

House Engrossed Senate Bill

~~technical correction; veterans; tuition deferment~~  
(now: moving violation; restitution cap removal)

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

# SENATE BILL 1413

AN ACT

AMENDING SECTIONS 28-645 AND 28-672, ARIZONA REVISED STATUTES; RELATING TO  
RESTITUTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-645, Arizona Revised Statutes, is amended to  
3 read:

4 28-645. Traffic control signal legend

5 A. If traffic is controlled by traffic control signals exhibiting  
6 different colored lights or colored lighted arrows successively one at a  
7 time or in combination, only the colors green, red and yellow shall be  
8 used, except for special pedestrian signals carrying a word legend. The  
9 lights shall indicate and apply to drivers of vehicles and pedestrians as  
10 follows:

11 1. Green indication:

12 (a) Vehicular traffic facing a green signal may proceed straight  
13 through or turn right or left unless a sign at that place prohibits either  
14 turn. Vehicular traffic, including vehicles turning right or left, shall  
15 yield the right-of-way to other vehicles and to pedestrians lawfully  
16 within the intersection or an adjacent crosswalk at the time the signal is  
17 exhibited.

18 (b) Vehicular traffic facing a green arrow signal, shown alone or  
19 in combination with another indication, may cautiously enter the  
20 intersection only to make the movement indicated by such arrow or such  
21 other movement as is ~~permitted~~ ALLOWED by other indications shown at the  
22 same time. Vehicular traffic shall yield the right-of-way to pedestrians  
23 lawfully within an adjacent crosswalk and to other traffic lawfully using  
24 the intersection.

25 (c) Unless otherwise directed by a pedestrian control signal as  
26 provided in section 28-646, pedestrians facing any green signal, except if  
27 the sole green signal is a turn arrow, may proceed across the roadway  
28 within any marked or unmarked crosswalk.

29 2. Steady yellow indication:

30 (a) Vehicular traffic facing a steady yellow signal is warned by  
31 the signal that the related green movement is being terminated or that a  
32 red indication will be exhibited immediately thereafter when vehicular  
33 traffic shall not enter the intersection.

34 (b) Unless otherwise directed by a pedestrian control signal as  
35 provided in section 28-646, pedestrians facing a steady yellow signal are  
36 advised by the signal that there is insufficient time to cross the roadway  
37 before a red indication is shown and a pedestrian shall not then start to  
38 cross the roadway.

39 3. Red indication:

40 (a) Except as provided in subdivisions (b) and (c) of this  
41 paragraph, vehicular traffic facing a steady red signal alone shall SLOW  
42 THE VEHICLE TO A COMPLETE stop before entering the intersection and shall  
43 remain standing until an indication to proceed is shown. A VIOLATION OF  
44 THIS SUBDIVISION OCCURS IF A VEHICLE FAILS TO SLOW TO A COMPLETE STOP AND  
45 BUT FOR ANOTHER VEHICLE OR OTHER OBSTRUCTION WOULD HAVE ENTERED THE

1 **INTERSECTION.** On receipt of a record of judgment for a violation of this  
2 subdivision or an act in another jurisdiction that if committed in this  
3 state would be a violation of this section, the department shall order the  
4 person to attend and successfully complete traffic survival school  
5 educational sessions within sixty days after the department issues the  
6 order. Notwithstanding section 28-3315, if the person fails to attend or  
7 successfully complete traffic survival school educational sessions, the  
8 department shall suspend the person's driving privilege pursuant to  
9 section 28-3306 until the person attends and successfully completes  
10 traffic survival school educational sessions. A person whose driving  
11 privilege is suspended pursuant to this subdivision may request a hearing.  
12 If the person requests a hearing, the department shall conduct the hearing  
13 as prescribed in section 28-3306. A law enforcement officer or a  
14 jurisdiction issuing a citation to a person who violates this subdivision  
15 shall provide written notice to the person that if eligible, the person  
16 may attend defensive driving school or, if not eligible or if the person  
17 chooses not to attend defensive driving school and is found responsible or  
18 enters a plea of responsible for a violation of this subsection, the  
19 person must attend and successfully complete traffic survival school  
20 educational sessions. The notice shall include a reference to red light  
21 violations and state that if the person is required to attend traffic  
22 survival school the person will receive notice from the motor vehicle  
23 division.

24 (b) The driver of a vehicle that is stopped in obedience to a red  
25 signal and as close as practicable at the entrance to the crosswalk on the  
26 near side of the intersection, or if there is no crosswalk, then at the  
27 entrance to the intersection, may make a right turn but shall yield the  
28 right-of-way to pedestrians and other traffic proceeding as directed by  
29 the signal. A right turn may be prohibited against a red signal at any  
30 intersection if a sign prohibiting the turn is erected at the  
31 intersection.

32 (c) The driver of a vehicle on a one-way street that intersects  
33 another one-way street on which traffic moves to the left shall stop in  
34 obedience to a red signal but may then make a left turn into the one-way  
35 street. The driver shall yield the right-of-way to pedestrians and other  
36 traffic proceeding as directed by the signal at the intersection, except  
37 that such left turn may be prohibited if a sign prohibiting the turn is  
38 erected at the intersection.

39 (d) Unless otherwise directed by a pedestrian control signal as  
40 provided in section 28-646, a pedestrian facing a steady red signal alone  
41 shall not enter the roadway.

1 B. If an official traffic control signal is erected and maintained  
2 at a place other than an intersection, this section applies except as to  
3 those provisions of this section that by their nature can have no  
4 application. Any stop required shall be made at a sign or marking on the  
5 pavement indicating where the stop shall be made, but in the absence of a  
6 sign or marking the stop shall be made at the signal.

7 C. The driver of a vehicle approaching an intersection that has an  
8 official traffic control signal that is inoperative shall bring the  
9 vehicle to a complete stop before entering the intersection and may  
10 proceed with caution only when it is safe to do so. If two or more  
11 vehicles approach an intersection from different streets or highways at  
12 approximately the same time and the official traffic control signal for  
13 the intersection is inoperative, the driver of each vehicle shall bring  
14 the vehicle to a complete stop before entering the intersection and the  
15 driver of the vehicle on the left shall yield the right-of-way to the  
16 driver of the vehicle on the right.

17 Sec. 2. Section 28-672, Arizona Revised Statutes, is amended to  
18 read:

19 28-672. Causing serious physical injury or death by a moving  
20 violation; time limitation; penalties; violation;  
21 classification; definition

22 A. A person is guilty of causing serious physical injury or death  
23 by a moving violation if the person violates any one of the following and  
24 the violation results in **OR OCCURS SIMULTANEOUSLY WITH OR IN THE COURSE OF**  
25 an accident causing serious physical injury or death to another person:

- 26 1. Section 28-645, subsection A, paragraph 3, subdivision (a).
- 27 2. Section 28-710.
- 28 3. Section 28-729.
- 29 4. Section 28-771.
- 30 5. Section 28-772.
- 31 6. Section 28-773.
- 32 7. Section 28-792.
- 33 8. Section 28-794.
- 34 9. Section 28-797, subsection F, G, H or I.
- 35 10. Section 28-855, subsection B.
- 36 11. Section 28-857, subsection A.
- 37 12. Section 28-914.

38 B. A person who violates this section shall attend and successfully  
39 complete traffic survival school educational sessions that are designed to  
40 improve the safety and habits of drivers and that are approved by the  
41 department. In addition, the court may order the person to perform  
42 community restitution.

1 C. The court shall report a conviction for a violation of this  
2 section to the department and:

3 1. For a first violation of this section, shall direct the  
4 department to suspend the person's driving privilege or restrict the  
5 person's driving privilege as described in section 28-144 for at least  
6 ninety days and not more than one hundred eighty days if the violation  
7 results in serious physical injury and at least one hundred eighty days  
8 and not more than one year if the violation results in death.

9 2. For a second or subsequent violation of this section within a  
10 period of thirty-six months, shall direct the department to suspend the  
11 person's driving privilege for one hundred eighty days if the violation  
12 results in serious physical injury and one year if the violation results  
13 in death.

14 D. If a person's driving privilege is suspended pursuant to any  
15 other statute because of an incident involving a violation of this  
16 section, the suspension period prescribed in subsection C of this section  
17 shall run consecutively with the other suspension period.

18 E. If a person fails to successfully complete traffic survival  
19 school educational sessions or perform community restitution pursuant to  
20 this section, the court shall notify the department and the department  
21 shall promptly suspend the driver license or permit of the driver or the  
22 privilege of a nonresident to drive a motor vehicle in this state until  
23 the order is satisfied.

24 F. If the person who suffers serious physical injury as a result of  
25 a violation of this section appears before the court in which the action  
26 is pending at any time before trial and acknowledges receipt of  
27 satisfaction for the injury, on payment of the costs incurred, the court  
28 shall order that the prosecution be dismissed and the defendant be  
29 discharged. The reasons for the order shall be set forth and entered of  
30 record, and the order shall be a bar to another prosecution for the same  
31 offense.

32 ~~G. Restitution awarded pursuant to section 13-603 as a result of a~~  
33 ~~violation of this section shall not exceed \$100,000.~~

34 ~~H.~~ G. A prosecution for a violation of this section must be  
35 commenced within two years after actual discovery of the offense by the  
36 state or the political subdivision having jurisdiction or discovery by the  
37 state or the political subdivision that should have occurred with the  
38 exercise of reasonable diligence, whichever first occurs.

39 ~~I.~~ H. A person who violates this section is guilty of a class 1  
40 misdemeanor.

41 ~~J.~~ I. For the purposes of this section, "serious physical injury"  
42 has the same meaning prescribed in section 13-105.