

PROPOSED  
SENATE AMENDMENTS TO S.B. 1517  
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[~~GREEN STRIKEOUT IN BRACKETS~~] indicates new text removed from statute or previously enacted session law.

[~~Green strikeout in brackets~~] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<~~Green strikeout in carets~~>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Section 28-101, Arizona Revised Statutes, is amended to  
3 read:

4 28-101. Definitions

5 In this title, unless the context otherwise requires:

6 1. "Alcohol" means any substance containing any form of alcohol,  
7 including ethanol, methanol, propynol and isopropynol.

8 2. "Alcohol concentration" if expressed as a percentage means  
9 either:

10 (a) The number of grams of alcohol per one hundred milliliters of  
11 blood.

12 (b) The number of grams of alcohol per two hundred ten liters of  
13 breath.

14 3. "All-terrain vehicle" means either of the following:

15 (a) A motor vehicle that satisfies all of the following:

16 (i) Is designed primarily for recreational nonhighway all-terrain  
17 travel.

18 (ii) Is fifty or fewer inches in width.

19 (iii) Has an unladen weight of one thousand two hundred pounds or  
20 less.

21 (iv) Travels on three or more nonhighway tires.

22 (v) Is operated on a public highway.

23 (b) A recreational off-highway vehicle that satisfies all of the  
24 following:

25 (i) Is designed primarily for recreational nonhighway all-terrain  
26 travel.

27 (ii) Is eighty or fewer inches in width.

- 1 (iii) Has an unladen weight of ~~two~~ THREE thousand five hundred  
2 pounds or less.
- 3 (iv) Travels on four or more nonhighway tires.
- 4 (v) Has a steering wheel for steering control.
- 5 (vi) Has a rollover protective structure.
- 6 (vii) Has an occupant retention system.
- 7 4. "Authorized emergency vehicle" means any of the following:
- 8 (a) A fire department vehicle.
- 9 (b) A police vehicle.
- 10 (c) An ambulance or emergency vehicle of a municipal department or  
11 public service corporation that is designated or authorized by the  
12 department or a local authority.
- 13 (d) Any other ambulance, fire truck or rescue vehicle that is  
14 authorized by the department in its sole discretion and that meets  
15 liability insurance requirements prescribed by the department.
- 16 5. "Autocycle" means a three-wheeled motorcycle on which the driver  
17 and passengers ride in a fully or partially enclosed seating area that is  
18 equipped with a roll cage, safety belts for each occupant and antilock  
19 brakes and that is designed to be controlled with a steering wheel and  
20 pedals.
- 21 6. "Automated driving system" means the hardware and software that  
22 are collectively capable of performing the entire dynamic driving task on  
23 a sustained basis, regardless of whether it is limited to a specific  
24 operational design domain.
- 25 7. "Automotive recycler" means a person that is engaged in the  
26 business of buying or acquiring a motor vehicle solely for the purpose of  
27 dismantling, selling or otherwise disposing of the parts or accessories  
28 and that removes parts for resale from six or more vehicles in a calendar  
29 year.
- 30 8. "Autonomous vehicle" means a motor vehicle that is equipped with  
31 an automated driving system.
- 32 9. "Aviation fuel" means all flammable liquids composed of a  
33 mixture of selected hydrocarbons expressly manufactured and blended for  
34 the purpose of effectively and efficiently operating an internal  
35 combustion engine for use in an aircraft but does not include fuel for jet  
36 or turbine powered aircraft.
- 37 10. "Bicycle" means a device, including a racing wheelchair, that  
38 is propelled by human power and on which a person may ride and that has  
39 either:
- 40 (a) Two tandem wheels, either of which is more than sixteen inches  
41 in diameter.
- 42 (b) Three wheels in contact with the ground, any of which is more  
43 than sixteen inches in diameter.
- 44 11. "Board" means the transportation board.
- 45 12. "Bus" means a motor vehicle designed for carrying sixteen or  
46 more passengers, including the driver.

1       13. "Business district" means the territory contiguous to and  
2 including a highway if there are buildings in use for business or  
3 industrial purposes within any six hundred feet along the highway,  
4 including hotels, banks or office buildings, railroad stations and public  
5 buildings that occupy at least three hundred feet of frontage on one side  
6 or three hundred feet collectively on both sides of the highway.

7       14. "Certificate of ownership" means a paper or an electronic  
8 record that is issued in another state or a foreign jurisdiction and that  
9 indicates ownership of a vehicle.

10       15. "Certificate of title" means a paper document or an electronic  
11 record that is issued by the department and that indicates ownership of a  
12 vehicle.

13       16. "Combination of vehicles" means a truck or truck tractor and  
14 semitrailer and any trailer that it tows but does not include a forklift  
15 designed for the purpose of loading or unloading the truck, trailer or  
16 semitrailer.

17       17. "Controlled substance" means a substance so classified under  
18 section 102(6) of the controlled substances act (21 United States Code  
19 section 802(6)) and includes all substances listed in schedules I through  
20 V of 21 Code of Federal Regulations part 1308.

21       18. "Conviction" means:

22       (a) An unvacated adjudication of guilt or a determination that a  
23 person violated or failed to comply with the law in a court of original  
24 jurisdiction or by an authorized administrative tribunal.

25       (b) An unvacated forfeiture of bail or collateral deposited to  
26 secure the person's appearance in court.

27       (c) A plea of guilty or no contest accepted by the court.

28       (d) The payment of a fine or court costs.

29       19. "County highway" means a public road that is constructed and  
30 maintained by a county.

31       20. "Dealer" means a person who is engaged in the business of  
32 buying, selling or exchanging motor vehicles, trailers or semitrailers and  
33 who has an established place of business and has paid fees pursuant to  
34 section 28-4302.

35       21. "Department" means the department of transportation acting  
36 directly or through its duly authorized officers and agents.

37       22. "Digital network or software application" has the same meaning  
38 prescribed in section 28-9551.

39       23. "Director" means the director of the department of  
40 transportation.

41       24. "Drive" means to operate or be in actual physical control of a  
42 motor vehicle.

43       25. "Driver" means a person who drives or is in actual physical  
44 control of a vehicle.

45       26. "Driver license" means a license that is issued by a state to  
46 an individual and that authorizes the individual to drive a motor vehicle.

- 1        27. "Dynamic driving task":  
2        (a) Means all of the real-time operational and tactical functions  
3 required to operate a vehicle in on-road traffic.  
4        (b) Includes:  
5        (i) Lateral vehicle motion control by steering.  
6        (ii) Longitudinal motion control by acceleration and deceleration.  
7        (iii) Monitoring the driving environment by object and event  
8 detection, recognition, classification and response preparation.  
9        (iv) Object and event response execution.  
10       (v) Maneuver planning.  
11       (vi) Enhancing conspicuity by lighting, signaling and gesturing.  
12       (c) Does not include strategic functions such as trip scheduling  
13 and selecting destinations and waypoints.  
14       28. "Electric bicycle" means a bicycle or tricycle that is equipped  
15 with fully operable pedals and an electric motor of less than seven  
16 hundred fifty watts and that meets the requirements of one of the  
17 following classes:  
18       (a) "Class 1 electric bicycle" means a bicycle or tricycle that is  
19 equipped with an electric motor that provides assistance only when the  
20 rider is pedaling and that ceases to provide assistance when the bicycle  
21 or tricycle reaches the speed of twenty miles per hour.  
22       (b) "Class 2 electric bicycle" means a bicycle or tricycle that is  
23 equipped with an electric motor that may be used exclusively to propel the  
24 bicycle or tricycle and that is not capable of providing assistance when  
25 the bicycle or tricycle reaches the speed of twenty miles per hour.  
26       (c) "Class 3 electric bicycle" means a bicycle or tricycle that is  
27 equipped with an electric motor that provides assistance only when the  
28 rider is pedaling and that ceases to provide assistance when the bicycle  
29 or tricycle reaches the speed of twenty-eight miles per hour.  
30       29. "Electric miniature scooter" means a device that:  
31       (a) Weighs less than thirty pounds.  
32       (b) Has two or three wheels.  
33       (c) Has handlebars.  
34       (d) Has a floorboard on which a person may stand while riding.  
35       (e) Is powered by an electric motor or human power, or both.  
36       (f) Has a maximum speed that does not exceed ten miles per hour,  
37 with or without human propulsion, on a paved level surface.  
38       30. "Electric personal assistive mobility device" means a  
39 self-balancing device with one wheel or two nontandem wheels and an  
40 electric propulsion system that limits the maximum speed of the device to  
41 fifteen miles per hour or less and that is designed to transport only one  
42 person.  
43       31. "Electric standup scooter":  
44       (a) Means a device that:  
45       (i) Weighs less than seventy-five pounds.  
46       (ii) Has two or three wheels.

1 (iii) Has handlebars.  
2 (iv) Has a floorboard on which a person may stand while riding.  
3 (v) Is powered by an electric motor or human power, or both.  
4 (vi) Has a maximum speed that does not exceed twenty miles per  
5 hour, with or without human propulsion, on a paved level surface.  
6 (b) Does not include an electric miniature scooter.  
7 32. "Evidence" includes both of the following:  
8 (a) A display on a wireless communication device of a  
9 department-generated driver license, nonoperating identification license,  
10 vehicle registration card or other official record of the department that  
11 is presented to a law enforcement officer or in a court or an  
12 administrative proceeding.  
13 (b) An electronic or digital license plate authorized pursuant to  
14 section 28-364.  
15 33. "Farm" means any lands primarily used for agriculture  
16 production.  
17 34. "Farm tractor" means a motor vehicle designed and used  
18 primarily as a farm implement for drawing implements of husbandry.  
19 35. "Foreign vehicle" means a motor vehicle, trailer or semitrailer  
20 that is brought into this state other than in the ordinary course of  
21 business by or through a manufacturer or dealer and that has not been  
22 registered in this state.  
23 36. "Fully autonomous vehicle" means an autonomous vehicle that is  
24 equipped with an automated driving system designed to function as a level  
25 four or five system under SAE J3016 and that may be designed to function  
26 either:  
27 (a) Solely by use of the automated driving system.  
28 (b) By a human driver when the automated driving system is not  
29 engaged.  
30 37. "Golf cart" means a motor vehicle that has not less than three  
31 wheels in contact with the ground, that has an unladen weight of less than  
32 one thousand eight hundred pounds, that is designed to be and is operated  
33 at not more than twenty-five miles per hour and that is designed to carry  
34 not more than four persons including the driver.  
35 38. "Hazardous material" means a material, and its mixtures or  
36 solutions, that the United States department of transportation determines  
37 under 49 Code of Federal Regulations is, or any quantity of a material  
38 listed as a select agent or toxin under 42 Code of Federal Regulations  
39 part 73 that is, capable of posing an unreasonable risk to health, safety  
40 and property if transported in commerce and that is required to be  
41 placarded or marked as required by the department's safety rules  
42 prescribed pursuant to chapter 14 of this title.  
43 39. "Human driver" means a natural person in the vehicle who  
44 performs in real time all or part of the dynamic driving task or who  
45 achieves a minimal risk condition for the vehicle.

1       40. "Implement of husbandry" means a vehicle that is designed  
2 primarily for agricultural purposes and that is used exclusively in the  
3 conduct of agricultural operations, including an implement or vehicle  
4 whether self-propelled or otherwise that meets both of the following  
5 conditions:

6       (a) Is used solely for agricultural purposes including the  
7 preparation or harvesting of cotton, alfalfa, grains and other farm crops.

8       (b) Is only incidentally operated or moved on a highway whether as  
9 a trailer or self-propelled unit. For the purposes of this subdivision,  
10 "incidentally operated or moved on a highway" means travel between a farm  
11 and another part of the same farm, from one farm to another farm or  
12 between a farm and a place of repair, supply or storage.

13       41. "Limousine" means a motor vehicle providing prearranged ground  
14 transportation service for an individual passenger, or a group of  
15 passengers, that is arranged in advance or is operated on a regular route  
16 or between specified points and includes ground transportation under a  
17 contract or agreement for services that includes a fixed rate or time and  
18 is provided in a motor vehicle with a seating capacity not exceeding  
19 fifteen passengers including the driver.

20       42. "Livery vehicle" means a motor vehicle that:

21       (a) Has a seating capacity not exceeding fifteen passengers  
22 including the driver.

23       (b) Provides passenger services for a fare determined by a flat  
24 rate or flat hourly rate between geographic zones or within a geographic  
25 area.

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

27       (d) May do any of the following:

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

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

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

33       43. "Local authority" means any county, municipal or other local  
34 board or body exercising jurisdiction over highways under the constitution  
35 and laws of this state.

36       44. "Manufacturer" means a person engaged in the business of  
37 manufacturing motor vehicles, trailers or semitrailers.

38       45. "Minimal risk condition":

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

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

43       46. "Moped" means a bicycle, not including an electric bicycle, an  
44 electric miniature scooter or an electric standup scooter, that is  
45 equipped with a helper motor if the vehicle has a maximum piston  
46 displacement of fifty cubic centimeters or less, a brake horsepower of one

1 and one-half or less and a maximum speed of twenty-five miles per hour or  
2 less on a flat surface with less than a one percent grade.

3 47. "Motorcycle" means a motor vehicle that has a seat or saddle  
4 for the use of the rider and that is designed to travel on not more than  
5 three wheels in contact with the ground but excludes a tractor, an  
6 electric bicycle, an electric miniature scooter, an electric standup  
7 scooter and a moped.

8 48. "Motor driven cycle" means a motorcycle, including every motor  
9 scooter, with a motor that produces not more than five horsepower but does  
10 not include an electric bicycle, an electric miniature scooter or an  
11 electric standup scooter.

12 49. "Motorized quadricycle" means a self-propelled motor vehicle to  
13 which all of the following apply:

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

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

18 (c) The vehicle seats at least eight passengers, including the  
19 driver.

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

22 (e) The vehicle is a commercial motor vehicle as defined in section  
23 28-5201.

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

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

28 (h) The vehicle complies with the definition and standards for  
29 low-speed vehicles set forth in 49 Code of Federal Regulations sections  
30 571.3(b) and 571.500, respectively.

31 50. "Motor vehicle":

32 (a) Means either:

33 (i) A self-propelled vehicle.

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

37 (b) Does not include a scrap vehicle, a personal delivery device, a  
38 personal mobile cargo carrying device, a motorized wheelchair, an electric  
39 personal assistive mobility device, an electric bicycle, an electric  
40 miniature scooter, an electric standup scooter or a motorized skateboard.  
41 For the purposes of this subdivision:

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

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

1       51. "Motor vehicle fuel" includes all products that are commonly or  
2 commercially known or sold as gasoline, including casinghead gasoline,  
3 natural gasoline and all flammable liquids, and that are composed of a  
4 mixture of selected hydrocarbons expressly manufactured and blended for  
5 the purpose of effectively and efficiently operating internal combustion  
6 engines. Motor vehicle fuel does not include inflammable liquids that are  
7 specifically manufactured for racing motor vehicles and that are  
8 distributed for and used by racing motor vehicles at a racetrack, use fuel  
9 as defined in section 28-5601, aviation fuel, fuel for jet or turbine  
10 powered aircraft or the mixture created at the interface of two different  
11 substances being transported through a pipeline, commonly known as  
12 transmix.

13       52. "Neighborhood electric shuttle":

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

16       (i) The vehicle is emission free.

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

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

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

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

26       (vi) The vehicle complies with the definition and standards for  
27 low-speed vehicles set forth in 49 Code of Federal Regulations sections  
28 571.3(b) and 571.500, respectively.

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

33       53. "Neighborhood electric vehicle" means a self-propelled  
34 electrically powered motor vehicle to which all of the following apply:

35       (a) The vehicle is emission free.

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

38       (c) The vehicle complies with the definition and standards for  
39 low-speed vehicles, unless excepted or exempted under federal law, set  
40 forth in 49 Code of Federal Regulations sections 571.3(b) and 571.500,  
41 respectively.

42       54. "Neighborhood occupantless electric vehicle" means a  
43 neighborhood electric vehicle that is not designed, intended or marketed  
44 for human occupancy.

45       55. "Nonresident" means a person who is not a resident of this  
46 state as defined in section 28-2001.



1       56. "Off-road recreational motor vehicle" means a motor vehicle  
2 that is designed primarily for recreational nonhighway all-terrain travel  
3 and that is not operated on a public highway. Off-road recreational motor  
4 vehicle does not mean a motor vehicle used for construction, building  
5 trade, mining or agricultural purposes.

6       57. "Operational design domain":

7       (a) Means operating conditions under which a given automated  
8 driving system is specifically designed to function.

9       (b) Includes roadway types, speed range, environmental conditions,  
10 such as weather or time of day, and other domain constraints.

11       58. "Operator" means a person who drives a motor vehicle on a  
12 highway, who is in actual physical control of a motor vehicle on a highway  
13 or who is exercising control over or steering a vehicle being towed by a  
14 motor vehicle.

15       59. "Owner" means:

16       (a) A person who holds the legal title of a vehicle.

17       (b) If a vehicle is the subject of an agreement for the conditional  
18 sale or lease with the right of purchase on performance of the conditions  
19 stated in the agreement and with an immediate right of possession vested  
20 in the conditional vendee or lessee, the conditional vendee or lessee.

21       (c) If a mortgagor of a vehicle is entitled to possession of the  
22 vehicle, the mortgagor.

23       60. "Pedestrian" means any person afoot. A person who uses an  
24 electric personal assistive mobility device or a manual or motorized  
25 wheelchair is considered a pedestrian unless the manual wheelchair  
26 qualifies as a bicycle. For the purposes of this paragraph, "motorized  
27 wheelchair" means a self-propelled wheelchair that is used by a person for  
28 mobility.

29       61. "Personal delivery device":

30       (a) Means a device that is both of the following:

31       (i) Manufactured for transporting cargo and goods in an area  
32 described in section 28-1225.

33       (ii) Equipped with automated driving technology, including software  
34 and hardware, that enables the operation of the device with the remote  
35 support and supervision of a human.

36       (b) Does not include a personal mobile cargo carrying device.

37       62. "Personal mobile cargo carrying device" means an electronically  
38 powered device that:

39       (a) Is operated primarily on sidewalks and within crosswalks and  
40 that is designed to transport property.

41       (b) Weighs less than eighty pounds, excluding cargo.

42       (c) Operates at a maximum speed of twelve miles per hour.

43       (d) Is equipped with technology to transport personal property with  
44 the active monitoring of a property owner and that is primarily designed  
45 to remain within twenty-five feet of the property owner.

1 (e) Is equipped with a braking system that when active or engaged  
2 enables the personal mobile cargo carrying device to come to a controlled  
3 stop.

4 63. "Power sweeper" means an implement, with or without motive  
5 power, that is only incidentally operated or moved on a street or highway  
6 and that is designed for the removal of debris, dirt, gravel, litter or  
7 sand whether by broom, vacuum or regenerative air system from asphaltic  
8 concrete or cement concrete surfaces, including parking lots, highways,  
9 streets and warehouses, and a vehicle on which the implement is  
10 permanently mounted.

11 64. "Public transit" means the transportation of passengers on  
12 scheduled routes by means of a conveyance on an individual passenger  
13 fare-paying basis excluding transportation by a sightseeing bus, school  
14 bus or taxi or a vehicle not operated on a scheduled route basis.

15 65. "Reconstructed vehicle" means a vehicle that has been assembled  
16 or constructed largely by means of essential parts, new or used, derived  
17 from vehicles or makes of vehicles of various names, models and types or  
18 that, if originally otherwise constructed, has been materially altered by  
19 the removal of essential parts or by the addition or substitution of  
20 essential parts, new or used, derived from other vehicles or makes of  
21 vehicles. For the purposes of this paragraph, "essential parts" means  
22 integral and body parts, the removal, alteration or substitution of which  
23 will tend to conceal the identity or substantially alter the appearance of  
24 the vehicle.

25 66. "Residence district" means the territory contiguous to and  
26 including a highway not comprising a business district if the property on  
27 the highway for a distance of three hundred feet or more is in the main  
28 improved with residences or residences and buildings in use for business.

29 67. "Right-of-way" when used within the context of the regulation  
30 of the movement of traffic on a highway means the privilege of the  
31 immediate use of the highway. Right-of-way when used within the context  
32 of the real property on which transportation facilities and appurtenances  
33 to the facilities are constructed or maintained means the lands or  
34 interest in lands within the right-of-way boundaries.

35 68. "SAE J3016" means surface transportation recommended practice  
36 J3016 taxonomy and definitions for terms related to driving automation  
37 systems for on-road motor vehicles published by SAE international in June  
38 2018.

39 69. "School bus" means a motor vehicle that is designed for  
40 carrying more than ten passengers and that is either:

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

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

1       70. "Scrap metal dealer" has the same meaning prescribed in section  
2 44-1641.

3       71. "Scrap vehicle" has the same meaning prescribed in section  
4 44-1641.

5       72. "Semitrailer" means a vehicle that is with or without motive  
6 power, other than a pole trailer or single-axle tow dolly, that is  
7 designed for carrying persons or property and for being drawn by a motor  
8 vehicle and that is constructed so that some part of its weight and that  
9 of its load rests on or is carried by another vehicle. For the purposes  
10 of this paragraph, "pole trailer" has the same meaning prescribed in  
11 section 28-601.

12       73. "Single-axle tow dolly" means a nonvehicle device that is drawn  
13 by a motor vehicle, that is designed and used exclusively to transport  
14 another motor vehicle and on which the front or rear wheels of the drawn  
15 motor vehicle are mounted on the tow dolly while the other wheels of the  
16 drawn motor vehicle remain in contact with the ground.

17       74. "State" means a state of the United States and the District of  
18 Columbia.

19       75. "State highway" means a state route or portion of a state route  
20 that is accepted and designated by the board as a state highway and that  
21 is maintained by the state.

22       76. "State route" means a right-of-way whether actually used as a  
23 highway or not that is designated by the board as a location for the  
24 construction of a state highway.

25       77. "Street" or "highway" means the entire width between the  
26 boundary lines of every way if a part of the way is open to the use of the  
27 public for purposes of vehicular travel.

28       78. "Taxi" means a motor vehicle that has a seating capacity not  
29 exceeding fifteen passengers, including the driver, that provides  
30 passenger services and that:

31       (a) Does not primarily operate on a regular route or between  
32 specified places.

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

36       79. "Title transfer form" means a paper or an electronic form that  
37 is prescribed by the department for the purpose of transferring a  
38 certificate of title from one owner to another owner.

39       80. "Traffic survival school" means a school that is licensed  
40 pursuant to chapter 8, article 7.1 of this title and that offers  
41 educational sessions that are designed to improve the safety and habits of  
42 drivers and that are approved by the department.

43       81. "Trailer" means a vehicle that is with or without motive power,  
44 other than a pole trailer or single-axle tow dolly, that is designed for  
45 carrying persons or property and for being drawn by a motor vehicle and  
46 that is constructed so that no part of its weight rests on the towing

1 vehicle. A semitrailer equipped with an auxiliary front axle commonly  
2 known as a dolly is deemed to be a trailer. For the purposes of this  
3 paragraph, "pole trailer" has the same meaning prescribed in section  
4 28-601.

5 82. "Transportation network company" has the same meaning  
6 prescribed in section 28-9551.

7 83. "Transportation network company vehicle" has the same meaning  
8 prescribed in section 28-9551.

9 84. "Transportation network service" has the same meaning  
10 prescribed in section 28-9551.

11 85. "Truck" means a motor vehicle designed or used primarily for  
12 the carrying of property other than the effects of the driver or  
13 passengers and includes a motor vehicle to which has been added a box, a  
14 platform or other equipment for such carrying.

15 86. "Truck tractor" means a motor vehicle that is designed and used  
16 primarily for drawing other vehicles and that is not constructed to carry  
17 a load other than a part of the weight of the vehicle and load drawn.

18 87. "Vehicle":

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

21 (b) Does not include:

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

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

25 (iii) Personal delivery devices.

26 (iv) Scrap vehicles.

27 (v) Personal mobile cargo carrying devices.

28 88. "Vehicle transporter" means either:

29 (a) A truck tractor capable of carrying a load and drawing a  
30 semitrailer.

31 (b) A truck tractor with a stinger-steered fifth wheel capable of  
32 carrying a load and drawing a semitrailer or a truck tractor with a dolly  
33 mounted fifth wheel that is securely fastened to the truck tractor at two  
34 or more points and that is capable of carrying a load and drawing a  
35 semitrailer.

36 Sec. 2. Section 28-1177, Arizona Revised Statutes, is amended to  
37 read:

38 28-1177. Off-highway vehicle user fee; indicia; registration;  
39 state trust land recreational permit; exception

40 A. A person shall not operate or allow the operation of an  
41 all-terrain vehicle or an off-highway vehicle in this state without either  
42 a resident or nonresident off-highway vehicle user indicia issued by the  
43 department if the all-terrain vehicle or off-highway vehicle meets both of  
44 the following criteria:

45 1. Is designed by the manufacturer primarily for travel over  
46 unimproved terrain.

1           2. Has an unladen weight of ~~two~~ THREE thousand five hundred pounds  
2 or less.

3           B. A person shall apply to the department of transportation for a  
4 resident or nonresident off-highway vehicle user indicia by submitting an  
5 application prescribed by the department of transportation and a user fee  
6 for the indicia in an amount to be determined by the director of the  
7 department of transportation in cooperation with the director of the  
8 Arizona game and fish department and the Arizona state parks board. The  
9 resident or nonresident off-highway vehicle user indicia is valid for one  
10 year ~~from~~ AFTER the date of issuance and may be renewed. The department  
11 OF TRANSPORTATION shall prescribe by rule the design and placement of the  
12 indicia.

13           C. When a person pays for a resident off-highway vehicle user  
14 indicia pursuant to this section, the person may request a motor vehicle  
15 registration if the vehicle meets all equipment requirements to be  
16 operated on a highway pursuant to article 16 of this chapter. If a person  
17 submits a signed affidavit to the department affirming that the vehicle  
18 meets all of the equipment requirements for highway use and that the  
19 vehicle will be operated primarily off of highways, the department shall  
20 register the vehicle for highway use and the vehicle owner is not required  
21 to pay the registration fee prescribed in section 28-2003. This  
22 subsection does not apply to vehicles that as produced by the manufacturer  
23 meet the equipment requirements to be operated on a highway pursuant to  
24 article 16 of this chapter.

25           D. The director shall deposit, pursuant to sections 35-146 and  
26 35-147, seventy percent of the user fees collected pursuant to this  
27 section in the off-highway vehicle recreation fund established by section  
28 28-1176 and thirty percent of the user fees collected pursuant to this  
29 section in the Arizona highway user revenue fund.

30           E. The Arizona game and fish department may provide for the  
31 purchase of nonresident off-highway vehicle user indicia and may impose an  
32 additional service fee in an amount to be determined by the Arizona game  
33 and fish commission by rule. The Arizona game and fish department shall  
34 deposit, pursuant to sections 35-146 and 35-147, the service fees  
35 collected pursuant to this subsection in the game and fish fund  
36 established by section 17-261.

37           F. An occupant of an off-highway vehicle with a resident or  
38 nonresident off-highway vehicle user indicia issued pursuant to this  
39 section who crosses state trust lands must comply with all of the rules  
40 and requirements under a state trust land recreational permit. All  
41 occupants of an off-highway vehicle with a resident or nonresident  
42 off-highway vehicle user indicia shall obtain a state trust land  
43 recreational permit from the state land department for all other  
44 authorized recreational activities on state trust land.

45           G. This section does not apply to off-highway vehicles, all-terrain  
46 vehicles or off-road recreational motor vehicles that are used off-highway

1 exclusively for agricultural, ranching, construction, mining, mining  
2 exploration or building trade purposes.

3 H. In consultation with the department of transportation, the  
4 Arizona game and fish department may adopt rules necessary to implement  
5 this section.

6 <<Sec. 3. Section 28-1176, Arizona Revised Statutes, is amended to  
7 read:

8 28-1176. Off-highway vehicle recreation fund; annual reports;  
9 definition

10 A. ~~[Am]~~ ~~[THE]~~ off-highway vehicle recreation fund is established.  
11 The fund consists of:

- 12 1. Monies appropriated by the legislature.
- 13 2. Monies deposited pursuant to sections 28-1177 and 28-5927.
- 14 3. Federal grants and private gifts.

15 B. Monies in the off-highway vehicle recreation fund are  
16 appropriated to the Arizona state parks board solely for the purposes  
17 provided in this article. Interest earned on monies in the fund shall be  
18 credited to the fund. Monies in the off-highway vehicle recreation fund  
19 are exempt from the provisions of section 35-190 relating to lapsing of  
20 appropriations.

21 C. [OF THE MONIES DEPOSITED PURSUANT TO SECTION 28-1177 FOR AN  
22 OFF-HIGHWAY VEHICLE USER INDICIA FOR AN ALL-TERRAIN VEHICLE OR OFF-HIGHWAY  
23 VEHICLE THAT HAS AN UNLADEN WEIGHT OF TWO THOUSAND FIVE HUNDRED POUNDS OR  
24 LESS AND THE OTHER MONIES DESCRIBED IN SUBSECTION A:

25 1.] The Arizona game and fish department shall spend thirty-five  
26 percent ~~[of the monies in the off-highway vehicle recreation fund]~~ for:

27 [1.] [(a)] Informational and educational programs related to  
28 safety, the environment and responsible use with respect to off-highway  
29 vehicle recreation.

30 [2.] [(b)] Law enforcement activities relating to this article.

31 [3.] [(c)] The administration of the [OFF-HIGHWAY VEHICLE USER]  
32 indicia program.

33 [4.] [(d)] Off-highway vehicle law enforcement pursuant to title  
34 17, chapter 4, article 3, including seven full-time employees to enforce  
35 this article and title 17, chapter 4, article 3.

36 [5.] [2.] The state land department shall spend five percent ~~[of~~  
37 ~~the monies in the off-highway vehicle recreational fund]~~ to allow  
38 occupants of off-highway vehicles with resident or nonresident off-highway  
39 vehicle user indicia to cross state trust land on existing roads, trails  
40 and designated routes. The state land department shall use these monies  
41 for costs associated with off-highway vehicle use of lands within its  
42 jurisdiction, to mitigate damage to the land, for necessary environmental,  
43 historical and cultural clearance or compliance activities and to fund  
44 enforcement of off-highway vehicle laws.

1       ~~[F.] [3.]~~ The Arizona state parks board shall spend sixty percent  
2 ~~[of the monies in the off-highway vehicle recreation fund]~~ for the  
3 following purposes:

4       ~~[1.] [(a)] [No] [NOT]~~ more than twelve percent to fund staff  
5 support to plan and administer the off-highway vehicle recreation fund.

6       ~~[2.] [(b)]~~ To establish an off-highway vehicle program based on  
7 the priorities established in the off-highway vehicle recreational plan.

8       ~~[3.] [(c)]~~ To designate, construct, maintain, renovate, repair or  
9 connect off-highway vehicle routes and trails and to designate, manage and  
10 acquire land for access roads, off-highway vehicle recreation facilities  
11 and off-highway vehicle use areas. After expenditures pursuant to  
12 ~~[paragraph 1] [SUBDIVISION (a)]~~ of this ~~[subsection] [PARAGRAPH]~~, the  
13 Arizona state parks board shall not spend more than thirty-five percent of  
14 the remaining monies received pursuant to this ~~[subsection] [PARAGRAPH]~~  
15 for construction of new off-highway vehicle trails.

16       ~~[4.] [(d)]~~ For enforcement of off-highway vehicle laws.

17       ~~[5.] [(e)]~~ For off-highway vehicle related informational and  
18 environmental education programs, information, signage, maps and  
19 responsible use programs.

20       ~~[6.] [(f)]~~ For the mitigation of damages to land, revegetation and  
21 the prevention and restoration of damages to natural and cultural  
22 resources, including the closure of existing access roads, off-highway  
23 vehicle use areas and off-highway vehicle routes and trails.

24       ~~[7.] [(g)]~~ For necessary environmental, historical and cultural  
25 clearance or compliance activities.

26       ~~[F.] [D.]~~ The allocation of the monies in ~~[subsection E,~~  
27 ~~paragraphs 3 through 7 of this section]~~ ~~[SUBSECTION C, PARAGRAPH 3,~~  
28 ~~SUBDIVISIONS (c) THROUGH (g) OF THIS SECTION]~~ and the percentages  
29 allocated to each of the purposes prescribed in ~~[subsection E, paragraphs~~  
30 ~~3 through 7 of this section]~~ ~~[SUBSECTION C, PARAGRAPH 3, SUBDIVISIONS (c)~~  
31 ~~THROUGH (g) OF THIS SECTION]~~ shall be based on an off-highway vehicle  
32 recreational plan.

33       ~~[E. OF THE MONIES DEPOSITED PURSUANT TO SECTION 28-1177 FOR AN~~  
34 ~~OFF-HIGHWAY VEHICLE USER INDICIA FOR AN ALL-TERRAIN VEHICLE OR OFF-HIGHWAY~~  
35 ~~VEHICLE THAT HAS AN UNLADEN WEIGHT OF MORE THAN TWO THOUSAND FIVE HUNDRED~~  
36 ~~POUNDS, THE ARIZONA STATE PARKS BOARD SHALL SPEND:~~

37       ~~1. FIFTY PERCENT OF THE MONIES FOR THE ENFORCEMENT OF OFF-HIGHWAY~~  
38 ~~VEHICLE LAWS.~~

39       ~~2. FIFTY PERCENT OF THE MONIES FOR THE MITIGATION OF DAMAGES TO~~  
40 ~~LAND, REVEGETATION AND THE PREVENTION AND RESTORATION OF DAMAGES TO~~  
41 ~~NATURAL AND CULTURAL RESOURCES, INCLUDING THE CLOSURE OF EXISTING ACCESS~~  
42 ~~ROADS, OFF-HIGHWAY VEHICLE USE AREAS AND OFF-HIGHWAY VEHICLE ROUTES AND~~  
43 ~~TRAILS.]~~

44       ~~[G.] [F.]~~ Monies in the off-highway vehicle recreation fund shall  
45 not be used to construct new off-highway vehicle trails or routes on  
46 environmentally or culturally sensitive land unless the appropriate land

1 management agency determines that certain new trail construction would  
2 benefit or protect cultural or sensitive sites. For the purposes of this  
3 subsection, "environmentally or culturally sensitive land" means areas of  
4 lands that are either:

5 1. Administratively or legislatively designated by the federal  
6 government as any of the following:

7 (a) A national monument.

8 (b) An area of critical environmental concern.

9 (c) A conservation area.

10 (d) An inventoried roadless area.

11 2. Determined by the applicable land management agency to contain  
12 significant natural or cultural resources or values.

13 ~~[H.] [G.]~~ The Arizona state parks board shall examine applications  
14 for eligible projects and determine the amount of funding, if any, for  
15 each project. In determining the amount of monies for eligible projects,  
16 the Arizona state parks board shall give preference to applications for  
17 projects with mitigation efforts and for projects that encompass a large  
18 number of purposes described in ~~[subsection E, paragraphs 3 through 7 of~~  
19 ~~this section]~~ [SUBSECTION C, PARAGRAPH 3, SUBDIVISIONS (c) THROUGH (g) OF  
20 THIS SECTION].

21 ~~[F.] [H.]~~ Beginning September 1, 2011, and on or before September  
22 1 of each subsequent year, each agency that receives monies from the  
23 off-highway vehicle recreation fund shall submit an off-highway vehicle  
24 report to the president of the senate, the speaker of the house of  
25 representatives, the chairperson of the senate natural resources and rural  
26 affairs committee, or its successor committee, and the chairperson of the  
27 house of representatives natural resources and public safety committee, or  
28 its successor committee. The report shall be made available to the  
29 public. The report shall include information on all of the following~~[.]~~  
30 if applicable:

31 1. The amount of monies spent or encumbered in the fund during the  
32 preceding fiscal year for the purposes of off-highway vehicle law  
33 enforcement activities.

34 2. The amount of monies spent from the off-highway vehicle  
35 recreation fund during the preceding fiscal year for employee services.

36 3. The number of full-time employees employed in the preceding  
37 fiscal year in connection with off-highway vehicle law enforcement  
38 activities.

39 4. The amount of monies spent from the off-highway vehicle  
40 recreation fund during the preceding fiscal year for information and  
41 education.

42 5. The number and specific location of verbal warnings, written  
43 warnings and citations given or issued during the preceding fiscal year.

44 6. A specific and detailed accounting for all monies spent in  
45 accordance with this section for construction of new off-highway vehicle  
46 trails, mitigation of damages to lands, revegetation, the prevention and



1 restoration of damages to natural and cultural resources, signage, maps  
2 and necessary environmental, historical and cultural clearance or  
3 compliance activities.

4 [7. THE TOTAL SPECIFIC NUMBER OF OFF-HIGHWAY VEHICLE USER INDICIA  
5 ISSUED DURING THE PRECEDING FISCAL YEAR FOR ALL-TERRAIN VEHICLES AND  
6 OFF-HIGHWAY VEHICLES WITH AN UNLADEN WEIGHT OF:

7 (a) TWO THOUSAND FIVE HUNDRED POUNDS OR LESS.

8 (b) MORE THAN TWO THOUSAND FIVE HUNDRED POUNDS.]

9 [3.] [I.] For the purposes of this section, "off-highway vehicle  
10 recreational plan" means a plan that is maintained by the Arizona state  
11 parks board pursuant to section 41-511.04.>>

12 Sec. 4. Section 28-2156, Arizona Revised Statutes, is amended to  
13 read:

14 28-2156. Temporary general use registration; definition

15 A. In lieu of permanent registration, the department may issue a  
16 temporary general use registration that allows a person to operate a  
17 vehicle for ~~no~~ NOT more than thirty days.

18 B. The director may authorize issuance of this temporary  
19 registration if EITHER OF THE FOLLOWING APPLIES:

20 1. The person does not qualify for registration under section  
21 28-2154 or 28-2292 or article 10 of this chapter.

22 2. THE PERSON IS A NONRESIDENT WHO OWNS AN OFF-HIGHWAY VEHICLE THAT  
23 IS TITLED IN ANOTHER STATE AND OTHERWISE MEETS THE REQUIREMENTS OF CHAPTER  
24 3, ARTICLE 20 OF THIS TITLE.

25 C. A person operating a vehicle with a temporary general use  
26 registration shall comply with the mandatory motor vehicle insurance  
27 requirements of this state prescribed in chapter 9, article 4 of this  
28 title.

29 D. The department shall prescribe the content and form of the  
30 temporary general use registration application. The owner or operator of  
31 the vehicle shall display the temporary general use registration so that  
32 it is clearly visible from outside the vehicle.

33 E. The registering officer shall not issue more than one temporary  
34 general use registration for a vehicle in a ~~twelve-month~~ TWELVE-MONTH  
35 period. THIS SUBSECTION DOES NOT APPLY TO A PERSON WHO OWNS AN  
36 OFF-HIGHWAY VEHICLE THAT IS TITLED IN ANOTHER STATE AND OTHERWISE MEETS  
37 THE REQUIREMENTS OF CHAPTER 3, ARTICLE 20 OF THIS TITLE.

38 F. At the time of application for a temporary general use  
39 registration, the applicant shall submit for inspection proper evidence of  
40 ownership or authorized possession of the vehicle.

41 G. The fee for the temporary general use registration is as  
42 prescribed in section 28-2003. The registering officer shall deposit ~~one~~  
43 ~~dollar~~ \$1 of the fee in the county assessor's special registration fund  
44 established by section 28-2005 if the assessor is the registering officer  
45 or in the state highway fund established by section 28-6991 if the  
46 director is the registering officer.

- 1       H. FOR THE PURPOSES OF THIS SECTION, "OFF-HIGHWAY VEHICLE" MEANS AN  
2 OFF-HIGHWAY VEHICLE THAT SATISFIES ALL OF THE FOLLOWING:  
3       1. IS DESIGNED PRIMARILY FOR RECREATIONAL NONHIGHWAY ALL-TERRAIN  
4 TRAVEL.  
5       2. IS NOT MORE THAN EIGHTY INCHES IN WIDTH.  
6       3. HAS AN UNLADEN WEIGHT OF NOT MORE THAN THREE THOUSAND FIVE  
7 HUNDRED POUNDS.  
8       4. TRAVELS ON FOUR OR MORE NON-HIGHWAY TIRES.  
9       5. HAS A STEERING WHEEL FOR STEERING CONTROL.  
10      6. HAS A ROLLOVER PROTECTIVE STRUCTURE.  
11      7. HAS AN OCCUPANT RETENTION SYSTEM.

12 Enroll and engross to conform  
13 Amend title to conform

KEVIN PAYNE

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