

House Engrossed

defensive driving schools; fees

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

# HOUSE BILL 2522

AN ACT

AMENDING SECTIONS 28-3396 AND 28-3397, ARIZONA REVISED STATUTES; RELATING  
TO DEFENSIVE DRIVING SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-3396, Arizona Revised Statutes, is amended to  
3 read:

4 28-3396. Court diversion fee

5 A. The presiding judge of each court shall:

6 1. Set the amount of the court diversion fee that an individual,  
7 including an individual who holds a commercial driver license, who attends  
8 a defensive driving school may be assessed.

9 2. Charge an individual a ~~forty-five dollar~~ \$45 surcharge if the  
10 individual attends a defensive driving school.

11 3. Immediately inform the supreme court in writing of the amount of  
12 the court diversion fee that is established for the court and the total  
13 cost to attend a defensive driving school.

14 4. Immediately inform the supreme court in writing of any changes  
15 in the total cost to attend a defensive driving school.

16 B. Payment of the court diversion fee and surcharge is in lieu of  
17 payment of a civil penalty or criminal fine and any surcharge that are  
18 imposed for a traffic violation.

19 C. The ~~driving school~~ COURT OF RECORD OR A VENDOR THAT IS  
20 CONTRACTED BY THE COURT shall collect the court diversion fee and  
21 surcharge before or at the time an individual attends the DRIVING  
22 school. ~~On receipt of the diversion fee, the defensive driving school~~  
23 ~~shall transmit the fee promptly to the appropriate court pursuant to~~  
24 ~~procedures prescribed by the supreme court.~~ On receipt of the surcharge,  
25 the ~~defensive driving school~~ COURT OF RECORD OR A VENDOR THAT IS  
26 CONTRACTED BY THE COURT shall transmit the surcharge promptly to the state  
27 treasurer for deposit, pursuant to sections 35-146 and 35-147, as follows:

28 1. The first ~~ten million four hundred thousand dollars~~ \$10,400,000  
29 in revenue annually in the department of public safety forensics fund  
30 established by section 41-1730.

31 2. All remaining money in the state general fund.

32 Sec. 2. Section 28-3397, Arizona Revised Statutes, is amended to  
33 read:

34 28-3397. Additional fees; disposition; vendors; fees

35 A. In addition to the court diversion fee and the fee for the cost  
36 to attend a defensive driving school, a person who attends a defensive  
37 driving school pursuant to this article or by a court order shall pay a  
38 fee of not more than ~~fifteen dollars~~ \$15 that is established by the  
39 supreme court.

40 B. Before or at the time an individual attends a defensive driving  
41 school, the ~~school~~ COURT OF RECORD OR A VENDOR THAT IS CONTRACTED BY THE  
42 COURT shall collect the defensive driving school fund fee established  
43 pursuant to this section and the fee, if any, charged by the defensive  
44 driving school for the course.

1 C. The ~~defensive driving school~~ COURT OF RECORD OR A VENDOR THAT IS  
2 CONTRACTED BY THE COURT shall transmit the fee established by the supreme  
3 court pursuant to this section to the supreme court. The supreme court  
4 shall deposit the fee in the defensive driving school fund established by  
5 section 28-3398 pursuant to procedures established by the supreme court.

6 D. A VENDOR THAT IS CONTRACTED BY THE COURT TO PROCESS PAYMENTS  
7 UNDER THIS SECTION SHALL DO BOTH OF THE FOLLOWING:

8 1. CONFIRM THAT AN INDIVIDUAL IS ELIGIBLE TO ATTEND DEFENSIVE  
9 DRIVING SCHOOL AS PRESCRIBED IN SECTION 28-3392.

10 2. COMPLY WITH SUPREME COURT RULES RELATING TO PROCUREMENT.

11 Sec. 3. Effective date

12 This act is effective from and after March 30, 2025.