

REFERENCE TITLE: **Gila River Indian Community plates.**

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

## **HB 2062**

Introduced by  
Representatives Martinez: Cano, Contreras L, Gress, Peshlakai, Quiñonez,  
Seaman, Travers, Tsosie, Senators Carroll, Kavanagh

### **AN ACT**

**AMENDING TITLE 28, CHAPTER 7, ARTICLE 12, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 28-2470.18; AMENDING SECTIONS 28-6501, 28-6991 AND 28-6993,  
ARIZONA REVISED STATUTES; RELATING TO SPECIAL PLATES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 28, chapter 7, article 12, Arizona Revised  
3 Statutes, is amended by adding section 28-2470.18, to read:

4 28-2470.18. Gila River Indian Community special plates

5 A. IF BY DECEMBER 31, 2023, A PERSON PAYS \$32,000 TO THE DEPARTMENT  
6 FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL ISSUE GILA  
7 RIVER INDIAN COMMUNITY SPECIAL PLATES. THE DIRECTOR MAY ALLOW A REQUEST  
8 FOR GILA RIVER INDIAN COMMUNITY SPECIAL PLATES TO BE COMBINED WITH A  
9 REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A  
10 COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND  
11 IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO  
12 THE FEES REQUIRED FOR THE GILA RIVER INDIAN COMMUNITY SPECIAL PLATES.

13 B. OF THE \$25 FEE REQUIRED BY SECTION 28-2402 FOR THE ORIGINAL  
14 SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, \$8 IS A SPECIAL PLATE  
15 ADMINISTRATION FEE AND \$17 IS AN ANNUAL DONATION.

16 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
17 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
18 ESTABLISHED BY SECTION 28-6991 AND SHALL TRANSMIT ALL DONATIONS COLLECTED  
19 PURSUANT TO THIS SECTION TO THE GILA RIVER INDIAN COMMUNITY TRANSPORTATION  
20 COMMITTEE. THE GILA RIVER INDIAN COMMUNITY TRANSPORTATION COMMITTEE SHALL  
21 USE THESE MONIES ONLY FOR TRAFFIC CONTROL DEVICES THAT CONFORM TO THE  
22 MANUAL AND SPECIFICATIONS PRESCRIBED IN SECTION 28-641 ON HIGHWAYS ON THE  
23 GILA RIVER INDIAN RESERVATION THAT ARE LOCATED IN THIS STATE AND THAT ARE  
24 NOT STATE HIGHWAYS.

25 Sec. 2. Section 28-6501, Arizona Revised Statutes, is amended to  
26 read:

27 28-6501. Definition of highway user revenues

28 In this article, unless the context otherwise requires or except as  
29 otherwise provided by statute, "highway user revenues" means all monies  
30 received in this state from licenses, taxes, penalties, interest and fees  
31 authorized by the following:

32 1. Chapters 2, 7, 8 and 15 of this title, except for:

33 (a) The special plate administration fees prescribed in sections  
34 28-2404, 28-2407, 28-2412 through ~~28-2470.17~~ 28-2470.18 and 28-2514.

35 (b) The donations prescribed in sections 28-2404, 28-2407, 28-2412  
36 through 28-2415, 28-2417 through ~~28-2470.17~~ 28-2470.18, 28-2473, 28-2474,  
37 28-2475 and 28-2476.

38 2. Section 28-1177.

39 3. Chapters 10 and 11 of this title.

40 4. Chapter 16, articles 1, 2 and 4 of this title, except as  
41 provided in sections 28-5926 and 28-5927.

42 Sec. 3. Section 28-6991, Arizona Revised Statutes, is amended to  
43 read:

44 28-6991. State highway fund; sources

45 The state highway fund is established that consists of:

- 1           1. Monies distributed from the Arizona highway user revenue fund  
2 pursuant to chapter 18 of this title.
- 3           2. Monies appropriated by the legislature.
- 4           3. Monies received from donations for the construction, improvement  
5 or maintenance of state highways or bridges. These monies shall be  
6 credited to a special account and shall be spent only for the purpose  
7 indicated by the donor.
- 8           4. Monies received from counties or cities under cooperative  
9 agreements, including proceeds from bond issues. The state treasurer  
10 shall deposit these monies to the credit of the fund in a special account  
11 on delivery to the treasurer of a concise written agreement between the  
12 department and the county or city stating the purposes for which the  
13 monies are surrendered by the county or city, and these monies shall be  
14 spent only as stated in the agreement.
- 15           5. Monies received from the United States under an act of Congress  
16 to provide aid for the construction of rural post roads, but monies  
17 received on projects for which the monies necessary to be provided by this  
18 state are wholly derived from sources mentioned in paragraphs 2 and 3 of  
19 this section shall be allotted by the department and deposited by the  
20 state treasurer in the special account within the fund established for  
21 each project. On completion of the project, on the satisfaction and  
22 discharge in full of all obligations of any kind created and on request of  
23 the department, the treasurer shall transfer the unexpended balance in the  
24 special account for the project into the state highway fund, and the  
25 unexpended balance and any further federal aid thereafter received on  
26 account of the project may be spent under the general provisions of this  
27 title.
- 28           6. Monies in the custody of an officer or agent of this state from  
29 any source that is to be used for the construction, improvement or  
30 maintenance of state highways or bridges.
- 31           7. Monies deposited in the state general fund and arising from the  
32 disposal of state personal property belonging to the department.
- 33           8. Receipts from the sale or disposal of any or all other property  
34 held by the department and purchased with state highway monies.
- 35           9. Monies generated pursuant to section 28-410.
- 36           10. Monies distributed pursuant to section 28-5808, subsection B,  
37 paragraph 2, subdivision (d).
- 38           11. Monies deposited pursuant to sections 28-1143, 28-2353 and  
39 28-3003.
- 40           12. Except as provided in section 28-5101, the following monies:  
41           (a) Monies deposited pursuant to section 28-2206 and section  
42 28-5808, subsection B, paragraph 2, subdivision (e).  
43           (b) \$1 of each registration fee and \$1 of each title fee collected  
44 pursuant to section 28-2003.

- 1 (c) \$2 of each late registration penalty collected by the director  
2 pursuant to section 28-2162.
- 3 (d) The air quality compliance fee collected pursuant to section  
4 49-542.
- 5 (e) The special plate administration fees collected pursuant to  
6 sections 28-2404, 28-2407, 28-2412 through 28-2416, 28-2416.01, 28-2417  
7 through ~~28-2470.17~~ 28-2470.18 and 28-2514.
- 8 (f) Monies collected pursuant to sections 28-372, 28-2155 and  
9 28-2156 if the director is the registering officer.
- 10 13. Monies deposited pursuant to chapter 5, article 5 of this  
11 title.
- 12 14. Donations received pursuant to section 28-2269.
- 13 15. Dealer and registration monies collected pursuant to section  
14 28-4304.
- 15 16. Abandoned vehicle administration monies deposited pursuant to  
16 section 28-4804.
- 17 17. Monies deposited pursuant to section 28-710, subsection D,  
18 paragraph 2.
- 19 18. Monies deposited pursuant to section 28-2065.
- 20 19. Monies deposited pursuant to section 28-7311.
- 21 20. Monies deposited pursuant to section 28-7059.
- 22 21. Monies deposited pursuant to section 28-1105.
- 23 22. Monies deposited pursuant to section 28-2448, subsection D.
- 24 23. Monies deposited pursuant to section 28-3415.
- 25 24. Monies deposited pursuant to section 28-3002, subsection A,  
26 paragraph 14.
- 27 25. Monies deposited pursuant to section 28-7316.
- 28 26. Monies deposited pursuant to section 28-4302.
- 29 27. Monies deposited pursuant to section 28-3416.
- 30 28. Monies deposited pursuant to section 28-4504.
- 31 29. Monies deposited pursuant to section 28-2098.
- 32 30. Monies deposited pursuant to sections 28-2321, 28-2324,  
33 28-2325, 28-5474, 28-5739, 28-5863 and 28-5864.
- 34 Sec. 4. Section 28-6993, Arizona Revised Statutes, is amended to  
35 read:
- 36 28-6993. State highway fund; authorized uses
- 37 A. Except as provided in subsection B of this section and section  
38 28-6538, the state highway fund shall be used for any of the following  
39 purposes in strict conformity with and subject to the budget as provided  
40 by this section and by sections 28-6997 through 28-7003:
- 41 1. To pay salaries, wages, necessary travel expenses and other  
42 expenses of officers and employees of the department and the incidental  
43 office expenses, including telegraph, telephone, postal and express  
44 charges and printing, stationery and advertising expenses.

- 1           2. To pay for both:
- 2           (a) Equipment, supplies, machines, tools, department offices and
- 3           laboratories established by the department.
- 4           (b) The construction and repair of buildings or yards of the
- 5           department.
- 6           3. To pay the cost of both:
- 7           (a) Engineering, construction, improvement and maintenance of state
- 8           highways and parts of highways forming state routes.
- 9           (b) Highways under cooperative agreements with the United States
- 10          that are entered into pursuant to this chapter and an act of Congress
- 11          providing for the construction of rural post roads.
- 12          4. To pay land damages incurred by reason of establishing, opening,
- 13          altering, relocating, widening or abandoning portions of a state route or
- 14          state highway.
- 15          5. To reimburse the department revolving account.
- 16          6. To pay premiums on authorized indemnity bonds and on
- 17          compensation insurance under the workers' compensation act.
- 18          7. To defray lawful expenses and costs required to administer and
- 19          carry out the intent, purposes and provisions of this title, including
- 20          repayment of obligations entered into pursuant to this title, payment of
- 21          interest on obligations entered into pursuant to this title, repayment of
- 22          loans and other financial assistance, including repayment of advances and
- 23          interest on advances made to the department pursuant to section 28-7677,
- 24          and payment of all other obligations and expenses of the board and
- 25          department pursuant to chapter 21 of this title.
- 26          8. To pay lawful bills and charges incurred by the state engineer.
- 27          9. To acquire, construct or improve entry roads to state parks or
- 28          roads within state parks.
- 29          10. To acquire, construct or improve entry roads to state prisons.
- 30          11. To pay the cost of relocating a utility facility pursuant to
- 31          section 28-7156.
- 32          12. For the purposes provided in subsections C, D and E of this
- 33          section and sections 28-1143, 28-2353 and 28-3003.
- 34          13. To pay the cost of issuing an Arizona centennial special plate
- 35          pursuant to section 28-2448.
- 36          14. To pay for all of the following:
- 37          (a) The enforcement by the department of public safety and the
- 38          department of transportation of vehicle safety requirements within
- 39          twenty-five miles of the border between this state and Mexico.
- 40          (b) Costs related to procuring electronic equipment, automated
- 41          systems or improvements to existing electronic equipment or automated
- 42          systems for relieving vehicle congestion at ports of entry on the border
- 43          between this state and Mexico.

1 (c) Constructing, maintaining and upgrading transportation  
2 facilities, including roads, streets and highways, approved by the board  
3 within twenty-five miles of the border between this state and Mexico.

4 (d) As approved by the board, constructing and maintaining  
5 transportation facilities in the CANAMEX high priority corridor as defined  
6 in section 332 of the national highway system designation act of 1995  
7 (P.L. 104-59; 109 Stat. 568).

8 (e) Activities of the department that include collecting  
9 transportation and trade data in the United States and Mexico for the  
10 purposes of constructing transportation facilities, improving public  
11 safety, improving truck processing time and relieving congestion at ports  
12 of entry on the border between this state and Mexico. The department may  
13 enter into an agreement with the Arizona-Mexico commission and provide  
14 funding to the commission for the purposes of this subdivision.

15 (f) A commitment or investment necessary for the department or  
16 another agency of this state to obtain federal monies that are designated  
17 for expenditure pursuant to this section.

18 B. For each fiscal year, the department of transportation shall  
19 allocate and transfer monies in the state highway fund to the department  
20 of public safety for funding a portion of highway patrol costs in eight  
21 installments in each of the first eight months of a fiscal year that do  
22 not exceed \$10,000,000.

23 C. Subject to legislative appropriation, the department may use the  
24 monies in the state highway fund as prescribed in section 28-6991,  
25 paragraph 12 to carry out the duties imposed by this title for  
26 registration or titling of vehicles, to operate joint title, registration  
27 and driver licensing offices, to cover the administrative costs of issuing  
28 the air quality compliance sticker, modifying the year validating tab and  
29 issuing the windshield sticker and to cover expenses and costs in issuing  
30 special plates pursuant to sections 28-2404, 28-2407, 28-2412 through  
31 ~~28-2470.17~~ 28-2470.18 and 28-2514.

32 D. The department shall use monies deposited in the state highway  
33 fund pursuant to chapter 5, article 5 of this title only as prescribed by  
34 that article.

35 E. Monies deposited in the state highway fund pursuant to section  
36 28-2269 shall be used only as prescribed by that section.

37 F. Monies deposited in the state highway fund pursuant to section  
38 28-710, subsection D, paragraph 2 shall only be used for state highway  
39 work zone traffic control devices.

40 G. The department may exchange monies distributed to the state  
41 highway fund pursuant to section 28-6538, subsection A, paragraph 1 for  
42 local government surface transportation program federal monies  
43 suballocated to councils of government and metropolitan planning  
44 organizations if the local government scheduled to receive the federal  
45 monies concurs. An exchange of state highway fund monies pursuant to this

1 subsection shall be in an amount that is at least equal to ninety percent  
2 of the federal obligation authority that exists in the project for which  
3 the exchange is proposed.

4 H. The department shall use monies deposited in the state highway  
5 fund pursuant to section 28-1105, subsection A, paragraph 2, subdivision  
6 (a) only for a transportation facility that is located within twenty  
7 drivable miles of the international port of entry and shall spend the  
8 monies proportionally based on the amount of total monies collected  
9 pursuant to section 28-1105, subsection A, paragraph 2, subdivision (a).  
10 For the purposes of this subsection, "transportation facility" means a  
11 highway or a state route or a county, city or town road that is used by a  
12 commercial vehicle or a commercial vehicle combination for which an axle  
13 fee is paid pursuant to section 28-5474.