

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

SENATE BILL 1464

AN ACT

AMENDING SECTIONS 28-101, 28-892, 28-943, 28-958.01, 28-959, 28-966, 28-2052, 28-2058, 28-2153 AND 28-4132, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 7, ARTICLE 15, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-2517; RELATING TO MOTOR VEHICLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 28-101, Arizona Revised Statutes, is amended to
3 read:
4 28-101. Definitions
5 In this title, unless the context otherwise requires:
6 1. "Alcohol" means any substance containing any form of alcohol,
7 including ethanol, methanol, propynol and isopropynol.
8 2. "Alcohol concentration" if expressed as a percentage means either:
9 (a) The number of grams of alcohol per one hundred milliliters of
10 blood.
11 (b) The number of grams of alcohol per two hundred ten liters of
12 breath.
13 3. "All-terrain vehicle" means a motor vehicle that satisfies all of
14 the following:
15 (a) Is designed primarily for recreational nonhighway all-terrain
16 travel.
17 (b) Is fifty or fewer inches in width.
18 (c) Has an unladen weight of eight hundred pounds or less.
19 (d) Travels on three or more low pressure tires.
20 (e) Has a seat to be straddled by the operator and handlebars for
21 steering control.
22 (f) Is operated on a public highway.
23 4. "Authorized emergency vehicle" means any of the following:
24 (a) A fire department vehicle.
25 (b) A police vehicle.
26 (c) An ambulance or emergency vehicle of a municipal department or
27 public service corporation that is designated or authorized by the department
28 or a local authority.
29 (d) Any other ambulance, fire truck or rescue vehicle that is
30 authorized by the department in its sole discretion and that meets liability
31 insurance requirements prescribed by the department.
32 5. "Aviation fuel" means all flammable liquids composed of a mixture
33 of selected hydrocarbons expressly manufactured and blended for the purpose
34 of effectively and efficiently operating an internal combustion engine for
35 use in an aircraft but does not include fuel for jet or turbine powered
36 aircraft.
37 6. "Bicycle" means a device, including a racing wheelchair, that is
38 propelled by human power and on which a person may ride and that has either:
39 (a) Two tandem wheels, either of which is more than sixteen inches in
40 diameter.
41 (b) Three wheels in contact with the ground, any of which is more than
42 sixteen inches in diameter.
43 7. "Board" means the transportation board.
44 8. "Bus" means a motor vehicle designed for carrying sixteen or more
45 passengers, including the driver.

1 9. "Business district" means the territory contiguous to and including
2 a highway if there are buildings in use for business or industrial purposes
3 within any six hundred feet along the highway, including hotels, banks or
4 office buildings, railroad stations and public buildings that occupy at least
5 three hundred feet of frontage on one side or three hundred feet collectively
6 on both sides of the highway.

7 10. "Combination of vehicles" means a truck or truck tractor and
8 semitrailer and any trailer that it tows but does not include a forklift
9 designed for the purpose of loading or unloading the truck, trailer or
10 semitrailer.

11 11. "Controlled substance" means a substance so classified under
12 section 102(6) of the controlled substances act (21 United States Code
13 section 802(6)) and includes all substances listed in schedules I through V
14 of 21 Code of Federal Regulations part 1308.

15 12. "Conviction" means:

16 (a) An unvacated adjudication of guilt or a determination that a
17 person violated or failed to comply with the law in a court of original
18 jurisdiction or by an authorized administrative tribunal.

19 (b) An unvacated forfeiture of bail or collateral deposited to secure
20 the person's appearance in court.

21 (c) A plea of guilty or no contest accepted by the court.

22 (d) The payment of a fine or court costs.

23 13. "County highway" means a public road constructed and maintained by
24 a county.

25 14. "Dealer" means a person who is engaged in the business of buying,
26 selling or exchanging motor vehicles, trailers or semitrailers and who has an
27 established place of business.

28 15. "Department" means the department of transportation acting directly
29 or through its duly authorized officers and agents.

30 16. "Director" means the director of the department of transportation.

31 17. "Drive" means to operate or be in actual physical control of a
32 motor vehicle.

33 18. "Driver" means a person who drives or is in actual physical control
34 of a vehicle.

35 19. "Driver license" means a license that is issued by a state to an
36 individual and that authorizes the individual to drive a motor vehicle.

37 20. "Electric personal assistive mobility device" means a
38 self-balancing two nontandem wheeled device with an electric propulsion
39 system that limits the maximum speed of the device to fifteen miles per hour
40 or less and that is designed to transport only one person.

41 21. "Farm tractor" means a motor vehicle designed and used primarily as
42 a farm implement for drawing implements of husbandry.

43 22. "Foreign vehicle" means a motor vehicle, trailer or semitrailer
44 that is brought into this state other than in the ordinary course of business

1 by or through a manufacturer or dealer and that has not been registered in
2 this state.

3 23. "Golf cart" means a motor vehicle that has not less than three
4 wheels in contact with the ground, that has an unladen weight of less than
5 one thousand eight hundred pounds, that is designed to be and is operated at
6 not more than twenty-five miles per hour and that is designed to carry not
7 more than four persons including the driver.

8 24. "Hazardous material" means a material, and its mixtures or
9 solutions, that the United States department of transportation determines
10 under 49 Code of Federal Regulations is, or any quantity of a material listed
11 as a select agent or toxin under 42 Code of Federal Regulations part 73 that
12 is, capable of posing an unreasonable risk to health, safety and property if
13 transported in commerce and that is required to be placarded or marked as
14 required by the department's safety rules prescribed pursuant to chapter 14
15 of this title.

16 25. "Implement of husbandry" means a vehicle designed primarily for
17 agricultural purposes and used exclusively in the conduct of agricultural
18 operations, including an implement or vehicle whether self-propelled or
19 otherwise that meets all of the following conditions:

20 (a) Is used exclusively for carrying products of farming from one part
21 of a farm to another part of the same farm or from one farm to another farm.

22 (b) Is used solely for agricultural purposes including the preparation
23 or harvesting of cotton, alfalfa, grains and other farm crops.

24 (c) Is only incidentally operated or moved on a highway whether as a
25 trailer or self-propelled unit.

26 26. "Limousine" means a motor vehicle providing prearranged ground
27 transportation service for an individual passenger, or a group of passengers,
28 that is arranged in advance or is operated on a regular route or between
29 specified points and includes ground transportation under a contract or
30 agreement for services that includes a fixed rate or time and is provided in
31 a motor vehicle with a seating capacity not exceeding fifteen passengers
32 including the driver.

33 27. "Livery vehicle" means a motor vehicle that:

34 (a) Has a seating capacity not exceeding fifteen passengers including
35 the driver.

36 (b) Provides passenger services for a fare determined by a flat rate
37 or flat hourly rate between geographic zones or within a geographic area.

38 (c) Is available for hire on an exclusive or shared ride basis.

39 (d) May do any of the following:

40 (i) Operate on a regular route or between specified places.

41 (ii) Offer prearranged ground transportation service as defined in
42 section 28-141.

43 (iii) Offer on demand ground transportation service pursuant to a
44 contract with a public airport, licensed business entity or organization.

1 28. "Local authority" means any county, municipal or other local board
2 or body exercising jurisdiction over highways under the constitution and laws
3 of this state.

4 29. "Manufacturer" means a person engaged in the business of
5 manufacturing motor vehicles, trailers or semitrailers.

6 30. "Moped" means a bicycle that is equipped with a helper motor if the
7 vehicle has a maximum piston displacement of fifty cubic centimeters or less,
8 a brake horsepower of one and one-half or less and a maximum speed of
9 twenty-five miles per hour or less on a flat surface with less than a one per
10 cent grade.

11 31. "Motor driven cycle" means a motorcycle, including every motor
12 scooter, with a motor that produces not more than five horsepower.

13 32. "Motor vehicle":

14 (a) Means either:

15 (i) A self-propelled vehicle.

16 (ii) For the purposes of the laws relating to the imposition of a tax
17 on motor vehicle fuel, a vehicle that is operated on the highways of this
18 state and that is propelled by the use of motor vehicle fuel.

19 (b) Does not include a motorized wheelchair, an electric personal
20 assistive mobility device or a motorized skateboard. For the purposes of this
21 subdivision:

22 (i) "Motorized skateboard" means a self-propelled device that has a
23 motor, a deck on which a person may ride and at least two tandem wheels in
24 contact with the ground.

25 (ii) "Motorized wheelchair" means a self-propelled wheelchair that is
26 used by a person for mobility.

27 33. "Motor vehicle fuel" includes all products that are commonly or
28 commercially known or sold as gasoline, including casinghead gasoline,
29 natural gasoline and all flammable liquids, and that are composed of a
30 mixture of selected hydrocarbons expressly manufactured and blended for the
31 purpose of effectively and efficiently operating internal combustion engines.
32 Motor vehicle fuel does not include inflammable liquids that are specifically
33 manufactured for racing motor vehicles and that are distributed for and used
34 by racing motor vehicles at a racetrack, use fuel as defined in section
35 28-5601, aviation fuel, fuel for jet or turbine powered aircraft or the
36 mixture created at the interface of two different substances being
37 transported through a pipeline, commonly known as transmix.

38 34. "Motorcycle" means a motor vehicle that has a seat or saddle for
39 the use of the rider and that is designed to travel on not more than three
40 wheels in contact with the ground but excluding a tractor and a moped.

41 35. "Neighborhood electric vehicle" means a self-propelled electrically
42 powered motor vehicle to which all of the following apply:

43 (a) The vehicle is emission free.

44 (b) The vehicle has at least four wheels in contact with the ground.

1 (c) The vehicle complies with the definition and standards for low
2 speed vehicles set forth in federal motor vehicle safety standard 500 and 49
3 Code of Federal Regulations sections 571.3(b) and 571.500, respectively.

4 36. "Nonresident" means a person who is not a resident of this state as
5 defined in section 28-2001.

6 37. "Off-road recreational motor vehicle" means a motor vehicle that is
7 designed primarily for recreational nonhighway all-terrain travel and that is
8 not operated on a public highway. Off-road recreational motor vehicle does
9 not mean a motor vehicle used for construction, building trade, mining or
10 agricultural purposes.

11 38. "Operator" means a person who drives a motor vehicle on a highway,
12 who is in actual physical control of a motor vehicle on a highway or who is
13 exercising control over or steering a vehicle being towed by a motor vehicle.

14 39. "Owner" means:

15 (a) A person who holds the legal title of a vehicle.

16 (b) If a vehicle is the subject of an agreement for the conditional
17 sale or lease with the right of purchase on performance of the conditions
18 stated in the agreement and with an immediate right of possession vested in
19 the conditional vendee or lessee, the conditional vendee or lessee.

20 (c) If a mortgagor of a vehicle is entitled to possession of the
21 vehicle, the mortgagor.

22 40. "Pedestrian" means any person afoot. A person who uses an electric
23 personal assistive mobility device or a manual or motorized wheelchair is
24 considered a pedestrian unless the manual wheelchair qualifies as a bicycle.
25 For the purposes of this paragraph, "motorized wheelchair" means a
26 self-propelled wheelchair that is used by a person for mobility.

27 41. "Power sweeper" means an implement, with or without motive power,
28 that is only incidentally operated or moved on a street or highway and that
29 is designed for the removal of debris, dirt, gravel, litter or sand whether
30 by broom, vacuum or regenerative air system from asphaltic concrete or cement
31 concrete surfaces, including parking lots, highways, streets and warehouses,
32 and a vehicle on which the implement is permanently mounted.

33 42. "Public transit" means the transportation of passengers on
34 scheduled routes by means of a conveyance on an individual passenger
35 fare-paying basis excluding transportation by a sight-seeing bus, school bus
36 or taxi or a vehicle not operated on a scheduled route basis.

37 43. "Reconstructed vehicle" means a vehicle that has been assembled or
38 constructed largely by means of essential parts, new or used, derived from
39 vehicles or makes of vehicles of various names, models and types or that, if
40 originally otherwise constructed, has been materially altered by the removal
41 of essential parts or by the addition or substitution of essential parts, new
42 or used, derived from other vehicles or makes of vehicles. For the purposes
43 of this paragraph, "essential parts" means integral and body parts, the
44 removal, alteration or substitution of which will tend to conceal the
45 identity or substantially alter the appearance of the vehicle.

1 44. "Residence district" means the territory contiguous to and
2 including a highway not comprising a business district if the property on the
3 highway for a distance of three hundred feet or more is in the main improved
4 with residences or residences and buildings in use for business.

5 45. "Right-of-way" when used within the context of the regulation of
6 the movement of traffic on a highway means the privilege of the immediate use
7 of the highway. Right-of-way when used within the context of the real
8 property on which transportation facilities and appurtenances to the
9 facilities are constructed or maintained means the lands or interest in lands
10 within the right-of-way boundaries.

11 46. "School bus" means a motor vehicle that is designed for carrying
12 more than ten passengers and that is either:

13 (a) Owned by any public or governmental agency or other institution
14 and operated for the transportation of children to or from home or school on
15 a regularly scheduled basis.

16 (b) Privately owned and operated for compensation for the
17 transportation of children to or from home or school on a regularly scheduled
18 basis.

19 47. "Semitrailer" means a vehicle that is with or without motive power,
20 other than a pole trailer, that is designed for carrying persons or property
21 and for being drawn by a motor vehicle and that is constructed so that some
22 part of its weight and that of its load rests on or is carried by another
23 vehicle. For the purposes of this paragraph, "pole trailer" has the same
24 meaning prescribed in section 28-601.

25 48. "State" means a state of the United States and the District of
26 Columbia.

27 49. "State highway" means a state route or portion of a state route
28 that is accepted and designated by the board as a state highway and that is
29 maintained by the state.

30 50. "State route" means a right-of-way whether actually used as a
31 highway or not that is designated by the board as a location for the
32 construction of a state highway.

33 51. "Street" or "highway" means the entire width between the boundary
34 lines of every way if a part of the way is open to the use of the public for
35 purposes of vehicular travel.

36 52. "Taxi" means a motor vehicle that has a seating capacity not
37 exceeding fifteen passengers, including the driver, that is registered as a
38 taxi in this state or any other state, that provides passenger services and
39 that:

40 (a) Does not operate on a regular route or between specified places.

41 (b) Offers local transportation for a fare determined primarily on the
42 basis of the distance traveled.

43 53. "Trailer" means a vehicle that is with or without motive power,
44 other than a pole trailer, that is designed for carrying persons or property
45 and for being drawn by a motor vehicle and that is constructed so that no

1 part of its weight rests on the towing vehicle. A semitrailer equipped with
2 an auxiliary front axle commonly known as a dolly is deemed to be a trailer.
3 For the purposes of this paragraph, "pole trailer" has the same meaning
4 prescribed in section 28-601.

5 54. "Truck" means a motor vehicle designed or used primarily for the
6 carrying of property other than the effects of the driver or passengers and
7 includes a motor vehicle to which has been added a box, a platform or other
8 equipment for such carrying.

9 55. "Truck tractor" means a motor vehicle that is designed and used
10 primarily for drawing other vehicles and that is not constructed to carry a
11 load other than a part of the weight of the vehicle and load drawn.

12 56. "Vehicle" means a device in, on or by which a person or property is
13 or may be transported or drawn on a public highway, excluding devices moved
14 by human power or used exclusively on stationary rails or tracks.

15 57. "Vehicle transporter" means either:

16 (a) A truck tractor capable of carrying a load and drawing a
17 semitrailer.

18 (b) A truck tractor with a stinger-steered fifth wheel capable of
19 carrying a load and drawing a semitrailer or a truck tractor with a dolly
20 mounted fifth wheel that is securely fastened to the truck tractor at two or
21 more points and that is capable of carrying a load and drawing a semitrailer.

22 58. "VENTURE TRUCK" MEANS A MOTOR VEHICLE THAT IS USED PRIMARILY FOR
23 CARRYING CARGO, TO WHICH A BOX, PLATFORM OR OTHER EQUIPMENT HAS BEEN AFFIXED
24 FOR THE PURPOSE OF CARRYING CARGO AND THAT HAS ALL OF THE FOLLOWING:

25 (a) NOT LESS THAN FOUR WHEELS IN CONTACT WITH THE GROUND.

26 (b) AN UNLADEN WEIGHT OF LESS THAN ONE THOUSAND EIGHT HUNDRED POUNDS.

27 (c) A PERMANENTLY INSTALLED ENGINE OR TRANSMISSION GOVERNOR LIMITING
28 THE VEHICLE'S SPEED TO NOT MORE THAN TWENTY-FIVE MILES PER HOUR.

29 (d) A DESIGN TO CARRY NOT MORE THAN TWO PERSONS INCLUDING THE DRIVER.

30 (e) A WHEEL BASE OF SIX FEET THREE INCHES OR LESS.

31 Sec. 2. Section 28-892, Arizona Revised Statutes, is amended to read:

32 28-892. Riding on motorcycle, venture truck, off-highway
33 vehicle, off-road recreational motor vehicle or
34 all-terrain vehicle; definition

35 A. A person operating a motorcycle, VENTURE TRUCK, OFF-HIGHWAY
36 VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or all-terrain vehicle shall
37 ride only on the permanent and regular seat attached to the motorcycle,
38 VENTURE TRUCK, OFF-HIGHWAY VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or
39 all-terrain vehicle. The operator of a motorcycle, VENTURE TRUCK,
40 OFF-HIGHWAY VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or all-terrain
41 vehicle shall not carry any other person and any other person shall not ride
42 on a motorcycle, VENTURE TRUCK, OFF-HIGHWAY VEHICLE, OFF-ROAD RECREATIONAL
43 MOTOR VEHICLE or all-terrain vehicle unless the motorcycle, VENTURE TRUCK,
44 OFF-HIGHWAY VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or all-terrain
45 vehicle is designed to carry more than one person. On a motorcycle, VENTURE

1 TRUCK, OFF-HIGHWAY VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or
2 all-terrain vehicle designed to carry more than one person, a passenger may
3 ride on the permanent and regular seat if it is designed for two persons or
4 on another seat firmly attached to the motorcycle, VENTURE TRUCK, OFF-HIGHWAY
5 VEHICLE, OFF-ROAD RECREATIONAL MOTOR VEHICLE or all-terrain vehicle at the
6 rear or side of the operator.

7 B. FOR THE PURPOSES OF THIS SECTION, "OFF-HIGHWAY VEHICLE" HAS THE
8 SAME MEANING PRESCRIBED IN SECTION 28-1171.

9 Sec. 3. Section 28-943, Arizona Revised Statutes, is amended to read:

10 28-943. Single beam road lighting equipment

11 Head lamps that are arranged to provide a single distribution of light
12 are permitted on motor vehicles manufactured and sold before January 1, 1951,
13 ~~and~~ on neighborhood electric vehicles AND ON VENTURE TRUCKS, in lieu of
14 multiple beam road lighting equipment specified in this article, if the
15 single distribution of light complies with the following requirements and
16 limitations:

17 1. The head lamps are aimed so that when the vehicle is not loaded
18 none of the high intensity portion of the light projects, at a distance of
19 twenty-five feet ahead, higher than a level of five inches below the level of
20 the center of the lamp that is aimed and in no case higher than forty-two
21 inches above the level on which the vehicle stands at a distance of
22 seventy-five feet ahead.

23 2. The intensity is sufficient to reveal persons and vehicles at a
24 distance of at least two hundred feet.

25 Sec. 4. Section 28-958.01, Arizona Revised Statutes, is amended to
26 read:

27 28-958.01. Rear fender splash guards

28 A. A person shall not operate a truck, trailer, semitrailer or bus on
29 a highway unless the vehicle is equipped with rear fender splash guards that
30 comply with the specifications provided in this section.

31 B. The splash guards:

32 1. Shall be attached in a manner that prevents the splashing of mud or
33 water on the windshield of other motor vehicles.

34 2. Shall extend to a length of not more than eight inches from the
35 ground.

36 3. Shall be wide enough to cover the full tread or treads of the tires
37 being protected.

38 4. Shall be installed close enough to the tread surface of the tire or
39 wheel to control the side throw of the bulk of the thrown road surface
40 material.

41 5. May be constructed of a flexible rubberized material.

1 6. Shall be attached in a manner that, regardless of movement either
2 in the splash guards or the vehicle, the splash guards retain their general
3 parallel relationship to the tread surface of the tire or wheel under all
4 ordinary operating conditions.

5 C. This section does not apply to:

6 1. A vehicle commonly known as a pickup truck with a manufacturer's
7 rating of three-quarter ton or less **OR A VENTURE TRUCK**, except that this
8 section applies if the pickup truck has been modified from the original
9 bumper height design to raise the center of gravity of the pickup truck.

10 2. A truck tractor or converter dolly when used in combination with
11 another vehicle.

12 3. A single axle trailer with fenders **THAT ARE** wide enough to cover
13 the full tread or treads of the tires being protected and that extend to a
14 length of not more than fourteen inches from the ground.

15 Sec. 5. Section 28-959, Arizona Revised Statutes, is amended to read:

16 28-959. Safety glass required; applicability; approval list;
17 denial or suspension of registration; definition

18 A. A person shall not sell and the department shall not register a new
19 motor vehicle as specified in this section unless the vehicle is equipped
20 with safety glass wherever glass is used in doors, windows and windshields.
21 The safety glass shall be of a type approved by the director.

22 B. This section applies to passenger motor vehicles, other than golf
23 carts **AND VENTURE TRUCKS**, including passenger buses and school buses. For
24 trucks, including truck tractors, the requirements of this section for safety
25 glass apply to all glass used in doors, windows and windshields in the
26 drivers' compartments of the vehicles.

27 C. The director shall compile and publish a list of types of glass by
28 name that are approved by the director and that meet the requirements of this
29 section.

30 D. The director shall not register a new motor vehicle unless it is
31 equipped with an approved type of safety glass. The director shall suspend
32 the registration of any motor vehicle that is subject to this section and
33 that the director finds is not equipped with an approved type of safety
34 glass. The suspension shall continue until the motor vehicle is made to
35 conform to the requirements of this section.

36 E. A person shall not replace glass or glazing materials used in
37 partitions, doors, windows, windshields or wind deflectors in a motor vehicle
38 with a material other than safety glass of a type approved by the director.

39 F. For the purposes of this section, "safety glass" means either:

40 1. A product composed of glass that is manufactured, fabricated or
41 treated in a manner that substantially prevents shattering and flying of the
42 glass when struck or broken.

43 2. Other or similar products as approved by the director.

1 Sec. 6. Section 28-966, Arizona Revised Statutes, is amended to read:
2 28-966. Neighborhood electric vehicles; venture trucks; speed;
3 restrictions

4 A. A neighborhood electric vehicle OR VENTURE TRUCK shall not be
5 operated at a speed of more than twenty-five miles per hour.

6 B. A neighborhood electric vehicle OR VENTURE TRUCK shall not be
7 driven on a highway that has a posted speed limit of more than thirty-five
8 miles per hour. This subsection does not prohibit a neighborhood electric
9 vehicle OR VENTURE TRUCK from crossing a highway that has a posted speed
10 limit of more than thirty-five miles per hour at an intersection.

11 C. A neighborhood electric vehicle OR VENTURE TRUCK shall have a
12 notice of the operational restrictions applying to the vehicle permanently
13 attached to or painted on the vehicle in a location that is in clear view of
14 the driver.

15 Sec. 7. Section 28-2052, Arizona Revised Statutes, is amended to read:
16 28-2052. Title and registration of foreign vehicles

17 A. Except as provided in subsection E of this section, the owner of a
18 foreign vehicle that has been registered in another state or country and for
19 which an application for a certificate of title is made shall surrender to
20 the department the license plates assigned to the vehicle, the registration
21 card, the certificate of title, the certificate of ownership or other
22 evidence of foreign registration and satisfactory evidence of ownership
23 showing that the applicant is the lawful owner or possessor of the vehicle.

24 B. If in the course of interstate operation of a vehicle registered in
25 another state or country it is desirable to retain registration of the
26 vehicle in the other state or country, the applicant need not follow the
27 requirements of subsection A of this section but shall submit evidence of the
28 foreign registration and ownership for inspection. The department shall
29 register the vehicle on a proper showing of evidence of registration but
30 shall not issue a certificate of title for the vehicle.

31 C. The department shall inspect a foreign vehicle before titling or
32 registration, including examination and inspection to establish compliance
33 with section 28-955, under conditions and standards as required by the
34 director of environmental quality. The department may establish procedures
35 to accept vehicle inspections completed in another state.

36 D. Before the department issues a certificate of title to a vehicle
37 imported into this country, the owner shall obtain a certificate of
38 compliance that states that the vehicle meets all federal vehicle equipment
39 and emissions equipment requirements. This subsection does not apply to a
40 golf cart manufactured or modified before June 17, 1998, ~~or~~ A neighborhood
41 electric vehicle manufactured or modified before June 17, 1998 OR A VENTURE
42 TRUCK MANUFACTURED OR MODIFIED ON OR BEFORE DECEMBER 31, 1998.

43 E. The department may establish procedures to accept evidence that the
44 certificate of title or certificate of ownership has been voided or destroyed
45 by another state.

1 Sec. 8. Section 28-2058, Arizona Revised Statutes, is amended to read:
2 28-2058. Transfer of title; odometer mileage disclosure
3 statement

4 A. When the owner of a registered or unregistered vehicle transfers or
5 assigns the owner's title or interest to the vehicle:

6 1. If the vehicle is registered:

7 (a) The owner shall endorse on the certificate of title to the vehicle
8 an assignment with the warranty of title in the form printed on the
9 certificate.

10 (b) Except as provided in section 28-2094, the owner shall deliver the
11 certificate to the purchaser or transferee at the time of delivery of the
12 vehicle to the purchaser or transferee.

13 (c) The registration of the vehicle expires and the owner shall
14 transfer the license plates, surrender the license plates to the department
15 or an authorized third party or submit an affidavit of license plate
16 destruction within thirty days after the owner transfers or assigns the
17 owner's title or interest in the vehicle.

18 (d) Except as provided in section 28-2091, the acquiring owner shall
19 apply for registration or title, or both, within fifteen days after the
20 relinquishing owner transfers or assigns the relinquishing owner's title or
21 interest in the vehicle. The director may prorate the registration period as
22 the director deems necessary to coincide with emissions inspection
23 requirements.

24 (e) Except if the acquiring owner is an insurer who acquires the
25 vehicle pursuant to a claim settlement, the acquiring owner shall display on
26 the vehicle a temporary registration plate, another permit or a valid license
27 plate as prescribed by the department until ownership of the vehicle is
28 transferred in the department's records.

29 2. Regardless of whether or not the vehicle is registered:

30 (a) Except as provided in subsection B of this section, the owner
31 shall deliver to the purchaser or transferee an odometer mileage disclosure
32 statement in a form prescribed by the director.

33 (b) Except as provided in sections 28-2060 and 28-2091, the purchaser
34 or transferee shall present the certificate of title **OR PROOF OF OWNERSHIP**
35 **SATISFACTORY TO THE DIRECTOR IF THE PURCHASER OR TRANSFEREE IS UNABLE TO**
36 **OBTAIN A CERTIFICATE OF TITLE FROM THE SELLER** to the department with the
37 required fee within fifteen days after the transfer and:

38 (i) Except as provided in section 28-2064, the department shall issue
39 a new certificate of title **IF PROOF OF OWNERSHIP SATISFACTORY TO THE DIRECTOR**
40 **IS FURNISHED TO THE DEPARTMENT PURSUANT TO SECTION 28-2059.**

41 (ii) If required, the purchaser or transferee shall apply for and
42 obtain registration, and the department shall issue new license plates to the
43 purchaser or transferee.

44 B. The odometer disclosure requirement of subsection A of this section
45 does not apply to:

- 1 1. A motor vehicle that is ten model years of age or older.
- 2 2. A motor vehicle that has a gross vehicle weight rating of sixteen
- 3 thousand pounds or more.
- 4 3. A vehicle that is not self-propelled.
- 5 4. A motor vehicle that is sold directly by the manufacturer to an
- 6 agency of the United States in conformity with contractual specifications.
- 7 5. A new motor vehicle that is purchased for resale and not for use by
- 8 the purchaser.
- 9 Sec. 9. Section 28-2153, Arizona Revised Statutes, is amended to read:
- 10 28-2153. Registration requirement; exceptions; assessment;
- 11 violation; classification
- 12 A. A person shall not operate, move or leave standing on a highway a
- 13 motor vehicle, trailer or semitrailer unless the motor vehicle, trailer or
- 14 semitrailer has been registered with the department for the current
- 15 registration year or is properly registered for the current registration year
- 16 by the state or country of which the owner or lessee is a resident.
- 17 B. A resident shall not operate, move or leave standing on a highway a
- 18 motor vehicle, trailer or semitrailer that is:
- 19 1. Owned by a nonresident and that is primarily under the control of a
- 20 resident of this state for more than seven months unless the motor vehicle,
- 21 trailer or semitrailer has been registered with the department for the
- 22 current registration year.
- 23 2. Leased by the resident for more than twenty-nine days unless the
- 24 motor vehicle, trailer or semitrailer has been registered with the department
- 25 for the current registration year.
- 26 C. This section applies to a trailer or semitrailer without motive
- 27 power unless the vehicle is disabled or is being towed as an abandoned
- 28 vehicle at the direction of a law enforcement agency.
- 29 D. This section does not apply to:
- 30 1. A farm tractor.
- 31 2. A trailer used solely in the operation of a farm for transporting
- 32 the unprocessed fiber or forage products of a farm or any implement of
- 33 husbandry designed primarily for or used in agricultural operations and only
- 34 incidentally operated or moved on a highway.
- 35 3. A road roller or road machinery, including a power sweeper, that is
- 36 temporarily operating or moved on the highway.
- 37 4. An owner permitted to operate a vehicle under special provisions
- 38 relating to lienholders, manufacturers, dealers and nonresidents.
- 39 5. Motorized or nonmotorized equipment designed primarily for and used
- 40 in mining operations and only incidentally operated or moved on a highway.
- 41 6. A motor vehicle that is being towed by a tow truck that has been
- 42 registered and for which a permit has been obtained pursuant to section
- 43 28-1108.
- 44 7. A golf cart used in the operation of a golf course or only
- 45 incidentally operated or moved on a highway.

1 8. Wheeled equipment. For the purposes of this paragraph, "wheeled
2 equipment" means:

3 (a) A compressor.

4 (b) A forklift.

5 (c) A portable cement mixer.

6 (d) A single axle tow dolly as defined in section 28-1095.

7 (e) A tar pot.

8 (f) A water trailer used for watering livestock or for agricultural or
9 domestic purposes.

10 (g) A welder.

11 (h) Any other similar item designed and used primarily for
12 construction or building trade purposes.

13 9. An all-terrain vehicle, **A VENTURE TRUCK** or an off-road recreational
14 motor vehicle operating on a dirt road that is located in an unincorporated
15 area of this state. For the purposes of this paragraph, "dirt road" means an
16 unpaved or ungraveled road that is not maintained by this state or a city,
17 town or county of this state.

18 10. A person operating an off-highway vehicle who is participating in
19 an off-highway vehicle special event as defined in section 28-1171.

20 **11. A VENTURE TRUCK CROSSING A HIGHWAY.**

21 E. A person who owns or operates a trailer that is exempt from
22 registration pursuant to subsection D, paragraph 2 of this section shall
23 notify the county assessor of the exemption, and the assessor shall assess
24 the trailer.

25 F. A person who violates subsection E of this section is guilty of a
26 class 2 misdemeanor.

27 Sec. 10. Title 28, chapter 7, article 15, Arizona Revised Statutes, is
28 amended by adding section 28-2517, to read:

29 **28-2517. Venture trucks**

30 **A. A NUMBER THAT IS APPROVED BY THE DIRECTOR AND THAT IDENTIFIES THE**
31 **TRUCK FOR OWNERSHIP AND REGISTRATION PURPOSES SHALL BE PERMANENTLY AFFIXED TO**
32 **THE FRAME OF A VENTURE TRUCK.**

33 **B. A VENTURE TRUCK SHALL NOT USE RIGHTS-OF-WAY DESIGNATED FOR**
34 **EXCLUSIVE USE BY BICYCLES.**

35 Sec. 11. Section 28-4132, Arizona Revised Statutes, is amended to
36 read:

37 **28-4132. Financial responsibility requirement exemptions**

38 This article does not apply to the owner or operator of any:

39 1. Farm tractor.

40 2. Trailer used solely in the operation of a farm for transporting the
41 unprocessed fiber or forage products of a farm or an implement of husbandry
42 designed primarily for or used in agricultural operations and only
43 incidentally operated or moved on a highway.

44 3. Road-roller or road machinery, including a power sweeper,
45 temporarily operating or moved on the highway.

- 1 4. Trailer not used for commercial purposes or semitrailer not used
2 for commercial purposes.
- 3 5. Motor vehicle rented without a driver that meets the requirements
4 of section 28-2166.
- 5 6. Motor vehicle registered pursuant to section 28-2154.
- 6 7. Motor vehicle owned by the United States government.
- 7 8. Golf cart used in the operation of a golf course or only
8 incidentally operated or moved on a highway.
- 9 9. All-terrain vehicle, **VENTURE TRUCK** or off-road recreational motor
10 vehicle operating on a dirt road that is located in an unincorporated area of
11 this state. For the purposes of this paragraph, "dirt road" means an unpaved
12 or ungraveled road that is not maintained by this state or a city, town or
13 county of this state.
- 14 10. Off-highway vehicle participating in an off-highway vehicle special
15 event as defined in section 28-1171.
- 16 11. **VENTURE TRUCK CROSSING A HIGHWAY.**