

House Engrossed Senate Bill

~~commercial vehicles; operator; lawful presence~~
(now: nondomiciled commercial driver licenses; validity)

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

SENATE BILL 1511

AN ACT

AMENDING TITLE 28, CHAPTER 14, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 28-5233; RELATING TO COMMERCIAL DRIVER LICENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 28, chapter 14, article 2, Arizona Revised
3 Statutes, is amended by adding section 28-5233, to read:

4 28-5233. Commercial motor vehicle operator; lawful presence;
5 failure of proof; impoundment of vehicle

6 A. A PERSON WHO IS ISSUED A NONDOMICILED COMMERCIAL DRIVER LICENSE
7 MAY NOT OPERATE A COMMERCIAL MOTOR VEHICLE IN THIS STATE UNLESS THE PERSON
8 CAN PROVIDE EVIDENCE OF LAWFUL IMMIGRATION STATUS PURSUANT TO 49 CODE OF
9 FEDERAL REGULATIONS PART 383 OR LAWFUL PRESENCE IN THE UNITED STATES
10 PURSUANT TO THE ACCEPTABLE DOCUMENTS PRESCRIBED IN SECTION 41-1080.

11 B. A LAW ENFORCEMENT OFFICER MAY REQUEST EVIDENCE OF LAWFUL
12 IMMIGRATION STATUS OR LAWFUL PRESENCE IN THE UNITED STATES PURSUANT TO
13 SUBSECTION A OF THIS SECTION FROM A PERSON OPERATING A COMMERCIAL MOTOR
14 VEHICLE WITH A NONDOMICILED COMMERCIAL DRIVER LICENSE.

15 C. IF A PERSON OPERATING A COMMERCIAL MOTOR VEHICLE WITH A
16 NONDOMICILED COMMERCIAL DRIVER LICENSE FAILS TO PROVIDE EVIDENCE REQUESTED
17 PURSUANT TO SUBSECTION B OF THIS SECTION, THE LAW ENFORCEMENT OFFICER OR
18 THE LAW ENFORCEMENT AGENCY OF THE LAW ENFORCEMENT OFFICER SHALL:

- 19 1. IMPOSE A CIVIL PENALTY PURSUANT TO SECTION 28-5240.
- 20 2. ISSUE A CITATION PURSUANT TO THIS SECTION.
- 21 3. REPORT THE VIOLATION TO:

22 (a) THE JURISDICTION THAT ISSUED THE PERSON'S COMMERCIAL DRIVER
23 LICENSE.

24 (b) THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION.

25 D. IF A PERSON OPERATING A COMMERCIAL MOTOR VEHICLE WITH A
26 NONDOMICILED COMMERCIAL DRIVER LICENSE FAILS TO PROVIDE EVIDENCE REQUESTED
27 PURSUANT TO SUBSECTION B OF THIS SECTION, THE LAW ENFORCEMENT OFFICER OR
28 THE LAW ENFORCEMENT AGENCY OF THE LAW ENFORCEMENT OFFICER MAY PLACE THE
29 DRIVER ON AN OUT-OF-SERVICE ORDER AS DEFINED IN 49 CODE OF FEDERAL
30 REGULATIONS SECTION 390.5. IF THE PERSON OPERATING THE COMMERCIAL MOTOR
31 VEHICLE IS PLACED OUT-OF-SERVICE PURSUANT TO THIS SUBSECTION, THE LAW
32 ENFORCEMENT OFFICER SHALL DOCUMENT THE COMMERCIAL DRIVER LICENSE
33 INFORMATION AND IMMEDIATELY REPORT THE OUT-OF-SERVICE ORDER TO:

34 1. THE JURISDICTION THAT ISSUED THE PERSON'S COMMERCIAL DRIVER
35 LICENSE.

36 2. THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION THROUGH THE
37 COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM OR OTHER APPROPRIATE
38 FEDERAL REPORTING MECHANISM.

39 3. THE MOTOR CARRIER THAT EXERCISED OPERATIONAL CONTROL OF THE
40 COMMERCIAL MOTOR VEHICLE AT THE TIME OF THE STOP.

41 E. THE MOTOR CARRIER THAT EXERCISED OPERATIONAL CONTROL OF THE
42 COMMERCIAL MOTOR VEHICLE AT THE TIME OF THE STOP SHALL ARRANGE EITHER OF
43 THE FOLLOWING WITHIN TWENTY-FOUR HOURS AFTER THE MOTOR CARRIER RECEIVES
44 NOTIFICATION THAT THE PERSON WAS PLACED OUT-OF-SERVICE:

1 1. A REPLACEMENT PERSON TO OPERATE THE COMMERCIAL MOTOR VEHICLE WHO
2 MEETS ALL THE REQUIREMENTS OF SUBSECTION A OF THIS SECTION.

3 2. REMOVAL OF THE COMMERCIAL MOTOR VEHICLE FROM THE ROADWAY BY THE
4 MOTOR CARRIER OR COMMERCIAL MOTOR VEHICLE OWNER. IF THE COMMERCIAL MOTOR
5 VEHICLE IS NOT REMOVED FROM THE ROADWAY WITHIN TWENTY-FOUR HOURS AS
6 REQUIRED BY THIS PARAGRAPH, A LAW ENFORCEMENT AGENCY MAY IMPOUND THE
7 COMMERCIAL MOTOR VEHICLE FOR A PERIOD OF NOT MORE THAN THIRTY DAYS. THE
8 LAW ENFORCEMENT AGENCY SHALL NOTIFY THE COMMERCIAL MOTOR VEHICLE OWNER AND
9 ANY LIEN HOLDERS OF RECORD OF THE COMMERCIAL MOTOR VEHICLE BY TELEPHONE OR
10 EMAIL WITHIN TWENTY-FOUR HOURS AFTER THE IMPOUNDMENT AUTHORIZED PURSUANT
11 TO THIS PARAGRAPH. IF THE OWNER OR LIEN HOLDER OF THE COMMERCIAL MOTOR
12 VEHICLE IS DEEMED UNREACHABLE BY TELEPHONE OR EMAIL PURSUANT TO SUBSECTION
13 J OF THIS SECTION, THE LAW ENFORCEMENT AGENCY SHALL PROVIDE NOTICE BY
14 CERTIFIED MAIL WITHIN SEVENTY-TWO HOURS AFTER THE IMPOUNDMENT. THE
15 NOTIFICATION REQUIRED BY THIS PARAGRAPH MUST INCLUDE ALL OF THE FOLLOWING:

16 (a) THE LOCATION OF THE IMPOUNDED COMMERCIAL MOTOR VEHICLE.

17 (b) CONTACT INFORMATION FOR RETRIEVAL OF THE COMMERCIAL MOTOR
18 VEHICLE.

19 (c) A LIST OF THE REQUIRED DOCUMENTS NEEDED TO RETRIEVE THE
20 COMMERCIAL MOTOR VEHICLE.

21 (d) INFORMATION REGARDING THE RETRIEVAL PROCEDURES FOR LESSORS
22 PURSUANT TO SUBSECTION F OF THIS SECTION.

23 (e) A STATEMENT OF IMPOUNDMENT CHARGES AND RESPONSIBILITY FOR
24 PAYMENT. THE MOTOR CARRIER OR LESSEE OF THE COMMERCIAL MOTOR VEHICLE IS
25 SOLELY RESPONSIBLE FOR ALL IMPOUNDMENT, TOWING AND STORAGE CHARGES FOR THE
26 COMMERCIAL MOTOR VEHICLE, FOR ANY CHARGES RELATED TO THE UNLOADING, THE
27 HANDLING, APPROPRIATE STORAGE AND THE TRANSFER OF AND ADMINISTRATIVE OR
28 OTHER FEES RELATED TO THE CARGO THE COMMERCIAL MOTOR VEHICLE WAS CARRYING
29 AT THE TIME OF THE VIOLATION AND FOR ANY COSTS INCURRED FOR NOTIFICATION
30 PROVIDED BY CERTIFIED MAIL PURSUANT TO THIS PARAGRAPH.

31 F. IF THE COMMERCIAL MOTOR VEHICLE IS OPERATED PURSUANT TO A LEASE
32 AGREEMENT:

33 1. THE LESSEE OR MOTOR CARRIER IS SOLELY RESPONSIBLE FOR ALL
34 IMPOUNDMENT, TOWING AND STORAGE CHARGES.

35 2. THE LAW ENFORCEMENT AGENCY OR IMPOUND FACILITY SHALL RELEASE THE
36 COMMERCIAL MOTOR VEHICLE TO THE LESSOR ON PRESENTATION OF BOTH OF THE
37 FOLLOWING:

38 (a) PROOF OF OWNERSHIP, INCLUDING TITLE, REGISTRATION OR OTHER
39 DOCUMENTATION SHOWING THE LESSOR HOLDS LEGAL TITLE TO THE COMMERCIAL MOTOR
40 VEHICLE.

41 (b) A COPY OF THE LEASE AGREEMENT OR OTHER DOCUMENTATION THAT SHOWS
42 THE COMMERCIAL MOTOR VEHICLE WAS LEASED TO THE MOTOR CARRIER AT THE TIME
43 OF THE VIOLATION.

1 G. THE IMPOUND FACILITY MAY PURSUE COLLECTION OF ALL FEES OR
2 CHARGES FROM THE LESSEE OR MOTOR CARRIER THROUGH NORMAL COLLECTION
3 PROCESSES.

4 H. THIS SECTION DOES NOT ALLOW FOR THE IMPOUNDMENT OF ANY CARGO
5 OWNED BY A THIRD PARTY. IF THE COMMERCIAL MOTOR VEHICLE WAS TRANSPORTING
6 CARGO AT THE TIME THE PERSON OPERATING THE COMMERCIAL MOTOR VEHICLE WAS
7 PLACED OUT-OF-SERVICE PURSUANT TO SUBSECTION D OF THIS SECTION, THE LAW
8 ENFORCEMENT AGENCY SHALL:

9 1. IMMEDIATELY MAKE REASONABLE EFFORTS TO IDENTIFY AND CONTACT THE
10 CARGO OWNER, WHICH MAY INCLUDE REVIEWING ANY OF THE FOLLOWING:

11 (a) BILLS OF LADING, SHIPPING MANIFESTS OR DELIVERY DOCUMENTS
12 LOCATED IN THE IMPOUNDED COMMERCIAL MOTOR VEHICLE.

13 (b) INFORMATION PROVIDED BY THE MOTOR CARRIER OR THE PERSON
14 OPERATING THE COMMERCIAL MOTOR VEHICLE.

15 (c) CONTACT INFORMATION ON CARGO PACKAGING OR DOCUMENTATION.

16 2. NOTIFY THE CARGO OWNER BY TELEPHONE, EMAIL OR OTHER AVAILABLE
17 MEANS WITHIN FOUR HOURS AFTER THE COMMENCEMENT OF ANY STOP THAT RESULTS IN
18 THE OUT-OF-SERVICE PLACEMENT OF THE PERSON OPERATING THE COMMERCIAL MOTOR
19 VEHICLE CARRYING THE CARGO.

20 3. IF THE CARGO OWNER IS DEEMED UNREACHABLE PURSUANT TO SUBSECTION
21 J OF THIS SECTION, NOTIFY THE CARGO OWNER BY CERTIFIED MAIL WITHIN
22 FORTY-EIGHT HOURS AFTER THE COMMENCEMENT OF A STOP THAT RESULTS IN THE
23 OUT-OF-SERVICE PLACEMENT OF THE PERSON OPERATING THE COMMERCIAL MOTOR
24 VEHICLE CARRYING THE CARGO. THE COSTS INCURRED FOR THE NOTIFICATION SENT
25 TO THE CARGO OWNER PURSUANT TO THIS PARAGRAPH IS THE RESPONSIBILITY OF THE
26 MOTOR CARRIER AND SHALL BE ADDED TO ANY IMPOUNDMENT CHARGES.

27 4. PROVIDE NOTIFICATION TO THE CARGO OWNER PURSUANT TO PARAGRAPHS 2
28 AND 3 OF THIS SUBSECTION THAT INCLUDES:

29 (a) THE LOCATION OF THE CARGO.

30 (b) CONTACT INFORMATION FOR RETRIEVAL OF THE CARGO.

31 (c) A LIST OF THE REQUIRED DOCUMENTS NEEDED TO RETRIEVE THE CARGO.

32 (d) A STATEMENT THAT THE RETRIEVAL OF THE CARGO IS AT NO CHARGE TO
33 THE CARGO OWNER. THE MOTOR CARRIER OR LESSEE OF THE COMMERCIAL MOTOR
34 VEHICLE IS SOLELY RESPONSIBLE FOR ALL IMPOUNDMENT, TOWING AND STORAGE
35 CHARGES FOR THE COMMERCIAL MOTOR VEHICLE, FOR ANY CHARGES RELATED TO THE
36 UNLOADING, THE HANDLING, APPROPRIATE STORAGE AND THE TRANSFER OF AND
37 ADMINISTRATIVE OR OTHER FEES RELATED TO THE CARGO THE COMMERCIAL MOTOR
38 VEHICLE WAS CARRYING AT THE TIME OF THE VIOLATION AND FOR ANY COSTS
39 INCURRED FOR NOTIFICATION BY CERTIFIED MAIL PURSUANT TO PARAGRAPH 3 OF
40 THIS SUBSECTION.

41 5. PROVIDE REASONABLE ASSISTANCE FOR CARGO LOADING AND
42 TRANSFER. THE CARGO OWNER MAY BRING EQUIPMENT OR TRANSPORTATION TO AID IN
43 THE LOADING AND TRANSFER OF THE CARGO.

1 6. DOCUMENT THE RETRIEVAL OF THE CARGO WITH A SIGNED RECEIPT THAT
2 MUST NOTE THE CONDITION OF THE CARGO AT THE TIME OF RETRIEVAL AND RELEASE.

3 7. IF THE CARGO CANNOT BE SAFELY STORED AT THE SCENE OF THE STOP,
4 ARRANGE THROUGH AN AUTHORIZED IMPOUND FACILITY OR TOWING CONTRACTOR FOR
5 APPROPRIATE STORAGE THAT MEETS THE NEEDS AND PREVENTS LOSS OR DAMAGE OF
6 THE CARGO. APPROPRIATE STORAGE OF THE CARGO MAY INCLUDE:

- 7 (a) REFRIGERATION FOR PERISHABLE GOODS.
8 (b) CLIMATE CONTROL FOR TEMPERATURE-SENSITIVE GOODS.
9 (c) SECURE FACILITIES FOR HIGH-VALUE CARGO.
10 (d) PERMITTED HAZARDOUS MATERIALS STORAGE FOR HAZMAT MATERIALS.
11 (e) SPECIALIZED FACILITIES FOR LIVESTOCK OR OTHER CARGO WITH
12 SPECIAL NEEDS.

13 8. IF THE CARGO IS PERISHABLE OR TIME-SENSITIVE OR THE CARGO IS FOR
14 MEDICAL, EMERGENCY OR CRITICAL INFRASTRUCTURE PURPOSES:

15 (a) EXPEDITE NOTIFICATION TO THE CARGO OWNER AND FACILITATE
16 EXPEDITED RETRIEVAL OF THE CARGO. THE CARGO OWNER MAY RETRIEVE THE CARGO
17 IMMEDIATELY ON ARRIVAL AT THE CARGO'S LOCATION, INCLUDING OUTSIDE NORMAL
18 BUSINESS HOURS.

19 (b) IF THE CARGO OWNER CANNOT ARRANGE IMMEDIATE RETRIEVAL OF THE
20 CARGO, ALLOW THE CARGO OWNER TO DESIGNATE AN ALTERNATIVE CARRIER OR
21 LOGISTICS PROVIDER TO RETRIEVE THE CARGO.

22 I. THE LAW ENFORCEMENT AGENCY OR IMPOUND FACILITY SHALL IMMEDIATELY
23 RELEASE THE CARGO TO THE CARGO OWNER OR AN AUTHORIZED DESIGNEE OF THE
24 CARGO OWNER AND MAY NOT CONDITION RELEASE OF THE CARGO ON PAYMENT OF ANY
25 COSTS OR RESOLUTION OF ANY CHARGES AGAINST THE PERSON OPERATING THE
26 COMMERCIAL MOTOR VEHICLE OR MOTOR CARRIER, ON PRESENTATION OF BOTH OF THE
27 FOLLOWING:

28 1. PROOF OF OWNERSHIP, INCLUDING:

29 (a) THE BILL OF LADING THAT LISTS THE PERSON OR ENTITY AS
30 CONSIGNOR, CONSIGNEE OR OWNER OF THE CARGO.

31 (b) THE PURCHASE ORDER, INVOICE OR RECEIPT THAT SHOWS OWNERSHIP OF
32 THE CARGO.

33 (c) ANY OTHER DOCUMENTATION THAT ESTABLISHES OWNERSHIP OR RIGHT TO
34 POSSESSION OF THE CARGO.

35 2. PROOF OF IDENTITY OF THE PERSON WHO IS RETRIEVING THE CARGO.

36 J. FOR THE PURPOSES OF THIS SECTION:

37 1. TO FULFILL ANY STORAGE, HANDLING, NOTIFICATION OR ARRANGEMENT
38 FOR STORAGE OF A COMMERCIAL MOTOR VEHICLE OR ANY CARGO, THE LAW
39 ENFORCEMENT AGENCY MAY USE:

- 40 (a) EXISTING TOWING SERVICE CONTRACTS.
41 (b) AUTHORIZED IMPOUNDMENT FACILITIES.
42 (c) THIRD-PARTY STORAGE PROVIDERS.
43 (d) ANY OTHER COMMERCIALLY AVAILABLE SERVICE PROVIDER CAPABLE OF
44 MEETING THE REQUIREMENTS OF THIS SECTION.

1 2. ANY NOTIFICATION REQUIRED BY THIS SECTION MAY BE FULFILLED BY
2 THE LAW ENFORCEMENT AGENCY OR BY AN AUTHORIZED IMPOUND FACILITY OR TOWING
3 CONTRACTOR ACTING ON BEHALF OF THE LAW ENFORCEMENT AGENCY.

4 3. A PARTY REQUIRED TO BE CONTACTED BY THIS SECTION MAY BE DEEMED
5 UNREACHABLE BY TELEPHONE OR EMAIL IF:

6 (a) A TELEPHONE NUMBER OR EMAIL ADDRESS IS NOT FOUND IN SHIPPING
7 DOCUMENTS, VEHICLE REGISTRATION DOCUMENTS OR OTHER AVAILABLE DOCUMENTS.

8 (b) TWO TELEPHONE CALLS PLACED AT LEAST ONE HOUR APART ARE NOT
9 ANSWERED.

10 (c) ANY VOICEMAIL OR ANSWERING MACHINE MESSAGES ARE NOT RETURNED
11 WITHIN SIX HOURS FOR A CARGO OWNER OR TWENTY-FOUR HOURS FOR AN OWNER OR
12 LIEN HOLDER OF A COMMERCIAL MOTOR VEHICLE.

13 (d) ANY EMAIL THAT IS SENT IS RETURNED AS UNDELIVERABLE.

14 (e) A RESPONSE TO AN EMAIL IS NOT RECEIVED WITHIN SIX HOURS FOR A
15 CARGO OWNER OR TWENTY-FOUR HOURS FOR AN OWNER OR LIEN HOLDER OF A
16 COMMERCIAL MOTOR VEHICLE.

17 K. IT IS AN AFFIRMATIVE DEFENSE TO IMPOUNDMENT PURSUANT TO THIS
18 SECTION IF THE MOTOR CARRIER VERIFIED THE PERSON'S COMMERCIAL DRIVER
19 LICENSE THROUGH THE COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM THAT IS
20 MAINTAINED BY THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION AND THE
21 DRIVER LICENSE WAS NOT SUSPENDED, REVOKED OR DISQUALIFIED AT THE TIME OF
22 VERIFICATION.

23 L. THIS SECTION SHALL NOT BE CONSTRUED SO AS TO BROADEN THE
24 CATEGORY OF PERSONS TO WHOM A NONDOMICILED COMMERCIAL DRIVER LICENSE MAY
25 BE ISSUED AND PROVIDES NO INDEPENDENT AUTHORIZATION FOR THE ISSUANCE OF
26 SUCH LICENSES.