

COMMITTEE ON WAYS AND MEANS  
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1288  
(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 28-2056, Arizona Revised Statutes, is amended to  
3 read:

4 28-2056. Transfer or registration of vehicle; collection of use tax

5 A. The registering officer shall collect the use tax imposed under  
6 title 42, chapter 5, article 4 AND UNDER THE MODEL CITY TAX CODE PURSUANT  
7 TO TITLE 42, CHAPTER 6, ARTICLE 2 at the time of application for a transfer  
8 of title or registration of a vehicle. The registering officer shall issue  
9 a receipt, in a form prescribed by the department, for the amount of tax  
10 paid. The registering officer shall not process an application for  
11 transfer of title or registration of any vehicle on which the use tax is  
12 imposed under title 42, chapter 5, article 4 AND UNDER THE MODEL CITY TAX  
13 CODE PURSUANT TO TITLE 42, CHAPTER 6, ARTICLE 2 until the tax is paid.

14 B. The department of transportation shall notify the department of  
15 revenue of taxes collected pursuant to this section. At the end of each  
16 month the department of transportation shall deposit, pursuant to sections  
17 35-146 and 35-147, tax monies collected pursuant to this section in the  
18 state general fund.

19 C. THE DEPARTMENT OF REVENUE SHALL PROVIDE THE DEPARTMENT OF  
20 TRANSPORTATION WITH THE MEANS TO CALCULATE THE USE TAXES REQUIRED TO BE  
21 COLLECTED PURSUANT TO SUBSECTION A OF THIS SECTION. THE MEANS SHALL  
22 INCLUDE USE TAX RATES APPLICABLE TO EACH JURISDICTION LEVYING A USE TAX.

23 Sec. 2. Section 28-2151, Arizona Revised Statutes, is amended to  
24 read:

25 28-2151. Registration by mail; postage fund

1           A. The director may establish a procedure for mailing registration  
2 applications and license plates ~~or license tabs~~ to applicants.

3           B. For purposes of paying postage incurred under this section, the  
4 director may establish a postage fund and charge the estimated costs  
5 incurred under this section for transmitting renewal notices to  
6 applicants. The director may transfer monies in the director's postage  
7 fund annually and use the monies as provided in section 28-6993, subsection  
8 C.

9           Sec. 3. Section 28-2158, Arizona Revised Statutes, is amended to  
10 read:

11           28-2158. Registration card

12           A. The department shall file each application for registration. If  
13 satisfied that the application is genuine and regular, the department shall  
14 issue a registration card to the owner of the vehicle and shall assign  
15 license plates to the vehicle. **THE DEPARTMENT SHALL ISSUE THE REGISTRATION**  
16 **CARD ELECTRONICALLY, AND THE VEHICLE OWNER SHALL PRINT THE ELECTRONICALLY**  
17 **ISSUED REGISTRATION CARD UNLESS THE VEHICLE OWNER REQUESTS THAT THE**  
18 **DEPARTMENT MAIL THE REGISTRATION CARD, IN WHICH CASE THE DEPARTMENT SHALL**  
19 **MAIL THE REGISTRATION CARD TO THE VEHICLE OWNER.**

20           B. The registration card shall contain on the face of the card all  
21 of the following:

- 22           1. The date it is issued.  
23           2. The registration number assigned to the owner and the vehicle.  
24           3. The name and address of the owner.  
25           4. A description of the registered vehicle, including the serial  
26 number.  
27           5. The amount of fees paid for registration of the vehicle.

28           C. The registration card shall be carried at all times in the  
29 driver's compartment of the vehicle for which it is issued. The  
30 registration card is subject to inspection by the director, members of the  
31 highway patrol or any peace officer.

32           Sec. 4. Section 28-2352, Arizona Revised Statutes, is amended to  
33 read:

28-2352. License plate; return; replacement; fee

A. On termination of the lawful use of the license plate the director may require return to the department of the plate issued by the department.

B. If the license plate of a vehicle is mutilated or illegible, the owner shall return the plate to the department, and the department shall issue a new plate on payment of the fee provided in this section.

C. The fee for replacement of each lost, destroyed or mutilated license plate, ~~OR~~ pair of license plates ~~or year validating tab~~ is five dollars.

Sec. 5. Section 28-2354, Arizona Revised Statutes, is amended to read:

28-2354. License plates; attachment; civil penalty

A. A person shall display the license plate or plates as follows:

1. For a motor vehicle, motorcycle, trailer or semitrailer, on the rear.

2. Except as provided in paragraph 3 of this subsection, for a vehicle for which two license plates are issued, the vehicle owner shall display either of the following:

(a) One plate on the rear.

(b) One plate on the front and one plate on the rear.

3. For a vehicle for which two special license plates are issued pursuant to section 28-2409, one plate on the rear of the vehicle and one plate on the operator's wheelchair carrier or wheelchair lift when it is attached to the vehicle.

B. A person shall display all license plates as required by subsection A of this section until their lawful use expires or is canceled or revoked. A person shall maintain each license plate so it is clearly legible. A person shall securely fasten each license plate to the vehicle as follows:

1. To prevent the plate from swinging.

2. At a height of at least twelve inches from the ground to the bottom of the plate.

3. In a position to be clearly visible.

C. A person shall maintain each license plate so that the name of this state at the top of the license plate is not obscured.

D. Unless authorized by the department, a person shall not apply a covering or any substance to the license plate or use an electronic device or electrochromatic film that obscures from any angle the numbers, characters, ~~year validating tabs~~ or name of the jurisdiction issuing the plate.

E. A peace officer shall not stop or issue a citation to a person operating a motor vehicle on a highway in this state for a violation of subsection C of this section unless the peace officer has reasonable cause to believe there is another alleged violation of a motor vehicle law of this state.

F. If a person violates subsection C of this section, the person is subject to a civil penalty of thirty dollars, except that if a person violates subsection C of this section within twelve months after the date of a prior violation of subsection C of this section, the person is subject to a civil penalty of one hundred dollars.

Sec. 6. Section 28-2355, Arizona Revised Statutes, is amended to read:

28-2355. License plate tabs; stickers; prohibition

The department may NOT issue ~~one or more~~ LICENSE PLATE tabs or windshield stickers to indicate the year for which a license plate is issued PURSUANT TO THIS CHAPTER.

Sec. 7. Section 28-2482, Arizona Revised Statutes, is amended to read:

28-2482. License plates for horseless carriages; definition

A. The department shall issue license plates for a horseless carriage on application and in the manner and at the time prescribed by the department. The license plates are in lieu of the regular license plates issued by the department.

B. The registration numbers and license plates assigned to horseless carriages shall be manufactured from Arizona copper and shall run in

1 separate numerical series beginning with "horseless carriage no. 1". The  
2 license plates shall be of a distinguishing color.

3 ~~C. On renewal of the registration of a horseless carriage, the~~  
4 ~~department shall annually issue symbols or devices as provided in section~~  
5 ~~28-2355.~~

6 ~~D.~~ C. For the purposes of this section, "horseless carriage" means  
7 a motor vehicle manufactured in 1915 or before.

8 Sec. 8. Section 28-2483, Arizona Revised Statutes, is amended to  
9 read:

10 28-2483. License plates for classic cars; definition

11 A. The department shall issue special license plates for a classic  
12 car on application and in the manner and at the time prescribed by the  
13 department. The license plates are in lieu of the regular license plates  
14 issued by the department.

15 B. The registration numbers and license plates assigned to classic  
16 cars shall be manufactured from Arizona copper and shall run in separate  
17 numerical series commencing with "classic car no. 1". The license plates  
18 shall be of a distinguishing color but different from the color selected  
19 for license plates issued under section 28-2482 or 28-2484. The director  
20 may allow a request for classic car special plates to be combined with a  
21 request for personalized special plates. If the director allows such a  
22 combination, the request shall be in a form prescribed by the director and  
23 is subject to the fees for the personalized special plates in addition to  
24 the fees required for the classic car special plates.

25 ~~C. On renewal of registration of a classic car, the department shall~~  
26 ~~annually issue symbols or devices as provided in section 28-2355.~~

27 ~~D.~~ C. For the purposes of this section, "classic car" means a car  
28 included in the 1963 list of classic cars filed with the director by the  
29 classic car club of America. The director shall revise the list every five  
30 years.

31 Sec. 9. Section 28-2484, Arizona Revised Statutes, is amended to  
32 read:

33 28-2484. License plates for historic vehicles; definition

1           A. The department shall issue special license plates for a historic  
2 vehicle on application and in the manner and at the time prescribed by the  
3 department. The license plates are in lieu of the regular license plates  
4 issued by the department.

5           B. The registration numbers and special license plates assigned to  
6 the historic vehicles shall be manufactured from Arizona copper and shall  
7 run in separate unique numerical series. The license plates shall be of a  
8 distinguishing color but different from the color selected for license  
9 plates issued under section 28-2482 or 28-2483.

10           ~~C. On renewal of registration of a historic vehicle, the department~~  
11 ~~shall annually issue symbols or devices as provided in section 28-2355.~~

12           ~~C.~~ C. The director shall grant the final approval of a vehicle to  
13 be licensed under this section.

14           ~~E.~~ D. For the purposes of this section, "historic vehicle" means  
15 any of the following:

16           1. A vehicle bearing a model year date of original manufacture that  
17 is twenty-five years old or older.

18           2. A vehicle included in a list of historic vehicles filed with the  
19 director by a recognized historic or classic vehicle organization during  
20 the month of December of each year.

21           3. A reconstructed vehicle that the director determines, on  
22 application by the owner, retains at least the basic original body style as  
23 manufactured twenty-five years or more before the date of the application.

24           Sec. 10. Section 28-4551, Arizona Revised Statutes, is amended to  
25 read:

26           28-4551. Expiration of temporary registration

27           A. A temporary registration plate expires and is void on receipt of  
28 a license plate provided pursuant to section 28-2351 ~~or a year validating~~  
29 ~~tab~~ or on expiration of forty-five days from the date of issuance.

30           B. A person to whom a temporary registration plate has been issued  
31 shall destroy the temporary registration plate immediately on receipt of a  
32 license plate provided pursuant to section 28-2351 ~~or a year validating~~  
33 ~~tab~~. If a license plate ~~or year validating tab~~ is not received within

1        forty-five days ~~from~~ AFTER the issuance of the temporary registration  
2        plate, the owner shall destroy the temporary registration plate immediately  
3        on expiration of the forty-five day period.

4                Sec. 11. Section 28-5101, Arizona Revised Statutes, is amended to  
5        read:

6                28-5101. Third party authorization

7                A. The director may authorize third parties to perform certain of  
8        the following functions:

9                1. Title and registration.

10              2. Motor carrier licensing and tax reporting.

11              3. Dealer licensing.

12              4. Driver licensing as prescribed in sections 28-5101.01, 28-5101.02  
13        and 28-5101.03.

14              B. The director may authorize a person to be a third party  
15        electronic service provider or to be a third party electronic service  
16        partner. An authorized third party electronic service provider shall meet  
17        all of the requirements established by the department. The written  
18        agreement between the department and the authorized third party electronic  
19        service provider may be for a limited number of services and may limit the  
20        persons that may receive the services. An authorized third party  
21        electronic service partner shall meet the requirements established by the  
22        department and shall be selected through a competitive bid process.

23              C. A person shall not engage in any business pursuant to this  
24        article unless the director authorizes the person to engage in the  
25        business.

26              D. The director may furnish necessary documents or license plates  
27        subject to this article.

28              E. Except as provided in subsection F of this section, an authorized  
29        third party or an authorized third party electronic service provider shall  
30        submit to the department all statutorily prescribed fees and taxes it  
31        collects. In addition to the statutorily prescribed fees and taxes, an  
32        authorized third party or an authorized third party electronic service

1 provider may collect and retain a reasonable and commensurate fee for its  
2 services.

3 F. In addition to payment pursuant to section 28-374, the department  
4 shall reimburse the authorized third party or third party electronic  
5 service provider as follows:

6 1. One dollar of each initial, renewal, replacement or duplicate  
7 registration fee for a vehicle or an aircraft.

8 2. One dollar of each initial, duplicate or transfer certificate of  
9 title fee for a vehicle or an aircraft.

10 3. An amount equal to two percent of each vehicle license tax  
11 payment or aircraft license tax payment the authorized third party collects  
12 and submits to the department or four dollars for each registration year or  
13 part of a registration year, whichever is more. The reimbursement amount  
14 shall not exceed the amount of vehicle license tax or aircraft license tax  
15 collected.

16 4. Four dollars for each initial, renewal, replacement or duplicate  
17 application that the third party processes and that relates to driver  
18 licenses, nonoperating identification licenses or permits. An authorized  
19 third party may add the cost for expedited processing of renewal,  
20 replacement or duplicate applications if requested by the applicant.

21 5. An amount equal to two percent of each overweight or excess size  
22 vehicle registration or permit fee the third party collects and submits to  
23 the department or one dollar for each overweight or excess size vehicle  
24 registration or permit processed, whichever is more.

25 6. One dollar for each motor vehicle or special motor vehicle  
26 record, excluding motor vehicle records released to commercial recipients,  
27 including insurers and their authorized agents.

28 7. Five dollars or one-fourth of one percent of the fuel taxes  
29 reported, whichever is greater, for each fuel tax report filed  
30 electronically. The maximum annual amount retained each year shall not  
31 exceed four hundred eighty thousand dollars.

32 8. One dollar for each fuel tax permit.



1           9. One dollar for each ~~non~~sufficient INSUFFICIENT funds or  
2 dishonored check payment.

3           10. One dollar for each abandoned vehicle report processed, except  
4 for applications for crushed vehicles.

5           11. One dollar for each abandoned vehicle payment.

6           12. Two dollars for each initial special or personalized license  
7 plate application.

8           13. One dollar for each initial, renewal or replacement vehicle  
9 dealer license plate.

10          14. Five dollars for each application for an initial vehicle dealer  
11 license or continuation of a vehicle dealer license.

12          15. One dollar of each twelve dollar fee paid pursuant to section  
13 28-2356.

14          16. One dollar for each traffic survival school application and one  
15 dollar for each certificate of completion processed.

16          17. One dollar for each replacement license plate ~~or tab~~.

17          G. For authorized third party electronic service partners, the  
18 amount of compensation and the amount of reimbursements for transactions  
19 shall be negotiated by the department and the authorized third party  
20 electronic service partner and shall be set forth in the written agreement  
21 authorizing the third party electronic service partner. If reimbursement  
22 is made for individual transactions, the reimbursements shall not exceed  
23 the amounts specified in subsections F, H and I of this section. Other  
24 forms of compensation or reimbursements for services may be specified in  
25 the written agreement. Compensation and reimbursements provided for by the  
26 written agreement may include the development and implementation of  
27 information technology and other automated systems and any necessary  
28 support for these systems.

29          H. The department's authorized third party electronic service  
30 provider may retain two dollars for processing documents electronically  
31 when the statutory fee ~~pursuant to~~ PRESCRIBED BY this title is two dollars  
32 or more.

1 I. The director may authorize the third party electronic service  
2 provider to process electronic fund transfers to the department for payment  
3 of motor vehicle taxes and fees. The third party electronic service  
4 provider may add a two dollar processing fee for each electronic funds  
5 transfer.

6 J. Each authorized third party that holds itself out as providing  
7 services to the general public shall post a sign in a conspicuous location  
8 in each facility of the authorized third party that contains all of the  
9 following:

10 1. The amount charged for each transaction performed by the  
11 authorized third party.

12 2. The amount charged by the department for the same transaction.

13 3. How to file a complaint or concern with the department about the  
14 authorized third party.

15 Sec. 12. Applicability

16 Section 28-2056, Arizona Revised Statutes, as amended by this act,  
17 applies to taxable periods beginning on or after the first day of the month  
18 following the general effective date."

19 Amend title to conform

And, as so amended, it do pass

MICHELLE UGENTI-RITA  
CHAIRMAN

1288WAYS AND MEANS  
03/21/2018  
11:57 AM  
H: NC