

REFERENCE TITLE: driver license fees; homeless exemption

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

HB 2222

Introduced by
Representatives Gress: Longdon

AN ACT

AMENDING TITLE 28, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-414; AMENDING SECTIONS 28-3002, 28-3165 AND 28-6993, ARIZONA REVISED STATUTES; APPROPRIATING MONIES; RELATING TO THE DEPARTMENT OF TRANSPORTATION.

(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 2, article 4, Arizona Revised
3 Statutes, is amended by adding section 28-414, to read:

4 28-414. Charitable organization agreement; personal
5 identification document fund

6 A. THE DEPARTMENT MAY ENTER INTO AN AGREEMENT WITH A CHARITABLE
7 ORGANIZATION THAT IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED
8 STATES INTERNAL REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES AND THAT
9 WORKS TO END AND PREVENT HOMELESSNESS IN THIS STATE TO DO THE FOLLOWING:

10 1. HELP PERSONS ACQUIRE, AT NO COST TO THEM, REPLACEMENT PERSONAL
11 IDENTIFICATION DOCUMENTS, INCLUDING BIRTH CERTIFICATES AND OTHER
12 SUPPORTING DOCUMENTS.

13 2. ENABLE PERSONS TO HAVE SECURE PERSONAL IDENTIFICATION DOCUMENT
14 STORAGE AND PREVENT LOSS, THEFT OR DESTRUCTION OF THE DOCUMENTS.

15 B. THE PERSONAL IDENTIFICATION DOCUMENT FUND IS ESTABLISHED
16 CONSISTING OF MONIES APPROPRIATED BY THE LEGISLATURE AND GRANTS, GIFTS,
17 DEVICES AND DONATIONS FROM ANY PUBLIC OR PRIVATE SOURCE. THE DEPARTMENT
18 SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE
19 APPROPRIATION. FUND MONIES SHALL BE SPENT TO SUPPORT THE CHARITABLE
20 ORGANIZATION THAT IS DESCRIBED IN SUBSECTION A OF THIS SECTION.

21 Sec. 2. Section 28-3002, Arizona Revised Statutes, is amended to
22 read:

23 28-3002. Fees; driver licenses; disposition; exemption

24 A. The following fees are required:

25 1. For each original or initial application or renewal application,
26 if a written examination is required, for the following:

- 27 (a) Class A driver license, ~~twenty-five dollars~~ \$25.
- 28 (b) Class B driver license, ~~twenty-five dollars~~ \$25.
- 29 (c) Class C driver license, ~~twelve dollars fifty cents~~ \$12.50.
- 30 (d) Class D driver license issued pursuant to section 28-3171, ~~ten~~
31 ~~dollars~~ \$10.
- 32 (e) Class M driver license issued pursuant to section 28-3171, ~~ten~~
33 ~~dollars~~ \$10.

34 2. Except as provided in paragraph 1 OF THIS SUBSECTION, for each
35 original, renewal or reinstatement application for a class D, G or M
36 license:

37 Age	Fee
38 50 or older	\$10.00
39 45-49	\$15.00
40 40-44	\$20.00
41 39 or younger	\$25.00

42 3. For each original or initial application or renewal examination,
43 if a written application is required, for the following endorsements to a
44 driver license:

- 45 (a) Bus endorsement, ~~ten dollars~~ \$10.

- 1 (b) Hazardous materials endorsement, ~~ten dollars~~ \$10.
2 (c) Tank vehicle endorsement, ~~ten dollars~~ \$10.
3 (d) Double-triple trailer endorsement, ~~ten dollars~~ \$10.
4 (e) Motorcycle endorsement, ~~seven dollars~~ \$7.
5 4. For taking each driving test for a:
6 (a) Class A driver license, ~~twenty-five dollars~~ \$25.
7 (b) Class B driver license, ~~twenty-five dollars~~ \$25.
8 (c) Class C driver license, ~~twelve dollars fifty cents~~ \$12.50.
9 (d) Bus endorsement, ~~five dollars~~ \$5.
10 5. For each application for an instruction permit under:
11 (a) Section 28-3154 or 28-3156, ~~seven dollars~~ \$7.
12 (b) Section 28-3155, ~~three dollars~~ \$3.
13 (c) Section 28-3225, class A, ~~twenty-five dollars~~ \$25.
14 (d) Section 28-3225, class B, ~~twenty-five dollars~~ \$25.
15 (e) Section 28-3225, class C, ~~twelve dollars fifty cents~~ \$12.50.
16 6. For each renewal application, if a written examination is not
17 required, for a:
18 (a) Class A driver license and any endorsement, other than a
19 hazardous materials endorsement, to the license, ~~fifteen dollars~~ \$15.
20 (b) Class B driver license and any endorsement, other than a
21 hazardous materials endorsement, to the license, ~~fifteen dollars~~ \$15.
22 (c) Class C driver license and any endorsement, other than a
23 hazardous materials endorsement, to the license, ~~ten dollars~~ \$10.
24 7. For each application for a duplicate of a driver license, an
25 amount determined by the director.
26 8. For each application for a duplicate of an instruction permit,
27 ~~two dollars~~ \$2.
28 9. In addition to the fees prescribed in paragraph 2 OF THIS
29 SUBSECTION and except as provided in paragraph 11 OF THIS SUBSECTION:
30 (a) For reinstatement of driving privileges after suspension or
31 disqualification, ~~ten dollars~~ \$10.
32 (b) For reinstatement of driving privileges after revocation,
33 ~~twenty dollars~~ \$20.
34 10. For each application for an extension by mail of a driver
35 license, ~~five dollars~~ \$5.
36 11. In addition to the fees prescribed in paragraph 2 OF THIS
37 SUBSECTION, for reinstatement of driving privileges that were suspended or
38 denied pursuant to section 28-1385 after completion of the suspension or
39 revocation, ~~fifty dollars~~ \$50.
40 12. For vision screening tests of out-of-state drivers, ~~five~~
41 ~~dollars~~ \$5.
42 13. For class D or M driver license skills tests for out-of-state
43 drivers, ~~fifteen dollars~~ \$15.

1 14. For a driver license or nonoperating identification license
2 issued pursuant to section 28-3175, an amount to be determined by the
3 director.

4 B. Except as otherwise provided by statute, the director shall
5 immediately deposit, pursuant to sections 35-146 and 35-147, fees
6 collected under this section in the Arizona highway user revenue fund.

7 C. The fees established ~~pursuant to~~ BY this section do not apply to
8 a ~~veteran~~ PERSON who does not have a residence address or whose residence
9 address is the address of a shelter that provides services to the
10 homeless. ~~For the purposes of this subsection, "veteran" has the same~~
11 ~~meaning prescribed in section 41-601.~~

12 Sec. 3. Section 28-3165, Arizona Revised Statutes, is amended to
13 read:

14 28-3165. Nonoperating identification license; immunity;
15 rules; emancipated minors

16 A. On receipt of an application from a person who does not have a
17 valid driver license issued by this state or whose driving privilege is
18 suspended, the department shall issue a nonoperating identification
19 license that contains a distinguishing number assigned to the licensee,
20 the full legal name, the date of birth, the residence address and a brief
21 description of the licensee and either a facsimile of the signature of the
22 licensee or a space on which the licensee is required to write the
23 licensee's usual signature with pen and ink. A nonoperating
24 identification license that is issued to a person whose driving privilege
25 is suspended shall not be valid for more than one hundred eighty days from
26 the date of issuance.

27 B. On request of an applicant:

28 1. The department shall allow the applicant to provide on the
29 nonoperating identification license a post office box address that is
30 regularly used by the applicant.

31 2. If the applicant submits satisfactory proof to the department
32 that the applicant is a veteran, the department shall allow a
33 distinguishing mark to appear on the nonoperating identification license
34 that identifies that person as a veteran.

35 C. A person who is issued a license pursuant to this section shall
36 use it only for identification purposes of the licensee. The nonoperating
37 identification license does not grant authority to operate a motor vehicle
38 in this state. The department shall clearly label the nonoperating
39 identification license "for identification only, not for operation of a
40 motor vehicle".

41 D. On issuance of a driver license, the holder of a nonoperating
42 identification license shall surrender the nonoperating identification
43 license to the department and the department shall not refund any fee paid
44 for the issuance of the nonoperating identification license.

1 E. A nonoperating identification license shall contain the
2 photograph of the licensee. The department shall use a process in the
3 issuance of nonoperating identification licenses that prohibits as nearly
4 as possible the ability to superimpose a photograph on the license without
5 ready detection. The department shall process nonoperating identification
6 licenses and photo attachments in color.

7 F. On application, an applicant shall give the department
8 satisfactory proof of the applicant's full legal name, date of birth, sex
9 and residence address, if the applicant has a residence address, and that
10 the applicant's presence in the United States is authorized under federal
11 law. The application shall briefly describe the applicant, state whether
12 the applicant has been licensed, and if so, the type of license issued,
13 when and by what state or country and whether any such license is under
14 suspension, revocation or cancellation. The application shall contain
15 other identifying information required by the department.

16 G. The department may adopt and implement procedures to deny a
17 nonoperating identification license to a person who has been deported.
18 The department may adopt and implement procedures to reinstate a person's
19 privilege to apply for a nonoperating identification license if the
20 person's legal presence status is restored.

21 H. A nonoperating identification license issued by the department
22 is solely for the use and convenience of the applicant for identification
23 purposes.

24 I. The department shall adopt rules and establish fees for issuance
25 of a nonoperating identification license, except that the department shall
26 not require an examination.

27 J. The fees established pursuant to this section do not apply to
28 any of the following:

- 29 1. A person who is sixty-five years of age or older.
- 30 2. A person who is a recipient of public monies as an individual
31 with a disability under title XVI of the social security act, as amended.
- 32 3. A ~~veteran~~ PERSON who does not have a residence address.
- 33 4. A ~~veteran~~ PERSON whose residence address is the address of a
34 shelter that provides services to the homeless.
- 35 5. A child WHO IS in the custody of the department of child safety.

36 K. If a person qualifies for a nonoperating identification license
37 and is under the legal drinking age, the department shall issue a license
38 that is marked by color, code or design to immediately distinguish it from
39 a nonoperating identification license issued to a person of legal drinking
40 age. The department shall indicate on the nonoperating identification
41 license issued pursuant to this subsection the year in which the person
42 will attain the legal drinking age.

1 L. If a minor has been emancipated pursuant to title 12, chapter
2 15, on application and proof of emancipation, the department shall issue a
3 nonoperating identification license that contains the words "emancipated
4 minor".

5 M. Notwithstanding any other law, if an applicant for a
6 nonoperating identification license is at least sixteen years of age and
7 either does not have a residence address or is in the department of child
8 safety's custody, the applicant does not need a signature of the
9 applicant's parent, guardian, foster parent or employer.

10 ~~N. For the purposes of this section, "veteran" has the same meaning~~
11 ~~prescribed in section 41-601.~~

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

14 28-6993. State highway fund; authorized uses

15 A. Except as provided in subsection B of this section and section
16 28-6538, the state highway fund shall be used for any of the following
17 purposes in strict conformity with and subject to the budget as provided
18 by this section and by sections 28-6997 through 28-7003:

19 1. To pay salaries, wages, necessary travel expenses and other
20 expenses of officers and employees of the department and the incidental
21 office expenses, including telegraph, telephone, postal and express
22 charges and printing, stationery and advertising expenses.

23 2. To pay for both:

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

26 (b) The construction and repair of buildings or yards of the
27 department.

28 3. To pay the cost of both:

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

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

34 4. To pay land damages incurred by reason of establishing, opening,
35 altering, relocating, widening or abandoning portions of a state route or
36 state highway.

37 5. To reimburse the department revolving account.

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

40 7. To defray lawful expenses and costs required to administer and
41 carry out the intent, purposes and provisions of this title, including
42 repayment of obligations entered into pursuant to this title, payment of
43 interest on obligations entered into pursuant to this title, repayment of
44 loans and other financial assistance, including repayment of advances and
45 interest on advances made to the department pursuant to section 28-7677,

1 and payment of all other obligations and expenses of the board and
2 department pursuant to chapter 21 of this title.

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

4 9. To acquire, construct or improve entry roads to state parks or
5 roads within state parks.

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

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

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

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

13 14. To pay for all of the following:

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

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

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

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

28 (e) Activities of the department that include collecting
29 transportation and trade data in the United States and Mexico for the
30 purposes of constructing transportation facilities, improving public
31 safety, improving truck processing time and relieving congestion at ports
32 of entry on the border between this state and Mexico. The department may
33 enter into an agreement with the Arizona-Mexico commission and provide
34 funding to the commission for the purposes of this subdivision.

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

38 15. TO SUPPORT THE CHARITABLE ORGANIZATION'S EFFORTS PURSUANT TO
39 SECTION 28-414.

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

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

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

13 E. Monies deposited in the state highway fund pursuant to section
14 28-2269 shall be used only as prescribed by that section.

15 F. Monies deposited in the state highway fund pursuant to section
16 28-710, subsection D, paragraph 2 shall only be used for state highway
17 work zone traffic control devices.

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

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

37 Sec. 5. Appropriation; personal identification document fund

38 The sum of \$1,000,000 is appropriated from the state highway fund
39 established by section 28-6993, Arizona Revised Statutes, as amended by
40 this act, in fiscal year 2023-2024 to the personal identification document
41 fund established by section 28-414, Arizona Revised Statutes, as added by
42 this act, and is appropriated from the personal identification document
43 fund to the department of transportation.