

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HOUSE BILL 2251

AN ACT

AMENDING TITLE 28, CHAPTER 3, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-629; AMENDING SECTION 28-6991, ARIZONA REVISED STATUTES; RELATING TO PHOTO ENFORCEMENT.

(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 3, article 2, Arizona Revised Statutes,
3 is amended by adding section 28-629, to read:

4 28-629. Photo enforcement system; state or interstate system
5 highways; monies to state treasurer; definition

6 A. EXCEPT FOR MONIES COLLECTED BY THE COURT PURSUANT TO TITLE 12,
7 CHAPTER 1, ARTICLE 1 AND SECTION 16-954, A LOCAL AUTHORITY THAT IS AUTHORIZED
8 BY THIS STATE TO USE A PHOTO ENFORCEMENT SYSTEM TO IDENTIFY VIOLATORS OF
9 ARTICLES 3 AND 6 OF THIS CHAPTER ON A STATE HIGHWAY OR INTERSTATE SYSTEM
10 HIGHWAY IN THIS STATE SHALL TRANSMIT THE MONIES THE LOCAL AUTHORITY RECEIVES
11 AS A RESULT OF THE VIOLATION TO THE STATE TREASURER FOR DEPOSIT, PURSUANT TO
12 SECTIONS 35-146 AND 35-147, IN THE STATE HIGHWAY FUND ESTABLISHED BY SECTION
13 28-6991.

14 B. FOR THE PURPOSES OF THIS SECTION, "PHOTO ENFORCEMENT SYSTEM" MEANS
15 A DEVICE SUBSTANTIALLY CONSISTING OF A RADAR UNIT OR SENSOR LINKED TO A
16 CAMERA OR OTHER RECORDING DEVICE THAT PRODUCES ONE OR MORE PHOTOGRAPHS,
17 MICROPHOTOGRAPHS, VIDEOTAPES OR DIGITAL OR OTHER RECORDED IMAGES OF A
18 VEHICLE'S LICENSE PLATE FOR THE PURPOSE OF IDENTIFYING VIOLATORS OF ARTICLES
19 3 AND 6 OF THIS CHAPTER.

20 Sec. 2. Section 28-6991, Arizona Revised Statutes, is amended to read:
21 28-6991. State highway fund; sources

22 A state highway fund is established that consists of:

23 1. Monies distributed from the Arizona highway user revenue fund
24 pursuant to chapter 18 of this title.

25 2. Monies appropriated by the legislature.

26 3. Monies received from donations for the construction, improvement or
27 maintenance of state highways or bridges. These monies shall be credited to
28 a special account and shall be spent only for the purpose indicated by the
29 donor.

30 4. Monies received from counties under cooperative agreements,
31 including proceeds from bond issues. The state treasurer shall deposit these
32 monies to the credit of the fund in a special account on delivery to the
33 treasurer of a concise written agreement between the department and the
34 county stating the purposes for which the monies are surrendered by the
35 county, and these monies shall be spent only as stated in the agreement.

36 5. Monies received from the United States under an act of Congress to
37 provide aid for the construction of rural post roads, but monies received on
38 projects for which the monies necessary to be provided by this state are
39 wholly derived from sources mentioned in paragraphs 2 and 3 of this section
40 shall be allotted by the department and deposited by the state treasurer in
41 the special account within the fund established for each project. On
42 completion of the project, on the satisfaction and discharge in full of all
43 obligations of any kind created and on request of the department, the
44 treasurer shall transfer the unexpended balance in the special account for
45 the project into the state highway fund, and the unexpended balance and any

- 1 further federal aid thereafter received on account of the project may be
2 spent under the general provisions of this title.
- 3 6. Monies in the custody of an officer or agent of this state from any
4 source that is to be used for the construction, improvement or maintenance of
5 state highways or bridges.
- 6 7. Monies deposited in the state general fund and arising from the
7 disposal of state personal property belonging to the department.
- 8 8. Receipts from the sale or disposal of any or all other property
9 held by the department and purchased with state highway monies.
- 10 9. Monies generated pursuant to section 28-410.
- 11 10. Monies distributed pursuant to section 28-5808, subsection B,
12 paragraph 2, subdivision (d).
- 13 11. Monies deposited pursuant to sections 28-1143, 28-2353 and 28-3003.
- 14 12. Except as provided in section 28-5101, the following monies:
- 15 (a) Monies deposited pursuant to section 28-2206 and section 28-5808,
16 subsection B, paragraph 2, subdivision (e).
- 17 (b) One dollar of each registration fee and one dollar of each title
18 fee collected pursuant to section 28-2003.
- 19 (c) Two dollars of each late registration penalty collected by the
20 director pursuant to section 28-2162.
- 21 (d) The air quality compliance fee collected pursuant to section
22 49-542.
- 23 (e) The special plate administration fees collected pursuant to
24 sections 28-2404, 28-2412 through 28-2424 and 28-2514.
- 25 (f) Monies collected pursuant to sections 28-372, 28-2155 and 28-2156
26 if the director is the registering officer.
- 27 13. Monies deposited pursuant to chapter 5, article 5 of this title.
- 28 14. Donations received pursuant to section 28-2269.
- 29 15. Dealer and registration monies collected pursuant to section
30 28-4304.
- 31 16. Abandoned vehicle administration monies deposited pursuant to
32 section 28-4804.
- 33 17. Monies deposited pursuant to section 28-710, subsection D,
34 paragraph 2.
- 35 **18. MONIES DEPOSITED PURSUANT TO SECTION 28-629.**
- 36 Sec. 3. Retroactivity
- 37 This act is effective retroactively to from and after December 31,
38 2005.