

State of Arizona
House of Representatives
Fifty-third Legislature
First Regular Session
2017

HOUSE BILL 2483

AN ACT

AMENDING SECTION 28-4302, ARIZONA REVISED STATUTES; REPEALING SECTION 28-4537, ARIZONA REVISED STATUTES; AMENDING SECTIONS 28-4538, 28-4555 AND 28-6991, ARIZONA REVISED STATUTES; 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. Section 28-4302, Arizona Revised Statutes, is amended to
3 read:

4 28-4302. Fees; disposition

5 A. The following fees are required:

6 1. For filing each application for a dealer's, manufacturer's,
7 importer's, distributor's, factory branch's, distributor branch's,
8 automotive recycler's or wholesale motor vehicle dealer's license, fifteen
9 dollars.

10 2. For filing each application for a provisional dealer's,
11 automotive recycler's or wholesale motor vehicle dealer's license filed in
12 conjunction with an application for a dealer's or automotive recycler's
13 license, ten dollars.

14 3. For each filing of a dealer's, manufacturer's, distributor's,
15 importer's, factory branch's, distributor branch's, automotive recycler's
16 or wholesale motor vehicle dealer's license if issued annually, one
17 hundred dollars, except that if a dealer has a contractual relationship
18 with a third-party lender, the fee is four hundred dollars, of which three
19 hundred dollars shall be deposited, pursuant to sections 35-146 and
20 35-147, in the state general fund and one hundred dollars in the ~~Arizona~~
21 ~~highway user revenue~~ STATE HIGHWAY fund.

22 4. For each continuation of a dealer's license if issued annually,
23 one hundred dollars, except that if a dealer has a contractual
24 relationship with a third-party lender, the fee is two hundred fifty
25 dollars, of which one hundred fifty dollars shall be deposited, pursuant
26 to sections 35-146 and 35-147, in the state general fund and one hundred
27 dollars in the ~~Arizona highway user revenue~~ STATE HIGHWAY fund.

28 5. For filing or continuing a dealer's branch license if issued
29 annually, fifty dollars.

30 6. For filing each application for a permit for the off-premises
31 exhibition of motor vehicles, for a motor vehicle show or for a special
32 event to exhibit new motor homes, twenty-five dollars.

33 7. For filing each application for a permit for the off-premises
34 display and sale of motor vehicles, twenty-five dollars.

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

38 Sec. 2. Repeal

39 Section ~~28-4537~~, Arizona Revised Statutes, is repealed.

40 Sec. 3. Section 28-4538, Arizona Revised Statutes, is amended to
41 read:

42 28-4538. Suspension of dealer and manufacturer license plates

43 A. The department shall suspend the use of any or all of the dealer
44 license plates issued to a dealer for not more than three months if a

1 dealer violates section 28-4532, 28-4533, 28-4534, 28-4535 or 28-4536 ~~or~~
2 ~~the rules adopted under section 28-4537.~~

3 B. If the director finds that a manufacturer or licensed dealer
4 displays a manufacturer or dealer license plate that is provided pursuant
5 to section 28-4533, 28-4540 or 28-4544 on a work or service vehicle, a
6 vehicle used for private use or a vehicle for hire, the director may
7 suspend the right of the dealer or manufacturer to use the plate.

8 C. A manufacturer or licensed dealer who receives a notice of
9 suspension pursuant to subsection B of this section may submit a written
10 request for a hearing to the director. The manufacturer or licensed
11 dealer shall submit the request for a hearing within thirty days after the
12 manufacturer or licensed dealer receives the notice of suspension.

13 Sec. 4. Section 28-4555, Arizona Revised Statutes, is amended to
14 read:

15 28-4555. Notice of vehicle transfer

16 A. A manufacturer, dealer, **WHOLESALE MOTOR VEHICLE AUCTION DEALER**,
17 distributor, factory branch, distributor branch, field representative or
18 officer or an agent or representative of a manufacturer, dealer, **WHOLESALE**
19 **MOTOR VEHICLE AUCTION DEALER**, distributor, factory branch, distributor
20 branch, field representative or officer, on transferring a motor vehicle,
21 whether by sale, lease or otherwise, to a person ~~other than a manufacturer~~
22 ~~or dealer~~ shall ~~immediately~~ give written **OR ELECTRONIC** notice of the
23 transfer to the department ~~on an official form~~ **WITHIN FIFTEEN DAYS AFTER**
24 **THE TRANSFER**. The ~~form~~ **NOTICE** shall contain the date of the transfer, the
25 names and addresses of the transferor and transferee, **THE VEHICLE**
26 **IDENTIFICATION NUMBER OF THE MOTOR VEHICLE** and ~~a description of the~~
27 ~~vehicle as provided in the form~~ **THE MAKE AND MODEL YEAR OF THE MOTOR**
28 **VEHICLE**.

29 B. **THE NOTICE PRESCRIBED BY SUBSECTION A OF THIS SECTION IS MET BY**
30 **THE ISSUANCE OR SUBMITTAL OF ANY OF THE FOLLOWING TO THE DEPARTMENT IN A**
31 **MANNER PRESCRIBED BY THE DIRECTOR:**

32 1. **A TEMPORARY REGISTRATION PERMIT ISSUED BY A LICENSED NEW MOTOR**
33 **VEHICLE DEALER OR USED MOTOR VEHICLE DEALER.**

34 2. **A SOLD NOTICE.**

35 3. **A NOTICE OF TITLE TRANSFER.**

36 4. **A NOTICE OF TRANSFER INDICATING THE TRANSFER OF OWNERSHIP FROM**
37 **ONE LICENSED DEALER TO ANOTHER LICENSED DEALER.**

38 5. **ANY INFORMATION THAT IS PRESCRIBED BY THE DIRECTOR AND THAT IS**
39 **SUBMITTED IN AN ELECTRONIC FORMAT.**

40 C. **THE NOTICE PRESCRIBED BY SUBSECTION A OF THIS SECTION THAT**
41 **RELATES TO WHOLESALE MOTOR VEHICLE AUCTION DEALERS DOES NOT APPLY UNTIL**
42 **BOTH:**

43 1. **THE DEPARTMENT IMPLEMENTS A SYSTEM THAT ALLOWS THE WHOLESALE**
44 **MOTOR VEHICLE AUCTION DEALER TO SUBMIT THE NOTICE ELECTRONICALLY TO THE**

1 DEPARTMENT INDIVIDUALLY OR THROUGH AN ELECTRONIC UPDATING PROCESS AT THE
2 OPTION OF THE DEALER.

3 2. NINETY DAYS AFTER THE DEPARTMENT PROVIDES WRITTEN NOTICE OF THE
4 SYSTEM'S IMPLEMENTATION TO EACH WHOLESALE MOTOR VEHICLE AUCTION DEALER.

5 Sec. 5. Section 28-6991, Arizona Revised Statutes, is amended to
6 read:

7 28-6991. State highway fund; sources

8 A state highway fund is established that consists of:

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

11 2. Monies appropriated by the legislature.

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

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

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

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

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

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

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

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

1 11. Monies deposited pursuant to sections 28-1143, 28-2353 and
2 28-3003.

3 12. Except as provided in section 28-5101, the following monies:

4 (a) Monies deposited pursuant to section 28-2206 and section
5 28-5808, subsection B, paragraph 2, subdivision (e).

6 (b) One dollar of each registration fee and one dollar of each
7 title fee collected pursuant to section 28-2003.

8 (c) Two dollars of each late registration penalty collected by the
9 director pursuant to section 28-2162.

10 (d) The air quality compliance fee collected pursuant to section
11 49-542.

12 (e) The special plate administration fees collected pursuant to
13 sections 28-2404, 28-2412 through 28-2416, 28-2416.01, 28-2417 through
14 28-2459 and 28-2514.

15 (f) Monies collected pursuant to sections 28-372, 28-2155 and
16 28-2156 if the director is the registering officer.

17 13. Monies deposited pursuant to chapter 5, article 5 of this
18 title.

19 14. Donations received pursuant to section 28-2269.

20 15. Dealer and registration monies collected pursuant to section
21 28-4304.

22 16. Abandoned vehicle administration monies deposited pursuant to
23 section 28-4804.

24 17. Monies deposited pursuant to section 28-710, subsection D,
25 paragraph 2.

26 18. Monies deposited pursuant to section 28-2065.

27 19. Monies deposited pursuant to section 28-7311.

28 20. Monies deposited pursuant to section 28-7059.

29 21. Monies deposited pursuant to section 28-1105.

30 22. Monies deposited pursuant to section 28-2448, subsection D.

31 23. Monies deposited pursuant to section 28-3415.

32 24. Monies deposited pursuant to section 28-3002, subsection A,
33 paragraph 14.

34 25. Monies deposited pursuant to section 28-7316.

35 26. MONIES DEPOSITED PURSUANT TO SECTION 28-4302.