

REFERENCE TITLE: out-of-state driver licenses; validity; identification

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

SB 1472

Introduced by
Senator Gould; Representative Groe; Senator Harper

AN ACT

AMENDING SECTION 28-3152, ARIZONA REVISED STATUTES; AMENDING TITLE 41,
ARIZONA REVISED STATUTES, BY ADDING CHAPTER 44; RELATING TO DRIVER LICENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-3152, Arizona Revised Statutes, is amended to
3 read:

4 28-3152. Driver license: exemptions: limitation

5 A. Except as provided in ~~subsection~~ SUBSECTIONS B AND C, the following
6 persons are exempt from licensing under this chapter:

7 1. EXCEPT FOR UNITED STATES RESERVE TECHNICIANS, any of the following
8 while operating a commercial motor vehicle for military purposes:

9 (a) Active duty military personnel.

10 (b) Members of the United States military reserve forces.

11 (c) Members of the United States army national guard on active duty or
12 the United States air national guard on active duty, including:

13 (i) Personnel on full-time national guard active duty.

14 (ii) Personnel on part-time national guard training.

15 (d) United States army national guard and United States air national
16 guard military technicians who are civilians and who are required to wear
17 military uniforms.

18 (e) Active duty United States coast guard personnel.

19 ~~This paragraph does not apply to United States reserve technicians.~~

20 2. A person while driving or operating a farm tractor or implement of
21 husbandry that is temporarily operated or moved on a highway.

22 3. A person who is a nonresident, who is at least sixteen years of age
23 and who has in the person's immediate possession a valid driver license
24 issued to the person in the person's home state or country while the person
25 is operating a motor vehicle requiring a class D license.

26 4. A person who is a nonresident, who is at least eighteen years of
27 age and who has in the person's immediate possession a valid commercial
28 driver license or classified license that is issued to the person in the
29 person's home state or country and that authorizes operation of a commercial
30 motor vehicle while the person is operating a motor vehicle requiring a class
31 A, B or C license in this state, except that the person must be licensed
32 under this chapter before accepting employment from a resident of this state
33 involving the operation of a motor vehicle requiring a class A, B or C
34 license.

35 5. A person who is a nonresident, who is at least eighteen years of
36 age and whose home state or country does not require the licensing of
37 operators while the person operates a motor vehicle requiring a class D
38 license for a period of not more than ninety days in a calendar year, if the
39 motor vehicle that the person is operating is duly registered in the home
40 state or country of the nonresident.

41 6. A person who has in the person's immediate possession a valid
42 driver license issued to the person by another state or country while the
43 person is operating a motor vehicle requiring a class D license, who is an
44 employee, agent or consultant of an organization that operates in this state
45 and at least one other state or country, who is principally domiciled or
46 employed in another state or country and who is present in this state not
47 more than ninety consecutive days.

1 B. A person who is a resident of a foreign country and who operates a
2 commercial vehicle in this state shall obtain a commercial driver license of
3 the proper class that is issued by this state or another state, if the
4 foreign country does not grant reciprocal driver license privileges to
5 operators of commercial vehicles who are residents of this state.

6 C. A DRIVER LICENSE THAT IS ISSUED BY ANOTHER STATE THAT DOES NOT
7 REQUIRE A PERSON TO BE LAWFULLY PRESENT IN THE UNITED STATES UNDER FEDERAL
8 LAW IN ORDER TO RECEIVE THE DRIVER LICENSE IS NOT A VALID LICENSE TO OPERATE
9 A VEHICLE IN THIS STATE UNLESS ACCOMPANIED BY ANY OF THE FOLLOWING:

10 1. AN ORIGINAL OR CERTIFIED COPY OF A BIRTH CERTIFICATE THAT IS ISSUED
11 BY ANY STATE OR LOCAL GOVERNMENT OR OUTLYING POSSESSION OF THE UNITED STATES
12 AND THAT BEARS AN OFFICIAL SEAL.

13 2. A VALID UNITED STATES PASSPORT.

14 3. A UNITED STATES CERTIFICATE OF CITIZENSHIP.

15 4. A UNITED STATES CERTIFICATE OF NATURALIZATION.

16 5. A VALID FOREIGN PASSPORT WITH FEDERAL FORM I-94.

17 6. A PERMANENT RESIDENT CARD OR ALIEN REGISTRATION RECEIPT CARD ISSUED
18 BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES.

19 7. A UNITED STATES SOCIAL SECURITY CARD.

20 8. ANY OTHER DOCUMENTATION THAT ESTABLISHES LAWFUL PRESENCE IN THE
21 UNITED STATES UNDER FEDERAL LAW.

22 Sec. 2. Title 41, Arizona Revised Statutes, is amended by adding
23 chapter 44, to read:

24 CHAPTER 44

25 USING DRIVER LICENSES FOR IDENTIFICATION PURPOSES

26 ARTICLE 1. GENERAL PROVISIONS

27 41-4401. Out-of-state driver licenses; identification purposes;
28 prohibition

29 THIS STATE AND POLITICAL SUBDIVISIONS OF THIS STATE SHALL NOT ACCEPT AS
30 A PRIMARY SOURCE OF IDENTIFICATION A DRIVER LICENSE ISSUED BY ANOTHER STATE
31 IF THE OTHER STATE DOES NOT REQUIRE THAT A PERSON BE LAWFULLY PRESENT IN THE
32 UNITED STATES UNDER FEDERAL LAW IN ORDER TO RECEIVE THE DRIVER LICENSE UNLESS
33 ACCOMPANIED BY ANY OF THE FOLLOWING:

34 1. AN ORIGINAL OR CERTIFIED COPY OF A BIRTH CERTIFICATE THAT IS ISSUED
35 BY ANY STATE OR LOCAL GOVERNMENT OR OUTLYING POSSESSION OF THE UNITED STATES
36 AND THAT BEARS AN OFFICIAL SEAL.

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45 UNITED STATES UNDER FEDERAL LAW.