

Senate Engrossed House Bill

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

CHAPTER 286

HOUSE BILL 2523

AN ACT

AMENDING SECTIONS 28-675 AND 28-676, ARIZONA REVISED STATUTES; RELATING TO
MOTOR VEHICLE VIOLATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 28-675, Arizona Revised Statutes, is amended to
3 read:
4 28-675. Causing death by use of a vehicle; classification
5 A. A person is guilty of causing death by use of a vehicle if all of
6 the following apply:
7 1. The person is not allowed to operate a motor vehicle pursuant to
8 subsection B of this section.
9 2. While operating a motor vehicle, the person causes the death of
10 another person.
11 3. The person commits a violation of any of the following:
12 (a) Section 28-645, subsection A, paragraph 3, subdivision (a).
13 (b) Section 28-729.
14 (c) Section 28-771.
15 (d) Section 28-772.
16 (e) Section 28-773.
17 (f) Section 28-792.
18 (g) Section 28-794.
19 (h) Section 28-797, subsection F, G, H or I.
20 (i) Section 28-855, subsection B.
21 (j) Section 28-857, subsection A.
22 B. For the purposes of this section, a person shall not operate a
23 motor vehicle if any of the following applies:
24 1. The person's driving privilege is revoked for any reason.
25 2. The person's driving privilege is suspended for any reason pursuant
26 to chapter 4, article 3 of this title.
27 3. The person's driving privilege is suspended pursuant to section
28 28-1321.
29 4. The person's driving privilege is suspended pursuant to the
30 department's action based on a previous conviction for a violation of section
31 28-3473.
32 5. The person's driving privilege is suspended pursuant to section
33 28-3306, subsection A, ~~paragraph 3~~.
34 6. THE PERSON'S DRIVING PRIVILEGE IS SUSPENDED PURSUANT TO SECTION
35 28-3308 AND THE PERSON HAS HAD ONE OR MORE PREVIOUS SUSPENSIONS PURSUANT TO
36 THAT SECTION.
37 ~~6-~~ 7. The person does one of the following to obtain a driver
38 license:
39 (a) Knowingly uses a false or fictitious name.
40 (b) Knowingly makes a false statement.
41 (c) Knowingly conceals a material fact.
42 (d) Commits fraud.
43 (e) Violates section 28-3479.

1 7- 8. The person does not have a valid driver license and a proper
2 endorsement, if required, as prescribed by chapter 8 of this title and the
3 person is not exempt pursuant to chapter 8 of this title.

4 C. Causing death by use of a vehicle is a class 4 felony.

5 Sec. 2. Section 28-676, Arizona Revised Statutes, is amended to read:

6 28-676. Causing serious physical injury by use of a vehicle;
7 classification

8 A. A person is guilty of causing serious physical injury by use of a
9 vehicle if all of the following apply:

10 1. The person is not allowed to operate a motor vehicle pursuant to
11 subsection B of this section.

12 2. While operating a motor vehicle, the person causes serious physical
13 injury as defined in section 13-105 to another person.

14 3. The person commits a violation of any of the following:

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

16 (b) Section 28-729.

17 (c) Section 28-771.

18 (d) Section 28-772.

19 (e) Section 28-773.

20 (f) Section 28-792.

21 (g) Section 28-794.

22 (h) Section 28-797, subsection F, G, H or I.

23 (i) Section 28-855, subsection B.

24 (j) Section 28-857, subsection A.

25 B. For the purposes of this section, a person shall not operate a
26 motor vehicle if any of the following applies:

27 1. The person's driving privilege is revoked for any reason.

28 2. The person's driving privilege is suspended for any reason pursuant
29 to chapter 4, article 3 of this title.

30 3. The person's driving privilege is suspended pursuant to section
31 28-1321.

32 4. The person's driving privilege is suspended pursuant to the
33 department's action based on a previous conviction for a violation of section
34 28-3473.

35 5. The person's driving privilege is suspended pursuant to section
36 28-3306, subsection A, ~~paragraph 3.~~

37 6. THE PERSON'S DRIVING PRIVILEGE IS SUSPENDED PURSUANT TO SECTION
38 28-3308 AND THE PERSON HAS HAD ONE OR MORE PREVIOUS SUSPENSIONS PURSUANT TO
39 THAT SECTION.

40 6- 7. The person does one of the following to obtain a driver
41 license:

42 (a) Knowingly uses a false or fictitious name.

43 (b) Knowingly makes a false statement.

44 (c) Knowingly conceals a material fact.

1 (d) Commits fraud.

2 (e) Violates section 28-3479.

3 ~~7-~~ 8. The person does not have a valid driver license and a proper
4 endorsement, if required, as prescribed by chapter 8 of this title and the
5 person is not exempt pursuant to chapter 8 of this title.

6 C. Causing serious physical injury by use of a vehicle is a class 5
7 felony.

APPROVED BY THE GOVERNOR APRIL 27, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 27, 2011.

Passed the House March 9, 2011

Passed the Senate April 19, 2011

by the following vote: 37 Ayes,

by the following vote: 25 Ayes,

22 Nays, 1 Not Voting

5 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

Cheryl Laube
Chief Clerk of the House

Chermin Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

 day of , 20

at o'clock M.

Secretary to the Governor

Approved this day of

at o'clock M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this day of , 20

at o'clock M.

Secretary of State

ON RECONSIDERATION
H.B. 2523

Failed
~~Passed~~ the House March 2, 20 11

Passed the Senate Sept 11, 20 11

by the following vote: 25 Ayes,

by the following vote: _____ Ayes,

32 Nays, 3 Not Voting

_____ Nays, _____ Not Voting

Speaker of the House

President of the Senate

Cheryl Laube

Chief Clerk of the House

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

_____ day of _____, 20 _____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of _____

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this _____ day of _____, 20 _____

at _____ o'clock _____ M.

Secretary of State

H.B. 2523

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 20, 2011,

by the following vote: 37 Ayes,

21 Nays, 2 Not Voting

[Signature]
Speaker of the House

Cheryl Laube
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

20 day of April, 2011,

at 8:30 o'clock A. M.

[Signature]
Secretary to the Governor

Approved this 27th day of

April, 2011,

at 3:11 o'clock P. M.

[Signature]
Governor of Arizona

H.B. 2523

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 27th day of April, 2011,

at 4:45 o'clock P. M.

[Signature]
Secretary of State