

House Engrossed Senate Bill

ADOT; revisions.

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

# SENATE BILL 1552

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; AMENDING TITLE 44, CHAPTER 38, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 44-7953; RELATING TO 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.

- 1           ~~16.~~ 17. "Combination of vehicles" means a truck or truck tractor  
2 and semitrailer and any trailer that it tows but does not include a  
3 forklift designed for the purpose of loading or unloading the truck,  
4 trailer or semitrailer.
- 5           ~~17.~~ 18. "Controlled substance" means a substance so classified  
6 under section 102(6) of the controlled substances act (21 United States  
7 Code section 802(6)) and includes all substances listed in schedules I  
8 through V of 21 Code of Federal Regulations part 1308.
- 9           ~~18.~~ 19. "Conviction" means:
- 10           (a) An unvacated adjudication of guilt or a determination that a  
11 person violated or failed to comply with the law in a court of original  
12 jurisdiction or by an authorized administrative tribunal.
- 13           (b) An unvacated forfeiture of bail or collateral deposited to  
14 secure the person's appearance in court.
- 15           (c) A plea of guilty or no contest accepted by the court.
- 16           (d) The payment of a fine or court costs.
- 17           ~~19.~~ 20. "County highway" means a public road that is constructed  
18 and maintained by a county.
- 19           ~~20.~~ 21. "Dealer" means a person who is engaged in the business of  
20 buying, selling or exchanging motor vehicles, trailers or semitrailers and  
21 who has an established place of business and has paid fees pursuant to  
22 section 28-4302.
- 23           ~~21.~~ 22. "Department" means the department of transportation acting  
24 directly or through its duly authorized officers and agents.
- 25           ~~22.~~ 23. "Digital network or software application" has the same  
26 meaning prescribed in section 28-9551.
- 27           ~~23.~~ 24. "Director" means the director of the department of  
28 transportation.
- 29           ~~24.~~ 25. "Drive" means to operate or be in actual physical control  
30 of a motor vehicle.
- 31           ~~25.~~ 26. "Driver" means a person who drives or is in actual  
32 physical control of a vehicle.
- 33           ~~26.~~ 27. "Driver license" means a license that is issued by a state  
34 to an individual and that authorizes the individual to drive a motor  
35 vehicle.
- 36           ~~27.~~ 28. "Dynamic driving task":
- 37           (a) Means all of the real-time operational and tactical functions  
38 required to operate a vehicle in on-road traffic.
- 39           (b) Includes:
- 40           (i) Lateral vehicle motion control by steering.
- 41           (ii) Longitudinal motion control by acceleration and deceleration.
- 42           (iii) Monitoring the driving environment by object and event  
43 detection, recognition, classification and response preparation.
- 44           (iv) Object and event response execution.
- 45           (v) Maneuver planning.

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

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

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

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

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

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

20 ~~29.~~ 30. "Electric miniature scooter" means a device that:

21 (a) Weighs less than thirty pounds.

22 (b) Has two or three wheels.

23 (c) Has handlebars.

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

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

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

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

33 ~~31.~~ 32. "Electric standup scooter":

34 (a) Means a device that:

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

36 (ii) Has two or three wheels.

37 (iii) Has handlebars.

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

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

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

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

43 ~~32.~~ 33. "Evidence" includes both of the following:

44 (a) A display on a wireless communication device of a  
45 department-generated driver license, nonoperating identification license,

1 vehicle registration card or other official record of the department that  
2 is presented to a law enforcement officer or in a court or an  
3 administrative proceeding.

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

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

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

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

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

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

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

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

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

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

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

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

44 ~~42.~~ 43. "Implement of husbandry" means a vehicle that is designed  
45 primarily for agricultural purposes and that is used exclusively in the

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

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

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

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

25 ~~44.~~ 45. "Livery vehicle" means a motor vehicle that:

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

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

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

32 (d) May do any of the following:

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

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

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

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

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

1           ~~47.~~ 48. "Minimal risk condition":

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

5           (b) Includes bringing the vehicle to a complete stop.

6           ~~48.~~ 49. "Moped" means a bicycle, not including an electric  
7 bicycle, an electric miniature scooter or an electric standup scooter,  
8 that is equipped with a helper motor if the vehicle has a maximum piston  
9 displacement of fifty cubic centimeters or less, a brake horsepower of one  
10 and one-half or less and a maximum speed of twenty-five miles per hour or  
11 less on a flat surface with less than a one percent grade.

12           ~~49.~~ 50. "Motorcycle" means a motor vehicle that has a seat or  
13 saddle for the use of the rider and that is designed to travel on not more  
14 than three wheels in contact with the ground but excludes a tractor, an  
15 electric bicycle, an electric miniature scooter, an electric standup  
16 scooter and a moped.

17           ~~50.~~ 51. "Motor driven cycle" means a motorcycle, including every  
18 motor scooter, with a motor that produces not more than five horsepower  
19 but does not include an electric bicycle, an electric miniature scooter or  
20 an electric standup scooter.

21           ~~51.~~ 52. "Motorized quadricycle" means a self-propelled motor  
22 vehicle to which all of the following apply:

23           (a) The vehicle is self-propelled by an emission-free electric  
24 motor and may include pedals operated by the passengers.

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

27           (c) The vehicle seats at least eight passengers, including the  
28 driver.

29           (d) The vehicle is operable on a flat surface using solely the  
30 electric motor without assistance from the pedals or passengers.

31           (e) The vehicle is a commercial motor vehicle as defined in section  
32 28-5201.

33           (f) The vehicle is a limousine operating under a vehicle for hire  
34 company permit issued pursuant to section 28-9503.

35           (g) The vehicle is manufactured by a motor vehicle manufacturer  
36 that is licensed pursuant to chapter 10 of this title.

37           (h) The vehicle complies with the definition and standards for  
38 low-speed vehicles set forth in 49 Code of Federal Regulations sections  
39 571.3(b) and 571.500, respectively.

40           ~~52.~~ 53. "Motor vehicle":

41           (a) Means either:

42           (i) A self-propelled vehicle.

43           (ii) For the purposes of the laws relating to the imposition of a  
44 tax on motor vehicle fuel, a vehicle that is operated on the highways of  
45 this state and that is propelled by the use of motor vehicle fuel.

1 (b) Does not include a scrap vehicle, a personal delivery device, a  
2 personal mobile cargo carrying device, a motorized wheelchair, an electric  
3 personal assistive mobility device, an electric bicycle, an electric  
4 miniature scooter, an electric standup scooter or a motorized skateboard.  
5 For the purposes of this subdivision:

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

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

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

23 ~~54.~~ 55. "Neighborhood electric shuttle":

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

26 (i) The vehicle is emission free.

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

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

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

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

36 (vi) The vehicle complies with the definition and standards for  
37 low-speed vehicles set forth in 49 Code of Federal Regulations sections  
38 571.3(b) and 571.500, respectively.

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

1           ~~55.~~ 56. "Neighborhood electric vehicle" means a self-propelled  
2 electrically powered motor vehicle to which all of the following apply:  
3           (a) The vehicle is emission free.  
4           (b) The vehicle has at least four wheels in contact with the  
5 ground.  
6           (c) The vehicle complies with the definition and standards for  
7 low-speed vehicles, unless excepted or exempted under federal law, set  
8 forth in 49 Code of Federal Regulations sections 571.3(b) and 571.500,  
9 respectively.

10          ~~56.~~ 57. "Neighborhood occupantless electric vehicle" means a  
11 neighborhood electric vehicle that is not designed, intended or marketed  
12 for human occupancy.

13          ~~57.~~ 58. "Nonresident" means a person who is not a resident of this  
14 state as defined in section 28-2001.

15          ~~58.~~ 59. "Off-road recreational motor vehicle" means a motor  
16 vehicle that is designed primarily for recreational nonhighway all-terrain  
17 travel and that is not operated on a public highway. Off-road  
18 recreational motor vehicle does not mean a motor vehicle used for  
19 construction, building trade, mining or agricultural purposes.

20          ~~59.~~ 60. "Operational design domain":  
21           (a) Means operating conditions under which a given automated  
22 driving system is specifically designed to function.  
23           (b) Includes roadway types, speed range, environmental conditions,  
24 such as weather or time of day, and other domain constraints.

25          ~~60.~~ 61. "Operator" means a person who drives a motor vehicle on a  
26 highway, who is in actual physical control of a motor vehicle on a highway  
27 or who is exercising control over or steering a vehicle being towed by a  
28 motor vehicle.

29          ~~61.~~ 62. "Owner" means:  
30           (a) A person who holds the legal title of a vehicle.  
31           (b) If a vehicle is the subject of an agreement for the conditional  
32 sale or lease with the right of purchase on performance of the conditions  
33 stated in the agreement and with an immediate right of possession vested  
34 in the conditional vendee or lessee, the conditional vendee or lessee.  
35           (c) If a mortgagor of a vehicle is entitled to possession of the  
36 vehicle, the mortgagor.

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

- 1           ~~63.~~ 64. "Personal delivery device":  
2           (a) Means a device that is both of the following:  
3           (i) Manufactured for transporting cargo and goods in an area  
4 described in section 28-1225.  
5           (ii) Equipped with automated driving technology, including software  
6 and hardware, that enables the operation of the device with the remote  
7 support and supervision of a human.  
8           (b) Does not include a personal mobile cargo carrying device.  
9           ~~64.~~ 65. "Personal mobile cargo carrying device" means an  
10 electronically powered device that:  
11           (a) Is operated primarily on sidewalks and within crosswalks and  
12 that is designed to transport property.  
13           (b) Weighs less than eighty pounds, excluding cargo.  
14           (c) Operates at a maximum speed of twelve miles per hour.  
15           (d) Is equipped with technology to transport personal property with  
16 the active monitoring of a property owner and that is primarily designed  
17 to remain within twenty-five feet of the property owner.  
18           (e) Is equipped with a braking system that when active or engaged  
19 enables the personal mobile cargo carrying device to come to a controlled  
20 stop.  
21           ~~65.~~ 66. "Power sweeper" means an implement, with or without motive  
22 power, that is only incidentally operated or moved on a street or highway  
23 and that is designed for the removal of debris, dirt, gravel, litter or  
24 sand whether by broom, vacuum or regenerative air system from asphaltic  
25 concrete or cement concrete surfaces, including parking lots, highways,  
26 streets and warehouses, and a vehicle on which the implement is  
27 permanently mounted.  
28           ~~66.~~ 67. "Public transit" means the transportation of passengers on  
29 scheduled routes by means of a conveyance on an individual passenger  
30 fare-paying basis excluding transportation by a sightseeing bus, school  
31 bus or taxi or a vehicle not operated on a scheduled route basis.  
32           ~~67.~~ 68. "Reconstructed vehicle" means a vehicle that has been  
33 assembled or constructed largely by means of essential parts, new or used,  
34 derived from vehicles or makes of vehicles of various names, models and  
35 types or that, if originally otherwise constructed, has been materially  
36 altered by the removal of essential parts or by the addition or  
37 substitution of essential parts, new or used, derived from other vehicles  
38 or makes of vehicles. For the purposes of this paragraph, "essential  
39 parts" means integral and body parts, the removal, alteration or  
40 substitution of which will tend to conceal the identity or substantially  
41 alter the appearance of the vehicle.  
42           ~~68.~~ 69. "Residence district" means the territory contiguous to and  
43 including a highway not comprising a business district if the property on  
44 the highway for a distance of three hundred feet or more is in the main  
45 improved with residences or residences and buildings in use for business.

1           ~~69.~~ 70. "Right-of-way" when used within the context of the  
2 regulation of the movement of traffic on a highway means the privilege of  
3 the immediate use of the highway. Right-of-way when used within the  
4 context of the real property on which transportation facilities and  
5 appurtenances to the facilities are constructed or maintained means the  
6 lands or interest in lands within the right-of-way boundaries.

7           ~~70.~~ 71. "SAE J3016" means surface transportation recommended  
8 practice J3016 taxonomy and definitions for terms related to driving  
9 automation systems for on-road motor vehicles published by SAE  
10 international in June 2018.

11           ~~71.~~ 72. "School bus" means a motor vehicle that is designed for  
12 carrying more than ten passengers and that is either:

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

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

19           ~~72.~~ 73. "Scrap metal dealer" has the same meaning prescribed in  
20 section 44-1641.

21           ~~73.~~ 74. "Scrap vehicle" has the same meaning prescribed in section  
22 44-1641.

23           ~~74.~~ 75. "Semitrailer" means a vehicle that is with or without  
24 motive power, other than a pole trailer or single-axle tow dolly, that is  
25 designed for carrying persons or property and for being drawn by a motor  
26 vehicle and that is constructed so that some part of its weight and that  
27 of its load rests on or is carried by another vehicle. For the purposes  
28 of this paragraph, "pole trailer" has the same meaning prescribed in  
29 section 28-601.

30           ~~75.~~ 76. "Single-axle tow dolly" means a nonvehicle device that is  
31 drawn by a motor vehicle, that is designed and used exclusively to  
32 transport another motor vehicle and on which the front or rear wheels of  
33 the drawn motor vehicle are mounted on the tow dolly while the other  
34 wheels of the drawn motor vehicle remain in contact with the ground.

35           ~~76.~~ 77. "State" means a state of the United States and the  
36 District of Columbia.

37           ~~77.~~ 78. "State highway" means a state route or portion of a state  
38 route that is accepted and designated by the board as a state highway and  
39 that is maintained by the state.

40           ~~78.~~ 79. "State route" means a right-of-way whether actually used  
41 as a highway or not that is designated by the board as a location for the  
42 construction of a state highway.

43           ~~79.~~ 80. "Street" or "highway" means the entire width between the  
44 boundary lines of every way if a part of the way is open to the use of the  
45 public for purposes of vehicular travel.

1           ~~80.~~ 81. "Taxi" means a motor vehicle that has a seating capacity  
2 not exceeding fifteen passengers, including the driver, that provides  
3 passenger services and that:

4           (a) Does not primarily operate on a regular route or between  
5 specified places.

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

9           ~~81.~~ 82. "Title transfer form" means a paper or an electronic form  
10 that is prescribed by the department for the purpose of transferring a  
11 certificate of title from one owner to another owner.

12           ~~82.~~ 83. "Traffic survival school" means a school that is licensed  
13 pursuant to chapter 8, article 7.1 of this title and that offers  
14 educational sessions that are designed to improve the safety and habits of  
15 drivers and that are approved by the department.

16           ~~83.~~ 84. "Trailer" means a vehicle that is with or without motive  
17 power, other than a pole trailer or single-axle tow dolly, that is  
18 designed for carrying persons or property and for being drawn by a motor  
19 vehicle and that is constructed so that no part of its weight rests on the  
20 towing vehicle. A semitrailer equipped with an auxiliary front axle  
21 commonly known as a dolly is deemed to be a trailer. For the purposes of  
22 this paragraph, "pole trailer" has the same meaning prescribed in section  
23 28-601.

24           ~~84.~~ 85. "Transportation network company" has the same meaning  
25 prescribed in section 28-9551.

26           ~~85.~~ 86. "Transportation network company vehicle" has the same  
27 meaning prescribed in section 28-9551.

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

30           ~~87.~~ 88. "Truck" means a motor vehicle designed or used primarily  
31 for the carrying of property other than the effects of the driver or  
32 passengers and includes a motor vehicle to which has been added a box, a  
33 platform or other equipment for such carrying.

34           ~~88.~~ 89. "Truck tractor" means a motor vehicle that is designed and  
35 used primarily for drawing other vehicles and that is not constructed to  
36 carry a load other than a part of the weight of the vehicle and load  
37 drawn.

38           ~~89.~~ 90. "Vehicle":

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

41           (b) Does not include:

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

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

45           (iii) Personal delivery devices.

1 (iv) Scrap vehicles.

2 (v) Personal mobile cargo carrying devices.

3 ~~90.~~ 91. "Vehicle transporter" means either:

4 (a) A truck tractor capable of carrying a load and drawing a  
5 semitrailer.

6 (b) A truck tractor with a stinger-steered fifth wheel capable of  
7 carrying a load and drawing a semitrailer or a truck tractor with a dolly  
8 mounted fifth wheel that is securely fastened to the truck tractor at two  
9 or more points and that is capable of carrying a load and drawing a  
10 semitrailer.

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

13 28-337. High occupancy vehicle lane; lane degradation;  
14 priority use

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

19 B. If a high occupancy vehicle lane becomes degraded due to the  
20 authorization of single occupancy vehicles authorized under sections  
21 28-2416 and 28-2416.01, use of the lane is restricted to the following  
22 vehicles in the following priority:

23 1. Passenger vehicles with two or more occupants, including the  
24 driver.

25 2. Public transit buses.

26 3. Buses with two or more occupants, including the driver.

27 4. Motorcycles.

28 5. Alternative fuel vehicles.

29 6. Low emission and energy efficient vehicles AS DEFINED IN SECTION  
30 28-601.

31 7. BLOOD TRANSPORT VEHICLES AS DEFINED IN SECTION 28-737.

32 C. The department shall limit THE use OF THE HIGH OCCUPANCY VEHICLE  
33 LANES to vehicles in the priority order prescribed in subsection B of this  
34 section and shall maintain those restrictions while the lane or portion of  
35 the lane remains degraded.

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

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

3           28-737. High occupancy vehicle lanes; exceptions; civil  
4           penalty; definitions

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

10          B. Subsection A **OF THIS SECTION** does not apply to any of the  
11 following:

12           1. During the performance of a tow truck operator's duties, a tow  
13 truck operator driving a tow truck.

14           2. A person driving a motorcycle.

15           3. A person driving a public transportation vehicle.

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

18           5. **A BLOOD TRANSPORT VEHICLE IF THE VEHICLE DISPLAYS ON EACH SIDE**  
19 **AND ON THE REAR OF THE VEHICLE A REMOVABLE DECAL OR SIGN INDICATING THAT**  
20 **THE VEHICLE IS TRANSPORTING HUMAN BLOOD OR BLOOD PRODUCTS.**

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

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

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

27           1. **"BLOOD TRANSPORT VEHICLE" MEANS A MOTOR VEHICLE THAT IS OWNED OR**  
28 **OPERATED BY A NONPROFIT GENERAL BLOOD BANKING OPERATION, A NONPROFIT BLOOD**  
29 **BANK OR A NONPROFIT BLOOD BANK'S AGENT AND THAT IS TRANSPORTING BLOOD OR**  
30 **BLOOD PRODUCTS BETWEEN COLLECTION POINTS, HOSPITALS OR BLOOD STORAGE**  
31 **CENTERS.**

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

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

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

36          Sec. 4. Repeal

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

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

40          28-3158. Driver license or instruction permit application

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

43          B. An applicant shall pay the fee prescribed by section 28-3002 for  
44 a driver license or for an instruction permit issued under section

1 28-3154, 28-3155, 28-3156 or 28-3225. The department shall refund an  
2 application fee pursuant to section 28-373.

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

8 D. The application for an instruction permit or a driver license  
9 shall state the following:

10 1. A brief description of the applicant and any other identifying  
11 information required by the department.

12 2. Whether the applicant has been licensed, and if so, the type of  
13 license issued, when the license was issued and what state or country  
14 issued the license.

15 3. If the applicant was never licensed, the applicant's last  
16 previous state or country of residence.

17 4. The social security number of the applicant.

18 5. OTHER INFORMATION REQUIRED BY THE DEPARTMENT.

19 E. The department shall:

20 1. Verify that a social security number provided by an applicant is  
21 a valid number assigned to that applicant.

22 2. Retain the social security number in its records.

23 F. The social security number provided to the department pursuant  
24 to subsection D of this section for an applicant's driver license or  
25 instruction permit shall not appear on an applicant's driver license or  
26 instruction permit unless the applicant requests that the social security  
27 number appear on the applicant's driver license or instruction permit as  
28 the driver license or instruction permit number. Except as provided in  
29 sections 28-455 and 41-1954, the department shall not release the social  
30 security number to any person unless the applicant requests that the  
31 social security number appear on the applicant's driver license or  
32 instruction permit as the driver license or instruction permit number.  
33 The provisions of this subsection shall be included in each application.

34 G. The department may adopt and implement procedures to deny a  
35 driver license or instruction permit to a person who has been deported.  
36 The department may adopt and implement procedures to reinstate a person's  
37 privilege to apply for a driver license or permit if the person's legal  
38 presence status is restored.

39 H. On request of an applicant, the department shall allow the  
40 applicant to provide on the license or permit a post office box address  
41 that is regularly used by the applicant.

42 I. The department may request an applicant who appears in person  
43 for a license, a duplicate license or reinstatement of a driving privilege  
44 to complete satisfactorily the vision screening prescribed by the  
45 department.

1 J. If a driver license applicant submits satisfactory proof to the  
2 department that the applicant is a veteran, on request of the applicant,  
3 the department shall allow a distinguishing mark to appear on the license  
4 that identifies the person as a veteran.

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

7 28-3165. Nonoperating identification license; immunity;  
8 rules; emancipated minors; definition

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

20 B. On request of an applicant:

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

24 2. If the applicant submits satisfactory proof to the department  
25 that the applicant is a veteran, the department shall allow a  
26 distinguishing mark to appear on the nonoperating identification license  
27 that identifies that person as a veteran.

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

- 39 (a) An enhanced tribal card.
- 40 (b) A tribal identification card.
- 41 (c) A tribal certificate of Indian blood.
- 42 (d) A tribal or bureau of Indian affairs affidavit of birth.

43 C. A person who is issued a license pursuant to this section shall  
44 use it only for identification purposes of the licensee. The nonoperating  
45 identification license does not grant authority to operate a motor vehicle

1 in this state. The department shall clearly label the nonoperating  
2 identification license "for identification only, not for operation of a  
3 motor vehicle".

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

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

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

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

30 H. A nonoperating identification license issued by the department  
31 is solely for the use and convenience of the applicant for identification  
32 purposes.

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

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

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

1 K. If a person qualifies for a nonoperating identification license  
2 and is under the legal drinking age, the department shall issue a license  
3 that is marked by color, code or design to immediately distinguish it from  
4 a nonoperating identification license issued to a person of legal drinking  
5 age. The department shall indicate on the nonoperating identification  
6 license issued pursuant to this subsection the year in which the person  
7 will attain the legal drinking age.

8 L. If a minor has been emancipated pursuant to title 12, chapter  
9 15, on application and proof of emancipation, the department shall issue a  
10 nonoperating identification license that contains the words "emancipated  
11 minor".

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

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

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

21 28-3173. License update

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

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

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

33 28-3319. Action after license suspension, revocation or  
34 denial for driving under the influence or refusal  
35 of test; ignition interlock device requirement;  
36 definitions

37 A. If, pursuant to section 28-1321, 28-1381, 28-1382, 28-1383,  
38 28-3320 or 28-3322, the license of a driver or the driving privilege of a  
39 nonresident is suspended or revoked, the department shall not terminate  
40 the suspension or revocation or issue a special ignition interlock  
41 restricted driver license, if applicable, pursuant to chapter 4, article  
42 3.1 of this title until the person provides proof of financial  
43 responsibility pursuant to chapter 9, article 3 of this title.

44 B. If, pursuant to section 28-1321, 28-1381, 28-1382, 28-1383,  
45 28-3320 or 28-3322, an unlicensed resident is denied a license or permit

1 to operate a motor vehicle, the department shall not issue a license or  
2 permit until the person provides proof of financial responsibility  
3 pursuant to chapter 9, article 3 of this title.

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

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

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

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

27 1. For twelve months if:

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

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

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

40 3. For twenty-four months if:

41 (a) The person is convicted of a violation of section 28-1382,  
42 subsection A, paragraph 2 and the department determines that within a  
43 period of eighty-four months the person has a prior conviction of a  
44 violation of section 28-1381, 28-1382 or 28-1383 or an act in another

1 jurisdiction that if committed in this state would be a violation of  
2 section 28-1381, 28-1382 or 28-1383.

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

5 E. If a person is required to equip a motor vehicle with a  
6 certified ignition interlock device pursuant to subsection D of this  
7 section and the person has a medical condition that prevents the person  
8 from using the certified ignition interlock device during the entire time  
9 period required by subsection D of this section, the department OF  
10 TRANSPORTATION shall require monthly alcohol and drug screening instead of  
11 the certified ignition interlock device for the time period prescribed by  
12 subsection D of this section. The department OF TRANSPORTATION shall  
13 require evidence of the medical condition that is satisfactory to the  
14 department OF TRANSPORTATION and in a manner prescribed by the department  
15 OF TRANSPORTATION from an authorized physician as defined in section  
16 28-2409 or an authorized physician assistant as defined in section  
17 28-2409. The alcohol or drug screening shall be provided by a facility  
18 approved by the department of health services, the United States  
19 department of veterans affairs, a substance abuse counselor as defined in  
20 section 28-3005 or a probation department.

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

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

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

42 1. The person is sentenced pursuant to section 28-1381,  
43 subsection I.

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

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

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

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

10          6. All necessary compliance information has been provided to the  
11 department by the ignition interlock device provider, the alcohol  
12 screening program and the alcohol education program.

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

20           J. Notwithstanding any other law, the department shall reduce the  
21 length of time that a person is required to have a functioning certified  
22 ignition interlock device installed in a motor vehicle pursuant to  
23 subsection D of this section by the length of time that the person is  
24 incarcerated in a jail or prison facility for a violation of section  
25 28-1381 or 28-1383 that did not involve intoxicating liquor.

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

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

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

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

33          28-3321. Moving violations by persons under eighteen years of  
34 age; traffic survival school; suspension

35          A person who ~~holds a driver permit or license and who~~ is found  
36 responsible for a moving civil traffic violation pursuant to this title or  
37 who is convicted of a moving criminal traffic offense pursuant to this  
38 title, excluding violations of sections 28-693, 28-695, 28-708, 28-1381,  
39 28-1382, 28-1383 and 28-3174, and who commits the moving civil traffic  
40 violation or moving criminal traffic offense while the person is under  
41 eighteen years of age is subject to the following:

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

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

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

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

7           28-4882. Junk vehicle; disposition

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

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

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

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

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

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

3           28-5606. Imposition of motor fuel taxes

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

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

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

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

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

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

32           D. Motor vehicle fuel and use fuel taxes imposed pursuant to this  
33 section on the use of motor vehicle fuel and use fuel and the aviation  
34 fuel taxes imposed pursuant to section 28-8344 on the use of aviation  
35 fuel, other than by bulk transfer, arise at the time the motor vehicle,  
36 use or aviation fuel either:

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

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

42           3. Is removed, as measured by invoiced gallons, from the bulk  
43 transfer terminal system or from a qualified terminal or refinery outside  
44 this state for delivery to a destination in this state as represented on  
45 the shipping papers if a supplier imports the motor vehicle, use or

1 aviation fuel for the account of the supplier or the supplier has made a  
2 tax precollection election pursuant to section 28-5636.

3 E. If motor fuel is removed from the bulk transfer terminal system  
4 or from a qualified terminal or is imported into this state, the original  
5 removal, transfer or importation of the motor fuel is subject to the  
6 collection of the tax. If this motor fuel is transported to another  
7 qualified terminal or reenters the bulk transfer terminal system, the  
8 subsequent sale of the motor fuel on which tax has been collected is not  
9 subject to collection of an additional tax if proper documentation is  
10 retained to support the transaction.

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

13 28-5614. Refunds; use fuel

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

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

~~32 B.~~ B. The director may prescribe any forms the director deems  
33 necessary to implement this section.

~~34 C.~~ C. A vendor may file an application for a refund pursuant to  
35 this section on a monthly basis subject to the limitations prescribed in  
36 section 28-5612.

~~37 E.~~ D. The director shall:

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

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

3           28-5805. Motor vehicle powered by alternative fuel;  
4                                   classification; vehicle license tax; definitions

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

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

15           1. For a motor vehicle that is registered in this state before  
16 January 1, 2022, the value of the motor vehicle is one percent of the  
17 manufacturer's base retail price of the motor vehicle. After the first  
18 twelve months of the life of the motor vehicle as determined by its  
19 initial registration, the value of the motor vehicle is fifteen percent  
20 less for each twelve-month period than the value for the preceding  
21 twelve-month period.

22           2. For a motor vehicle that is initially registered in this state  
23 during a period beginning January 1, 2022 and ending December 31, 2022,  
24 during the first twelve months of the life of the motor vehicle as  
25 determined by its initial registration, the value of the motor vehicle is  
26 twenty percent of the manufacturer's base retail price of the motor  
27 vehicle. During each succeeding twelve-month period, the value of the  
28 motor vehicle is fifteen percent less than the value for the preceding  
29 twelve-month period.

30          C. The registering officer shall collect the vehicle license tax on  
31 a motor vehicle that is powered by alternative fuel and that is initially  
32 registered from and after December 31, 2022 in accordance with section  
33 28-5801. The minimum amount of the vehicle license tax collected pursuant  
34 to this subsection must be in accordance with section 28-5801 and shall be  
35 distributed pursuant to section 28-5808, subsection B.

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

39          E. Except as specifically provided in this section, the vehicle  
40 license tax on a motor vehicle classified under this section is governed  
41 by this article.

42          F. For the purposes of this section:

43           1. "Alternative fuel" has the same meaning prescribed in section  
44 1-215.

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

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

8           (b) Neighborhood electric shuttles.

9           Sec. 14. Section 28-7041, Arizona Revised Statutes, is amended to  
10 read:

11           28-7041. State highways and routes defined; primitive road  
12 designation

13           A. The state highways, to be known as state routes, consist of the  
14 highways declared before August 12, 1927 to be state highways, under  
15 authority of law, that the board, after receipt of a recommendation from  
16 the director, may add to, abandon or change. If the board proceeds  
17 contrary to the recommendations of the director, ~~†~~ THE BOARD shall file a  
18 written report with the governor stating the reasons for the action.

19           B. The state highways consist of the parts of the state routes  
20 designated and accepted as state highways by the board. A highway that  
21 has not been designated as a state route shall not become a state highway  
22 and any portion of a state route shall not become a state highway until it  
23 has been specifically designated and accepted by the board as a state  
24 highway and ordered to be constructed and improved.

25           C. THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY DESIGNATE A STATE  
26 HIGHWAY OR ROUTE AS A PRIMITIVE ROAD.

27           D. NEITHER THIS STATE OR ITS EMPLOYEES ARE LIABLE FOR DAMAGES OR  
28 INJURIES RESULTING FROM THE USE OF A PRIMITIVE ROAD DESIGNATED PURSUANT TO  
29 SUBSECTION C OF THIS SECTION EXCEPT FOR INTENTIONAL INJURIES OR GROSS  
30 NEGLIGENCE CAUSED BY AN EMPLOYEE ACTING WITHIN THE SCOPE OF THE EMPLOYEE'S  
31 EMPLOYMENT.

32           E. THE DEPARTMENT SHALL PLACE SIGNS ON EACH ROAD DESIGNATED AS A  
33 PRIMITIVE ROAD IN LOCATIONS ADEQUATE TO WARN THE PUBLIC. THESE SIGNS  
34 SHALL STATE "PRIMITIVE ROAD, CAUTION, USE AT YOUR OWN RISK. THIS SURFACE  
35 IS NOT REGULARLY MAINTAINED".

36           ~~F.~~ F. All highways, roads or streets that have been constructed,  
37 laid out, opened, established or maintained for ten years or more by the  
38 state or an agency or political subdivision of the state before January 1,  
39 1960 and that have been used continuously by the public as thoroughfares  
40 for free travel and passage for ten years or more are declared public  
41 highways, regardless of an error, defect or omission in the proceeding or  
42 failure to act to establish those highways, roads or streets or in  
43 recording the proceedings.

