

Senate Engrossed

~~sorority and fraternity special plates~~
(now: license plates; special plates)

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SENATE BILL 1594

AN ACT

AMENDING SECTIONS 28-2351 AND 28-2403, ARIZONA REVISED STATUTES; 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 LICENSE 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~~ 28-2470.18,
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 28-2470.18, 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. Title 28, chapter 7, article 12, Arizona Revised Statutes,
22 is amended by adding section 28-2470.18, to read:

23 28-2470.18. Sorority and fraternity special plates; fund

24 A. IF BY DECEMBER 31, 2023, A PERSON PAYS \$32,000 TO THE DEPARTMENT
25 FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL ISSUE
26 SORORITY AND FRATERNITY SPECIAL PLATES. THE PERSON THAT PROVIDES THE
27 \$32,000 SHALL DESIGN THE SORORITY AND FRATERNITY SPECIAL PLATES. THE
28 DESIGN AND COLOR OF THE SORORITY AND FRATERNITY SPECIAL PLATES ARE SUBJECT
29 TO THE APPROVAL OF THE DEPARTMENT. THE DEPARTMENT SHALL DESIGN A
30 DIFFERENT SORORITY AND FRATERNITY LOGO TO BE PLACED ON EACH PLATE FOR EACH
31 INDIVIDUAL SORORITY AND FRATERNITY IN EXISTENCE ON THE EFFECTIVE DATE OF
32 THIS SECTION. THE DIRECTOR MAY ALLOW A REQUEST FOR SORORITY AND
33 FRATERNITY SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED
34 SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST
35 SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES
36 FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR
37 THE SORORITY AND FRATERNITY SPECIAL PLATES.

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

41 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
42 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
43 ESTABLISHED BY SECTION 28-6991 AND SHALL TRANSMIT ALL DONATIONS COLLECTED
44 PURSUANT TO THIS SECTION TO THE SORORITY AND FRATERNITY SPECIAL PLATE FUND
45 ESTABLISHED BY THIS SECTION.

1 D. THE SORORITY AND FRATERNITY SPECIAL PLATE FUND IS ESTABLISHED
2 CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE DIRECTOR
3 SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY
4 APPROPRIATED.

5 E. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND TO THE
6 ENTITY THAT PAID THE IMPLEMENTATION FEE TO THE DEPARTMENT PURSUANT TO
7 SUBSECTION A OF THIS SECTION. THE ENTITY MUST HAVE BEEN FOUNDED IN 2018
8 AND HAVE A MISSION TO:

9 1. FOSTER COOPERATIVE ACTIONS OF ITS MEMBERS IN DEALING WITH
10 MATTERS OF MUTUAL CONCERN.

11 2. PROMOTE THE WELL-BEING OF ITS AFFILIATE SORORITIES AND
12 FRATERNITIES, FACILITATE THE ESTABLISHMENT AND DEVELOPMENT OF LOCAL
13 COUNCILS AND PROVIDE LEADERSHIP TRAINING FOR ITS CONSTITUENTS.

14 3. EDUCATE CITIZENS AND COMMUNITIES IN THIS STATE IN THE INTEREST
15 OF THE GENERAL PUBLIC THROUGH COMMUNITY EDUCATION, LITERATURE AND
16 BROADCAST INFORMATION WITH RESPECT TO GOVERNMENT ISSUES ABOUT
17 METHODOLOGIES AND STRATEGIES TO IMPROVE, MAINTAIN AND PROMOTE THE NEEDS
18 AND KNOWLEDGE OF THE RESIDENTS OF THIS STATE, WITH RESPECT TO ECONOMIC
19 DEVELOPMENT, PUBLIC SAFETY AND ACCESS TO EDUCATIONAL OPPORTUNITIES SO THAT
20 THE RESIDENTS OF THIS STATE CAN SERVE FOR THE PROTECTION, CONSERVATION AND
21 PRESERVATION OF THEIR HUMAN AND NATURAL ENVIRONMENT IN AND AROUND THIS
22 STATE.

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

26 Sec. 4. Section 28-6501, Arizona Revised Statutes, is amended to
27 read:

28 28-6501. Definition of highway user revenues

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

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

34 (a) The special plate administration fees prescribed in sections
35 28-2404, 28-2407, 28-2412 through ~~28-2470.17~~ 28-2470.18 and 28-2514.

36 (b) The donations prescribed in sections 28-2404, 28-2407, 28-2412
37 through 28-2415, 28-2417 through ~~28-2470.17~~ 28-2470.18, 28-2473, 28-2474,
38 28-2475 and 28-2476.

39 2. Section 28-1177.

40 3. Chapters 10 and 11 of this title.

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

1 Sec. 5. Section 28-6991, Arizona Revised Statutes, is amended to
2 read:

3 28-6991. State highway fund; sources

4 The state highway fund is established that consists of:

5 1. Monies distributed from the Arizona highway user revenue fund
6 pursuant to chapter 18 of this title.

7 2. Monies appropriated by the legislature.

8 3. Monies received from donations for the construction, improvement
9 or maintenance of state highways or bridges. These monies shall be
10 credited to a special account and shall be spent only for the purpose
11 indicated by the donor.

12 4. Monies received from counties or cities under cooperative
13 agreements, including proceeds from bond issues. The state treasurer
14 shall deposit these monies to the credit of the fund in a special account
15 on delivery to the treasurer of a concise written agreement between the
16 department and the county or city stating the purposes for which the
17 monies are surrendered by the county or city, and these monies shall be
18 spent only as stated in the agreement.

19 5. Monies received from the United States under an act of Congress
20 to provide aid for the construction of rural post roads, but monies
21 received on projects for which the monies necessary to be provided by this
22 state are wholly derived from sources mentioned in paragraphs 2 and 3 of
23 this section shall be allotted by the department and deposited by the
24 state treasurer in the special account within the fund established for
25 each project. On completion of the project, on the satisfaction and
26 discharge in full of all obligations of any kind created and on request of
27 the department, the treasurer shall transfer the unexpended balance in the
28 special account for the project into the state highway fund, and the
29 unexpended balance and any further federal aid thereafter received on
30 account of the project may be spent under the general provisions of this
31 title.

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

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

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

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

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

42 11. Monies deposited pursuant to sections 28-1143, 28-2353 and
43 28-3003.

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

2 (a) Monies deposited pursuant to section 28-2206 and section
3 28-5808, subsection B, paragraph 2, subdivision (e).

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

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

8 (d) The air quality compliance fee collected pursuant to section
9 49-542.

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

13 (f) Monies collected pursuant to sections 28-372, 28-2155 and
14 28-2156 if the director is the registering officer.

15 13. Monies deposited pursuant to chapter 5, article 5 of this
16 title.

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

18 15. Dealer and registration monies collected pursuant to section
19 28-4304.

20 16. Abandoned vehicle administration monies deposited pursuant to
21 section 28-4804.

22 17. Monies deposited pursuant to section 28-710, subsection D,
23 paragraph 2.

24 18. Monies deposited pursuant to section 28-2065.

25 19. Monies deposited pursuant to section 28-7311.

26 20. Monies deposited pursuant to section 28-7059.

27 21. Monies deposited pursuant to section 28-1105.

28 22. Monies deposited pursuant to section 28-2448, subsection D.

29 23. Monies deposited pursuant to section 28-3415.

30 24. Monies deposited pursuant to section 28-3002, subsection A,
31 paragraph 14.

32 25. Monies deposited pursuant to section 28-7316.

33 26. Monies deposited pursuant to section 28-4302.

34 27. Monies deposited pursuant to section 28-3416.

35 28. Monies deposited pursuant to section 28-4504.

36 29. Monies deposited pursuant to section 28-2098.

37 30. Monies deposited pursuant to sections 28-2321, 28-2324,
38 28-2325, 28-5474, 28-5739, 28-5863 and 28-5864.

39 Sec. 6. Section 28-6993, Arizona Revised Statutes, is amended to
40 read:

41 28-6993. State highway fund; authorized uses

42 A. Except as provided in subsection B of this section and section
43 28-6538, the state highway fund shall be used for any of the following
44 purposes in strict conformity with and subject to the budget as provided
45 by this section and by sections 28-6997 through 28-7003:

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

1 systems for relieving vehicle congestion at ports of entry on the border
2 between this state and Mexico.

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

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

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

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

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

25 C. Subject to legislative appropriation, the department may use the
26 monies in the state highway fund as prescribed in section 28-6991,
27 paragraph 12 to carry out the duties imposed by this title for
28 registration or titling of vehicles, to operate joint title, registration
29 and driver licensing offices, to cover the administrative costs of issuing
30 the air quality compliance sticker, modifying the year validating tab and
31 issuing the windshield sticker and to cover expenses and costs in issuing
32 special plates pursuant to sections 28-2404, 28-2407, 28-2412 through
33 ~~28-2470.17~~ 28-2470.18 and 28-2514.

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

37 E. Monies deposited in the state highway fund pursuant to section
38 28-2269 shall be used only as prescribed by that section.

39 F. Monies deposited in the state highway fund pursuant to section
40 28-710, subsection D, paragraph 2 shall only be used for state highway
41 work zone traffic control devices.

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

1 organizations if the local government scheduled to receive the federal
2 monies concurs. An exchange of state highway fund monies pursuant to this
3 subsection shall be in an amount that is at least equal to ninety percent
4 of the federal obligation authority that exists in the project for which
5 the exchange is proposed.

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