovered from the consumer or user.

26 D. Motor vehicle fuel and use fuel taxes imposed pursuant to this  
27 section on the use of motor vehicle fuel and use fuel and the aviation  
28 fuel taxes imposed pursuant to section 28-8344 on the use of aviation  
29 fuel, other than by bulk transfer, arise at the time the motor vehicle,  
30 use or aviation fuel either:

31 1. Is imported into this state and is measured by invoiced gallons  
32 received outside this state at a refinery, terminal or bulk plant for  
33 delivery to a destination in this state.

34 2. Is removed, as measured by invoiced gallons, from the bulk  
35 transfer terminal system or from a qualified terminal in this state.

36 3. Is removed, as measured by invoiced gallons, from the bulk  
37 transfer terminal system or from a qualified terminal or refinery outside  
38 this state for delivery to a destination in this state as represented on  
39 the shipping papers if a supplier imports the motor vehicle, use or  
40 aviation fuel for the account of the supplier or the supplier has made a  
41 tax precollection election pursuant to section 28-5636.

42 E. If motor fuel is removed from the bulk transfer terminal system  
43 or from a qualified terminal or is imported into this state, the original  
44 removal, transfer or importation of the motor fuel is subject to the  
45 collection of the tax. If this motor fuel is transported to another

1 qualified terminal or reenters the bulk transfer terminal system, the  
2 subsequent sale of the motor fuel on which tax has been collected is not  
3 subject to collection of an additional tax if proper documentation is  
4 retained to support the transaction.

5 Sec. 12. Section 28-5614, Arizona Revised Statutes, is amended to  
6 read:

7 28-5614. Refunds; use fuel

8 A. If a vendor pays the use fuel tax rate for use class motor  
9 vehicles on use fuel that is actually used in the propulsion of a light  
10 class motor vehicle on a highway in this state or that is actually used in  
11 the propulsion of a use class motor vehicle that is exempt pursuant to  
12 section 28-5432 from the weight fee prescribed in section 28-5433 on a  
13 highway in this state and for the purpose of convenience and facility  
14 only, the vendor may apply to the department for a refund of the  
15 difference between the amount of the use class motor vehicle use fuel tax  
16 paid and the amount of the light class motor vehicle use fuel tax on the  
17 same number of gallons purchased.

~~18 B. If a person who transports forest products on a highway in this  
19 state in compliance with the requirements of section 41-1516 pays the use  
20 fuel tax rate prescribed in section 28-5606, subsection B, paragraph 2 for  
21 a use class motor vehicle that is eligible for the use fuel tax rate  
22 prescribed in section 28-5606, subsection B, paragraph 3, the person may  
23 apply to the department for a refund of the difference between the amount  
24 of the use fuel tax paid and the use fuel tax rate prescribed for a motor  
25 vehicle transporting forest products.~~

~~26 B.~~ B. The director may prescribe any forms the director deems  
27 necessary to implement this section.

~~28 C.~~ C. A vendor may file an application for a refund pursuant to  
29 this section on a monthly basis subject to the limitations prescribed in  
30 section 28-5612.

~~31 D.~~ D. The director shall:

- 32 1. Pay the refund from current use fuel tax receipts.
- 33 2. Deduct the refund from the monthly use fuel tax receipts before  
34 the deposit pursuant to section 28-5730 is made.

35 Sec. 13. Section 28-5805, Arizona Revised Statutes, is amended to  
36 read:

37 28-5805. Motor vehicle powered by alternative fuel;  
38 classification; vehicle license tax; definitions

39 A. A separate classification of motor vehicles is established for  
40 purposes of taxation pursuant to article IX, section 11, Constitution of  
41 Arizona, that consists of motor vehicles that are powered by alternative  
42 fuel ~~and for which the department issues an alternative fuel vehicle  
43 special plate or sticker pursuant to section 28-2416.~~

1 B. Notwithstanding section 28-5801, the registering officer shall  
2 collect at the time of application for and before registration of the  
3 motor vehicle that is classified under this section an annual license tax  
4 of \$4 for each \$100 in value. The motor vehicle value is determined as  
5 follows:

6 1. For a motor vehicle that is registered in this state before  
7 January 1, 2022, the value of the motor vehicle is one percent of the  
8 manufacturer's base retail price of the motor vehicle. After the first  
9 twelve months of the life of the motor vehicle as determined by its  
10 initial registration, the value of the motor vehicle is fifteen percent  
11 less for each twelve-month period than the value for the preceding  
12 twelve-month period.

13 2. For a motor vehicle that is initially registered in this state  
14 during a period beginning January 1, 2022 and ending December 31, 2022,  
15 during the first twelve months of the life of the motor vehicle as  
16 determined by its initial registration, the value of the motor vehicle is  
17 twenty percent of the manufacturer's base retail price of the motor  
18 vehicle. During each succeeding twelve-month period, the value of the  
19 motor vehicle is fifteen percent less than the value for the preceding  
20 twelve-month period.

21 C. The registering officer shall collect the vehicle license tax on  
22 a motor vehicle that is powered by alternative fuel and that is initially  
23 registered from and after December 31, 2022 in accordance with section  
24 28-5801. The minimum amount of the vehicle license tax collected pursuant  
25 to this subsection must be in accordance with section 28-5801 and shall be  
26 distributed pursuant to section 28-5808, subsection B.

27 D. Except as provided in subsection C of this section, the minimum  
28 amount of the license tax computed under this section is \$5 per year for  
29 each motor vehicle subject to the tax.

30 E. Except as specifically provided in this section, the vehicle  
31 license tax on a motor vehicle classified under this section is governed  
32 by this article.

33 F. For the purposes of this section:

34 1. "Alternative fuel" has the same meaning prescribed in section  
35 1-215.

36 2. "Motor vehicle" means a vehicle that meets the safety standards  
37 of the national highway traffic safety administration and includes:

38 (a) Neighborhood electric vehicles that meet the standards  
39 prescribed in 49 Code of Federal Regulations section 571.500, except that,  
40 if a vehicle is designed to be operated at speeds of twenty miles per hour  
41 or less, the vehicle is not required to have a seventeen digit vehicle  
42 identification number.

43 (b) Neighborhood electric shuttles.



1 ~~person~~. Notice is deemed to be complete at the time of mailing or at the  
2 time of ~~personal delivery~~ ELECTRONIC TRANSMISSION.

3 2. The assessment is final thirty days after notice is deemed to be  
4 complete, unless, before that time, the department receives a written  
5 objection to the assessment and a request for a hearing from the  
6 owner. If the department receives a request for a hearing, the hearing  
7 shall be conducted as provided in section 28-8244.

8 Sec. 16. Implementation

9 The department of transportation shall recall the honorary consular  
10 official special plates issued pursuant to section 28-2410, Arizona  
11 Revised Statutes, as repealed by this act, and shall issue each person a  
12 standard license plate in lieu of the honorary consular official special  
13 plate.