

REFERENCE TITLE: wildland fire prevention special plates

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

SB 1561

Introduced by
Senator Bennett

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 28-2470.23; 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. 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 director shall design the license plate and the letters and
17 numerals on the license plate to be of sufficient size to be plainly
18 readable during daylight from a distance of one hundred feet. In addition
19 to the standard license plate issued for a trailer before August 12, 2005,
20 the director shall issue a license plate for trailers that has a design
21 that is similar to the standard size license plate for trailers but that
22 is the same size as the license plate for motorcycles. The trailer owner
23 shall notify the department which size license plate the owner wants for
24 the trailer.

25 C. In addition to the requirements **PRESCRIBED** in subsection B of
26 this section, for all license plates, including all special plates, that
27 are designed or redesigned on or after September 24, 2022:

28 1. The background color of the license plate shall contrast
29 significantly with the color of the letters and numerals on the license
30 plate and with the name of this state on the license plate.

31 2. The name of this state shall appear on the license plate in
32 capital letters in sans serif font and be three-fourths of an inch in
33 height.

34 D. Notwithstanding any other law, the department shall not contract
35 with a nongovernmental entity to purchase or secure reflective material
36 for the plates issued by the department unless the department has made a
37 reasonable effort to secure qualified bids or proposals from as many
38 individual responsible respondents as possible.

39 E. The department shall determine the color and design of the
40 license plate subject to the requirements prescribed by subsections B and
41 C of this section. All plates issued by the department, except the plates
42 that are issued pursuant to sections 28-2404, 28-2412, 28-2413, 28-2414,
43 28-2416, 28-2416.01, 28-2417 through ~~28-2470.22~~ 28-2470.23, 28-2472,
44 28-2473, 28-2474, 28-2475, 28-2476 and 28-4533 and article 14 of this

1 chapter, shall be the same color as and similar in design to the license
2 plate as determined by the department.

3 F. A passenger motor vehicle that is rented without a driver shall
4 receive the same type of license plate as is issued for a private
5 passenger motor vehicle.

6 Sec. 2. Section 28-2403, Arizona Revised Statutes, is amended to
7 read:

8 28-2403. Special plates; transfers; violation; classification

9 A. Except as otherwise provided in this article, the department
10 shall issue or renew special plates in lieu of the regular license plates
11 pursuant to the following conditions and procedures and only if the
12 requirements prescribed by this article for the requested special plates
13 are met:

14 1. Except as provided in sections 28-2416 and 28-2416.01, a person
15 who is the registered owner of a vehicle registered with the department or
16 who applies for an original or renewal registration of a vehicle may
17 submit to the department a completed application form as prescribed by the
18 department with the fee prescribed by section 28-2402 for special plates
19 in addition to the registration fee prescribed by section 28-2003.

20 2. Except for plates issued pursuant to sections 28-2404, 28-2412,
21 28-2413, 28-2414, 28-2416, 28-2416.01, 28-2417 through ~~28-2470.22~~
22 28-2470.23, 28-2472, 28-2473, 28-2474, 28-2475 and 28-2476 and article 14
23 of this chapter, the special plates shall be the same color as and similar
24 to the design of the regular license plates that is determined by the
25 department.

26 3. Except as provided in section 28-2416, the department shall
27 issue special plates only to the owner or lessee of a vehicle that is
28 currently registered, including any vehicle that has a declared gross
29 weight, as defined in section 28-5431, of twenty-six thousand pounds or
30 less.

31 4. Except as provided in sections 28-2416 and 28-2416.01, the
32 department shall charge the fee prescribed by section 28-2402 for each
33 annual renewal of special plates in addition to the registration fee
34 prescribed by section 28-2003.

35 B. Except as provided in sections 28-2416 and 28-2416.01, on
36 notification to the department and on payment of the transfer fee
37 prescribed by section 28-2402, a person who is issued special plates may
38 transfer the special plates to another vehicle the person owns or leases.
39 Persons who are issued special plates for hearing impaired persons
40 pursuant to section 28-2408 and international symbol of access special
41 plates pursuant to section 28-2409 are exempt from the transfer fee. If a
42 person who is issued special plates sells, trades or otherwise releases
43 ownership of the vehicle on which the plates have been displayed, the
44 person shall immediately report the transfer of the plates to the
45 department or the person shall surrender the plates to the department as

1 prescribed by the director. It is unlawful for a person to whom the
2 plates have been issued to knowingly allow them to be displayed on a
3 vehicle except the vehicle authorized by the department.

4 C. The special plates shall be affixed to the vehicle for which
5 registration is sought in lieu of the regular license plates.

6 D. A person is guilty of a class 3 misdemeanor who:

7 1. Violates subsection B of this section.

8 2. Fraudulently gives false or fictitious information in the
9 application for or renewal of special plates or placards issued pursuant
10 to this article.

11 3. Conceals a material fact or otherwise commits fraud in the
12 application for or renewal of special plates or placards issued pursuant
13 to this article.

14 Sec. 3. Title 28, chapter 7, article 12, Arizona Revised Statutes,
15 is amended by adding section 28-2470.23, to read:

16 28-2470.23. Wildland fire prevention special plates; fund

17 A. IF, BY DECEMBER 31, 2024, A PERSON PAYS \$32,000 TO THE
18 DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL
19 ISSUE WILDLAND FIRE PREVENTION SPECIAL PLATES. THE PERSON THAT PROVIDES
20 THE \$32,000 SHALL DESIGN THE WILDLAND FIRE PREVENTION SPECIAL PLATES. THE
21 DESIGN AND COLOR OF THE WILDLAND FIRE PREVENTION SPECIAL PLATES ARE
22 SUBJECT TO THE APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A
23 REQUEST FOR WILDLAND FIRE PREVENTION SPECIAL PLATES TO BE COMBINED WITH A
24 REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A
25 COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND
26 IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO
27 THE FEES REQUIRED FOR THE WILDLAND FIRE PREVENTION SPECIAL PLATES.

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

31 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
32 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
33 ESTABLISHED BY SECTION 28-6991 AND SHALL TRANSMIT ALL DONATIONS COLLECTED
34 PURSUANT TO THIS SECTION TO THE WILDLAND FIRE PREVENTION SPECIAL PLATE
35 FUND ESTABLISHED BY THIS SECTION.

36 D. THE WILDLAND FIRE PREVENTION SPECIAL PLATE FUND IS ESTABLISHED
37 CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE DIRECTOR
38 SHALL ADMINISTER THE FUND. THE FIRST \$32,000 IN THE FUND SHALL BE
39 REIMBURSED TO THE PERSON THAT PAID THE IMPLEMENTATION FEE TO THE
40 DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN TEN
41 PERCENT OF THE MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE
42 COST OF ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY
43 APPROPRIATED.

1 E. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND TO AN
2 ENTITY THAT IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES
3 INTERNAL REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES. THE ENTITY MUST:

4 1. HAVE A VISION OF AN EXEMPLARY, ONE-OF-A-KIND WILDLAND FIRE
5 LEARNING CENTER THAT HONORS THE LEGACY OF DECEASED HOTSHOT CREW
6 FIREFIGHTERS BY EDUCATING, INSPIRING AND MOTIVATING VISITORS TO ADOPT
7 BEHAVIORS THAT PREVENT WILDLAND FIRES, RESULTING IN FEWER FIRE-RELATED
8 FATALITIES.

9 2. HAVE A MISSION TO ESTABLISH AND OPERATE A WILDLAND FIRE LEARNING
10 CENTER THAT HONORS DECEASED HOTSHOT CREW FIREFIGHTERS BY TELLING THEIR
11 STORY, DISPLAYING AND HOUSING ARTIFACTS AND MEMORABILIA AND EDUCATING
12 VISITORS ABOUT WILDLAND FIRE, FIREFIGHTING AND PREVENTION.

13 3. HAS A BOARD COMPRISED OF FAMILY MEMBERS OF DECEASED HOTSHOT CREW
14 FIREFIGHTERS AND COMMUNITY MEMBERS.

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

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

20 28-6501. Definition of highway user revenues

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

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

26 (a) The special plate administration fees prescribed in sections
27 28-2404, 28-2407, 28-2412 through ~~28-2470.22~~ 28-2470.23 and 28-2514.

28 (b) The donations prescribed in sections 28-2404, 28-2407, 28-2412
29 through 28-2415, 28-2417 through ~~28-2470.22~~ 28-2470.23, 28-2473, 28-2474,
30 28-2475 and 28-2476.

31 2. Section 28-1177.

32 3. Chapters 10 and 11 of this title.

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

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

37 28-6991. State highway fund; sources

38 The state highway fund is established that consists of:

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

41 2. Monies appropriated by the legislature.

42 3. Monies received from donations for the construction, improvement
43 or maintenance of state highways or bridges. These monies shall be
44 credited to a special account and shall be spent only for the purpose
45 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~~ 28-2470.23 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, 28-5474, 28-5739, 28-5863 and 28-5864.

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

29 28-6993. State highway fund; authorized uses

30 A. Except as provided in subsection B of this section and section
31 28-6538, the state highway fund shall be used for any of the following
32 purposes in strict conformity with and subject to the budget as provided
33 by this section and by sections 28-6997 through 28-7003:

34 1. To pay salaries, wages, necessary travel expenses and other
35 expenses of officers and employees of the department and the incidental
36 office expenses, including telegraph, telephone, postal and express
37 charges and printing, stationery and advertising expenses.

38 2. To pay for both:

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

41 (b) The construction and repair of buildings or yards of the
42 department.

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

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

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

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

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

20 C. Subject to legislative appropriation, the department may use the
21 monies in the state highway fund as prescribed in section 28-6991,
22 paragraph 12 to carry out the duties imposed by this title for
23 registration or titling of vehicles, to operate joint title, registration
24 and driver licensing offices, to cover the administrative costs of issuing
25 the air quality compliance sticker, modifying the year validating tab and
26 issuing the windshield sticker and to cover expenses and costs in issuing
27 special plates pursuant to sections 28-2404, 28-2407, 28-2412 through
28 ~~28-2470.22~~ 28-2470.23 and 28-2514.

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

32 E. Monies deposited in the state highway fund pursuant to section
33 28-2269 shall be used only as prescribed by that section.

34 F. Monies deposited in the state highway fund pursuant to section
35 28-710, subsection D, paragraph 2 shall only be used for state highway
36 work zone traffic control devices.

37 G. The department may exchange monies distributed to the state
38 highway fund pursuant to section 28-6538, subsection A, paragraph 1 for
39 local government surface transportation program federal monies
40 suballocated to councils of government and metropolitan planning
41 organizations if the local government scheduled to receive the federal
42 monies concurs. An exchange of state highway fund monies pursuant to this
43 subsection shall be in an amount that is at least equal to ninety percent
44 of the federal obligation authority that exists in the project for which
45 the exchange is proposed.

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