

Senate Engrossed

~~HOV lanes; degradation; technical correction~~
(now: ADOT; reimbursement)

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SENATE BILL 1168

AN ACT

AMENDING SECTION 28-4802, ARIZONA REVISED STATUTES; REPEALING SECTION 28-4804, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 11, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 28-4804; REPEALING SECTIONS 28-4805 AND 28-4806, ARIZONA REVISED STATUTES; AMENDING SECTION 28-6991, 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. Section 28-4802, Arizona Revised Statutes, is amended to
3 read:

4 28-4802. Fees

5 A. Except as provided in subsection B of this section, the owner of
6 record of a vehicle at the time of abandonment of the vehicle is liable to
7 the department for the transfer of ownership or disposal in an amount
8 prescribed by the director by rule if the vehicle was:

9 1. Abandoned and junked pursuant to article 3 of this chapter on
10 private property or public land or on or within the right-of-way of a
11 street or highway.

12 2. Abandoned on private property or public land or on or within the
13 right-of-way of a street or highway and the department issues a transfer
14 of ownership pursuant to the procedures prescribed by this chapter.

15 3. Abandoned and junked pursuant to article 3 of this chapter and
16 towed with the written permission of the state land commissioner from
17 state trust land located within the boundaries of an incorporated city or
18 town.

19 B. The owner of record of a vehicle at the time of abandonment is
20 liable to the department for the transfer of ownership or disposal in an
21 amount prescribed by the director by rule if the vehicle was:

22 1. Abandoned and junked pursuant to article 3 of this chapter and
23 towed with the written permission of the governing authority off of
24 national forest, state park, bureau of land management or state trust land
25 located outside the boundaries of an incorporated city or town.

26 2. Abandoned and towed with the written permission of the governing
27 authority off of national forest, state park, bureau of land management or
28 state trust land located outside the boundaries of an incorporated city or
29 town and the department issues a transfer of ownership pursuant to the
30 procedures prescribed by this chapter.

31 3. Abandoned outside the right-of-way of a street or highway
32 located outside the boundaries of an incorporated city or town.

33 C. In addition to the registration fee or driver license fee
34 prescribed by sections 28-2003 and 28-3002, the department shall collect
35 the fee prescribed in subsections A and B of this section as an additional
36 registration fee at the time the owner of the vehicle subsequently
37 registers another vehicle in this state or as an additional driver license
38 fee at the time the owner of the vehicle subsequently applies for or
39 renews a driver license issued by this state. The department shall
40 deposit, pursuant to sections 35-146 and 35-147, the additional fee
41 collected for the transfer of ownership or disposal in ~~the abandoned~~
42 ~~vehicle administration fund established by section 28-4804, except that~~
43 ~~ninety per cent of the fees collected pursuant to subsection A of this~~
44 ~~section and sixty per cent of the fees collected pursuant to subsection B~~
45 ~~of this section shall be deposited in~~ the state highway fund.

1 D. The department:

2 1. Shall notify the owner of an abandoned vehicle for which
3 ownership has been transferred or of a junk vehicle that has been disposed
4 of about the additional fee at the time of a subsequent vehicle
5 registration or driver license application or renewal.

6 2. Shall provide a complete description of the abandoned or junked
7 vehicle, the vehicle identification number of the vehicle and the date on
8 which the vehicle was disposed of or ownership was transferred by the
9 department.

10 3. May waive the additional fee if the person provides proof
11 satisfactory to the director that the vehicle had been transferred or
12 assigned to another person before the day of abandonment.

13 4. May prescribe by rule a fee of not more than ~~ten dollars~~ \$10 for
14 processing an abandoned vehicle report.

15 Sec. 2. Repeal; transfer of monies

16 A. Section 28-4804, Arizona Revised Statutes, is repealed.

17 B. All unexpended and unencumbered monies remaining in the
18 abandoned vehicle administration fund established by section 28-4804,
19 Arizona Revised Statutes, as repealed by subsection A of this section, are
20 transferred to the state highway fund established by section 28-6991,
21 Arizona Revised Statutes, as amended by this act.

22 Sec. 3. Title 28, chapter 11, article 1, Arizona Revised Statutes,
23 is amended by adding a new section 28-4804, to read:

24 28-4804. Abandoned vehicle administration; monies; deposit

25 A. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
26 35-147, ALL MONIES RECEIVED PURSUANT TO SECTION 28-4802 AND ALL MONIES
27 COLLECTED PURSUANT TO THIS CHAPTER FOR DEPOSIT IN THE STATE HIGHWAY FUND
28 ESTABLISHED BY SECTION 28-6991.

29 B. THE DEPARTMENT SHALL USE MONIES COLLECTED PURSUANT TO THIS
30 CHAPTER TO CARRY OUT THE DUTIES PRESCRIBED BY THIS CHAPTER.

31 Sec. 4. Repeal

32 Sections 28-4805 and 28-4806, Arizona Revised Statutes, are
33 repealed.

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

36 28-6991. State highway fund; sources

37 The state highway fund is established that consists of:

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

40 2. Monies appropriated by the legislature.

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

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

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

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

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

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

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

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

31 11. Monies deposited pursuant to sections 28-1143, 28-2353 and
32 28-3003.

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

34 (a) Monies deposited pursuant to section 28-2206 and section
35 28-5808, subsection B, paragraph 2, subdivision (e).

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

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

40 (d) The air quality compliance fee collected pursuant to section
41 49-542.

42 (e) The special plate administration fees collected pursuant to
43 sections 28-2404, 28-2407, 28-2412 through 28-2416, 28-2416.01, 28-2417
44 through 28-2470.22 and 28-2514.

- 1 (f) Monies collected pursuant to sections 28-372, 28-2155 and
2 28-2156 if the director is the registering officer.
- 3 13. Monies deposited pursuant to chapter 5, article 5 of this
4 title.
- 5 14. Donations received pursuant to section 28-2269.
- 6 15. Dealer and registration monies collected pursuant to section
7 28-4304.
- 8 16. Abandoned vehicle administration monies deposited pursuant to
9 section 28-4804.
- 10 17. Monies deposited pursuant to section 28-710, subsection D,
11 paragraph 2.
- 12 18. Monies deposited pursuant to section 28-2065.
- 13 19. Monies deposited pursuant to section 28-7311.
- 14 20. Monies deposited pursuant to section 28-7059.
- 15 21. Monies deposited pursuant to section 28-1105.
- 16 22. Monies deposited pursuant to section 28-2448, subsection D.
- 17 23. Monies deposited pursuant to section 28-3415.
- 18 24. Monies deposited pursuant to section 28-3002, subsection A,
19 paragraph 14.
- 20 25. Monies deposited pursuant to section 28-7316.
- 21 26. Monies deposited pursuant to section 28-4302.
- 22 27. Monies deposited pursuant to section 28-3416.
- 23 28. Monies deposited pursuant to section 28-4504.
- 24 29. Monies deposited pursuant to section 28-2098.
- 25 30. Monies deposited pursuant to sections 28-2321, 28-2324,
26 28-2325, [28-4802](#), 28-5474, 28-5739, 28-5863 and 28-5864.