Senate Engrossed House Bill

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-first Legislature
First Regular Session
2013

CHAPTER 75

HOUSE BILL 2477

AN ACT

AMENDING TITLE 28, CHAPTER 3, ARTICLE 21, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-1206; RELATING TO PHOTO ENFORCEMENT SYSTEMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Title 28, chapter 3, article 21, Arizona Revised Statutes, is amended by adding section 28-1206, to read:

28-1206. Photo enforcement systems; state highways; cities and towns

A. A CITY OR TOWN MAY NOT PLACE A PHOTO ENFORCEMENT SYSTEM ON A STATE HIGHWAY IN THIS STATE UNLESS THE CITY OR TOWN PROVIDES PROOF TO THE DEPARTMENT, IN A MANNER TO BE DETERMINED BY THE DEPARTMENT, THAT THE PHOTO ENFORCEMENT SYSTEM IS NECESSARY FOR THE PUBLIC SAFETY OF THIS STATE AND GETS A PERMIT OR ENTERS INTO A CONTRACT WITH THE DEPARTMENT FOR USE OF A RIGHT-OF-WAY.

B. THE DEPARTMENT SHALL PUBLISH ON ITS WEBSITE THE SPECIFIC INFORMATION IT NEEDS TO DETERMINE IF THE PHOTO ENFORCEMENT SYSTEM DESCRIBED IN SUBSECTION A OF THIS SECTION IS NECESSARY FOR THE PUBLIC SAFETY OF THIS STATE. THE INFORMATION SHALL INCLUDE BOTH OF THE FOLLOWING:

1. CURRENT OPERATIONAL SPEED STUDIES, INCLUDING THE AVERAGE NUMBER OF VEHICLES OPERATING PER DAY ON THE SECTION OF STATE HIGHWAY THAT IS SUBJECT TO THE PROPOSED PHOTO ENFORCEMENT SYSTEM AND THE PERCENTAGE OF VEHICLES PER DAY THAT VIOLATE ARTICLE 6 OF THIS CHAPTER.

2. REPORTS OF MOTOR VEHICLE ACCIDENTS ON THE SECTION OF STATE HIGHWAY THAT IS SUBJECT TO THE PROPOSED PHOTO ENFORCEMENT SYSTEM.

C. THE TERM OF A PERMIT ISSUED OR CONTRACT GRANTED BY THE DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION MAY NOT EXCEED A PERIOD OF THREE YEARS.

D. BEFORE THE RENEWAL OF A PERMIT OR CONTRACT PRESCRIBED BY SUBSECTION A OF THIS SECTION, THE CITY OR TOWN MUST SUBMIT INFORMATION TO THE DEPARTMENT TO SHOW THE IMPACT OF THE PHOTO ENFORCEMENT SYSTEM. THE DEPARTMENT MUST REVIEW THE INFORMATION AND COMPARE IT TO THE INFORMATION THE DEPARTMENT RECEIVES PURSUANT TO SUBSECTION B OF THIS SECTION. THE DEPARTMENT MAY PREVENT A RENEWAL IF THE DEPARTMENT DETERMINES THAT THE PHOTO ENFORCEMENT SYSTEM DOES NOT MAINTAIN A POSITIVE IMPACT ON PUBLIC SAFETY.

E. THIS SECTION DOES NOT APPLY TO A PHOTO ENFORCEMENT SYSTEM THAT EXISTS ON STATE HIGHWAYS IN THIS STATE ON THE EFFECTIVE DATE OF THIS ACT EXCEPT THAT WHEN THE PERMIT OR CONTRACT FOR THE PHOTO ENFORCEMENT SYSTEM EXPIRES OR IS RENEWED, THIS SECTION APPLIES.

APPROVED BY THE GOVERNOR APRIL 10, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 10, 2013.

Passed the House March 11, 2013

by the following vote: 47 Ayes,

12 Nays, 1 Not Voting

Speaker of the House

Chief Clerk of the House

Passed the Senate April 2, 2013

by the following vote: 17 Ayes,

11 Nays, 2 Not Voting

President of the Senate

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. 2477

HOUSE CONCURS IN SENATE AMENDMENTS AND FINAL PASSAGE

April 8, 2013,

by the following vote: 42 Ayes,

16 Nays, 2 Not Voting

Speaker of the House

Pro Tempore

Cheryl Laube

Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

8 day of April, 2013,

at 2:45 o'clock P M.

Mikhaila Howard

Secretary to the Governor

Approved this 10th day of

April, 2013,

at 2:07 o'clock P. M.

Janice K. Brewer

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 10th day of April, 2013,

at 4:58 o'clock P M.

Ken Bennett

Secretary of State

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