

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1274

(Reference to Senate engrossed bill)

1 Page 1, after line 45, insert:

2 "Sec. 2. Section 28-702.01, Arizona Revised Statutes, is amended to
3 read:

4 28-702.01. Maximum speed limit: waste of a finite resource;
5 civil penalties; exceptions

6 A. ~~If the maximum speed limit on a public highway in this state is~~
7 ~~fifty five miles per hour, A person shall not drive a motor vehicle at a~~
8 speed in excess of ~~fifty five miles per hour on that highway~~ THE MAXIMUM
9 SPEED LIMIT ON A STREET OR HIGHWAY. If the speed at which the person is
10 alleged to have driven as provided in section 28-707, subsection A or the
11 speed at which the court finds the person drove is ~~sixty-five~~:

12 1. TEN miles per hour or less OVER THE MAXIMUM SPEED LIMIT, the
13 offense is designated as the waste of a finite resource and is a civil
14 traffic violation subject to subsection B of this section.

15 2. ELEVEN MILES PER HOUR OR MORE OVER THE MAXIMUM SPEED LIMIT, THE
16 OFFENSE IS DESIGNATED AS A CIVIL TRAFFIC VIOLATION AND THE PERSON IS SUBJECT
17 TO A CIVIL PENALTY OF NOT MORE THAN THE AMOUNT PROVIDED IN SECTION 28-1598.

18 B. If a person is found responsible for a civil traffic violation
19 pursuant to subsection A, PARAGRAPH 1 of this section:

20 1. A department or agency of this state shall not consider the
21 violation for the purpose of determining whether the person's driver license
22 should be suspended or revoked and a court shall not transmit abstracts of
23 records of judgment for the violation to the department.

24 2. An insurer shall not consider the violation as a moving traffic
25 violation against the person for the purpose of establishing rates of motor
26 vehicle insurance charged by the insurer and shall not cancel or refuse to
27 renew a policy of insurance because of the violation.

28 3. The civil penalty shall not exceed fifteen dollars plus the
29 surcharges imposed pursuant to sections 12-116.01 and 12-116.02.

30 4. A report shall not be made under section 28-1559, subsection B.

1 C. If the maximum speed limit on a public highway in this state is
2 fifty-five miles per hour, a person shall not drive a motor vehicle at a
3 speed in excess of fifty-five miles per hour on that highway. If the speed
4 at which the person is alleged to have driven as provided in section 28-707,
5 subsection A or the speed at which the court finds the person drove is more
6 than sixty-five miles per hour, the offense is designated as a civil traffic
7 violation and the person is subject to a civil penalty of not more than the
8 amount provided in section 28-1598.

9 D. C. This section does not apply to ~~an interstate system highway~~
10 ~~located outside of an urbanized area, as defined in section 28-702.04, with a~~
11 ~~population of fifty thousand or more persons:~~

- 12 1. A SCHOOL CROSSING.
- 13 2. A STATE HIGHWAY WORK ZONE.
- 14 3. A SPEED ZONE.
- 15 4. A BUSINESS OR RESIDENTIAL DISTRICT."

16 Renumber to conform

17 Page 6, between lines 4 and 5, insert:

18 "Sec. 8. Section 28-3002, Arizona Revised Statutes, is amended to
19 read:

20 28-3002. Fees; driver licenses; disposition
21 A. The following fees are required:
22 1. For each original or initial application or renewal application, if
23 a written examination is required, for the following:
24 (a) Class A driver license, twenty-five dollars.
25 (b) Class B driver license, twenty-five dollars.
26 (c) Class C driver license, twelve dollars fifty cents.
27 (d) Class D driver license issued pursuant to section 28-3171, ten
28 dollars.
29 (e) Class M driver license issued pursuant to section 28-3171, ten
30 dollars.

1 2. Except as provided in paragraph 1, for each original, renewal or
2 reinstatement application for a class D, G or M license:

Age	Fee
50 or older	\$10.00
45-49	\$15.00
40-44	\$20.00
39 or younger	\$25.00

8 3. For each original or initial application or renewal examination, if
9 a written application is required, for the following endorsements to a driver
10 license:

- 11 (a) Bus endorsement, ten dollars.
- 12 (b) Hazardous materials endorsement, ten dollars.
- 13 (c) Tank vehicle endorsement, ten dollars.
- 14 (d) Double-triple trailer endorsement, ten dollars.
- 15 (e) Motorcycle endorsement, seven dollars.

16 4. For taking each driving test for a:

- 17 (a) Class A driver license, twenty-five dollars.
- 18 (b) Class B driver license, twenty-five dollars.
- 19 (c) Class C driver license, twelve dollars fifty cents.
- 20 (d) Bus endorsement, five dollars.

21 5. For each application for an instruction permit under:

- 22 (a) Section 28-3154 or 28-3156, seven dollars.
- 23 (b) Section 28-3155, three dollars.
- 24 (c) Section 28-3225, class A, twenty-five dollars.
- 25 (d) Section 28-3225, class B, twenty-five dollars.
- 26 (e) Section 28-3225, class C, twelve dollars fifty cents.

27 6. For each renewal application, if a written examination is not
28 required, for a:

- 29 (a) Class A driver license and any endorsement, other than a hazardous
30 materials endorsement, to the license, fifteen dollars.
- 31 (b) Class B driver license and any endorsement, other than a hazardous
32 materials endorsement, to the license, fifteen dollars.

1 (c) Class C driver license and any endorsement, other than a hazardous
2 materials endorsement, to the license, ten dollars.

3 7. For each application for a duplicate of a driver license, an amount
4 determined by the director.

5 8. For each application for a duplicate of an instruction permit, two
6 dollars.

7 9. In addition to the fees prescribed in paragraph 2 and except as
8 provided in paragraph 11:

9 (a) For reinstatement of driving privileges after suspension or
10 disqualification, ten dollars.

11 (b) For reinstatement of driving privileges after revocation, twenty
12 dollars.

13 10. For each application for an extension by mail of a driver license,
14 five dollars.

15 11. In addition to the fees prescribed in paragraph 2, for
16 reinstatement of driving privileges that were suspended or denied pursuant to
17 section 28-1385 after completion of the suspension or revocation, fifty
18 dollars.

19 12. For vision screening tests of out-of-state drivers, five dollars.

20 13. For class D or M driver license skills tests for out-of-state
21 drivers, fifteen dollars.

22 14. FOR A DRIVER LICENSE OR NONOPERATING IDENTIFICATION LICENSE ISSUED
23 PURSUANT TO SECTION 28-3175, AN AMOUNT TO BE DETERMINED BY THE DIRECTOR.

24 B. Except as otherwise provided by statute, the director shall
25 immediately deposit, pursuant to sections 35-146 and 35-147, fees collected
26 under this section in the Arizona highway user revenue fund.

1 Sec. 9. Title 28, chapter 8, article 4, Arizona Revised Statutes, is
2 amended by adding section 28-3175, to read:

3 28-3175. Driver licenses: nonoperating identification licenses:
4 use for boarding aircraft; accessing restricted
5 areas; rules

6 A. NOTWITHSTANDING ANY OTHER LAW, IF A DRIVER LICENSE APPLICANT OR
7 NONOPERATING IDENTIFICATION LICENSE APPLICANT REQUESTS A DRIVER LICENSE OR
8 NONOPERATING IDENTIFICATION LICENSE THAT ALLOWS THE APPLICANT TO BOARD A
9 FEDERALLY REGULATED COMMERCIAL AIRCRAFT OR TO ACCESS RESTRICTED AREAS IN
10 FEDERAL FACILITIES, NUCLEAR POWER PLANTS OR MILITARY FACILITIES, THE
11 DEPARTMENT MUST ISSUE THE APPLICANT THE DRIVER LICENSE OR NONOPERATING
12 IDENTIFICATION LICENSE.

13 B. A DRIVER LICENSE OR NONOPERATING IDENTIFICATION LICENSE ISSUED
14 PURSUANT TO THIS SECTION:

- 15 1. SHALL BE VALID FOR A PERIOD NOT TO EXCEED EIGHT YEARS.
16 2. MAY NOT CONTAIN RADIO FREQUENCY IDENTIFICATION TECHNOLOGY.
17 C. THE DEPARTMENT SHALL ADOPT RULES TO IMPLEMENT THIS SECTION."

18 Renumber to conform

19 Page 18, after line 21, insert:

20 "Sec. 17. Exemption from rulemaking

21 For the purposes of section 28-3175, Arizona Revised Statutes, and
22 section 28-3002, Arizona Revised Statutes, as amended by this act, the
23 department of transportation is exempt from the rulemaking requirements of
24 title 41, chapter 6, Arizona Revised Statues, for one year after the
25 effective date of section 28-3175, Arizona Revised Statutes. The department
26 of transportation shall provide public notice and an opportunity for public
27 comment on proposed rules at least thirty days before a rule is adopted or
28 amended.

29 Sec. 18. Conditional enactment; notice

30 A. Section 28-3175, Arizona Revised Statutes, and section 28-3002,
31 Arizona Revised Statutes, as amended by this act, become effective only if by
32 January 1, 2021 this state requests the federal government to grant this

1 state a waiver from complying with the requirements of the REAL ID act of
2 2005 (P.L. 109-13, division B; 119 Stat. 302) and the federal government does
3 not grant the waiver.

4 B. Section 28-3175, Arizona Revised Statutes, and section 28-3002,
5 Arizona Revised Statutes, as amended by this act, do not become effective if
6 by January 1, 2021:

7 1. This state does not request the waiver described in subsection A of
8 this section.

9 2. This state requests the waiver described in subsection A of this
10 section and receives the waiver from the federal government.

11 C. The department of transportation shall notify in writing the
12 director of the Arizona legislative council within three business days of the
13 date that the waiver is:

14 1. Requested.

15 2. Granted.

16 3. Denied."

17 Amend title to conform

RICK GRAY

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