

Senate Engrossed

~~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 SECTION 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 28-672, Arizona Revised Statutes, is amended to
3 read:

4 28-672. Causing serious physical injury or death by a moving
5 violation; time limitation; penalties; violation;
6 classification; definition

7 A. A person is guilty of causing serious physical injury or death
8 by a moving violation if the person violates any one of the following and
9 the violation results in an accident causing serious physical injury or
10 death to another person:

- 11 1. Section 28-645, subsection A, paragraph 3, subdivision (a).
- 12 2. Section 28-710.
- 13 3. Section 28-729.
- 14 4. Section 28-771.
- 15 5. Section 28-772.
- 16 6. Section 28-773.
- 17 7. Section 28-792.
- 18 8. Section 28-794.
- 19 9. Section 28-797, subsection F, G, H or I.
- 20 10. Section 28-855, subsection B.
- 21 11. Section 28-857, subsection A.
- 22 12. Section 28-914.

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

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

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

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

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

1 E. If a person fails to successfully complete traffic survival
2 school educational sessions or perform community restitution pursuant to
3 this section, the court shall notify the department and the department
4 shall promptly suspend the driver license or permit of the driver or the
5 privilege of a nonresident to drive a motor vehicle in this state until
6 the order is satisfied.

7 F. If the person who suffers serious physical injury as a result of
8 a violation of this section appears before the court in which the action
9 is pending at any time before trial and acknowledges receipt of
10 satisfaction for the injury, on payment of the costs incurred, the court
11 shall order that the prosecution be dismissed and the defendant be
12 discharged. The reasons for the order shall be set forth and entered of
13 record, and the order shall be a bar to another prosecution for the same
14 offense.

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

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

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

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