



**53rd Legislature,
1st Regular Session**



**Arizona Department of Transportation
Legislative Summaries
2017**

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**Information for Legislative Summaries was gathered from Arizona Legislative Information System, Legislative staff, and bill language.*

***Official copies of all 2017 Chapter Laws and complete files of action for public review are available on-line at www.azleg.gov*



Government Relations

Douglas A. Ducey, Governor
John S. Halikowski, Director
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206 S. 17th Ave.
Phoenix, AZ 85007

July 6, 2016

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

Subject: 2017 Legislative Summaries

Dear Director Halikowski:

Attached is the final summary of the transportation-related legislation considered during the First Regular Session of the 53rd Legislature. The First Regular Session ended on May 10, 2017, lasting 81 days. During the session, 1,180 bills, resolutions, and memorials were introduced, of which 344 were signed or filed into law and 11 were vetoed. Of these legislative proposals, 37 bills impacting the Arizona Department of Transportation (ADOT) were approved by the Arizona Legislature and signed by Governor Ducey.

This document and *Final Summaries* from previous years can be found online at: <http://www.azdot.gov/about/GovernmentRelations/legislative-summaries>

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

Unless otherwise specified, the general effective date for legislation enacted during the Second Regular Session is August 9, 2017.

Sincerely,

Your 2017 Legislative Team

**53rd Legislature, First Regular Session
Legislative Members**

District	Senate	House
1	Karen Fann (R)	Noel Campbell (R) David Stringer (R)
2	Andrea Dalessandro (D)	Rosanna Gabaldon (D) Daniel Hernandez (D)
3	Olivia Cajero Bedford (D)	Sally Ann Gonzales (D) Macario Saldate IV (D)
4	Lisa Otondo (D)	Charlene Fernandez (D) Jesus Rubalcava (D)
5	Sonny Borrelli (R)	Regina Cobb (R) Paul Mosley (R)
6	Sylvia Allen (R)	Brenda Barton (R) Bob Thorpe (R)
7	Jamescita Peshlakai (D)	Wenona Benally (D) Eric Descheenie (D)
8	Frank Pratt (R)	T.J. Shope (R) David Cook (R)
9	Steve Farley (D)	Randy Friese (D) P. Powers Hannley (D)
10	David Bradley (D)	Kirsten Engel (D) Todd Clodfelter (R)
11	Steve Smith (R)	Mark Finchem (R) Vince Leach (R)
12	Warren Petersen (R)	Eddie Farnsworth (R) Travis Grantham (R)
13	Steve Montenegro (R)	Darin Mitchell (R) Don Shooter (R)
14	Gail Griffin (R)	Drew John (R) Becky Nutt (R)
15	Nancy Barto (R)	Heather Carter (R) John Allen (R)
16	David Farnsworth (R)	Kelly Townsend (R) Doug Coleman (R)

17	Steve Yarbrough (R)	Javan "J.D." Mesnard (R) Jeff Weninger (R)
18	Sean Bowie (D)	Jill Norgaard (R) Mitzi Epstein (D)
19	Lupe Chavira Contreras (D)	Mark Cardenas (D) Diego Espinoza (D)
20	Kimberly Yee (R)	Paul Boyer (R) Anthony Kern (R)
21	Debbie Lesko (R)	Tony Rivero (R) Kevin Payne (R)
22	Judy Burges (R)	David Livingston (R) Ben Toma (R)
23	John Kavanagh (R)	Michelle Ugenti-Rita (R) Jay Lawrence (R)
24	Katie Hobbs (D)	Lela Alston (D) Ken Clark (D)
25	Bob Worsley (R)	Russell Bowers (R) Michelle Udall (R)
26	Juan Mendez (D)	Isela Blanc (D) Athena Salman (D)
27	Catherine Miranda (D)	Rebecca Rios (D) Reginald Bolding (D)
28	Kate Brophy McGee (R)	Maria Syms (R) Kelli Butler (D)
29	Martin Quezada (D)	Richard Andrade (D) Cesar Chavez (D)
30	Robert Meza (D)	Ray Martinez (D) Otoniel Navarette (D)

ADOT-Related Legislation

Sorted by Bill Number

BILL NUMBER	SHORT TITLE	CHAPTER	ACTION
HB 2131	Air quality compliance	29	SIGNED
HB 2145	Household goods; unlawful moving practices	224	SIGNED
HB 2157	Private property access; rights-of-way	214	SIGNED
HB 2159	Vehicle impoundment; release of vehicles	249	SIGNED
HB 2166	ASRS; return to work	227	SIGNED
HB 2167	ASRS; contributions; adjustments	291	SIGNED
HB 2186	Ombudsman-citizens aide; reports	30	SIGNED
HB 2192	Child support; driver license restriction	183	SIGNED
HB 2251	ADOT; Meridian Road extension	142	SIGNED
HB 2271	Occupational licensing; military members	39	SIGNED
HB 2304	Voter guide; publicity pamphlet; email	216	SIGNED
HB 2341	National guard; deployment; professional licenses	62	SIGNED
HB 2354	Science education; special plates	75	SIGNED
HB 2365	Wireless facilities; rights-of-way	124	SIGNED
HB 2371	Oversize commercial vehicles; local authority	47	SIGNED
HB 2372	Public benefits; fee waivers; requirements	323	SIGNED
HB 2440	State fleet; inventory reduction	297	SIGNED
HB 2483	Motor vehicle dealers; title information	48	SIGNED
SB 1017	Electric personal assistive mobility devices	4	SIGNED
SB 1025	Public entities; defenses	253	SIGNED
SB 1055	Expedited rulemaking	185	SIGNED
SB 1072	Administrative decisions; scope of review	329	SIGNED
SB 1082	Motorcycle safety fund	10	SIGNED
SB 1114	Outdoor advertising	237	SIGNED

BILL NUMBER	SHORT TITLE	CHAPTER	ACTION
SB 1123	State contract lobbyists; prohibition	145	SIGNED
SB 1132	Amateur radio operator special plates	84	SIGNED
SB 1137	Vendor; payment by warrant; fee	239	SIGNED
SB 1138	Encumbrance documents; exceptions	109	SIGNED
SB 1139	Collector car auction; special plates	110	SIGNED
SB 1150	Ignition interlock device; regulation; installers	331	SIGNED
SB 1166	Employment security; time frames; interest	15	SIGNED
SB 1211	ADOT omnibus	44	SIGNED
SB 1214	Small cell equipment; local governments	205	SIGNED
SB 1344	Firearms; state preemption; employees	148	SIGNED
SB 1379	Misused transportation excise tax; repayment	274	SIGNED
SB 1415	Mining and mineral museum; transfer	221	SIGNED
SB 1437	Agencies; review; GRRC; occupational regulation	138	SIGNED

ADOT-Related Legislation
Sorted by Bill Chapter

CHAPTER	SHORT TITLE	BILL NUMBER	ACTION
4	Electric personal assistive mobility devices	SB 1017	SIGNED
10	Motorcycle safety fund	SB 1082	SIGNED
15	Employment security; time frames; interest	SB 1166	SIGNED
29	Air quality compliance	SB 2251	SIGNED
30	Ombudsman-citizens aide; reports	HB 2186	SIGNED
39	Occupational licensing; military members	HB 2271	SIGNED
44	ADOT; omnibus	SB 1211	SIGNED
47	Oversize commercial vehicles; local authority	HB 2371	SIGNED
48	Motor vehicle dealers; title information	HB 2483	SIGNED
62	National Guard; deployment; professional licenses	HB 2341	SIGNED
75	Science education; special plates	HB 2354	SIGNED
84	Amateur radio operator special plates	SB 1132	SIGNED
109	Encumbrance documents; exceptions	SB 1138	SIGNED
110	Collector car auction; special plates	SB 1139	SIGNED
124	Wireless facilities; rights-of-way	HB 2365	SIGNED
138	Agencies; review; GRRRC; occupational regulation	SB 1437	SIGNED
142	ADOT; Meridian Road extension	HB 2251	SIGNED
145	State contract lobbyists; prohibition	SB 1123	SIGNED
148	Firearms; state preemption; employees	SB 1344	SIGNED
183	Child support; driver license restriction	HB 2192	SIGNED
185	Expedited rulemaking	SB 1055	SIGNED
205	Small cell equipment; local governments	SB 1214	SIGNED

CHAPTER	SHORT TITLE	BILL NUMBER	ACTION
214	Private property access; rights-of-way	HB 2157	SIGNED
216	Voter guide; publicity pamphlet; email	HB 2304	SIGNED
221	Mining and mineral museum; transfer	SB 1415	SIGNED
224	Household goods; unlawful moving practices	HB 2145	SIGNED
227	ASRS; return to work	HB 2166	SIGNED
237	Outdoor advertising	HB 1114	SIGNED
239	Vendor; payment by warrant; fee	SB 1137	SIGNED
249	Vehicle impoundment; release of vehicles	HB 2159	SIGNED
253	Public entities; defenses	SB 1025	SIGNED
274	Misused transportation excise tax; repayment	SB 1379	SIGNED
291	ASRS; contributions; adjustments	HB 2167	SIGNED
297	State fleet; inventory reduction	HB 2440	SIGNED
323	Public benefits; fee waivers; requirements	HB 2372	SIGNED
329	Administrative decisions; scope of review	SB 1072	SIGNED
331	Ignition interlock device; regulation; installers	SB 1150	SIGNED

ADOT-related Legislative Summaries

Signed or Filed

Sorted by Bill Number

HB 2131—Air quality compliance (Chapter 29, Laws 2017)

Broadens the options for a vehicle equipped with an on-board diagnostic computer to undergo required emissions testing in order to register a vehicle with the Motor Vehicle Division.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/451944>

HB 2145—Household goods; unlawful moving practices (Chapter 224, Laws 2017)

Protects consumers by requiring all moving companies to accurately disclose all fees, rates, charges, and insurance requirements, as well as prevent such companies from withholding a customer's property in most circumstances.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/453805>

HB 2157—Private property access; rights-of-way (Chapter 214, Laws 2017)

Requires the Department (or other relevant state agency) to grant a right-of-way for a minimum of thirty years to a private property owner so that they may access their property if it is encircled by land owned by the Department or other state agency.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/453737>

HB 2159—Vehicle impoundment; release of vehicles (Chapter 249, Laws 2017)

Requires the Department to pay a partial reimbursement to an eligible towing company for costs incurred in the process of removing an abandoned vehicle upon request from a state or local government entity and to allow for the testing of truck platooning and other autonomous technology on the Arizona highway system.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/453962>

HB 2166—ASRS; return to work (Chapter 227, Laws 2017)

Requires the Department to pay the alternate contribution rate on behalf of a retired member of the Arizona State Retirement System (ASRS) if they return to work in a position that is similar to that of a position normally filled by a Department employee.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/453825>

HB 2167—ASRS; contributions; adjustments (Chapter 291, Laws 2017)

Requires ASRS to refund excess member or employee contributions made in error, if requested in a timely manner, and an inactive, retired, or long-term disability employee who paid less than the correct amount to pay the difference from after-tax income.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/454046>

HB 2186—Ombudsman-citizens aide; reports (Chapter 30, Laws 2017)

Requires the Department to provide a link on www.azdot.gov to the ombudsman-citizens aide's website.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/451945>

HB 2192—Child support; driver license restriction (Chapter 183, Laws 2017)

Allows for the suspension of a person's driver license for arrearage of child support payments, for a restricted license to be provided to an individual whose license has been suspended for nonpayment of child support, and removes the indefinite suspension of an individual's driver license for nonpayment of a reinstatement fee (this last provision is also present in SB 1211).

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/453360>

HB 2251—ADOT; Meridian Road extension (Chapter 142, Laws 2017)

Requires the Department to work with Maricopa and Pinal Counties, the Cities of Mesa and Apache Junction, and the State Land Department to determine the feasibility of extending sections of Meridian Road along the county line.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/452870>

HB 2271—Occupational licensing; military members (Chapter 39, Laws 2017)

Requires the Department or other regulating entities to deem that the education, training, or experience requirements for an occupational license are met if an applicant provides evidence that he or she received substantially equivalent education, training, or experience while serving as a member of the United States Armed Forces.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/451910>

HB 2304—Voter guide, publicity pamphlet; email (Chapter 216, Laws 2017)

Requires the Motor Vehicle Division to provide a method through the ServiceArizona online system for voters to choose to receive an electronic copy of the ballot’s publicity pamphlet, as well as to notify a voter who requests an electronic copy that unless all eligible members of the household request such a copy, a physical copy will still be mailed to the address. Also prohibits the voter’s email address to be released for any other purpose than coordination between MVD and the Secretary of State’s Office.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/453610>

HB 2341—National Guard; deployment; professional licenses (Chapter 62, Laws 2017)

Exempts a professional license issued by the Department to any member of the National Guard from expiration while the licensee is serving overseas.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/452134>

HB 2354—Science education; special plates (Chapter 75, Laws 2017)

Requires the Department to offer a special license plate, pending the payment of a \$32,000 fee from a sponsoring entity (the Arizona Science Center) and an approved design, promoting science education in Arizona.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/452400>

HB 2365—Wireless facilities; rights-of-way (Chapter 124, Laws 2017)

Allows wireless companies to collocate small wireless equipment and to install or modify their utility equipment in rights-of-way owned by cities and counties. This bill does not currently impact the Department, but may in the future.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/452687>

HB 2371—Oversize commercial vehicles; local authority (Chapter 47, Laws 2017)

Requires local authorities to adopt and enforce ordinances that are substantially similar to the Department’s rules related to oversized and overweight commercial truck permits, and for the rules and fees instituted by city, town, and county governments to be posted on the Department website.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/452087>

HB 2372—Public benefits; fee waivers; requirements (Chapter 323, Laws 2017)

Requires the Department to waive any fee for an initial professional license for an applicant whose family income does not exceed 200% of the federal poverty line, so long as the individual is applying for the license in Arizona for the first time.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/454235>

HB 2440—State fleet; inventory reduction (Chapter 297, Laws 2017)

Requires ADOA and relevant state agencies, including the Department, to reduce the size of the state vehicle fleet by up to ten percent in FY 2019 and FY 2020 (this process is already underway through the Governor’s GOAL Council).

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/454052>

HB 2483—Motor vehicle dealers; title information (Chapter 48, Laws 2017)

Requires a notice of any vehicle transfer (including by a wholesale motor vehicle auction dealer) to be provided to the Department within fifteen days after the transfer and outlines the acceptable means of notice.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/452088>

SB 1017—Electric personal assistive mobility devices (Chapter 4, Laws 2017)

Expands the definition of *electric personal assistive mobility device* to include one-wheeled electric devices.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/451230>

SB 1025—Public entities; defenses (Chapter 253, Laws 2017)

Expands the affirmative defense statute available to government entities by bifurcating a trial in which there is an issue of fact surrounding whether the government adhered to generally accepted engineering and safety standards, so that the question of adherence is decided separately from the individual facts of the case.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/453968>

SB 1055—Expedited rulemaking (Chapter 185, Laws 2017)

Allows the Department and other state agencies to make broader utilization of expedited rulemaking, including for implementation of a rule proposed during a five-year review.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/453362>

SB 1072—Administrative decisions; scope of review (Chapter 329, Laws 2017)

Requires the Court to review the administrative record and any supplemental evidence before affirming, reversing, vacating, or remanding a regulatory action taken by the Department or other state agency.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/454241>

SB 1082—Motorcycle safety fund (Chapter 10, Laws 2017)

Reinstates the collection of a \$1 surcharge on each motorcycle registration and deposits the monies into the Motorcycle Safety Fund, which is used by the Governor's Office of Highway Safety to promote safe driving on the State Highway system.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/451368>

SB 1114—Outdoor advertising (Chapter 237, Laws 2017)

Expands the allowable area for electronic outdoor advertising to include portions of Mohave County (within forty miles of Mile Marker 250 on State Route 96 in Bullhead City).

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/453871>

SB 1123—State contract lobbyists; prohibition (Chapter 145, Laws 2017)

Prohibits all state agencies, boards, and commissions from utilizing outside contract lobbying services.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/452873>

SB 1132—Amateur radio operator special plates (Chapter 84, Laws 2017)

Creates the Amateur Radio Education & Community Involvement Fund, and requires \$17 from the sale of each amateur radio operator special plate to be deposited into the Fund, with the remaining monies deposited into the State Highway Fund to cover the administrative costs to the Department.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/452602>

SB 1137—Vendor, payment by warrant; fee (Chapter 239, Laws 2017)

Allows the Arizona Department of Administration to collect a fee on any warrant issued to a vendor that provides materials, services, or construction to agency or other department of the State.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/453873>

SB 1138—Encumbrance documents; exceptions (Chapter 109, Laws 2017)

Raises the limits for expenditures by state employees permitted to be repaid without encumbrance documents to \$5,000, and also allows employees to be reimbursed for travel and other related expenses without such documents.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/452629>

SB 1139—Collector car auction; special plates (Chapter 110, Laws 2017)

Requires the Department to offer a collector car auction plate and an active duty military installation support special plate, pending the payment of a \$32,000 fee from a sponsoring entity and an approved design, and to deposit \$17 from the sale of each plate into the respective special plate funds.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/452631>

SB 1150—Ignition interlock device; regulation; installers (Chapter 331, Laws 2017)

Enacts broad-based reform, effective July 1st, 2018, of the requirements and procedures for ignition interlock service providers.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/454243>

SB 1166—Employment security; time frames; interest (Chapter 15, Laws 2017)

Requires a ten-percent interest to accrue on an overpayment debt attached to unemployment benefits paid to an employee, and lengthens the time an employer may petition for reconsideration of a deficiency or make voluntary contributions to an account.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/451376>

SB 1211—ADOT omnibus (Chapter 44, Laws 2017)

Makes various statutory changes concerning the Department of Transportation, including:

1. Clarifying when the State Procurement Code and ADOT'S own procurement code, respectively, are used in construction or highway development processes.
2. Allows the Department to enter into a Memorandum of Understanding with the Federal Highway Administration to take over that agency's responsibilities for certifying the proper completion of environmental work under the National Environmental Policy Act on projects involving federal funding or the National Highway System.
3. Removes the indefinite suspension of an individual's driver license for nonpayment of a reinstatement fee (identical language exists in HB 2192).
4. Repeals HURF Maintenance of Effort reporting requirements on twenty-three counties, cities, and towns across Arizona.
5. Removes the requirement that a light rail transit operator pay for the Department's administrative costs resulting from its safety oversight responsibilities.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/452081>

SB 1214—Small cell equipment; local governments (Chapter 205, Laws 2017)

Outlines the requirements (and fee authority) for a county, city, or town to allow for the installation, maintenance, and operation of microcell equipment and other technology facilities within local rights-of-way. This legislation doesn't currently impact the Department but could in the future.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/453599>

SB 1344—Firearms; state preemption; employees (Chapter 148, Laws 2017)

Limits a government's ability to prevent an independent contractor or employee from lawfully carrying, transporting, or storing a firearm while acting within the scope of his or her employment or contract.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/452929>

SB 1379—Misused transportation excise tax; repayment (Chapter 274, Laws 2017)

Requires the Department to collect transportation excise tax monies from a noncompliant local government that utilizes such monies for purposes other than streets, highways, or transportation projects.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/453993>

SB 1415—Mining and mineral museum; transfer (Chapter 221, Laws 2017)

Requires the Department to transfer the monies collected from the sale of the centennial special plates to the University of Arizona, which has taken over operation of the Mining and Mineral Museum that the plate revenues fund.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/453615>

SB 1437—Agencies; review; GRRC; occupational regulation (Chapter 138, Laws 2017)

Provides additional means for an individual to petition the Governor's Regulatory Review Council, and requires the Department and other state agencies to limit occupational regulations to only those directly necessary to meet public health, safety, or welfare obligations.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/452774>

ADOT-related Budget Review

SB 1522 (general appropriations act; 2017-2018)

Provides:

1. A general fund appropriation to the Department of \$50,400.
2. An appropriation \$161,700 from the air quality fund (part of which the Department uses to draw down federal matching funds to administer its state safety oversight responsibilities).

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/454115>

SB 1523 (capital outlay; appropriations; 2017-2018)

Appropriates:

1. \$2,344,800 for the construction of vehicle wash systems.
2. \$1,000,000 and \$4,000,000 for the construction of two buildings and an equipment services shop in Safford respectively.
3. \$240,000 for improvements to the impound storage yard in Tempe.
4. Capital outlay for statewide highway construction and airport planning and development.

The bill contains a technical mistake in that it gives the Department until 2018 instead of 2019 to construct the vehicle wash systems it was appropriated monies for, but that can be fixed next year.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/454116>

SB 1524 (budget procedures; budget reconciliation; 2017-2018)

Establishes a highway damage recovery subaccount within the State Highway Fund to serve as the repository for all monies received by the Department for damage caused to the State Highway system.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/454117>

SB 1531 (revenues; budget reconciliation; 2017-2018)

Requires jet fuel excise and use taxes to be deposited in the State Aviation Fund, rather than the State General Fund, and certain registration fees that previously were deposited in the Aviation Fund to go to the General Fund to offset the loss.

<https://apps.azleg.gov/BillStatus/GetDocumentPdf/454122>