

REFERENCE TITLE: intrastate CDLs; defensive driving school

State of Arizona  
Senate  
Forty-eighth Legislature  
First Regular Session  
2007

## **SB 1594**

Introduced by  
Senators Gould: Harper

AN ACT

AMENDING TITLE 28, CHAPTER 8, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-3229; AMENDING SECTION 28-3392, ARIZONA REVISED STATUTES; RELATING TO COMMERCIAL DRIVER LICENSES.

(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 8, article 5, Arizona Revised Statutes,  
3 is amended by adding section 28-3229, to read:

4 28-3229. Intrastate commercial driver license

5 A. THE DEPARTMENT MAY ISSUE AN INTRASTATE COMMERCIAL DRIVER LICENSE TO  
6 A PERSON WHO MAKES PROPER APPLICATION AND WHO MEETS THE REQUIREMENTS FOR A  
7 CLASS A, B OR C LICENSE PURSUANT TO SECTION 28-3223.

8 B. THE DEPARTMENT SHALL MARK A LICENSE ISSUED PURSUANT TO THIS SECTION  
9 AS AN INTRASTATE COMMERCIAL DRIVER LICENSE.

10 C. AN INTRASTATE COMMERCIAL DRIVER LICENSEE MAY ONLY OPERATE A  
11 COMMERCIAL MOTOR VEHICLE IN THIS STATE.

12 Sec. 2. Section 28-3392, Arizona Revised Statutes, is amended to read:

13 28-3392. Defensive driving school; eligibility

14 A. A court:

15 1. Shall allow an individual who is issued a citation for a civil  
16 traffic moving violation pursuant to chapter 3, articles 2, 3, 4 and 6  
17 through 15 of this title or a local civil traffic ordinance relating to the  
18 same subject matter to attend a defensive driving school for the purposes  
19 provided in this article.

20 2. Except as prescribed in subsection C of this section, may allow an  
21 individual who is issued a citation for a violation of section 28-701.02 to  
22 attend a defensive driving school.

23 B. A person who attends a defensive driving school pursuant to this  
24 article is not eligible to attend a defensive driving school again within  
25 twenty-four months from the day of the last violation for which the person  
26 was authorized by this article to attend a defensive driving school.

27 C. Notwithstanding subsection A of this section:

28 1. An individual who commits a civil or criminal traffic violation  
29 resulting in death or serious physical injury is not eligible to attend a  
30 defensive driving school, except that the court may order the individual to  
31 attend a defensive driving school in addition to another sentence imposed by  
32 the court on an adjudication or admission of the traffic violation.

33 2. EXCEPT AS PROVIDED IN SUBSECTION D OF THIS SECTION, if a commercial  
34 driver license holder is found guilty or responsible for a moving violation,  
35 the court may require the violator to attend defensive driving school as an  
36 element of sentence, but may not dismiss the conviction or finding of  
37 responsibility and shall report the conviction or finding of responsibility  
38 to the department as prescribed in section 28-1559. A commercial driver  
39 license holder is not eligible for the defensive driving diversion program  
40 EXCEPT AS PROVIDED IN SUBSECTION D OF THIS SECTION.

41 D. A PERSON WHO HOLDS AN INTRASTATE COMMERCIAL DRIVER LICENSE ISSUED  
42 PURSUANT TO SECTION 28-3229 IS ELIGIBLE FOR THE DEFENSIVE DRIVING DIVERSION  
43 PROGRAM.