

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HOUSE BILL 2023

AN ACT

AMENDING SECTIONS 28-2351, 28-2403 AND 28-2405, ARIZONA REVISED STATUTES;
AMENDING TITLE 28, CHAPTER 7, ARTICLE 12, ARIZONA REVISED STATUTES, BY ADDING
SECTION 28-2429; RELATING TO SUPPORT OUR TROOPS 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. The department shall provide to every owner one license plate for
6 each vehicle registered. At the request of the owner and on payment of any
7 required fee, the department shall provide either one or two license plates
8 for a vehicle for which a special plate is requested pursuant to this
9 chapter, except that the department shall provide one license plate if the
10 special plate is issued pursuant to section 28-2404, 28-2409 or 28-2416.

11 B. The license plate shall display the number assigned to the vehicle
12 and to the owner of the vehicle and the name of this state, which may be
13 abbreviated. The director shall coat the license plate with a reflective
14 material that is consistent with the determination of the license plate
15 commission established by section 28-2405 regarding the color and design of
16 license plates and special plates as prescribed by section 28-2405. The
17 director shall design the license plate and the letters and numerals on the
18 license plate to be of sufficient size to be plainly readable during daylight
19 from a distance of one hundred feet. In addition to the standard license
20 plate issued for a trailer before August 12, 2005, the director shall issue a
21 license plate for trailers that has a design that is similar to the standard
22 size license plate for trailers but that is the same size as the license
23 plate for motorcycles. The trailer owner shall notify the department which
24 size license plate the owner wants for the trailer.

25 C. Notwithstanding any other law, the department shall not contract
26 with a nongovernmental entity to purchase or secure reflective material for
27 the plates issued by the department unless the department has made a
28 reasonable effort to secure qualified bids or proposals from as many
29 individual responsible respondents as possible.

30 D. The license plate commission established by section 28-2405 shall
31 determine the color and design of the license plate. All other plates issued
32 by the department, except the plates issued pursuant to sections 28-2412,
33 28-2413, 28-2414, 28-2416 through ~~28-2428~~ 28-2429, 28-2452, 28-2453, 28-2454
34 and 28-2455 and article 14 of this chapter, shall be the same color as and
35 similar in design to the license plate as determined by the commission.

36 E. A passenger motor vehicle rented without a driver shall receive the
37 same type of license plate as issued for a private passenger motor vehicle.

38 Sec. 2. Section 28-2403, Arizona Revised Statutes, is amended to read:
39 28-2403. Special plates; transfers; violation; classification

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

44 1. Except as provided in section 28-2416, a person who is the
45 registered owner of a vehicle registered with the department or who applies

1 for an original or renewal registration of a vehicle may submit to the
2 department a completed application form as prescribed by the department with
3 the fee prescribed by section 28-2402 for special plates in addition to the
4 registration fee prescribed by section 28-2003.

5 2. Except for plates issued pursuant to sections 28-2412, 28-2413,
6 28-2414, 28-2416 through ~~28-2428~~ 28-2429, 28-2452, 28-2453, 28-2454 and
7 28-2455 and article 14 of this chapter, the special plates shall be the same
8 color as and similar to the design of the regular license plates that is
9 determined by the license plate commission pursuant to section 28-2351.

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

14 4. Except as provided in section 28-2416, the department shall charge
15 the fee prescribed by section 28-2402 for each annual renewal of special
16 plates in addition to the registration fee prescribed by section 28-2003.

17 B. Except as provided in section 28-2416, on notification to the
18 department and on payment of the transfer fee prescribed by section 28-2402,
19 a person who is issued special plates may transfer the special plates to
20 another vehicle the person owns or leases. Persons who are issued special
21 plates for hearing impaired persons pursuant to section 28-2408 and
22 international symbol of access special plates pursuant to section 28-2409 are
23 exempt from the transfer fee. If a person who is issued special plates
24 sells, trades or otherwise releases ownership of the vehicle on which the
25 plates have been displayed, the person shall immediately report the transfer
26 of the plates to the department or the person shall surrender the plates to
27 the department as prescribed by the director. It is unlawful for a person to
28 whom the plates have been issued to knowingly permit them to be displayed on
29 a vehicle except the vehicle authorized by the department.

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

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

33 1. Violates subsection B of this section.

34 2. Fraudulently gives false or fictitious information in the
35 application for or renewal of special plates or placards issued pursuant to
36 this article.

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

40 Sec. 3. Section 28-2405, Arizona Revised Statutes, is amended to read:
41 ~~28-2405.~~ License plate commission

42 A. A license plate commission is established. The commission is
43 composed of the following members:

44 1. Two public members who are appointed by the director of the
45 department of transportation.

1 2. A person who is appointed by the governor from the governor's
2 office of highway safety and who serves at the pleasure of the governor.
3 3. The director of the department of public safety or the director's
4 designee.
5 4. The director of the department of transportation or the director's
6 designee.
7 5. The director of the office of tourism or the director's designee.
8 6. The director of the state department of corrections or the
9 director's designee.
10 B. The director of the department of transportation or the director's
11 designee shall serve as chairman of the commission. The chairman shall
12 preside at commission meetings and coordinate the activities of the
13 commission and staff implementation of commission actions.
14 C. All official actions of the commission shall be decided by a
15 majority vote of commission members.
16 D. The commission shall determine the following:
17 1. The color and design of license plates.
18 2. The color of special plates to be the same as and the design of
19 special plates to be similar to the license plates, except for special plates
20 issued pursuant to sections 28-2412, 28-2413, 28-2414, 28-2416 through
21 ~~28-2428~~ 28-2429, 28-2452, 28-2453, 28-2454 and 28-2455 and article 14 of this
22 chapter.
23 3. Whether to authorize special organization plates pursuant to
24 section 28-2404.
25 4. The indicia for special organization plates issued pursuant to
26 section 28-2404.
27 E. The department shall provide the commission with staff and
28 technical assistance as necessary to perform its functions.
29 F. Commission members are not eligible to receive compensation, but
30 the members who are appointed pursuant to subsection A, paragraphs 1 and 2 of
31 this section are eligible for reimbursement of expenses pursuant to title 38,
32 chapter 4, article 2.
33 Sec. 4. Title 28, chapter 7, article 12, Arizona Revised Statutes, is
34 amended by adding section 28-2429, to read:
35 28-2429. Support our troops special plate; fund
36 A. THE DEPARTMENT SHALL ISSUE SUPPORT OUR TROOPS SPECIAL PLATES AND
37 SUPPORT OUR TROOPS SPECIAL MOTORCYCLE PLATES. AN ENTITY THAT PROVIDES FORTY
38 THOUSAND DOLLARS TO PRODUCE THE SPECIAL PLATES AND THAT MEETS THE
39 REQUIREMENTS OF SUBSECTION D OF THIS SECTION SHALL DESIGN THE SUPPORT OUR
40 TROOPS SPECIAL PLATE. THE INTERNET ADDRESS OF THE ENTITY MAY BE INCLUDED IN
41 THE DESIGN. THE DESIGN AND COLOR OF THE SUPPORT OUR TROOPS SPECIAL PLATES
42 ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A
43 REQUEST FOR SUPPORT OUR TROOPS SPECIAL PLATES TO BE COMBINED WITH A REQUEST
44 FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION,
45 THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO

1 THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED
2 FOR SUPPORT OUR TROOPS SPECIAL PLATES.

3 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
4 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
5 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

6 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
7 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
8 ESTABLISHED BY SECTION 28-6991 AND SHALL TRANSMIT ALL DONATIONS COLLECTED
9 PURSUANT TO THIS SECTION TO THE ENTITY THAT PROVIDES THE FORTY THOUSAND
10 DOLLARS AS PRESCRIBED IN SUBSECTION A OF THIS SECTION AND THAT MEETS THE
11 REQUIREMENTS OF SUBSECTION D OF THIS SECTION.

12 D. THE ENTITY THAT PROVIDES THE FORTY THOUSAND DOLLARS PURSUANT TO
13 SUBSECTION A OF THIS SECTION SHALL CERTIFY IN WRITING TO THE DIRECTOR THAT
14 THE ENTITY IS ALL OF THE FOLLOWING:

15 1. QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL
16 REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES.

17 2. FOUNDED BY CIVILIANS.

18 3. PROVIDES SUPPORT TO THE MEMBERS OF THE UNITED STATES MILITARY AND
19 THE MEMBERS FAMILIES.

20 4. HOLDS THE RIGHT TO USE THE TRADEMARKS ASSOCIATED WITH THE SUPPORT
21 OUR TROOPS SPECIAL PLATE.

22 5. PART OF A GROUP CHARITY THAT ADMINISTERS A SIMILAR LICENSE PLATE IN
23 AT LEAST TEN OTHER STATES.

24 E. THE DIRECTOR SHALL TRANSMIT SUPPORT OUR TROOPS SPECIAL PLATE
25 DONATIONS AT LEAST ONCE EACH QUARTER.