

House Engrossed

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

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

CHAPTER 253

HOUSE BILL 2445

AN ACT

AMENDING SECTION 28-5101, ARIZONA REVISED STATUTES; RELATING TO AUTHORIZED
THIRD PARTIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-5101, Arizona Revised Statutes, is amended to
3 read:

4 28-5101. Third party authorization

5 A. The director may authorize third parties to perform certain title
6 and registration, motor carrier licensing and tax reporting, dealer licensing
7 and driver license functions.

8 B. The director may authorize a person to be a third party electronic
9 service provider. An authorized third party electronic service provider
10 shall meet all of the requirements established by the department relating to
11 security, the minimum number of types of transactions, payment options and
12 multiple service delivery channels. Before authorization by the director
13 pursuant to this subsection, a person shall submit a plan approved by the
14 director for transition of an authorized third party electronic service
15 provider's customer service transactions to the department for the purposes
16 of continued operation by the department. The director may require updates
17 of the plan as deemed necessary by the director.

18 C. A person shall not engage in any business pursuant to this article
19 unless the director authorizes the person to engage in the business.

20 D. The director may furnish necessary documents or license plates
21 subject to this article.

22 E. Except as provided in subsection F of this section, an authorized
23 third party or an authorized third party electronic service provider shall
24 submit to the department all statutorily prescribed fees and taxes it
25 collects. In addition to the statutorily prescribed fees and taxes, an
26 authorized third party or an authorized third party electronic service
27 provider may collect and retain a reasonable and commensurate fee for its
28 services.

29 F. In addition to payment pursuant to section 28-374, the department
30 shall reimburse the authorized third party or third party electronic service
31 provider as follows:

32 1. One dollar of each initial, renewal, replacement or duplicate
33 registration fee for a vehicle or an aircraft.

34 2. One dollar of each initial, duplicate or transfer title fee for a
35 vehicle or an aircraft.

36 3. An amount equal to two per cent of each vehicle license tax payment
37 OR AIRCRAFT LICENSE TAX PAYMENT the authorized third party collects and
38 submits to the department or four dollars for each registration year or part
39 of a registration year, whichever is more. The reimbursement amount shall
40 not exceed the amount of vehicle license tax OR AIRCRAFT LICENSE TAX
41 collected.

42 4. Four dollars for each initial, renewal, replacement or duplicate
43 application that the third party processes and that relates to driver
44 licenses, nonoperating identification licenses or permits. An authorized
45 third party may add the cost for expedited processing of renewal, replacement
46 or duplicate applications if requested by the applicant.

1 5. An amount equal to two per cent of each overweight or excess size
2 vehicle registration or permit fee the third party collects and submits to
3 the department or one dollar for each overweight or excess size vehicle
4 registration or permit processed, whichever is more.

5 6. One dollar for each motor vehicle or special motor vehicle record,
6 excluding motor vehicle records released to commercial recipients, including
7 insurers and their authorized agents.

8 7. Five dollars or one-fourth of one per cent of the fuel taxes
9 reported, whichever is greater, for each fuel tax report filed
10 electronically. IN FISCAL YEARS 2008-2009 THROUGH 2012-2013, the maximum
11 annual amount retained EACH YEAR shall not exceed one million five hundred
12 thousand dollars. ~~for the first year of the electronic filing and three~~
13 ~~hundred sixty~~ BEGINNING IN FISCAL YEAR 2013-2014, THE MAXIMUM ANNUAL AMOUNT
14 RETAINED EACH YEAR SHALL NOT EXCEED FOUR HUNDRED EIGHTY thousand dollars each
15 year thereafter.

16 8. One dollar for each fuel tax permit.

17 9. One dollar for each nonsufficient funds or dishonored check
18 payment.

19 10. One dollar for each abandoned vehicle report processed, except for
20 applications for crushed vehicles.

21 11. One dollar for each abandoned vehicle payment.

22 12. Two dollars for each initial special or personalized license plate
23 application.

24 13. One dollar for each initial, renewal or replacement vehicle dealer
25 license plate.

26 14. Five dollars for each application for an initial vehicle dealer
27 license or continuation of a vehicle dealer license.

28 15. One dollar of each twelve dollar fee paid pursuant to section
29 28-2356.

30 16. One dollar for each traffic survival school application and one
31 dollar for each certificate of completion processed.

32 17. ONE DOLLAR FOR EACH REPLACEMENT LICENSE PLATE OR TAB.

33 G. The department's authorized third party electronic service provider
34 may retain two dollars for processing documents electronically when the
35 statutory fee pursuant to this title is two dollars or more.

36 H. The director may authorize the electronic third party service
37 provider to process electronic fund transfers to the department for payment
38 of motor vehicle taxes and fees. The electronic third party service provider
39 may add a two dollar processing fee for each electronic funds transfer.

40 I. Each authorized third party that holds itself out as providing
41 services to the general public shall post a sign in a conspicuous location in
42 each facility of the authorized third party that contains the amount charged
43 for each transaction performed by the authorized third party and the amount
44 charged by the department for the same transaction.

APPROVED BY THE GOVERNOR JUNE 6, 2008.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 6, 2008.

Passed the House March 27, 20 08

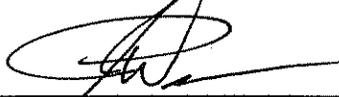
Passed the Senate June 2, 20 08

by the following vote: 59 Ayes,

by the following vote: 25 Ayes,

0 Nays, 1 Not Voting

0 Nays, 5 Not Voting



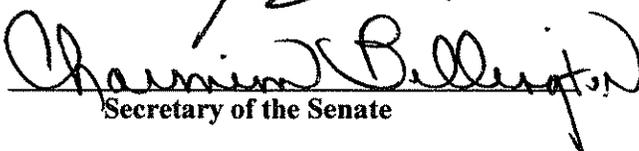
Speaker of the House



President of the Senate



Chief Clerk of the House



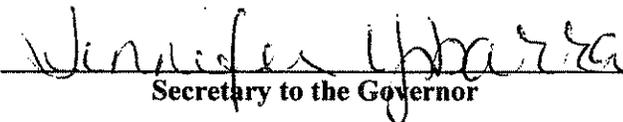
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

3rd day of June, 20 08

at 11:22 o'clock a. M.

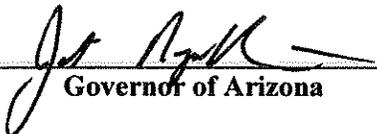


Secretary to the Governor

Approved this 6 day of

June 2008

at 10⁰⁵ o'clock A. M.



Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 6 day of June, 20 08

H.B. 2445

at 12:59 o'clock P M.



Secretary of State