

REFERENCE TITLE: humanitarian service organization special plates

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

HB 2150

Introduced by
Representatives Pawlik: Gress, Hernandez C, Longdon, Wilmeth, Senators
Kaiser, Shope

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. Humanitarian service organization special plates;
5 fund

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

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

18 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
19 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
20 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO
21 THIS SECTION IN THE HUMANITARIAN SERVICE ORGANIZATION SPECIAL PLATE FUND
22 ESTABLISHED BY THIS SECTION.

23 D. THE HUMANITARIAN SERVICE ORGANIZATION SPECIAL PLATE FUND IS
24 ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE
25 FIRST \$32,000 IN THE FUND SHALL BE REIMBURSED TO THE PERSON THAT PAID THE
26 IMPLEMENTATION FEE TO THE DEPARTMENT PURSUANT TO SUBSECTION A OF THIS
27 SECTION. NOT MORE THAN TEN PERCENT OF MONIES DEPOSITED IN THE FUND
28 ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING THE FUND. MONIES IN
29 THE FUND ARE CONTINUOUSLY APPROPRIATED.

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

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

37 2. TAKES ACTION ON SUSTAINABLE PROJECTS.

38 3. WORKS TO BETTER THE WORLD AND COMMUNITIES THROUGH PROJECTS
39 RELATING TO LITERACY, PEACE, WATER AND HEALTH.

40 4. HAS BEEN IN THIS STATE SINCE 1914.

41 5. HAS AT LEAST ONE HUNDRED FOURTEEN CLUBS IN THIS STATE AND HAS A
42 MEMBERSHIP OF MORE THAN FIVE THOUSAND MEMBERS IN THIS STATE.

43 6. HAS RAISED MONIES IN THIS STATE TO SUPPORT SERVICE PROJECTS IN
44 THE FOLLOWING AREAS:

45 (a) PROMOTING PEACE.

- 1 (b) FIGHTING DISEASE.
- 2 (c) PROVIDING CLEAN WATER, SANITATION AND HYGIENE.
- 3 (d) SAVING MOTHERS AND CHILDREN.
- 4 (e) SUPPORTING EDUCATION.
- 5 (f) GROWING LOCAL ECONOMIES.
- 6 (g) PROTECTING THE ENVIRONMENT.

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

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

12 28-6501. Definition of highway user revenues

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

- 17 1. Chapters 2, 7, 8 and 15 of this title, except for:
 - 18 (a) The special plate administration fees prescribed in sections
19 28-2404, 28-2407, 28-2412 through ~~28-2470.17~~ 28-2470.18 and 28-2514.
 - 20 (b) The donations prescribed in sections 28-2404, 28-2407, 28-2412
21 through 28-2415, 28-2417 through ~~28-2470.17~~ 28-2470.18, 28-2473, 28-2474,
22 28-2475 and 28-2476.
- 23 2. Section 28-1177.
- 24 3. Chapters 10 and 11 of this title.
- 25 4. Chapter 16, articles 1, 2 and 4 of this title, except as
26 provided in sections 28-5926 and 28-5927.

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

29 28-6991. State highway fund; sources

30 The state highway fund is established that consists of:

- 31 1. Monies distributed from the Arizona highway user revenue fund
32 pursuant to chapter 18 of this title.
- 33 2. Monies appropriated by the legislature.
- 34 3. Monies received from donations for the construction, improvement
35 or maintenance of state highways or bridges. These monies shall be
36 credited to a special account and shall be spent only for the purpose
37 indicated by the donor.
- 38 4. Monies received from counties or cities under cooperative
39 agreements, including proceeds from bond issues. The state treasurer
40 shall deposit these monies to the credit of the fund in a special account
41 on delivery to the treasurer of a concise written agreement between the
42 department and the county or city stating the purposes for which the
43 monies are surrendered by the county or city, and these monies shall be
44 spent only as stated in the agreement.

1 5. Monies received from the United States under an act of Congress
2 to provide aid for the construction of rural post roads, but monies
3 received on projects for which the monies necessary to be provided by this
4 state are wholly derived from sources mentioned in paragraphs 2 and 3 of
5 this section shall be allotted by the department and deposited by the
6 state treasurer in the special account within the fund established for
7 each project. On completion of the project, on the satisfaction and
8 discharge in full of all obligations of any kind created and on request of
9 the department, the treasurer shall transfer the unexpended balance in the
10 special account for the project into the state highway fund, and the
11 unexpended balance and any further federal aid thereafter received on
12 account of the project may be spent under the general provisions of this
13 title.

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

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

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

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

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

24 11. Monies deposited pursuant to sections 28-1143, 28-2353 and
25 28-3003.

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

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

29 (b) \$1 of each registration fee and \$1 of each title fee collected
30 pursuant to section 28-2003.

31 (c) \$2 of each late registration penalty collected by the director
32 pursuant to section 28-2162.

33 (d) The air quality compliance fee collected pursuant to section
34 49-542.

35 (e) The special plate administration fees collected pursuant to
36 sections 28-2404, 28-2407, 28-2412 through 28-2416, 28-2416.01, 28-2417
37 through ~~28-2470.17~~ 28-2470.18 and 28-2514.

38 (f) Monies collected pursuant to sections 28-372, 28-2155 and
39 28-2156 if the director is the registering officer.

40 13. Monies deposited pursuant to chapter 5, article 5 of this
41 title.

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

43 15. Dealer and registration monies collected pursuant to section
44 28-4304.

- 1 16. Abandoned vehicle administration monies deposited pursuant to
2 section 28-4804.
- 3 17. Monies deposited pursuant to section 28-710, subsection D,
4 paragraph 2.
- 5 18. Monies deposited pursuant to section 28-2065.
- 6 19. Monies deposited pursuant to section 28-7311.
- 7 20. Monies deposited pursuant to section 28-7059.
- 8 21. Monies deposited pursuant to section 28-1105.
- 9 22. Monies deposited pursuant to section 28-2448, subsection D.
- 10 23. Monies deposited pursuant to section 28-3415.
- 11 24. Monies deposited pursuant to section 28-3002, subsection A,
12 paragraph 14.
- 13 25. Monies deposited pursuant to section 28-7316.
- 14 26. Monies deposited pursuant to section 28-4302.
- 15 27. Monies deposited pursuant to section 28-3416.
- 16 28. Monies deposited pursuant to section 28-4504.
- 17 29. Monies deposited pursuant to section 28-2098.
- 18 30. Monies deposited pursuant to sections 28-2321, 28-2324,
19 28-2325, 28-5474, 28-5739, 28-5863 and 28-5864.
- 20 Sec. 4. Section 28-6993, Arizona Revised Statutes, is amended to
21 read:
- 22 28-6993. State highway fund; authorized uses
- 23 A. Except as provided in subsection B of this section and section
24 28-6538, the state highway fund shall be used for any of the following
25 purposes in strict conformity with and subject to the budget as provided
26 by this section and by sections 28-6997 through 28-7003:
- 27 1. To pay salaries, wages, necessary travel expenses and other
28 expenses of officers and employees of the department and the incidental
29 office expenses, including telegraph, telephone, postal and express
30 charges and printing, stationery and advertising expenses.
- 31 2. To pay for both:
- 32 (a) Equipment, supplies, machines, tools, department offices and
33 laboratories established by the department.
- 34 (b) The construction and repair of buildings or yards of the
35 department.
- 36 3. To pay the cost of both:
- 37 (a) Engineering, construction, improvement and maintenance of state
38 highways and parts of highways forming state routes.
- 39 (b) Highways under cooperative agreements with the United States
40 that are entered into pursuant to this chapter and an act of Congress
41 providing for the construction of rural post roads.
- 42 4. To pay land damages incurred by reason of establishing, opening,
43 altering, relocating, widening or abandoning portions of a state route or
44 state highway.
- 45 5. To reimburse the department revolving account.

- 1 6. To pay premiums on authorized indemnity bonds and on
2 compensation insurance under the workers' compensation act.
- 3 7. To defray lawful expenses and costs required to administer and
4 carry out the intent, purposes and provisions of this title, including
5 repayment of obligations entered into pursuant to this title, payment of
6 interest on obligations entered into pursuant to this title, repayment of
7 loans and other financial assistance, including repayment of advances and
8 interest on advances made to the department pursuant to section 28-7677,
9 and payment of all other obligations and expenses of the board and
10 department pursuant to chapter 21 of this title.
- 11 8. To pay lawful bills and charges incurred by the state engineer.
- 12 9. To acquire, construct or improve entry roads to state parks or
13 roads within state parks.
- 14 10. To acquire, construct or improve entry roads to state prisons.
- 15 11. To pay the cost of relocating a utility facility pursuant to
16 section 28-7156.
- 17 12. For the purposes provided in subsections C, D and E of this
18 section and sections 28-1143, 28-2353 and 28-3003.
- 19 13. To pay the cost of issuing an Arizona centennial special plate
20 pursuant to section 28-2448.
- 21 14. To pay for all of the following:
- 22 (a) The enforcement by the department of public safety and the
23 department of transportation of vehicle safety requirements within
24 twenty-five miles of the border between this state and Mexico.
- 25 (b) Costs related to procuring electronic equipment, automated
26 systems or improvements to existing electronic equipment or automated
27 systems for relieving vehicle congestion at ports of entry on the border
28 between this state and Mexico.
- 29 (c) Constructing, maintaining and upgrading transportation
30 facilities, including roads, streets and highways, approved by the board
31 within twenty-five miles of the border between this state and Mexico.
- 32 (d) As approved by the board, constructing and maintaining
33 transportation facilities in the CANAMEX high priority corridor as defined
34 in section 332 of the national highway system designation act of 1995
35 (P.L. 104-59; 109 Stat. 568).
- 36 (e) Activities of the department that include collecting
37 transportation and trade data in the United States and Mexico for the
38 purposes of constructing transportation facilities, improving public
39 safety, improving truck processing time and relieving congestion at ports
40 of entry on the border between this state and Mexico. The department may
41 enter into an agreement with the Arizona-Mexico commission and provide
42 funding to the commission for the purposes of this subdivision.
- 43 (f) A commitment or investment necessary for the department or
44 another agency of this state to obtain federal monies that are designated
45 for expenditure pursuant to this section.

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

6 C. Subject to legislative appropriation, the department may use the
7 monies in the state highway fund as prescribed in section 28-6991,
8 paragraph 12 to carry out the duties imposed by this title for
9 registration or titling of vehicles, to operate joint title, registration
10 and driver licensing offices, to cover the administrative costs of issuing
11 the air quality compliance sticker, modifying the year validating tab and
12 issuing the windshield sticker and to cover expenses and costs in issuing
13 special plates pursuant to sections 28-2404, 28-2407, 28-2412 through
14 ~~28-2470.17~~ 28-2470.18 and 28-2514.

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

18 E. Monies deposited in the state highway fund pursuant to section
19 28-2269 shall be used only as prescribed by that section.

20 F. Monies deposited in the state highway fund pursuant to section
21 28-710, subsection D, paragraph 2 shall only be used for state highway
22 work zone traffic control devices.

23 G. The department may exchange monies distributed to the state
24 highway fund pursuant to section 28-6538, subsection A, paragraph 1 for
25 local government surface transportation program federal monies
26 suballocated to councils of government and metropolitan planning
27 organizations if the local government scheduled to receive the federal
28 monies concurs. An exchange of state highway fund monies pursuant to this
29 subsection shall be in an amount that is at least equal to ninety percent
30 of the federal obligation authority that exists in the project for which
31 the exchange is proposed.

32 H. The department shall use monies deposited in the state highway
33 fund pursuant to section 28-1105, subsection A, paragraph 2, subdivision
34 (a) only for a transportation facility that is located within twenty
35 drivable miles of the international port of entry and shall spend the
36 monies proportionally based on the amount of total monies collected
37 pursuant to section 28-1105, subsection A, paragraph 2, subdivision (a).
38 For the purposes of this subsection, "transportation facility" means a
39 highway or a state route or a county, city or town road that is used by a
40 commercial vehicle or a commercial vehicle combination for which an axle
41 fee is paid pursuant to section 28-5474.