

Senate Engrossed House Bill

~~Gila River Indian Community plates.~~
(now: license plates; special plates)

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

HOUSE BILL 2062

AN ACT

AMENDING SECTIONS 28-2351, 28-2403 AND 28-2415, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 7, ARTICLE 12, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 28-2470.18, 28-2470.19, 28-2470.20, 28-2470.21 AND 28-2470.22; 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. Section 28-2351, Arizona Revised Statutes, is amended to
3 read:

4 28-2351. License plate provided; design

5 A. Notwithstanding any other law, the department shall provide to
6 every owner one license plate for each vehicle registered. At the request
7 of the owner and on payment of a fee in an amount prescribed by the
8 director by rule, the department shall provide one additional license
9 plate for a vehicle for which a special plate is requested pursuant to
10 this chapter.

11 B. The license plate shall display the number assigned to the
12 vehicle and to the owner of the vehicle and the name of this state, which
13 may be abbreviated. The director shall coat the license plate with a
14 reflective material that is consistent with the determination of the
15 department regarding the color and design of license plates and special
16 plates. ~~The background color of the license plate shall contrast~~
17 ~~significantly with the color of the letters and numerals on the license~~
18 ~~plate and with the name of this state on the license plate. The name of~~
19 ~~this state shall appear on the license plate in capital letters in sans~~
20 ~~serif font and be three-fourths of an inch in height.~~ The director shall
21 design the license plate and the letters and numerals on the license plate
22 to be of sufficient size to be plainly readable during daylight from a
23 distance of one hundred feet. In addition to the standard license plate
24 issued for a trailer before August 12, 2005, the director shall issue a
25 license plate for trailers that has a design that is similar to the
26 standard size license plate for trailers but that is the same size as the
27 license plate for motorcycles. The trailer owner shall notify the
28 department which size license plate the owner wants for the trailer.

29 C. IN ADDITION TO THE REQUIREMENTS IN SUBSECTION B OF THIS SECTION,
30 FOR ALL LICENSE PLATES, INCLUDING ALL SPECIAL PLATES, THAT ARE DESIGNED OR
31 REDESIGNED ON OR AFTER SEPTEMBER 24, 2022:

32 1. THE BACKGROUND COLOR OF THE LICENSE PLATE SHALL CONTRAST
33 SIGNIFICANTLY WITH THE COLOR OF THE LETTERS AND NUMERALS ON THE LICENSE
34 PLATE AND WITH THE NAME OF THIS STATE ON THE LICENSE PLATE.

35 2. THE NAME OF THIS STATE SHALL APPEAR ON THE LICENSE PLATE IN
36 CAPITAL LETTERS IN SANS SERIF FONT AND BE THREE-FOURTHS OF AN INCH IN
37 HEIGHT.

38 ~~C.~~ D. Notwithstanding any other law, the department shall not
39 contract with a nongovernmental entity to purchase or secure reflective
40 material for the plates issued by the department unless the department has
41 made a reasonable effort to secure qualified bids or proposals from as
42 many individual responsible respondents as possible.

1 ~~D.~~ E. The department shall determine the color and design of the
2 license plate subject to the requirements prescribed by ~~subsection~~
3 ~~SUBSECTIONS B AND C~~ of this section. All plates issued by the department,
4 except the plates that are ~~designed or redesigned before September 24,~~
5 ~~2022 and that are~~ issued pursuant to sections 28-2404, 28-2412, 28-2413,
6 28-2414, 28-2416, 28-2416.01, 28-2417 through ~~28-2470.17~~ 28-2470.22,
7 28-2472, 28-2473, 28-2474, 28-2475, 28-2476 and 28-4533 and article 14 of
8 this chapter, shall be the same color as and similar in design to the
9 license plate as determined by the department.

10 ~~E.~~ F. A passenger motor vehicle that is rented without a driver
11 shall receive the same type of license plate as is issued for a private
12 passenger motor vehicle.

13 Sec. 2. Section 28-2403, Arizona Revised Statutes, is amended to
14 read:

15 28-2403. Special plates; transfers; violation; classification

16 A. Except as otherwise provided in this article, the department
17 shall issue or renew special plates in lieu of the regular license plates
18 pursuant to the following conditions and procedures and only if the
19 requirements prescribed by this article for the requested special plates
20 are met:

21 1. Except as provided in sections 28-2416 and 28-2416.01, a person
22 who is the registered owner of a vehicle registered with the department or
23 who applies for an original or renewal registration of a vehicle may
24 submit to the department a completed application form as prescribed by the
25 department with the fee prescribed by section 28-2402 for special plates
26 in addition to the registration fee prescribed by section 28-2003.

27 2. Except for plates issued pursuant to sections 28-2404, 28-2412,
28 28-2413, 28-2414, 28-2416, 28-2416.01, 28-2417 through ~~28-2470.17~~
29 28-2470.22, 28-2472, 28-2473, 28-2474, 28-2475 and 28-2476 and article 14
30 of this chapter, the special plates shall be the same color as and similar
31 to the design of the regular license plates that is determined by the
32 department.

33 3. Except as provided in section 28-2416, the department shall
34 issue special plates only to the owner or lessee of a vehicle that is
35 currently registered, including any vehicle that has a declared gross
36 weight, as defined in section 28-5431, of twenty-six thousand pounds or
37 less.

38 4. Except as provided in sections 28-2416 and 28-2416.01, the
39 department shall charge the fee prescribed by section 28-2402 for each
40 annual renewal of special plates in addition to the registration fee
41 prescribed by section 28-2003.

42 B. Except as provided in sections 28-2416 and 28-2416.01, on
43 notification to the department and on payment of the transfer fee
44 prescribed by section 28-2402, a person who is issued special plates may
45 transfer the special plates to another vehicle the person owns or leases.

1 Persons who are issued special plates for hearing impaired persons
2 pursuant to section 28-2408 and international symbol of access special
3 plates pursuant to section 28-2409 are exempt from the transfer fee. If a
4 person who is issued special plates sells, trades or otherwise releases
5 ownership of the vehicle on which the plates have been displayed, the
6 person shall immediately report the transfer of the plates to the
7 department or the person shall surrender the plates to the department as
8 prescribed by the director. It is unlawful for a person to whom the
9 plates have been issued to knowingly allow them to be displayed on a
10 vehicle except the vehicle authorized by the department.

11 C. The special plates shall be affixed to the vehicle for which
12 registration is sought in lieu of the regular license plates.

13 D. A person is guilty of a class 3 misdemeanor who:

14 1. Violates subsection B of this section.

15 2. Fraudulently gives false or fictitious information in the
16 application for or renewal of special plates or placards issued pursuant
17 to this article.

18 3. Conceals a material fact or otherwise commits fraud in the
19 application for or renewal of special plates or placards issued pursuant
20 to this article.

21 Sec. 3. Section 28-2415, Arizona Revised Statutes, is amended to
22 read:

23 28-2415. National guard member special plates

24 A. The department shall issue national guard member special plates
25 to a person who submits satisfactory proof to the department that the
26 person is or has been a member of the Arizona national guard or the spouse
27 of a person who is or has been a member of the Arizona national guard.
28 THE DIRECTOR MAY ALLOW A REQUEST FOR NATIONAL GUARD MEMBER SPECIAL PLATES
29 TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE
30 DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM
31 PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED
32 SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR THE NATIONAL GUARD
33 MEMBER SPECIAL PLATES.

34 B. Of the ~~twenty-five dollar~~ \$25 fee required by section 28-2402
35 for original national guard member special plates and for renewal of
36 national guard member special plates, ~~eight dollars~~ \$8 is a special plate
37 administration fee and ~~seventeen dollars~~ \$17 is a national guard member
38 special plate annual donation.

39 C. The director of the department of transportation shall deposit,
40 pursuant to sections 35-146 and 35-147, all special plate administration
41 fees in the state highway fund established by section 28-6991 and shall
42 deposit the national guard member special plate annual donations in the
43 morale, welfare and recreational fund established by section 26-153.

1 D. The department shall not issue special plates pursuant to this
2 section to a person or to the spouse of a person who was discharged from
3 the armed forces under conditions less than honorable.

4 Sec. 4. Title 28, chapter 7, article 12, Arizona Revised Statutes,
5 is amended by adding sections 28-2470.18, 28-2470.19, 28-2470.20,
6 28-2470.21 and 28-2470.22, to read:

7 28-2470.18. Gila River Indian Community special plates

8 A. IF BY DECEMBER 31, 2023, A PERSON PAYS \$32,000 TO THE DEPARTMENT
9 FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL ISSUE GILA
10 RIVER INDIAN COMMUNITY SPECIAL PLATES. THE PERSON THAT PROVIDES THE
11 \$32,000 SHALL DESIGN THE GILA RIVER INDIAN COMMUNITY SPECIAL PLATES. THE
12 DESIGN AND COLOR OF THE GILA RIVER INDIAN COMMUNITY SPECIAL PLATES ARE
13 SUBJECT TO THE APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A
14 REQUEST FOR GILA RIVER INDIAN COMMUNITY SPECIAL PLATES TO BE COMBINED WITH
15 A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A
16 COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND
17 IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO
18 THE FEES REQUIRED FOR THE GILA RIVER INDIAN COMMUNITY SPECIAL PLATES.

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

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

31 28-2470.19. Ak-Chin Indian Community special plates

32 A. IF, BY DECEMBER 31, 2023, A PERSON PAYS \$32,000 TO THE
33 DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL
34 ISSUE AK-CHIN INDIAN COMMUNITY SPECIAL PLATES. THE PERSON THAT PROVIDES
35 THE \$32,000 SHALL DESIGN THE AK-CHIN INDIAN COMMUNITY SPECIAL PLATES. THE
36 DESIGN AND COLOR OF THE AK-CHIN INDIAN COMMUNITY SPECIAL PLATES ARE
37 SUBJECT TO THE APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A
38 REQUEST FOR AK-CHIN INDIAN COMMUNITY SPECIAL PLATES TO BE COMBINED WITH A
39 REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A
40 COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND
41 IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO
42 THE FEES REQUIRED FOR THE AK-CHIN INDIAN COMMUNITY SPECIAL PLATES.

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

1 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
2 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
3 ESTABLISHED BY SECTION 28-6991 AND SHALL TRANSMIT ALL DONATIONS COLLECTED
4 PURSUANT TO THIS SECTION TO THE AK-CHIN INDIAN COMMUNITY DEPARTMENT OF
5 PUBLIC SAFETY. THE AK-CHIN INDIAN COMMUNITY DEPARTMENT OF PUBLIC SAFETY
6 SHALL USE THESE MONIES ONLY FOR TRAFFIC CONTROL DEVICES THAT CONFORM TO
7 THE MANUAL AND SPECIFICATIONS PRESCRIBED IN SECTION 28-641 ON HIGHWAYS ON
8 THE AK-CHIN INDIAN RESERVATION THAT ARE LOCATED IN THIS STATE AND THAT ARE
9 NOT STATE HIGHWAYS.

10 28-2470.20. Humanitarian service organization special plates:
11 fund

12 A. IF BY DECEMBER 31, 2023, A PERSON PAYS \$32,000 TO THE DEPARTMENT
13 FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL ISSUE
14 HUMANITARIAN SERVICE ORGANIZATION SPECIAL PLATES. THE PERSON THAT
15 PROVIDES THE \$32,000 SHALL DESIGN THE HUMANITARIAN SERVICE ORGANIZATION
16 SPECIAL PLATES. THE DESIGN AND COLOR OF THE HUMANITARIAN SERVICE
17 ORGANIZATION SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT.
18 THE DIRECTOR MAY ALLOW A REQUEST FOR HUMANITARIAN SERVICE ORGANIZATION
19 SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL
20 PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE
21 IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE
22 PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR THE
23 HUMANITARIAN SERVICE ORGANIZATION SPECIAL PLATES.

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

27 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
28 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
29 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO
30 THIS SECTION IN THE HUMANITARIAN SERVICE ORGANIZATION SPECIAL PLATE FUND
31 ESTABLISHED BY THIS SECTION.

32 D. THE HUMANITARIAN SERVICE ORGANIZATION SPECIAL PLATE FUND IS
33 ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE
34 FIRST \$32,000 IN THE FUND SHALL BE REIMBURSED TO THE PERSON THAT PAID THE
35 IMPLEMENTATION FEE TO THE DEPARTMENT PURSUANT TO SUBSECTION A OF THIS
36 SECTION. NOT MORE THAN TEN PERCENT OF MONIES DEPOSITED IN THE FUND
37 ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING THE FUND. MONIES IN
38 THE FUND ARE CONTINUOUSLY APPROPRIATED.

39 E. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND,
40 EXCLUDING ADMINISTRATIVE FEES, TO A CHARITABLE ORGANIZATION THAT IS
41 QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE
42 CODE FOR FEDERAL INCOME TAX PURPOSES AND THAT MEETS ALL OF THE FOLLOWING:

43 1. HAS A GLOBAL NETWORK OF AT LEAST ONE MILLION TWO HUNDRED
44 THOUSAND PERSONS WHO MAKE A POSITIVE AND LASTING CHANGE IN COMMUNITIES IN
45 THE UNITED STATES AND OUTSIDE OF THE UNITED STATES.

- 1 2. TAKES ACTION ON SUSTAINABLE PROJECTS.
- 2 3. WORKS TO BETTER THE WORLD AND COMMUNITIES THROUGH PROJECTS
- 3 RELATING TO LITERACY, PEACE, WATER AND HEALTH.
- 4 4. HAS BEEN IN THIS STATE SINCE 1914.
- 5 5. HAS AT LEAST ONE HUNDRED FOURTEEN CLUBS IN THIS STATE AND HAS A
- 6 MEMBERSHIP OF MORE THAN FIVE THOUSAND MEMBERS IN THIS STATE.
- 7 6. HAS RAISED MONIES IN THIS STATE TO SUPPORT SERVICE PROJECTS IN
- 8 THE FOLLOWING AREAS:
 - 9 (a) PROMOTING PEACE.
 - 10 (b) FIGHTING DISEASE.
 - 11 (c) PROVIDING CLEAN WATER, SANITATION AND HYGIENE.
 - 12 (d) SAVING MOTHERS AND CHILDREN.
 - 13 (e) SUPPORTING EDUCATION.
 - 14 (f) GROWING LOCAL ECONOMIES.
 - 15 (g) PROTECTING THE ENVIRONMENT.
- 16 F. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST
- 17 AND DIVEST MONIES IN THE FUND AS PROVIDED IN SECTION 35-313, AND MONIES
- 18 EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND.
- 19 28-2470.21. Pascua Yaqui tribe special plates
- 20 A. IF, BY DECEMBER 31, 2023, A PERSON PAYS \$32,000 TO THE
- 21 DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL
- 22 ISSUE PASCUA YAQUI TRIBE SPECIAL PLATES. THE DIRECTOR MAY ALLOW A REQUEST
- 23 FOR PASCUA YAQUI TRIBE SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR
- 24 PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION,
- 25 THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT
- 26 TO THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES
- 27 REQUIRED FOR THE PASCUA YAQUI TRIBE SPECIAL PLATES.
- 28 B. OF THE \$25 FEE REQUIRED BY SECTION 28-2402 FOR THE ORIGINAL
- 29 SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, \$8 IS A SPECIAL PLATE
- 30 ADMINISTRATION FEE AND \$17 IS AN ANNUAL DONATION.
- 31 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
- 32 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
- 33 ESTABLISHED BY SECTION 28-6991 AND SHALL TRANSMIT ALL DONATIONS COLLECTED
- 34 PURSUANT TO THIS SECTION TO THE PASCUA YAQUI TRIBE. THE PASCUA YAQUI
- 35 TRIBE SHALL USE THESE MONIES ONLY FOR THE FOLLOWING:
 - 36 1. EDUCATION SCHOLARSHIPS, INCLUDING MONIES FOR ACADEMIC RELATED
 - 37 AND EXTRACURRICULAR ACTIVITIES, FOR CHILDREN IN THE PASCUA YAQUI TRIBE.
 - 38 2. LEGAL ASSISTANCE FOR UNREPRESENTED PERSONS.
- 39 28-2470.22. Arizona professional soccer club special plates;
- 40 fund
- 41 A. IF BY DECEMBER 31, 2023, A PERSON PAYS \$32,000 TO THE DEPARTMENT
- 42 FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL ISSUE ARIZONA
- 43 PROFESSIONAL SOCCER CLUB SPECIAL PLATES. THE PERSON THAT PROVIDES THE
- 44 \$32,000 SHALL DESIGN THE ARIZONA PROFESSIONAL SOCCER CLUB SPECIAL PLATES.
- 45 THE DESIGN AND COLOR OF THE ARIZONA PROFESSIONAL SOCCER CLUB SPECIAL

1 PLATES ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY
2 ALLOW A REQUEST FOR ARIZONA PROFESSIONAL SOCCER CLUB SPECIAL PLATES TO BE
3 COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR
4 ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED BY
5 THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL
6 PLATES IN ADDITION TO THE FEES REQUIRED FOR THE ARIZONA PROFESSIONAL
7 SOCCER CLUB SPECIAL PLATES.

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

11 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
12 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
13 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO
14 THIS SECTION IN THE ARIZONA PROFESSIONAL SOCCER CLUB SPECIAL PLATE FUND
15 ESTABLISHED BY THIS SECTION.

16 D. THE ARIZONA PROFESSIONAL SOCCER CLUB SPECIAL PLATE FUND IS
17 ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE
18 FIRST \$32,000 IN THE FUND SHALL BE REIMBURSED TO THE PERSON THAT PAID THE
19 IMPLEMENTATION FEE TO THE DEPARTMENT PURSUANT TO SUBSECTION A OF THIS
20 SECTION. NOT MORE THAN TEN PERCENT OF MONIES DEPOSITED IN THE FUND
21 ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING THE FUND. MONIES IN
22 THE FUND ARE CONTINUOUSLY APPROPRIATED.

23 E. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND,
24 EXCLUDING ADMINISTRATIVE FEES, TO A CHARITABLE ORGANIZATION THAT IS
25 QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE
26 CODE FOR FEDERAL INCOME TAX PURPOSES AND THAT MEETS ALL OF THE FOLLOWING:

- 27 1. IS AN ARIZONA PROFESSIONAL SOCCER CLUB FOUNDATION.
- 28 2. HAS A MISSION TO SUPPORT THE DEVELOPMENT OF STUDENT ATHLETES IN
29 THE COMMUNITY BY FOCUSING ATTENTION ON THE WHOLE ATHLETE WITH EMPHASIS ON
30 CHARACTER, TEAMWORK, COMMITMENT AND SELF-CONFIDENCE.
- 31 3. PROVIDES FINANCIAL AWARDS TO FAMILIES WITH FINANCIAL BARRIERS TO
32 PARTICIPATION IN SOCCER PROGRAMS.
- 33 4. DEVELOPS YOUTH SOCCER PROGRAMS IN THIS STATE.

34 F. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST
35 AND DIVEST MONIES IN THE FUND AS PROVIDED IN SECTION 35-313, AND MONIES
36 EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

37 Sec. 5. Section 28-6501, Arizona Revised Statutes, is amended to
38 read:

39 28-6501. Definition of highway user revenues

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

- 1 1. Chapters 2, 7, 8 and 15 of this title, except for:
2 (a) The special plate administration fees prescribed in sections
3 28-2404, 28-2407, 28-2412 through ~~28-2470.17~~ 28-2470.22 and 28-2514.
4 (b) The donations prescribed in sections 28-2404, 28-2407, 28-2412
5 through 28-2415, 28-2417 through ~~28-2470.17~~ 28-2470.22, 28-2473, 28-2474,
6 28-2475 and 28-2476.
7 2. Section 28-1177.
8 3. Chapters 10 and 11 of this title.
9 4. Chapter 16, articles 1, 2 and 4 of this title, except as
10 provided in sections 28-5926 and 28-5927.
11 Sec. 6. Section 28-6991, Arizona Revised Statutes, is amended to
12 read:
13 28-6991. State highway fund; sources
14 The state highway fund is established that consists of:
15 1. Monies distributed from the Arizona highway user revenue fund
16 pursuant to chapter 18 of this title.
17 2. Monies appropriated by the legislature.
18 3. Monies received from donations for the construction, improvement
19 or maintenance of state highways or bridges. These monies shall be
20 credited to a special account and shall be spent only for the purpose
21 indicated by the donor.
22 4. Monies received from counties or cities under cooperative
23 agreements, including proceeds from bond issues. The state treasurer
24 shall deposit these monies to the credit of the fund in a special account
25 on delivery to the treasurer of a concise written agreement between the
26 department and the county or city stating the purposes for which the
27 monies are surrendered by the county or city, and these monies shall be
28 spent only as stated in the agreement.
29 5. Monies received from the United States under an act of Congress
30 to provide aid for the construction of rural post roads, but monies
31 received on projects for which the monies necessary to be provided by this
32 state are wholly derived from sources mentioned in paragraphs 2 and 3 of
33 this section shall be allotted by the department and deposited by the
34 state treasurer in the special account within the fund established for
35 each project. On completion of the project, on the satisfaction and
36 discharge in full of all obligations of any kind created and on request of
37 the department, the treasurer shall transfer the unexpended balance in the
38 special account for the project into the state highway fund, and the
39 unexpended balance and any further federal aid thereafter received on
40 account of the project may be spent under the general provisions of this
41 title.
42 6. Monies in the custody of an officer or agent of this state from
43 any source that is to be used for the construction, improvement or
44 maintenance of state highways or bridges.

- 1 7. Monies deposited in the state general fund and arising from the
- 2 disposal of state personal property belonging to the department.
- 3 8. Receipts from the sale or disposal of any or all other property
- 4 held by the department and purchased with state highway monies.
- 5 9. Monies generated pursuant to section 28-410.
- 6 10. Monies distributed pursuant to section 28-5808, subsection B,
- 7 paragraph 2, subdivision (d).
- 8 11. Monies deposited pursuant to sections 28-1143, 28-2353 and
- 9 28-3003.
- 10 12. Except as provided in section 28-5101, the following monies:
- 11 (a) Monies deposited pursuant to section 28-2206 and section
- 12 28-5808, subsection B, paragraph 2, subdivision (e).
- 13 (b) \$1 of each registration fee and \$1 of each title fee collected
- 14 pursuant to section 28-2003.
- 15 (c) \$2 of each late registration penalty collected by the director
- 16 pursuant to section 28-2162.
- 17 (d) The air quality compliance fee collected pursuant to section
- 18 49-542.
- 19 (e) The special plate administration fees collected pursuant to
- 20 sections 28-2404, 28-2407, 28-2412 through 28-2416, 28-2416.01, 28-2417
- 21 through ~~28-2470.17~~ 28-2470.22 and 28-2514.
- 22 (f) Monies collected pursuant to sections 28-372, 28-2155 and
- 23 28-2156 if the director is the registering officer.
- 24 13. Monies deposited pursuant to chapter 5, article 5 of this
- 25 title.
- 26 14. Donations received pursuant to section 28-2269.
- 27 15. Dealer and registration monies collected pursuant to section
- 28 28-4304.
- 29 16. Abandoned vehicle administration monies deposited pursuant to
- 30 section 28-4804.
- 31 17. Monies deposited pursuant to section 28-710, subsection D,
- 32 paragraph 2.
- 33 18. Monies deposited pursuant to section 28-2065.
- 34 19. Monies deposited pursuant to section 28-7311.
- 35 20. Monies deposited pursuant to section 28-7059.
- 36 21. Monies deposited pursuant to section 28-1105.
- 37 22. Monies deposited pursuant to section 28-2448, subsection D.
- 38 23. Monies deposited pursuant to section 28-3415.
- 39 24. Monies deposited pursuant to section 28-3002, subsection A,
- 40 paragraph 14.
- 41 25. Monies deposited pursuant to section 28-7316.
- 42 26. Monies deposited pursuant to section 28-4302.
- 43 27. Monies deposited pursuant to section 28-3416.
- 44 28. Monies deposited pursuant to section 28-4504.
- 45 29. Monies deposited pursuant to section 28-2098.

1 30. Monies deposited pursuant to sections 28-2321, 28-2324,
2 28-2325, 28-5474, 28-5739, 28-5863 and 28-5864.

3 Sec. 7. Section 28-6993, Arizona Revised Statutes, is amended to
4 read:

5 28-6993. State highway fund; authorized uses

6 A. Except as provided in subsection B of this section and section
7 28-6538, the state highway fund shall be used for any of the following
8 purposes in strict conformity with and subject to the budget as provided
9 by this section and by sections 28-6997 through 28-7003:

10 1. To pay salaries, wages, necessary travel expenses and other
11 expenses of officers and employees of the department and the incidental
12 office expenses, including telegraph, telephone, postal and express
13 charges and printing, stationery and advertising expenses.

14 2. To pay for both:

15 (a) Equipment, supplies, machines, tools, department offices and
16 laboratories established by the department.

17 (b) The construction and repair of buildings or yards of the
18 department.

19 3. To pay the cost of both:

20 (a) Engineering, construction, improvement and maintenance of state
21 highways and parts of highways forming state routes.

22 (b) Highways under cooperative agreements with the United States
23 that are entered into pursuant to this chapter and an act of Congress
24 providing for the construction of rural post roads.

25 4. To pay land damages incurred by reason of establishing, opening,
26 altering, relocating, widening or abandoning portions of a state route or
27 state highway.

28 5. To reimburse the department revolving account.

29 6. To pay premiums on authorized indemnity bonds and on
30 compensation insurance under the workers' compensation act.

31 7. To defray lawful expenses and costs required to administer and
32 carry out the intent, purposes and provisions of this title, including
33 repayment of obligations entered into pursuant to this title, payment of
34 interest on obligations entered into pursuant to this title, repayment of
35 loans and other financial assistance, including repayment of advances and
36 interest on advances made to the department pursuant to section 28-7677,
37 and payment of all other obligations and expenses of the board and
38 department pursuant to chapter 21 of this title.

39 8. To pay lawful bills and charges incurred by the state engineer.

40 9. To acquire, construct or improve entry roads to state parks or
41 roads within state parks.

42 10. To acquire, construct or improve entry roads to state prisons.

43 11. To pay the cost of relocating a utility facility pursuant to
44 section 28-7156.

1 12. For the purposes provided in subsections C, D and E of this
2 section and sections 28-1143, 28-2353 and 28-3003.

3 13. To pay the cost of issuing an Arizona centennial special plate
4 pursuant to section 28-2448.

5 14. To pay for all of the following:

6 (a) The enforcement by the department of public safety and the
7 department of transportation of vehicle safety requirements within
8 twenty-five miles of the border between this state and Mexico.

9 (b) Costs related to procuring electronic equipment, automated
10 systems or improvements to existing electronic equipment or automated
11 systems for relieving vehicle congestion at ports of entry on the border
12 between this state and Mexico.

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

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

20 (e) Activities of the department that include collecting
21 transportation and trade data in the United States and Mexico for the
22 purposes of constructing transportation facilities, improving public
23 safety, improving truck processing time and relieving congestion at ports
24 of entry on the border between this state and Mexico. The department may
25 enter into an agreement with the Arizona-Mexico commission and provide
26 funding to the commission for the purposes of this subdivision.

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

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

35 C. Subject to legislative appropriation, the department may use the
36 monies in the state highway fund as prescribed in section 28-6991,
37 paragraph 12 to carry out the duties imposed by this title for
38 registration or titling of vehicles, to operate joint title, registration
39 and driver licensing offices, to cover the administrative costs of issuing
40 the air quality compliance sticker, modifying the year validating tab and
41 issuing the windshield sticker and to cover expenses and costs in issuing
42 special plates pursuant to sections 28-2404, 28-2407, 28-2412 through
43 ~~28-2470.17~~ 28-2470.22 and 28-2514.

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

4 E. Monies deposited in the state highway fund pursuant to section
5 28-2269 shall be used only as prescribed by that section.

6 F. Monies deposited in the state highway fund pursuant to section
7 28-710, subsection D, paragraph 2 shall only be used for state highway
8 work zone traffic control devices.

9 G. The department may exchange monies distributed to the state
10 highway fund pursuant to section 28-6538, subsection A, paragraph 1 for
11 local government surface transportation program federal monies
12 suballocated to councils of government and metropolitan planning
13 organizations if the local government scheduled to receive the federal
14 monies concurs. An exchange of state highway fund monies pursuant to this
15 subsection shall be in an amount that is at least equal to ninety percent
16 of the federal obligation authority that exists in the project for which
17 the exchange is proposed.

18 H. The department shall use monies deposited in the state highway
19 fund pursuant to section 28-1105, subsection A, paragraph 2, subdivision
20 (a) only for a transportation facility that is located within twenty
21 drivable miles of the international port of entry and shall spend the
22 monies proportionally based on the amount of total monies collected
23 pursuant to section 28-1105, subsection A, paragraph 2, subdivision (a).
24 For the purposes of this subsection, "transportation facility" means a
25 highway or a state route or a county, city or town road that is used by a
26 commercial vehicle or a commercial vehicle combination for which an axle
27 fee is paid pursuant to section 28-5474.