

# **Transportation, Technology & Missing Children Committee**

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# TRANSPORTATION, TECHNOLOGY & MISSING CHILDREN COMMITTEE

## LEGISLATION ENACTED

DUI; transportation network drivers (NOW: DUI threshold; drivers) (S.B. 1025) – Chapter 101

[SEE THE JUDICIARY COMMITTEE.](#)

state construction project delivery methods (S.B. 1054) – Chapter 46

Extends, until December 31, 2030, the authorization for: 1) the Arizona Department of Transportation to commence a design-build project and procure construction services using the construction-manager-at-risk or job-order-contracting construction services method of project delivery; and 2) an agent to procure horizontal construction using construction-manager-at-risk construction services and the construction-manager-at-risk, design-build or job-order-contracting method of project delivery.

off-highway vehicle study committee; extension (S.B. 1055) – Chapter 76

Extends the Arizona Off-Highway Vehicle Study Committee for one year, until June 1, 2025.

catalytic converter; unlawful use; classification (S.B. 1185) – Chapter 231

[SEE THE JUDICIARY COMMITTEE.](#)

collegiate plates; community college enrollment (S.B. 1190) – Chapter 107

Reduces, from 50,000 students to 500 students, the minimum full-time equivalent student enrollment of a community college district (CCD) that must establish a CCD collegiate special plate fund. The Arizona Department of Transportation (ADOT) may issue a CCD collegiate special plate if a person pays the \$32,000 implementation fee and designs the CCD's collegiate special plate, subject to ADOT's approval.

prisoners; transition services; noncontracted entities (NOW: vehicle lighting; law enforcement; exceptions) (S.B. 1196) – Chapter 173

Excludes, from specified vehicle lamp restrictions, an authorized emergency vehicle or a vehicle with a red or red and blue light or lens visible from the front of the vehicle that is used by a law enforcement officer for traffic control while employed in an off-duty capacity for an entity other than the law enforcement agency.

DCS; discharge from care; housing (S.B. 1313) – Chapter 164

Requires, by December 31, 2025, the Department of Child Safety (DCS) to develop and implement policies and procedures, including specific actions DCS will take, to ensure access to safe and secure housing for every young adult who is under 21 years old and who is exiting or has exited DCS care at 18 years old and has not achieved permanency through reunification, adoption or guardianship. By December 31, 2025, DCS must submit a report on the adopted policies and procedures to the Governor, Legislature and Secretary of State.

family reunification treatment; prohibitions (S.B. 1372) – Chapter 166

Prohibits a court, unless both parents consent, from ordering family reunification treatment that requires: 1) a no-contact order with the aligned parent; 2) a transfer of physical or legal custody or an overnight, out-of-state or multiday stay; 3) the use of threats of physical force, undue coercion, verbal abuse or isolation from sources of support; or 4) private youth transporters or transportation agents engaged in the use of force, threat of force, or physical obstruction or circumstances that risk the child's safety.

vehicle loads; restrictions (S.B. 1376) – Chapter 183

Expands the requirement that a vehicle must secure its load while driving on a highway to apply when driving on a street or roadway, except when a vehicle is used for agricultural purposes on a farm and the minor pieces of agriculture materials that escape from agriculture equipment.

DUI; license suspension; records (S.B. 1453) – Chapter 109

[SEE THE JUDICIARY COMMITTEE.](#)

wildland fire prevention special plates (S.B. 1561) – Chapter 111

Requires the Arizona Department of Transportation (ADOT) to issue a wildland fire prevention and a neurodiversity services and research special plate if a \$32,000 implementation is paid fee for each special plate to ADOT by December 31, 2024. The first \$32,000 collected for each special plate must be reimbursed to the person who paid the corresponding implementation fee. Requires \$17 of the \$25 fee collected from each special plate to be distributed to specified entities and asserts that \$8 of the \$25 special plate fee is an administration fee that ADOT must deposit in the State Highway Fund.

Renames the *national guard member special plate* as the *national guard special plate* and eliminates the: 1) requirement to submit satisfactory proof that a person, or the spouse of a person, is or has been an Arizona National Guard member; and 2) prohibition on issuing the special plate to a person, or the spouse of a person, who was discharged under less than honorable conditions.

Retroactive to December 31, 2023, extends the implementation deadline for the Pascua Yaqui Tribe special plate to December 31, 2025.

off-highway vehicles; education requirement (S.B. 1567) – Chapter 240

Prohibits a person from: 1) driving an off-highway vehicle (OHV) without a valid driver license; and 2) consuming or possessing an open container of spirituous liquor while operating or within the passenger compartment of any self-propelled motor vehicle that is not operated exclusively on rails or water.

A minor may not, and a person may not allow a minor to, operate an OHV or be an OHV passenger without wearing a protective helmet, rather than headgear. A child may be an OHV passenger without a protective helmet if the child is properly secured in a child restraint system and the OHV is equipped with a rollover protective system. A person who allows a minor who is under 12 years old to operate an OHV must adhere to outlined OHV operation restrictions. If a minor who is under 12 years old violates the OHV driver license requirement or operation restrictions, a citation must be issued to the parent or legal guardian and not to the minor. If the violating minor is between 12 and 16 years old, the citation must be issued to the minor or the parent, but not to both.

The Arizona Game and Fish Department (AZGFD) must certify an OHV Safety Education Course (Safety Course) that is available online and includes verification of completion. Beginning January 1, 2025, and until June 1, 2027, a person must complete the Safety Course and provide proof of completion before an OHV user indicia may be issued. The Arizona Department of Transportation must share with the AZGFD all OHV data relating to persons who provide proof of completion and all issued user indicia. By December 1, 2026, the AZGFD must report to the Governor, Legislature and Secretary of State on the results of implementing the education requirement.

excise tax; jet fuel; definition (S.B. 1636) – Chapter 242

[SEE THE FINANCE & COMMERCE COMMITTEE.](#)

traffic violations; photo radar; penalties (NOW: minors; motorcycle helmets; citations) (S.B. 1680) – Chapter 246

Allows a law enforcement officer to issue a citation for violating the protective headgear requirements prescribed for motorcycles, all-terrain vehicles (ATVs) and motor-driven cycles to an operator or passenger who is 16 or 17 years old and has been issued a driver license or permit and an operator who is at least 18 years old (adult operator) for: 1) an unhelmeted passenger who is under 18 years old; and 2) an unhelmeted operator or passenger who is under 18 years old and is in the same group or party of vehicles as the adult operator. Exempts, from the prescribed protective headgear requirements, an ATV that is also an off-highway vehicle and a motorcycle, ATV or motor-driven cycle that is operated on private property or is a farm or agricultural vehicle, if the operator or passenger is engaged in agricultural work.

For an initial violation of the protective equipment requirements prescribed for motorcycles, ATVs and motor-driven cycles, a person is subject to a civil penalty of \$100 or community service if the person is 16 or 17 years old at the time of the violation.

Arizona wine trail special plates (H.B. 2048) – Chapter 19

Requires the Arizona Department of Transportation (ADOT) to issue a Northern Arizona wine trail special plate (special plate) if a \$32,000 implementation fee is paid to ADOT by December 31, 2024. Requires \$17 of the \$25 special plate fee collected from each special plate to be deposited into the Northern Arizona Wine Trail Special Plate Fund (Fund) and the first \$32,000 collected to be reimbursed to the person who paid the implementation fee. Asserts that \$8 of the \$25 special plate fee is an administration fee that ADOT must deposit in the State Highway Fund. The Director of ADOT must annually allocate Fund monies to a qualifying organization.

fatality review; information; access (H.B. 2116) – Chapter 130

[SEE THE HEALTH & HUMAN SERVICES COMMITTEE.](#)

state match fund; rural transportation (H.B. 2318) – Chapter 120

Requires the Arizona Department of Transportation (ADOT) to suballocate State Match Advantage for Rural Transportation (SMART) Fund monies to projects located in specified counties, rather than to the specific county, and prohibits SMART Fund monies from being used for projects in specified municipalities. Beginning January 1 and July 1 of each year, the State Transportation Board (Board) may redistribute unawarded SMART Fund monies to ensure each funding category receives a 20 percent share and, within 30 days after the Board approves redistribution, ADOT must post on its website the redistributed amounts available for each category. Increases, from one percent to five percent, the annual percentage of SMART Fund monies that ADOT may use for administrative purposes.

Expands eligibility for SMART Fund awards to include any entity eligible to receive a grant from a federal discretionary grant program administered by any federal agency for surface transportation purposes, rather than only political subdivisions. Adds, to the allowable uses of SMART Fund awards, reimbursing a federal grant match and funding design and other engineering services expenditures and prohibits ADOT, rather than the Board, from approving any SMART Fund expenditure that is not lawfully made. Within two years after a SMART Fund award for design and other engineering services, the applicant must apply for a federal grant or the SMART Fund award lapses and any expended monies must be repaid within 30 days of ADOT's invoice. If an applicant receives funding equal to or greater than the amount SMART Fund award from another source for the same project and purpose, the Board must rescind the SMART Fund award and any expended monies must be repaid within a year of the rescission.

Eliminates the 15-day notification requirement for failing to secure a federal grant match and modifies SMART Fund award application procedures.

motor vehicle dealers; franchises (H.B. 2410) – Chapter 94

Prohibits a new motor vehicle manufacturer, factory branch, distributor, distributor branch, field representative and any officers, agents or representatives thereof from coercing or attempting to coerce a new motor vehicle dealer to install a customer facing electric vehicle charging station accessible to the public on the dealership premises. Prohibits a manufacturer or distributor from

exercising or threatening to exercise the right of first refusal in bad faith. Outlines indemnification obligations for third-party claims against a franchisee.

Adds to the list of factory-prohibited acts that constitute *competing with or unfair discrimination* and establishes factory compliance requirements for the implementation of vehicle reservation systems. Stipulates that a factory updating a vehicle or product, service or financing to any retail consumer is a prohibited act, unless the update occurs through the factory's dealers.

The statutory franchise regulations do not apply to manufacturers that do not and have never used franchised new motor vehicle dealers to offer, sell or service new motor vehicles manufactured or distributed by a franchisor, manufacturer, importer or distributor.

ADOT; administration; licensing; planning (NOW: ADOT; continuation; administration; licensing; planning) (H.B. 2438) – Chapter 208

**Arizona Department of Transportation (ADOT)** – Continues ADOT for eight years, until July 1, 2032, retroactive to July 1, 2024, and allows the Director of ADOT (Director) to establish hours of operation for Motor Vehicle Division offices on legal holidays.

Allows ADOT to issue a commercial vehicle fleet license plate to an eligible fleet applicant that pays a fee for the plate's initial design and administration, in a manner and amount determined by the Director. Allows ADOT to establish plate design guidelines to streamline the design approval process and minimize costs and outlines plate design requirements. Establishes the Commercial Vehicle Fleet License Plate Fund, administered by the Director and consisting of plate fee collections. Commercial Vehicle Fleet License Plate Fund monies are continuously appropriated and exempt from lapsing.

**Law Enforcement** – An ADOT-designated peace officer: 1) has the primary duties of enforcing commercial motor carrier laws and rules and conducting vehicle inspections and fraud, abuse and misconduct investigations; and 2) may not enforce a violation committed by a noncommercial vehicle operator, except as specified. A mobile port of entry may only operate within 25 road miles of a fixed port of entry in Arizona, unless law enforcement agencies request assistance for commercial vehicle enforcement to: 1) streamline operations or combine resources for compliance, education or training; or 2) ensure safe, secure and efficient commercial transportation across the state.

A traffic offense or civil violation committed by a minor must be reported to ADOT within 30 days after the date of conviction or finding of responsibility, rather than the date of the offense or violation. Immunizes a person's driving privileges and vehicle registration from administrative action if a conviction or finding of responsibility is reported more than five years after the conviction or finding date.

**Federal Compliance** – Codifies federal Drug and Alcohol Clearinghouse requirements for commercial driver license and commercial learner's permit drivers who violate controlled substances and alcohol use and testing prohibitions and prescribes procedures for removing and reinstating a driver's commercial privilege and correcting erroneous notifications.

*Miscellaneous* – Caps, at five years, the validity of a driver license that is initially issued to an applicant who is 60 years old or older, modifies meeting and notification requirements for the Five-Year Transportation Facilities Construction Program's annual review process and removes requirements relating to state fleet participation, use fuel tax refunds and vehicle license taxes for alternative fuel vehicles.

duty of care; leased vehicles (H.B. 2461) – Chapter 144

[SEE THE JUDICIARY COMMITTEE.](#)

missing; abducted; runaway children (H.B. 2479) – Chapter 146

Modifies procedures for the Department of Child Safety (DCS) when receiving a report that a child who is a ward of the court or in DCS care is missing, abducted or a runaway and the child's location is unknown (missing child) to require DCS to: 1) complete outlined requirements immediately or within 24-hours (24-hour requirements); 2) provide the appropriate law enforcement agency (LEA) with outlined information regarding the child and the child's abductor within 48-hours (48-hour requirements); and 3) contact law enforcement every seven calendar days, rather than frequently, until the child is located or reaches the age of majority. The appropriate LEA must document its amber or silver alert response, update social media platforms with information regarding the missing child and create age-appropriate progression images of children missing for two or more years, when possible. DCS must complete certain requirements within 24 hours of locating a missing child, including contacting prescribed persons, notifying an LEA if the child is a sex trafficking victim, determining the need for additional behavioral health services, reviewing the case to assess contributing factors to the child going missing and responding to those factors.

Requires DCS to immediately develop, refine, implement and provide initial training on DCS policies for locating missing children to a newly hired employee before any children may be assigned to the new hire's caseload. Modifies annual DCS employee training by requiring ongoing efforts to locate a missing child to be made on a monthly basis. The ongoing efforts must include continued search efforts made by specific DCS employees and requesting an LEA to conduct welfare checks at locations where the child may be. By November 14, 2024, DCS must develop a checklist for specialists that is distributed to each caseworker and has a mechanism to mark duties as complete within specified timelines.

Requires DCS to provide monthly reports within specified timelines to: 1) the Legislature that information about missing and located children, an acknowledgement of DCS's ability or inability to complete notification requirements within specified timeframes and DCS' compliance with ongoing search efforts and the requirements that must be completed within 24 hours of locating a missing child; and 2) the Legislature and Joint Legislative Budget Committee (JLBC) on the number of missing and located children, DCS' compliance with the prescribed missing children requirements and the percentage of times DCS complied with the 24-hour and 48-hour requirements. If the report to JLBC and the Legislature shows less than 95 percent compliance for more than 4 months in a 12-month period, DCS must establish a Missing, Abducted and Runaway Children Unit (Unit), as prescribed. If established, the Unit must submit a report to the Governor,

Legislature and Joint Legislative Oversight Committee on DCS that identifies the reasons for noncompliance, methods by which the Unit will achieve a 95-percent compliance rate with the 24-hour and 48-hour requirements, and necessary organizational and legislative changes. If the Joint Legislative Oversight Committee on DCS determines that DCS has failed to establish the Unit and complete the related reporting requirement for a period of more than two months, DCS must contract with a consulting firm to present recommendations to the Joint Legislative Oversight Committee on DCS on how to improve compliance.

The Legislature: 1) may convene an oversight committee to address problems and recommend corrective action plans; and 2) must request an annual independent audit of DCS's compliance with the prescribed missing children requirements. If the independent audit determines DCS is not in compliance, DCS must contract with a consulting firm to present recommendations to the oversight committee on how to improve compliance.

ovarian cancer plates; deadline extension ([H.B. 2567](#)) – Chapter 42

Retroactive to January 1, 2023, extends the deadline to pay the ovarian cancer awareness special plate implementation fee until December 31, 2025.

insurance coverage requirements; transportation companies. ([H.B. 2729/S.B. 1272](#)) – Chapter 74

[SEE THE FINANCE & COMMERCE COMMITTEE.](#)

teen suicide awareness special plates ([H.B. 2859](#)) – Chapter 126

Requires the Arizona Department of Transportation (ADOT) to issue a teen suicide awareness special plate if a \$32,000 implementation fee is paid to ADOT by December 31, 2024. Requires \$17 of the \$25 fee collected from each special plate to be deposited in the Teen Suicide Awareness Special Plate Fund and the first \$32,000 collected to be reimbursed to the person who paid the implementation fee. Asserts that \$8 of the \$25 special plate fee is an administration fee that ADOT must deposit in the State Highway Fund.

Bifurcates the *Arizona professional basketball clubs special plate* into the established Arizona professional men's basketball club special plate and an Arizona professional women's basketball club special plate if a \$32,000 implementation fee is paid to ADOT by December 31, 2024. The first \$32,000 donated for the Arizona professional women's basketball club special plate design must be reimbursed to the person that paid the implementation fee.

Extends the implementation deadline for the Gila River Indian Community special plate to December 31, 2024.

capital outlay; appropriations; 2024-2025 ([H.B. 2899/S.B. 1737](#)) – Chapter 211

[SEE THE APPROPRIATIONS COMMITTEE.](#)



## LEGISLATION VETOED

### traffic control; right on red (S.B. 1299) – VETOED

Requires, before a right turn on a red light may be prohibited, a registered engineer to evaluate the intersection and determine that allowing a right turn against a red signal is unsafe.

The Governor indicates in her [veto message](#) that S.B. 1299 is unnecessary and redundant for state and local jurisdictions required to follow traffic engineering guidelines and standards when determining traffic movement.

### ~~deep fake recordings or images~~ (NOW: deepfake recordings or images) (S.B. 1336) – VETOED

Deems it unlawful to intentionally disseminate a deepfake recording or image if: 1) the person who intentionally creates and disseminates the recording or image reasonably knows that the depicted individual does not consent to the dissemination; 2) the recording or image realistically depicts the depicted individual engaging in a sexual act or depicts intimate parts that are presented as the depicted individual's intimate parts; and 3) the depicted individual is identifiable. An unlawful dissemination of a deepfake recording or image is a class 6 felony, or a class 4 felony if the depicted individual suffers any financial loss due to the intentional dissemination or the person: 1) disseminates with intent to profit or harass the depicted individual; 2) maintains an internet website, online service or application or mobile application for deepfake dissemination; 3) posts the recording or image on an internet website; 4) obtains the recording or image by committing theft, criminal trespass, computer tampering or unauthorized access; or 5) has previously been convicted of an unlawful deepfake dissemination. Exempts an interactive computer service from liability for an unlawful deepfake dissemination.

The Governor indicates in her [veto message](#) that S.B. 1336 overlaps with S.B. 1078 and is duplicative.

### religious educational institution; special plates (H.B. 2271) – VETOED

Requires the Arizona Department of Transportation (ADOT) to issue a religious educational institution special plate if a \$32,000 implementation fee is paid to ADOT by December 31, 2024. Requires \$17 of the \$25 special plate fee collected from each special plate to be deposited into the Religious Educational Institution Special Plate Fund (Fund) and the first \$32,000 collected to be reimbursed to the person who paid the implementation fee. Asserts that \$8 of the \$25 special plate fee is an administration fee that ADOT must deposit in the State Highway Fund. The Director of ADOT must annually allocate Fund monies to a qualifying organization for use as prescribed.

The Governor indicates in her [veto message](#) that H.B. 2271 establishes a special plate that benefits an out-of-state private educational institution using public resources which is not the best use of Arizona taxpayers' money.

use fuel dispenser labels; penalties (H.B. 2573) – VETOED

Specifies that a vendor who fails to properly affix a use fuel dispenser label is subject to a civil penalty of \$100, rather than \$100 for each day the violation continues. The Arizona Department of Transportation must provide use fuel dispenser labels to vendors who comply with prescribed record retention requirements.

The Governor indicates in her [veto message](#) that H.B. 2573 reduces accountability and consumer protection measures.

harmful website content; age verification. (H.B. 2586) – VETOED

Specifies that a commercial entity is liable for damages in a civil action and for damages resulting from a minor's access to material harmful to minors, if the entity knowingly or intentionally publishes or distributes material harmful to minors from a website that contains more than 33.3 percent of such material and the entity fails to perform a reasonable age verification method on an individual attempting to access the material. A commercial entity or third party that performs the age verification may not retain any of the individual's identifying information after access is granted and both are liable to an individual for damages from knowingly retaining the individual's information. Outlines exemptions to the prescribed prohibition and civil liabilities.

The Governor indicates in her [veto message](#) that H.B. 2586 conflicts with settled case law and that children's online safety is a pressing issue requiring a bipartisan solution that works within the bounds of the First Amendment.