



**51st Legislature,
First Regular Session**



**Arizona Department of Transportation
Legislative Summaries
2013**

Contents

Members of the 51st Legislature.....	3
SORTED BY Bill Number	
ADOT-Related Legislative Summaries – Passed.....	9
ADOT-Related Legislation – Vetoed.....	21

**Information for Legislative Summaries was gathered from Legislation On Line Arizona, Legislative Research Staff, and bill language.*

***Official copies of all 2013 Chapter Laws and complete files of action for public review (for both the Regular and Special Sessions) are available on-line at www.azleg.gov*



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June 26, 2013

John S. Halikowski
Director
Arizona Department of Transportation
206 S. 17th Avenue. MD 100A
Phoenix, Arizona 85007

Subject: 2013 Legislative Summaries

Dear Director Halikowski:

Attached is the final summary of transportation-related legislation considered during the First Regular Session of the 51st Legislature. The First Regular Session ended on June 14, 2013 lasting 151 days. During the session, 1,234 bills, resolutions, and memorials were introduced, of which 256 were signed and 26 were vetoed.

This document and *Final Summaries* from previous years can be found online at:
http://azdot.gov/Government_Relations/reports.asp.

Full legislative chapter text, fact sheets, and other legislative information and links can be found at: <http://azleg.gov/>.

Unless otherwise specified, the general effective date for legislation enacted during the First Regular Session is September 13, 2013.

Sincerely,
Your 2013 Legislative Team

51st Legislature, First Regular Session Legislative Members

DISTRICT	Senate	House
1	Steve Pierce (R)	Karen Fann (R) Andy Tobin (R)
2	Linda Lopez (D)	Andrea Dalessandro (D) Rosanna Gabaldon (D)
3	Olivia Cajero Bedford (D)	Sally Ann Gonzales (D) Macario Saldate IV (D)
4	Lynne Pancrazi (D)	Juan Carlos Escamilla (D) Lisa Otondo (D)
5	Kelli Ward (R)	Sonny Borrelli (R) Doris Goodale (R)
6	Chester Crandell (R)	Brenda Barton (R) Bob Thorpe (R)
7	Jack Jackson Jr. (D)	Jamescita Peshlakai (D) Albert Hale (D)
8	Barbara McGuire (D)	Frank Pratt (R) T.J. Shope (R)
9	Steve Farley (D)	Ethan Orr (R) Victoria Steele (D)
10	David Bradley (D)	Stefanie Mach (D) Bruce Wheeler (D)
11	Al Melvin (R)	Adam Kwasman (R) Steve Smith (R)
12	Andy Biggs (R)	Eddie Farnsworth (R) Warren Petersen (R)
13	Don Shooter (R)	Steve Montenegro (R) Darin Mitchell (R)
14	Gail Griffin (R)	David M. Gowan Sr. (R) David W. Stevens (R)
15	Nancy Barto (R)	Heather Carter (R) John Allen (R)
16	Rich Crandall (R)	Doug Coleman (R) Kelly Townsend (R)
17	Steve Yarbrough (R)	Thomas Forese (R) Javan "J.D." Mesnard (R)
18	John McComish (R)	Jeff Dial (R) Bob Robson (R)
19	Anna Tovar (D)	Lupe Chavira Contreras (D) Mark A. Cardenas (D)
20	Kimberly Yee (R)	Paul Boyer (R) Carl Seel (R)

DISTRICT	Senate	House
21	Rick Murphy (R)	Rick Gray (R) Debbie Lesko (R)
22	Judy Burges (R)	Phil Lovas (R) David Livingston (R)
23	Michele Reagan (R)	John Kavanagh (R) Michelle Ugenti (R)
24	Katie Hobbs (D)	Chad Campbell (D) Lela Alston (D)
25	Bob Worsley (R)	Justin Olson (R) Justin Pierce (R)
26	Ed Ableser (D)	Juan Mendez (D) Andrew Sherwood (D)
27	Leah Landrum Taylor	Ruben Gallego (D) Catherine H. Miranda (D)
28	Adam Driggs (R)	Kate Brophy McGee (R) Eric Meyer (D)
29	Steve Gallardo (D)	Martin J. Quezada (D) Lydia Hernandez (D)
30	Robert Meza (D)	Jonathan Larkin (D) Debbie McCune Davis (D)

ADOT-Related Legislation

Sorted by Bill Number

BILL NUMBER	SHORT TITLE	CHAPTER - LAWS 2013, FIRST REGULAR SESSION
HB 2076	Military Applicants; License Requirements	85
HB 2111	Transaction Privilege Tax Changes	255
HB 2138	Municipalities; Right-of-Way; Transfer	127
HB 2156	Elections; Public Resources Prohibited	88
HB 2170	Stopped School Buses; Lights	71
HB 2171	Driver Licenses; Driver Training Schools	128
HB 2172	ADOT; Administration	90
HB 2180	Vehicle Liens; Certificate of Title	206
HB 2182	DUI; Ignition Interlock Devices	119
HB 2183	ADOT; Authorized Third Parties	129
HB 2186	Vehicle Length; Vehicle Towing; Exceptions	39
HB 2188	Procurement; Construction-Manager-At-Risk	107
HB 2204	Law Enforcement; Surviving Spouse; Insurance	54
HB 2217	Extraordinary Educators Special Plate	132
HB 2242	Road Improvement and Maintenance District	134
HB 2262	Scrap Metal Dealers; Registration	137
HB 2267	Public Consignment Auction Dealer; Requirements	40
HB 2299	All-Terrain Vehicles; Definition	93
HB 2303	Overtime Compensation; Law Enforcement	200
HB 2311	Restitution Lien; Vehicles; Hearing	19
HB 2372	Motor Vehicle Dealers	73

BILL NUMBER	SHORT TITLE	CHAPTER - LAWS 2013, FIRST REGULAR SESSION
HB 2373	Railroad Crossing; Safety	210
HB 2389	Peace Officers; Omnibus	211
HB 2393	State Agency; Licensure; Time Frames	58
HB 2396	Attorney General; Compromises; Settlements; Deposit	143
HB 2477	Photo Radar on State Highways	75
HB 2551	Off-Highway Vehicles; Use; Authority; Enforcement	231
HB 2599	Procurement Code; Amendments	190
SB 1075	Impoundment; Immobilization of Vehicles	76
SB 1080	Underground Storage Tank Program Changes	244
SB 1093	Disability Placards; Nonprofit Organizations	162
SB 1094	Notaries Public; Impersonation; Violation	77
SB 1179	Ignition Interlock Devices; TPT Exemption	236
SB 1231	Public Buildings; Construction; Indemnity	238
SB 1278	Homeowners' Association; Public Roadways	103
SB 1317	Tribal Airports; State Aviation Fund	239
SB 1324	Critical Infrastructure; Information Disclosure	69
SB 1343	Girls' Youth Organization Special Plates	167
SB 1384	Prearranged Ground Transportation Service	81

ADOT-Related Legislation

Sorted by Bill Chapter

CHAPTER – LAWS 2013, FIRST REGULAR SESSION	SHORT TITLE	BILL NUMBER
19	Restitution Lien; Vehicles; Hearing	HB 2311
39	Vehicle Length; Vehicle Towing; Exceptions	HB 2186
40	Public Consignment Auction Dealer; Requirements	HB 2267
54	Law Enforcement; Surviving Spouse; Insurance	HB 2204
58	State Agency; Licensure; Time Frames	HB 2393
69	Critical Infrastructure; Information Disclosure	SB 1324
71	Stopped School Buses; Lights	HB 2170
73	Motor Vehicle Dealers	HB 2372
75	Photo Radar on State Highways	HB 2477
76	Impoundment; Immobilization of Vehicles	SB 1075
77	Notaries Public; Impersonation; Violation	SB 1094
81	Prearranged Ground Transportation Service	SB 1384
85	Military Applicants; License Requirements	HB 2076
88	Elections; Public Resources Prohibited	HB 2156
90	ADOT; Administration	HB 2172
93	All-Terrain Vehicles; Definition	HB 2299
103	Homeowners' Association; Public Roadways	SB 1278
107	Procurement; Construction-Manager-At-Risk	HB 2188
119	DUI; Ignition Interlock Devices	HB 2182
127	Municipalities; Right-of-Way; Transfer	HB 2138
128	Driver Licenses; Driver Training Schools	HB 2171

CHAPTER – LAWS 2013, FIRST REGULAR SESSION	SHORT TITLE	BILL NUMBER
129	ADOT; Authorized Third Parties	HB 2183
132	Extraordinary Educators Special Plate	HB 2217
134	Road Improvement and Maintenance District	HB 2242
137	Scrap Metal Dealers; Registration	HB 2262
143	Attorney General; Compromises; Settlements; Deposit	HB 2396
162	Disability Placards; Nonprofit Organizations	SB 1093
167	Girls' Youth Organization Special Plates	SB 1343
190	Procurement Code; Amendments	HB 2599
200	Overtime Compensation; Law Enforcement	HB 2303
206	Vehicle Liens; Certificate of Title	HB 2180
210	Railroad Crossing; Safety	HB 2373
211	Peace Officers; Omnibus	HB 2389
231	Off-Highway Vehicles; Use; Authority; Enforcement	HB 2551
236	Ignition Interlock Devices; TPT Exemption	SB 1179
238	Public Buildings; Construction; Indemnity	SB 1231
239	Tribal Airports; State Aviation Fund	SB 1317
244	Underground Storage Tank Program Changes	SB 1080
255	Transaction Privilege Tax Changes	HB 2111

ADOT-Related Legislative Summaries

Sorted by Bill Number

HB 2076 – Military Applicants; License Requirements (Chapter 85, Laws 2013)

Allows ADOT to waive the driving skills test requirement for an applicant for a class A, B or C license if the applicant is on active duty in the U.S. armed forces or has separated from the U.S. armed forces under honorable conditions in the last 90 days, the applicant certifies that during the preceding two years the applicant has not had any driver license suspended or revoked and has not been found responsible for or guilty of specified traffic violations, and the applicant certifies and provides evidence that the applicant is or was employed in a military position requiring operation of a commercial motor vehicle.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0085.htm&Session_ID=110

HB 2111 – Transaction Privilege Tax Changes (Chapter 255, Laws 2013)

Numerous changes related to transaction privilege taxes (TPT) and affiliated excise taxes. The Arizona Department of Revenue (ADOR) is required to provide a coordinated electronic method of collecting state and municipal TPT and affiliated excise taxes. ADOR is required, rather than permitted, to collect and administer TPT and use taxes imposed by municipalities and to enter into intergovernmental agreements with municipalities to provide a uniform method of administration, collection, audit and licensing of TPT and affiliated excise taxes. The list of exemptions from the retail TPT classification is modified to remove sales of property, other than motor vehicles, to nonresidents for use outside the state if the vendor ships or delivers the property out of the state, and sales of property that is shipped or delivered directly to a destination outside the U.S. for use in a foreign country. The bill also creates a new highway, street and bridge construction business classification. The deductions for TPT and affiliated excise taxes do not include machinery and equipment or tangible personal property used by a contractor in the performance of a contract. The maximum rate for a county's transportation excise tax on jet fuel is changed to 10 percent of the rate levied by the state, instead of .305 cents per gallon of jet fuel sold. The Joint Legislative Budget Committee is required to prepare a report of the revenue impact resulting from this legislation by September 30, 2016, and to provide copies of the report to the Governor and the Legislature. Contains an effective date of January 1, 2015.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0255.htm&Session_ID=110

HB 2138 – Municipalities; Right-of-Way; Transfer (Chapter 127, Laws 2013)

As an alternative to municipal annexation, a county right-of-way or roadway may be transferred to an adjacent city or town by mutual consent of the governing bodies. Previously, a county right-of-way or roadway could be annexed to an adjacent city or town by mutual consent of the governing bodies

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0127.htm&Session_ID=110

HB 2156 – Elections; Public Resources Prohibited (Chapter 88, Laws 2013)

The state and all political subdivisions are prohibited from spending or using public resources to "influence an election" (defined), including the use or expenditure of monies, accounts, credit, equipment, facilities, vehicles, postage, telecommunications, computer hardware and software, webpages and "any other thing of value." Some exceptions, including for "government-sponsored forums or debates" (defined) if the government sponsor remains impartial and the events are purely informational. Outlines civil penalties.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0088.htm&Session_ID=110

HB 2170 – Stopped Schools Buses; Lights (Chapter 71, Laws 2013)

School bus operators are required to display the signal and flashing lights if passengers are getting on or off while the bus is stopped on a private road or driveway.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0071.htm&Session_ID=110

HB 2171 – Driver License; Driver Training Schools (Chapter 128, Laws 2013)

Makes various changes related to driver licenses and driver training schools. Applicants for driver training school instructor licenses are required to have a valid fingerprint clearance card. Training school license applicants whose license application is refused may request a hearing with ADOT within 30 days after service of notice of the refusal. ADOT is authorized to hold certain driver license related hearings by telephone or video conference. ADOT may issue a nondomiciled commercial driver license to an individual domiciled in another state if that state is prohibited from issuing commercial driver licenses. ADOT is also authorized to issue a class A, B or C driver license with any restrictions ADOT determines appropriate to ensure the safe operation of a commercial motor vehicle by the licensee.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0128.htm&Session_ID=110

HB 2172 – ADOT; Administration (Chapter 90, Laws 2013)

The State Transportation Board is authorized to issue parity bonds to refund or refinance any outstanding bonds if certain criteria are met. On a monthly basis, ADOT is required to deposit 1.6 percent of motor vehicle fuel tax monies in the State Lake Improvement Fund. Repeals statute requiring ADOT to conduct a survey to determine the taxes paid on fuel for watercraft in order to determine the amount put in the Fund. The maximum amount of the bond required of a motor fuel supplier is increased to \$5 million, from \$1 million.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0090.htm&Session_ID=110

HB 2180 – Vehicle Liens; Certificate of Title (Chapter 206, Laws 2013)

If vehicle liens, encumbrances or title retention documents are delivered to a registering officer or authorized third party provider within 30 calendar days, instead of 30 business days, after the date of execution, the constructive notice dates from the time of execution. The time stamp on vehicle liens, encumbrances or title retention documents administered by the registering officer or authorized third party provider, electronically or otherwise, is conclusive as to the time and date of delivery of the documents.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0206.htm&Session_ID=110

HB 2182 – DUI; Ignition Interlock Devices (Chapter 119, Laws 2013)

A person who is required to equip a vehicle the person operates with an ignition interlock device (IID) due to driving under the influence is no longer permitted to operate a motor vehicle owned by an employer without an IID under specified conditions. A person who is unable to operate an IID can no longer be placed in a continuous alcohol monitoring program instead of equipping the person's vehicle with an IID. Any person who was in a continuous alcohol monitoring program before the effective date of this legislation may continue for the remainder of the time the person is in compliance with all applicable laws and is required to equip the person's vehicle with an IID.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0119.htm&Session_ID=110

HB 2183 – ADOT; Authorized Third Parties (Chapter 129, Laws 2013)

Beginning July 1, 2014, moves regulation of "traffic survival schools" from Title 32 to Title 28. Beginning July 1, 2014, a person must be an authorized third party driver license training provider to perform driver license training, and a person must be a separately authorized third party commercial driver license examiner to perform commercial driver license skills testing. Beginning on or before June 1, 2014, authorized third party driver license providers are required to perform driver license skills and written testing and driver license processing. Applicants for authorization as a third party driver license provider are required to submit a bond of at least \$300,000, documentation of specified experience, and documentation of at least one certified processor qualified to perform certain driver license functions. Session law provides that ADOT rules relating to traffic survival schools adopted before the effective date of this legislation remain in full force until amended by ADOT, that a licensed professional driving school is required to renew the school's license as prescribed under current law, and that authorized third parties who are authorized to perform driver license functions before

implementation are not required to comply with the requirements of this legislation until the renewal of the authorized third party's current agreement.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0129.htm&Session_ID=110

HB 2186 – Vehicle Length; Vehicle Towing; Exceptions (Chapter 39, Laws 2013)

A truck-semitrailer combination is prohibited from exceeding an overall length of 65 feet. For the purpose of vehicle towing rules, "drawbar" is defined as a rigid structure that connects a trailer and a towing vehicle and that articulates at the point of connection with the trailer and at the point of connection with the towing vehicle.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0039.htm&Session_ID=110

HB 2188 – Procurement; Construction-Manager-At-Risk (Chapter 107, Laws 2013)

In a procurement of a single contract for construction-manager-at-risk construction services for horizontal construction when the U.S. Federal Aviation Administration or the U.S. Federal Transit Administration is a source of monies for the project and price competition is required by the funding federal agency or applicable federal law, an agent that is a city with a population of more than 1 million (City of Phoenix) or an agent that is a separate legal entity formed by that city by an intergovernmental agreement and designated as a subgrantee by that city is authorized to do a two-step competition in accordance with specified requirements. An agent cannot procure any construction-manager-at-risk construction services for horizontal construction under this authorization after June 30, 2018. Contains a legislative intent section.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0107.htm&Session_ID=110

HB 2204 – Law Enforcement; Surviving Spouse; Insurance (Chapter 54, Laws 2013)

The surviving spouse or a dependent of a law enforcement officer killed in the line of duty is entitled to receive payments for health insurance premiums from public monies of the officer's employer. The employer is required to make payments if the surviving spouse or dependent is enrolled in the employer's health insurance program or the health insurance plan offered by the retirement system or plan from which the person is receiving benefits. The amount of the payment and circumstances under which payments will be discontinued are specified. Contains an emergency clause.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0054.htm&Session_ID=110

HB 2217 – Extraordinary Educator’s Special Plate (Chapter 132, Laws 2013)

ADOT is authorized to issue extraordinary educators license plates if an entity pays \$32,000 in start-up costs by December 31, 2016. Of the \$25 annual fee, \$8 is an administrative fee and \$17 is a donation to the extraordinary educator’s special plate fund established by this act. Monies in the fund are to be distributed to the entity that provided the start-up funds. The entity is required to establish a process to distribute the monies to public educators who propose extraordinary activities, projects or lessons for students in K-8.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0132.htm&Session_ID=110

HB 2242 – Road Improvement and Maintenance District (Chapter 134, Laws 2013)

Petitioners for the formation of a road improvement and maintenance district are permitted to request in the petition that the district allocate its assessments on a per-parcel basis, with each separate assessor's parcel assessed an equal amount without regard to the assessed value of the parcel. The per-parcel assessment cannot exceed \$100 per year. A petition with this request must contain a signature from the owners of at least 75 percent of the total number of assessor's parcels contained in the district.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0134.htm&Session_ID=110

HB 2262 – Scrap Metal Dealers; Registration (Chapter 137, Laws 2013)

A person must biennially register with the Arizona Department of Public Safety (DPS) to conduct business as a scrap metal dealer in Arizona. Requirements for registration are specified, including payment of a fee prescribed by DPS to cover the costs of registering the dealers. Scrap metal dealers are required to keep proof of registration and other information at each place of business. Violations are subject to civil penalties and business license suspension or revocation. DPS is required to submit a report every two years to the Legislature about scrap metal dealers. The website must allow scrap metal dealers to alert law enforcement when the dealers are offered suspicious materials. Classifies knowingly purchasing prohibited scrap metal as a class 1 misdemeanor. Allows the President of the Senate and the Speaker of the House to establish a Joint Legislative Committee on Metal Theft to review the effectiveness of these regulations in deterring crime and the costs of compliance to affected industries. The Committee may report its findings to the President of the Senate and the Speaker of the House of Representatives by December 1, 2023. The Committee self-repeals January 1, 2024.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0137.htm&Session_ID=110

HB 2267 – Public Consignment Auction Dealer; Requirements (Chapter 40, Laws 2013)

Public consignment auction dealers are required to obtain documentation that the seller of a vehicle is the legal owner of the vehicle. Public consignment auction dealers in violation of

statutory requirements are subject to license suspension or cancellation and/or a civil penalty of at least \$1,000 but not more than \$3,000. To establish entitlement to the transaction privilege tax deduction for auction sales of motor vehicles to nonresidents for use outside Arizona, a public consignment auction dealer is required to submit the valid certificate to the Arizona Department of Revenue and retain a copy for its records.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0040.htm&Session_ID=110

HB 2299 – All-Terrain Vehicles; Definition (Chapter 93, Laws 2013)

Modifies the definition of "all-terrain vehicle" to include vehicles with bench or bucket seats and to increase the maximum width of the vehicle to 65 inches from 64 inches.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0093.htm&Session_ID=110

HB 2303 – Overtime Compensation; Law Enforcement (Chapter 200, Laws 2013)

Expands the definition of "person engaged in law enforcement activities" to include any law enforcement personnel under the Arizona Department of Public Safety merit system who are responsible for directly assisting law enforcement officers in the performance of law enforcement activities.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0200.htm&Session_ID=110

HB 2311 – Restitution Lien; Vehicles; Hearing (Chapter 19, Laws 2013)

Restitution liens for the amount of any fines, surcharges, assessments, costs, incarceration costs, and fees ordered cannot be perfected against a titled motor vehicle. ADOT is authorized to remove a restitution lien from a vehicle record after a hearing, if ADOT finds that a person purchased the vehicle without any knowledge that the vehicle was subject to a filed restitution lien, and the vehicle seller is an obligor under a filed restitution lien who sold the vehicle without disclosing the lien to the purchaser. Requires ADOT to impose a code on the obligor's record that automatically restores the restitution lien on any vehicle that is subsequently titled and/or registered by the obligor.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0019.htm&Session_ID=110

HB 2372 – Motor Vehicle Dealers (Chapter 73, Laws 2013)

Makes various changes relating to motor vehicle dealers. The application for licensure as a motor vehicle dealer must include a copy of the dealer's current transaction privilege tax license. Movement of a vehicle by a licensed wholesale motor vehicle dealer is eligible for a one trip registration permit if the wholesale dealer does not have valid dealer license plates.

Wholesale motor vehicle auction dealers are required to conspicuously post a sign stating that a person who purchases a vehicle from that dealer is prohibited from selling the vehicle in Arizona without a dealer license. ADOT is authorized to cancel a motor vehicle dealer license if ADOT documents that the licensee has ceased operating as a motor vehicle dealer. Beginning January 1, 2014, a wholesale motor vehicle dealer is required to electronically submit within 48 hours any documents that are requested by ADOT during business hours and that are required by statute. Expands the list of circumstances under which a dealer plate may be used on a dealer owned vehicle. ADOT is authorized to issue a specified number of dealer license plates to new, used and wholesale motor vehicle dealers based on reported sales in the previous license year. Statutes regulating vehicle service transporter license plates are repealed.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0073.htm&Session_ID=110

HB 2373 – Railroad Crossing; Safety (Chapter 210, Laws 2013)

A vehicle operator who suspects a false activation or malfunction of a railroad grade crossing signal device where there is no gate or barrier may proceed through the railroad grade crossing after stopping if the operator has a clear line of sight of at least one mile of the tracks in all directions, there is no evidence of an approaching train, and the vehicle may cross over the tracks safely. Vehicle operators are prohibited from making a U-turn on a railroad track or railroad grade crossing. Outlines prohibitions for pedestrian crossings while the grade crossing is active.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0210.htm&Session_ID=110

HB 2389 – Peace Officers; Omnibus (Chapter 211, Laws 2013)

Makes various changes relating to peace officers. The spouse or minor child of a deceased peace officer and "former public officials" (defined as a former elected or appointed member of Congress, the Legislature or a statewide office who was the victim of a dangerous offense while in office) are added to the list of persons who may file an affidavit to request that county officers and ADOT prohibit access to that person's residential address and telephone number contained in certain public records, and who must be notified of the expiration of restrictions on related public records. A surviving spouse or dependent of a law enforcement officer, other than a corrections officer or firefighter who works on behalf of the state or a political subdivision through a contract with a private company, who was killed in the line of duty or who died from injuries suffered in the line of duty on or after April 5, 1933 is entitled to receive payments for health insurance premiums from public monies of the officer's employer. The premium payments apply only for premiums paid on or after the effective date of this legislation.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0211.htm&Session_ID=110

HB 2393 – State Agency; Licensure; Time Frames (Chapter 58, Laws 2013)

Allows a person who is or may be required to obtain a license to petition the Governor's Regulatory Review Council to require an agency to consider including a recommendation for reducing a licensing time frame in its five-year report.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0058.htm&Session_ID=110

HB 2396 – Attorney General; Compromises; Settlements; Deposit (Chapter 143, Laws 2013)

Monies received for and belonging to the state resulting from compromises or settlements by or against the state must be credited to the general fund unless specifically credited to another fund by law. A fund consisting of monies other than monies received for restitution, costs or attorney fees cannot be established by court order without prior legislative authorization.. Outlines reporting requirements.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0143.htm&Session_ID=110

HB 2477 – Photo Radar on State Highways (Chapter 75, Laws 2013)

Municipalities are prohibited from placing a photo enforcement system on a state highway unless the municipality provides proof to ADOT that the system is necessary for public safety and obtains a permit or enters into a contract with ADOT for use of a right-of-way. ADOT is required to publish on its website the specific information it needs to determine if the photo enforcement system is necessary for public safety, including operational speed studies and reports of motor vehicle accidents. The term of a permit or contract for use of a right-of-way cannot exceed three years. Before the renewal of a permit or contract, the municipality is required to submit information to ADOT to show the impact of the photo enforcement system. Does not apply to a photo enforcement system that exists on state highways on the effective date except when the permit or contract for the system expires or is renewed.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0075.htm&Session_ID=110

HB 2551 – Off-Highway Vehicles; Use; Authority; Enforcement (Chapter 231, Laws 2013)

Requires peace officers to enforce off-highway vehicle regulations only on land that is solely under the jurisdiction of the state, a county or a municipality, or land that is open as indicated by federal law. Federal employees are no longer required to enforce off-highway vehicle regulations.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0231.htm&Session_ID=110

HB 2599 – Procurement Code; Amendments (Chapter 190, Laws 2013)

State employees who have a "significant procurement role" (defined) in the procurement of materials, services or construction are prohibited from accepting a position with, having employment discussions with, or soliciting an employment opportunity from any person or entity lobbying for or potentially responding to a solicitation during a period beginning on signature of the first nondisclosure agreement for a solicitation or at the time of request for a procurement and ending one year after the purchased materials are delivered or the purchase of services or construction begins. It is unlawful for a person or firm lobbying or potentially responding to a solicitation for procurement to offer employment to a procurement officer or employee having a significant procurement role during that same period. It is unlawful for a procurement officer or employee who was previously employed by a person or firm responding to a solicitation to serve in a significant procurement role for a period of one year following the person's previous employment. The Arizona Department of Administration is required to establish a mandatory procurement training and certification program for those authorized to perform state procurement functions, and to establish programs to ensure procurement compliance with statute and applicable rules.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0190.htm&Session_ID=110

SB 1075 – Impoundment; Immobilization of Vehicles (Chapter 76, Laws 2013)

For the purpose of determining who an immobilizing or impounding agency must release a vehicle to prior to the end of the 30 day period and who must be provided with an opportunity for an immobilization or post storage hearing, a person identified on ADOT's record as having an interest in the vehicle must be on record as having that interest "immediately before" the immobilization or impoundment. Also, storage charges are set at \$15 per day, instead of up to \$15, and administrative charges are set at \$150, instead of up to \$150.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0076.htm&Session_ID=110

SB 1080 – Underground Storage Tank Program Changes (Chapter 244, Laws 2013)

The repeal of the Underground Storage Tank (UST) tax and Assurance Account is extended two years to December 31, 2015, from December 31, 2013. After the statutorily required transfer of \$60 million from the UST Assurance Account to the Regulated Substances Fund, any additional monies must be deposited in the State Highway Fund. Establishes a 17-member UST Program Study Committee to consider needs and possible sources for future funding of the UST program and related issues. The Committee is required to submit a report of its findings and recommendations to the Governor and the Legislature by December 31, 2013. The Committee self-repeals March 1, 2014.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0244.htm&Session_ID=110

SB 1093 – Disability Placards; Nonprofit Organizations (Chapter 162, Laws 2013)

Allows ADOT to issue up to three permanently disabled removable windshield placards to a nonprofit organization that provides assistance to senior citizens.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0162.htm&Session_ID=110

SB 1094 – Notaries Public; Impersonation; Violation (Chapter 77, Laws 2013)

Specifies that persons impersonating a notary public are guilty of impersonating a public servant and increases the penalty for a notary seal vendor illegally providing an official seal.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0077.htm&Session_ID=110

SB 1179 – Ignition Interlock Devices; TPT Exemption (Chapter 236, Laws 2013)

For transaction privilege tax purposes, the personal property rental tax does not apply to leasing or renting certified ignition interlock devices installed as a penalty for driving under the influence. Applies retroactively to taxable periods beginning September 1, 2004. Any claim for refunds based on the retroactive application must be submitted to the Arizona Department of Revenue by December 31, 2013. The aggregate amount of the refunds cannot exceed \$10,000. The list of items that municipalities and special taxing districts are prohibited from levying a transaction privilege or use tax on is expanded to include the leasing or renting of certified ignition interlock devices installed as a penalty for driving under the influence.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0236.htm&Session_ID=110

SB 1231 – Public Buildings; Construction; Indemnity (Chapter 238, Laws 2013)

The regulation and use of indemnity agreements in construction and “design professional services” (defined) contracts are of statewide concern and not subject to further regulation by political subdivisions. If a contractor, subcontractor or design professional provides work or services in connection with a public building or improvement, the contracting agent may require the contractor or professional to indemnify and hold harmless the agent and its officers and employees from damages or losses only to the extent caused by the contractor or professional's negligence, recklessness or intentional wrongful conduct. Does not prohibit the requirement of insurance coverage, including the designation of any person as an additional insured on a policy provided in connection with a contract or subcontract. If any provision of this legislation conflicts with a provision in a contract, the conflicting provision in statute does not apply to the contract. Does not affect contracts or subcontracts entered into before the effective date of this legislation.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0238.htm&Session_ID=110

SB 1278 – Homeowners’ Association; Public Roadways (Chapter 103, Laws 2013)

After the period of declarant control, an HOA has no authority over and is prohibited from regulating any roadway owned or held by a governmental entity. Applies only to planned communities for which the declaration is recorded after December 31, 2014.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0103.htm&Session_ID=110

SB 1317 – Tribal Airports; State Aviation Fund (Chapter 239, Laws 2013)

The list of publicly owned and operated airport facilities that may receive monies from the State Aviation Fund is expanded to include those located in Indian reservations.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0239.htm&Session_ID=110

SB 1324 – Critical Infrastructure; Information Disclosure (Chapter 69, Laws 2013)

All critical infrastructure and key resource information protected by federal law and provided to or in the possession of any state agency, instead of only the Arizona Department of Public Safety, or political subdivision is exempt from public disclosure and public records laws. The definition of "critical infrastructure information" is expanded to include emergency response plans and certain information related to a computer based or natural disaster.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0069.htm&Session_ID=110

SB 1343 – Girls’ Youth Organization Special Plates (Chapter 167, Laws 2013)

ADOT is authorized to issue "Girls' Youth Organization" special license plates if \$32,000 in start-up costs is paid by a nonprofit entity meeting specified requirements by December 31, 2013. Of the \$25 annual fee, \$8 is an administrative fee and \$17 is a donation to the newly established Girls' Youth Organization Special Plate Fund. May be cited as the "Girl Scouts of the USA Plate Act."

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0167.htm&Session_ID=110

SB 1384 – Prearranged Ground Transportation Service (Chapter 81, Laws 2013)

Allows taxi companies to offer pre-arranged ground transportation service for a pre-determined fare. A taxi offering local transportation for a fare determined primarily on the basis of distance traveled or pre-arranged ground transportation service for a pre-determined

fare is not required to be additionally licensed as a livery vehicle. Taxi meters are not required to be used for pre-arranged ground transportation service for a pre-determined fare.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/laws/0081.htm&Session_ID=110

ADOT-Related Vetoed Legislation

HB 2322 – Rule Making; Restrictions

State agencies are prohibited from adopting a new rule or an amendment to an existing rule that would restrain or burden the free exercise of vested rights, and may only adopt a new rule or an amendment to an existing rule that is strictly ministerial and consistent with the statutory delegation of authority. AS VETOED. The Governor's veto message stated that this legislation would have a broad negative impact on a state agency's ability to implement state law, and that agencies and the public would be left with outdated and burdensome rules until the Legislature updates the rules through statutory enactments.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/bills/hb2322h.htm&Session_ID=110

HB 2578 – Licensing; Accountability; Penalties; Exceeding Regulation

State, county, municipal and special taxing district employees who knowingly base a licensing decision in whole or in part on a requirement or condition that is not specifically authorized by statute, rule, ordinance or code are subject to a civil penalty of \$500 for a first violation, \$1,000 for the second violation, and \$2,000 for the third violation. A person affected by a licensing decision made in violation is permitted to file an action for declaratory relief in superior court. AS VETOED. The Governor's veto message stated that this legislation is punitive and unnecessary, since state law prohibits improper licensing decisions and well-established administrative and judicial processes exist to remedy those decisions.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/bills/hb2578h.htm&Session_ID=110

HB 2591 – Governmental Reporting; Websites; Budgets

State agencies are required to post the previous year's actual state budget total on its website's home page, including the amount of monies that come from the general fund, other appropriated funds and federal funds. The budget information must be updated within 90 days after the end of each fiscal year. AS VETOED. The Governor's veto message stated that the bill is duplicative and not adequately defined.

http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/51leg/1r/bills/hb2591h.htm&Session_ID=110