

PROPOSED AMENDMENT

SENATE AMENDMENTS TO H.B. 2598

(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 41-1722, Arizona Revised Statutes, is amended to  
3 read:

4 41-1722. State photo enforcement system; penalties; fund

5 A. Notwithstanding any other law **AND EXCEPT AS PROVIDED IN SUBSECTION**  
6 **E OF THIS SECTION**, the department ~~shall~~ **MAY** enter into a contract or  
7 contracts with a private vendor or vendors pursuant to chapter 23 of this  
8 title to establish a state photo enforcement system consisting of cameras  
9 placed throughout this state as determined by the director to enforce the  
10 provisions of title 28, chapter 3, articles 3 and 6 relating to vehicle  
11 traffic and speed.

12 B. Notwithstanding any other law, the civil penalty or fine for a  
13 citation or a notice of violation issued pursuant to this section is one  
14 hundred sixty-five dollars and is not subject to any surcharge except the  
15 surcharge imposed by section 16-954.

16 C. The photo enforcement fund is established consisting of monies  
17 received from citations or notices of violation issued pursuant to this  
18 section. The director shall administer the fund. Monies in the fund are  
19 subject to legislative appropriation and are appropriated to the department  
20 for administrative and personnel costs of the state photo enforcement system.  
21 Monies remaining in the fund in excess of two hundred fifty thousand dollars  
22 at the end of each calendar quarter shall be deposited, pursuant to sections  
23 35-146 and 35-147, in the state general fund.

24 D. Notwithstanding any other law, if a person is found responsible for  
25 a civil traffic violation or a notice of violation pursuant to a citation  
26 issued pursuant to this section, the department of transportation shall not  
27 consider the violation for the purpose of determining whether the person's  
28 driver license should be suspended or revoked. A court shall only transmit

1 abstracts of records of these violations to the department of transportation  
2 for commercial driver license holders.

3 E. A PUBLIC AGENCY OF THIS STATE, INCLUDING THE DEPARTMENT, SHALL NOT  
4 ENTER INTO A NEW CONTRACT OR RENEW AN EXISTING CONTRACT THAT AUTHORIZES PHOTO  
5 ENFORCEMENT UNLESS THE JOINT LEGISLATIVE BUDGET COMMITTEE APPROVES THE  
6 CONTRACT.”

7 Amend title to conform

JACK W. HARPER

3/29/10  
9:15 AM  
S: A0/tam