

State of Arizona
Senate
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 261

SENATE BILL 1231

AN ACT

AMENDING SECTIONS 28-649 AND 28-672, ARIZONA REVISED STATUTES; RELATING TO
TRAFFIC REGULATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-649, Arizona Revised Statutes, is amended to
3 read:

4 28-649. Interference with official traffic control device or
5 railroad sign or signal

6 A. A person shall not attempt without lawful authority to or in fact
7 alter, deface, injure, knock down or remove an official traffic control
8 device, a railroad sign or signal or an inscription, shield or insignia on
9 any device, sign or signal or any part of the device, sign or signal.

10 B. A PERSON SHALL NOT POSSESS A TRAFFIC PREEMPTION EMITTER UNLESS THE
11 PERSON IS AUTHORIZED TO POSSESS A TRAFFIC PREEMPTION EMITTER WITHIN THE
12 COURSE AND SCOPE OF THE PERSON'S DUTIES WITH A LAW ENFORCEMENT AGENCY, FIRE
13 DEPARTMENT, AMBULANCE SERVICE OR AGENCY OF THE FEDERAL GOVERNMENT, THIS STATE
14 OR A POLITICAL SUBDIVISION OF THIS STATE.

15 C. FOR THE PURPOSES OF THIS SECTION, "TRAFFIC PREEMPTION EMITTER"
16 MEANS STROBE, STROBE LIGHT OR ANY DEVICE THAT IS CAPABLE OF CHANGING THE
17 DISPLAY OF ANY TRAFFIC CONTROL DEVICE USED TO CONTROL THE MOVEMENT OF
18 VEHICLES, BICYCLES OR PEDESTRIANS.

19 D. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS ONE
20 MISDEMEANOR.

21 Sec. 2. Section 28-672, Arizona Revised Statutes, is amended to read:

22 28-672. Accidents and moving violations; serious physical
23 injury; death; penalties

24 A. A person is responsible for a civil traffic violation if the person
25 violates any one of the following and the violation results in an accident
26 causing serious physical injury as defined in section 13-105 to another
27 person:

- 28 1. Section 28-645, subsection A, paragraph 3, subdivision (a).
- 29 2. Section 28-772.
- 30 3. SECTION 28-792.
- 31 4. SECTION 28-794.
- 32 5. SECTION 28-797, SUBSECTION E OR G.
- 33 ~~3.~~ 6. Section 28-855, subsection B.

34 B. A person who violates subsection A of this section is subject to
35 a civil penalty of up to five hundred dollars, the person shall attend and
36 successfully complete traffic survival school training and educational
37 sessions that are designed to improve the safety and habits of drivers and
38 that are approved by the department and the court shall report the judgment
39 to the department and may direct the department to suspend the person's
40 driving privilege for ninety days. In addition, the court may order the
41 person to perform community service.

42 C. A person is responsible for a civil traffic violation if the person
43 violates any one of the following and the violation results in an accident
44 causing death to another person:

- 45 1. Section 28-645, subsection A, paragraph 3, subdivision (a).

- 1 2. Section 28-772.
- 2 3. SECTION 28-792.
- 3 4. SECTION 28-794.
- 4 5. SECTION 28-797, SUBSECTION E OR G.
- 5 ~~3.~~ 6. Section 28-855, subsection B.

6 D. A person who violates subsection C of this section ~~is subject to~~
7 SHALL PAY a civil penalty of up to one thousand dollars, the person shall
8 attend and successfully complete traffic survival school training and
9 educational sessions that are designed to improve the safety and habits of
10 drivers and that are approved by the department and the court shall report
11 the judgment to the department and may direct the department to suspend the
12 person's driving privilege for one hundred eighty days. In addition, the
13 court may order the person to perform community service.

14 E. If a person's driving privilege is suspended pursuant to any other
15 statute because of an incident involving a violation of subsection A or C of
16 this section, the suspension period prescribed in subsection B or D of this
17 section shall run concurrently with the other suspension period.

18 F. If a person fails to successfully complete traffic survival school
19 training and educational sessions or perform community service pursuant to
20 subsection B or D of this section, the court shall notify the department and
21 the department shall promptly suspend the driver license or permit of the
22 driver or the privilege of a nonresident to drive a motor vehicle in this
23 state until the order is satisfied.

APPROVED BY THE GOVERNOR MAY 25, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 25, 2004.

~~FAILED~~
Passed the House April 28, 2004

by the following vote: 26 Ayes,

27 Nays, 7 Not Voting

Speaker of the House

James L. Moore
Chief Clerk of the House

Chief Clerk of the House

Passed the Senate February 26, 2004

by the following vote: 16 Ayes,

12 Nays, 2 Not Voting

President of the Senate

Ken Bennett
President of the Senate

Cherine Ballester
Secretary of the Senate

Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

 day of , 20 ,

at o'clock M.

Secretary to the Governor

Approved this day of

 , 20 ,

at o'clock M.

Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this day of , 20 ,

at o'clock M.

Secretary of State

S.B. 1231

Passed the House May 3, 2024,
by the following vote: 52 Ayes,
1 Nays, 7 Not Voting

[Signature]
Speaker, of the House
Pro Tempore
[Signature]
Chief Clerk of the House

~~Passed the Senate _____, 20____,
by the following vote: _____ Ayes,
_____ Nays, _____ Not Voting

President of the Senate

Secretary of the Senate~~

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR
This Bill was received by the Governor this
_____ day of _____, 20____,
at _____ o'clock _____ M.

Secretary to the Governor~~

~~Approved this _____ day of
_____, 20____,
at _____ o'clock _____ M.

Governor of Arizona~~

S.B. 1231
ON RECONSIDERATION

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE
This Bill was received by the Secretary of State
this _____ day of _____, 20____,
at _____ o'clock _____ M.

Secretary of State~~

SENATE CONCURS IN HOUSE AMENDMENTS
AND FINAL PASSAGE

Passed the Senate May 19, 2004,

by the following vote: 24 Ayes,

4 Nays, 2 Not Voting

[Signature]
President of the Senate
[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

19th day of May, 2004

at 2:26 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 25 day of

May, 2004,

at 10³⁵ o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 25 day of May, 2004

at 1:29 o'clock P. M.

[Signature]
Secretary of State

S.B. 1231