

REFERENCE TITLE: vehicle insurance proof; vehicle registration

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

SB 1406

Introduced by
Senator Waring

AN ACT

AMENDING SECTIONS 28-2157 AND 28-4135, ARIZONA REVISED STATUTES; REPEALING SECTION 28-4137, ARIZONA REVISED STATUTES; RELATING TO MOTOR VEHICLE INSURANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-2157, Arizona Revised Statutes, is amended to
3 read:

4 28-2157. Application for registration

5 A. A person shall apply to the department for registration of a motor
6 vehicle, trailer or semitrailer on forms prescribed or authorized by the
7 department.

8 B. The application shall contain:

9 1. The name and complete residence address of the owner.

10 2. A description of the vehicle, including the serial number.

11 3. If it is a new vehicle, the date of sale by the manufacturer or
12 dealer to the person first operating the vehicle.

13 4. If the owner of the vehicle rents or intends to rent the vehicle
14 without a driver, a statement of that fact.

15 5. Other facts required by the department.

16 C. The registering officer shall indicate on the face of the
17 registration application that the registrant may be subject to vehicle
18 emissions testing requirements pursuant to section 49-542.

19 D. On request of an applicant, the department shall allow the
20 applicant to provide on the registration of a motor vehicle, trailer or
21 semitrailer a post office box address that is regularly used by the applicant
22 and that is located in the county in which the applicant resides.

23 E. The person shall include with the application the required fees and
24 the certificate of title to the vehicle for which registration is sought.
25 The registering officer may waive the requirement that the applicant present
26 a certificate of title at the time of making an application for renewal if
27 the registering officer has available complete and sufficient records to
28 accurately compute the vehicle license tax.

29 F. A PERSON SHALL SUBMIT WITH THE APPLICATION PROOF OF FINANCIAL
30 RESPONSIBILITY AS PRESCRIBED BY SECTION 28-4135 AS FOLLOWS:

31 1. FOR INITIAL REGISTRATION IF THE TRANSFEROR IS NOT A MOTOR VEHICLE
32 DEALER.

33 2. FOR ALL RENEWAL APPLICATIONS.

34 ~~F.~~ G. The department may request an applicant who appears in person
35 to register a motor vehicle, trailer or semitrailer to complete
36 satisfactorily the vision screening test prescribed by the department.

37 ~~G.~~ H. A person applying for initial registration of a neighborhood
38 electric vehicle shall certify in writing that a notice of the operational
39 restrictions applying to the vehicle as provided in section 28-966 are
40 contained on a permanent notice attached to or painted on the vehicle in a
41 location that is in clear view of the driver.

1 Sec. 2. Section 28-4135, Arizona Revised Statutes, is amended to read:
2 28-4135. Motor vehicle financial responsibility requirement:
3 civil penalties

4 A. A motor vehicle that is operated on a highway in this state shall
5 be covered by one of the following:

6 1. A motor vehicle or automobile liability policy that provides limits
7 not less than those prescribed in section 28-4009.

8 2. An alternate method of coverage as provided in section 28-4076.

9 3. A certificate of self-insurance as prescribed in section 28-4007.

10 4. A policy that satisfies the financial responsibility requirements
11 prescribed in article 2 of this chapter.

12 B. A person operating a motor vehicle on a highway in this state shall
13 have evidence within the motor vehicle of current financial responsibility
14 applicable to the motor vehicle.

15 C. Failure to produce evidence of financial responsibility on the
16 request of a law enforcement officer investigating a motor vehicle accident
17 or an alleged violation of a motor vehicle law of this state or a traffic
18 ordinance of a city or town is a civil traffic violation that is punishable
19 as prescribed in this section.

20 D. A citation issued for violating subsection B or C of this section
21 shall be dismissed if the person to whom the citation was issued produces
22 evidence to the appropriate court officer on or before the date and time
23 specified on the citation for court appearance and in a manner specified by
24 the court, including the certification of evidence by mail, of either of the
25 following:

26 1. The financial responsibility requirements prescribed in this
27 section were met for the motor vehicle at the date and time the citation was
28 issued.

29 2. A motor vehicle or automobile liability policy that meets the
30 financial responsibility requirements of this state and that insured the
31 person and the motor vehicle the person was operating at the time the person
32 received the citation regardless of whether or not the motor vehicle was
33 named in the policy.

34 E. ~~Except as provided in section 28-4137,~~ A person who violates this
35 section is subject to a civil penalty as follows:

36 1. The court shall impose a minimum civil penalty of five hundred
37 dollars for the first violation and shall direct the department to suspend
38 the driver license of the person and the registration and license plates of
39 the motor vehicle involved for three months.

40 2. If a person violates this section a second time within a period of
41 thirty-six months, the court shall impose a minimum civil penalty of seven
42 hundred fifty dollars and shall direct the department to suspend the driver
43 license of the person and the registration and license plates of the motor
44 vehicle involved for six months.

1 3. If a person violates this section three or more times within a
2 period of thirty-six months, the court shall impose a minimum civil penalty
3 of one thousand dollars, ~~and~~ shall direct the department to suspend the
4 driver license of the person and the registration and license plates of the
5 motor vehicle involved for one year AND SHALL DIRECT THE DEPARTMENT TO
6 REQUIRE ON REINSTATEMENT OF THE DRIVER LICENSE, THE REGISTRATION AND THE
7 LICENSE PLATES THAT THE PERSON FILE WITH THE DEPARTMENT PROOF OF FINANCIAL
8 RESPONSIBILITY IN ACCORDANCE WITH ARTICLE 3 OF THIS CHAPTER.

9 Sec. 3. Repeal
10 Section ~~28-4137~~, Arizona Revised Statutes, is repealed.