House Engrossed Senate Bill

FILED

KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fiftieth Legislature
Second Regular Session
2012

CHAPTER 261

SENATE BILL 1216

AN ACT

AMENDING SECTIONS 28-332, 28-501 AND 28-652, ARIZONA REVISED STATUTES; RELATING TO THE DEPARTMENT OF TRANSPORTATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 28-332, Arizona Revised Statutes, is amended to read:

28-332. Department of transportation jurisdiction; duties; divisions

A. The exclusive control and jurisdiction over state highways, state routes, state owned airports and all state owned transportation systems or modes are vested in the department of transportation.

B. The department shall:

1. Register motor vehicles and aircraft, license drivers, collect revenues, enforce motor vehicle and aviation statutes and perform related functions.

2. Do multimodal state transportation planning, cooperate and coordinate transportation planning with local governments and establish an annually updated priority program of capital improvements for all transportation modes.

3. Design and construct transportation facilities in accordance with a priority plan and maintain and operate state highways, state owned airports and state public transportation systems.

4. Investigate new transportation systems and cooperate with and advise local governments concerning the development and operation of public transit systems.

5. Have administrative jurisdiction of transportation safety programs and implement them in accordance with applicable law.

~~C. The director shall adopt standards and specifications for work zone safety and mobility in state highway work zones pursuant to section 28-652.~~

~~D.~~ C. In order to carry out the responsibilities enumerated in subsection B of this section, the department is organized into the following divisions:

1. Motor vehicle.

2. Transportation planning.

3. Highways.

4. Aeronautics.

5. Public transit.

6. Administrative services.

~~E.~~ D. The director may do any of the following:

1. Establish divisions in addition to those prescribed in subsection ~~D~~ C of this section.

2. Reorganize the department.

3. Consolidate the department.

~~F.~~ E. The department shall provide general administrative support, equipment and office and meeting space to the Arizona international development authority established by title 41, chapter 45.

Sec. 2. Section 28-501, Arizona Revised Statutes, is amended to read:

28-501. Definition of division

In this article, unless the context otherwise requires, "division" means the transportation planning division established by section 28-332, subsection ~~D~~ C.

Sec. 3. Section 28-652, Arizona Revised Statutes, is amended to read:

28-652. State highway work zones; definition

A. The director shall adopt standards and specifications for the use of traffic control devices and for work zone safety and mobility in state highway work zones, INCLUDING AN EMERGENCY VEHICLE ACCESS PLAN AS PRESCRIBED IN THIS SECTION.

B. The standards and specifications for the use of traffic control devices adopted pursuant to subsection A OF THIS SECTION shall include the following:

1. The use of traffic control devices that indicate that the driver is approaching a state highway work zone and that are required to be posted at least one thousand feet before entering a state highway work zone.

2. The use of traffic control devices when workers are present in a state highway work zone that indicate that double civil penalties will be imposed for exceeding the speed limit in a state highway work zone when workers are present and that are required to be posted at least every twenty-five hundred feet within a state highway work zone.

3. The use of traffic control devices that indicate the beginning and end of a state highway work zone.

4. A requirement that the traffic control devices be removed when the preliminary engineering work or construction, repair or maintenance work is completed.

C. FOR PROJECTS REQUIRING A TRAFFIC MANAGEMENT PLAN:

1. The standards and specifications for work zone safety and mobility adopted pursuant to subsection A OF THIS SECTION shall provide for consultation with stakeholders, including area law enforcement and emergency responders~~, on projects requiring a traffic management plan~~.

2. THE DIRECTOR SHALL:

(a) ESTABLISH AN EMERGENCY VEHICLE ACCESS PLAN AS PART OF THE TRAFFIC MANAGEMENT PLAN IN CONSULTATION WITH AREA LAW ENFORCEMENT AND EMERGENCY RESPONDERS.

(b) COMMUNICATE THE EMERGENCY VEHICLE ACCESS PLAN TO AREA LAW ENFORCEMENT AND EMERGENCY RESPONDERS BY ELECTRONIC MAIL, FAX OR OTHER EFFECTIVE MEANS.

D. For the purposes of this section, "state highway work zone" means an area that is within a state highway right-of-way and that is subject to preliminary engineering work or construction, repair or maintenance work.

APPROVED BY THE GOVERNOR APRIL 12, 2012.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 12, 2012.

Passed the House April 4, 2012,

by the following vote: 55 Ayes,

0 Nays, 5 Not Voting

Speaker of the House

Cheryl Laube

Chief Clerk of the House

Passed the Senate February 16, 2012,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

President of the Senate

Susan Acedo

Assistant 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. 1216

SENATE CONCURS IN HOUSE AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 10, 2012

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

10 day of April, 2012

at 12:00 o'clock P M.

Secretary to the Governor

Approved this 12th day of

April

at 1:50 o'clock P. M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 12th day of April, 2012

at 4:51 o'clock P M.

Secretary of State

S.B. 1216