

State of Arizona  
Senate  
Fifty-fourth Legislature  
First Regular Session  
2019

# SENATE BILL 1398

## AN ACT

AMENDING SECTION 28-101, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 9, SECTION 1, CHAPTER 163, SECTION 1, CHAPTER 166, SECTION 1, CHAPTER 306, SECTION 1, AND CHAPTER 324, SECTION 1; AMENDING SECTION 28-101, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 306, SECTION 2; AMENDING SECTION 28-101, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 9, SECTION 1, CHAPTER 163, SECTION 1, CHAPTER 166, SECTION 1, CHAPTER 298, SECTION 3, CHAPTER 306, SECTION 1 AND CHAPTER 324, SECTION 1; AMENDING SECTION 28-627, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 306, SECTION 3; AMENDING SECTION 28-627, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 306, SECTION 4; AMENDING SECTION 28-819, ARIZONA REVISED STATUTES; RELATING TO MODES OF TRANSPORTATION.

(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, as amended by  
3 Laws 2018, chapter 9, section 1, chapter 163, section 1, chapter 166,  
4 section 1, chapter 306, section 1 and chapter 324, section 1, is amended  
5 to read:

6 28-101. Definitions

7 In this title, unless the context otherwise requires:

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

10 2. "Alcohol concentration" if expressed as a percentage means  
11 either:

12 (a) The number of grams of alcohol per one hundred milliliters of  
13 blood.

14 (b) The number of grams of alcohol per two hundred ten liters of  
15 breath.

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

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

18 (i) Is designed primarily for recreational nonhighway all-terrain  
19 travel.

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

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

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

24 (v) Is operated on a public highway.

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

27 (i) Is designed primarily for recreational nonhighway all-terrain  
28 travel.

29 (ii) Is eighty or fewer inches in width.

30 (iii) Has an unladen weight of two thousand five hundred pounds or  
31 less.

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

33 (v) Has a steering wheel for steering control.

34 (vi) Has a rollover protective structure.

35 (vii) Has an occupant retention system.

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

37 (a) A fire department vehicle.

38 (b) A police vehicle.

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

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

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

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

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

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

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

18           8. "Board" means the transportation board.

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

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

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

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

33           13. "Combination of vehicles" means a truck or truck tractor and  
34 semitrailer and any trailer that it tows but does not include a forklift  
35 designed for the purpose of loading or unloading the truck, trailer or  
36 semitrailer.

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

41           15. "Conviction" means:

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

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

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

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

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

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

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

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

15 20. "Director" means the director of the department of  
16 transportation.

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

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

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

23 24. "Electric bicycle" means a bicycle or tricycle that is equipped  
24 with fully operable pedals and an electric motor of less than seven  
25 hundred fifty watts and that meets the requirements of one of the  
26 following classes:

27 (a) "Class 1 electric bicycle" means a bicycle or tricycle that is  
28 equipped with an electric motor that provides assistance only when the  
29 rider is pedaling and that ceases to provide assistance when the bicycle  
30 or tricycle reaches the speed of twenty miles per hour.

31 (b) "Class 2 electric bicycle" means a bicycle or tricycle that is  
32 equipped with an electric motor that may be used exclusively to propel the  
33 bicycle or tricycle and that is not capable of providing assistance when  
34 the bicycle or tricycle reaches the speed of twenty miles per hour.

35 (c) "Class 3 electric bicycle" means a bicycle or tricycle that is  
36 equipped with an electric motor that provides assistance only when the  
37 rider is pedaling and that ceases to provide assistance when the bicycle  
38 or tricycle reaches the speed of twenty-eight miles per hour.

39 25. "ELECTRIC MINIATURE SCOOTER" MEANS A DEVICE THAT:

40 (a) WEIGHS LESS THAN THIRTY POUNDS.

41 (b) HAS TWO OR THREE WHEELS.

42 (c) HAS HANDLEBARS.

43 (d) HAS A FLOORBOARD ON WHICH A PERSON MAY STAND WHILE RIDING.

44 (e) IS POWERED BY AN ELECTRIC MOTOR OR HUMAN POWER, OR BOTH.

1 (f) HAS A MAXIMUM SPEED THAT DOES NOT EXCEED TEN MILES PER HOUR,  
2 WITH OR WITHOUT HUMAN PROPULSION, ON A PAVED LEVEL SURFACE.

3 ~~25.~~ 26. "Electric personal assistive mobility device" means a  
4 self-balancing device with one wheel or two nontandem wheels and an  
5 electric propulsion system that limits the maximum speed of the device to  
6 fifteen miles per hour or less and that is designed to transport only one  
7 person.

8 27. "ELECTRIC STANDUP SCOOTER":

9 (a) MEANS A DEVICE THAT:

10 (i) WEIGHS LESS THAN SEVENTY-FIVE POUNDS.

11 (ii) HAS TWO OR THREE WHEELS.

12 (iii) HAS HANDLEBARS.

13 (iv) HAS A FLOORBOARD ON WHICH A PERSON MAY STAND WHILE RIDING.

14 (v) IS POWERED BY AN ELECTRIC MOTOR OR HUMAN POWER, OR BOTH.

15 (vi) HAS A MAXIMUM SPEED THAT DOES NOT EXCEED TWENTY MILES PER  
16 HOUR, WITH OR WITHOUT HUMAN PROPULSION, ON A PAVED LEVEL SURFACE.

17 (b) DOES NOT INCLUDE AN ELECTRIC MINIATURE SCOOTER.

18 ~~26.~~ 28. "Evidence" includes both of the following:

19 (a) A display on a wireless communication device of a  
20 department-generated driver license, nonoperating identification license,  
21 vehicle registration card or other official record of the department that  
22 is presented to a law enforcement officer or in a court or an  
23 administrative proceeding.

24 (b) An electronic or digital license plate authorized pursuant to  
25 section 28-364.

26 ~~27.~~ 29. "Farm" means any lands primarily used for agriculture  
27 production.

28 ~~28.~~ 30. "Farm tractor" means a motor vehicle designed and used  
29 primarily as a farm implement for drawing implements of husbandry.

30 ~~29.~~ 31. "Foreign vehicle" means a motor vehicle, trailer or  
31 semitrailer that is brought into this state other than in the ordinary  
32 course of business by or through a manufacturer or dealer and that has not  
33 been registered in this state.

34 ~~30.~~ 32. "Golf cart" means a motor vehicle that has not less than  
35 three wheels in contact with the ground, that has an unladen weight of  
36 less than one thousand eight hundred pounds, that is designed to be and is  
37 operated at not more than twenty-five miles per hour and that is designed  
38 to carry not more than four persons including the driver.

39 ~~31.~~ 33. "Hazardous material" means a material, and its mixtures or  
40 solutions, that the United States department of transportation determines  
41 under 49 Code of Federal Regulations is, or any quantity of a material  
42 listed as a select agent or toxin under 42 Code of Federal Regulations  
43 part 73 that is, capable of posing an unreasonable risk to health, safety  
44 and property if transported in commerce and that is required to be

1 placarded or marked as required by the department's safety rules  
2 prescribed pursuant to chapter 14 of this title.

3 ~~32.~~ 34. "Implement of husbandry" means a vehicle that is designed  
4 primarily for agricultural purposes and that is used exclusively in the  
5 conduct of agricultural operations, including an implement or vehicle  
6 whether self-propelled or otherwise that meets both of the following  
7 conditions:

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

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

15 ~~33.~~ 35. "Limousine" means a motor vehicle providing prearranged  
16 ground transportation service for an individual passenger, or a group of  
17 passengers, that is arranged in advance or is operated on a regular route  
18 or between specified points and includes ground transportation under a  
19 contract or agreement for services that includes a fixed rate or time and  
20 is provided in a motor vehicle with a seating capacity not exceeding  
21 fifteen passengers including the driver.

22 ~~34.~~ 36. "Livery vehicle" means a motor vehicle that:

23 (a) Has a seating capacity not exceeding fifteen passengers  
24 including the driver.

25 (b) Provides passenger services for a fare determined by a flat  
26 rate or flat hourly rate between geographic zones or within a geographic  
27 area.

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

29 (d) May do any of the following:

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

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

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

35 ~~35.~~ 37. "Local authority" means any county, municipal or other  
36 local board or body exercising jurisdiction over highways under the  
37 constitution and laws of this state.

38 ~~36.~~ 38. "Manufacturer" means a person engaged in the business of  
39 manufacturing motor vehicles, trailers or semitrailers.

40 ~~37.~~ 39. "Moped" means a bicycle, not including an electric  
41 bicycle, **AN ELECTRIC MINIATURE SCOOTER OR AN ELECTRIC STANDUP SCOOTER**,  
42 that is equipped with a helper motor if the vehicle has a maximum piston  
43 displacement of fifty cubic centimeters or less, a brake horsepower of one  
44 and one-half or less and a maximum speed of twenty-five miles per hour or  
45 less on a flat surface with less than a one percent grade.

1           ~~38.~~ 40. "Motorcycle" means a motor vehicle that has a seat or  
2 saddle for the use of the rider and that is designed to travel on not more  
3 than three wheels in contact with the ground but excludes a tractor, an  
4 electric bicycle, AN ELECTRIC MINIATURE SCOOTER, AN ELECTRIC STANDUP  
5 SCOOTER and a moped.

6           ~~39.~~ 41. "Motor driven cycle" means a motorcycle, including every  
7 motor scooter, with a motor that produces not more than five horsepower  
8 but does not include an electric bicycle, AN ELECTRIC MINIATURE SCOOTER OR  
9 AN ELECTRIC STANDUP SCOOTER.

10           ~~40.~~ 42. "Motorized quadricycle" means a self-propelled motor  
11 vehicle to which all of the following apply:

12           (a) The vehicle is self-propelled by an emission-free electric  
13 motor and may include pedals operated by the passengers.

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

16           (c) The vehicle seats at least eight passengers, including the  
17 driver.

18           (d) The vehicle is operable on a flat surface using solely the  
19 electric motor without assistance from the pedals or passengers.

20           (e) The vehicle is a commercial motor vehicle as defined in section  
21 28-5201.

22           (f) The vehicle is a limousine operating under a vehicle for hire  
23 company permit issued pursuant to section 28-9503.

24           (g) The vehicle is manufactured by a motor vehicle manufacturer  
25 that is licensed pursuant to chapter 10 of this title.

26           (h) The vehicle complies with the definition and standards for  
27 low-speed vehicles set forth in federal motor vehicle safety standard 500  
28 and 49 Code of Federal Regulations sections 571.3(b) and 571.500,  
29 respectively.

30           ~~41.~~ 43. "Motor vehicle":

31           (a) Means either:

32           (i) A self-propelled vehicle.

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

36           (b) Does not include a personal delivery device, a motorized  
37 wheelchair, an electric personal assistive mobility device, an electric  
38 bicycle, AN ELECTRIC MINIATURE SCOOTER, AN ELECTRIC STANDUP SCOOTER or a  
39 motorized skateboard. For the purposes of this subdivision:

40           (i) "Motorized skateboard" means a self-propelled device THAT DOES  
41 NOT HAVE HANDLEBARS AND that has a motor, a deck on which a person may  
42 ride and at least two tandem wheels in contact with the ground.

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

1           ~~42.~~ 44. "Motor vehicle fuel" includes all products that are  
2 commonly or commercially known or sold as gasoline, including casinghead  
3 gasoline, natural gasoline and all flammable liquids, and that are  
4 composed of a mixture of selected hydrocarbons expressly manufactured and  
5 blended for the purpose of effectively and efficiently operating internal  
6 combustion engines. Motor vehicle fuel does not include inflammable  
7 liquids that are specifically manufactured for racing motor vehicles and  
8 that are distributed for and used by racing motor vehicles at a racetrack,  
9 use fuel as defined in section 28-5601, aviation fuel, fuel for jet or  
10 turbine powered aircraft or the mixture created at the interface of two  
11 different substances being transported through a pipeline, commonly known  
12 as transmix.

13           ~~43.~~ 45. "Neighborhood electric vehicle" means a self-propelled  
14 electrically powered motor vehicle to which all of the following apply:

15           (a) The vehicle is emission free.

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

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

22           ~~44.~~ 46. "Nonresident" means a person who is not a resident of this  
23 state as defined in section 28-2001.

24           ~~45.~~ 47. "Off-road recreational motor vehicle" means a motor  
25 vehicle that is designed primarily for recreational nonhighway all-terrain  
26 travel and that is not operated on a public highway. Off-road  
27 recreational motor vehicle does not mean a motor vehicle used for  
28 construction, building trade, mining or agricultural purposes.

29           ~~46.~~ 48. "Operator" means a person who drives a motor vehicle on a  
30 highway, who is in actual physical control of a motor vehicle on a highway  
31 or who is exercising control over or steering a vehicle being towed by a  
32 motor vehicle.

33           ~~47.~~ 49. "Owner" means:

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

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

39           (c) If a mortgagor of a vehicle is entitled to possession of the  
40 vehicle, the mortgagor.

41           ~~48.~~ 50. "Pedestrian" means any person afoot. A person who uses an  
42 electric personal assistive mobility device or a manual or motorized  
43 wheelchair is considered a pedestrian unless the manual wheelchair  
44 qualifies as a bicycle. For the purposes of this paragraph, "motorized



1 wheelchair" means a self-propelled wheelchair that is used by a person for  
2 mobility.

3 ~~49.~~ 51. "Personal delivery device" means an electronically powered  
4 device that:

5 (a) Is operated primarily on sidewalks and within crosswalks and  
6 that is designed to transport property.

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

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

11 (d) Is equipped with technology to allow for the operation of the  
12 device with or without the active control or monitoring of a natural  
13 person.

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

16 ~~50.~~ 52. "Power sweeper" means an implement, with or without motive  
17 power, that is only incidentally operated or moved on a street or highway  
18 and that is designed for the removal of debris, dirt, gravel, litter or  
19 sand whether by broom, vacuum or regenerative air system from asphaltic  
20 concrete or cement concrete surfaces, including parking lots, highways,  
21 streets and warehouses, and a vehicle on which the implement is  
22 permanently mounted.

23 ~~51.~~ 53. "Public transit" means the transportation of passengers on  
24 scheduled routes by means of a conveyance on an individual passenger  
25 fare-paying basis excluding transportation by a sightseeing bus, school  
26 bus or taxi or a vehicle not operated on a scheduled route basis.

27 ~~52.~~ 54. "Reconstructed vehicle" means a vehicle that has been  
28 assembled or constructed largely by means of essential parts, new or used,  
29 derived from vehicles or makes of vehicles of various names, models and  
30 types or that, if originally otherwise constructed, has been materially  
31 altered by the removal of essential parts or by the addition or  
32 substitution of essential parts, new or used, derived from other vehicles  
33 or makes of vehicles. For the purposes of this paragraph, "essential  
34 parts" means integral and body parts, the removal, alteration or  
35 substitution of which will tend to conceal the identity or substantially  
36 alter the appearance of the vehicle.

37 ~~53.~~ 55. "Residence district" means the territory contiguous to and  
38 including a highway not comprising a business district if the property on  
39 the highway for a distance of three hundred feet or more is in the main  
40 improved with residences or residences and buildings in use for business.

41 ~~54.~~ 56. "Right-of-way" when used within the context of the  
42 regulation of the movement of traffic on a highway means the privilege of  
43 the immediate use of the highway. Right-of-way when used within the  
44 context of the real property on which transportation facilities and

1 appurtenances to the facilities are constructed or maintained means the  
2 lands or interest in lands within the right-of-way boundaries.

3 ~~55.~~ 57. "School bus" means a motor vehicle that is designed for  
4 carrying more than ten passengers and that is either:

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

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

11 ~~56.~~ 58. "Semitrailer" means a vehicle that is with or without  
12 motive power, other than a pole trailer or single-axle tow dolly, that is  
13 designed for carrying persons or property and for being drawn by a motor  
14 vehicle and that is constructed so that some part of its weight and that  
15 of its load rests on or is carried by another vehicle. For the purposes  
16 of this paragraph, "pole trailer" has the same meaning prescribed in  
17 section 28-601.

18 ~~57.~~ 59. "Single-axle tow dolly" means a nonvehicle device that is  
19 drawn by a motor vehicle, that is designed and used exclusively to  
20 transport another motor vehicle and on which the front or rear wheels of  
21 the drawn motor vehicle are mounted on the tow dolly while the other  
22 wheels of the drawn motor vehicle remain in contact with the ground.

23 ~~58.~~ 60. "State" means a state of the United States and the  
24 District of Columbia.

25 ~~59.~~ 61. "State highway" means a state route or portion of a state  
26 route that is accepted and designated by the board as a state highway and  
27 that is maintained by the state.

28 ~~60.~~ 62. "State route" means a right-of-way whether actually used  
29 as a highway or not that is designated by the board as a location for the  
30 construction of a state highway.

31 ~~61.~~ 63. "Street" or "highway" means the entire width between the  
32 boundary lines of every way if a part of the way is open to the use of the  
33 public for purposes of vehicular travel.

34 ~~62.~~ 64. "Taxi" means a motor vehicle that has a seating capacity  
35 not exceeding fifteen passengers, including the driver, that provides  
36 passenger services and that:

37 (a) Does not primarily operate on a regular route or between  
38 specified places.

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

42 ~~63.~~ 65. "Title transfer form" means a paper or an electronic form  
43 that is prescribed by the department for the purpose of transferring a  
44 certificate of title from one owner to another owner.

1           ~~64.~~ 66. "Traffic survival school" means a school that offers  
2 educational sessions to drivers who are required to attend and  
3 successfully complete educational sessions pursuant to this title that are  
4 designed to improve the safety and habits of drivers and that are approved  
5 by the department.

6           ~~65.~~ 67. "Trailer" means a vehicle that is with or without motive  
7 power, other than a pole trailer or single-axle tow dolly, that is  
8 designed for carrying persons or property and for being drawn by a motor  
9 vehicle and that is constructed so that no part of its weight rests on the  
10 towing vehicle. A semitrailer equipped with an auxiliary front axle  
11 commonly known as a dolly is deemed to be a trailer. For the purposes of  
12 this paragraph, "pole trailer" has the same meaning prescribed in section  
13 28-601.

14           ~~66.~~ 68. "Transportation network company" has the same meaning  
15 prescribed in section 28-9551.

16           ~~67.~~ 69. "Transportation network company vehicle" has the same  
17 meaning prescribed in section 28-9551.

18           ~~68.~~ 70. "Transportation network service" has the same meaning  
19 prescribed in section 28-9551.

20           ~~69.~~ 71. "Truck" means a motor vehicle designed or used primarily  
21 for the carrying of property other than the effects of the driver or  
22 passengers and includes a motor vehicle to which has been added a box, a  
23 platform or other equipment for such carrying.

24           ~~70.~~ 72. "Truck tractor" means a motor vehicle that is designed and  
25 used primarily for drawing other vehicles and that is not constructed to  
26 carry a load other than a part of the weight of the vehicle and load  
27 drawn.

28           ~~71.~~ 73. "Vehicle":

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

31           (b) Does not include:

32           (i) Electric bicycles, **ELECTRIC MINIATURE SCOOTERS, ELECTRIC**  
33 **STANDUP SCOOTERS** and devices moved by human power.

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

35           (iii) Personal delivery devices.

36           ~~72.~~ 74. "Vehicle transporter" means either:

37           (a) A truck tractor capable of carrying a load and drawing a  
38 semitrailer.

39           (b) A truck tractor with a stinger-steered fifth wheel capable of  
40 carrying a load and drawing a semitrailer or a truck tractor with a dolly  
41 mounted fifth wheel that is securely fastened to the truck tractor at two  
42 or more points and that is capable of carrying a load and drawing a  
43 semitrailer.

1           Sec. 2. Section 28-101, Arizona Revised Statutes, as amended by  
2 Laws 2018, chapter 306, section 2, is amended to read:

3           28-101. Definitions

4           In this title, unless the context otherwise requires:

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

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

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

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

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

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

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

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

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

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

21           (v) Is operated on a public highway.

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

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

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

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

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

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

31           (a) A fire department vehicle.

32           (b) A police vehicle.

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

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

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

44           6. "Aviation fuel" means all flammable liquids composed of a  
45 mixture of selected hydrocarbons expressly manufactured and blended for

1 the purpose of effectively and efficiently operating an internal  
2 combustion engine for use in an aircraft but does not include fuel for jet  
3 or turbine powered aircraft.

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

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

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

11 8. "Board" means the transportation board.

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

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

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

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

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

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

34 15. "Conviction" means:

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

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

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

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

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

44 17. "Dealer" means a person who is engaged in the business of  
45 buying, selling or exchanging motor vehicles, trailers or semitrailers and

1 who has an established place of business and has paid fees pursuant to  
2 section 28-4302.

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

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

7 20. "Director" means the director of the department of  
8 transportation.

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

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

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

15 24. "ELECTRIC BICYCLE" MEANS A BICYCLE OR TRICYCLE THAT IS EQUIPPED  
16 WITH FULLY OPERABLE PEDALS AND AN ELECTRIC MOTOR OF LESS THAN SEVEN  
17 HUNDRED FIFTY WATTS AND THAT MEETS THE REQUIREMENTS OF ONE OF THE  
18 FOLLOWING CLASSES:

19 (a) "CLASS 1 ELECTRIC BICYCLE" MEANS A BICYCLE OR TRICYCLE THAT IS  
20 EQUIPPED WITH AN ELECTRIC MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE  
21 RIDER IS PEDALING AND THAT CEASES TO PROVIDE ASSISTANCE WHEN THE BICYCLE  
22 OR TRICYCLE REACHES THE SPEED OF TWENTY MILES PER HOUR.

23 (b) "CLASS 2 ELECTRIC BICYCLE" MEANS A BICYCLE OR TRICYCLE THAT IS  
24 EQUIPPED WITH AN ELECTRIC MOTOR THAT MAY BE USED EXCLUSIVELY TO PROPEL THE  
25 BICYCLE OR TRICYCLE AND THAT IS NOT CAPABLE OF PROVIDING ASSISTANCE WHEN  
26 THE BICYCLE OR TRICYCLE REACHES THE SPEED OF TWENTY MILES PER HOUR.

27 (c) "CLASS 3 ELECTRIC BICYCLE" MEANS A BICYCLE OR TRICYCLE THAT IS  
28 EQUIPPED WITH AN ELECTRIC MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE  
29 RIDER IS PEDALING AND THAT CEASES TO PROVIDE ASSISTANCE WHEN THE BICYCLE  
30 OR TRICYCLE REACHES THE SPEED OF TWENTY-EIGHT MILES PER HOUR.

31 25. "ELECTRIC MINIATURE SCOOTER" MEANS A DEVICE THAT:

32 (a) WEIGHS LESS THAN THIRTY POUNDS.

33 (b) HAS TWO OR THREE WHEELS.

34 (c) HAS HANDLEBARS.

35 (d) HAS A FLOORBOARD ON WHICH A PERSON MAY STAND WHILE RIDING.

36 (e) IS POWERED BY AN ELECTRIC MOTOR OR HUMAN POWER, OR BOTH.

37 (f) HAS A MAXIMUM SPEED THAT DOES NOT EXCEED TEN MILES PER HOUR,  
38 WITH OR WITHOUT HUMAN PROPULSION, ON A PAVED LEVEL SURFACE.

39 ~~24.~~ 26. "Electric personal assistive mobility device" means a  
40 self-balancing device with one wheel or two nontandem wheels and an  
41 electric propulsion system that limits the maximum speed of the device to  
42 fifteen miles per hour or less and that is designed to transport only one  
43 person.

44 27. "ELECTRIC STANDUP SCOOTER":

45 (a) MEANS A DEVICE THAT:

- 1 (i) WEIGHS LESS THAN SEVENTY-FIVE POUNDS.
- 2 (ii) HAS TWO OR THREE WHEELS.
- 3 (iii) HAS HANDLEBARS.
- 4 (iv) HAS A FLOORBOARD ON WHICH A PERSON MAY STAND WHILE RIDING.
- 5 (v) IS POWERED BY AN ELECTRIC MOTOR OR HUMAN POWER, OR BOTH.
- 6 (vi) HAS A MAXIMUM SPEED THAT DOES NOT EXCEED TWENTY MILES PER
- 7 HOUR, WITH OR WITHOUT HUMAN PROPULSION, ON A PAVED LEVEL SURFACE.
- 8 (b) DOES NOT INCLUDE AN ELECTRIC MINIATURE SCOOTER.

9 ~~25.~~ 28. "Farm" means any lands primarily used for agriculture  
10 production.

11 ~~26.~~ 29. "Farm tractor" means a motor vehicle designed and used  
12 primarily as a farm implement for drawing implements of husbandry.

13 ~~27.~~ 30. "Foreign vehicle" means a motor vehicle, trailer or  
14 semitrailer that is brought into this state other than in the ordinary  
15 course of business by or through a manufacturer or dealer and that has not  
16 been registered in this state.

17 ~~28.~~ 31. "Golf cart" means a motor vehicle that has not less than  
18 three wheels in contact with the ground, that has an unladen weight of  
19 less than one thousand eight hundred pounds, that is designed to be and is  
20 operated at not more than twenty-five miles per hour and that is designed  
21 to carry not more than four persons including the driver.

22 ~~29.~~ 32. "Hazardous material" means a material, and its mixtures or  
23 solutions, that the United States department of transportation determines  
24 under 49 Code of Federal Regulations is, or any quantity of a material  
25 listed as a select agent or toxin under 42 Code of Federal Regulations  
26 part 73 that is, capable of posing an unreasonable risk to health, safety  
27 and property if transported in commerce and that is required to be  
28 placarded or marked as required by the department's safety rules  
29 prescribed pursuant to chapter 14 of this title.

30 ~~30.~~ 33. "Implement of husbandry" means a vehicle that is designed  
31 primarily for agricultural purposes and that is used exclusively in the  
32 conduct of agricultural operations, including an implement or vehicle  
33 whether self-propelled or otherwise that meets both of the following  
34 conditions:

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

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

42 ~~31.~~ 34. "Limousine" means a motor vehicle providing prearranged  
43 ground transportation service for an individual passenger, or a group of  
44 passengers, that is arranged in advance or is operated on a regular route  
45 or between specified points and includes ground transportation under a

1 contract or agreement for services that includes a fixed rate or time and  
2 is provided in a motor vehicle with a seating capacity not exceeding  
3 fifteen passengers including the driver.

4 ~~32.~~ 35. "Livery vehicle" means a motor vehicle that:

5 (a) Has a seating capacity not exceeding fifteen passengers  
6 including the driver.

7 (b) Provides passenger services for a fare determined by a flat  
8 rate or flat hourly rate between geographic zones or within a geographic  
9 area.

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

11 (d) May do any of the following:

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

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

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

17 ~~33.~~ 36. "Local authority" means any county, municipal or other  
18 local board or body exercising jurisdiction over highways under the  
19 constitution and laws of this state.

20 ~~34.~~ 37. "Manufacturer" means a person engaged in the business of  
21 manufacturing motor vehicles, trailers or semitrailers.

22 ~~35.~~ 38. "Moped" means a bicycle, **NOT INCLUDING AN ELECTRIC**  
23 **BICYCLE, AN ELECTRIC MINIATURE SCOOTER OR AN ELECTRIC STANDUP SCOOTER,**  
24 that is equipped with a helper motor if the vehicle has a maximum piston  
25 displacement of fifty cubic centimeters or less, a brake horsepower of one  
26 and one-half or less and a maximum speed of twenty-five miles per hour or  
27 less on a flat surface with less than a one percent grade.

28 ~~36.~~ 39. "Motorcycle" means a motor vehicle that has a seat or  
29 saddle for the use of the rider and that is designed to travel on not more  
30 than three wheels in contact with the ground but excludes a tractor, **AN**  
31 **ELECTRIC BICYCLE, AN ELECTRIC MINIATURE SCOOTER, AN ELECTRIC STANDUP**  
32 **SCOOTER** and a moped.

33 ~~37.~~ 40. "Motor driven cycle" means a motorcycle, including every  
34 motor scooter, with a motor that produces not more than five horsepower  
35 **BUT DOES NOT INCLUDE AN ELECTRIC BICYCLE, AN ELECTRIC MINIATURE SCOOTER OR**  
36 **AN ELECTRIC STANDUP SCOOTER.**

37 ~~38.~~ 41. "Motorized quadricycle" means a self-propelled motor  
38 vehicle to which all of the following apply:

39 (a) The vehicle is self-propelled by an emission-free electric  
40 motor and may include pedals operated by the passengers.

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

43 (c) The vehicle seats at least eight passengers, including the  
44 driver.



1 (d) The vehicle is operable on a flat surface using solely the  
2 electric motor without assistance from the pedals or passengers.

3 (e) The vehicle is a commercial motor vehicle as defined in section  
4 28-5201.

5 (f) The vehicle is a limousine operating under a vehicle for hire  
6 company permit issued pursuant to section 28-9503.

7 (g) The vehicle is manufactured by a motor vehicle manufacturer  
8 that is licensed pursuant to chapter 10 of this title.

9 (h) 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 ~~39.~~ 42. "Motor vehicle":

14 (a) Means either:

15 (i) A self-propelled vehicle.

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

19 (b) Does not include a motorized wheelchair, an electric personal  
20 assistive mobility device, **AN ELECTRIC BICYCLE, AN ELECTRIC MINIATURE**  
21 **SCOOTER, AN ELECTRIC STANDUP SCOOTER** or a motorized skateboard. For the  
22 purposes of this subdivision:

23 (i) "Motorized skateboard" means a self-propelled device **THAT DOES**  
24 **NOT HAVE HANDLEBARS AND** that has a motor, a deck on which a person may  
25 ride and at least two tandem wheels in contact with the ground.

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

28 ~~40.~~ 43. "Motor vehicle fuel" includes all products that are  
29 commonly or commercially known or sold as gasoline, including casinghead  
30 gasoline, natural gasoline and all flammable liquids, and that are  
31 composed of a mixture of selected hydrocarbons expressly manufactured and  
32 blended for the purpose of effectively and efficiently operating internal  
33 combustion engines. Motor vehicle fuel does not include inflammable  
34 liquids that are specifically manufactured for racing motor vehicles and  
35 that are distributed for and used by racing motor vehicles at a racetrack,  
36 use fuel as defined in section 28-5601, aviation fuel, fuel for jet or  
37 turbine powered aircraft or the mixture created at the interface of two  
38 different substances being transported through a pipeline, commonly known  
39 as transmix.

40 ~~41.~~ 44. "Neighborhood electric vehicle" means a self-propelled  
41 electrically powered motor vehicle to which all of the following apply:

42 (a) The vehicle is emission free.

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

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

5 ~~42.~~ 45. "Nonresident" means a person who is not a resident of this  
6 state as defined in section 28-2001.

7 ~~43.~~ 46. "Off-road recreational motor vehicle" means a motor  
8 vehicle that is designed primarily for recreational nonhighway all-terrain  
9 travel and that is not operated on a public highway. Off-road  
10 recreational motor vehicle does not mean a motor vehicle used for  
11 construction, building trade, mining or agricultural purposes.

12 ~~44.~~ 47. "Operator" means a person who drives a motor vehicle on a  
13 highway, who is in actual physical control of a motor vehicle on a highway  
14 or who is exercising control over or steering a vehicle being towed by a  
15 motor vehicle.

16 ~~45.~~ 48. "Owner" means:

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

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

22 (c) If a mortgagor of a vehicle is entitled to possession of the  
23 vehicle, the mortgagor.

24 ~~46.~~ 49. "Pedestrian" means any person afoot. A person who uses an  
25 electric personal assistive mobility device or a manual or motorized  
26 wheelchair is considered a pedestrian unless the manual wheelchair  
27 qualifies as a bicycle. For the purposes of this paragraph, "motorized  
28 wheelchair" means a self-propelled wheelchair that is used by a person for  
29 mobility.

30 ~~47.~~ 50. "Power sweeper" means an implement, with or without motive  
31 power, that is only incidentally operated or moved on a street or highway  
32 and that is designed for the removal of debris, dirt, gravel, litter or  
33 sand whether by broom, vacuum or regenerative air system from asphaltic  
34 concrete or cement concrete surfaces, including parking lots, highways,  
35 streets and warehouses, and a vehicle on which the implement is  
36 permanently mounted.

37 ~~48.~~ 51. "Public transit" means the transportation of passengers on  
38 scheduled routes by means of a conveyance on an individual passenger  
39 fare-paying basis excluding transportation by a sightseeing bus, school  
40 bus or taxi or a vehicle not operated on a scheduled route basis.

41 ~~49.~~ 52. "Reconstructed vehicle" means a vehicle that has been  
42 assembled or constructed largely by means of essential parts, new or used,  
43 derived from vehicles or makes of vehicles of various names, models and  
44 types or that, if originally otherwise constructed, has been materially  
45 altered by the removal of essential parts or by the addition or

1 substitution of essential parts, new or used, derived from other vehicles  
2 or makes of vehicles. For the purposes of this paragraph, "essential  
3 parts" means integral and body parts, the removal, alteration or  
4 substitution of which will tend to conceal the identity or substantially  
5 alter the appearance of the vehicle.

6 ~~50.~~ 53. "Residence district" means the territory contiguous to and  
7 including a highway not comprising a business district if the property on  
8 the highway for a distance of three hundred feet or more is in the main  
9 improved with residences or residences and buildings in use for business.

10 ~~51.~~ 54. "Right-of-way" when used within the context of the  
11 regulation of the movement of traffic on a highway means the privilege of  
12 the immediate use of the highway. Right-of-way when used within the  
13 context of the real property on which transportation facilities and  
14 appurtenances to the facilities are constructed or maintained means the  
15 lands or interest in lands within the right-of-way boundaries.

16 ~~52.~~ 55. "School bus" means a motor vehicle that is designed for  
17 carrying more than ten passengers and that is either:

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

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

24 ~~53.~~ 56. "Semitrailer" means a vehicle that is with or without  
25 motive power, other than a pole trailer, that is designed for carrying  
26 persons or property and for being drawn by a motor vehicle and that is  
27 constructed so that some part of its weight and that of its load rests on  
28 or is carried by another vehicle. For the purposes of this paragraph,  
29 "pole trailer" has the same meaning prescribed in section 28-601.

30 ~~54.~~ 57. "State" means a state of the United States and the  
31 District of Columbia.

32 ~~55.~~ 58. "State highway" means a state route or portion of a state  
33 route that is accepted and designated by the board as a state highway and  
34 that is maintained by the state.

35 ~~56.~~ 59. "State route" means a right-of-way whether actually used  
36 as a highway or not that is designated by the board as a location for the  
37 construction of a state highway.

38 ~~57.~~ 60. "Street" or "highway" means the entire width between the  
39 boundary lines of every way if a part of the way is open to the use of the  
40 public for purposes of vehicular travel.

41 ~~58.~~ 61. "Taxi" means a motor vehicle that has a seating capacity  
42 not exceeding fifteen passengers, including the driver, that provides  
43 passenger services and that:

44 (a) Does not primarily operate on a regular route or between  
45 specified places.

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

4 ~~59.~~ 62. "Title transfer form" means a paper or an electronic form  
5 that is prescribed by the department for the purpose of transferring a  
6 certificate of title from one owner to another owner.

7 ~~60.~~ 63. "Traffic survival school" means a school that offers  
8 educational sessions to drivers who are required to attend and  
9 successfully complete educational sessions pursuant to this title that are  
10 designed to improve the safety and habits of drivers and that are approved  
11 by the department.

12 ~~61.~~ 64. "Trailer" means a vehicle that is with or without motive  
13 power, other than a pole trailer, that is designed for carrying persons or  
14 property and for being drawn by a motor vehicle and that is constructed so  
15 that no part of its weight rests on the towing vehicle. A semitrailer  
16 equipped with an auxiliary front axle commonly known as a dolly is deemed  
17 to be a trailer. For the purposes of this paragraph, "pole trailer" has  
18 the same meaning prescribed in section 28-601.

19 ~~62.~~ 65. "Transportation network company" has the same meaning  
20 prescribed in section 28-9551.

21 ~~63.~~ 66. "Transportation network company vehicle" has the same  
22 meaning prescribed in section 28-9551.

23 ~~64.~~ 67. "Transportation network service" has the same meaning  
24 prescribed in section 28-9551.

25 ~~65.~~ 68. "Truck" means a motor vehicle designed or used primarily  
26 for the carrying of property other than the effects of the driver or  
27 passengers and includes a motor vehicle to which has been added a box, a  
28 platform or other equipment for such carrying.

29 ~~66.~~ 69. "Truck tractor" means a motor vehicle that is designed and  
30 used primarily for drawing other vehicles and that is not constructed to  
31 carry a load other than a part of the weight of the vehicle and load  
32 drawn.

33 ~~67.~~ 70. "Vehicle":

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

36 (b) Does not include:

37 (i) **ELECTRIC BICYCLES, ELECTRIC MINIATURE SCOOTERS, ELECTRIC**  
38 **STANDUP SCOOTERS AND** devices moved by human power.

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

40 ~~68.~~ 71. "Vehicle transporter" means either:

41 (a) A truck tractor capable of carrying a load and drawing a  
42 semitrailer.

43 (b) A truck tractor with a stinger-steered fifth wheel capable of  
44 carrying a load and drawing a semitrailer or a truck tractor with a dolly  
45 mounted fifth wheel that is securely fastened to the truck tractor at two

1 or more points and that is capable of carrying a load and drawing a  
2 semitrailer.

3 Sec. 3. Section 28-101, Arizona Revised Statutes, as amended by  
4 Laws 2018, chapter 9, section 1, chapter 163, section 1, chapter 166,  
5 section 1, chapter 298, section 3, chapter 306, section 1 and chapter 324,  
6 section 1, is amended to read:

7 28-101. Definitions

8 In this title, unless the context otherwise requires:

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

11 2. "Alcohol concentration" if expressed as a percentage means  
12 either:

13 (a) The number of grams of alcohol per one hundred milliliters of  
14 blood.

15 (b) The number of grams of alcohol per two hundred ten liters of  
16 breath.

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

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

19 (i) Is designed primarily for recreational nonhighway all-terrain  
20 travel.

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

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

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

25 (v) Is operated on a public highway.

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

28 (i) Is designed primarily for recreational nonhighway all-terrain  
29 travel.

30 (ii) Is eighty or fewer inches in width.

31 (iii) Has an unladen weight of two thousand five hundred pounds or  
32 less.

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

34 (v) Has a steering wheel for steering control.

35 (vi) Has a rollover protective structure.

36 (vii) Has an occupant retention system.

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

38 (a) A fire department vehicle.

39 (b) A police vehicle.

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

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

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

6           6. "Automotive recycler" means a person that is engaged in the  
7 business of buying or acquiring a motor vehicle solely for the purpose of  
8 dismantling, selling or otherwise disposing of the parts or accessories  
9 and that removes parts for resale from six or more vehicles in a calendar  
10 year.

11           7. "Aviation fuel" means all flammable liquids composed of a  
12 mixture of selected hydrocarbons expressly manufactured and blended for  
13 the purpose of effectively and efficiently operating an internal  
14 combustion engine for use in an aircraft but does not include fuel for jet  
15 or turbine powered aircraft.

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

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

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

23           9. "Board" means the transportation board.

24           10. "Bus" means a motor vehicle designed for carrying sixteen or  
25 more passengers, including the driver.

26           11. "Business district" means the territory contiguous to and  
27 including a highway if there are buildings in use for business or  
28 industrial purposes within any six hundred feet along the highway,  
29 including hotels, banks or office buildings, railroad stations and public  
30 buildings that occupy at least three hundred feet of frontage on one side  
31 or three hundred feet collectively on both sides of the highway.

32           12. "Certificate of ownership" means a paper or an electronic  
33 record that is issued in another state or a foreign jurisdiction and that  
34 indicates ownership of a vehicle.

35           13. "Certificate of title" means a paper document or an electronic  
36 record that is issued by the department and that indicates ownership of a  
37 vehicle.

38           14. "Combination of vehicles" means a truck or truck tractor and  
39 semitrailer and any trailer that it tows but does not include a forklift  
40 designed for the purpose of loading or unloading the truck, trailer or  
41 semitrailer.

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

1           16. "Conviction" means:

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

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

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

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

9           17. "County highway" means a public road that is constructed and  
10 maintained by a county.

11           18. "Dealer" means a person who is engaged in the business of  
12 buying, selling or exchanging motor vehicles, trailers or semitrailers and  
13 who has an established place of business and has paid fees pursuant to  
14 section 28-4302.

15           19. "Department" means the department of transportation acting  
16 directly or through its duly authorized officers and agents.

17           20. "Digital network or software application" has the same meaning  
18 prescribed in section 28-9551.

19           21. "Director" means the director of the department of  
20 transportation.

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

23           23. "Driver" means a person who drives or is in actual physical  
24 control of a vehicle.

25           24. "Driver license" means a license that is issued by a state to  
26 an individual and that authorizes the individual to drive a motor vehicle.

27           25. "Electric bicycle" means a bicycle or tricycle that is equipped  
28 with fully operable pedals and an electric motor of less than seven  
29 hundred fifty watts and that meets the requirements of one of the  
30 following classes:

31           (a) "Class 1 electric bicycle" means a bicycle or tricycle that is  
32 equipped with an electric motor that provides assistance only when the  
33 rider is pedaling and that ceases to provide assistance when the bicycle  
34 or tricycle reaches the speed of twenty miles per hour.

35           (b) "Class 2 electric bicycle" means a bicycle or tricycle that is  
36 equipped with an electric motor that may be used exclusively to propel the  
37 bicycle or tricycle and that is not capable of providing assistance when  
38 the bicycle or tricycle reaches the speed of twenty miles per hour.

39           (c) "Class 3 electric bicycle" means a bicycle or tricycle that is  
40 equipped with an electric motor that provides assistance only when the  
41 rider is pedaling and that ceases to provide assistance when the bicycle  
42 or tricycle reaches the speed of twenty-eight miles per hour.

43           26. "ELECTRIC MINIATURE SCOOTER" MEANS A DEVICE THAT:

44           (a) WEIGHS LESS THAN THIRTY POUNDS.

45           (b) HAS TWO OR THREE WHEELS.

- 1 (c) HAS HANDLEBARS.
- 2 (d) HAS A FLOORBOARD ON WHICH A PERSON MAY STAND WHILE RIDING.
- 3 (e) IS POWERED BY AN ELECTRIC MOTOR OR HUMAN POWER, OR BOTH.
- 4 (f) HAS A MAXIMUM SPEED THAT DOES NOT EXCEED TEN MILES PER HOUR,
- 5 WITH OR WITHOUT HUMAN PROPULSION, ON A PAVED LEVEL SURFACE.

6 ~~26.~~ 27. "Electric personal assistive mobility device" means a  
7 self-balancing device with one wheel or two nontandem wheels and an  
8 electric propulsion system that limits the maximum speed of the device to  
9 fifteen miles per hour or less and that is designed to transport only one  
10 person.

11 28. "ELECTRIC STANDUP SCOOTER":

12 (a) MEANS A DEVICE THAT:

13 (i) WEIGHS LESS THAN SEVENTY-FIVE POUNDS.

14 (ii) HAS TWO OR THREE WHEELS.

15 (iii) HAS HANDLEBARS.

16 (iv) HAS A FLOORBOARD ON WHICH A PERSON MAY STAND WHILE RIDING.

17 (v) IS POWERED BY AN ELECTRIC MOTOR OR HUMAN POWER, OR BOTH.

18 (vi) HAS A MAXIMUM SPEED THAT DOES NOT EXCEED TWENTY MILES PER  
19 HOUR, WITH OR WITHOUT HUMAN PROPULSION, ON A PAVED LEVEL SURFACE.

20 (b) DOES NOT INCLUDE AN ELECTRIC MINIATURE SCOOTER.

21 ~~27.~~ 29. "Evidence" includes both of the following:

22 (a) A display on a wireless communication device of a  
23 department-generated driver license, nonoperating identification license,  
24 vehicle registration card or other official record of the department that  
25 is presented to a law enforcement officer or in a court or an  
26 administrative proceeding.

27 (b) An electronic or digital license plate authorized pursuant to  
28 section 28-364.

29 ~~28.~~ 30. "Farm" means any lands primarily used for agriculture  
30 production.

31 ~~29.~~ 31. "Farm tractor" means a motor vehicle designed and used  
32 primarily as a farm implement for drawing implements of husbandry.

33 ~~30.~~ 32. "Foreign vehicle" means a motor vehicle, trailer or  
34 semitrailer that is brought into this state other than in the ordinary  
35 course of business by or through a manufacturer or dealer and that has not  
36 been registered in this state.

37 ~~31.~~ 33. "Golf cart" means a motor vehicle that has not less than  
38 three wheels in contact with the ground, that has an unladen weight of  
39 less than one thousand eight hundred pounds, that is designed to be and is  
40 operated at not more than twenty-five miles per hour and that is designed  
41 to carry not more than four persons including the driver.

42 ~~32.~~ 34. "Hazardous material" means a material, and its mixtures or  
43 solutions, that the United States department of transportation determines  
44 under 49 Code of Federal Regulations is, or any quantity of a material  
45 listed as a select agent or toxin under 42 Code of Federal Regulations



1 part 73 that is, capable of posing an unreasonable risk to health, safety  
2 and property if transported in commerce and that is required to be  
3 placarded or marked as required by the department's safety rules  
4 prescribed pursuant to chapter 14 of this title.

5 ~~33.~~ 35. "Implement of husbandry" means a vehicle that is designed  
6 primarily for agricultural purposes and that is used exclusively in the  
7 conduct of agricultural operations, including an implement or vehicle  
8 whether self-propelled or otherwise that meets both of the following  
9 conditions:

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

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

17 ~~34.~~ 36. "Limousine" means a motor vehicle providing prearranged  
18 ground transportation service for an individual passenger, or a group of  
19 passengers, that is arranged in advance or is operated on a regular route  
20 or between specified points and includes ground transportation under a  
21 contract or agreement for services that includes a fixed rate or time and  
22 is provided in a motor vehicle with a seating capacity not exceeding  
23 fifteen passengers including the driver.

24 ~~35.~~ 37. "Livery vehicle" means a motor vehicle that:

25 (a) Has a seating capacity not exceeding fifteen passengers  
26 including the driver.

27 (b) Provides passenger services for a fare determined by a flat  
28 rate or flat hourly rate between geographic zones or within a geographic  
29 area.

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

31 (d) May do any of the following:

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

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

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

37 ~~36.~~ 38. "Local authority" means any county, municipal or other  
38 local board or body exercising jurisdiction over highways under the  
39 constitution and laws of this state.

40 ~~37.~~ 39. "Manufacturer" means a person engaged in the business of  
41 manufacturing motor vehicles, trailers or semitrailers.

42 ~~38.~~ 40. "Moped" means a bicycle, not including an electric  
43 bicycle, **AN ELECTRIC MINIATURE SCOOTER OR AN ELECTRIC STANDUP SCOOTER**,  
44 that is equipped with a helper motor if the vehicle has a maximum piston  
45 displacement of fifty cubic centimeters or less, a brake horsepower of one

1 and one-half or less and a maximum speed of twenty-five miles per hour or  
2 less on a flat surface with less than a one percent grade.

3 ~~39.~~ 41. "Motorcycle" means a motor vehicle that has a seat or  
4 saddle for the use of the rider and that is designed to travel on not more  
5 than three wheels in contact with the ground but excludes a tractor, an  
6 electric bicycle, AN ELECTRIC MINIATURE SCOOTER, AN ELECTRIC STANDUP  
7 SCOOTER and a moped.

8 ~~40.~~ 42. "Motor driven cycle" means a motorcycle, including every  
9 motor scooter, with a motor that produces not more than five horsepower  
10 but does not include an electric bicycle, AN ELECTRIC MINIATURE SCOOTER OR  
11 AN ELECTRIC STANDUP SCOOTER.

12 ~~41.~~ 43. "Motorized quadricycle" means a self-propelled motor  
13 vehicle to which all of the following apply:

14 (a) The vehicle is self-propelled by an emission-free electric  
15 motor and may include pedals operated by the passengers.

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

18 (c) The vehicle seats at least eight passengers, including the  
19 driver.

20 (d) The vehicle is operable on a flat surface using solely the  
21 electric motor without assistance from the pedals or passengers.

22 (e) The vehicle is a commercial motor vehicle as defined in section  
23 28-5201.

24 (f) The vehicle is a limousine operating under a vehicle for hire  
25 company permit issued pursuant to section 28-9503.

26 (g) The vehicle is manufactured by a motor vehicle manufacturer  
27 that is licensed pursuant to chapter 10 of this title.

28 (h) The vehicle complies with the definition and standards for  
29 low-speed vehicles set forth in federal motor vehicle safety standard 500  
30 and 49 Code of Federal Regulations sections 571.3(b) and 571.500,  
31 respectively.

32 ~~42.~~ 44. "Motor vehicle":

33 (a) Means either:

34 (i) A self-propelled vehicle.

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

38 (b) Does not include a scrap vehicle, a personal delivery device, a  
39 motorized wheelchair, an electric personal assistive mobility device, an  
40 electric bicycle, AN ELECTRIC MINIATURE SCOOTER, AN ELECTRIC STANDUP  
41 SCOOTER or a motorized skateboard. For the purposes of this subdivision:

42 (i) "Motorized skateboard" means a self-propelled device THAT DOES  
43 NOT HAVE HANDLEBARS AND that has a motor, a deck on which a person may  
44 ride and at least two tandem wheels in contact with the ground.

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

3 ~~43.~~ 45. "Motor vehicle fuel" includes all products that are  
4 commonly or commercially known or sold as gasoline, including casinghead  
5 gasoline, natural gasoline and all flammable liquids, and that are  
6 composed of a mixture of selected hydrocarbons expressly manufactured and  
7 blended for the purpose of effectively and efficiently operating internal  
8 combustion engines. Motor vehicle fuel does not include inflammable  
9 liquids that are specifically manufactured for racing motor vehicles and  
10 that are distributed for and used by racing motor vehicles at a racetrack,  
11 use fuel as defined in section 28-5601, aviation fuel, fuel for jet or  
12 turbine powered aircraft or the mixture created at the interface of two  
13 different substances being transported through a pipeline, commonly known  
14 as transmix.

15 ~~44.~~ 46. "Neighborhood electric vehicle" means a self-propelled  
16 electrically powered motor vehicle to which all of the following apply:

17 (a) The vehicle is emission free.

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

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

24 ~~45.~~ 47. "Nonresident" means a person who is not a resident of this  
25 state as defined in section 28-2001.

26 ~~46.~~ 48. "Off-road recreational motor vehicle" means a motor  
27 vehicle that is designed primarily for recreational nonhighway all-terrain  
28 travel and that is not operated on a public highway. Off-road  
29 recreational motor vehicle does not mean a motor vehicle used for  
30 construction, building trade, mining or agricultural purposes.

31 ~~47.~~ 49. "Operator" means a person who drives a motor vehicle on a  
32 highway, who is in actual physical control of a motor vehicle on a highway  
33 or who is exercising control over or steering a vehicle being towed by a  
34 motor vehicle.

35 ~~48.~~ 50. "Owner" means:

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

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

41 (c) If a mortgagor of a vehicle is entitled to possession of the  
42 vehicle, the mortgagor.

43 ~~49.~~ 51. "Pedestrian" means any person afoot. A person who uses an  
44 electric personal assistive mobility device or a manual or motorized  
45 wheelchair is considered a pedestrian unless the manual wheelchair

1 qualifies as a bicycle. For the purposes of this paragraph, "motorized  
2 wheelchair" means a self-propelled wheelchair that is used by a person for  
3 mobility.

4 ~~50.~~ 52. "Personal delivery device" means an electronically powered  
5 device that:

6 (a) Is operated primarily on sidewalks and within crosswalks and  
7 that is designed to transport property.

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

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

12 (d) Is equipped with technology to allow for the operation of the  
13 device with or without the active control or monitoring of a natural  
14 person.

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

17 ~~51.~~ 53. "Power sweeper" means an implement, with or without motive  
18 power, that is only incidentally operated or moved on a street or highway  
19 and that is designed for the removal of debris, dirt, gravel, litter or  
20 sand whether by broom, vacuum or regenerative air system from asphaltic  
21 concrete or cement concrete surfaces, including parking lots, highways,  
22 streets and warehouses, and a vehicle on which the implement is  
23 permanently mounted.

24 ~~52.~~ 54. "Public transit" means the transportation of passengers on  
25 scheduled routes by means of a conveyance on an individual passenger  
26 fare-paying basis excluding transportation by a sightseeing bus, school  
27 bus or taxi or a vehicle not operated on a scheduled route basis.

28 ~~53.~~ 55. "Reconstructed vehicle" means a vehicle that has been  
29 assembled or constructed largely by means of essential parts, new or used,  
30 derived from vehicles or makes of vehicles of various names, models and  
31 types or that, if originally otherwise constructed, has been materially  
32 altered by the removal of essential parts or by the addition or  
33 substitution of essential parts, new or used, derived from other vehicles  
34 or makes of vehicles. For the purposes of this paragraph, "essential  
35 parts" means integral and body parts, the removal, alteration or  
36 substitution of which will tend to conceal the identity or substantially  
37 alter the appearance of the vehicle.

38 ~~54.~~ 56. "Residence district" means the territory contiguous to and  
39 including a highway not comprising a business district if the property on  
40 the highway for a distance of three hundred feet or more is in the main  
41 improved with residences or residences and buildings in use for business.

42 ~~55.~~ 57. "Right-of-way" when used within the context of the  
43 regulation of the movement of traffic on a highway means the privilege of  
44 the immediate use of the highway. Right-of-way when used within the  
45 context of the real property on which transportation facilities and

1 appurtenances to the facilities are constructed or maintained means the  
2 lands or interest in lands within the right-of-way boundaries.

3 ~~56.~~ 58. "School bus" means a motor vehicle that is designed for  
4 carrying more than ten passengers and that is either:

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

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

11 ~~57.~~ 59. "Scrap metal dealer" has the same meaning prescribed in  
12 section 44-1641.

13 ~~58.~~ 60. "Scrap vehicle" has the same meaning prescribed in section  
14 44-1641.

15 ~~59.~~ 61. "Semitrailer" means a vehicle that is with or without  
16 motive power, other than a pole trailer or single-axle tow dolly, that is  
17 designed for carrying persons or property and for being drawn by a motor  
18 vehicle and that is constructed so that some part of its weight and that  
19 of its load rests on or is carried by another vehicle. For the purposes  
20 of this paragraph, "pole trailer" has the same meaning prescribed in  
21 section 28-601.

22 ~~60.~~ 62. "Single-axle tow dolly" means a nonvehicle device that is  
23 drawn by a motor vehicle, that is designed and used exclusively to  
24 transport another motor vehicle and on which the front or rear wheels of  
25 the drawn motor vehicle are mounted on the tow dolly while the other  
26 wheels of the drawn motor vehicle remain in contact with the ground.

27 ~~61.~~ 63. "State" means a state of the United States and the  
28 District of Columbia.

29 ~~62.~~ 64. "State highway" means a state route or portion of a state  
30 route that is accepted and designated by the board as a state highway and  
31 that is maintained by the state.

32 ~~63.~~ 65. "State route" means a right-of-way whether actually used  
33 as a highway or not that is designated by the board as a location for the  
34 construction of a state highway.

35 ~~64.~~ 66. "Street" or "highway" means the entire width between the  
36 boundary lines of every way if a part of the way is open to the use of the  
37 public for purposes of vehicular travel.

38 ~~65.~~ 67. "Taxi" means a motor vehicle that has a seating capacity  
39 not exceeding fifteen passengers, including the driver, that provides  
40 passenger services and that:

41 (a) Does not primarily operate on a regular route or between  
42 specified places.

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

1           ~~66.~~ 68. "Title transfer form" means a paper or an electronic form  
2 that is prescribed by the department for the purpose of transferring a  
3 certificate of title from one owner to another owner.

4           ~~67.~~ 69. "Traffic survival school" means a school that offers  
5 educational sessions to drivers who are required to attend and  
6 successfully complete educational sessions pursuant to this title that are  
7 designed to improve the safety and habits of drivers and that are approved  
8 by the department.

9           ~~68.~~ 70. "Trailer" means a vehicle that is with or without motive  
10 power, other than a pole trailer or single-axle tow dolly, that is  
11 designed for carrying persons or property and for being drawn by a motor  
12 vehicle and that is constructed so that no part of its weight rests on the  
13 towing vehicle. A semitrailer equipped with an auxiliary front axle  
14 commonly known as a dolly is deemed to be a trailer. For the purposes of  
15 this paragraph, "pole trailer" has the same meaning prescribed in section  
16 28-601.

17           ~~69.~~ 71. "Transportation network company" has the same meaning  
18 prescribed in section 28-9551.

19           ~~70.~~ 72. "Transportation network company vehicle" has the same  
20 meaning prescribed in section 28-9551.

21           ~~71.~~ 73. "Transportation network service" has the same meaning  
22 prescribed in section 28-9551.

23           ~~72.~~ 74. "Truck" means a motor vehicle designed or used primarily  
24 for the carrying of property other than the effects of the driver or  
25 passengers and includes a motor vehicle to which has been added a box, a  
26 platform or other equipment for such carrying.

27           ~~73.~~ 75. "Truck tractor" means a motor vehicle that is designed and  
28 used primarily for drawing other vehicles and that is not constructed to  
29 carry a load other than a part of the weight of the vehicle and load  
30 drawn.

31           ~~74.~~ 76. "Vehicle":

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

34           (b) Does not include:

35           (i) Electric bicycles, **ELECTRIC MINIATURE SCOOTERS, ELECTRIC**  
36 **STANDUP SCOOTERS** and devices moved by human power.

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

38           (iii) Personal delivery devices.

39           (iv) A scrap vehicle.

40           ~~75.~~ 77. "Vehicle transporter" means either:

41           (a) A truck tractor capable of carrying a load and drawing a  
42 semitrailer.

43           (b) A truck tractor with a stinger-steered fifth wheel capable of  
44 carrying a load and drawing a semitrailer or a truck tractor with a dolly  
45 mounted fifth wheel that is securely fastened to the truck tractor at two

1 or more points and that is capable of carrying a load and drawing a  
2 semitrailer.

3 Sec. 4. Section 28-627, Arizona Revised Statutes, as amended by  
4 Laws 2018, chapter 306, section 3, is amended to read:

5 28-627. Powers of local authorities

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

9 1. Regulating the standing or parking of vehicles.

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

13 3. Regulating or prohibiting processions or assemblages on the  
14 highways.

15 4. Designating particular highways as one-way highways and  
16 requiring that all vehicles on one-way highways be moved in one specific  
17 direction.

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

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

23 7. Restricting the use of highways as authorized in section  
24 28-1106.

25 8. Regulating the operation of bicycles and requiring the  
26 registration and licensing of bicycles, including the requirement of a  
27 registration fee.

28 9. Regulating or prohibiting the turning of vehicles or specified  
29 types of vehicles at intersections.

30 10. Altering the prima facie speed limits as authorized by this  
31 chapter.

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

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

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

41 14. Adopting reasonable restrictions for the safe operation of  
42 personal delivery devices. The local authority may allow all of the  
43 following:

44 (a) A personal delivery device's weight to exceed two hundred  
45 pounds, excluding cargo.

1 (b) A personal delivery device to operate at a speed that exceeds  
2 seven miles per hour.

3 (c) An owner and operator of a personal delivery device to maintain  
4 an insurance policy that provides less than ~~one hundred thousand dollars~~  
5 \$100,000 for damages arising from the operations of the personal delivery  
6 device.

7 15. REGULATING ELECTRIC BICYCLES AND ELECTRIC STANDUP SCOOTERS. A  
8 LOCAL AUTHORITY MAY CONSIDER THE ENVIRONMENTAL BENEFITS AND TRAFFIC  
9 BENEFITS OF ELECTRIC BICYCLES AND ELECTRIC STANDUP SCOOTERS WHEN  
10 REGULATING ELECTRIC BICYCLES AND ELECTRIC STANDUP SCOOTERS.

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 DOES NOT HAVE  
25 HANDLEBARS AND THAT has a motor, a deck on which a person may ride and at  
26 least two tandem wheels in contact 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. 5. Section 28-627, Arizona Revised Statutes, as amended by  
32 Laws 2018, chapter 306, section 4, 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. REGULATING ELECTRIC BICYCLES AND ELECTRIC STANDUP SCOOTERS. A  
25 LOCAL AUTHORITY MAY CONSIDER THE ENVIRONMENTAL BENEFITS AND TRAFFIC  
26 BENEFITS OF ELECTRIC BICYCLES AND ELECTRIC STANDUP SCOOTERS WHEN  
27 REGULATING ELECTRIC BICYCLES AND ELECTRIC STANDUP SCOOTERS.

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

32           C. An ordinance or regulation enacted under subsection A, paragraph  
33 4, 5, 6, 7, 9 or 10 of this section is not effective until signs giving  
34 notice of the local traffic regulations are posted on or at the entrances  
35 to the highway or part of the highway affected as is most appropriate.

36           D. The definition of motor vehicle prescribed in section 28-101  
37 does not prevent a local authority from adopting ordinances that regulate  
38 or prohibit the operation of motorized skateboards, except that a local  
39 authority shall not adopt an ordinance that requires registration and  
40 licensing of motorized skateboards. For the purposes of this subsection,  
41 "motorized skateboard" means a self-propelled device that DOES NOT HAVE  
42 HANDLEBARS AND THAT has a motor, a deck on which a person may ride and at  
43 least two tandem wheels in contact with the ground.

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

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

21 2. Traffic investigators who may:

22 (a) Investigate traffic accidents within the jurisdiction of the  
23 local authority.

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

28 (c) Pursuant to rules established by the supreme court, serve any  
29 process originating out of a municipal court in the municipality in which  
30 the traffic investigator is employed. Service of process under paragraph  
31 1 of this subsection shall only be made during the hours the municipal  
32 court is open for the transaction of business and only on court premises.

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

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

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

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

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

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

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

6 Sec. 6. Section 28-819, Arizona Revised Statutes, is amended to  
7 read:

8 28-819. Electric bicycles; electric standup scooters

9 A. An operator of an electric bicycle OR AN ELECTRIC STANDUP  
10 SCOOTER is granted all the rights and privileges and is subject to all of  
11 the duties of a person riding a bicycle. Except as otherwise provided in  
12 this section OR AS OTHERWISE REGULATED BY A LOCAL AUTHORITY, an electric  
13 bicycle OR AN ELECTRIC STANDUP SCOOTER is subject to the same provisions  
14 of this title as a bicycle.

15 B. An electric bicycle OR AN ELECTRIC STANDUP SCOOTER is not  
16 subject to the provisions of this title relating to certificates of title,  
17 registration, vehicle license tax, driver licenses or vehicle insurance.

18 C. Beginning January 1, 2019, manufacturers and distributors of  
19 electric bicycles shall apply a label that is permanently affixed, in a  
20 prominent location, to each electric bicycle. The label shall contain the  
21 classification number, top assisted speed and motor wattage of the  
22 electric bicycle and shall be printed in at least nine-point type.

23 D. A class 1 electric bicycle, ~~or~~ a class 2 electric bicycle OR AN  
24 ELECTRIC STANDUP SCOOTER may be used on bicycle and multiuse paths. A  
25 local authority or agency of this state having jurisdiction over a bicycle  
26 or multiuse path may prohibit the operation of a class 1 electric bicycle,  
27 ~~or~~ class 2 electric bicycle OR ELECTRIC STANDUP SCOOTER on the path.

28 E. A class 3 electric bicycle may not be operated on a bicycle or  
29 multiuse path unless it is within or adjacent to a highway or roadway or  
30 unless the local authority or agency of this state having jurisdiction  
31 over the path allows the operation.

32 F. AN ELECTRIC STANDUP SCOOTER MUST HAVE A UNIQUE IDENTIFICATION  
33 THAT CONSISTS OF BOTH LETTERS AND NUMBERS AND THAT IS VISIBLE FROM A  
34 DISTANCE OF AT LEAST FIVE FEET. THE IDENTIFICATION:

35 1. MAY NOT BE OBSCURED BY BRANDING OR OTHER MARKINGS.

36 2. SHALL BE USED IN THIS STATE TO IDENTIFY THE ELECTRIC STANDUP  
37 SCOOTER. THIS PARAGRAPH APPLIES TO ALL PERSONS, INCLUDING LOCAL  
38 AUTHORITIES.

39 Sec. 7. Effective date

40 Section 28-101, Arizona Revised Statutes, as amended by Laws 2018,  
41 chapter 306, section 2 and this act, and section 28-627, Arizona Revised  
42 Statutes, as amended by Laws 2018, chapter 306, section 4 and this act,  
43 are effective from and after August 31, 2020.

1           Sec. 8. Conditional enactment

2           Section 28-101, Arizona Revised Statutes, as amended by Laws 2018,  
3 chapter 9, section 1, chapter 163, section 1, chapter 166, section 1,  
4 chapter 298, section 3, chapter 306, section 1, chapter 324, section 1 and  
5 this act, becomes effective on the date prescribed by Laws 2018, chapter  
6 298, section 12 but only on the occurrence of the condition prescribed by  
7 Laws 2018, chapter 298, section 12.