

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

HOUSE BILL 2089

AN ACT

AMENDING TITLE 28, CHAPTER 3, ARTICLE 15, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-913; RELATING TO MOTOR VEHICLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 28, chapter 3, article 15, Arizona Revised Statutes,
3 is amended by adding section 28-913, to read:
4 28-913. Transporting minors in motor vehicles; exceptions
5 A. A PERSON DRIVING A MOTOR VEHICLE ON A HIGHWAY SHALL NOT TRANSPORT A
6 PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE IN AN OPEN COMPARTMENT OF THE MOTOR
7 VEHICLE UNLESS THE PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE IS SAFELY
8 RESTRAINED BY A LAP BELT OR LAP AND SHOULDER BELT THAT IS DESIGNED TO PREVENT
9 THE PERSON FROM BEING EJECTED FROM THE VEHICLE OR WEAR AN APPROVED
10 MOTORCYCLE-STYLE SAFETY HELMET.
11 B. THIS SECTION DOES NOT APPLY:
12 1. IF THE PERSON IS BEING TRANSPORTED IN AN EMERGENCY RESPONSE
13 SITUATION. FOR THE PURPOSES OF THIS PARAGRAPH, "EMERGENCY RESPONSE
14 SITUATION" MEANS AN INSTANCE IN WHICH MEASURES ARE NECESSARY TO ASSIST AN
15 INJURED PERSON OR TO PREVENT INJURY OR DEATH TO A PERSON.
16 2. IF THE PERSON IS BEING TRANSPORTED IN AN ORGANIZED PARADE.
17 3. TO A MOTOR VEHICLE THAT IS ON PRIVATE PROPERTY.
18 4. IF A PERSON IS DRIVING THE MOTOR VEHICLE AT OR BELOW A POSTED SPEED
19 LIMIT OF THIRTY-FIVE MILES PER HOUR OR LESS.
20 5. IF THE MOTOR VEHICLE IS LEASED, OWNED, OPERATED OR AUTHORIZED TO BE
21 OPERATED BY A FARMER OR RANCHER AND IS USED EXCLUSIVELY WITHIN THE BOUNDARIES
22 OF LANDS OWNED OR MANAGED BY THE FARMER OR RANCHER, INCLUDING THE INCIDENTAL
23 USE OF THE MOTOR VEHICLE ON NOT MORE THAN ONE MILE OF HIGHWAY BETWEEN ONE
24 PART OF THE FARM OR RANCH AND ANOTHER PART OF THAT FARM OR RANCH.
25 6. TO A MOTOR VEHICLE THAT IS ON AN INDIAN RESERVATION.
26 C. A PEACE OFFICER SHALL NOT STOP OR ISSUE A CITATION TO A PERSON
27 OPERATING A MOTOR VEHICLE ON A HIGHWAY IN THIS STATE FOR A VIOLATION OF THIS
28 SECTION UNLESS THE PEACE OFFICER HAS REASONABLE CAUSE TO BELIEVE THERE IS
29 ANOTHER ALLEGED VIOLATION OF A MOTOR VEHICLE LAW OF THIS STATE.