

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 306
HOUSE BILL 2422

AN ACT

AMENDING SECTION 28-101, ARIZONA REVISED STATUTES; AMENDING SECTION 28-101, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 28-627, ARIZONA REVISED STATUTES; AMENDING SECTION 28-627, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 28-904, ARIZONA REVISED STATUTES; AMENDING SECTION 28-904, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING TITLE 28, CHAPTER 3, ARTICLE 15, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-913; AMENDING SECTION 28-2153, ARIZONA REVISED STATUTES; AMENDING SECTION 28-2153, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 28-4132, ARIZONA REVISED STATUTES; AMENDING SECTION 28-4132, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; REPEALING SECTION 28-913, ARIZONA REVISED STATUTES, AS ADDED BY THIS ACT; RELATING TO TRANSPORTATION DEVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-101, Arizona Revised Statutes, is amended to
3 read:

4 28-101. Definitions

5 In this title, unless the context otherwise requires:

6 1. "Alcohol" means any substance containing any form of alcohol,
7 including ethanol, methanol, propynol and isopropynol.

8 2. "Alcohol concentration" if expressed as a percentage means
9 either:

10 (a) The number of grams of alcohol per one hundred milliliters of
11 blood.

12 (b) The number of grams of alcohol per two hundred ten liters of
13 breath.

14 3. "All-terrain vehicle" means either of the following:

15 (a) A motor vehicle that satisfies all of the following:

16 (i) Is designed primarily for recreational nonhighway all-terrain
17 travel.

18 (ii) Is fifty or fewer inches in width.

19 (iii) Has an unladen weight of one thousand two hundred pounds or
20 less.

21 (iv) Travels on three or more nonhighway tires.

22 (v) Is operated on a public highway.

23 (b) A recreational off-highway vehicle that satisfies all of the
24 following:

25 (i) Is designed primarily for recreational nonhighway all-terrain
26 travel.

27 (ii) Is sixty-five or fewer inches in width.

28 (iii) Has an unladen weight of one thousand eight hundred pounds or
29 less.

30 (iv) Travels on four or more nonhighway tires.

31 4. "Authorized emergency vehicle" means any of the following:

32 (a) A fire department vehicle.

33 (b) A police vehicle.

34 (c) An ambulance or emergency vehicle of a municipal department or
35 public service corporation that is designated or authorized by the
36 department or a local authority.

37 (d) Any other ambulance, fire truck or rescue vehicle that is
38 authorized by the department in its sole discretion and that meets
39 liability insurance requirements prescribed by the department.

40 5. "Autocycle" means a three-wheeled motorcycle on which the driver
41 and passengers ride in a fully or partially enclosed seating area that is
42 equipped with a roll cage, safety belts for each occupant and antilock
43 brakes and that is designed to be controlled with a steering wheel and
44 pedals.

1 6. "Aviation fuel" means all flammable liquids composed of a
2 mixture of selected hydrocarbons expressly manufactured and blended for
3 the purpose of effectively and efficiently operating an internal
4 combustion engine for use in an aircraft but does not include fuel for jet
5 or turbine powered aircraft.

6 7. "Bicycle" means a device, including a racing wheelchair, that is
7 propelled by human power and on which a person may ride and that has
8 either:

9 (a) Two tandem wheels, either of which is more than sixteen inches
10 in diameter.

11 (b) Three wheels in contact with the ground, any of which is more
12 than sixteen inches in diameter.

13 8. "Board" means the transportation board.

14 9. "Bus" means a motor vehicle designed for carrying sixteen or
15 more passengers, including the driver.

16 10. "Business district" means the territory contiguous to and
17 including a highway if there are buildings in use for business or
18 industrial purposes within any six hundred feet along the highway,
19 including hotels, banks or office buildings, railroad stations and public
20 buildings that occupy at least three hundred feet of frontage on one side
21 or three hundred feet collectively on both sides of the highway.

22 11. "Certificate of ownership" means a paper or an electronic
23 record that is issued in another state or a foreign jurisdiction and that
24 indicates ownership of a vehicle.

25 12. "Certificate of title" means a paper document or an electronic
26 record that is issued by the department and that indicates ownership of a
27 vehicle.

28 13. "Combination of vehicles" means a truck or truck tractor and
29 semitrailer and any trailer that it tows but does not include a forklift
30 designed for the purpose of loading or unloading the truck, trailer or
31 semitrailer.

32 14. "Controlled substance" means a substance so classified under
33 section 102(6) of the controlled substances act (21 United States Code
34 section 802(6)) and includes all substances listed in schedules I through
35 V of 21 Code of Federal Regulations part 1308.

36 15. "Conviction" means:

37 (a) An unvacated adjudication of guilt or a determination that a
38 person violated or failed to comply with the law in a court of original
39 jurisdiction or by an authorized administrative tribunal.

40 (b) An unvacated forfeiture of bail or collateral deposited to
41 secure the person's appearance in court.

42 (c) A plea of guilty or no contest accepted by the court.

43 (d) The payment of a fine or court costs.

44 16. "County highway" means a public road that is constructed and
45 maintained by a county.

- 1 17. "Dealer" means a person who is engaged in the business of
2 buying, selling or exchanging motor vehicles, trailers or semitrailers and
3 who has an established place of business and has paid fees pursuant to
4 section 28-4302.
- 5 18. "Department" means the department of transportation acting
6 directly or through its duly authorized officers and agents.
- 7 19. "Digital network or software application" has the same meaning
8 prescribed in section 28-9551.
- 9 20. "Director" means the director of the department of
10 transportation.
- 11 21. "Drive" means to operate or be in actual physical control of a
12 motor vehicle.
- 13 22. "Driver" means a person who drives or is in actual physical
14 control of a vehicle.
- 15 23. "Driver license" means a license that is issued by a state to
16 an individual and that authorizes the individual to drive a motor vehicle.
- 17 24. "Electric personal assistive mobility device" means a
18 self-balancing device with one wheel or two nontandem wheels and an
19 electric propulsion system that limits the maximum speed of the device to
20 fifteen miles per hour or less and that is designed to transport only one
21 person.
- 22 25. "Farm" means any lands primarily used for agriculture
23 production.
- 24 26. "Farm tractor" means a motor vehicle designed and used
25 primarily as a farm implement for drawing implements of husbandry.
- 26 27. "Foreign vehicle" means a motor vehicle, trailer or semitrailer
27 that is brought into this state other than in the ordinary course of
28 business by or through a manufacturer or dealer and that has not been
29 registered in this state.
- 30 28. "Golf cart" means a motor vehicle that has not less than three
31 wheels in contact with the ground, that has an unladen weight of less than
32 one thousand eight hundred pounds, that is designed to be and is operated
33 at not more than twenty-five miles per hour and that is designed to carry
34 not more than four persons including the driver.
- 35 29. "Hazardous material" means a material, and its mixtures or
36 solutions, that the United States department of transportation determines
37 under 49 Code of Federal Regulations is, or any quantity of a material
38 listed as a select agent or toxin under 42 Code of Federal Regulations
39 part 73 that is, capable of posing an unreasonable risk to health, safety
40 and property if transported in commerce and that is required to be
41 placarded or marked as required by the department's safety rules
42 prescribed pursuant to chapter 14 of this title.
- 43 30. "Implement of husbandry" means a vehicle that is designed
44 primarily for agricultural purposes and that is used exclusively in the
45 conduct of agricultural operations, including an implement or vehicle

1 whether self-propelled or otherwise that meets both of the following
2 conditions:

3 (a) Is used solely for agricultural purposes including the
4 preparation or harvesting of cotton, alfalfa, grains and other farm crops.

5 (b) Is only incidentally operated or moved on a highway whether as
6 a trailer or self-propelled unit. For the purposes of this subdivision,
7 "incidentally operated or moved on a highway" means travel between a farm
8 and another part of the same farm, from one farm to another farm or
9 between a farm and a place of repair, supply or storage.

10 31. "Limousine" means a motor vehicle providing prearranged ground
11 transportation service for an individual passenger, or a group of
12 passengers, that is arranged in advance or is operated on a regular route
13 or between specified points and includes ground transportation under a
14 contract or agreement for services that includes a fixed rate or time and
15 is provided in a motor vehicle with a seating capacity not exceeding
16 fifteen passengers including the driver.

17 32. "Livery vehicle" means a motor vehicle that:

18 (a) Has a seating capacity not exceeding fifteen passengers
19 including the driver.

20 (b) Provides passenger services for a fare determined by a flat
21 rate or flat hourly rate between geographic zones or within a geographic
22 area.

23 (c) Is available for hire on an exclusive or shared ride basis.

24 (d) May do any of the following:

25 (i) Operate on a regular route or between specified places.

26 (ii) Offer prearranged ground transportation service as defined in
27 section 28-141.

28 (iii) Offer on demand ground transportation service pursuant to a
29 contract with a public airport, licensed business entity or organization.

30 33. "Local authority" means any county, municipal or other local
31 board or body exercising jurisdiction over highways under the constitution
32 and laws of this state.

33 34. "Manufacturer" means a person engaged in the business of
34 manufacturing motor vehicles, trailers or semitrailers.

35 35. "Moped" means a bicycle that is equipped with a helper motor if
36 the vehicle has a maximum piston displacement of fifty cubic centimeters
37 or less, a brake horsepower of one and one-half or less and a maximum
38 speed of twenty-five miles per hour or less on a flat surface with less
39 than a one percent grade.

40 ~~35.~~ 36. "Motorcycle" means a motor vehicle that has a seat or
41 saddle for the use of the rider and that is designed to travel on not more
42 than three wheels in contact with the ground but excludes a tractor and a
43 moped.

1 ~~36-~~ 37. "Motor driven cycle" means a motorcycle, including every
2 motor scooter, with a motor that produces not more than five horsepower.
3 ~~40-~~ 38. "Motorized quadricycle" means a self-propelled motor
4 vehicle to which all of the following apply:
5 (a) The vehicle is self-propelled by an emission-free electric
6 motor and may include pedals operated by the passengers.
7 (b) The vehicle has at least four wheels in contact with the
8 ground.
9 (c) The vehicle seats at least eight passengers, including the
10 driver.
11 (d) The vehicle is operable on a flat surface using solely the
12 electric motor without assistance from the pedals or passengers.
13 (e) The vehicle is a commercial motor vehicle as defined in section
14 28-5201.
15 (f) The vehicle is a limousine operating under a vehicle for hire
16 company permit issued pursuant to section 28-9503.
17 (g) The vehicle is manufactured by a motor vehicle manufacturer
18 that is licensed pursuant to chapter 10 of this title.
19 (h) The vehicle complies with the definition and standards for
20 low-speed vehicles set forth in federal motor vehicle safety standard 500
21 and 49 Code of Federal Regulations sections 571.3(b) and 571.500,
22 respectively.
23 ~~37-~~ 39. "Motor vehicle":
24 (a) Means either:
25 (i) A self-propelled vehicle.
26 (ii) For the purposes of the laws relating to the imposition of a
27 tax on motor vehicle fuel, a vehicle that is operated on the highways of
28 this state and that is propelled by the use of motor vehicle fuel.
29 (b) Does not include A PERSONAL DELIVERY DEVICE, a motorized
30 wheelchair, an electric personal assistive mobility device or a motorized
31 skateboard. For the purposes of this subdivision:
32 (i) "Motorized skateboard" means a self-propelled device that has a
33 motor, a deck on which a person may ride and at least two tandem wheels in
34 contact with the ground.
35 (ii) "Motorized wheelchair" means a self-propelled wheelchair that
36 is used by a person for mobility.
37 ~~38-~~ 40. "Motor vehicle fuel" includes all products that are
38 commonly or commercially known or sold as gasoline, including casinghead
39 gasoline, natural gasoline and all flammable liquids, and that are
40 composed of a mixture of selected hydrocarbons expressly manufactured and
41 blended for the purpose of effectively and efficiently operating internal
42 combustion engines. Motor vehicle fuel does not include inflammable
43 liquids that are specifically manufactured for racing motor vehicles and
44 that are distributed for and used by racing motor vehicles at a racetrack,
45 use fuel as defined in section 28-5601, aviation fuel, fuel for jet or

1 turbine powered aircraft or the mixture created at the interface of two
2 different substances being transported through a pipeline, commonly known
3 as transmix.

4 41. "Neighborhood electric vehicle" means a self-propelled
5 electrically powered motor vehicle to which all of the following apply:

6 (a) The vehicle is emission free.

7 (b) The vehicle has at least four wheels in contact with the
8 ground.

9 (c) The vehicle complies with the definition and standards for
10 low-speed vehicles set forth in federal motor vehicle safety standard 500
11 and 49 Code of Federal Regulations sections 571.3(b) and 571.500,
12 respectively.

13 42. "Nonresident" means a person who is not a resident of this
14 state as defined in section 28-2001.

15 43. "Off-road recreational motor vehicle" means a motor vehicle
16 that is designed primarily for recreational nonhighway all-terrain travel
17 and that is not operated on a public highway. Off-road recreational motor
18 vehicle does not mean a motor vehicle used for construction, building
19 trade, mining or agricultural purposes.

20 44. "Operator" means a person who drives a motor vehicle on a
21 highway, who is in actual physical control of a motor vehicle on a highway
22 or who is exercising control over or steering a vehicle being towed by a
23 motor vehicle.

24 45. "Owner" means:

25 (a) A person who holds the legal title of a vehicle.

26 (b) If a vehicle is the subject of an agreement for the conditional
27 sale or lease with the right of purchase on performance of the conditions
28 stated in the agreement and with an immediate right of possession vested
29 in the conditional vendee or lessee, the conditional vendee or lessee.

30 (c) If a mortgagor of a vehicle is entitled to possession of the
31 vehicle, the mortgagor.

32 46. "Pedestrian" means any person afoot. A person who uses an
33 electric personal assistive mobility device or a manual or motorized
34 wheelchair is considered a pedestrian unless the manual wheelchair
35 qualifies as a bicycle. For the purposes of this paragraph, "motorized
36 wheelchair" means a self-propelled wheelchair that is used by a person for
37 mobility.

38 47. "PERSONAL DELIVERY DEVICE" MEANS AN ELECTRONICALLY POWERED
39 DEVICE THAT:

40 (a) IS OPERATED PRIMARILY ON SIDEWALKS AND WITHIN CROSSWALKS AND
41 THAT IS DESIGNED TO TRANSPORT PROPERTY.

42 (b) WEIGHS LESS THAN TWO HUNDRED POUNDS, EXCLUDING CARGO, UNLESS
43 OTHERWISE AUTHORIZED BY A LOCAL AUTHORITY PURSUANT TO SECTION 28-627.

44 (c) OPERATES AT A MAXIMUM SPEED OF SEVEN MILES PER HOUR, UNLESS
45 OTHERWISE AUTHORIZED BY A LOCAL AUTHORITY PURSUANT TO SECTION 28-627.

1 (d) IS EQUIPPED WITH TECHNOLOGY TO ALLOW FOR THE OPERATION OF THE
2 DEVICE WITH OR WITHOUT THE ACTIVE CONTROL OR MONITORING OF A NATURAL
3 PERSON.

4 (e) IS EQUIPPED WITH A BRAKING SYSTEM THAT WHEN ACTIVE OR ENGAGED
5 ENABLES THE PERSONAL DELIVERY DEVICE TO COME TO A CONTROLLED STOP.

6 ~~47.~~ 48. "Power sweeper" means an implement, with or without motive
7 power, that is only incidentally operated or moved on a street or highway
8 and that is designed for the removal of debris, dirt, gravel, litter or
9 sand whether by broom, vacuum or regenerative air system from asphaltic
10 concrete or cement concrete surfaces, including parking lots, highways,
11 streets and warehouses, and a vehicle on which the implement is
12 permanently mounted.

13 ~~48.~~ 49. "Public transit" means the transportation of passengers on
14 scheduled routes by means of a conveyance on an individual passenger
15 fare-paying basis excluding transportation by a sightseeing bus, school
16 bus or taxi or a vehicle not operated on a scheduled route basis.

17 ~~49.~~ 50. "Reconstructed vehicle" means a vehicle that has been
18 assembled or constructed largely by means of essential parts, new or used,
19 derived from vehicles or makes of vehicles of various names, models and
20 types or that, if originally otherwise constructed, has been materially
21 altered by the removal of essential parts or by the addition or
22 substitution of essential parts, new or used, derived from other vehicles
23 or makes of vehicles. For the purposes of this paragraph, "essential
24 parts" means integral and body parts, the removal, alteration or
25 substitution of which will tend to conceal the identity or substantially
26 alter the appearance of the vehicle.

27 ~~50.~~ 51. "Residence district" means the territory contiguous to and
28 including a highway not comprising a business district if the property on
29 the highway for a distance of three hundred feet or more is in the main
30 improved with residences or residences and buildings in use for business.

31 ~~51.~~ 52. "Right-of-way" when used within the context of the
32 regulation of the movement of traffic on a highway means the privilege of
33 the immediate use of the highway. Right-of-way when used within the
34 context of the real property on which transportation facilities and
35 appurtenances to the facilities are constructed or maintained means the
36 lands or interest in lands within the right-of-way boundaries.

37 ~~52.~~ 53. "School bus" means a motor vehicle that is designed for
38 carrying more than ten passengers and that is either:

39 (a) Owned by any public or governmental agency or other institution
40 and operated for the transportation of children to or from home or school
41 on a regularly scheduled basis.

42 (b) Privately owned and operated for compensation for the
43 transportation of children to or from home or school on a regularly
44 scheduled basis.

1 ~~53.~~ 54. "Semitrailer" means a vehicle that is with or without
2 motive power, other than a pole trailer, that is designed for carrying
3 persons or property and for being drawn by a motor vehicle and that is
4 constructed so that some part of its weight and that of its load rests on
5 or is carried by another vehicle. For the purposes of this paragraph,
6 "pole trailer" has the same meaning prescribed in section 28-601.

7 ~~54.~~ 55. "State" means a state of the United States and the
8 District of Columbia.

9 ~~55.~~ 56. "State highway" means a state route or portion of a state
10 route that is accepted and designated by the board as a state highway and
11 that is maintained by the state.

12 ~~56.~~ 57. "State route" means a right-of-way whether actually used
13 as a highway or not that is designated by the board as a location for the
14 construction of a state highway.

15 ~~57.~~ 58. "Street" or "highway" means the entire width between the
16 boundary lines of every way if a part of the way is open to the use of the
17 public for purposes of vehicular travel.

18 ~~58.~~ 59. "Taxi" means a motor vehicle that has a seating capacity
19 not exceeding fifteen passengers, including the driver, that provides
20 passenger services and that:

21 (a) Does not primarily operate on a regular route or between
22 specified places.

23 (b) Offers local transportation for a fare determined on the basis
24 of the distance traveled or prearranged ground transportation service as
25 defined in section 28-141 for a predetermined fare.

26 ~~59.~~ 60. "Title transfer form" means a paper or an electronic form
27 that is prescribed by the department for the purpose of transferring a
28 certificate of title from one owner to another owner.

29 ~~60.~~ 61. "Traffic survival school" means a school that offers
30 educational sessions to drivers who are required to attend and
31 successfully complete educational sessions pursuant to this title that are
32 designed to improve the safety and habits of drivers and that are approved
33 by the department.

34 ~~61.~~ 62. "Trailer" means a vehicle that is with or without motive
35 power, other than a pole trailer, that is designed for carrying persons or
36 property and for being drawn by a motor vehicle and that is constructed so
37 that no part of its weight rests on the towing vehicle. A semitrailer
38 equipped with an auxiliary front axle commonly known as a dolly is deemed
39 to be a trailer. For the purposes of this paragraph, "pole trailer" has
40 the same meaning prescribed in section 28-601.

41 ~~62.~~ 63. "Transportation network company" has the same meaning
42 prescribed in section 28-9551.

43 ~~63.~~ 64. "Transportation network company vehicle" has the same
44 meaning prescribed in section 28-9551.

1 ~~64.~~ 65. "Transportation network service" has the same meaning
2 prescribed in section 28-9551.

3 ~~65.~~ 66. "Truck" means a motor vehicle designed or used primarily
4 for the carrying of property other than the effects of the driver or
5 passengers and includes a motor vehicle to which has been added a box, a
6 platform or other equipment for such carrying.

7 ~~66.~~ 67. "Truck tractor" means a motor vehicle that is designed and
8 used primarily for drawing other vehicles and that is not constructed to
9 carry a load other than a part of the weight of the vehicle and load
10 drawn.

11 ~~67.~~ 68. "Vehicle":

12 (a) Means a device in, on or by which a person or property is or
13 may be transported or drawn on a public highway. ~~, excluding~~

14 (b) DOES NOT INCLUDE:

15 (i) Devices moved by human power. ~~or~~

16 (ii) DEVICES used exclusively on stationary rails or tracks.

17 (iii) PERSONAL DELIVERY DEVICES.

18 ~~68.~~ 69. "Vehicle transporter" means either:

19 (a) A truck tractor capable of carrying a load and drawing a
20 semitrailer.

21 (b) A truck tractor with a stinger-steered fifth wheel capable of
22 carrying a load and drawing a semitrailer or a truck tractor with a dolly
23 mounted fifth wheel that is securely fastened to the truck tractor at two
24 or more points and that is capable of carrying a load and drawing a
25 semitrailer.

26 Sec. 2. Section 28-101, Arizona Revised Statutes, as amended by
27 section 1 of this act, is amended to read:

28 28-101. Definitions

29 In this title, unless the context otherwise requires:

30 1. "Alcohol" means any substance containing any form of alcohol,
31 including ethanol, methanol, propynol and isopropynol.

32 2. "Alcohol concentration" if expressed as a percentage means
33 either:

34 (a) The number of grams of alcohol per one hundred milliliters of
35 blood.

36 (b) The number of grams of alcohol per two hundred ten liters of
37 breath.

38 3. "All-terrain vehicle" means either of the following:

39 (a) A motor vehicle that satisfies all of the following:

40 (i) Is designed primarily for recreational nonhighway all-terrain
41 travel.

42 (ii) Is fifty or fewer inches in width.

43 (iii) Has an unladen weight of one thousand two hundred pounds or
44 less.

45 (iv) Travels on three or more nonhighway tires.

- 1 (v) Is operated on a public highway.
2 (b) A recreational off-highway vehicle that satisfies all of the
3 following:
4 (i) Is designed primarily for recreational nonhighway all-terrain
5 travel.
6 (ii) Is sixty-five or fewer inches in width.
7 (iii) Has an unladen weight of one thousand eight hundred pounds or
8 less.
9 (iv) Travels on four or more nonhighway tires.
10 4. "Authorized emergency vehicle" means any of the following:
11 (a) A fire department vehicle.
12 (b) A police vehicle.
13 (c) An ambulance or emergency vehicle of a municipal department or
14 public service corporation that is designated or authorized by the
15 department or a local authority.
16 (d) Any other ambulance, fire truck or rescue vehicle that is
17 authorized by the department in its sole discretion and that meets
18 liability insurance requirements prescribed by the department.
19 5. "Autocycle" means a three-wheeled motorcycle on which the driver
20 and passengers ride in a fully or partially enclosed seating area that is
21 equipped with a roll cage, safety belts for each occupant and antilock
22 brakes and that is designed to be controlled with a steering wheel and
23 pedals.
24 6. "Aviation fuel" means all flammable liquids composed of a
25 mixture of selected hydrocarbons expressly manufactured and blended for
26 the purpose of effectively and efficiently operating an internal
27 combustion engine for use in an aircraft but does not include fuel for jet
28 or turbine powered aircraft.
29 7. "Bicycle" means a device, including a racing wheelchair, that is
30 propelled by human power and on which a person may ride and that has
31 either:
32 (a) Two tandem wheels, either of which is more than sixteen inches
33 in diameter.
34 (b) Three wheels in contact with the ground, any of which is more
35 than sixteen inches in diameter.
36 8. "Board" means the transportation board.
37 9. "Bus" means a motor vehicle designed for carrying sixteen or
38 more passengers, including the driver.
39 10. "Business district" means the territory contiguous to and
40 including a highway if there are buildings in use for business or
41 industrial purposes within any six hundred feet along the highway,
42 including hotels, banks or office buildings, railroad stations and public
43 buildings that occupy at least three hundred feet of frontage on one side
44 or three hundred feet collectively on both sides of the highway.

1 11. "Certificate of ownership" means a paper or an electronic
2 record that is issued in another state or a foreign jurisdiction and that
3 indicates ownership of a vehicle.

4 12. "Certificate of title" means a paper document or an electronic
5 record that is issued by the department and that indicates ownership of a
6 vehicle.

7 13. "Combination of vehicles" means a truck or truck tractor and
8 semitrailer and any trailer that it tows but does not include a forklift
9 designed for the purpose of loading or unloading the truck, trailer or
10 semitrailer.

11 14. "Controlled substance" means a substance so classified under
12 section 102(6) of the controlled substances act (21 United States Code
13 section 802(6)) and includes all substances listed in schedules I through
14 V of 21 Code of Federal Regulations part 1308.

15 15. "Conviction" means:

16 (a) An unvacated adjudication of guilt or a determination that a
17 person violated or failed to comply with the law in a court of original
18 jurisdiction or by an authorized administrative tribunal.

19 (b) An unvacated forfeiture of bail or collateral deposited to
20 secure the person's appearance in court.

21 (c) A plea of guilty or no contest accepted by the court.

22 (d) The payment of a fine or court costs.

23 16. "County highway" means a public road that is constructed and
24 maintained by a county.

25 17. "Dealer" means a person who is engaged in the business of
26 buying, selling or exchanging motor vehicles, trailers or semitrailers and
27 who has an established place of business and has paid fees pursuant to
28 section 28-4302.

29 18. "Department" means the department of transportation acting
30 directly or through its duly authorized officers and agents.

31 19. "Digital network or software application" has the same meaning
32 prescribed in section 28-9551.

33 20. "Director" means the director of the department of
34 transportation.

35 21. "Drive" means to operate or be in actual physical control of a
36 motor vehicle.

37 22. "Driver" means a person who drives or is in actual physical
38 control of a vehicle.

39 23. "Driver license" means a license that is issued by a state to
40 an individual and that authorizes the individual to drive a motor vehicle.

41 24. "Electric personal assistive mobility device" means a
42 self-balancing device with one wheel or two nontandem wheels and an
43 electric propulsion system that limits the maximum speed of the device to
44 fifteen miles per hour or less and that is designed to transport only one
45 person.

1 25. "Farm" means any lands primarily used for agriculture
2 production.

3 26. "Farm tractor" means a motor vehicle designed and used
4 primarily as a farm implement for drawing implements of husbandry.

5 27. "Foreign vehicle" means a motor vehicle, trailer or semitrailer
6 that is brought into this state other than in the ordinary course of
7 business by or through a manufacturer or dealer and that has not been
8 registered in this state.

9 28. "Golf cart" means a motor vehicle that has not less than three
10 wheels in contact with the ground, that has an unladen weight of less than
11 one thousand eight hundred pounds, that is designed to be and is operated
12 at not more than twenty-five miles per hour and that is designed to carry
13 not more than four persons including the driver.

14 29. "Hazardous material" means a material, and its mixtures or
15 solutions, that the United States department of transportation determines
16 under 49 Code of Federal Regulations is, or any quantity of a material
17 listed as a select agent or toxin under 42 Code of Federal Regulations
18 part 73 that is, capable of posing an unreasonable risk to health, safety
19 and property if transported in commerce and that is required to be
20 placarded or marked as required by the department's safety rules
21 prescribed pursuant to chapter 14 of this title.

22 30. "Implement of husbandry" means a vehicle that is designed
23 primarily for agricultural purposes and that is used exclusively in the
24 conduct of agricultural operations, including an implement or vehicle
25 whether self-propelled or otherwise that meets both of the following
26 conditions:

27 (a) Is used solely for agricultural purposes including the
28 preparation or harvesting of cotton, alfalfa, grains and other farm crops.

29 (b) Is only incidentally operated or moved on a highway whether as
30 a trailer or self-propelled unit. For the purposes of this subdivision,
31 "incidentally operated or moved on a highway" means travel between a farm
32 and another part of the same farm, from one farm to another farm or
33 between a farm and a place of repair, supply or storage.

34 31. "Limousine" means a motor vehicle providing prearranged ground
35 transportation service for an individual passenger, or a group of
36 passengers, that is arranged in advance or is operated on a regular route
37 or between specified points and includes ground transportation under a
38 contract or agreement for services that includes a fixed rate or time and
39 is provided in a motor vehicle with a seating capacity not exceeding
40 fifteen passengers including the driver.

41 32. "Livery vehicle" means a motor vehicle that:

42 (a) Has a seating capacity not exceeding fifteen passengers
43 including the driver.

- 1 (b) Provides passenger services for a fare determined by a flat
2 rate or flat hourly rate between geographic zones or within a geographic
3 area.
- 4 (c) Is available for hire on an exclusive or shared ride basis.
- 5 (d) May do any of the following:
- 6 (i) Operate on a regular route or between specified places.
- 7 (ii) Offer prearranged ground transportation service as defined in
8 section 28-141.
- 9 (iii) Offer on demand ground transportation service pursuant to a
10 contract with a public airport, licensed business entity or organization.
- 11 33. "Local authority" means any county, municipal or other local
12 board or body exercising jurisdiction over highways under the constitution
13 and laws of this state.
- 14 34. "Manufacturer" means a person engaged in the business of
15 manufacturing motor vehicles, trailers or semitrailers.
- 16 35. "Moped" means a bicycle that is equipped with a helper motor if
17 the vehicle has a maximum piston displacement of fifty cubic centimeters
18 or less, a brake horsepower of one and one-half or less and a maximum
19 speed of twenty-five miles per hour or less on a flat surface with less
20 than a one percent grade.
- 21 36. "Motorcycle" means a motor vehicle that has a seat or saddle
22 for the use of the rider and that is designed to travel on not more than
23 three wheels in contact with the ground but excludes a tractor and a
24 moped.
- 25 37. "Motor driven cycle" means a motorcycle, including every motor
26 scooter, with a motor that produces not more than five horsepower.
- 27 38. "Motorized quadricycle" means a self-propelled motor vehicle to
28 which all of the following apply:
- 29 (a) The vehicle is self-propelled by an emission-free electric
30 motor and may include pedals operated by the passengers.
- 31 (b) The vehicle has at least four wheels in contact with the
32 ground.
- 33 (c) The vehicle seats at least eight passengers, including the
34 driver.
- 35 (d) The vehicle is operable on a flat surface using solely the
36 electric motor without assistance from the pedals or passengers.
- 37 (e) The vehicle is a commercial motor vehicle as defined in section
38 28-5201.
- 39 (f) The vehicle is a limousine operating under a vehicle for hire
40 company permit issued pursuant to section 28-9503.
- 41 (g) The vehicle is manufactured by a motor vehicle manufacturer
42 that is licensed pursuant to chapter 10 of this title.
- 43 (h) The vehicle complies with the definition and standards for
44 low-speed vehicles set forth in federal motor vehicle safety standard 500

1 and 49 Code of Federal Regulations sections 571.3(b) and 571.500,
2 respectively.

3 39. "Motor vehicle":

4 (a) Means either:

5 (i) A self-propelled vehicle.

6 (ii) For the purposes of the laws relating to the imposition of a
7 tax on motor vehicle fuel, a vehicle that is operated on the highways of
8 this state and that is propelled by the use of motor vehicle fuel.

9 (b) Does not include ~~a personal delivery device~~, a motorized
10 wheelchair, an electric personal assistive mobility device or a motorized
11 skateboard. For the purposes of this subdivision:

12 (i) "Motorized skateboard" means a self-propelled device that has a
13 motor, a deck on which a person may ride and at least two tandem wheels in
14 contact with the ground.

15 (ii) "Motorized wheelchair" means a self-propelled wheelchair that
16 is used by a person for mobility.

17 40. "Motor vehicle fuel" includes all products that are commonly or
18 commercially known or sold as gasoline, including casinghead gasoline,
19 natural gasoline and all flammable liquids, and that are composed of a
20 mixture of selected hydrocarbons expressly manufactured and blended for
21 the purpose of effectively and efficiently operating internal combustion
22 engines. Motor vehicle fuel does not include inflammable liquids that are
23 specifically manufactured for racing motor vehicles and that are
24 distributed for and used by racing motor vehicles at a racetrack, use fuel
25 as defined in section 28-5601, aviation fuel, fuel for jet or turbine
26 powered aircraft or the mixture created at the interface of two different
27 substances being transported through a pipeline, commonly known as
28 transmix.

29 41. "Neighborhood electric vehicle" means a self-propelled
30 electrically powered motor vehicle to which all of the following apply:

31 (a) The vehicle is emission free.

32 (b) The vehicle has at least four wheels in contact with the
33 ground.

34 (c) The vehicle complies with the definition and standards for
35 low-speed vehicles set forth in federal motor vehicle safety standard 500
36 and 49 Code of Federal Regulations sections 571.3(b) and 571.500,
37 respectively.

38 42. "Nonresident" means a person who is not a resident of this
39 state as defined in section 28-2001.

40 43. "Off-road recreational motor vehicle" means a motor vehicle
41 that is designed primarily for recreational nonhighway all-terrain travel
42 and that is not operated on a public highway. Off-road recreational motor
43 vehicle does not mean a motor vehicle used for construction, building
44 trade, mining or agricultural purposes.

1 44. "Operator" means a person who drives a motor vehicle on a
2 highway, who is in actual physical control of a motor vehicle on a highway
3 or who is exercising control over or steering a vehicle being towed by a
4 motor vehicle.

5 45. "Owner" means:

6 (a) A person who holds the legal title of a vehicle.

7 (b) If a vehicle is the subject of an agreement for the conditional
8 sale or lease with the right of purchase on performance of the conditions
9 stated in the agreement and with an immediate right of possession vested
10 in the conditional vendee or lessee, the conditional vendee or lessee.

11 (c) If a mortgagor of a vehicle is entitled to possession of the
12 vehicle, the mortgagor.

13 46. "Pedestrian" means any person afoot. A person who uses an
14 electric personal assistive mobility device or a manual or motorized
15 wheelchair is considered a pedestrian unless the manual wheelchair
16 qualifies as a bicycle. For the purposes of this paragraph, "motorized
17 wheelchair" means a self-propelled wheelchair that is used by a person for
18 mobility.

19 ~~47. "Personal delivery device" means an electronically powered~~
20 ~~device that:~~

21 ~~(a) Is operated primarily on sidewalks and within crosswalks and~~
22 ~~that is designed to transport property.~~

23 ~~(b) Weighs less than two hundred pounds, excluding cargo, unless~~
24 ~~otherwise authorized by a local authority pursuant to section 28-627.~~

25 ~~(c) Operates at a maximum speed of seven miles per hour, unless~~
26 ~~otherwise authorized by a local authority pursuant to section 28-627.~~

27 ~~(d) Is equipped with technology to allow for the operation of the~~
28 ~~device with or without the active control or monitoring of a natural~~
29 ~~person.~~

30 ~~(e) Is equipped with a braking system that when active or engaged~~
31 ~~enables the personal delivery device to come to a controlled stop.~~

32 ~~48.~~ 47. "Power sweeper" means an implement, with or without motive
33 power, that is only incidentally operated or moved on a street or highway
34 and that is designed for the removal of debris, dirt, gravel, litter or
35 sand whether by broom, vacuum or regenerative air system from asphaltic
36 concrete or cement concrete surfaces, including parking lots, highways,
37 streets and warehouses, and a vehicle on which the implement is
38 permanently mounted.

39 ~~49.~~ 48. "Public transit" means the transportation of passengers on
40 scheduled routes by means of a conveyance on an individual passenger
41 fare-paying basis excluding transportation by a sightseeing bus, school
42 bus or taxi or a vehicle not operated on a scheduled route basis.

43 ~~50.~~ 49. "Reconstructed vehicle" means a vehicle that has been
44 assembled or constructed largely by means of essential parts, new or used,
45 derived from vehicles or makes of vehicles of various names, models and

1 types or that, if originally otherwise constructed, has been materially
2 altered by the removal of essential parts or by the addition or
3 substitution of essential parts, new or used, derived from other vehicles
4 or makes of vehicles. For the purposes of this paragraph, "essential
5 parts" means integral and body parts, the removal, alteration or
6 substitution of which will tend to conceal the identity or substantially
7 alter the appearance of the vehicle.

8 ~~51.~~ 50. "Residence district" means the territory contiguous to and
9 including a highway not comprising a business district if the property on
10 the highway for a distance of three hundred feet or more is in the main
11 improved with residences or residences and buildings in use for business.

12 ~~52.~~ 51. "Right-of-way" when used within the context of the
13 regulation of the movement of traffic on a highway means the privilege of
14 the immediate use of the highway. Right-of-way when used within the
15 context of the real property on which transportation facilities and
16 appurtenances to the facilities are constructed or maintained means the
17 lands or interest in lands within the right-of-way boundaries.

18 ~~53.~~ 52. "School bus" means a motor vehicle that is designed for
19 carrying more than ten passengers and that is either:

20 (a) Owned by any public or governmental agency or other institution
21 and operated for the transportation of children to or from home or school
22 on a regularly scheduled basis.

23 (b) Privately owned and operated for compensation for the
24 transportation of children to or from home or school on a regularly
25 scheduled basis.

26 ~~54.~~ 53. "Semitrailer" means a vehicle that is with or without
27 motive power, other than a pole trailer, that is designed for carrying
28 persons or property and for being drawn by a motor vehicle and that is
29 constructed so that some part of its weight and that of its load rests on
30 or is carried by another vehicle. For the purposes of this paragraph,
31 "pole trailer" has the same meaning prescribed in section 28-601.

32 ~~55.~~ 54. "State" means a state of the United States and the
33 District of Columbia.

34 ~~56.~~ 55. "State highway" means a state route or portion of a state
35 route that is accepted and designated by the board as a state highway and
36 that is maintained by the state.

37 ~~57.~~ 56. "State route" means a right-of-way whether actually used
38 as a highway or not that is designated by the board as a location for the
39 construction of a state highway.

40 ~~58.~~ 57. "Street" or "highway" means the entire width between the
41 boundary lines of every way if a part of the way is open to the use of the
42 public for purposes of vehicular travel.

43 ~~59.~~ 58. "Taxi" means a motor vehicle that has a seating capacity
44 not exceeding fifteen passengers, including the driver, that provides
45 passenger services and that:

1 (a) Does not primarily operate on a regular route or between
2 specified places.

3 (b) Offers local transportation for a fare determined on the basis
4 of the distance traveled or prearranged ground transportation service as
5 defined in section 28-141 for a predetermined fare.

6 ~~60.~~ 59. "Title transfer form" means a paper or an electronic form
7 that is prescribed by the department for the purpose of transferring a
8 certificate of title from one owner to another owner.

9 ~~61.~~ 60. "Traffic survival school" means a school that offers
10 educational sessions to drivers who are required to attend and
11 successfully complete educational sessions pursuant to this title that are
12 designed to improve the safety and habits of drivers and that are approved
13 by the department.

14 ~~62.~~ 61. "Trailer" means a vehicle that is with or without motive
15 power, other than a pole trailer, that is designed for carrying persons or
16 property and for being drawn by a motor vehicle and that is constructed so
17 that no part of its weight rests on the towing vehicle. A semitrailer
18 equipped with an auxiliary front axle commonly known as a dolly is deemed
19 to be a trailer. For the purposes of this paragraph, "pole trailer" has
20 the same meaning prescribed in section 28-601.

21 ~~63.~~ 62. "Transportation network company" has the same meaning
22 prescribed in section 28-9551.

23 ~~64.~~ 63. "Transportation network company vehicle" has the same
24 meaning prescribed in section 28-9551.

25 ~~65.~~ 64. "Transportation network service" has the same meaning
26 prescribed in section 28-9551.

27 ~~66.~~ 65. "Truck" means a motor vehicle designed or used primarily
28 for the carrying of property other than the effects of the driver or
29 passengers and includes a motor vehicle to which has been added a box, a
30 platform or other equipment for such carrying.

31 ~~67.~~ 66. "Truck tractor" means a motor vehicle that is designed and
32 used primarily for drawing other vehicles and that is not constructed to
33 carry a load other than a part of the weight of the vehicle and load
34 drawn.

35 ~~68.~~ 67. "Vehicle":

36 (a) Means a device in, on or by which a person or property is or
37 may be transported or drawn on a public highway.

38 (b) Does not include:

39 (i) Devices moved by human power.

40 (ii) Devices used exclusively on stationary rails or tracks.

41 ~~(iii) Personal delivery devices.~~

42 ~~69.~~ 68. "Vehicle transporter" means either:

43 (a) A truck tractor capable of carrying a load and drawing a
44 semitrailer.

1 (b) A truck tractor with a stinger-steered fifth wheel capable of
2 carrying a load and drawing a semitrailer or a truck tractor with a dolly
3 mounted fifth wheel that is securely fastened to the truck tractor at two
4 or more points and that is capable of carrying a load and drawing a
5 semitrailer.

6 Sec. 3. Section 28-627, Arizona Revised Statutes, is amended to
7 read:

8 28-627. Powers of local authorities

9 A. This chapter and chapters 4 and 5 of this title do not prohibit
10 a local authority, with respect to streets and highways under its
11 jurisdiction and within the reasonable exercise of the police power, from:

12 1. Regulating the standing or parking of vehicles.

13 2. Regulating traffic by means of police officers, traffic control
14 signals or volunteer posse organization members authorized by the sheriff
15 under section 11-441 for the purpose of directing traffic only.

16 3. Regulating or prohibiting processions or assemblages on the
17 highways.

18 4. Designating particular highways as one-way highways and
19 requiring that all vehicles on one-way highways be moved in one specific
20 direction.

21 5. Regulating the speed of vehicles in public parks.

22 6. Designating any highway as a through highway and requiring that
23 all vehicles stop before entering or crossing the highway or designating
24 any intersection as a stop intersection and requiring all vehicles to stop
25 at one or more entrances to the intersection.

26 7. Restricting the use of highways as authorized in section
27 28-1106.

28 8. Regulating the operation of bicycles and requiring the
29 registration and licensing of bicycles, including the requirement of a
30 registration fee.

31 9. Regulating or prohibiting the turning of vehicles or specified
32 types of vehicles at intersections.

33 10. Altering the prima facie speed limits as authorized by this
34 chapter.

35 11. Designating routes over streets and highways for vehicles not
36 exceeding one hundred two inches in width, exclusive of safety equipment.

37 12. Adopting other traffic regulations that are specifically
38 authorized by this chapter or chapter 4 or 5 of this title.

39 13. Designating routes on certain streets and highways for the
40 purpose of allowing off-highway vehicle operators to gain access to or
41 from a designated off-highway recreation facility as defined in section
42 28-1171, off-highway vehicle trail as defined in section 28-1171 or
43 off-highway vehicle special event as defined in section 28-1171.

1 14. ADOPTING REASONABLE RESTRICTIONS FOR THE SAFE OPERATION OF
2 PERSONAL DELIVERY DEVICES. THE LOCAL AUTHORITY MAY ALLOW ALL OF THE
3 FOLLOWING:

4 (a) A PERSONAL DELIVERY DEVICE'S WEIGHT TO EXCEED TWO HUNDRED
5 POUNDS, EXCLUDING CARGO.

6 (b) A PERSONAL DELIVERY DEVICE TO OPERATE AT A SPEED THAT EXCEEDS
7 SEVEN MILES PER HOUR.

8 (c) AN OWNER AND OPERATOR OF A PERSONAL DELIVERY DEVICE TO MAINTAIN
9 AN INSURANCE POLICY THAT PROVIDES LESS THAN ONE HUNDRED THOUSAND DOLLARS
10 FOR DAMAGES ARISING FROM THE OPERATIONS OF THE PERSONAL DELIVERY DEVICE.

11 B. A local authority shall not erect or maintain a stop sign or
12 traffic control signal at any location that requires the traffic on any
13 state highway to stop before entering or crossing any intersecting highway
14 unless approval in writing has first been obtained from the director.

15 C. An ordinance or regulation enacted under subsection A, paragraph
16 4, 5, 6, 7, 9 or 10 of this section is not effective until signs giving
17 notice of the local traffic regulations are posted on or at the entrances
18 to the highway or part of the highway affected as is most appropriate.

19 D. The definition of motor vehicle prescribed in section 28-101
20 does not prevent a local authority from adopting ordinances that regulate
21 or prohibit the operation of motorized skateboards, except that a local
22 authority shall not adopt an ordinance that requires registration and
23 licensing of motorized skateboards. For the purposes of this subsection,
24 "motorized skateboard" means a self-propelled device that has a motor, a
25 deck on which a person may ride and at least two tandem wheels in contact
26 with the ground.

27 E. In addition to the appointment of peace officers, a local
28 authority may provide by ordinance for the appointment of:

29 1. Unarmed police aides or municipally approved private contractors
30 who are employed or contracted by the police department and who are
31 empowered to commence an action or proceeding before a court or judge for
32 a violation of the local authority's ordinances regulating the standing or
33 parking of vehicles. A municipally approved private contractor shall not
34 include a relative of an employee or of an elected official of the
35 municipality. The authority of the unarmed police aide or municipally
36 approved private contractor as authorized in this section is limited to
37 the enforcement of the ordinances of local authorities regulating the
38 standing or parking of vehicles. Pursuant to rules established by the
39 supreme court, an unarmed police aide appointed pursuant to this paragraph
40 may serve any process originating out of a municipal court in the
41 municipality in which the unarmed police aide is employed. Service of
42 process under this paragraph shall only be made during the hours the
43 municipal court is open for the transaction of business and only on court
44 premises. This paragraph does not grant to unarmed police aides or

1 municipally approved private contractors other powers or benefits to which
2 peace officers of this state are entitled.

3 2. Traffic investigators who may:

4 (a) Investigate traffic accidents within the jurisdiction of the
5 local authority.

6 (b) Commence an action or proceeding before a court or judge for
7 any violation of a state statute or local ordinance relating to traffic,
8 if the violation is related to a traffic accident within the jurisdiction
9 of the local authority.

10 (c) Pursuant to rules established by the supreme court, serve any
11 process originating out of a municipal court in the municipality in which
12 the traffic investigator is employed. Service of process under paragraph
13 1 of this subsection shall only be made during the hours the municipal
14 court is open for the transaction of business and only on court premises.

15 F. A traffic investigator appointed pursuant to this section shall:

16 1. Be unarmed at all times during the course of the traffic
17 investigator's duties.

18 2. Be an employee of the appointing local authority.

19 3. File written reports as required pursuant to section 28-667.

20 G. Notwithstanding subsection E of this section, an unarmed police
21 aide, a municipally approved private contractor or a traffic investigator
22 shall not serve any process resulting from a citation issued for a
23 violation of article 3 or 6 of this chapter or of a city or town ordinance
24 for excessive speed or failure to obey a traffic control device that is
25 obtained using a photo enforcement system.

26 H. This section does not grant other powers or benefits to traffic
27 investigators to which peace officers of this state are entitled.

28 I. Pursuant to section 28-1092, a local authority shall provide
29 reasonable access to and from terminals and service facilities on highways
30 under its jurisdiction.

31 Sec. 4. Section 28-627, Arizona Revised Statutes, as amended by
32 section 3 of this act, is amended to read:

33 28-627. Powers of local authorities

34 A. This chapter and chapters 4 and 5 of this title do not prohibit
35 a local authority, with respect to streets and highways under its
36 jurisdiction and within the reasonable exercise of the police power, from:

37 1. Regulating the standing or parking of vehicles.

38 2. Regulating traffic by means of police officers, traffic control
39 signals or volunteer posse organization members authorized by the sheriff
40 under section 11-441 for the purpose of directing traffic only.

41 3. Regulating or prohibiting processions or assemblages on the
42 highways.

43 4. Designating particular highways as one-way highways and
44 requiring that all vehicles on one-way highways be moved in one specific
45 direction.

1 5. Regulating the speed of vehicles in public parks.

2 6. Designating any highway as a through highway and requiring that
3 all vehicles stop before entering or crossing the highway or designating
4 any intersection as a stop intersection and requiring all vehicles to stop
5 at one or more entrances to the intersection.

6 7. Restricting the use of highways as authorized in section
7 28-1106.

8 8. Regulating the operation of bicycles and requiring the
9 registration and licensing of bicycles, including the requirement of a
10 registration fee.

11 9. Regulating or prohibiting the turning of vehicles or specified
12 types of vehicles at intersections.

13 10. Altering the prima facie speed limits as authorized by this
14 chapter.

15 11. Designating routes over streets and highways for vehicles not
16 exceeding one hundred two inches in width, exclusive of safety equipment.

17 12. Adopting other traffic regulations that are specifically
18 authorized by this chapter or chapter 4 or 5 of this title.

19 13. Designating routes on certain streets and highways for the
20 purpose of allowing off-highway vehicle operators to gain access to or
21 from a designated off-highway recreation facility as defined in section
22 28-1171, off-highway vehicle trail as defined in section 28-1171 or
23 off-highway vehicle special event as defined in section 28-1171.

24 ~~14. Adopting reasonable restrictions for the safe operation of~~
25 ~~personal delivery devices. The local authority may allow all of the~~
26 ~~following:~~

27 ~~(a) A personal delivery device's weight to exceed two hundred~~
28 ~~pounds, excluding cargo.~~

29 ~~(b) A personal delivery device to operate at a speed that exceeds~~
30 ~~seven miles per hour.~~

31 ~~(c) An owner and operator of a personal delivery device to maintain~~
32 ~~an insurance policy that provides less than one hundred thousand dollars~~
33 ~~for damages arising from the operations of the personal delivery device.~~

34 B. A local authority shall not erect or maintain a stop sign or
35 traffic control signal at any location that requires the traffic on any
36 state highway to stop before entering or crossing any intersecting highway
37 unless approval in writing has first been obtained from the director.

38 C. An ordinance or regulation enacted under subsection A, paragraph
39 4, 5, 6, 7, 9 or 10 of this section is not effective until signs giving
40 notice of the local traffic regulations are posted on or at the entrances
41 to the highway or part of the highway affected as is most appropriate.

42 D. The definition of motor vehicle prescribed in section 28-101
43 does not prevent a local authority from adopting ordinances that regulate
44 or prohibit the operation of motorized skateboards, except that a local
45 authority shall not adopt an ordinance that requires registration and

1 licensing of motorized skateboards. For the purposes of this subsection,
2 "motorized skateboard" means a self-propelled device that has a motor, a
3 deck on which a person may ride and at least two tandem wheels in contact
4 with the ground.

5 E. In addition to the appointment of peace officers, a local
6 authority may provide by ordinance for the appointment of:

7 1. Unarmed police aides or municipally approved private contractors
8 who are employed or contracted by the police department and who are
9 empowered to commence an action or proceeding before a court or judge for
10 a violation of the local authority's ordinances regulating the standing or
11 parking of vehicles. A municipally approved private contractor shall not
12 include a relative of an employee or of an elected official of the
13 municipality. The authority of the unarmed police aide or municipally
14 approved private contractor as authorized in this section is limited to
15 the enforcement of the ordinances of local authorities regulating the
16 standing or parking of vehicles. Pursuant to rules established by the
17 supreme court, an unarmed police aide appointed pursuant to this paragraph
18 may serve any process originating out of a municipal court in the
19 municipality in which the unarmed police aide is employed. Service of
20 process under this paragraph shall only be made during the hours the
21 municipal court is open for the transaction of business and only on court
22 premises. This paragraph does not grant to unarmed police aides or
23 municipally approved private contractors other powers or benefits to which
24 peace officers of this state are entitled.

25 2. Traffic investigators who may:

26 (a) Investigate traffic accidents within the jurisdiction of the
27 local authority.

28 (b) Commence an action or proceeding before a court or judge for
29 any violation of a state statute or local ordinance relating to traffic,
30 if the violation is related to a traffic accident within the jurisdiction
31 of the local authority.

32 (c) Pursuant to rules established by the supreme court, serve any
33 process originating out of a municipal court in the municipality in which
34 the traffic investigator is employed. Service of process under paragraph
35 1 of this subsection shall only be made during the hours the municipal
36 court is open for the transaction of business and only on court premises.

37 F. A traffic investigator appointed pursuant to this section shall:

38 1. Be unarmed at all times during the course of the traffic
39 investigator's duties.

40 2. Be an employee of the appointing local authority.

41 3. File written reports as required pursuant to section 28-667.

42 G. Notwithstanding subsection E of this section, an unarmed police
43 aide, a municipally approved private contractor or a traffic investigator
44 shall not serve any process resulting from a citation issued for a
45 violation of article 3 or 6 of this chapter or of a city or town ordinance

1 for excessive speed or failure to obey a traffic control device that is
2 obtained using a photo enforcement system.

3 H. This section does not grant other powers or benefits to traffic
4 investigators to which peace officers of this state are entitled.

5 I. Pursuant to section 28-1092, a local authority shall provide
6 reasonable access to and from terminals and service facilities on highways
7 under its jurisdiction.

8 Sec. 5. Section 28-904, Arizona Revised Statutes, is amended to
9 read:

10 28-904. Driving on sidewalk

11 A. A person shall not drive a vehicle on a sidewalk area except on
12 a permanent or duly authorized temporary driveway.

13 B. This section does not apply to a motorized wheelchair, electric
14 personal assistive mobility device, A PERSONAL DELIVERY DEVICE, AN
15 authorized emergency vehicle, security vehicle owned by this state or
16 small service vehicle owned by this state or a political subdivision of
17 this state.

18 Sec. 6. Section 28-904, Arizona Revised Statutes, as amended by
19 section 5 of this act, is amended to read:

20 28-904. Driving on sidewalk

21 A. A person shall not drive a vehicle on a sidewalk area except on
22 a permanent or duly authorized temporary driveway.

23 B. This section does not apply to a motorized wheelchair, electric
24 personal assistive mobility device, ~~a personal delivery device, an~~
25 authorized emergency vehicle, security vehicle owned by this state or
26 small service vehicle owned by this state or a political subdivision of
27 this state.

28 Sec. 7. Title 28, chapter 3, article 15, Arizona Revised Statutes,
29 is amended by adding section 28-913, to read:

30 28-913. Personal delivery devices; operation; insurance

31 A. A PERSONAL DELIVERY DEVICE MAY OPERATE ON A SIDEWALK, WITHIN A
32 MARKED CROSSWALK OR WITHIN AN UNMARKED CROSSWALK AT AN INTERSECTION AND ON
33 ROADWAYS IN THIS STATE WITH A POSTED SPEED LIMIT OF NO GREATER THAN
34 TWENTY-FIVE MILES PER HOUR OPERATED AS FAR TO THE RIGHT AS PRACTICABLE. A
35 PERSONAL DELIVERY DEVICE HAS ALL OF THE RIGHTS AND DUTIES THAT ARE
36 CONTAINED IN THIS CHAPTER AND CHAPTER 5 OF THIS TITLE AND THAT ARE
37 APPLICABLE TO PEDESTRIANS EXCEPT THOSE PROVISIONS THAT BY THEIR NATURE CAN
38 HAVE NO APPLICATION.

39 B. A PERSON WHO OWNS AND OPERATES A PERSONAL DELIVERY DEVICE IN
40 THIS STATE MUST MAINTAIN AN INSURANCE POLICY THAT PROVIDES GENERAL
41 LIABILITY COVERAGE OF AT LEAST ONE HUNDRED THOUSAND DOLLARS FOR DAMAGES
42 ARISING FROM THE OPERATIONS OF THE PERSONAL DELIVERY DEVICE UNDER THE
43 PERSON'S CONTROL UNLESS OTHERWISE AUTHORIZED BY A LOCAL AUTHORITY PURSUANT
44 TO SECTION 28-627.

1 (d) A single axle tow dolly as defined in section 28-1095.
2 (e) A tar pot.
3 (f) A water trailer used for watering livestock or for agricultural
4 or domestic purposes.
5 (g) A welder.
6 (h) Any other similar item designed and used primarily for
7 construction or building trade purposes.
8 9. An all-terrain vehicle or an off-road recreational motor vehicle
9 operating on a dirt road that is located in an unincorporated area of this
10 state. For the purposes of this paragraph, "dirt road" means an unpaved
11 or ungraveled road that is not maintained by this state or a city, town or
12 county of this state.
13 10. A person operating an off-highway vehicle who is participating
14 in an off-highway vehicle special event as defined in section 28-1171.
15 11. An all-terrain vehicle or an off-highway vehicle as defined in
16 section 28-1171 that is only incidentally operated or moved on a highway.
17 **12. A PERSONAL DELIVERY DEVICE.**
18 E. A person who owns or operates a trailer that is exempt from
19 registration pursuant to subsection D, paragraph 2 of this section shall
20 notify the county assessor of the exemption, and the assessor shall assess
21 the trailer.
22 ~~F.~~ A person who violates **THIS** subsection ~~E of this section~~ is
23 guilty of a class 2 misdemeanor.
24 Sec. 9. Section 28-2153, Arizona Revised Statutes, as amended by
25 section 8 of this act, is amended to read:
26 **28-2153. Registration requirement; exceptions; assessment;**
27 **violation; classification**
28 A. A person shall not operate, move or leave standing on a highway
29 a motor vehicle, trailer or semitrailer unless the motor vehicle, trailer
30 or semitrailer has been registered with the department for the current
31 registration year or is properly registered for the current registration
32 year by the state or country of which the owner or lessee is a resident.
33 B. A resident shall not operate, move or leave standing on a
34 highway a motor vehicle, trailer or semitrailer that is:
35 1. Owned by a nonresident and that is primarily under the control
36 of a resident of this state for more than seven months unless the motor
37 vehicle, trailer or semitrailer has been registered with the department
38 for the current registration year.
39 2. Leased by the resident for more than twenty-nine days unless the
40 motor vehicle, trailer or semitrailer has been registered with the
41 department for the current registration year.
42 C. This section applies to a trailer or semitrailer without motive
43 power unless the vehicle is disabled or is being towed as an abandoned
44 vehicle at the direction of a law enforcement agency.

- 1 D. This section does not apply to:
- 2 1. A farm tractor.
- 3 2. A trailer used solely in the operation of a farm for
- 4 transporting the unprocessed fiber or forage products of a farm or any
- 5 implement of husbandry designed primarily for or used in agricultural
- 6 operations and only incidentally operated or moved on a highway.
- 7 3. A road roller or road machinery, including a power sweeper, that
- 8 is temporarily operating or moved on the highway.
- 9 4. An owner permitted to operate a vehicle under special provisions
- 10 relating to lienholders, manufacturers, dealers and nonresidents.
- 11 5. Motorized or nonmotorized equipment designed primarily for and
- 12 used in mining operations and only incidentally operated or moved on a
- 13 highway.
- 14 6. A motor vehicle that is being towed by a tow truck that has been
- 15 registered and for which a permit has been obtained pursuant to section
- 16 41-1830.51.
- 17 7. A golf cart used in the operation of a golf course or only
- 18 incidentally operated or moved on a highway.
- 19 8. Wheeled equipment. For the purposes of this paragraph, "wheeled
- 20 equipment" means:
- 21 (a) A compressor.
- 22 (b) A forklift or a hay squeeze machine that is designed to load
- 23 hay in an off-road situation.
- 24 (c) A portable cement mixer.
- 25 (d) A single axle tow dolly as defined in section 28-1095.
- 26 (e) A tar pot.
- 27 (f) A water trailer used for watering livestock or for agricultural
- 28 or domestic purposes.
- 29 (g) A welder.
- 30 (h) Any other similar item designed and used primarily for
- 31 construction or building trade purposes.
- 32 9. An all-terrain vehicle or an off-road recreational motor vehicle
- 33 operating on a dirt road that is located in an unincorporated area of this
- 34 state. For the purposes of this paragraph, "dirt road" means an unpaved
- 35 or ungraveled road that is not maintained by this state or a city, town or
- 36 county of this state.
- 37 10. A person operating an off-highway vehicle who is participating
- 38 in an off-highway vehicle special event as defined in section 28-1171.
- 39 11. An all-terrain vehicle or an off-highway vehicle as defined in
- 40 section 28-1171 that is only incidentally operated or moved on a highway.
- 41 ~~12. A personal delivery device.~~
- 42 E. A person who owns or operates a trailer that is exempt from
- 43 registration pursuant to subsection D, paragraph 2 of this section shall
- 44 notify the county assessor of the exemption, and the assessor shall assess

1 the trailer. A person who violates this subsection is guilty of a class 2
2 misdemeanor.

3 Sec. 10. Section 28-4132, Arizona Revised Statutes, is amended to
4 read:

5 28-4132. Financial responsibility requirement exemptions

6 This article does not apply to the owner or operator of any:

7 1. Farm tractor.

8 2. Trailer used solely in the operation of a farm for transporting
9 the unprocessed fiber or forage products of a farm or an implement of
10 husbandry designed primarily for or used in agricultural operations and
11 only incidentally operated or moved on a highway.

12 3. Road-roller or road machinery, including a power sweeper,
13 temporarily operating or moved on the highway.

14 4. Trailer not used for commercial purposes or semitrailer not used
15 for commercial purposes.

16 5. Motor vehicle rented without a driver that meets the
17 requirements of section 28-2166.

18 6. Motor vehicle registered pursuant to section 28-2154.

19 7. Motor vehicle owned by the United States government.

20 8. Golf cart used in the operation of a golf course or only
21 incidentally operated or moved on a highway.

22 9. All-terrain vehicle or off-road recreational motor vehicle
23 operating on a dirt road that is located in an unincorporated area of this
24 state. For the purposes of this paragraph, "dirt road" means an unpaved
25 or ungraveled road that is not maintained by this state or a city, town or
26 county of this state.

27 10. Off-highway vehicle participating in an off-highway vehicle
28 special event as defined in section 28-1171.

29 11. PERSONAL DELIVERY DEVICE.

30 Sec. 11. Section 28-4132, Arizona Revised Statutes, as amended by
31 section 10 of this act, is amended to read:

32 28-4132. Financial responsibility requirement exemptions

33 This article does not apply to the owner or operator of any:

34 1. Farm tractor.

35 2. Trailer used solely in the operation of a farm for transporting
36 the unprocessed fiber or forage products of a farm or an implement of
37 husbandry designed primarily for or used in agricultural operations and
38 only incidentally operated or moved on a highway.

39 3. Road-roller or road machinery, including a power sweeper,
40 temporarily operating or moved on the highway.

41 4. Trailer not used for commercial purposes or semitrailer not used
42 for commercial purposes.

43 5. Motor vehicle rented without a driver that meets the
44 requirements of section 28-2166.

45 6. Motor vehicle registered pursuant to section 28-2154.

1 7. Motor vehicle owned by the United States government.

2 8. Golf cart used in the operation of a golf course or only
3 incidentally operated or moved on a highway.

4 9. All-terrain vehicle or off-road recreational motor vehicle
5 operating on a dirt road that is located in an unincorporated area of this
6 state. For the purposes of this paragraph, "dirt road" means an unpaved
7 or ungraveled road that is not maintained by this state or a city, town or
8 county of this state.

9 10. Off-highway vehicle participating in an off-highway vehicle
10 special event as defined in section 28-1171.

11 ~~11. Personal delivery service.~~

12 Sec. 12. Effective date

13 Section 28-101, Arizona Revised Statutes, as amended by section 2 of
14 this act, section 28-627, Arizona Revised Statutes, as amended by section
15 4 of this act, section 28-904, Arizona Revised Statutes, as amended by
16 section 6 of this act, section 28-2153, Arizona Revised Statutes, as
17 amended by section 9 of this act and section 28-4132, Arizona Revised
18 Statutes, as amended by section 11 of this act, are effective from and
19 after August 31, 2020.

20 Sec. 13. Delayed repeal

21 Section 28-913, Arizona Revised Statutes, as added by this act, is
22 repealed from and after August 31, 2020.

APPROVED BY THE GOVERNOR MAY 16, 2018.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 16, 2018.