

REFERENCE TITLE: special license plates

State of Arizona
Senate
Forty-seventh Legislature
Second Regular Session
2006

SB 1179

Introduced by
Senators Jarrett, Allen, Huppenthal; Harper, Verschoor; Representatives
Knaperek, Paton

AN ACT

AMENDING SECTIONS 15-243, 15-719, 15-1641, 26-153, 28-332, 28-371, 28-641, 28-642, 28-737, 28-876, 28-954, 28-2091, 28-2351, 28-2402, 28-2403 AND 28-2405, ARIZONA REVISED STATUTES; REPEALING SECTIONS 28-2407 THROUGH 28-2422, 28-2423 AND 28-2424, ARIZONA REVISED STATUTES; REPEALING TITLE 28, CHAPTER 7, ARTICLE 13, ARIZONA REVISED STATUTES; REPEALING THE ARTICLE HEADING OF TITLE 28, CHAPTER 7, ARTICLE 14, ARIZONA REVISED STATUTES; REPEALING SECTIONS 28-2481 THROUGH 28-2485, 28-2487 AND 28-2488, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 7, ARTICLE 12, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 28-2407; RENUMBERING SECTIONS 28-2422.01 AND 28-2422.02, ARIZONA REVISED STATUTES, AS NEW SECTIONS 28-2408 AND 28-2409, RESPECTIVELY; AMENDING SECTIONS 28-2408 AND 28-2409, ARIZONA REVISED STATUTES, AS RENUMBERED BY THIS ACT; TRANSFERRING AND RENUMBERING SECTION 28-2486, ARIZONA REVISED STATUTES, FOR PLACEMENT IN TITLE 28, CHAPTER 7, ARTICLE 2, ARIZONA REVISED STATUTES, AS SECTION 28-2065; AMENDING SECTIONS 28-2511, 28-3101, 28-4832, 28-5805, 28-6501, 28-6991, 28-6993, 36-119, 37-1015, 41-109, 41-603, 41-608, 42-5071, 44-1261, 44-1562 AND 49-542.07, ARIZONA REVISED STATUTES; RELATING TO LICENSE PLATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-243, Arizona Revised Statutes, is amended to
3 read:

4 15-243. Golden rule special plate fund

5 A. The golden rule special plate fund is established consisting of
6 monies received pursuant to section ~~28-2424~~ 28-2407, SUBSECTION S. The
7 department of education shall administer the fund. Not more than ten per
8 cent of monies deposited in the fund annually shall be used for the cost of
9 administering the fund. Monies in the fund are continuously appropriated.
10 The department of education shall distribute monies in the fund before July 1
11 of each year.

12 B. The department of education shall allocate monies to a private
13 golden rule foundation that is an incorporated nonprofit corporation in this
14 state and that is qualified under section 501(c)(3) of the United States
15 internal revenue code for federal income tax purposes. The department of
16 education shall select a private golden rule foundation that provides golden
17 rule programs that demonstrate the promotion of the golden rule in schools in
18 this state and in communities in this state to receive monies from the golden
19 rule special plate fund.

20 Sec. 2. Section 15-719, Arizona Revised Statutes, is amended to read:

21 15-719. Character education program instruction; fund

22 A. Each common, high and unified school district and charter school
23 may provide instruction to kindergarten programs through the twelfth grade on
24 character development.

25 B. Each district may develop its own course of study for each
26 grade. At a minimum, the character education program must include:

27 1. Instruction in the definition and application of at least six of
28 the following character traits: truthfulness, responsibility, compassion,
29 diligence, sincerity, trustworthiness, respect, attentiveness, obedience,
30 orderliness, forgiveness, virtue, fairness, caring, citizenship and
31 integrity.

32 2. The use of activities, discussions and visual media and literacy
33 presentations to illustrate and reinforce the application of the character
34 traits.

35 3. Presentations by teachers or mentors who demonstrate the character
36 traits.

37 C. At the request of the school district or charter school, the
38 department of education may certify that the school district or charter
39 school has a character development instruction program that meets all of the
40 requirements in subsection B of this section.

41 D. Parents may elect for their child not to participate in the
42 program.

43 E. The school district or charter school may accept donations or
44 charge fees for the program if the program is not offered during regular
45 school hours.

1 F. A character education special plate fund is established consisting
2 of monies received pursuant to section ~~28-2421~~ 28-2407, SUBSECTION P. The
3 department of education shall administer the fund. Monies in the fund are
4 continuously appropriated. Monies from the fund shall be annually
5 distributed by the department by July 1.

6 G. The character education and development division at the department
7 of education shall allocate monies through at least two but no more than four
8 private character education foundations that are incorporated nonprofit
9 corporations in this state and that are qualified under section 501(c)(3) of
10 the United States internal revenue code for federal income tax purposes. The
11 director of the character education and development division at the
12 department of education shall select private character education foundations
13 that provide character education programs that demonstrate proven and
14 effective research based curriculum and training to receive monies from the
15 character education special plate fund.

16 H. On notice from the department of education, the state treasurer
17 shall invest and divest monies in the fund as provided by section 35-313, and
18 monies earned from investment shall be credited to the fund.

19 I. Monies in the fund are exempt from the provisions of section 35-190
20 relating to lapsing of appropriations.

21 Sec. 3. Section 15-1641, Arizona Revised Statutes, is amended to read:
22 15-1641. Collegiate special plate funds; purpose

23 A. The Arizona board of regents shall establish a separate collegiate
24 special plate fund for each university, as described in section 15-1601,
25 consisting of monies received by the board from collegiate plate annual
26 donations pursuant to section ~~28-2412~~ 28-2407, SUBSECTION G.

27 B. The board of regents shall require each university, as described in
28 section 15-1601, to submit a plan for approval of the expenditure of monies
29 in the appropriate fund. All monies in the fund shall only be used for
30 academic scholarships. Each university shall annually report to the board of
31 regents the percentage of monies that was expended on behalf of minority
32 applicants.

33 C. The board of regents may delegate to a state university foundation
34 approved by each university, as described in section 15-1601, the right to
35 market and promote the purchase of collegiate special plates. No dues, fees
36 or charges except those specified in section ~~28-2412~~ 28-2407, SUBSECTION G
37 may be levied or collected by a state university foundation in connection
38 with collegiate special plates.

39 D. The fund established in this section is exempt from section 35-190,
40 relating to lapsing of appropriations. At the direction of the board, the
41 state treasurer may invest and divest inactive monies in the fund as provided
42 by section 35-313. The state treasurer shall credit all interest earned on
43 the fund monies to the fund.

1 Sec. 4. Section 26-153, Arizona Revised Statutes, is amended to read:
2 26-153. Morale, welfare and recreational fund; sources of
3 monies; exemptions

4 A. A morale, welfare and recreational fund is established as a state
5 fund for morale, welfare and recreational activities and support personnel
6 for the national guard. Support personnel shall be employees of the fund and
7 not of this state. The adjutant general shall administer the fund pursuant
8 to regulations of the general staff, subject to approval of the governor.
9 Monies shall be deposited, pursuant to sections 35-146 and 35-147, in the
10 fund from the following sources:

11 1. Monies transferred by the director of the department of
12 transportation pursuant to section ~~28-2415~~ 28-2407, SUBSECTION J.

13 2. Monies deposited pursuant to section 26-102, subsection B,
14 paragraph 8 or monies generated from recycling activities consistent with
15 federal recycling policies.

16 3. Any other nonappropriated monies received by the national guard
17 from state and federal revenue producing military activities relating to
18 morale, welfare and recreation.

19 B. Monies in the fund are from nonappropriated sources, are not
20 subject to legislative appropriation and are exempt from the provisions of
21 section 35-190 relating to lapsing of appropriations. The adjutant general
22 may establish bank accounts for monies withdrawn from the fund to administer
23 the operations of the morale, welfare and recreational programs.

24 C. On notice from the adjutant general, the state treasurer shall
25 invest and divest monies in the fund as provided by section 35-313, and
26 monies earned from investment shall be credited to the fund.

27 D. Expenditures of monies in the fund are subject to general staff
28 regulations and are exempt from the procurement code requirements of title
29 41, chapter 23.

30 Sec. 5. Section 28-332, Arizona Revised Statutes, is amended to read:
31 28-332. Department of transportation jurisdiction; duties;
32 divisions

33 A. The exclusive control and jurisdiction over state highways, state
34 routes, state owned airports and all state owned transportation systems or
35 modes are vested in the department of transportation.

36 B. The department shall:

37 1. Register motor vehicles and aircraft, license drivers, collect
38 revenues, enforce motor vehicle and aviation statutes and perform related
39 functions.

40 2. Do ~~multi-modal~~ MULTIMODAL state transportation planning, cooperate
41 and coordinate transportation planning with local governments and establish
42 an annually updated priority program of capital improvements for all
43 transportation modes.

1 3. Design and construct transportation facilities in accordance with a
2 priority plan and maintain and operate state highways, state owned airports
3 and state public transportation systems.

4 4. Investigate new transportation systems and cooperate with and
5 advise local governments concerning the development and operation of public
6 transit systems.

7 5. Have administrative jurisdiction of transportation safety programs
8 and implement them in accordance with applicable law.

9 6. MARK HIGH OCCUPANCY VEHICLE LANE SIGNS TO INDICATE THAT THOSE LANES
10 MAY BE USED BY ALTERNATIVE FUEL VEHICLES REGARDLESS OF THE NUMBER OF
11 OCCUPANTS. THE DESIGN OF THE SIGN SHALL BE THE SAME AS THE DESIGN OF THE
12 ALTERNATIVE FUEL VEHICLE SPECIAL PLATE ISSUED PURSUANT TO SECTION 28-2407,
13 SUBSECTION K, AND THE SIGN SHALL BE AT LEAST AS LARGE AS THE HIGH OCCUPANCY
14 VEHICLE LANE SIGN. THESE HIGH OCCUPANCY VEHICLE LANE SIGNS ARE OFFICIAL
15 TRAFFIC CONTROL DEVICES. ON HIGHWAY EXIT SIGNS THE DEPARTMENT SHALL ALSO
16 INDICATE ACCESS TO ALTERNATIVE FUEL VEHICLE FUELING STATIONS THAT ARE OPEN TO
17 THE PUBLIC. IF THE DEPARTMENT PUBLISHES MAPS OF THE STATE HIGHWAY SYSTEM
18 THAT ARE DISTRIBUTED TO THE GENERAL PUBLIC, THE DEPARTMENT SHALL INDICATE ON
19 THOSE MAPS THE APPROXIMATE LOCATION OF ALTERNATIVE FUEL DELIVERY FACILITIES
20 THAT ARE OPEN TO THE PUBLIC. FOR THE PURPOSES OF THIS PARAGRAPH,
21 "ALTERNATIVE FUEL" HAS THE SAME MEANING PRESCRIBED IN SECTION 1-215.

22 C. In order to carry out the responsibilities enumerated in subsection
23 B OF THIS SECTION, the department is organized into the following divisions:

- 24 1. Motor vehicle.
- 25 2. Transportation planning.
- 26 3. Highways.
- 27 4. Aeronautics.
- 28 5. Public transit.
- 29 6. Administrative services.

30 Sec. 6. Section 28-371, Arizona Revised Statutes, is amended to read:
31 28-371. Surety bond

32 A. The director may authorize a person who is required to pay a fee to
33 the department pursuant to section 28-2003, 28-2094, 28-2352, ~~OR~~ 28-2402,
34 ~~28-2481~~ SECTION 28-2407, SUBSECTION U, SECTION 28-3002, 28-4302, 28-4533,
35 28-4540, 28-4542, 28-4544 or 28-4802, article 5 of this chapter or chapter
36 15, article 2 of this title to file with the director a bond on a form
37 approved by the director with a surety company authorized by the corporation
38 commission to transact business in this state as a surety. The person is the
39 principal obligor, and this state is the obligee on the bond. The bond shall
40 be conditioned on the payment by the person to the department of all fees
41 together with any interest and penalties imposed by the department pursuant
42 to this title. The director may accept cash deposits instead of a surety
43 bond to guarantee fee payments.

44 B. The director shall determine the total amount of the bond required
45 of a person, but the amount shall not exceed approximately three times the

1 highest monthly fee estimated by the director to become due by the person.
2 The director may increase or decrease the amount of the bond at any time.

3 Sec. 7. Section 28-641, Arizona Revised Statutes, is amended to read:
4 28-641. Traffic control device manual and specifications

5 The director shall adopt a manual and specifications for a uniform
6 system of traffic control devices for use on highways in this state. Except
7 as provided in section ~~28-2416~~ 28-332, SUBSECTION B, PARAGRAPH 6, the uniform
8 system shall correlate with and as far as possible conform to the system set
9 forth in the most recent edition of the manual on uniform traffic control
10 devices for streets and highways prepared by the national joint committee on
11 uniform traffic control devices.

12 Sec. 8. Section 28-642, Arizona Revised Statutes, is amended to read:
13 28-642. Traffic control signs on state highways; rules

14 A. The director shall place and maintain traffic control devices that
15 conform to the manual and specifications prescribed in section 28-641 and to
16 the requirements prescribed in section ~~28-2416~~ 28-332, SUBSECTION B,
17 PARAGRAPH 6 on all state highways as the director deems necessary to indicate
18 and to carry out this chapter or to regulate, warn or guide traffic.

19 B. A local authority shall not place or maintain a traffic control
20 device on a highway under the jurisdiction of the director except by the
21 director's permission.

22 C. In cooperation with local authorities, the director shall
23 synchronize traffic control signals on a state highway that has a traffic
24 flow exceeding fifteen thousand motor vehicles per day in a vehicle emissions
25 control area as defined in section 49-541.

26 D. The director shall adopt rules pursuant to title 41, chapter 6 to
27 establish criteria for the installation and maintenance of directional signs
28 for universities prescribed in section 15-1601, for community colleges as
29 defined in section 15-1401 and for the campus of a regionally accredited
30 college or university.

31 Sec. 9. Section 28-737, Arizona Revised Statutes, is amended to read:
32 28-737. High occupancy vehicle lanes; civil penalties;
33 definitions

34 A. Except as provided in ~~section 28-2416 and~~ subsections B, ~~and~~ C AND
35 D of this section, a person shall not drive a vehicle carrying fewer than two
36 persons, including the driver, in a high occupancy vehicle lane at any time
37 the use of the high occupancy vehicle lane is restricted to vehicles carrying
38 two or more persons, including the driver.

39 B. If the department receives approval from the federal government
40 allowing the use of high occupancy vehicle lanes by hybrid vehicles, a person
41 may drive a hybrid vehicle with alternative fuel vehicle special plates, or
42 an alternative fuel vehicle sticker, and a hybrid vehicle sticker issued
43 pursuant to section ~~28-2416~~ 28-2407, SUBSECTION K in high occupancy vehicle
44 lanes at any time, regardless of occupancy level, without penalty.

1 C. During the performance of a tow truck operator's duties, a tow
2 truck operator may drive a tow truck in a high occupancy vehicle lane,
3 regardless of occupancy level, without penalty.

4 D. EXCEPT AS PROVIDED IN SUBSECTION B OF THIS SECTION, A PERSON MAY
5 DRIVE A MOTOR VEHICLE WITH ALTERNATIVE FUEL VEHICLE SPECIAL PLATES OR AN
6 ALTERNATIVE FUEL VEHICLE STICKER IN HIGH OCCUPANCY VEHICLE LANES AT ANY TIME,
7 REGARDLESS OF OCCUPANCY LEVEL, WITHOUT PENALTY.

8 ~~D-~~ E. A person who violates subsection A of this section is subject
9 to a civil penalty of two hundred dollars.

10 ~~E-~~ F. Notwithstanding section 28-1554, one hundred dollars of each
11 civil penalty collected pursuant to subsection ~~D-~~ E of this section shall be
12 deposited in the state general fund.

13 G. A PERSON SHALL NOT DRIVE A MOTOR VEHICLE IN A HIGH OCCUPANCY
14 VEHICLE LANE WITH AN ALTERNATIVE FUEL VEHICLE STICKER IF THE MOTOR VEHICLE IS
15 NOT AN ALTERNATIVE FUEL VEHICLE OR A HYBRID VEHICLE FOR WHICH AN ALTERNATIVE
16 FUEL VEHICLE STICKER AND A HYBRID VEHICLE STICKER HAVE BEEN ISSUED PURSUANT
17 TO SECTION 28-2407, SUBSECTION K. A PERSON WHO VIOLATES THIS SUBSECTION IS
18 SUBJECT TO A CIVIL PENALTY OF THREE HUNDRED FIFTY DOLLARS. NOTWITHSTANDING
19 SECTION 28-1554, THE CIVIL PENALTY COLLECTED PURSUANT TO THIS SUBSECTION
20 SHALL BE DEPOSITED IN THE STATE GENERAL FUND.

21 ~~F-~~ H. For the purposes of this section: ~~-~~

22 1. "ALTERNATIVE FUEL" HAS THE SAME MEANING PRESCRIBED IN SECTION
23 1-215.

24 2. "Hybrid vehicle" means a factory-manufactured vehicle that
25 satisfies all of the following:

26 ~~1-~~ (a) Combines two or more power train technologies to produce a
27 vehicle with significantly lower fuel consumption than the average of its
28 class.

29 ~~2-~~ (b) Exhibits the storage of kinetic energy by use of regenerative
30 braking and batteries or capacitors, and the stored energy is used to assist
31 or provide full acceleration of the vehicle.

32 ~~3-~~ (c) Allows a portion of the energy to be supplied from an internal
33 combustion engine or fuel cell for vehicle acceleration and to store
34 electrical energy on board.

35 ~~4-~~ (d) Obtains all energy required to operate from storage fuel tanks
36 placed on board the vehicle.

37 ~~5-~~ (e) Has been approved by the United States environmental
38 protection agency as meeting, at a minimum, the United States environmental
39 protection agency ultralow emission vehicle standard pursuant to 40 Code of
40 Federal Regulations section 88.104-94.

41 Sec. 10. Section 28-876, Arizona Revised Statutes, is amended to read:

42 28-876. Parking spaces for electric vehicles; civil penalty

43 A. A person shall not stop, stand or park a motor vehicle within any
44 parking space specially designated for parking and fueling motor vehicles
45 fueled by electricity unless the motor vehicle is powered by electricity and

1 has been issued an alternative fuel vehicle special plate or sticker pursuant
2 to section ~~28-2416~~ 28-2407, SUBSECTION K.

3 B. If a law enforcement officer finds a motor vehicle in violation of
4 this section, the law enforcement officer shall issue a complaint to the
5 operator or other person in charge of the motor vehicle or, if an operator or
6 other person is not present, to the registered owner of the motor vehicle for
7 a civil traffic violation.

8 C. A person who is found responsible for a violation of this section
9 is subject to a civil penalty of at least three hundred fifty dollars.
10 Notwithstanding section 28-1554, the civil penalties collected pursuant to
11 this subsection shall be deposited in the state general fund.

12 Sec. 11. Section 28-954, Arizona Revised Statutes, is amended to read:
13 ~~28-954.~~ Horns and warning devices

14 A. A motor vehicle when operated on a highway shall be equipped with a
15 horn that is in good working order and that is capable of emitting sound
16 audible under normal conditions from a distance of at least two hundred
17 feet. Any horn or other warning device shall not emit an unreasonably loud
18 or harsh sound or a whistle.

19 B. If reasonably necessary to ensure the safe operation of a motor
20 vehicle, the driver shall give an audible warning with the driver's horn but
21 shall not otherwise use the horn when on a highway.

22 C. A vehicle shall not be equipped with and a person shall not use on
23 a vehicle a siren, whistle or bell, except as otherwise permitted in this
24 section.

25 D. A vehicle may but is not required to be equipped with a theft alarm
26 signal device that is arranged so that it cannot be used by the driver as an
27 ordinary warning signal.

28 E. An authorized emergency vehicle may be equipped with a siren,
29 whistle or bell that is capable of emitting sound audible under normal
30 conditions from a distance of at least five hundred feet and that is of a
31 type approved by the department. The siren shall not be used except when the
32 vehicle is operated in response to an emergency call or in the immediate
33 pursuit of an actual or suspected violator of the law or when necessary to
34 serve a civil traffic complaint. During these events the driver of the
35 vehicle shall sound the siren when reasonably necessary to warn pedestrians
36 and other drivers of the approach of the emergency vehicle.

37 F. A siren shall be allowed on a fire engine that is solely used for
38 hobby or display purposes and that has been issued a historic vehicle license
39 plate pursuant to section ~~28-2484~~ 28-2407, SUBSECTION U, PARAGRAPH 3 if
40 either of the following applies:

41 1. The siren is covered and is not activated while a person is
42 transporting or driving the vehicle to or from a parade, authorized
43 assemblage of historic vehicles or test.

44 2. The siren is activated only in a parade, for an authorized
45 assemblage of historic vehicles or for testing purposes.

1 Sec. 12. Section 28-2091, Arizona Revised Statutes, is amended to
2 read:

3 28-2091. Salvage certificate of title; nonrepairable vehicle
4 certificate of title; recovered vehicles; violation;
5 classification; definitions

6 A. If a vehicle that is subject to titling or registration pursuant to
7 this chapter becomes a salvage vehicle or nonrepairable vehicle and is
8 acquired by an insurance company as a result of a total loss insurance
9 settlement, the insurance company or its authorized agent shall submit an
10 application to the department within thirty days after the title is properly
11 assigned by the owner to the insurance company, with all liens released, on a
12 form prescribed by the department for a salvage certificate of title or
13 nonrepairable vehicle certificate of title and include the following:

- 14 1. A properly endorsed certificate of title.
- 15 2. A lien satisfaction, if applicable.
- 16 3. The registration card.
- 17 4. The license plates, if the license plates are not retained pursuant
18 to section 28-2356 or an affidavit of license plate destruction is not
19 submitted.

20 5. The appropriate fees.

21 B. If the registration card or license plate is lost or destroyed, the
22 applicant shall state in a form prescribed by the department, under penalty
23 of perjury, the circumstances of the loss or destruction.

24 C. Except for vehicles registered pursuant to section ~~28-2482, 28-2483~~
25 ~~or 28-2484~~ 28-2407, SUBSECTION U, PARAGRAPH 1, 2 OR 3, if the owner retains
26 possession of a salvage vehicle or nonrepairable vehicle, the owner shall
27 comply with this section before receiving a total loss settlement from the
28 insurance company or otherwise disposing of the vehicle.

29 D. Any other owner of a vehicle that is a salvage vehicle or
30 nonrepairable vehicle shall apply for a salvage certificate of title or
31 nonrepairable vehicle certificate of title pursuant to this section.

32 E. On receipt of a proper application, the department shall issue a
33 salvage certificate of title or nonrepairable vehicle certificate of title
34 for the vehicle.

35 F. If the department issues a nonrepairable vehicle certificate of
36 title for a vehicle, the registration of the vehicle is cancelled. The front
37 of a nonrepairable vehicle certificate of title shall be branded with the
38 word "nonrepairable". The ownership of a vehicle for which a nonrepairable
39 vehicle certificate of title has been issued shall not be reassigned more
40 than two times on that certificate of title. If a nonrepairable vehicle
41 certificate of title is issued for a vehicle, the department shall not issue
42 any further certificate of title for that vehicle.

43 G. An owner of a vehicle that is not a salvage vehicle who sells the
44 vehicle as scrap or for purposes of dismantling or destroying shall assign

1 the certificate of title to the purchaser, and the purchaser shall comply
2 with section 28-2094.

3 H. On sale of the vehicle, an owner of a salvage vehicle for which a
4 salvage certificate of title has been obtained or an owner of a nonrepairable
5 vehicle for which a nonrepairable vehicle certificate of title has been
6 obtained shall assign and deliver the salvage certificate of title or
7 nonrepairable vehicle certificate of title to the purchaser and shall notify
8 the department of the name and address of the purchaser.

9 I. Except as provided in subsection L of this section, the department
10 shall issue a certificate of title to a vehicle that has been issued a
11 salvage certificate of title as a result of a total loss settlement by reason
12 of theft if the vehicle is recovered and was not wrecked or stripped of
13 essential parts and the insurance company or its authorized agent submits an
14 affidavit to the department in a form prescribed by the department stating
15 either of the following:

16 1. The vehicle is a recovered theft and both of the following:

17 (a) The vehicle was not wrecked or stripped of essential parts.

18 (b) To the insurance company's or its authorized agent's actual
19 knowledge, no air bag or component part necessary to the proper function of
20 the air bag system deployed in the vehicle or was removed from the vehicle.

21 2. The vehicle is a recovered theft and, to the insurance company's or
22 its authorized agent's actual knowledge, an air bag or an air bag module
23 deployed in the vehicle or was removed from the vehicle. The insurance
24 company or its authorized agent shall list the location in the vehicle of
25 each deployment or removal of an air bag or an air bag module.

26 J. On receipt of an affidavit submitted pursuant to subsection I,
27 paragraph 2 of this section, the department shall mark its records to
28 indicate the deployment or removal of the air bag or air bag module from the
29 vehicle and the location of each deployment or removal.

30 K. The insurance company or its authorized agent shall give the
31 purchaser of a vehicle that is a recovered theft, as described in subsection
32 I of this section, a copy of the affidavit submitted pursuant to subsection I
33 of this section.

34 L. If the vehicle is a recovered theft and components of the vehicle's
35 air bag system, other than the air bag or the air bag module described in
36 subsection I, paragraph 2 of this section, or other parts of the vehicle were
37 removed compromising the functional integrity of the air bag system or the
38 structural integrity of the vehicle, the insurance company or its authorized
39 agent shall submit an affidavit to the department in a form prescribed by the
40 department stating that the vehicle is a recovered theft and that components
41 of the vehicle's air bag system, other than the air bag or the air bag module
42 described in subsection I, paragraph 2 of this section, or other parts of the
43 vehicle were removed compromising the functional integrity of the air bag
44 system or the structural integrity of the vehicle. The department shall not
45 issue a certificate of title to the vehicle but may issue a restored salvage

1 certificate of title pursuant to section 28-2095 if all of the following
2 apply:

3 1. The vehicle is repairable.
4 2. The department successfully completes a level three inspection as
5 prescribed in section 28-2011.

6 3. The vehicle meets other requirements the director prescribes.

7 M. Except as provided in subsection N of this section, any person who
8 sells a vehicle that is issued a certificate of title pursuant to subsection
9 I of this section and who has actual knowledge that an air bag, an air bag
10 module or components of the vehicle's air bag system compromising the
11 functional integrity of the air bag system deployed or were removed from the
12 vehicle shall not fail to disclose the deployment or removal to the buyer
13 before completion of the sale with the intention of concealing the deployment
14 or removal. A person who violates this subsection is guilty of a class 1
15 misdemeanor.

16 N. Subsection M of this section does not apply to either of the
17 following:

18 1. An insurance company or its authorized agent who issues an
19 affidavit pursuant to subsection I of this section unless the insurance
20 company or its authorized agent intentionally fails to disclose the
21 deployment or removal of an air bag, an air bag module or components of the
22 vehicle's air bag system that compromise the functional integrity of the air
23 bag system.

24 2. A person who owns a vehicle that is issued a certificate of title
25 pursuant to subsection I of this section if the person repairs or replaces
26 the air bag or air bag module in the vehicle.

27 O. Any person who sells a vehicle for which a salvage certificate of
28 title has been issued and who knows a salvage certificate of title has been
29 issued for the vehicle shall disclose to the buyer before completion of the
30 sale that the vehicle is a salvage vehicle.

31 P. If a vehicle that is titled as a salvage vehicle is to be scrapped,
32 dismantled or destroyed, the owner or purchaser shall comply with section
33 28-2094.

34 Q. The provisions of this chapter that refer to titles apply to
35 salvage certificates of title and nonrepairable vehicle certificates of title
36 issued pursuant to this section unless they conflict with this section.

37 R. If a component part of a vehicle on which the vehicle
38 identification number is affixed is to be replaced and if the vehicle is
39 being repaired by a person other than its owner, the person shall notify the
40 owner in writing and in the manner prescribed by the department that the part
41 has been replaced, and the owner shall comply with section 28-2165. This
42 subsection does not apply if the department has not issued a salvage
43 certificate of title or a nonrepairable certificate of title and if the
44 vehicle manufacturer or the manufacturer's authorized agent meets all of the
45 following conditions:

1 1. The frame is the component part replaced.

2 2. The frame replacement is performed by the vehicle manufacturer or
3 the manufacturer's authorized agent.

4 3. If the original frame contained a vehicle identification number or
5 serial number, the original vehicle identification number or serial number,
6 in a similar size and style, is restamped in the replacement frame by the
7 manufacturer or the manufacturer's authorized agent.

8 4. Any existing manufacturer warranties remaining on the vehicle are
9 not voided.

10 5. The manufacturer or the manufacturer's authorized agent obliterates
11 all vehicle identification numbers or serial numbers contained on the
12 original frame.

13 S. Except as otherwise provided, a person who violates this section is
14 guilty of a class 2 misdemeanor.

15 T. For the purposes of this section:

16 1. "Essential parts" means integral and body parts, the removal,
17 alteration or substitution of which will tend to conceal the identity or
18 substantially alter the appearance of the vehicle.

19 2. "Nonrepairable vehicle" means a vehicle of a type that is otherwise
20 subject to titling and registration pursuant to this chapter and that either:

21 (a) Has no resale value except as a source of parts or scrap metal and
22 the owner or insurer designates the vehicle solely as a source of parts or
23 scrap metal.

24 (b) Is a completely stripped vehicle that is recovered from theft and
25 that is missing the engine or motor, the transmission, all of the bolt-on
26 sheet metal body panels, all of the doors and hatches, substantially all of
27 the interior components and substantially all of the grill and light
28 assemblies or that the owner designates has little or no resale value except
29 its worth as a source of scrap metal or as a source of a vehicle
30 identification number that could be used illegally.

31 (c) Is a completely burned vehicle that has been burned to the extent
32 that there are no usable or repairable body or interior components, tires and
33 wheels, engine or motor or transmission and that the owner irreversibly
34 designates as having little or no resale value except as a source of scrap
35 metal or as a source of a vehicle identification number that could be used
36 illegally.

37 3. "Nonrepairable vehicle certificate of title" means a vehicle
38 ownership document issued to the owner of a nonrepairable vehicle.

39 4. "Salvage vehicle" means a vehicle, other than a nonrepairable
40 vehicle, of a type that is subject to titling and registration pursuant to
41 this chapter and that has been stolen, wrecked, destroyed, flood or water
42 damaged or otherwise damaged to the extent that the owner, leasing company,
43 financial institution or insurance company considers it uneconomical to
44 repair the vehicle.

1 Sec. 13. Section 28-2351, Arizona Revised Statutes, is amended to
2 read:

3 28-2351. License plate provided; design

4 A. The department shall provide to every owner one license plate for
5 each vehicle registered. At the request of the owner and on payment of any
6 required fee, the department shall provide either one or two license plates
7 for a vehicle for which a special plate is requested pursuant to this
8 chapter, except that the department shall provide one license plate if the
9 special plate is issued pursuant to section 28-2404, ~~28-2409~~ OR SECTION
10 28-2407, SUBSECTION D or ~~28-2416~~ K.

11 B. The license plate shall display the number assigned to the vehicle
12 and to the owner of the vehicle and the name of this state, which may be
13 abbreviated. The director shall coat the license plate with a reflective
14 material that is consistent with the determination of the license plate
15 commission established by section 28-2405 regarding the color and design of
16 license plates and special plates as prescribed by section 28-2405. The
17 director shall design the license plate and the letters and numerals on the
18 license plate to be of sufficient size to be plainly readable during daylight
19 from a distance of one hundred feet. In addition to the standard license
20 plate issued for a trailer before ~~the effective date of this amendment to~~
21 ~~this section~~ AUGUST 12, 2005, the director shall issue a license plate for
22 trailers that has a design that is similar to the standard size license plate
23 for trailers but that is the same size as the license plate for motorcycles.
24 The trailer owner shall notify the department which size license plate the
25 owner wants for the trailer.

26 C. Notwithstanding any other law, the department shall not contract
27 with a nongovernmental entity to purchase or secure reflective material for
28 the plates issued by the department unless the department has made a
29 reasonable effort to secure qualified bids or proposals from as many
30 individual responsible respondents as possible.

31 D. The license plate commission established by section 28-2405 shall
32 determine the color and design of the license plate. All other plates issued
33 by the department, except the plates issued pursuant to ~~sections 28-2412,~~
34 ~~28-2413, 28-2414, 28-2416 through 28-2424, 28-2452, 28-2453, 28-2454 and~~
35 ~~28-2455 and article 14 of this chapter~~ SECTION 28-2407, SUBSECTIONS G, H, I,
36 K, L, M, N, O, P, Q, R, S, T AND U, shall be the same color as and similar in
37 design to the license plate as determined by the commission.

38 E. A passenger motor vehicle rented without a driver shall receive the
39 same type of license plate as issued for a private passenger motor vehicle.

40 Sec. 14. Section 28-2402, Arizona Revised Statutes, is amended to
41 read:

42 28-2402. Special plate fees

43 The following fees are required:

44 1. Twenty-five dollars for each pair of original and for each annual
45 renewal of special plates issued under this article, except special plates

1 for hearing impaired persons issued under section ~~28-2408~~ 28-2407, SUBSECTION
2 C and international symbol of access special plates issued under section
3 ~~28-2409~~ 28-2407, SUBSECTION D AND EXCEPT AS OTHERWISE PROVIDED IN THIS
4 ARTICLE.

5 2. Twelve dollars for a transfer of special plates, unless exempt
6 pursuant to section 28-2403.

7 Sec. 15. Section 28-2403, Arizona Revised Statutes, is amended to
8 read:

9 ~~28-2403.~~ Special plates; transfers; violation; classification

10 A. Except as otherwise provided in this article, the department shall
11 issue or renew special plates in lieu of the regular license plates pursuant
12 to the following conditions and procedures and only if the requirements
13 prescribed by this article for the requested special plates are met:

14 1. Except as provided in section ~~28-2416~~ 2407, SUBSECTION K, a person
15 who is the registered owner of a vehicle registered with the department or
16 who applies for an original or renewal registration of a vehicle may submit
17 to the department a completed application form as prescribed by the
18 department with the fee prescribed by section 28-2402 for special plates in
19 addition to the registration fee prescribed by section 28-2003.

20 2. Except for plates issued pursuant to ~~sections 28-2412, 28-2413,~~
21 ~~28-2414, 28-2416 through 28-2424, 28-2452, 28-2453, 28-2454 and 28-2455 and~~
22 ~~article 14 of this chapter~~ SECTION 28-2407, SUBSECTIONS G, H, I, K, L, M, N,
23 O, P, Q, R, S, T AND U, the special plates shall be the same color as and
24 similar to the design of the regular license plates that is determined by the
25 license plate commission pursuant to section 28-2351.

26 3. Except as provided in section ~~28-2416~~ 28-2407, SUBSECTION K, the
27 department shall issue special plates only to the owner or lessee of a
28 vehicle that is currently registered, including any vehicle that has a
29 declared gross weight, as defined in section 28-5431, of twenty-six thousand
30 pounds or less.

31 4. Except as provided in section ~~28-2416~~ 28-2407, SUBSECTION K, the
32 department shall charge the fee prescribed by section 28-2402 for each annual
33 renewal of special plates in addition to the registration fee prescribed by
34 section 28-2003.

35 B. Except as provided in section ~~28-2416~~ 28-2407, SUBSECTION K, on
36 notification to the department and on payment of the transfer fee prescribed
37 by section 28-2402, a person who is issued special plates may transfer the
38 special plates to another vehicle the person owns or leases. Persons who are
39 issued special plates for hearing impaired persons pursuant to section
40 ~~28-2408~~ 28-2407, SUBSECTION C and international symbol of access special
41 plates pursuant to section ~~28-2409~~ 28-2407, SUBSECTION D are exempt from the
42 transfer fee. If a person who is issued special plates sells, trades or
43 otherwise releases ownership of the vehicle on which the plates have been
44 displayed, the person shall immediately report the transfer of the plates to
45 the department or the person shall surrender the plates to the department as

1 prescribed by the director. It is unlawful for a person to whom the plates
2 have been issued to knowingly permit them to be displayed on a vehicle except
3 the vehicle authorized by the department.

4 C. The special plates shall be affixed to the vehicle for which
5 registration is sought in lieu of the regular license plates.

6 D. A person is guilty of a class 3 misdemeanor who:

7 1. Violates subsection B of this section.

8 2. Fraudulently gives false or fictitious information in the
9 application for or renewal of special plates or placards issued pursuant to
10 this article.

11 3. Conceals a material fact or otherwise commits fraud in the
12 application for or renewal of special plates or placards issued pursuant to
13 this article.

14 Sec. 16. Section 28-2405, Arizona Revised Statutes, is amended to
15 read:

16 28-2405. License plate commission

17 A. A license plate commission is established. The commission is
18 composed of the following members:

19 1. Two public members who are appointed by the director of the
20 department of transportation.

21 2. A person who is appointed by the governor from the governor's
22 office of highway safety and who serves at the pleasure of the governor.

23 3. The director of the department of public safety or the director's
24 designee.

25 4. The director of the department of transportation or the director's
26 designee.

27 5. The director of the office of tourism or the director's designee.

28 6. The director of the state department of corrections or the
29 director's designee.

30 B. The director of the department of transportation or the director's
31 designee shall serve as chairman of the commission. The chairman shall
32 preside at commission meetings and coordinate the activities of the
33 commission and staff implementation of commission actions.

34 C. All official actions of the commission shall be decided by a
35 majority vote of commission members.

36 D. The commission shall determine the following:

37 1. The color and design of license plates.

38 2. The color of special plates to be the same as and the design of
39 special plates to be similar to the license plates, except for special plates
40 issued pursuant to ~~sections 28-2412, 28-2413, 28-2414, 28-2416 through~~
41 ~~28-2424, 28-2452, 28-2453, 28-2454 and 28-2455 and article 14 of this chapter~~
42 SECTION 28-2407, SUBSECTIONS G, H, I, K, L, M, N, O, P, Q, R, S, T AND U.

43 3. Whether to authorize special organization plates pursuant to
44 section 28-2404.

1 4. The indicia for special organization plates issued pursuant to
2 section 28-2404.

3 E. The department shall provide the commission with staff and
4 technical assistance as necessary to perform its functions.

5 F. Commission members are not eligible to receive compensation, but
6 the members who are appointed pursuant to subsection A, paragraphs 1 and 2 of
7 this section are eligible for reimbursement of expenses pursuant to title 38,
8 chapter 4, article 2.

9 Sec. 17. Repeal

10 The following are repealed:

11 1. Sections 28-2407 through 28-2422, 28-2423 and 28-2424, Arizona
12 Revised Statutes.

13 2. Title 28, chapter 7, article 13, Arizona Revised Statutes.

14 3. The article heading of title 28, chapter 7, article 14, Arizona
15 Revised Statutes.

16 4. Sections 28-2481 through 28-2485, 28-2487 and 28-2488, Arizona
17 Revised Statutes.

18 Sec. 18. Title 28, chapter 7, article 12, Arizona Revised Statutes, is
19 amended by adding a new section 28-2407, to read:

20 28-2407. Special license plates

21 A. THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE PLATES AS PRESCRIBED IN
22 THIS SECTION.

23 B. AMATEUR RADIO OPERATOR SPECIAL PLATES. THE DEPARTMENT SHALL ISSUE
24 AMATEUR RADIO OPERATOR SPECIAL PLATES TO A PERSON WHO PROVIDES SATISFACTORY
25 PROOF THAT THE PERSON OWNS AND HOLDS AN UNREVOKED AND UNEXPIRED AMATEUR RADIO
26 STATION LICENSE ISSUED BY THE FEDERAL COMMUNICATIONS COMMISSION. THE AMATEUR
27 RADIO OPERATOR SPECIAL PLATES SHALL BE INSCRIBED WITH THE OFFICIAL
28 IDENTIFYING AMATEUR RADIO CALL LETTERS OF THE APPLICANT AS ASSIGNED BY THE
29 FEDERAL COMMUNICATIONS COMMISSION.

30 C. SPECIAL PLATES FOR HEARING IMPAIRED PERSONS. THE DEPARTMENT SHALL
31 ISSUE TO A HEARING IMPAIRED PERSON SPECIAL PLATES THAT DISPLAY A DISTINCTIVE
32 NUMBER ASSIGNED TO THE VEHICLE AND TO THE VEHICLE OWNER OR LESSEE AND THAT
33 INDICATE THE OWNER OR LESSEE OF THE VEHICLE IS HEARING IMPAIRED. ON
34 APPLICATION, THE DEPARTMENT SHALL ISSUE A REMOVABLE PLACARD TO A HEARING
35 IMPAIRED PERSON AT NO ADDITIONAL CHARGE FOR DISPLAY IN A VEHICLE OPERATED BY
36 THE HEARING IMPAIRED PERSON. THE DEPARTMENT SHALL DESIGN THE PLACARD AND
37 DETERMINE THE REQUIRED DISPLAY OF THE PLACARD. FOR THE PURPOSES OF THIS
38 SUBSECTION, "HEARING IMPAIRED PERSON" MEANS A PERSON WHO CANNOT, WITH OR
39 WITHOUT A HEARING AID, HEAR AND UNDERSTAND NORMAL SPEECH IN OPTIMAL LISTENING
40 CONDITIONS AND WHO SUBMITS TO THE DEPARTMENT A CERTIFICATE THAT IS ISSUED BY
41 A PERSON LICENSED TO PRACTICE MEDICINE IN THIS STATE OR ANOTHER STATE OR BY
42 AN AUDIOLOGIST LICENSED PURSUANT TO TITLE 36, CHAPTER 17 AND THAT STATES THE
43 APPLICANT IS HEARING IMPAIRED.

44 D. INTERNATIONAL SYMBOL OF ACCESS SPECIAL PLATES. THE DEPARTMENT
45 SHALL ISSUE SPECIAL PLATES BEARING THE INTERNATIONAL SYMBOL OF ACCESS TO

1 EITHER A PERSON WHO IS PERMANENTLY PHYSICALLY DISABLED AND WHO IS AN OWNER OR
2 LESSEE OF A MOTOR VEHICLE OR AN ORGANIZATION THAT OWNS OR LEASES A MOTOR
3 VEHICLE THAT PRIMARILY TRANSPORTS PHYSICALLY DISABLED PERSONS. INTERNATIONAL
4 SYMBOL OF ACCESS SPECIAL PLATES AND PLACARDS ARE SUBJECT TO THE FOLLOWING:

5 1. A PERMANENTLY DISABLED SPECIAL PLATE ISSUED UNDER THIS SUBSECTION
6 IS VALID FOR AS LONG AS THE PERSON TO WHOM THE PLATE IS ISSUED QUALIFIES FOR
7 ISSUANCE UNDER THIS SUBSECTION.

8 2. A PERSON WHO IS PERMANENTLY PHYSICALLY DISABLED MAY OBTAIN, IF
9 QUALIFIED, A PERMANENTLY DISABLED REMOVABLE WINDSHIELD PLACARD. A PERSON WHO
10 IS TEMPORARILY PHYSICALLY DISABLED MAY OBTAIN, IF QUALIFIED, A TEMPORARILY
11 DISABLED REMOVABLE WINDSHIELD PLACARD. AN ORGANIZATION THAT PRIMARILY
12 TRANSPORTS PHYSICALLY DISABLED PERSONS MAY OBTAIN, IF QUALIFIED, A PLACARD
13 FOR EACH OF THE QUALIFIED VEHICLES. THE DEPARTMENT SHALL ISSUE ONLY ONE
14 VALID PLACARD TO A TEMPORARILY OR PERMANENTLY PHYSICALLY DISABLED APPLICANT,
15 EXCEPT TO REPLACE A LOST, STOLEN OR MUTILATED PLACARD OR IF THE DEPARTMENT
16 DETERMINES, ON RECEIVING THE APPLICANT'S WRITTEN REQUEST, THAT THE NEEDS OF
17 THE APPLICANT ARE SUCH THAT TWO VALID PLACARDS ARE REQUIRED. THE DEPARTMENT
18 SHALL ISSUE A PLACARD PURSUANT TO THIS SUBSECTION AT NO ADDITIONAL CHARGE.

19 3. A PERMANENTLY DISABLED REMOVABLE WINDSHIELD PLACARD ISSUED OR
20 RENEWED UNDER THIS SUBSECTION IS VALID FOR FIVE YEARS. A TEMPORARILY
21 DISABLED REMOVABLE WINDSHIELD PLACARD ISSUED OR RENEWED UNDER THIS SUBSECTION
22 IS VALID FOR A PERIOD OF TIME AS DETERMINED BY THE DEPARTMENT. A PERSON WHO
23 DESIRES TO OBTAIN A TEMPORARILY DISABLED REMOVABLE WINDSHIELD PLACARD FOR AN
24 ADDITIONAL PERIOD OF TIME SHALL SUBMIT A NEW APPLICATION.

25 4. A PERSON OR ORGANIZATION THAT DESIRES TO OBTAIN A PERMANENTLY
26 DISABLED OR TEMPORARILY DISABLED REMOVABLE WINDSHIELD PLACARD OR
27 INTERNATIONAL SYMBOL OF ACCESS SPECIAL PLATES SHALL SUBMIT AN APPLICATION TO
28 THE DEPARTMENT ON A FORM FURNISHED BY THE DEPARTMENT THAT CONTAINS ONE OF THE
29 FOLLOWING:

30 (a) IF A PERMANENTLY OR TEMPORARILY DISABLED PERSON, A CERTIFICATE
31 COMPLETED BY A HOSPITAL ADMINISTRATOR OR BY AN AUTHORIZED PHYSICIAN THAT
32 CERTIFIES THAT THE APPLICANT IS PHYSICALLY DISABLED.

33 (b) IF AN ORGANIZATION, A SIGNED STATEMENT BY AN AUTHORIZED OFFICER OF
34 THE ORGANIZATION AFFIRMING THAT THE REGISTERED VEHICLE THAT IS OWNED OR
35 LEASED BY THE ORGANIZATION AND THAT WILL DISPLAY THE PLACARD OR THE
36 INTERNATIONAL SYMBOL OF ACCESS SPECIAL PLATES PRIMARILY TRANSPORTS PHYSICALLY
37 DISABLED PERSONS.

38 5. ON RECEIPT OF THE APPLICATION CONTAINING THE MEDICAL CERTIFICATE OR
39 SIGNED STATEMENT, IF THE DEPARTMENT FINDS THAT THE APPLICANT QUALIFIES FOR
40 THE PARKING PRIVILEGES PURSUANT TO CHAPTER 3, ARTICLE 14 OF THIS TITLE, THE
41 DEPARTMENT SHALL ISSUE THE PLACARD OR INTERNATIONAL SYMBOL OF ACCESS SPECIAL
42 PLATES.

43 6. A PERSON OR AN ORGANIZATION DESIRING TO RENEW A PERMANENTLY
44 DISABLED REMOVABLE WINDSHIELD PLACARD SHALL SUBMIT AN APPLICATION TO THE
45 DEPARTMENT CONTAINING ONE OF THE FOLLOWING:

1 (a) IF A PERMANENTLY DISABLED PERSON, A SIGNED STATEMENT BY THE PERSON
2 THAT IS WITNESSED BY A DEPARTMENT AGENT OR NOTARY PUBLIC, THAT REQUESTS THE
3 RENEWAL OF THE PLACARD AND THAT AFFIRMS THAT THE PERSON IS PHYSICALLY
4 DISABLED.

5 (b) IF AN ORGANIZATION, A SIGNED STATEMENT BY AN AUTHORIZED OFFICER OF
6 THE ORGANIZATION AFFIRMING THAT THE REGISTERED VEHICLE THAT IS OWNED OR
7 LEASED BY THE ORGANIZATION AND THAT WILL DISPLAY THE PLACARD PRIMARILY
8 TRANSPORTS PHYSICALLY DISABLED PERSONS.

9 7. THE PLACARD OR INTERNATIONAL SYMBOL OF ACCESS SPECIAL PLATES SHALL
10 BE DISPLAYED ON OR IN THE MOTOR VEHICLE IN THE MANNER PRESCRIBED BY THE
11 DEPARTMENT.

12 8. A REQUEST FOR SPECIAL PLATES ISSUED UNDER THIS SUBSECTION MAY BE
13 COMBINED WITH A REQUEST FOR AN HONORED MILITARY LICENSE PLATE ISSUED UNDER
14 SUBSECTION T OF THIS SECTION OR ANY OTHER SPECIAL PLATE. THE DEPARTMENT
15 SHALL PRESCRIBE THE FORM FOR THE REQUEST. THE REQUEST IS SUBJECT TO PAYMENT
16 OF ONLY THE FEE REQUIRED FOR THE HONORED MILITARY LICENSE PLATE OR OTHER
17 SPECIAL PLATE AND IS NOT SUBJECT TO ANY OTHER SPECIAL PLATE FEE UNDER SECTION
18 28-2402. AN INTERNATIONAL SYMBOL OF ACCESS SPECIAL PLATE THAT IS COMBINED
19 WITH AN HONORED MILITARY LICENSE PLATE OR ANY OTHER SPECIAL PLATE IS NOT A
20 PERSONALIZED SPECIAL PLATE UNDER SECTION 28-2406.

21 9. FOR THE PURPOSES OF THIS SUBSECTION:

22 (a) "AUTHORIZED PHYSICIAN" MEANS A DOCTOR OF MEDICINE, OSTEOPATHY,
23 PODIATRY OR CHIROPRACTIC LICENSED TO PRACTICE MEDICINE IN THIS STATE OR
24 ANOTHER STATE OR AUTHORIZED BY THE UNITED STATES GOVERNMENT TO PRACTICE
25 MEDICINE.

26 (b) "PERMANENTLY DISABLED REMOVABLE WINDSHIELD PLACARD" MEANS A
27 TWO-SIDED, HOOKED PLACARD THAT INCLUDES ON EACH SIDE ALL OF THE FOLLOWING:

28 (i) THE INTERNATIONAL SYMBOL OF ACCESS THAT IS AT LEAST THREE INCHES
29 IN HEIGHT, THAT IS CENTERED ON THE PLACARD AND THAT IS WHITE ON A BLUE
30 SHIELD.

31 (ii) AN IDENTIFICATION NUMBER.

32 (iii) AN EXPIRATION DATE.

33 (iv) THE SEAL OR OTHER IDENTIFICATION OF THE ISSUING AUTHORITY.

34 (c) "PHYSICALLY DISABLED PERSON" MEANS A PERSON WHO, AS DETERMINED BY
35 A HOSPITAL ADMINISTRATOR OR AUTHORIZED PHYSICIAN, MEETS ANY OF THE FOLLOWING
36 CONDITIONS:

37 (i) CANNOT WALK TWO HUNDRED FEET WITHOUT STOPPING TO REST.

38 (ii) CANNOT WALK WITHOUT THE USE OF OR ASSISTANCE FROM ANY BRACE,
39 CANE, CRUTCH, OTHER PERSON, PROSTHETIC DEVICE, WHEELCHAIR OR OTHER ASSISTIVE
40 DEVICE.

41 (iii) IS RESTRICTED BY LUNG DISEASE TO SUCH AN EXTENT THAT THE
42 PERSON'S FORCED RESPIRATORY, EXPIRATORY VOLUME FOR ONE SECOND, IF MEASURED BY
43 SPIROMETRY, IS LESS THAN ONE LITER, OR THE ARTERIAL OXYGEN TENSION IS LESS
44 THAN SIXTY MM/HG ON ROOM AIR AT REST.

45 (iv) USES PORTABLE OXYGEN.

1 (v) HAS A CARDIAC CONDITION TO THE EXTENT THAT THE PERSON'S FUNCTIONAL
2 LIMITATIONS ARE CLASSIFIED IN SEVERITY AS CLASS III OR CLASS IV ACCORDING TO
3 STANDARDS SET BY THE AMERICAN HEART ASSOCIATION.

4 (vi) IS SEVERELY LIMITED IN THE PERSON'S ABILITY TO WALK DUE TO AN
5 ARTHRITIC, NEUROLOGICAL OR ORTHOPEDIC CONDITION.

6 (d) "TEMPORARILY DISABLED REMOVABLE WINDSHIELD PLACARD" MEANS A
7 TWO-SIDED, HOOKED PLACARD THAT INCLUDES ON EACH SIDE ALL OF THE FOLLOWING:

8 (i) THE INTERNATIONAL SYMBOL OF ACCESS THAT IS AT LEAST THREE INCHES
9 IN HEIGHT, THAT IS CENTERED ON THE PLACARD AND THAT IS WHITE ON A RED SHIELD.

10 (ii) AN IDENTIFICATION NUMBER.

11 (iii) A DATE OF EXPIRATION.

12 (iv) THE SEAL OR OTHER IDENTIFICATION OF THE ISSUING AUTHORITY.

13 E. HONORARY CONSULAR OFFICIAL SPECIAL PLATES. THE DEPARTMENT SHALL
14 ISSUE HONORARY CONSULAR OFFICIAL SPECIAL PLATES TO A CITIZEN OF THE UNITED
15 STATES OR A PERMANENT RESIDENT OF THIS COUNTRY WHO SUBMITS SATISFACTORY PROOF
16 TO THE DEPARTMENT THAT THE CITIZEN OR PERMANENT RESIDENT IS APPOINTED BY A
17 FOREIGN COUNTRY TO FACILITATE AND PROMOTE THE INTEREST OF THE FOREIGN COUNTRY
18 WITH THIS STATE.

19 F. PERSONALIZED STREET ROD VEHICLE SPECIAL PLATES. THE DEPARTMENT
20 SHALL ISSUE PERSONALIZED STREET ROD VEHICLE SPECIAL PLATES TO A PERSON WHO
21 OWNS A VEHICLE WITH A BODY DESIGN THAT RETAINS AT LEAST THE BASIC ORIGINAL
22 STYLE AS MANUFACTURED IN 1948 OR EARLIER AND THAT HAS BEEN MODIFIED FOR SAFE
23 ROAD USE. THE MODIFICATION MAY INCLUDE MODIFICATION OF THE DRIVE TRAIN AND
24 SUSPENSION AND BRAKE SYSTEMS, MODIFICATIONS TO THE BODY THROUGH THE USE OF
25 MATERIALS SUCH AS STEEL OR FIBERGLASS AND ANY OTHER SAFETY OR COMFORT
26 FEATURES. A PERSON WHO COMPLIES WITH THIS SUBSECTION MAY APPLY FOR
27 PERSONALIZED STREET ROD VEHICLE SPECIAL PLATES BY INDICATING ON THE
28 APPLICATION THE LETTERS, NUMBERS OR COMBINATION OF LETTERS AND NUMBERS
29 REQUESTED AS A REGISTRATION NUMBER. THE DEPARTMENT SHALL DETERMINE THE
30 NUMBER OF POSITIONS ALLOWED ON THE PERSONALIZED STREET ROD VEHICLE SPECIAL
31 PLATES. THE PERSONALIZED STREET ROD VEHICLE SPECIAL PLATES SHALL NOT
32 CONFLICT WITH EXISTING PLATES AND SHALL NOT DUPLICATE REGISTRATION
33 NUMBERS. THE DEPARTMENT MAY REFUSE TO ISSUE OR MAY SUSPEND, CANCEL OR REVOKE
34 ANY COMBINATION OF LETTERS OR NUMBERS OR ANY COMBINATION OF LETTERS AND
35 NUMBERS THAT CARRIES CONNOTATIONS THAT ARE OFFENSIVE TO GOOD TASTE AND
36 DECENCY, ANY COMBINATION THAT IS MISLEADING OR ANY COMBINATION THAT
37 DUPLICATES OTHER PLATES. IF A PERSON WHO HAS BEEN ISSUED PERSONALIZED STREET
38 ROD VEHICLE SPECIAL PLATES SELLS, TRADES OR OTHERWISE RELEASES OWNERSHIP OF
39 THE VEHICLE ON WHICH THE PLATES HAVE BEEN DISPLAYED AND RELINQUISHES THE
40 PLATES TO THE NEW OWNER OF THE VEHICLE, THE PERSON SHALL RELEASE THE PERSON'S
41 PRIORITY TO THE LETTERS, NUMBERS OR COMBINATION OF LETTERS AND NUMBERS THAT
42 IS DISPLAYED ON THE PERSONALIZED STREET ROD VEHICLE SPECIAL PLATES IN THE
43 MANNER PRESCRIBED BY THE DIRECTOR. THE PERSON TO WHOM THE PLATES ARE
44 RELINQUISHED SHALL APPLY TO THE DEPARTMENT FOR ISSUANCE OF THE PLATES TO THE
45 NEW APPLICANT.

1 G. COLLEGIATE SPECIAL PLATES. THE DEPARTMENT SHALL ISSUE COLLEGIATE
2 SPECIAL PLATES THAT IDENTIFY EACH UNIVERSITY THAT IS DESCRIBED IN SECTION
3 15-1601. THE COLLEGIATE SPECIAL PLATES SHALL HAVE THE SAME COLOR AND DESIGN
4 AS THE COLLEGIATE LICENSE PLATES ISSUED ON OR BEFORE DECEMBER 31, 1992,
5 EXCEPT THAT ON THE REQUEST OF A UNIVERSITY AS DESCRIBED IN SECTION 15-1601,
6 THE DEPARTMENT MAY REVISE THE COLOR AND DESIGN OF THE PLATES AS APPROPRIATE
7 FOR THE UNIVERSITY. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION
8 28-2402 FOR ORIGINAL COLLEGIATE SPECIAL PLATES AND FOR RENEWAL OF COLLEGIATE
9 SPECIAL PLATES, EIGHT DOLLARS IS A SPECIAL PLATE ADMINISTRATION FEE AND
10 SEVENTEEN DOLLARS IS A COLLEGIATE PLATE ANNUAL DONATION. THE DEPARTMENT
11 SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, ALL SPECIAL PLATE
12 ADMINISTRATION FEES IN THE STATE HIGHWAY FUND ESTABLISHED BY SECTION 28-6991
13 AND SHALL TRANSMIT THE COLLEGIATE PLATE ANNUAL DONATIONS TO THE BOARD OF
14 REGENTS FOR PLACEMENT IN THE APPROPRIATE UNIVERSITY COLLEGIATE SPECIAL PLATE
15 FUND. THE REQUEST FOR COLLEGIATE SPECIAL PLATES MAY BE COMBINED WITH A
16 REQUEST FOR PERSONALIZED SPECIAL PLATES. THIS REQUEST SHALL BE ON A FORM
17 PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES REQUIRED FOR THE
18 PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR COLLEGIATE
19 SPECIAL PLATES.

20 H. ENVIRONMENTAL SPECIAL PLATES. THE DEPARTMENT SHALL ISSUE
21 ENVIRONMENTAL SPECIAL PLATES. THE ENVIRONMENTAL SPECIAL PLATES SHALL HAVE
22 THE SAME BASIC COLOR AND DESIGN AS THE ENVIRONMENTAL LICENSE PLATES ISSUED ON
23 OR BEFORE DECEMBER 31, 1992, EXCEPT THAT THE DEPARTMENT MAY MAKE MINOR
24 ALTERATIONS OF ENVIRONMENTAL SPECIAL PLATES TO MAKE THE PLATES MORE
25 REFLECTIVE AND READABLE DURING THE DAYLIGHT AND NIGHTTIME HOURS. OF THE
26 TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR ORIGINAL ENVIRONMENTAL
27 SPECIAL PLATES AND FOR RENEWAL OF ENVIRONMENTAL SPECIAL PLATES, EIGHT DOLLARS
28 IS A SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN
29 ENVIRONMENTAL PLATE ANNUAL DONATION. THE DEPARTMENT SHALL DEPOSIT, PURSUANT
30 TO SECTIONS 35-146 AND 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE
31 STATE HIGHWAY FUND ESTABLISHED BY SECTION 28-6991 AND SHALL DEPOSIT THE
32 ENVIRONMENTAL PLATE ANNUAL DONATIONS IN THE ENVIRONMENTAL SPECIAL PLATE FUND
33 ESTABLISHED BY SECTION 37-1015 FOR DISBURSEMENT BY THE STATE LAND DEPARTMENT
34 FOR ENVIRONMENTAL EDUCATION PROGRAMS.

35 I. VETERAN SPECIAL PLATES. THE DEPARTMENT SHALL ISSUE VETERAN SPECIAL
36 PLATES TO EITHER A PERSON WHO SUBMITS SATISFACTORY PROOF TO THE DEPARTMENT
37 THAT THE PERSON IS A VETERAN OR THE IMMEDIATE FAMILY MEMBER OF A PERSON WHO
38 HAS BEEN ISSUED A LICENSE PLATE PURSUANT TO THIS SUBSECTION. THE DEPARTMENT
39 SHALL ISSUE VETERAN SPECIAL PLATES FOR MOTORCYCLES. THE VETERAN SPECIAL
40 PLATES SHALL CONTAIN A RED, WHITE AND BLUE DESIGN, AN AMERICAN FLAG IN THE
41 CENTER OF THE PLATE AND THE DESIGNATION "VETERAN" AT THE BOTTOM OF THE PLATE.
42 OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR ORIGINAL
43 VETERAN SPECIAL PLATES AND FOR RENEWAL OF VETERAN SPECIAL PLATES, EIGHT
44 DOLLARS IS A SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS A
45 VETERAN PLATE ANNUAL DONATION. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO

1 SECTIONS 35-146 AND 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE
2 STATE HIGHWAY FUND ESTABLISHED BY SECTION 28-6991 AND SHALL DEPOSIT THE
3 VETERAN PLATE ANNUAL DONATIONS IN THE VETERANS' DONATIONS FUND ESTABLISHED BY
4 SECTION 41-608.

5 J. NATIONAL GUARD MEMBER SPECIAL PLATES. THE DEPARTMENT SHALL ISSUE
6 NATIONAL GUARD MEMBER SPECIAL PLATES TO A PERSON WHO SUBMITS SATISFACTORY
7 PROOF TO THE DEPARTMENT THAT THE PERSON IS OR HAS BEEN A MEMBER OF THE
8 ARIZONA NATIONAL GUARD OR THE SPOUSE OF A PERSON WHO IS OR HAS BEEN A MEMBER
9 OF THE ARIZONA NATIONAL GUARD. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY
10 SECTION 28-2402 FOR ORIGINAL NATIONAL GUARD MEMBER SPECIAL PLATES AND FOR
11 RENEWAL OF NATIONAL GUARD MEMBER SPECIAL PLATES, EIGHT DOLLARS IS A SPECIAL
12 PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS A NATIONAL GUARD MEMBER
13 SPECIAL PLATE ANNUAL DONATION. THE DIRECTOR SHALL DEPOSIT, PURSUANT TO
14 SECTIONS 35-146 AND 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE
15 STATE HIGHWAY FUND ESTABLISHED BY SECTION 28-6991 AND SHALL DEPOSIT THE
16 NATIONAL GUARD MEMBER SPECIAL PLATE ANNUAL DONATIONS IN THE MORALE, WELFARE
17 AND RECREATIONAL FUND ESTABLISHED BY SECTION 26-153. THE DEPARTMENT SHALL
18 NOT ISSUE SPECIAL PLATES PURSUANT TO THIS SUBSECTION TO A PERSON OR TO THE
19 SPOUSE OF A PERSON WHO WAS DISCHARGED FROM THE ARMED FORCES UNDER CONDITIONS
20 LESS THAN HONORABLE.

21 K. ALTERNATIVE FUEL VEHICLE SPECIAL PLATES AND STICKERS. THE ISSUANCE
22 OF ALTERNATIVE FUEL VEHICLE SPECIAL PLATES AND STICKERS ARE SUBJECT TO THE
23 FOLLOWING:

24 1. BEGINNING APRIL 1, 1997, A PERSON WHO OWNS A MOTOR VEHICLE THAT HAS
25 EITHER BEEN CONVERTED OR MANUFACTURED TO USE AN ALTERNATIVE FUEL AND THE
26 ALTERNATIVE FUEL WAS SUBJECT TO THE USE FUEL TAX IMPOSED PURSUANT TO CHAPTER
27 16 OF THIS TITLE BEFORE APRIL 1, 1997 SHALL APPLY FOR ALTERNATIVE FUEL
28 VEHICLE SPECIAL PLATES PURSUANT TO THIS SUBSECTION.

29 2. A PERSON WHO OWNS A MOTOR VEHICLE THAT IS A HYBRID VEHICLE MAY
30 APPLY FOR ALTERNATIVE FUEL VEHICLE SPECIAL PLATES PURSUANT TO THIS
31 SUBSECTION. THE DEPARTMENT SHALL ISSUE ALTERNATIVE FUEL VEHICLE SPECIAL
32 PLATES, OR AN ALTERNATIVE FUEL VEHICLE STICKER AS PROVIDED IN PARAGRAPH 5 OF
33 THIS SUBSECTION, AND A HYBRID VEHICLE STICKER TO A PERSON WHO SATISFIES THE
34 REQUIREMENTS PRESCRIBED IN PARAGRAPH 3 OF THIS SUBSECTION. THE HYBRID
35 VEHICLE STICKER SHALL BE DESIGNED BY THE DEPARTMENT AND SHALL BE PLACED ON
36 THE MOTOR VEHICLE AS PRESCRIBED BY THE DEPARTMENT.

37 3. THE DEPARTMENT OF TRANSPORTATION SHALL ISSUE ALTERNATIVE FUEL
38 VEHICLE SPECIAL PLATES, OR AN ALTERNATIVE FUEL VEHICLE STICKER AS PROVIDED IN
39 PARAGRAPH 5 OF THIS SUBSECTION, TO A PERSON WHO SATISFIES ALL OF THE
40 FOLLOWING:

41 (a) OWNS A MOTOR VEHICLE THAT IS POWERED BY AN ALTERNATIVE FUEL OR
42 THAT IS A HYBRID VEHICLE.

43 (b) FOR AN ORIGINAL EQUIPMENT MANUFACTURED ALTERNATIVE FUEL VEHICLE OR
44 HYBRID VEHICLE, THE DEALER WHO SELLS THE MOTOR VEHICLE SHALL PROVIDE TO THE

1 DEPARTMENT OF TRANSPORTATION AND THE OWNER OF THE MOTOR VEHICLE A CERTIFICATE
2 INDICATING:

3 (i) THAT THE MOTOR VEHICLE IS POWERED BY AN ALTERNATIVE FUEL OR IS A
4 HYBRID VEHICLE.

5 (ii) THE EMISSION CLASSIFICATION OF THE MOTOR VEHICLE AS LOW,
6 INHERENTLY LOW, ULTRALOW OR ZERO.

7 (c) FOR A CONVERTED MOTOR VEHICLE OR A MOTOR VEHICLE THAT IS ASSEMBLED
8 BY THE OWNER, THE DEPARTMENT OF ENVIRONMENTAL QUALITY OR AN AGENT OF THE
9 DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL PROVIDE A CERTIFICATE TO THE
10 DEPARTMENT OF TRANSPORTATION AND THE OWNER OF THE MOTOR VEHICLE INDICATING
11 THAT THE MOTOR VEHICLE IS POWERED BY AN ALTERNATIVE FUEL OR IS A HYBRID
12 VEHICLE.

13 (d) PAYS AN EIGHT DOLLAR SPECIAL PLATE ADMINISTRATION FEE, EXCEPT THAT
14 VEHICLES THAT ARE REGISTERED PURSUANT TO SECTION 28-2511 ARE EXEMPT FROM THAT
15 FEE. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147,
16 ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND ESTABLISHED
17 BY SECTION 28-6991.

18 4. THE COLOR AND DESIGN OF THE ALTERNATIVE FUEL VEHICLE SPECIAL PLATES
19 ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT OF COMMERCE ENERGY OFFICE. THE
20 DIRECTOR MAY ALLOW A REQUEST FOR ALTERNATIVE FUEL VEHICLE SPECIAL PLATES TO
21 BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR
22 ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE
23 DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN
24 ADDITION TO THE FEES REQUIRED FOR ALTERNATIVE FUEL VEHICLE SPECIAL
25 PLATES. ALTERNATIVE FUEL VEHICLE SPECIAL PLATES ARE NOT TRANSFERABLE, EXCEPT
26 THAT IF THE DIRECTOR ALLOWS ALTERNATIVE FUEL VEHICLE SPECIAL PLATES TO BE
27 PERSONALIZED A PERSON WHO IS ISSUED PERSONALIZED ALTERNATIVE FUEL VEHICLE
28 SPECIAL PLATES MAY TRANSFER THOSE PLATES TO ANOTHER ALTERNATIVE FUEL VEHICLE
29 FOR WHICH THE PERSON IS THE REGISTERED OWNER OR LESSEE.

30 5. IF A MOTOR VEHICLE QUALIFIES PURSUANT TO THIS SUBSECTION AND ANY
31 OTHER SPECIAL PLATES ARE ISSUED PURSUANT TO ARTICLE 7 OR 8 OF THIS CHAPTER,
32 SECTION 28-2514 OR SUBSECTION T OF THIS SECTION FOR THE MOTOR VEHICLE, THE
33 DEPARTMENT MAY ISSUE AN ALTERNATIVE FUEL VEHICLE STICKER TO THE PERSON WHO
34 OWNS THE MOTOR VEHICLE. THE ALTERNATIVE FUEL VEHICLE STICKER SHALL BE
35 DIAMOND-SHAPED, SHALL INDICATE THE TYPE OF ALTERNATIVE FUEL USED BY THE
36 VEHICLE AND SHALL BE PLACED ON THE MOTOR VEHICLE AS PRESCRIBED BY THE
37 DEPARTMENT.

38 6. FOR THE PURPOSES OF THIS SUBSECTION:

39 (a) "ALTERNATIVE FUEL" HAS THE SAME MEANING PRESCRIBED IN SECTION
40 1-215.

41 (b) "HYBRID VEHICLE" HAS THE SAME MEANING PRESCRIBED IN SECTION
42 28-737.

43 L. CHILD ABUSE PREVENTION SPECIAL PLATES. THE DEPARTMENT OF
44 TRANSPORTATION SHALL ISSUE CHILD ABUSE PREVENTION SPECIAL PLATES. THE
45 DIRECTOR OF THE DIVISION FOR CHILDREN IN THE GOVERNOR'S OFFICE OR THE

1 DIRECTOR'S DESIGNEE SHALL DESIGN THE CHILD ABUSE PREVENTION SPECIAL PLATES.
2 THE DESIGN AND COLOR OF THE CHILD ABUSE PREVENTION SPECIAL PLATES ARE SUBJECT
3 TO THE APPROVAL OF THE DEPARTMENT OF TRANSPORTATION. OF THE TWENTY-FIVE
4 DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR ORIGINAL CHILD ABUSE PREVENTION
5 SPECIAL PLATES AND FOR RENEWAL OF CHILD ABUSE PREVENTION SPECIAL PLATES,
6 EIGHT DOLLARS IS A SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS
7 AN ANNUAL DONATION. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS
8 35-146 AND 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY
9 FUND ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO
10 THIS SUBSECTION IN THE PREVENTION OF CHILD ABUSE FUND ESTABLISHED BY SECTION
11 41-109.

12 M. NAVAJO NATION SPECIAL PLATES. THE DEPARTMENT SHALL ISSUE NAVAJO
13 NATION SPECIAL PLATES. THE COLOR AND DESIGN OF THE NAVAJO NATION SPECIAL
14 PLATES SHALL BE DIFFERENT FROM THE COLOR AND DESIGN OF REGULAR LICENSE PLATES
15 DETERMINED BY THE LICENSE PLATE COMMISSION PURSUANT TO SECTION 28-2351 AND
16 SHALL BE REPRESENTATIVE OF THE NAVAJO NATION. OF THE TWENTY-FIVE DOLLAR FEE
17 REQUIRED BY SECTION 28-2402 FOR THE ORIGINAL NAVAJO NATION SPECIAL PLATES AND
18 FOR RENEWAL OF NAVAJO NATION SPECIAL PLATES, EIGHT DOLLARS IS A SPECIAL PLATE
19 ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION. THE
20 DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, ALL SPECIAL
21 PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND ESTABLISHED BY SECTION
22 28-6991 AND SHALL TRANSMIT ALL DONATIONS COLLECTED PURSUANT TO THIS
23 SUBSECTION TO THE NAVAJO NATION DEPARTMENT OF HIGHWAY SAFETY. THE NAVAJO
24 NATION DEPARTMENT OF HIGHWAY SAFETY SHALL USE THESE MONIES ONLY FOR TRAFFIC
25 CONTROL DEVICES THAT CONFORM TO THE MANUAL AND SPECIFICATIONS PRESCRIBED IN
26 SECTION 28-641 ON HIGHWAYS ON THE NAVAJO RESERVATION THAT ARE LOCATED IN THIS
27 STATE AND THAT ARE NOT STATE HIGHWAYS.

28 N. TRANSPLANTATION AWARENESS SPECIAL PLATES. THE DEPARTMENT SHALL
29 ISSUE TRANSPLANTATION AWARENESS SPECIAL PLATES. THE COLOR AND DESIGN OF THE
30 TRANSPLANTATION AWARENESS SPECIAL PLATES SHALL BE DIFFERENT FROM THE COLOR
31 AND DESIGN OF REGULAR LICENSE PLATES DETERMINED BY THE LICENSE PLATE
32 COMMISSION PURSUANT TO SECTION 28-2351. OF THE TWENTY-FIVE DOLLAR FEE
33 REQUIRED BY SECTION 28-2402 FOR ORIGINAL TRANSPLANTATION AWARENESS SPECIAL
34 PLATES AND FOR RENEWAL OF TRANSPLANTATION AWARENESS SPECIAL PLATES, EIGHT
35 DOLLARS IS A SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN
36 ANNUAL DONATION. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146
37 AND 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
38 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
39 SUBSECTION IN THE TRANSPLANTATION AWARENESS FUND ESTABLISHED BY THIS
40 SUBSECTION. THE TRANSPLANTATION AWARENESS FUND IS ESTABLISHED CONSISTING OF
41 MONIES RECEIVED PURSUANT TO THIS SUBSECTION. THE DIRECTOR SHALL ADMINISTER
42 THE FUND. THE DIRECTOR SHALL SELECT A PRIVATE COALITION THAT IS QUALIFIED
43 UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE CODE FOR
44 FEDERAL INCOME TAX PURPOSES AND THAT HAS A MISSION OF PROMOTING
45 TRANSPLANTATION AWARENESS AND ALLOCATE THE MONIES IN THE FUND TO THE

1 COALITION ON AN ANNUAL BASIS. ON NOTICE FROM THE DIRECTOR, THE STATE
2 TREASURER SHALL INVEST AND DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION
3 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND.
4 MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING
5 TO LAPSING OF APPROPRIATIONS.

6 O. SAN CARLOS APACHE TRIBE SPECIAL PLATES. THE DEPARTMENT SHALL ISSUE
7 SAN CARLOS APACHE TRIBE SPECIAL PLATES. THE COLOR AND DESIGN OF THE SAN
8 CARLOS APACHE TRIBE SPECIAL PLATES SHALL BE DIFFERENT FROM THE COLOR AND
9 DESIGN OF REGULAR LICENSE PLATES DETERMINED BY THE LICENSE PLATE COMMISSION
10 PURSUANT TO SECTION 28-2351 AND SHALL BE REPRESENTATIVE OF THE SAN CARLOS
11 APACHE TRIBE. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR
12 THE ORIGINAL SAN CARLOS APACHE TRIBE SPECIAL PLATES AND FOR RENEWAL OF SAN
13 CARLOS APACHE TRIBE SPECIAL PLATES, EIGHT DOLLARS IS A SPECIAL PLATE
14 ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION. THE
15 DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, ALL SPECIAL
16 PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND ESTABLISHED BY SECTION
17 28-6991 AND SHALL TRANSMIT ALL DONATIONS COLLECTED PURSUANT TO THIS
18 SUBSECTION TO THE SAN CARLOS APACHE TRIBE TRANSPORTATION BOARD. THE SAN
19 CARLOS APACHE TRIBE TRANSPORTATION BOARD SHALL USE THESE MONIES ONLY FOR
20 TRAFFIC CONTROL DEVICES THAT CONFORM TO THE MANUAL AND SPECIFICATIONS
21 PRESCRIBED IN SECTION 28-641 ON HIGHWAYS ON THE SAN CARLOS APACHE TRIBE
22 RESERVATION THAT ARE LOCATED IN THIS STATE AND THAT ARE NOT STATE HIGHWAYS.

23 P. CHARACTER EDUCATION SPECIAL PLATES. THE DEPARTMENT OF
24 TRANSPORTATION SHALL ISSUE CHARACTER EDUCATION SPECIAL PLATES. THE
25 SUPERINTENDENT OF PUBLIC INSTRUCTION OR THE SUPERINTENDENT'S DESIGNEE SHALL
26 DESIGN THE CHARACTER EDUCATION SPECIAL PLATES. THE DESIGN AND COLOR OF THE
27 CHARACTER EDUCATION SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF THE
28 DEPARTMENT OF TRANSPORTATION. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY
29 SECTION 28-2402 FOR ORIGINAL CHARACTER EDUCATION SPECIAL PLATES AND FOR
30 RENEWAL OF CHARACTER EDUCATION SPECIAL PLATES, EIGHT DOLLARS IS A SPECIAL
31 PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION. THE
32 DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, ALL SPECIAL
33 PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND ESTABLISHED BY SECTION
34 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS SUBSECTION IN THE
35 CHARACTER EDUCATION SPECIAL PLATE FUND ESTABLISHED BY SECTION 15-719 FOR
36 DISBURSEMENT BY THE DEPARTMENT OF EDUCATION PURSUANT TO SECTION 15-719.

37 Q. SPAYING AND NEUTERING OF ANIMALS SPECIAL PLATES. THE DEPARTMENT
38 SHALL ISSUE SPAYING AND NEUTERING OF ANIMALS SPECIAL PLATES. THE COMPANION
39 ANIMAL SPAY AND NEUTER COMMITTEE ESTABLISHED BY SECTION 28-2408 SHALL DESIGN
40 THE SPAYING AND NEUTERING OF ANIMALS SPECIAL PLATES. THE DESIGN AND COLOR OF
41 THE SPAYING AND NEUTERING OF ANIMALS SPECIAL PLATES ARE SUBJECT TO THE
42 APPROVAL OF THE DEPARTMENT. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY
43 SECTION 28-2402 FOR THE ORIGINAL SPAYING AND NEUTERING OF ANIMALS SPECIAL
44 PLATES AND FOR RENEWAL OF SPAYING AND NEUTERING OF ANIMALS SPECIAL PLATES,
45 EIGHT DOLLARS IS A SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS

1 AN ANNUAL DONATION. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS
 2 35-146 AND 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY
 3 FUND ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO
 4 THIS SECTION IN THE SPAYING AND NEUTERING OF ANIMALS FUND ESTABLISHED BY
 5 SECTION 28-2409.

6 R. BREAST AND CERVICAL CANCER SCREENING AND DIAGNOSTIC SPECIAL PLATES.

7 THE DEPARTMENT SHALL ISSUE BREAST AND CERVICAL CANCER SCREENING AND
 8 DIAGNOSTIC SPECIAL PLATES IF, BY DECEMBER 31, 2005, THIRTY-TWO THOUSAND
 9 DOLLARS IS PAID TO THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SUBSECTION.
 10 THE DIRECTOR OF THE DEPARTMENT, OR THE DIRECTOR'S DESIGNEE, SHALL DESIGN THE
 11 BREAST AND CERVICAL CANCER SCREENING AND DIAGNOSTIC SPECIAL PLATES. THE
 12 DIRECTOR MAY ALLOW A REQUEST FOR BREAST AND CERVICAL CANCER SCREENING AND
 13 DIAGNOSTIC SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED
 14 SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL
 15 BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE
 16 PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR BREAST AND
 17 CERVICAL CANCER SCREENING AND DIAGNOSTIC SPECIAL PLATES. OF THE TWENTY-FIVE
 18 DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE ORIGINAL BREAST AND CERVICAL
 19 CANCER SCREENING AND DIAGNOSTIC SPECIAL PLATES AND FOR RENEWAL OF BREAST AND
 20 CERVICAL CANCER SCREENING AND DIAGNOSTIC SPECIAL PLATES, EIGHT DOLLARS IS A
 21 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.
 22 THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, ALL
 23 SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND ESTABLISHED BY
 24 SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS SUBSECTION IN
 25 THE BREAST AND CERVICAL CANCER SCREENING AND DIAGNOSTIC SPECIAL PLATE FUND
 26 ESTABLISHED BY SECTION 36-119.

27 S. GOLDEN RULE SPECIAL PLATES. THE DEPARTMENT SHALL ISSUE GOLDEN RULE

28 SPECIAL PLATES IF, BY DECEMBER 31, 2005, AN INCORPORATED NONPROFIT
 29 CORPORATION IN THIS STATE THAT IS QUALIFIED UNDER SECTION 501(c)(3) OF THE
 30 UNITED STATES INTERNAL REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES PROVIDES
 31 PROOF SATISFACTORY TO THE DIRECTOR THAT THE CORPORATION PROVIDES GOLDEN RULE
 32 PROGRAMS THAT DEMONSTRATE THE PROMOTION OF THE GOLDEN RULE IN SCHOOLS IN THIS
 33 STATE AND IN COMMUNITIES IN THIS STATE AND PAYS THIRTY-TWO THOUSAND DOLLARS
 34 TO THE DEPARTMENT FOR IMPLEMENTATION OF THIS SUBSECTION. THE SECRETARY OF
 35 STATE OR THE SECRETARY OF STATE'S DESIGNEE SHALL DESIGN THE GOLDEN RULE
 36 SPECIAL PLATES. THE DESIGN AND COLOR OF THE GOLDEN RULE SPECIAL PLATES ARE
 37 SUBJECT TO THE APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST
 38 FOR GOLDEN RULE SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED
 39 SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL
 40 BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE
 41 PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR GOLDEN RULE
 42 SPECIAL PLATES. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402
 43 FOR THE ORIGINAL GOLDEN RULE SPECIAL PLATES AND FOR RENEWAL OF GOLDEN RULE
 44 SPECIAL PLATES, EIGHT DOLLARS IS A SPECIAL PLATE ADMINISTRATION FEE AND
 45 SEVENTEEN DOLLARS IS AN ANNUAL DONATION. THE DEPARTMENT SHALL DEPOSIT,

1 PURSUANT TO SECTIONS 35-146 AND 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES
2 IN THE STATE HIGHWAY FUND ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS
3 COLLECTED PURSUANT TO THIS SUBSECTION IN THE GOLDEN RULE SPECIAL PLATE FUND
4 ESTABLISHED BY SECTION 15-243.

5 T. HONORED MILITARY LICENSE PLATES. A PERSON WHO IS THE REGISTERED
6 OWNER OF A VEHICLE REGISTERED WITH THE DEPARTMENT OR WHO APPLIES FOR AN
7 ORIGINAL OR RENEWAL REGISTRATION OF A VEHICLE MAY SUBMIT TO THE DEPARTMENT A
8 COMPLETED APPLICATION FORM FOR HONORED MILITARY LICENSE PLATES AS PRESCRIBED
9 BY THE DEPARTMENT. THE DEPARTMENT SHALL ISSUE HONORED MILITARY LICENSE
10 PLATES ONLY TO THE OWNER OR LESSEE OF A VEHICLE THAT IS CURRENTLY REGISTERED,
11 INCLUDING ANY VEHICLE THAT HAS A DECLARED GROSS WEIGHT, AS DEFINED IN SECTION
12 28-5431, OF TWENTY-SIX THOUSAND POUNDS OR LESS AND SUBJECT TO THE FOLLOWING
13 REQUIREMENTS:

14 1. CONGRESSIONAL MEDAL OF HONOR LICENSE PLATES. THE DEPARTMENT SHALL
15 ISSUE AT NO ADDITIONAL COST DISTINCTIVE LICENSE PLATES TO A PERSON WHO
16 SUBMITS PROOF TO THE DEPARTMENT THAT THE PERSON IS A RECIPIENT OF THE
17 CONGRESSIONAL MEDAL OF HONOR.

18 2. FORMER PRISONER OF WAR LICENSE PLATES. THE DEPARTMENT SHALL ISSUE
19 THE DISTINCTIVE LICENSE PLATE TO A PERSON, OTHER THAN A PERSON WHO WAS
20 DISCHARGED FROM THE ARMED FORCES UNDER CONDITIONS LESS THAN HONORABLE, WHO
21 SUBMITS SATISFACTORY PROOF TO THE DEPARTMENT THAT THE PERSON WAS CAPTURED AND
22 INCARCERATED BY AN ENEMY OF THE UNITED STATES DURING A PERIOD OF CONFLICT
23 WITH THE UNITED STATES OR TO THE IMMEDIATE FAMILY MEMBER OF A PERSON WHO HAS
24 BEEN ISSUED A LICENSE PLATE PURSUANT TO THIS PARAGRAPH. FOR EACH PAIR OF
25 ORIGINAL LICENSE PLATES ISSUED PURSUANT TO THIS PARAGRAPH, THE DEPARTMENT
26 SHALL COLLECT A FEE OF FIFTEEN DOLLARS IN ADDITION TO THE REGISTRATION FEE
27 REQUIRED BY SECTION 28-2003. FOR EACH ANNUAL RENEWAL OF LICENSE PLATES
28 ISSUED PURSUANT TO THIS PARAGRAPH, THE DEPARTMENT SHALL CHARGE A FEE OF FIVE
29 DOLLARS IN ADDITION TO THE REGISTRATION FEE REQUIRED BY SECTION 28-2003. THE
30 DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, THE FIFTEEN
31 DOLLAR FEE AS A DONATION IN THE VETERANS' DONATIONS FUND ESTABLISHED BY
32 SECTION 41-608.

33 3. PURPLE HEART MEDAL RECIPIENT LICENSE PLATES. THE DEPARTMENT SHALL
34 ISSUE THE DISTINCTIVE LICENSE PLATES TO A PERSON WHO SUBMITS SATISFACTORY
35 PROOF TO THE DEPARTMENT THAT THE PERSON IS A VETERAN AND A BONA FIDE PURPLE
36 HEART MEDAL RECIPIENT OR TO THE IMMEDIATE FAMILY MEMBER OF A PERSON WHO HAS
37 BEEN ISSUED A LICENSE PLATE PURSUANT TO THIS PARAGRAPH. FOR EACH PAIR OF
38 ORIGINAL LICENSE PLATES ISSUED PURSUANT TO THIS PARAGRAPH, THE DEPARTMENT
39 SHALL COLLECT A FEE OF TWENTY-FIVE DOLLARS IN ADDITION TO THE REGISTRATION
40 FEE REQUIRED BY SECTION 28-2003. FOR EACH ANNUAL RENEWAL OF LICENSE PLATES
41 ISSUED PURSUANT TO THIS PARAGRAPH, THE DEPARTMENT SHALL CHARGE A FEE OF FIVE
42 DOLLARS IN ADDITION TO THE REGISTRATION FEE REQUIRED BY SECTION 28-2003. THE
43 DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, THE
44 TWENTY-FIVE DOLLAR FEE AS A DONATION IN THE VETERANS' DONATIONS FUND
45 ESTABLISHED BY SECTION 41-608.

1 4. PEARL HARBOR SURVIVOR LICENSE PLATES. THE DEPARTMENT SHALL ISSUE
2 DISTINCTIVE LICENSE PLATES TO A PERSON WHO SUBMITS SATISFACTORY PROOF FROM
3 THE DEPARTMENT OF VETERANS' SERVICES TO THE DEPARTMENT OF TRANSPORTATION THAT
4 THE PERSON WAS A MEMBER OF THE UNITED STATES ARMED FORCES ON DECEMBER 7,
5 1941, THE PERSON RECEIVED AN HONORABLE DISCHARGE FROM THE UNITED STATES ARMED
6 FORCES AND THE PERSON WAS ON STATION ON DECEMBER 7, 1941 DURING THE HOURS OF
7 7:55 A.M. TO 9:45 A.M. HAWAII TIME AT PEARL HARBOR, THE ISLAND OF OAHU OR
8 OFFSHORE AT A DISTANCE NOT EXCEEDING THREE MILES OR TO THE IMMEDIATE FAMILY
9 MEMBER OF A PERSON WHO HAS BEEN ISSUED A LICENSE PLATE PURSUANT TO THIS
10 PARAGRAPH. FOR EACH PAIR OF ORIGINAL LICENSE PLATES ISSUED PURSUANT TO THIS
11 PARAGRAPH, THE DEPARTMENT SHALL COLLECT A FEE OF TWENTY-FIVE DOLLARS IN
12 ADDITION TO THE REGISTRATION FEE REQUIRED BY SECTION 28-2003. FOR EACH
13 ANNUAL RENEWAL OF LICENSE PLATES ISSUED PURSUANT TO THIS PARAGRAPH, THE
14 DEPARTMENT SHALL CHARGE A FEE OF FIVE DOLLARS IN ADDITION TO THE REGISTRATION
15 FEE REQUIRED BY SECTION 28-2003. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO
16 SECTIONS 35-146 AND 35-147, THE TWENTY-FIVE DOLLAR FEE AS A DONATION IN THE
17 VETERANS' DONATIONS FUND ESTABLISHED BY SECTION 41-608.

18 U. LICENSE PLATES FOR VEHICLES OF HISTORIC VALUE. THE DEPARTMENT
19 SHALL ISSUE OR AUTHORIZE LICENSE PLATES FOR VEHICLES WITH HISTORIC VALUE AS
20 FOLLOWS:

21 1. HORSELESS CARRIAGE LICENSE PLATES. THE DEPARTMENT SHALL ISSUE
22 LICENSE PLATES FOR A HORSELESS CARRIAGE ON APPLICATION AND IN THE MANNER AND
23 AT THE TIME PRESCRIBED BY THE DEPARTMENT. THE LICENSE PLATES ARE IN LIEU OF
24 THE REGULAR LICENSE PLATES ISSUED BY THE DEPARTMENT. THE REGISTRATION
25 NUMBERS AND LICENSE PLATES ASSIGNED TO HORSELESS CARRIAGES SHALL BE
26 MANUFACTURED FROM ARIZONA COPPER AND SHALL RUN IN SEPARATE NUMERICAL SERIES
27 BEGINNING WITH "HORSELESS CARRIAGE NO. 1". THE LICENSE PLATES SHALL BE OF A
28 DISTINGUISHING COLOR. ON RENEWAL OF THE REGISTRATION OF A HORSELESS
29 CARRIAGE, THE DEPARTMENT SHALL ANNUALLY ISSUE SYMBOLS OR DEVICES AS PROVIDED
30 IN SECTION 28-2355. FOR EACH PAIR OF ORIGINAL LICENSE PLATES ISSUED PURSUANT
31 TO THIS PARAGRAPH THE DEPARTMENT SHALL COLLECT A FEE OF TWENTY-FIVE DOLLARS
32 IN ADDITION TO PAYMENT OF ALL OTHER FEES REQUIRED BY LAW. FOR EACH ANNUAL
33 RENEWAL OF LICENSE PLATES ISSUED PURSUANT TO THIS PARAGRAPH THE DEPARTMENT
34 SHALL COLLECT TEN DOLLARS IN ADDITION TO PAYMENT OF ALL OTHER FEES REQUIRED
35 BY LAW. FOR THE PURPOSES OF THIS PARAGRAPH, "HORSELESS CARRIAGE" MEANS A
36 MOTOR VEHICLE MANUFACTURED IN 1915 OR BEFORE.

37 2. CLASSIC CAR LICENSE PLATES. THE DEPARTMENT SHALL ISSUE SPECIAL
38 LICENSE PLATES FOR A CLASSIC CAR ON APPLICATION AND IN THE MANNER AND AT THE
39 TIME PRESCRIBED BY THE DEPARTMENT. THE LICENSE PLATES ARE IN LIEU OF THE
40 REGULAR LICENSE PLATES ISSUED BY THE DEPARTMENT. THE REGISTRATION NUMBERS
41 AND LICENSE PLATES ASSIGNED TO CLASSIC CARS SHALL BE MANUFACTURED FROM
42 ARIZONA COPPER AND SHALL RUN IN SEPARATE NUMERICAL SERIES COMMENCING WITH
43 "CLASSIC CAR NO. 1". THE LICENSE PLATES SHALL BE OF A DISTINGUISHING COLOR
44 BUT DIFFERENT FROM THE COLOR SELECTED FOR LICENSE PLATES ISSUED UNDER
45 PARAGRAPH 1 OR 3 OF THIS SUBSECTION. ON RENEWAL OF REGISTRATION OF A CLASSIC

1 CAR, THE DEPARTMENT SHALL ANNUALLY ISSUE SYMBOLS OR DEVICES AS PROVIDED IN
 2 SECTION 28-2355. FOR EACH PAIR OF ORIGINAL LICENSE PLATES ISSUED PURSUANT TO
 3 THIS PARAGRAPH THE DEPARTMENT SHALL COLLECT A FEE OF TWENTY-FIVE DOLLARS IN
 4 ADDITION TO PAYMENT OF ALL OTHER FEES REQUIRED BY LAW. FOR EACH ANNUAL
 5 RENEWAL OF LICENSE PLATES ISSUED PURSUANT TO THIS PARAGRAPH THE DEPARTMENT
 6 SHALL COLLECT TEN DOLLARS IN ADDITION TO PAYMENT OF ALL OTHER FEES REQUIRED
 7 BY LAW. FOR THE PURPOSES OF THIS PARAGRAPH, "CLASSIC CAR" MEANS A CAR
 8 INCLUDED IN THE 1963 LIST OF CLASSIC CARS FILED WITH THE DIRECTOR BY THE
 9 CLASSIC CAR CLUB OF AMERICA. THE DIRECTOR SHALL REVISE THE LIST EVERY FIVE
 10 YEARS.

11 3. HISTORIC VEHICLE LICENSE PLATES. THE DEPARTMENT SHALL ISSUE
 12 SPECIAL LICENSE PLATES FOR A HISTORIC VEHICLE ON APPLICATION AND IN THE
 13 MANNER AND AT THE TIME PRESCRIBED BY THE DEPARTMENT. THE LICENSE PLATES ARE
 14 IN LIEU OF THE REGULAR LICENSE PLATES ISSUED BY THE DEPARTMENT. THE
 15 REGISTRATION NUMBERS AND SPECIAL LICENSE PLATES ASSIGNED TO THE HISTORIC
 16 VEHICLES SHALL BE MANUFACTURED FROM ARIZONA COPPER AND SHALL RUN IN SEPARATE
 17 UNIQUE NUMERICAL SERIES. THE LICENSE PLATES SHALL BE OF A DISTINGUISHING
 18 COLOR BUT DIFFERENT FROM THE COLOR SELECTED FOR LICENSE PLATES ISSUED UNDER
 19 PARAGRAPH 1 OR 2 OF THIS SUBSECTION. ON RENEWAL OF REGISTRATION OF A
 20 HISTORIC VEHICLE, THE DEPARTMENT SHALL ANNUALLY ISSUE SYMBOLS OR DEVICES AS
 21 PROVIDED IN SECTION 28-2355. FOR EACH PAIR OF ORIGINAL LICENSE PLATES ISSUED
 22 PURSUANT TO THIS PARAGRAPH THE DEPARTMENT SHALL COLLECT A FEE OF TWENTY-FIVE
 23 DOLLARS IN ADDITION TO PAYMENT OF ALL OTHER FEES REQUIRED BY LAW. FOR EACH
 24 ANNUAL RENEWAL OF LICENSE PLATES ISSUED PURSUANT TO THIS PARAGRAPH THE
 25 DEPARTMENT SHALL COLLECT TEN DOLLARS IN ADDITION TO PAYMENT OF ALL OTHER FEES
 26 REQUIRED BY LAW. THE DIRECTOR SHALL GRANT THE FINAL APPROVAL OF A VEHICLE TO
 27 BE LICENSED UNDER THIS PARAGRAPH. FOR THE PURPOSES OF THIS PARAGRAPH,
 28 "HISTORIC VEHICLE" MEANS ANY OF THE FOLLOWING:

29 (a) A VEHICLE BEARING A MODEL YEAR DATE OF ORIGINAL MANUFACTURE THAT
 30 IS TWENTY-FIVE YEARS OLD OR OLDER.

31 (b) A VEHICLE INCLUDED IN A LIST OF HISTORIC VEHICLES FILED WITH THE
 32 DIRECTOR BY A RECOGNIZED HISTORIC OR CLASSIC VEHICLE ORGANIZATION DURING THE
 33 MONTH OF DECEMBER OF EACH YEAR.

34 (c) A RECONSTRUCTED VEHICLE THAT THE DIRECTOR DETERMINES, ON
 35 APPLICATION BY THE OWNER, RETAINS AT LEAST THE BASIC ORIGINAL BODY STYLE AS
 36 MANUFACTURED TWENTY-FIVE YEARS OR MORE BEFORE THE DATE OF THE APPLICATION.

37 4. MODEL YEAR DATE LICENSE PLATES. AN OWNER OF A VEHICLE THAT IS
 38 ELIGIBLE FOR REGISTRATION PURSUANT TO PARAGRAPH 2 OR 3 OF THIS SUBSECTION MAY
 39 USE A LICENSE PLATE PREVIOUSLY ISSUED BY THIS STATE WITH THE DATE OF THE YEAR
 40 CORRESPONDING TO THE MODEL YEAR DATE WHEN THE VEHICLE WAS MANUFACTURED IN
 41 LIEU OF THE LICENSE PLATES ISSUED PURSUANT TO PARAGRAPH 2 OR 3 OF THIS
 42 SUBSECTION. TO QUALIFY FOR THE LICENSE PLATE AUTHORIZED BY THIS PARAGRAPH:

43 (a) THE DEPARTMENT SHALL APPROVE THE LICENSE PLATE AND DETERMINE THAT
 44 THE MODEL YEAR DATE LICENSE PLATE IS LEGIBLE AND SERVICEABLE AND THAT THE
 45 LICENSE PLATE NUMBERS DO NOT CONFLICT WITH OTHER NUMBERS CURRENTLY ASSIGNED

1 TO LICENSE PLATES ISSUED BY THE DEPARTMENT. THE DEPARTMENT MAY CONSULT WITH
2 AN ORGANIZATION OF OLD CAR HOBBYISTS IN DETERMINING WHETHER THE DATE OF THE
3 YEAR OF THE LICENSE PLATE TO BE USED CORRESPONDS TO THE MODEL YEAR DATE WHEN
4 THE VEHICLE WAS MANUFACTURED.

5 (b) THE OWNER OF THE VEHICLE SHALL COMPLY WITH THE REQUIREMENTS FOR
6 THE REGISTRATION OF THE VEHICLE.

7 V. NOTWITHSTANDING ANY OTHER LAW, A MOTOR VEHICLE THAT IS ELIGIBLE TO
8 BE LICENSED UNDER SUBSECTION U OF THIS SECTION IS IN COMPLIANCE WITH THE
9 SAFETY REQUIREMENTS OF THE LAWS OF THIS STATE RELATING TO MOTOR VEHICLES IF
10 THE ORIGINAL SAFETY EQUIPMENT PLACED ON THE MOTOR VEHICLE BY THE MANUFACTURER
11 OF THE MOTOR VEHICLE IS IN GOOD OPERATING CONDITION OR IF THE ORIGINAL
12 EQUIPMENT HAS BEEN REPLACED BY EQUIPMENT EQUAL TO OR MORE EFFICIENT THAN THE
13 ORIGINAL EQUIPMENT.

14 W. IF A PERSON WHO HAS BEEN ISSUED SPECIAL PLATES PURSUANT TO
15 SUBSECTION U OF THIS SECTION SELLS, TRADES OR OTHERWISE RELEASES OWNERSHIP OF
16 THE VEHICLE TO WHICH THE SPECIAL PLATES HAVE BEEN ASSIGNED, THE PERSON MAY
17 RELINQUISH THE PLATES TO THE NEW OWNER OF THE VEHICLE. ON RELINQUISHING THE
18 SPECIAL PLATES, THE PERSON RELEASES PRIORITY TO THE LETTERS, NUMBERS OR
19 COMBINATION OF LETTERS AND NUMBERS THAT IS DISPLAYED ON THE SPECIAL PLATES IN
20 THE MANNER PRESCRIBED BY THE DIRECTOR. THE PERSON TO WHOM THE SPECIAL PLATES
21 ARE RELINQUISHED SHALL APPLY TO THE DEPARTMENT FOR ISSUANCE OF THE SPECIAL
22 PLATES TO THAT PERSON.

23 Sec. 19. Renumber

24 Sections 28-2422.01 and 28-2422.02, Arizona Revised Statutes, are
25 renumbered as new sections 28-2408 and 28-2409, respectively.

26 Sec. 20. Section 28-2408, Arizona Revised Statutes, as renumbered by
27 this act, is amended to read:

28 28-2408. Companion animal spay and neuter committee

29 A. The companion animal spay and neuter committee is established
30 consisting of the following seven members who reside in this state and who
31 are appointed by the governor:

32 1. Two members, each representing a different humane society that is
33 incorporated in this state and that does not provide animal control services.

34 2. Two members, each representing a different animal control entity
35 that is not affiliated with a humane society.

36 3. One member who represents a humane society with an animal control
37 act.

38 4. One member who represents the Arizona veterinary medical
39 association.

40 5. One member who represents an established community coalition of
41 animal welfare organizations.

42 B. The companion animal spay and neuter committee members shall serve
43 five year terms.

44 C. The committee shall:

1 1. Distribute monies from the spaying and neutering of animals fund
2 established by section ~~28-2422.02~~ 28-2409. The committee may designate a
3 third party administrator who shall assume the responsibilities of receiving
4 applications, making decisions relating to the distribution of monies and
5 complying with the distribution requirements prescribed in section ~~28-2422.02~~
6 28-2409. For the purposes of this section, the third party administrator
7 shall be a corporation that files under section 501(c)(3) of the United
8 States internal revenue code for federal income tax purposes and that is
9 experienced in awarding grants.

10 2. Submit a written report to the governor, the president of the
11 senate and the speaker of the house of representatives pursuant to section
12 ~~28-2422.02~~ 28-2409.

13 D. Members of the committee are not eligible to receive compensation
14 but are eligible for reimbursement of expenses pursuant to title 38, chapter
15 4, article 2.

16 Sec. 21. Section 28-2409, Arizona Revised Statutes, as renumbered by
17 this act, is amended to read:

18 28-2409. Spaying and neutering of animals fund; definitions

19 A. The spaying and neutering of animals fund is established consisting
20 of monies received pursuant to section ~~28-2422~~ 28-2407, SUBSECTION Q. The
21 companion animal spay and neuter committee shall administer the fund. The
22 first thirty-two thousand dollars received shall be reimbursed to the entity
23 that paid the implementation fee to the department of transportation ~~pursuant~~
24 ~~to section 28-2422~~. Excluding the initial thirty-two thousand dollar
25 reimbursement, not more than ten per cent of monies deposited in the fund
26 annually shall be used for the cost of administering the fund. Monies in the
27 fund are continuously appropriated.

28 B. The companion animal spay and neuter committee shall allocate
29 monies to a qualifying entity that allocates the monies to programs that seek
30 to reduce pet overpopulation by sterilizing, at minimal or no cost, dogs and
31 cats in this state including those that are impounded and sterilized pursuant
32 to section 11-1022. The companion animal spay and neuter committee shall
33 annually distribute all monies deposited in the spaying and neutering of
34 animals fund, excluding administrative fees, to any qualifying
35 entities. Funds awarded pursuant to this section shall not be used to
36 sterilize animals that may be euthanized unless euthanasia becomes necessary
37 due to illness, injury or behavior.

38 C. On notice from the companion animal spay and neuter committee, the
39 state treasurer shall invest and divest monies in the fund as provided by
40 section 35-313, and monies earned from investment shall be credited to the
41 fund.

42 D. Monies in the fund are exempt from the provisions of section 35-190
43 relating to lapsing of appropriations.

44 E. Before allocating monies pursuant to subsection B of this section:

1 1. The companion animal spay and neuter committee shall prepare and
2 issue a request for donation application that includes at least the following
3 information:

4 (a) A description of the project types eligible for funding, including
5 the scope of the work to be performed by an awardee.

6 (b) Identification of the funding source and the total amount of
7 available monies.

8 (c) Whether a single award or multiple awards may be made.

9 (d) Encouragement of collaboration by entities for community
10 partnerships, if appropriate.

11 (e) Any additional information required by the applications.

12 (f) The criteria or factors under which an application will be
13 evaluated for award and the relative importance of each criteria or factor.

14 (g) The due date for submittal of an application and the anticipated
15 time the awards may be made.

16 2. Adequate public notice of the request for donation application
17 shall be given a reasonable time before the date set forth in the request for
18 application. The notice may include publication one or more times in a
19 newspaper of general circulation in this state a reasonable time before the
20 application opening.

21 3. A preapplication conference may be conducted before the due date
22 for the submittal of an application to explain the donation application
23 requirements. Statements made at a preapplication conference are not
24 amendments to a request for a donation application unless a written amendment
25 is issued.

26 4. A donation application shall be publicly received at the time and
27 place designated in the request for donation application. The name of each
28 applicant shall be publicly read and recorded. All other information in the
29 donation application is confidential during the process of evaluation. All
30 applications shall be open for public inspection after donations are
31 awarded. To the extent the applicant designates and the state concurs, trade
32 secrets and other proprietary information contained in the application shall
33 remain confidential.

34 5. An application shall be evaluated by at least four evaluators who
35 are members of the companion animal spay and neuter committee. The
36 evaluators may allow an applicant to make an oral or written presentation
37 regarding the scope of work, terms and conditions of the donations, budget
38 and other relevant matters set forth in the request for application. An
39 applicant shall be accorded fair treatment with respect to any opportunity
40 for oral or written presentations. The evaluators may require an applicant
41 to revise the application to reflect information provided in an oral or
42 written presentation. Any person who has information contained in the
43 application of competing applicants shall not disclose that information.

44 6. The evaluators shall review each application based solely on the
45 evaluation criteria or factors set forth in the request for donation

1 application. Each evaluator shall maintain a written record of the
2 evaluator's assessment of each application, which shall include comments
3 regarding compliance with each evaluation criteria or factor, the citation of
4 a specific criteria or factor as the basis of each stated strength or
5 weakness and a clear differentiation between comments based on facts
6 presented in the application and comments based on professional judgment.

7 7. The evaluators shall make award recommendations to the companion
8 animal spay and neuter committee based on the evaluators' reviews of each
9 application. The evaluators' recommendations may include the adjustment of
10 the budgets of the applicants individually or collectively.

11 8. The companion animal spay and neuter committee may affirm, modify
12 or reject the evaluators' recommendations in whole or in part. Modification
13 of the evaluators' recommendations may include the adjustment of the budget
14 on any proposed award individually or on all awards by an amount or
15 percentage. If the companion animal spay and neuter committee modifies or
16 rejects the recommendations, the committee shall document in writing the
17 specific justifications for the action taken.

18 9. The companion animal spay and neuter committee may enter into
19 agreements with other state governmental units to furnish assistance in
20 conducting the solicitation of donation applications.

21 10. The companion animal spay and neuter committee may resolve protests
22 of the award or proposed award of a donation. An appeal from a decision of
23 the companion animal spay and neuter committee may be made to the director of
24 the department of administration. A protest of an award or proposed award of
25 a donation and any appeals shall be resolved in accordance with the rules of
26 procedure adopted by the department of administration pursuant to section
27 41-2611.

28 F. On or before December 31 of each year, the companion animal spay
29 and neuter committee shall submit a written report to the governor, the
30 president of the senate and the speaker of the house of representatives on
31 all expenditures made from the fund in that calendar year. The report shall
32 include all administrative expenses, all grants of monies, the names of
33 grantees and any remaining balance in the fund. The committee shall provide
34 a copy of the report to the secretary of state and the director of the
35 Arizona state library, archives and public records.

36 G. The companion animal spay and neuter committee shall make available
37 to the public a list of all grants awarded pursuant to this section.

38 H. For the purposes of this section:

39 1. "Donation" means furnishing financial or other assistance,
40 including state monies or federal grant monies, by the companion animal spay
41 and neuter committee to any qualifying entity that allocates the monies to
42 programs that seek to reduce pet overpopulation by sterilizing, at minimal or
43 no cost, dogs and cats in this state that are owned by the general public or
44 that are impounded and sterilized pursuant to section 11-1022.

45 2. "Qualifying entity" means either of the following:

1 (a) An animal welfare organization that files under section 501(c)(3)
2 of the United States internal revenue code for federal income tax purposes
3 and that offers or subsidizes sterilization services of dogs and cats,
4 including organizations represented on the companion animal spay and neuter
5 committee.

6 (b) An animal control agency that offers or subsidizes sterilization
7 services of dogs and cats, including organizations represented on the
8 companion animal spay and neuter committee.

9 Sec. 22. Transfer and renumber

10 Section 28-2486, Arizona Revised Statutes, is transferred and
11 renumbered for placement in title 28, chapter 7, article 2, Arizona Revised
12 Statutes, as section 28-2065.

13 Sec. 23. Section 28-2511, Arizona Revised Statutes, is amended to
14 read:

15 28-2511. Official vehicles; registration exemption; definitions

16 A. A registration fee is not required for a vehicle owned by a foreign
17 government, by a consul or any other official representative of a foreign
18 government, by the United States, by a state or political subdivision of a
19 state, by an Indian tribal government, by a provider of ambulance, fire
20 fighting or rescue services that is used solely for the purpose of providing
21 emergency services or by a nonprofit organization that presents to the
22 department a form approved by the director of the division of emergency
23 management pursuant to section 26-318. The person who has custody of these
24 vehicles shall register them as required by this chapter and shall display
25 official license plates that bear distinguishing marks. The department shall
26 furnish the license plates free of charge. The department may issue regular
27 license plates without any distinguishing marks for vehicles that are exempt
28 from title 38, chapter 3, article 10 pursuant to section 38-538.03,
29 subsection B.

30 B. The director may issue license plates for vehicles owned by and
31 used in the line of duty by law enforcement agencies in other states and the
32 federal government without being registered as required by this chapter.

33 C. The director may enter into agreements or arrangements subject to
34 the approval of the attorney general of this state with the federal
35 government and with motor vehicle departments in other states to provide for
36 a reciprocal exchange of license plates for use on vehicles owned or operated
37 by law enforcement agencies for investigating actual or suspected violations
38 of law. License plates of other states obtained pursuant to this subsection
39 may be used on exempt vehicles of law enforcement agencies of this state or a
40 political subdivision of this state.

41 D. The director shall maintain a record of the license plates issued
42 pursuant to subsections B and C of this section. The director shall also
43 keep a record of the license plates received pursuant to subsection C of this
44 section, the regular license plates issued pursuant to subsection A of this

1 section and the vehicles to which the plates are attached. These records are
2 not open to public inspection except on demand of the attorney general.

3 E. Any vehicle that is registered pursuant to this section and that is
4 powered by an alternative fuel shall display an alternative fuel vehicle
5 special plate issued pursuant to section ~~28-2416~~ 28-2407, SUBSECTION K,
6 except that the department may issue regular license plates without any
7 alternative fuel distinguishing marks or regular alternative fuel vehicle
8 special plates for vehicles that are exempt from title 38, chapter 3, article
9 10 pursuant to section 38-538.03, subsection B. This subsection applies to
10 all existing vehicles that are registered pursuant to this section and all
11 newly-acquired vehicles that are registered pursuant to this section.

12 F. For the purposes of this section:

13 1. "Alternative fuel" has the same meaning prescribed in section
14 1-215.

15 2. "Ambulance" means a vehicle for which a certificate of registration
16 has been issued pursuant to section 36-2212.

17 Sec. 24. Section 28-3101, Arizona Revised Statutes, is amended to
18 read:

19 28-3101. Driver license classes

20 A. Except as provided in subsections B and C of this section and
21 section 28-3102, the following driver license classes are valid:

22 1. Class A. A class A license is valid for operating either of the
23 following:

24 (a) A motor vehicle that tows a vehicle with a gross vehicle weight
25 rating of more than ten thousand pounds if the combined gross vehicle weight
26 rating is twenty-six thousand one or more pounds.

27 (b) A vehicle that requires a class B, C or D license.

28 2. Class B. A class B license is valid for operating any of the
29 following:

30 (a) A single motor vehicle with a gross vehicle weight rating of
31 twenty-six thousand one or more pounds.

32 (b) A motor vehicle with a gross vehicle weight rating of twenty-six
33 thousand one or more pounds that tows a vehicle with a gross vehicle weight
34 rating of ten thousand pounds or less.

35 (c) A vehicle that requires a class C or D license for operation.

36 3. Class C. A class C license is valid for operating any of the
37 following:

38 (a) A single motor vehicle with a gross vehicle weight rating of
39 twenty-six thousand pounds or less.

40 (b) A motor vehicle with a gross vehicle weight rating of twenty-six
41 thousand pounds or less that tows a vehicle with a gross vehicle weight
42 rating of ten thousand pounds or less.

1 (c) A motor vehicle with a gross vehicle weight rating of twenty-six
2 thousand pounds or less that tows a vehicle with a gross vehicle weight
3 rating of more than ten thousand pounds, if the combined gross vehicle weight
4 rating is less than twenty-six thousand one pounds.

5 (d) A vehicle that is required to be placarded for hazardous
6 materials.

7 (e) A bus or school bus.

8 (f) A vehicle that requires a class D license for operation.

9 4. Class D. A class D license is valid for operating any of the
10 following:

11 (a) A single motor vehicle with a gross vehicle weight rating of
12 twenty-six thousand pounds or less.

13 (b) A motor vehicle with a gross vehicle weight rating of twenty-six
14 thousand pounds or less that tows a vehicle with a gross vehicle weight
15 rating of ten thousand pounds or less.

16 (c) A motor vehicle with a gross vehicle weight rating of twenty-six
17 thousand pounds or less that tows a vehicle with a gross vehicle weight
18 rating of more than ten thousand pounds if the combined gross vehicle weight
19 rating is less than twenty-six thousand one pounds.

20 5. Class G. A class G license is valid for operating a single motor
21 vehicle with a gross vehicle weight rating of twenty-six thousand pounds or
22 less.

23 6. Class M. A class M license is valid for operating a motorcycle,
24 motor driven cycle or moped. For the purpose of licensing a driver, the
25 department may endorse a class M license classification on a valid class A,
26 B, C, D or G license.

27 B. A class A, B, C, D or G license is not valid for operating a
28 vehicle that requires a class M license or a vehicle that requires a special
29 endorsement unless the proper endorsement appears on the license.

30 C. A commercial driver license is not required to operate a vehicle
31 described in subsection A, paragraph 1, 2 or 3 of this section if the vehicle
32 has been issued a historic vehicle license plate pursuant to section ~~28-2484~~
33 ~~28-2407~~, SUBSECTION U, PARAGRAPH 3 and the department provides in the vehicle
34 registration record both of the following:

35 1. That the vehicle is classified as a noncommercial vehicle and may
36 not be used as a commercial vehicle.

37 2. The vehicle's gross vehicle weight is entered as zero.

38 Sec. 25. Section 28-4832, Arizona Revised Statutes, is amended to
39 read:

40 28-4832. Exemption

41 A motor vehicle eligible for licensing pursuant to ~~chapter 7, article~~
42 ~~14 of this title or~~ section ~~28-2411~~ 28-2407, SUBSECTION F OR U is not an
43 abandoned vehicle and shall not be seized pursuant to this chapter or any
44 ordinance authorized by this chapter while the vehicle is stored or
45 maintained on the vehicle owner's private property.

1 Sec. 26. Section 28-5805, Arizona Revised Statutes, is amended to
2 read:

3 28-5805. Motor vehicle powered by alternative fuel;
4 classification; vehicle license tax; definitions

5 A. A separate classification of motor vehicles is established for
6 purposes of taxation pursuant to article IX, section 11, Constitution of
7 Arizona, that consists of motor vehicles that are powered by alternative fuel
8 and for which the department issues an alternative fuel vehicle special plate
9 or sticker pursuant to section ~~28-2416~~ 28-2407, SUBSECTION K.

10 B. Notwithstanding section 28-5801, the registering officer shall
11 collect at the time of application for and before registration of the motor
12 vehicle that is classified under this section an annual license tax of four
13 dollars for each one hundred dollars in value. During the first twelve
14 months of the life of the motor vehicle as determined by its initial
15 registration, the value is one per cent of the manufacturer's base retail
16 price of the motor vehicle. During each succeeding twelve month period the
17 value of the motor vehicle is fifteen per cent less than the value of the
18 preceding twelve month period.

19 C. The minimum amount of the license tax computed under this section
20 is five dollars per year for each motor vehicle subject to the tax.

21 D. Except as specifically provided in this section, the vehicle
22 license tax on a motor vehicle classified under this section is governed by
23 this article.

24 E. For purposes of this section:

25 1. "Alternative fuel" has the same meaning prescribed in section
26 1-215.

27 2. "Motor vehicle" means a vehicle that meets the safety standards of
28 the national highway traffic safety administration and includes neighborhood
29 electric vehicles that meet the standards prescribed in 49 Code of Federal
30 Regulations section 571.500, except that, if a vehicle is designed to be
31 operated at speeds of twenty miles per hour or less, the vehicle is not
32 required to have a seventeen digit vehicle identification number.

33 Sec. 27. Section 28-6501, Arizona Revised Statutes, is amended to
34 read:

35 28-6501. Definition of highway user revenues

36 In this article, unless the context otherwise requires or except as
37 otherwise provided by statute, "highway user revenues" means all monies
38 received in this state from licenses, taxes, penalties, interest and fees
39 authorized by the following:

40 1. Chapters 2, 7, 8 and 15 of this title, except for:

41 (a) The special plate administration fees prescribed in ~~sections~~
42 SECTION 28-2404, ~~28-2412 through 28-2424~~ SECTION 28-2407, SUBSECTIONS G, H,
43 I, J, K, L, M, N, O, P, Q, R AND S and SECTION 28-2514.

44 (b) The donations prescribed in ~~sections~~ SECTION 28-2404, ~~28-2412~~
45 ~~through 28-2415, 28-2417 through 28-2424, 28-2453, 28-2454 and 28-2455 AND~~

1 SECTION 28-2407, SUBSECTIONS G, H, I, J, L, M, N, O, P, Q, R AND S AND
2 SUBSECTION T, PARAGRAPHS 2, 3 AND 4.

3 2. Chapters 10 and 11 of this title.

4 3. Chapter 16, articles 1, 2 and 4 of this title, except as provided
5 in sections 28-5926 and 28-5927.

6 Sec. 28. Section 28-6991, Arizona Revised Statutes, is amended to
7 read:

8 28-6991. State highway fund; sources

9 A state highway fund is established that consists of:

10 1. Monies distributed from the Arizona highway user revenue fund
11 pursuant to chapter 18 of this title.

12 2. Monies appropriated by the legislature.

13 3. Monies received from donations for the construction, improvement or
14 maintenance of state highways or bridges. These monies shall be credited to
15 a special account and shall be spent only for the purpose indicated by the
16 donor.

17 4. Monies received from counties under cooperative agreements,
18 including proceeds from bond issues. The state treasurer shall deposit these
19 monies to the credit of the fund in a special account on delivery to the
20 treasurer of a concise written agreement between the department and the
21 county stating the purposes for which the monies are surrendered by the
22 county, and these monies shall be spent only as stated in the agreement.

23 5. Monies received from the United States under an act of Congress to
24 provide aid for the construction of rural post roads, but monies received on
25 projects for which the monies necessary to be provided by this state are
26 wholly derived from sources mentioned in paragraphs 2 and 3 of this section
27 shall be allotted by the department and deposited by the state treasurer in
28 the special account within the fund established for each project. On
29 completion of the project, on the satisfaction and discharge in full of all
30 obligations of any kind created and on request of the department, the
31 treasurer shall transfer the unexpended balance in the special account for
32 the project into the state highway fund, and the unexpended balance and any
33 further federal aid thereafter received on account of the project may be
34 spent under the general provisions of this title.

35 6. Monies in the custody of an officer or agent of this state from any
36 source that is to be used for the construction, improvement or maintenance of
37 state highways or bridges.

38 7. Monies deposited in the state general fund and arising from the
39 disposal of state personal property belonging to the department.

40 8. Receipts from the sale or disposal of any or all other property
41 held by the department and purchased with state highway monies.

42 9. Monies generated pursuant to section 28-410.

43 10. Monies distributed pursuant to section 28-5808, subsection B,
44 paragraph 2, subdivision (d).

45 11. Monies deposited pursuant to sections 28-1143, 28-2353 and 28-3003.

- 1 12. Except as provided in section 28-5101, the following monies:
2 (a) Monies deposited pursuant to section 28-2206 and section 28-5808,
3 subsection B, paragraph 2, subdivision (e).
4 (b) One dollar of each registration fee and one dollar of each title
5 fee collected pursuant to section 28-2003.
6 (c) Two dollars of each late registration penalty collected by the
7 director pursuant to section 28-2162.
8 (d) The air quality compliance fee collected pursuant to section
9 49-542.
10 (e) The special plate administration fees collected pursuant to
11 ~~sections~~ SECTION 28-2404, ~~28-2412 through 28-2424~~ SECTION 28-2407,
12 SUBSECTIONS G, H, I, J, K, L, M, N, O, P, Q, R AND S and SECTION 28-2514.
13 (f) Monies collected pursuant to sections 28-372, 28-2155 and 28-2156
14 if the director is the registering officer.
15 13. Monies deposited pursuant to chapter 5, article 5 of this title.
16 14. Donations received pursuant to section 28-2269.
17 15. Dealer and registration monies collected pursuant to section
18 28-4304.
19 16. Abandoned vehicle administration monies deposited pursuant to
20 section 28-4804.
21 17. Monies deposited pursuant to section 28-710, subsection D,
22 paragraph 2.
23 Sec. 29. Section 28-6993, Arizona Revised Statutes, is amended to
24 read:
25 28-6993. State highway fund; authorized uses
26 A. Except as provided in subsection B of this section and section
27 28-6538, the state highway fund shall be used for any of the following
28 purposes in strict conformity with and subject to the budget as provided by
29 this section and by sections 28-6997 through 28-7003:
30 1. To pay salaries, wages, necessary travel expenses and other
31 expenses of officers and employees of the department and the incidental
32 office expenses, including telegraph, telephone, postal and express charges
33 and printing, stationery and advertising expenses.
34 2. To pay for both:
35 (a) Equipment, supplies, machines, tools, department offices and
36 laboratories established by the department.
37 (b) The construction and repair of buildings or yards of the
38 department.
39 3. To pay the cost of both:
40 (a) Engineering, construction, improvement and maintenance of state
41 highways and parts of highways forming state routes.
42 (b) Highways under cooperative agreements with the United States that
43 are entered into pursuant to this chapter and an act of Congress providing
44 for the construction of rural post roads.

- 1 4. To pay land damages incurred by reason of establishing, opening,
2 altering, relocating, widening or abandoning portions of a state route or
3 state highway.
- 4 5. To reimburse the department revolving account.
- 5 6. To pay premiums on authorized indemnity bonds and on compensation
6 insurance under the workers' compensation act.
- 7 7. To defray lawful expenses and costs required to administer and
8 carry out the intent, purposes and provisions of this title, including
9 repayment of obligations entered into pursuant to this title, payment of
10 interest on obligations entered into pursuant to this title, repayment of
11 loans and other financial assistance, including repayment of advances and
12 interest on advances made to the department pursuant to section 28-7677, and
13 payment of all other obligations and expenses of the board and department
14 pursuant to chapter 21 of this title.
- 15 8. To pay lawful bills and charges incurred by the state engineer.
- 16 9. To acquire, construct or improve entry roads to state parks or
17 roads within state parks.
- 18 10. To acquire, construct or improve entry roads to state prisons.
- 19 11. To pay the cost of relocating a utility facility pursuant to
20 section 28-7156.
- 21 12. For the purposes provided in subsections C, D and E of this section
22 and sections 28-1143, 28-2353 and 28-3003.
- 23 B. For each fiscal year, the department of transportation shall
24 allocate and transfer monies in the state highway fund to the department of
25 public safety for funding a portion of highway patrol costs in eight
26 installments in each of the first eight months of a fiscal year that do not
27 exceed ten million dollars.
- 28 C. Subject to legislative appropriation, the department may use the
29 monies in the state highway fund as prescribed in section 28-6991, paragraph
30 12 to carry out the duties imposed by this title for registration or titling
31 of vehicles, to operate joint title, registration and driver licensing
32 offices, to cover the administrative costs of issuing the air quality
33 compliance sticker, modifying the year validating tab and issuing the
34 windshield sticker and to cover expenses and costs in issuing special plates
35 pursuant to ~~sections~~ SECTION 28-2404, ~~28-2412 through 28-2424~~ SECTION
36 28-2407, SUBSECTIONS G, H, I, J, K, L, M, N, O, P, Q, R AND S and SECTION
37 28-2514.
- 38 D. The department shall use monies deposited in the state highway fund
39 pursuant to chapter 5, article 5 of this title only as prescribed by that
40 article.
- 41 E. Monies deposited in the state highway fund pursuant to section
42 28-2269 shall be used only as prescribed by that section.
- 43 F. Monies deposited in the state highway fund pursuant to section
44 28-710, subsection D, paragraph 2 shall only be used for state highway work
45 zone traffic control devices.

1 G. The department may exchange monies distributed to the state highway
2 fund pursuant to section 28-6538, subsection A, paragraph 1 for local
3 government surface transportation program federal monies suballocated to
4 councils of government and metropolitan planning organizations if the local
5 government scheduled to receive the federal monies concurs. An exchange of
6 state highway fund monies pursuant to this subsection shall be in an amount
7 that is at least equal to ninety per cent of the federal obligation authority
8 that exists in the project for which the exchange is proposed.

9 Sec. 30. Section 36-119, Arizona Revised Statutes, is amended to read:

10 ~~36-119.~~ Breast and cervical cancer screening and diagnostic
11 special plate fund

12 A. The breast and cervical cancer screening and diagnostic special
13 plate fund is established consisting of monies received pursuant to section
14 ~~28-2423~~ 28-2407, SUBSECTION R. The director shall administer the fund. Not
15 more than ten per cent of monies deposited in the fund annually shall be used
16 for the cost of administering the fund. Monies in the fund are continuously
17 appropriated. The director shall distribute monies in the fund before July 1
18 of each year.

19 B. The director shall allocate monies from the fund for breast and
20 cervical cancer screening and diagnostics and outreach services in this
21 state. Monies allocated pursuant to this section shall be used to further
22 breast and cervical cancer screening and diagnostics.

23 C. Monies in the fund are exempt from the provisions of section 35-190
24 relating to lapsing of appropriations.

25 Sec. 31. Section 37-1015, Arizona Revised Statutes, is amended to
26 read:

27 ~~37-1015.~~ Environmental special plate fund; distribution

28 A. An environmental special plate fund is established and is
29 administered by the commissioner consisting of monies received pursuant to
30 section ~~28-2413~~ 28-2407, SUBSECTION H.

31 B. Subject to legislative appropriation, the department shall
32 distribute five thousand dollars annually to each natural resource
33 conservation district with an established education center for the purpose of
34 developing and implementing an environmental education program that is
35 conducted in a balanced manner, that is based on current scientific
36 information and that includes a discussion of economic and social
37 implications.

38 C. Subject to legislative appropriation, the department shall
39 distribute grants as directed pursuant to section 41-2252.

40 D. The fund established in this section is exempt from the provisions
41 of section 35-190 relating to lapsing of appropriations. On notice from the
42 commissioner, the state treasurer shall invest and divest monies in the fund
43 as provided by section 35-313, and monies earned from investment shall be
44 credited to the fund.

1 E. The appropriated monies shall only be used for the designated
2 purposes specified in statute.

3 Sec. 32. Section 41-109, Arizona Revised Statutes, is amended to read:
4 41-109. Prevention of child abuse fund; definitions

5 A. The prevention of child abuse fund is established consisting of
6 monies received pursuant to section ~~28-2417~~ 28-2407, SUBSECTION L. The
7 director of the division for children in the governor's office shall
8 administer the fund. Not more than three per cent of monies deposited in the
9 fund annually shall be used for the cost of administering the fund. Monies
10 in the fund are continuously appropriated.

11 B. The director of the division for children in the governor's office
12 shall allocate monies through a private foundation that is qualified under
13 section 501(c)(3) of the United States internal revenue code for federal
14 income tax purposes, that guarantees matching all or a portion of the monies
15 and that further allocates the monies to primary prevention programs that
16 strengthen families and that increase public and professional awareness to
17 prevent child abuse in all its forms to children in this state. The director
18 of the division for children in the governor's office shall forward all
19 monies deposited in the prevention of child abuse fund, excluding
20 administrative fees, to the private foundation on an annual basis.

21 C. On notice from the director of the division for children in the
22 governor's office, the state treasurer shall invest and divest monies in the
23 fund as provided by section 35-313, and monies earned from investment shall
24 be credited to the fund.

25 D. Monies in the fund are exempt from the provisions of section 35-190
26 relating to lapsing of appropriations.

27 E. Before allocating monies pursuant to subsection B of this section:

28 1. The director of the division for children in the governor's office
29 shall prepare and issue a request for donation application that includes at
30 least the following information:

31 (a) A description of the nature of the donation project, including the
32 scope of the work to be performed by an awardee.

33 (b) Identification of the funding source and the total amount of
34 available funds.

35 (c) Whether a single award or multiple awards may be made.

36 (d) Encouragement of collaboration by entities for community
37 partnerships, if appropriate.

38 (e) Any additional information required by the applications.

39 (f) The criteria or factors under which an application will be
40 evaluated for award and the relative importance of each criteria or factor.

41 (g) The due date for submittal of an application and the anticipated
42 time the awards may be made.

43 2. Adequate public notice of the request for donation application
44 shall be given a reasonable time before the date set forth in the request for
45 application. The notice may include publication one or more times in a

1 newspaper of general circulation in this state a reasonable time before the
2 application opening.

3 3. A preapplication conference may be conducted before the due date
4 for the submittal of an application to explain the donation application
5 requirements. Statements made at a preapplication conference are not
6 amendments to a request for a donation application unless a written amendment
7 is issued.

8 4. A donation application shall be publicly received at the time and
9 place designated in the request for donation application. The name of each
10 applicant shall be publicly read and recorded. All other information in the
11 donation application is confidential during the process of evaluation. All
12 applications shall be open for public inspection after donations are
13 awarded. To the extent the applicant designates and the state concurs, trade
14 secrets and other proprietary information contained in the application shall
15 remain confidential.

16 5. An application shall be evaluated by at least three evaluators who
17 are peers or other qualified individuals. The evaluators may allow an
18 applicant to make an oral or written presentation regarding the scope of
19 work, terms and conditions of the donations, budget and other relevant
20 matters set forth in the request for application. An applicant shall be
21 accorded fair treatment with respect to any opportunity for oral or written
22 presentations. The evaluators may require an applicant to revise the
23 application to reflect information provided in an oral or written
24 presentation. Any person who has information contained in the application of
25 competing applicants shall not disclose that information.

26 6. The evaluators shall review each application based solely on the
27 evaluation criteria or factors set forth in the request for donation
28 application. Each evaluator shall maintain a written record of the
29 evaluator's assessment of each application, which shall include comments
30 regarding compliance with each evaluation criteria or factor, the citation of
31 a specific criteria or factor as the basis of each stated strength or
32 weakness and a clear differentiation between comments based on facts
33 presented in the application and comments based on professional judgment.

34 7. The evaluators shall make award recommendations to the director of
35 the division for children in the governor's office based on the evaluators'
36 reviews of each application. The evaluators' recommendations may include the
37 adjustment of the budgets of the applicants individually or collectively.

38 8. The director of the division for children in the governor's office
39 may affirm, modify or reject the evaluators' recommendations in whole or in
40 part. Modification of the evaluators' recommendations may include the
41 adjustment of the budget on any proposed award individually or on all awards
42 by an amount or percentage. If the director of the division modifies or
43 rejects the recommendations, the director shall document in writing the
44 specific justifications for the action taken.

1 9. The director of the division for children in the governor's office
2 may enter into agreements with other state governmental units to furnish
3 assistance in conducting the solicitation of donation applications.

4 10. The director of the division for children in the governor's office
5 may resolve protests of the award or proposed award of a donation. An appeal
6 from a decision of the director of the division for children in the
7 governor's office may be made to the director of the department of
8 administration. A protest of an award or proposed award of a donation and
9 any appeals shall be resolved in accordance with the rules of procedure
10 adopted by the department of administration pursuant to section 41-2611.

11 F. On or before December 31 of each year, the director of the division
12 for children in the governor's office shall submit a written report to the
13 governor, the president of the senate and the speaker of the house of
14 representatives on all expenditures made from the fund in that calendar
15 year. The report shall include all administrative expenses, all grants of
16 monies, the names of grantees and any remaining balance in the fund. The
17 director shall provide a copy of the report to the secretary of state and the
18 director of the Arizona state library, archives and public records.

19 G. The director of the division for children in the governor's office
20 shall make available to the public a list of all grants awarded pursuant to
21 this section.

22 H. For the purposes of this section, unless the context otherwise
23 requires:

24 1. "Donation" means furnishing financial or other assistance,
25 including state funds or federal grant funds, by the director of the division
26 for children in the governor's office to any person for the purpose of
27 supporting or stimulating primary prevention programs that strengthen
28 families and that increase public and professional awareness to prevent child
29 abuse in all its forms to children of this state if no substantial
30 involvement between the division for children and the recipient occurs during
31 performance.

32 2. "Person" means any corporation, business, individual, committee,
33 club or other organization or group of individuals.

34 Sec. 33. Section 41-603, Arizona Revised Statutes, is amended to read:
35 41-603. Powers and duties

36 A. The department may act as guardian of an incapacitated veteran, the
37 incapacitated spouse of a veteran or minor children of a veteran, or as
38 conservator of the estate of a protected veteran or of the veteran's
39 incapacitated or surviving spouse or of the minor children of a veteran. The
40 department may act in all fiduciary matters, including as power of attorney,
41 trustee, custodian or representative payee of a veteran, spouse of a veteran
42 or minor child of a veteran. The department may act as the personal
43 representative of the estate of a deceased veteran, deceased spouse of a
44 veteran or deceased child of a veteran.

45 B. The department shall:

1 1. Assist veterans and their families and dependents in presenting,
2 providing and establishing claims, privileges, rights and benefits they may
3 have under federal, state or local law.

4 2. Inform veterans and their families and dependents and military and
5 civilian authorities about federal, state and local laws enacted to benefit
6 veterans and their families and dependents and members of the armed forces.

7 3. Collect information relating to services and facilities available
8 to veterans.

9 4. Cooperate with all government and private agencies receiving
10 services for or benefits to veterans and their families and dependents.

11 5. Conduct administrative reviews and, if possible, correct abuses or
12 prevent exploitation of veterans and their families or dependents and
13 recommend corrective legislation.

14 6. Adopt rules deemed necessary to administer this article.

15 7. Enter into agreements with veterans' organizations in this state
16 holding a charter granted by the Congress of the United States for the
17 beneficial interest of veterans.

18 8. Verify and provide written confirmation to the person of
19 eligibility for special license plates issued pursuant to section ~~28-2455~~
20 ~~28-2407~~, SUBSECTION T, PARAGRAPH 4 by determining that all of the following
21 are true:

22 (a) The person was a member of the United States armed forces on
23 December 7, 1941.

24 (b) The person received an honorable discharge from the United States
25 armed forces.

26 (c) The person was on station on December 7, 1941, during the hours of
27 7:55 a.m. to 9:45 a.m., Hawaii time at Pearl Harbor, the Island of Oahu or
28 offshore, at a distance not exceeding three miles.

29 9. Evaluate, supervise, approve and disapprove programs offered by
30 educational institutions and training establishments pursuant to United
31 States Code titles 10 and 38 and state rules, so that veterans and their
32 dependents may draw the educational allowance provided by federal law while
33 pursuing approved programs.

34 10. Approve or disapprove veterans' organizations seeking to solicit
35 money or other support in this state in the name of American veterans.

36 C. The department may acquire property for and construct and operate a
37 veterans' home facility in southern Arizona.

38 D. The department may acquire property for and establish and operate
39 cemeteries for veterans in this state.

40 Sec. 34. Section 41-608, Arizona Revised Statutes, is amended to read:
41 ~~41-608.~~ Veterans' donations fund

42 A. The veterans' donations fund is established consisting of monies,
43 gifts and contributions donated to the department and monies deposited
44 pursuant to ~~sections 28-2414, 28-2453, 28-2454 and 28-2455~~ SECTION 28-2407,
45 SUBSECTION I AND SUBSECTION T, PARAGRAPHS 2, 3 AND 4. The department shall

1 administer the fund. Monies in the fund are continuously appropriated. The
2 monies in the fund are exempt from the provisions of section 35-190 relating
3 to lapsing of appropriations.

4 B. The director or the director's designee may solicit and receive
5 donations, including in-kind donations, from the public for veterans. The
6 director shall deposit, pursuant to sections 35-146 and 35-147, the monetary
7 donations in the veterans' donations fund. Monies in the fund are subject to
8 state auditing procedures. The donations may be used for the benefit of the
9 veterans within the state of Arizona at the discretion of the director.

10 C. The director shall inventory and account for the use of any
11 tangible personal property donated to the fund.

12 D. On notice from the director, the state treasurer shall invest and
13 divest monies in the fund as provided by section 35-313, and monies earned
14 from investment shall be credited to the fund.

15 Sec. 35. Section 42-5071, Arizona Revised Statutes, is amended to
16 read:

17 42-5071. Personal property rental classification

18 A. The personal property rental classification is comprised of the
19 business of leasing or renting tangible personal property for a
20 consideration. The tax does not apply to:

21 1. Leasing or renting films, tapes or slides used by theaters or
22 movies, which are engaged in business under the amusement classification, or
23 used by television stations or radio stations.

24 2. Activities engaged in by the Arizona exposition and state fair
25 board or county fair commissions in connection with events sponsored by such
26 entities.

27 3. Leasing or renting tangible personal property by a parent
28 corporation to a subsidiary corporation or by a subsidiary corporation to
29 another subsidiary of the same parent corporation if taxes were paid under
30 this chapter on the gross proceeds or gross income accruing from the initial
31 sale of the tangible personal property. For the purposes of this paragraph,
32 "subsidiary" means a corporation of which at least eighty per cent of the
33 voting shares are owned by the parent corporation.

34 4. Operating coin operated washing, drying and dry cleaning machines
35 or coin operated car washing machines at establishments for the use of such
36 machines.

37 5. Leasing or renting tangible personal property for incorporation
38 into or comprising any part of a qualified environmental technology facility
39 as described in section 41-1514.02. This paragraph shall apply for ten full
40 consecutive calendar or fiscal years following the initial lease or rental by
41 each qualified environmental technology manufacturer, producer or processor.

42 6. Leasing or renting aircraft, flight simulators or similar training
43 equipment to students or staff by nonprofit, accredited educational
44 institutions that offer associate or baccalaureate degrees in aviation or
45 aerospace related fields.

1 7. Leasing or renting photographs, transparencies or other creative
2 works used by this state on internet web sites, in magazines or in other
3 publications that encourage tourism.

4 B. The tax base for the personal property rental classification is the
5 gross proceeds of sales or gross income derived from the business, but the
6 gross proceeds of sales or gross income derived from the following shall be
7 deducted from the tax base:

8 1. Reimbursements by the lessee to the lessor of a motor vehicle for
9 payments by the lessor of the applicable fees and taxes imposed by sections
10 28-2003, 28-2352, ~~AND~~ 28-2402, ~~28-2481~~ and SECTION 28-2407, SUBSECTION U,
11 SECTION 28-5801, title 28, chapter 15, article 2 and article IX, section 11,
12 Constitution of Arizona, to the extent such amounts are separately identified
13 as such fees and taxes and are billed to the lessee.

14 2. Leases or rentals of tangible personal property which, if it had
15 been purchased instead of leased or rented by the lessee, would have been
16 exempt under:

17 (a) Section 42-5061, subsection A, paragraph 8, 9, 12, 13, 25, 29 or
18 50.

19 (b) Section 42-5061, subsection B, except that a lease or rental of
20 new machinery or equipment is not exempt pursuant to:

21 (i) Section 42-5061, subsection B, paragraph 13 if the lease is for
22 less than two years.

23 (ii) Section 42-5061, subsection B, paragraph 22 if the lease is for
24 less than five years.

25 (c) Section 42-5061, subsection J, paragraph 1.

26 (d) Section 42-5061, subsection N.

27 3. Motor vehicle fuel and use fuel that are subject to a tax imposed
28 under title 28, chapter 16, article 1, sales of use fuel to a holder of a
29 valid single trip use fuel tax permit issued under section 28-5739 and sales
30 of aviation fuel that are subject to the tax imposed under section 28-8344.

31 4. Leasing or renting a motor vehicle subject to and upon which the
32 fee has been paid under title 28, chapter 16, article 4.

33 5. Amounts received by a motor vehicle dealer for the first month of a
34 lease payment if the lease and the lease payment for the first month of the
35 lease are transferred to a third party leasing company.

36 C. Sales of tangible personal property to be leased or rented to a
37 person engaged in a business classified under the personal property rental
38 classification are deemed to be resale sales.

39 D. In computing the tax base, the gross proceeds of sales or gross
40 income from the lease or rental of a motor vehicle does not include any
41 amount attributable to the car rental surcharge under section 28-5810 or
42 48-4234.

1 E. Until December 31, 1988, leasing or renting animals for
2 recreational purposes is exempt from the tax imposed by this section.
3 Beginning January 1, 1989, the gross proceeds or gross income from leasing or
4 renting animals for recreational purposes is subject to taxation under this
5 section. Tax liabilities, penalties and interest paid for taxable periods
6 before January 1, 1989 shall not be refunded unless the taxpayer requesting
7 the refund provides proof satisfactory to the department that the monies paid
8 as taxes will be returned to the customer.

9 Sec. 36. Section 44-1261, Arizona Revised Statutes, is amended to
10 read:

11 44-1261. Definitions; exemptions

12 A. In this article, unless the context otherwise requires:

13 1. "Consumer" means the purchaser, other than for purposes of resale,
14 of a motor vehicle, any person to whom the motor vehicle is transferred
15 during the duration of an express warranty applicable to the motor vehicle or
16 any other person entitled by the terms of the warranty to enforce the
17 obligations of the warranty.

18 2. "Motor vehicle" means a self-propelled vehicle designated primarily
19 for the transportation of persons or property over the public highways.

20 3. "Used motor vehicle" means a motor vehicle that has been sold,
21 bargained, exchanged or given away or the title to which has been transferred
22 from the person who first acquired the vehicle from the manufacturer,
23 importer or dealer or agent of the manufacturer or importer and that has been
24 placed in bona fide consumer use.

25 4. "Used motor vehicle dealer" means a person or business that sells
26 or offers for sale a used motor vehicle after selling or offering for sale
27 four or more used motor vehicles in the previous twelve months but does not
28 include a bank or financial institution, an insurance company, a business
29 selling a used motor vehicle to an employee of that business, a lessor
30 selling a leased vehicle by or to the lessee of that vehicle or to an
31 employee of the lessee of that vehicle or a person who buys, sells, exchanges
32 or offers or attempts to negotiate a sale of or exchange an interest in a
33 classic car as defined in section ~~28-2483~~ 28-2407, SUBSECTION U, PARAGRAPH 2
34 or a historic vehicle as defined in section ~~28-2484~~ 28-2407, SUBSECTION U,
35 PARAGRAPH 3.

36 B. If the motor vehicle is a motor home, ~~the provisions of~~ this
37 article ~~shall apply~~ APPLIES to the self-propelled vehicle and chassis but not
38 to those portions of the vehicle designed, used or maintained primarily as a
39 mobile dwelling, office or commercial space.

40 C. ~~The provisions of~~ This article ~~do~~ DOES not apply to a sale of a
41 motor vehicle to a purchaser for the purpose of resale for profit or to a
42 motor vehicle with a declared gross weight over ten thousand pounds or that
43 is sold at a public auction.

1 Sec. 37. Section 44-1562, Arizona Revised Statutes, is amended to
2 read:

3 44-1562. Full service gasoline stations: assistance to
4 handicapped drivers

5 Each full service gasoline station offering self-service at a lesser
6 cost shall require an attendant employed by the station to dispense gasoline
7 from the self-service portion of the station to a motor vehicle properly
8 displaying a distinguishing insignia placard or number plate issued to a
9 physically disabled person pursuant to section ~~28-2409~~ 28-2407, SUBSECTION D
10 if the person to whom the placard or plate has been issued is the operator of
11 the vehicle and the service is requested during those hours that full service
12 is offered at that station.

13 Sec. 38. Section 49-542.07, Arizona Revised Statutes, is amended to
14 read:

15 49-542.07. Civil penalties

16 A. The driver of a diesel vehicle that fails the test administered
17 pursuant to section 49-542.06, including failure due to refusal to submit to
18 the test, is subject to the following penalty schedule:

19 1. The driver of a vehicle that is cited for the first time and for
20 which demonstration of correction is provided and payment is made within
21 forty-five days from the date of receipt of the citation by certified mail
22 shall pay a penalty of one hundred fifty dollars.

23 2. The driver of a vehicle that is cited for the first time for the
24 refusal of the driver to submit to the test procedure or that is cited for
25 the first time and for which demonstration of correction is not provided
26 within forty-five days from the date of receipt of the citation by certified
27 mail shall provide demonstration of correction and pay a penalty of eight
28 hundred dollars.

29 3. The driver of a vehicle that is cited within twelve months from the
30 issuance of the most recent citation for that vehicle shall provide
31 demonstration of correction, within forty-five days from the date of receipt
32 of the current citation by certified mail, and pay a penalty of one thousand
33 eight hundred dollars.

34 B. A citation shall not be issued to the driver of a heavy-duty
35 vehicle powered by a pre-1991 model year diesel engine on the basis of a
36 measured smoke opacity exceeding fifty-five per cent but not exceeding
37 sixty-nine per cent, unless either of the following occurs:

38 1. The driver fails to provide a demonstration of correction within
39 forty-five days from the date of receipt by certified mail of the notice of
40 violation.

41 2. A notice of violation or citation has been issued for the vehicle
42 in the preceding twelve months.

43 C. The driver of a vehicle that is the subject of a notice of
44 violation and for which demonstration of correction is provided within

1 forty-five days from the date of receipt by certified mail of the notice of
2 violation is not subject to a penalty for the violation.

3 D. The driver of a vehicle that is initially subject to a notice of
4 violation but that is cited after a demonstration of correction is subject to
5 a penalty of eight hundred dollars.

6 E. If a heavy-duty vehicle with a pre-1991 engine has a measured
7 opacity exceeding fifty-five per cent but not exceeding sixty-nine per cent
8 within twelve months of issuance of a notice of violation for which a
9 demonstration of correction was timely provided within the applicable
10 forty-five day period, a citation shall be issued and the driver is subject
11 to a penalty of eight hundred dollars.

12 F. If a heavy-duty vehicle with a pre-1991 engine has a measured
13 opacity exceeding fifty-five per cent but not exceeding sixty-nine per cent
14 within twelve months of issuance of a notice of violation for which a
15 demonstration of correction was not timely provided within the applicable
16 forty-five day period, a citation shall be issued and the driver is subject
17 to the penalty of one thousand eight hundred dollars.

18 G. If a vehicle fails the test procedure or an emissions control
19 system inspection one year or more after the date of its most recent failure,
20 the driver of that vehicle is subject to the penalty schedule in subsection A
21 of this section.

22 H. If a driver is cited after a bona fide change of owner between
23 nonrelated persons or entities, the new owner is subject to the penalty
24 schedule in subsection A of this section if the only citations issued for the
25 vehicle within the previous twelve months were issued before the change of
26 ownership to the new owner.

27 I. A driver who has been cited twice or more for tampered emissions
28 controls on the same vehicle is subject to a penalty of one thousand eight
29 hundred dollars.

30 J. For a vehicle that is registered in this state and for which a
31 civil penalty assessed pursuant to this section has not been paid, the
32 director of environmental quality shall notify the department of
33 transportation by electronic means. The director of the department of
34 transportation shall send a letter by first class mail to the person to whom
35 the vehicle is registered informing the person that the vehicle's
36 registration is suspended. After the civil penalty is paid in full and the
37 proof of repair is submitted, the person to whom the vehicle is registered
38 may apply for reinstatement of the vehicle registration on the payment of
39 applicable fees pursuant to sections 28-2003, 28-2352, ~~AND~~ 28-2402 and
40 ~~28-2481~~ SECTION 28-2407, SUBSECTION U.

41 K. For a vehicle that is not registered in this state and for which a
42 civil penalty assessed pursuant to this section has not been paid, the
43 department of transportation shall notify the appropriate cooperating state
44 agency as if the driver had failed and refused to pay a fuel tax assessed or

1 apportioned pursuant to an interstate agreement established pursuant to
2 section 28-404.

3 L. Notices of violation and citations issued and penalties assessed
4 pursuant to this section are appealable agency actions pursuant to title 41,
5 chapter 6, article 10.

6 M. All civil penalties collected pursuant to this section shall be
7 deposited, pursuant to sections 35-146 and 35-147, in the state general fund.

8 N. Notwithstanding any other statute, the penalties prescribed by this
9 section are not subject to any additional fee or surcharge.