

FINAL SUMMARY

2002

45th Legislature

Second Regular Session

HOUSE
OF
REPRESENTATIVES

STATE
SENATE





Arizona Department of Transportation

Transportation Services Group

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Jane Dee Hull
Governor

John A. Bogert
Chief of Staff

Victor M. Mendez
Director

August 19, 2002

Victor Mendez, Director
Arizona Department of Transportation
206 South 17th Avenue, MD 100A
Phoenix, AZ 85007

Dear Mr. Mendez:

The following is a comprehensive summary of transportation-related legislation before the Second Regular Session of the 45th Legislature. The 2002 Regular Legislative Session lasted 130 calendar days, producing 344 enactments out of the 1,273 bills, memorials and resolutions introduced. Of the 353 bills sent to the Governor, Governor Hull signed 336 bills, 8 became law without the Governor's signature and 9 bills were vetoed. The Legislature additionally passed and filed 26 memorials and resolutions.

Official copies of all 2002 Chapter Laws and complete files of action for public review (for both the Regular and Special Sessions) are available upon request by contacting the Arizona Department of Transportation Legislative Services Office at (602) 712-7412, or visiting us at the ADOT Administration Building located at 206 S. 17th Avenue, Room 157, Phoenix, AZ 85007. For large quantity copy requests, we ask that you contact the Secretary of State's Office of Publications at (602) 542-4086, or visit them at 1700 W. Washington, 1st Floor, Phoenix, AZ 85007.

For those with Internet access, *The 1998-2002 Final Summaries* can also be found online by visiting our agency web site at www.dot.state.az.us/ABOUT-legsvcs/summaries. Additionally, full legislative bill and chapter law text, fact sheets and other legislative information and links are available online at www.azleg.state.az.us.

Unless otherwise specified, the general effective date of Second Regular Session enactments is August 22, 2002.

Sincerely,

2002 ADOT LEGISLATIVE TEAM



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2002 ADOT Legislative Team

Legislative Services Office

Kevin Biesty
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Aeronautics Division

Kim Stevens

Financial Management Services

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Bob Gustafson

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Transportation Planning Division

Lisa Pendrick

Audit and Analysis

Michael Spector

Human Resources

Rob Waddell

Information Technology Group

Karen Strickland

Members of the 45th Legislature

2001 – 2002

R Republican **D** Democrat

District	Senator	Representatives
1	Ken Bennett R	Linda Binder R Henry Camarot D
2	John Verkamp R	Tom O'Halleran R Jim Sedillo D
3	Jack C. Jackson D	Sylvia Laughter D Albert Tom D
4	Jack Brown D	Debra Brimhall R Jake Flake R
5	Herb Guenther D	Robert Cannell D Jim Carruthers R
6	Lori Daniels R	John Huppenthal R Robert Robson R
7	Peter Rios D	Mark Clark D Cheryl Chase D
8	Marsha Arzberger D	Mark Maiorana D Bobby Lugo D
9	Tim Bee R	Marian McClure R Randy Graf R
10	Ramon Valdez D	Victor Soltero D Linda Lopez D
11	Elaine Richardson D	Carmine Cardamone D Debora Norris D
12	Toni Hellon R	Steve Huffman R Peter Hershberger R
13	Virginia Yrun D	Carol Somers R Gabrielle Giffords D
14	Ruth Solomon D	Edward Poelstra R Marion Pickens D
15	Edward Cirillo R	Mike Gleason R Robert Blendu R

Members of the 45th Legislature

2001 – 2002

R Republican **D** Democrat

District	Senator	Representatives
16	Darden Hamilton R	Jim Weiers R Linda Gray R
17	Brenda Burns R	Phil Hanson R John Nelson R
18	Susan Gerard R	James Kraft R Deb Gullet R
19	Scott Bundgaard R	Ted Carpenter R Roberta Voss R
20	Mary Hartley D	Bill Brotherton D Kathi Foster D
21	Marilyn Jarrett R	Dean Cooley R Gary Pierce R
22	Joe Eddie Lopez D	John Loreda D Richard Miranda D
23	Linda Aguirre D	Carlos Avelar D Leah Landrum Taylor D
24	Dean Martin R	Steve Tully R Barbara Leff R
25	Chris Cummiskey D	Ken Cheuveront D Christine Weason D
26	Tom Smith R	Jeff Hatch-Miller R Steve May R
27	Harry Mitchell D	Meg Burton Cahill D Laura Knaperek R
28	Randall Gnant R	Carolyn Allen R Wes Marsh R
29	David Petersen R	Mark Anderson R Russell Pearce R
30	Jay Blanchard D	Eddie Farnsworth R Karen Johnson R

Transportation Related Legislation

Enacted into Law – Sorted by Short Title

Short Title of Legislation	Bill #	Chapter Law #
Agency Reports; Web Site Reporting	HB 2414	Chapter 116
Air Quality Fund; Control Measures	HB 2560	Chapter 296
Alternative Fuel Plates; Undercover Vehicles	HB 2150	Chapter 40
Appropriation; Community Airport Grants	SB 1372	Chapter 22
Automobile Theft Authority; Continuation	SB 1026	Chapter 192
Clean Air Fund; Transfer; ADEQ	HB 2099	Chapter 1
Condemnation; Notice, Interest, Litigation Expenses	HB 2447	Chapter 260
Confidential Records, Access	HB 2551	Chapter 250
County Treasurers; Procedures	SB 1041	Chapter 129
Driver License Revocation; Suspension; Accidents	HB 2591	Chapter 193
Electric Personal Assistive Mobility Devices	SB 1193	Chapter 228
Emissions Exemption; EPA Request	HB 2501	Chapter 7

Transportation Related Legislation

Enacted into Law – Sorted by Short Title

Short Title of Legislation	Bill #	Chapter Law #
Hauling Horses; Two-Tier Vehicles	SB 1365	Chapter 176
Historic Vehicles; Commercial Driver Licenses	HB 2503	Chapter 46
Law Enforcement Employees; Paid Leave	HB 2639	Chapter 341
Light Rail Safety, ADOT Oversight	SB 1337	Chapter 205
Mobile Homes; Affidavit of Affixture	HB 2263	Chapter 308
Motor Carrier Registration	HB 2148	Chapter 66
Motor Vehicle Dealers; Factories	SB 1096	Chapter 21
Motor Vehicle Dealer Franchises	HB 2279	Chapter 44
Motor Vehicle Fleets; Temporary Registration	HB 2154	Chapter 29
Navajo Nation Special License Plates	HB 2238	Chapter 106
Public Records; Inspection Mail	SB 1415	Chapter 211
Racing on Highways; Penalties	HB 2452	Chapter 273
Restricted Fuel Distributors; Reporting Requirements	SB 1027	Chapter 153

Transportation Related Legislation

Enacted into Law – Sorted by Short Title

Short Title of Legislation	Bill #	Chapter Law #
Salvage Vehicles; Recovered Vehicles; Titles	HB 2415	Chapter 248
Self Storage Facilities; Vehicle Foreclosures	HB 2116	Chapter 78
State Agencies; Administrative Procedures; Rules	SB 1339	Chapter 334
State Budget Cycles	SB 1436	Chapter 210
Supplemental Appropriations; Transportation Capital Projects	HB 2151	Chapter 187
Temporary Registration Plates	HB 2470	Chapter 145
Trailers; Permanent Registration; VLT	HB 2507	Chapter 221
Transportation; Data Collection; Planning	HB 2660	Chapter 342
Transportation; Parity Bonds; Limits	HB 2588	Chapter 4
Voluntary Vehicle Repair and Retrofit	HB 2442	Chapter 45

Transportation Related Budget Legislation

Enacted into Law– Sorted by Short Title

Short Title of Legislation	Bill #	Chapter Law #
Budget Reconciliation; 2001-2002	SB 1006	Chapter 1 3rd Special Session
Budget Reconciliation; Public Finances	HB 2014	Chapter 2 2nd Special Session
Capital Outlay; Adjustments	HB 2015	Chapter 3 2nd Special Session
Capital Outlay; Appropriations; 2002– 2003	HB 2707	Chapter 343
Fund Transfers; 2001–2002	HB 2016	Chapter 4 2nd Special Session
General Appropriations; 2001--2002	SB 1005	Chapter 2 3rd Special Session
General Appropriations; Adjustments; 2001– 2002	HB 2018	Chapter 5 2nd Special Session
General Appropriations; Fiscal Year 2002--2003	HB 2706	Chapter 327
Omnibus Budget Reconciliation; Public Finances	HB 2708	Chapter 328

Transportation Related Legislation

Enacted into Law– Bill Summary

(SB 1006) AUTOMOBILE THEFT AUTHORITY; CONTINUATION
(Laws 2002, Chapter 1) (Sens. Jarrett, Aguirre ; Reps. Pearce, Johnson)

Continues the Automobile Theft Authority (ATA) for five years. The Automobile Theft Authority was created in 1992 to provide assistance to law enforcement with programs to reduce incidence of auto theft. Its current mission is to reduce vehicle theft through a statewide cooperative effort by supporting law enforcement investigation, prosecution, and public awareness programs

Effective date retroactive from January 1, 2002 to July 1, 2007

(SB 1026) APPROPRIATION; MOTORCYCLE SAFETY
(Laws 2002, Chapter 192) (Sen. Smith)

Transfers the Motorcycle Safety Program from ADOT Motor Vehicle Division to the Governor's Office of Highway Safety (GOHS). Creates the State Motorcycle Safety Advisory Council, which will consist of five individuals appointed by the Governor, to assist GOHS with advisement on expenditures of funds from the Motorcycle Safety Fund for motorcycle safety.

General Effective Date

(SB 1027) RESTRICTED FUEL DISTRIBUTORS; REPORTING REQUIREMENTS
(Laws 2002, Chapter 153) (Sens. Arzberger, Bee)

Modifies the requirements of restricted fuel distributors in reporting the sale of gasoline to the Arizona Department of Transportation. Restricted fuel distributors move fuel between Arizona's counties. This bill adds reporting requirements of restricted fuel distributors to include the amount of fuel acquired by the restricted distributor during the prior calendar month and the disposition of the fuel in each county. These requirements are similar to reporting procedures currently required of fuel suppliers and will ensure appropriate calculation and distribution of Highway User Revenue Funds.

General Effective Date

Transportation Related Legislation

Enacted into Law– Bill Summary

(SB 1041) COUNTY TREASURERS; PROCEDURES
(Laws 2002, Chapter 193) (Sen. Mitchell; Rep. Binder)

Establishes a tax lien expiration and modifies current procedures within the Office of the County Treasurer regarding tax liens, unclaimed refunds, and distribution of taxes. Requires the Arizona Department of Transportation to disperse vehicle license tax monies due to incorporated cities and towns directly to the cities and towns, instead of dispersing first to the County Treasurers Office.

General Effective Date

(SB 1096) MOTOR VEHICLE DEALERS; FACTORIES
(Laws 2002, Chapter 21) (Sen. Aguirre; Reps. Cooley, Avelar)

SB 1096 expands the conditions under which a factory (manufacturer) of motor vehicles may own or operate a new motor vehicle dealership to include submission of evidence by the factory that discontinuing the factory's interest in the dealership will result in a financial loss to the dealership or the factory.

General Effective Date

(SB 1193) ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES
(Laws 2002, Chapter 7) (Sen. Aguirre; Rep. Avelar)

Defines an "electric personal assistive mobility device" and prescribes the rights and duties of persons operating electric personal assistive mobility devices.

General Effective Date

(SB 1337) LIGHT RAIL SAFETY; ADOT OVERSIGHT
(Laws 2002, Chapter 205) (Sen. Aguirre; Rep. Avelar)

Requires the Arizona Department of Transportation (ADOT) to establish, implement and enforce minimum safety standards for light rail systems in a county with a population of more than 1,500,000 persons and provides ADOT with immunity for this purpose.

General Effective Date

Transportation Related Legislation

Enacted into Law– Bill Summary

**(SB 1339) STATE AGENCIES; ADMINISTRATIVE PROCEDURES; RULES
(Laws 2002, Chapter 334) (Sen. Burns, Bennett)**

Makes various changes to the Arizona Administrative Procedures Act regarding practices and procedures in the rulemaking process. Establishes a regulatory reform and enforcement study committee.

General Effective Date

**(SB 1365) HAULING HORSES; TWO-TIER VEHICLES
(Laws 2002, Chapter 176) (Sen. Guenther; Rep. Cannell)**

Prohibits the transporting of equines to slaughtering facilities in two-tiered vehicles and prescribes penalties for violating this prohibition.

General Effective Date

**(SB 1372) APPROPRIATION; COMMUNITY AIRPORT GRANTS
(Laws 2002, Chapter 22) (Sen. Guenther; Reps. Cannell, O'Halleran)**

SB 1372 diverts \$500,000 in fiscal year 2002-03 of Vehicle License Tax (VLT) monies currently mandated for deposit to the Economic Strength Project (ESP) Fund, to a special account established by the Department of Administration (DOA), and authorizes the Arizona State Board of Transportation to distribute these monies for small community air service development.

Effective date retroactive from and after June 30, 2002

**(SB 1415) PUBLIC RECORDS; INSPECTION MAIL
(Laws 2002, Chapter 211) (Sens. Martin, Bundgaard, Cirillo)**

Allows a person to request the custodian of public records mail a copy of requested public record. Specifies that the custodian of the requested public record must promptly furnish copies, printouts, or photographs of the requested public record to the requesting party. Amends the definition of a seal to include a stamped seal, a printed seal, a screened seal or a computer generated seal. The Motor Vehicle Division (MVD)

Transportation Related Legislation

Enacted into Law– Bill Summary

currently mails record information upon request, and in a prompt manner. The provision, which provides for a computer generated seal, will streamline record issuance from MVD to the courts.

General Effective Date

(SB 1436) STATE BUDGET CYCLES (Laws 2002, Chapter 210) (Sens. Solomon, Valadez)

SB 1436 replaces Arizona's biennial budgeting system with a bifurcated budgeting system, requiring the state's largest budget units to be enacted annually rather than biennially. This includes ADOT's budget which will now be enacted annually.

General Effective Date

(HB 2099) CLEAN AIR FUND; TRANSFER; ADEQ (Laws 2002, Chapter 260) (Reps. Huffman, Gullett ; Sen. Guenther)

Transfers the responsibility of the Clean Air Fund Programs from the Department of Commerce to the Department of Environmental Quality. Changes "gross vehicle weight rating" to "declared gross weight" to conform to the MVD definition in ARS section 28-5431.

Effective retroactive from July 1, 2001

(HB 2116) SELF STORAGE FACILITIES; VEHICLE FORECLOSURES (Laws 2002, Chapter 78) (Reps. Weason, Cooley, Anderson)

Provides self-storage facility operators access to vehicle and watercraft registration records. Establishes procedures for self-storage operators when an occupant is in default of the lease agreement and the contents of the leased space include a vehicle.

General Effective Date

Transportation Related Legislation

Enacted into Law– Bill Summary

(HB 2148) MOTOR CARRIER REGISTRATION
(Laws 2002, Chapter 66) (Reps. Cooley, Pierce, Chase; Sen. Aguirre)

Requires motor carriers and drivers of vehicles operating in this state and that are involved in interstate or foreign commerce to be in compliance with federal motor carrier registration rules and regulation.

General Effective Date

(HB2150) ALTERNATIVE FUEL PLATES; UNDERCOVER VEHICLES
(Laws 2002, Chapter 40) (Reps. Cooley, Hanson, Pierce; Sen. Aguirre)

Provides statutory authority for the ADOT Motor Vehicle Division Office of Special Investigations to issue alternative fuel plates to enforcement agencies and federal government undercover vehicles for use in the line of duty. Enables qualified undercover enforcement vehicles from being readily identified.

General Effective Date

(HB 2151) SUPPLEMENTAL APPROPRIATIONS; TRANSPORTATION CAPITAL PROJECTS
(Laws 2002, Chapter 187) (Reps. Cooley, Pierce; Sen. Aguirre)

Appropriates funds to ADOT from the Safety Enforcement and Transportation Infrastructure Fund (SETIF) for capital projects, including hazardous material response vehicle and supplies for Nogales; administration office annex for the southern border ports; commercial port master plan for Yuma port authority; Naco highway bypass asphalt overlay; and parking facility for Douglas. The SETIF revenues are collected from nonresident commercial carriers for registration and motor carrier fee permits. These funds may only be used for enforcement of public safety and maintenance of transportation facilities that are within 25 miles of the border between Arizona and Mexico and maintenance and construction projects of transportation facilities within the CANAMEX high priority corridor.

Delayed effective date to January 1, 2003

Transportation Related Legislation

Enacted into Law– Bill Summary

**(HB 2154) MOTOR VEHICLE FLEETS; TEMPORARY REGISTRATION
(Laws 2002, Chapter 29) (Reps. Cooley, Pierce, Huppenthal; Sen. Aguirre)**

Extends the validity time period of the temporary permit authorization (TPA) from 30 days to 90 days for allocated fleets.

General Effective Date

**(HB 2238) NAVAJO NATION SPECIAL LICENSE PLATES
(Laws 2002, Chapter 106) (Reps. Laughter, Clark)**

Creates a new unique design special license plate. Specifies that of the \$25 fee, eight dollars is a special plate administration fee deposited into the state highway fund and seventeen dollars is a donation deposited into the Navajo Department of Highway Safety, to be used for traffic control devices on highways on the Navajo reservation. Stipulates that if the Navajo Nation, by June 30, 2003, pays ADOT \$32,000 for production and implementation costs, ADOT shall issue the Navajo Nation special plates.

Delayed effective date to June 30, 2003

**(HB 2263) MOBILE HOMES; AFFIDAVIT OF AFFIXTURE
(Laws 2002, Chapter 308) (Reps. Somers, Poelstra)**

Authorizes a mobile home owner to file an affidavit of affixture with the County Recorder's Office, if they have the mobile home located on land contracted for their lease, at a minimum of 20 years.

Emergency Measure

**(HB 2279) MOTOR VEHICLE DEALER FRANCHISES
(Laws 2002, Chapter 44) (Reps. Leff, Avelar; Sen. Verkamp)**

Prescribes the services that may be offered by the factory to the retail purchaser. Stipulates that a factory may approve a customer's credit application for financing or leasing a vehicle, provided that the final transaction takes place through a licensed dealer and the factory does not establish an interest rate. Serves as the settlement agreement of 2000 litigation.

General Effective Date

Transportation Related Legislation

Enacted into Law– Bill Summary

(HB 2414) AGENCY REPORTS; WEB SITE POSTING
(Laws 2002, Chapter 116) (Reps. Leff, Blendu, Robson)

Requires state agencies that maintain a web site to post a copy of their annual report on their web site, as opposed to distributing printed copies.

General Effective Date

(HB 2415) SALVAGE VEHICLES; RECOVERED VEHICLES; TITLES
(Laws 2002, Chapter 248) (Rep. Leff)

Requires MVD to issue a regular status title to a vehicle that has been issued a salvage title, if the vehicle is a recovered stolen, and has not been wrecked or stripped of essential parts. Requires the insurance company to submit an affidavit to MVD if airbags have been deployed or removed, indicating the components of the airbag system, other than the airbag or airbag module, or other parts of the vehicle were removed compromising the functional integrity of the airbag system or the structural integrity of the vehicle and prohibits MVD from issuing a certificate of title. Authorizes MVD to issue a restored salvage certificate of title if the vehicle is repairable, upon completion of a successful Level III inspection. Establishes a class 6 felony for the owner of a vehicle who intentionally does not inform a subsequent purchaser of the deployment or removal of the airbag or airbag module. Redefines essential parts to include the air bag system.

General Effective Date

(HB 2442) VOLUNTARY VEHICLE REPAIR AND RETROFIT
(Laws 2002, Chapter 45) (Rep. Allen)

Both Maricopa and Pima counties are required to operate and administer a voluntary vehicle repair and retrofit program. Sets limit of \$10,000 that can be used to repair and retrofit a fleet of diesel vehicles.

General Effective Date

Transportation Related Legislation

Enacted into Law– Bill Summary

**(HB 2447) CONDEMNATION; NOTICE; INTEREST; LITIGATION EXPENSES
(Laws 2002, Chapter 250) (Reps. Leff, Kraft; Sen. Bundgaard)**

Requires the property owner to be reimbursed for legal costs if the condemning authority causes the condemnation action to be dismissed and requires notification of lessees of the property subject to the condemnation.

General Effective Date

**(HB 2452) RACING ON HIGHWAYS; PENALTIES
(Laws 2002, Chapter 273) (Reps. Foster, Chase, Miranda; Sen. Hartley)**

Increases the penalty for drag racing and sets fines and community service requirements.

General Effective Date

**(HB 2470) TEMPORARY REGISTRATION PLATES
(Laws 2002, Chapter 145) (Reps. Pearce, Cooley)**

Establishes an electronic system to record temporary registration plates (TRP's) issued by dealers. The Motor Vehicle Division's electronic service provider will create an electronic system enabling dealers to enter customer information for TRP issuance. Allows the dealer or title service company to either utilize the MVD authorized third party electronic service provider or any other authorized third party. Specifies that if a person uses the MVD authorized third party electronic service provider, a fee of one dollar will be collected for each record entered on the electronic system. The authorized third party provider will reimburse ADOT for costs associated with implementation.

Delayed effective date to July 1, 2003

Transportation Related Legislation

Enacted into Law– Bill Summary

**(HB 2501) EMISSIONS EXEMPTION; EPAREQUEST
(Laws 2002, Chapter 146) (Reps. Cooley, Giffords, Chase; Sen. Aguirre)**

Requires the Department of Environmental Quality to contact the Environmental Protection Agency and request an emissions testing exemption for motorcycles and collectible vehicles from the state implementation or maintenance plan.

Delayed effective date from and after December 31, 2004

**(HB 2503) HISTORIC VEHICLES; COMMERCIAL DRIVER LICENSES
(Laws 2002, Chapter 46) (Reps. Cooley, Chase, Avelar)**

Exempts drivers of historic motor carrier vehicles from commercial driver license requirements under the following conditions: Vehicle must be 25 years or older; vehicle must be issued a historic license plate; vehicle must be registered as noncommercial and must not be used for commercial purposes.

General Effective Date

**(HB 2507) TRAILERS; PERMANENT REGISTRATION; VLT
(Laws 2002, Chapter 221) (Rep. Cooley)**

Changes the vehicle license tax rate and registration fees for trailers over 10,000 pounds gross vehicle weight based on the model year of the trailer as follows:

Initial registration – Reg/\$245 VLT/\$555

Renewal (Less than 6 years old) – Reg/\$145 VLT/\$355

Renewal (At least 6 years old) – Reg/\$95 VLT/\$100

Appropriates \$200,000 from the state highway fund for refund issuance, programming, and costs associated with implementation.

Effective date retroactive to and from August 31, 2001

Transportation Related Legislation

Enacted into Law– Bill Summary

**(HB 2551) CONFIDENTIAL RECORDS; ACCESS
(Laws 2002, Chapter 129) (Reps. Hershberger, Voss, O'Halleran)**

Requires the Administrative Office of the Courts work with the County Recorder, County Assessor, County Treasurer, Voter Registration, and the ADOT Motor Vehicle Division to develop an application form for record suppression.

General Effective Date

**(HB 2560) AIR QUALITY FUND; CONTROL MEASURES
(Laws 2002, Chapter 296) (Reps. Gullett, Huffman; Sen. Guenther)**

Continues the in-lieu fee indefinitely, that was scheduled to be repealed on 06/30/03. Places the money in the Department of Environmental Quality Air Quality Fund, authorizing funds to be spent on air quality related measures.

Effective July 1, 2003

**(HB 2588) TRANSPORTATION; PARITY BONDS; LIMITS
(Laws 2002, Chapter 4) (Reps. Cooley, Sen. Aguirre)**

Increases the statutory cap on Highway User Revenue Fund (HURF) parity bonds issued by the State Transportation Board by \$300 million.

General Effective Date

**(HB 2591) DRIVER LICENSE REVOCATION; SUSPENSION; ACCIDENTS
(Laws 2002, Chapter 228) (Reps. Foster, Voss; Sen. Hartley)**

Requires a sentence be imposed for failure to stop at the scene of an accident run consecutively to other sentences imposed and mandates additional time for driver license suspension of a person convicted for failing to stop.

General Effective Date

Transportation Related Legislation

Enacted into Law– Bill Summary

**(HB 2639) LAW ENFORCEMENT EMPLOYEES; PAID LEAVE
(Laws 2002, Chapter 341) (Rep. Marsh)**

Paid leave is considered hours worked for the purpose of calculating overtime compensation for certain enforcement employees.

General Effective Date

**(HB 2660) TRANSPORTATION; DATA COLLECTION; PLANNING
(Laws 2002, Chapter 342) (Reps. Cooley)**

Modifies existing transportation planning requirements for the State Transportation Board (STB) and the Arizona Department of Transportation (ADOT), establishes a means for the standardized collection and reporting of transportation data and creates a financial management system.

General Effective Date

Transportation Related Budget Legislation

Enacted into Law—Budget Bill Summary

Provided by the Arizona State Senate Research Department

45th LEGISLATURE, 2nd SPECIAL SESSION

(HB 2014) BUDGET RECONCILIATION; PUBLIC FINANCES (Laws 2002, 2nd Special Session, Chapter 2) (Reps. Knaperek, Allen, Weiers)

An emergency measure that makes statutory and session law changes necessary for implementation of budget correction measures relating to public finances due to an anticipated FY 2001-2002 revenue shortfall.

The bill contains the following provisions related to ADOT:

- Establishes an amnesty period, from January 1, 2002 through March 31, 2002, for motor vehicle registration and titling. Requires normal title and registration fees to be paid, but waives late fees and penalties.
- Requires all proceeds from the disposal of surplus properties in FY 2001-2002 to be deposited into the state general fund, except those sold by the Department of Public Safety (DPS) or the Arizona Department of Transportation (ADOT).
- Requires the State to sell one state airplane by June 30, 2002 and requires the proceeds to be deposited into the state general fund.

Effective Date 12/18/01

(HB 2015) CAPITAL OUTLAY; ADJUSTMENTS (Laws 2002, 2nd Special Session, Chapter 3) (Reps. Knaperek, Allen, Weiers)

Reduces or eliminates, for FY 2001-2002, state general fund and other fund appropriations for the support of capital projects in an effort to balance an anticipated FY 2001-2002 revenue shortfall.

Eliminates \$6.8 million in FY 2001-2002 in state highway fund appropriations to ADOT for the following projects:

- Surprise MVD service center \$2,253,000
- Marana MVD service center \$1,092,000
- Building renewal \$1,200,000
- Equipment racks \$ 280,000

Transportation Related Budget Legislation

Enacted into Law—Budget Bill Summary

● Vehicle wash buildings	\$ 554,000
● Tucson lab expansion	\$ 160,000
● Sign and supply warehouses	\$ 708,000
● De-icer buildings	\$ 600,000

Appropriates \$278 million in FY 2001-2002 from the state highway fund to ADOT for state highway planning and construction. Of this amount, \$30 million and 619 FTEs in FY 2001-2002 may be allocated for operating expenses. Requires information on any operating expenses funded from the capital budget to be submitted to the Joint Committee on Capital Review before expenditures are made.

Effective Date 12/19/01

(HB2016) FUND TRANSFERS; 2001-2002 (Laws 2002, 2nd Special Session, Chapter 4) (Reps. Knaperek, Allen, Weiers)

Transfers, in FY 2001-2002, approximately \$337 million from other funds to the state general fund to assist with balancing an anticipated FY 2001-2002 state budget deficit.

Contains the following transportation related provisions:

- Transfers \$3,450,000 from local transportation assistance fund to the General Fund
- Transfers \$1,088,000 from the transportation department equipment fund to the Arizona highway patrol fund by June 30, 2002.

Effective Date 12/19/01

(HB 2018) GENERAL APPROPRIATIONS; ADJUSTMENTS; 2001-2002 (Laws 2002, 2nd Special Session, Chapter 5) (Reps. Knaperek, Allen, Weiers)

Reduces, for FY 2001-2002, state general fund support for the operations of state government in an effort to balance an anticipated FY 2001-2002 state budget deficit. Eliminates FY 2002-2003 state general fund supported operations funding.

Transportation Related Budget Legislation

Enacted into Law—Budget Bill Summary

Contains the following provisions related to ADOT:

- Decreases state general fund support for the Department of Public Safety by approximately \$17.4 million. This reflects an approximate \$3.2 million lump sum reduction and \$14.2 million in fund shifts (\$12.1 million to the state highway fund; \$1.8 million to the highway patrol fund and \$250,000 to the safety enforcement and transportation infrastructure fund).
- Reduces state highway fund appropriations to the Arizona Department of Transportation (ADOT) by approximately \$10 million, reflecting \$1 million in fund shifts and \$9 million in operating reductions.
- Reduces the state general fund deposit into the local transportation assistance fund by 50 percent (\$3.5 million)
The Governor used her line-item veto authority to eliminate a \$15.3 million lump sum reduction in the ADOT budget.

Effective Date 12/19/01

45th LEGISLATURE, 3rd SPECIAL SESSION

**(SB 1005) GENERAL APPROPRIATIONS; 2001-2002
(Laws 2002, 3rd Special Session, Chapter 2)
(Sens. Solomon, Hamilton)**

Makes supplemental appropriations for FY 2001-2002 to address Title XIX and Department of Education caseload growth. Reduces state general fund operating expenses and transfers fund monies from various other funds to the state general fund in order to reconcile an anticipated FY 2001-2002 state general fund shortfall.

The bill contained the following provisions related to ADOT:

- Eliminates the local transportation assistance fund (LTAF II) transfer of \$3.5 million to the state general fund for FY 2001-2002. However, the omnibus reconciliation provision reinstated this allocation.
- Decreases, from \$24 million to \$4 million, state general fund support for FY 2001-2002 state employee salary adjustments.
- Changes, from the greater of five percent or \$1,500 to \$1,450, the salary adjustment for full-time state employees.

Transportation Related Budget Legislation

Enacted into Law—Budget Bill Summary

- Delays, from April 1, 2002 to June 8, 2002, the effective date of the salary adjustment.
- Shifts, from state general fund support to the highway user revenue fund, \$10 million in funding for the Department of Public Safety for FY 2001-2002.

The Governor used her line item veto authority to veto the requirement that a portion of unused personal services and employee related expenditures revert to the state general fund during FY 2001-2002 and FY 2002-2003 under specified conditions.

Effective Date 3/21/02

(SB 1006)

BUDGET RECONCILIATION; 2001-2002 (Laws 2002, 3rd Special Session, Chapter 1) (Sens. Solomon, Hamilton)

An emergency measure that makes statutory and session law changes necessary to reconcile an anticipated FY 2001-2002 state general fund revenue shortfall.

One of the provisions requires the highway user revenue fund to reimburse to the state general fund \$15 million in FY 2001-2002 for highway patrol expenses incurred in FY 2000-2001.

Effective Date 3/21/02

45th LEGISLATURE, 2nd REGULAR SESSION

(HB 2706)

GENERAL APPROPRIATIONS; FISCAL YEAR 2002-2003 (Laws 2002, Chapter 327) (Rep. Knaperek, Blendu, Weiers)

Reenacts at a reduced level the FY 2002-2003 state general fund operating budget, which was originally adopted during the Forty-fifth Legislature, First Regular Session and repealed during the Second Special Session, to address an approximate \$935 million shortfall.

Contains the following provisions related to ADOT:

- Annualizes the FY 2001-2002 state employee pay raise.
- Increases state general fund support of DPS by \$702,500 for the state crime lab and to backfill a portion of a FY 2001-2002 fund shift to the transportation department equipment fund.
- Increases highway user revenue fund (HURF) and state highway fund (SHF) support of DPS by \$800,000 each for highway patrol support staff and mobile data computers.

Transportation Related Budget Legislation

Enacted into Law—Budget Bill Summary

- Shifts, from the state general fund to HURF and SHF, \$2.9 million of support for highway patrol expenditures.
- Shifts, from the state general fund to the safety enforcement and transportation infrastructure fund, \$80,400 of support for highway patrol expenditures.
- Eliminates the \$3.5 million state general fund deposit into the local transportation assistance fund.
- Reduces SHF support of ADOT operations by \$2 million.
- Increases SHF support of ADOT by \$4.3 million for highway maintenance and port of entry scale repairs.
- Increases SHF and HURF support of ADOT by \$650,000 each and 15 FTEs for vehicle registration enforcement.

June 4, 2002

(HB 2707) CAPITAL OUTLAY; APPROPRIATIONS; 2002-2003 (Laws 2002, Chapter 343) (Reps. Knaperek, Weiers, Blendu)

Major Capital Projects: Department of Transportation (ADOT)

Appropriates from the State Highway Fund for the following projects:

- | | |
|----------------------------------|----------------|
| ● Asbestos and Lead Inspections | \$ 600,000 |
| ● De-icer Buildings | \$ 200,000 |
| ● East Valley Maintenance Yard | \$ 1,184,000 |
| ● Highway Construction | \$ 242,197,000 |
| ● Airport Planning & Development | \$ 10,064,000 |

Directs that the appropriation to Highway Construction is for the planning and construction of state highways, and that ADOT may allocate up to \$31,003,800 of this appropriation for personal services and employee related expenditures for up to 619 FTE positions in FY 2003. Before ADOT can spend any operating budget monies from the capital budget, information on these expenses must be submitted to JCCR.

June 4, 2002

Transportation Related Budget Legislation

Enacted into Law—Budget Bill Summary

(HB 2708) OMNIBUS BUDGET RECONCILIATION; PUBLIC FINANCES
(Laws 2002, Chapter 328) (Reps. Knaperek, Weiers, Blendu)

HB 2708 makes changes to various state funds to address the state General Fund deficit for FY 2003. In addition, it contains the following transportation related provisions:

- Requires 50% of any increase in vehicle license tax (VLT) collections due to enforcement to be deposited in the General Fund.
- Requires the director of ADOT, in FY03, to deposit \$650,000 in a special account established by ADOA for the purpose of acquiring the 78-mile railroad corridor running from west Phoenix to Wellton, Arizona. The monies shall come from the VLT revenues that would be deposited in the State Highway Fund and shall not affect the distributions of VLT revenues to the General Fund, cities, towns or counties. The monies in the special account are non-lapsing.
- Requires ADOT to retain a sufficient portion of the corridor to accommodate future freight or passenger rail service.
- Clarifies that the acquisition of the railroad corridor does not alter or impact any existing agreements or permits that have been entered into or obtained by utility companies located within the existing corridor.
- Requires any recovery of monies from the sale of the railroad corridor to be deposited into the State Highway Fund.

June 4, 2002

Transportation Related Legislation

Enacted into Law – Sorted by Chapter

Chapter Law #	Short Title of Legislation	Bill #
Chapter 1	Automobile Theft Authority; Continuation	SB 106
Chapter 4	Transportation; Parity Bonds; Limits	HB 2588
Chapter 7	Electric Personal Assistance Mobility Devices	SB 1193
Chapter 21	Motor Vehicle Dealers; Factories	SB 1096
Chapter 22	Appropriation; Community Airport Grants	SB 1372
Chapter 29	Motor Vehicle Fleets; Temporary Registration	HB 2154
Chapter 40	Alternative Fuel Plates; Undercover Vehicles	HB 2150
Chapter 44	Motor Vehicle Dealer Franchises	HB 2279
Chapter 45	Voluntary Vehicle Repair and Retrofit	HB 2442
Chapter 46	Historic Vehicles; Commercial Driver Licenses	HB 2503
Chapter 66	Motor Carrier Registration	HB 2148
Chapter 78	Self Storage Facilities; Vehicle Foreclosures	HB 2116

Transportation Related Legislation

Enacted into Law – Sorted by Chapter

Chapter Law #	Short Title of Legislation	Bill #
Chapter 106	Navajo Nation Special License Plates	HB 2116
Chapter 116	Agency Reports; Web Site Posting	HB 2238
Chapter 129	Confidential Records; Access	HB 2414
Chapter 145	Temporary Registration Plates	SB 1096
Chapter 146	Emissions Exemption; EPA Request	HB 2551
Chapter 153	Restricted Fuel Distributors; Reporting Requirements	SB 1027
Chapter 176	Hauling Horses; Two-Tier Vehicles	SB 1365
Chapter 187	Supplemental Appropriations; Transportation Capital Projects	HB 2151
Chapter 192	Appropriation; Motorcycle Safety	SB 1026
Chapter 193	County Treasurers; Procedures	SB 1041
Chapter 205	Light Rail Safety; ADOT Oversight	SB 1337
Chapter 210	State Budget Cycles	SB 1436
Chapter 211	Public Records; Inspection Mail	SB 1415
Chapter 221	Trailers; Permanent Registration; VLT	HB 2507

Transportation Related Legislation

Enacted into Law – Sorted by Chapter

Chapter Law #	Short Title of Legislation	Bill #
Chapter 248	Salvage Vehicles; Recovered Vehicles; Titles	HB 2415
Chapter 250	Condemnation; Notice; Interest; Litigation Expenses	HB 2447
Chapter 260	Clean Air Fund; Transfer; ADEQ	HB 2099
Chapter 273	Racing on Highways; Penalties	HB 2452
Chapter 296	Air Quality Fund; Control Measures	HB 2560
Chapter 308	Mobile Homes; Affidavit of Affixture	HB 2263
Chapter 334	State Agencies; Administrative Procedures; Rules	SB 1339
Chapter 341	Law Enforcement Employees; Paid Leave	HB 2639
Chapter 342	Transportation; Data Collection; Planning	HB 2660

Transportation Related Budget Legislation

Enacted into Law – Sorted by Chapter

Chapter Law #	Short Title of Legislation	Bill #
Chapter 1 3rd Special Session	Budget Reconciliation; 2001-2002	SB 1006
Chapter 2 2nd Special Session	Budget Reconciliation; Public Finances	HB 2014
Chapter 2 3rd Special Session	General Appropriations; 2001-2002	SB 1005
Chapter 3 2nd Special Session	Capital Outlay; Adjustments	HB 2015
Chapter 4 2nd Special Session	Fund Transfers; 2001-2002	HB 2016
Chapter 5 2nd Special Session	General Appropriations; Adjustments; 2001-2002	HB 2018
Chapter 327	General Appropriations; Fiscal Year 2002-2003	HB 2706
Chapter 328	Omnibus Budget Reconciliation; Public Finances	HB 2708
Chapter 343	Capital Outlay; Appropriations; 2002-2003	HB 2707

Transportation Related Legislation

Vetoed by the Governor

**(HB2647) SPECIAL LICENSE PLATES
(Rep. Cooley)**

Authorizes the License Plate Commission (LPC) to approve unique special plates requested by Indian nations and qualified nonprofit organizations. HB 2647 also modifies requirements for the request, authorization and issuance of standardized special license plates and requires an Indian Nation or organization requesting a special or unique plate to submit a petition with 1000 signatures.
