

REFERENCE TITLE: children; pickup truck beds; prohibition

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SB 1413

Introduced by
Senators Rios, Landrum Taylor, Miranda: Chevront, Hale

AN ACT

AMENDING TITLE 28, CHAPTER 3, ARTICLE 15, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-913; RELATING TO TRANSPORTING MINOR PASSENGERS IN TRUCKS.

(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 3, article 15, Arizona Revised Statutes,
3 is amended by adding section 28-913, to read:

4 28-913. Transporting children passengers in or on a truck bed:
5 exceptions; definitions

6 A. IN A COUNTY WITH A POPULATION OF EIGHT HUNDRED THOUSAND OR MORE
7 PERSONS, A PERSON DRIVING A PICKUP TRUCK OR MOTORTRUCK ON A HIGHWAY SHALL NOT
8 TRANSPORT A PERSON WHO IS UNDER THIRTEEN YEARS OF AGE IN OR ON THE BED OF THE
9 PICKUP TRUCK OR MOTORTRUCK.

10 B. THIS SECTION DOES NOT:

11 1. APPLY IF THE PERSON IN OR ON THE BED OF THE PICKUP TRUCK OR
12 MOTORTRUCK IS BEING TRANSPORTED IN AN EMERGENCY RESPONSE SITUATION. FOR THE
13 PURPOSES OF THIS PARAGRAPH, "EMERGENCY RESPONSE SITUATION" MEANS AN INSTANCE
14 IN WHICH MEASURES ARE NECESSARY TO ASSIST AN INJURED PERSON OR TO PREVENT
15 INJURY OR DEATH TO A PERSON.

16 2. APPLY IF THE PERSON IN OR ON THE BED OF THE PICKUP TRUCK OR
17 MOTORTRUCK IS BEING TRANSPORTED IN AN ENCLOSED CAMPER OR CAMPER SHELL THAT
18 PREVENTS THE PERSON FROM BEING DISCHARGED FROM THE BED OF THE PICKUP TRUCK OR
19 MOTORTRUCK.

20 3. APPLY IF THE PERSON IN OR ON THE BED OF THE PICKUP TRUCK OR
21 MOTORTRUCK IS BEING TRANSPORTED IN AN ORGANIZED PARADE.

22 4. APPLY TO A PICKUP TRUCK OR MOTORTRUCK THAT IS ON PRIVATE PROPERTY.

23 5. APPLY IF A PERSON IS DRIVING THE PICKUP TRUCK OR MOTORTRUCK AT OR
24 BELOW A POSTED SPEED LIMIT OF THIRTY-FIVE MILES PER HOUR OR LESS.

25 C. FOR THE PURPOSES OF THIS SECTION:

26 1. "MOTORTRUCK" MEANS A MOTOR VEHICLE THAT IS EQUIPPED WITH AN OPEN
27 BOX-TYPE BED OR OPEN FLATBED.

28 2. "PICKUP TRUCK" MEANS A MOTORTRUCK THAT HAS A MANUFACTURER'S GROSS
29 VEHICLE WEIGHT RATING OF LESS THAN TEN THOUSAND ONE HUNDRED ONE POUNDS, THAT
30 HAS AN UNLADEN WEIGHT OF LESS THAN SIX THOUSAND ONE POUNDS AND THAT IS
31 EQUIPPED WITH AN OPEN BOX-TYPE BED THAT IS LESS THAN NINE FEET IN LENGTH.