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CHAPTER 81

SENATE BILL 1384

AN ACT

AMENDING SECTIONS 28-101, 41-2051, 41-2091, 41-2095 AND 41-2096, ARIZONA
REVISED STATUTES; RELATING TO TAXIS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-101, Arizona Revised Statutes, is amended to
3 read:

4 28-101. Definitions

5 In this title, unless the context otherwise requires:

6 1. "Alcohol" means any substance containing any form of alcohol,
7 including ethanol, methanol, propynol and isopropynol.

8 2. "Alcohol concentration" if expressed as a percentage means either:

9 (a) The number of grams of alcohol per one hundred milliliters of
10 blood.

11 (b) The number of grams of alcohol per two hundred ten liters of
12 breath.

13 3. "All-terrain vehicle" means either of the following:

14 (a) A motor vehicle that satisfies all of the following:

15 (i) Is designed primarily for recreational nonhighway all-terrain
16 travel.

17 (ii) Is fifty or fewer inches in width.

18 (iii) Has an unladen weight of one thousand two hundred pounds or
19 less.

20 (iv) Travels on three or more nonhighway tires.

21 (v) Has a seat to be straddled by the operator and handlebars for
22 steering control.

23 (vi) Is operated on a public highway.

24 (b) A recreational off-highway vehicle that satisfies all of the
25 following:

26 (i) Is designed primarily for recreational nonhighway all-terrain
27 travel.

28 (ii) Is sixty-four or fewer inches in width.

29 (iii) Has an unladen weight of one thousand eight hundred pounds or
30 less.

31 (iv) Travels on four or more nonhighway tires.

32 (v) Has a nonstraddle seat and a steering wheel for steering control.

33 4. "Authorized emergency vehicle" means any of the following:

34 (a) A fire department vehicle.

35 (b) A police vehicle.

36 (c) An ambulance or emergency vehicle of a municipal department or
37 public service corporation that is designated or authorized by the department
38 or a local authority.

39 (d) Any other ambulance, fire truck or rescue vehicle that is
40 authorized by the department in its sole discretion and that meets liability
41 insurance requirements prescribed by the department.

42 5. "Aviation fuel" means all flammable liquids composed of a mixture
43 of selected hydrocarbons expressly manufactured and blended for the purpose
44 of effectively and efficiently operating an internal combustion engine for

1 use in an aircraft but does not include fuel for jet or turbine powered
2 aircraft.

3 6. "Bicycle" means a device, including a racing wheelchair, that is
4 propelled by human power and on which a person may ride and that has either:

5 (a) Two tandem wheels, either of which is more than sixteen inches in
6 diameter.

7 (b) Three wheels in contact with the ground, any of which is more than
8 sixteen inches in diameter.

9 7. "Board" means the transportation board.

10 8. "Bus" means a motor vehicle designed for carrying sixteen or more
11 passengers, including the driver.

12 9. "Business district" means the territory contiguous to and including
13 a highway if there are buildings in use for business or industrial purposes
14 within any six hundred feet along the highway, including hotels, banks or
15 office buildings, railroad stations and public buildings that occupy at least
16 three hundred feet of frontage on one side or three hundred feet collectively
17 on both sides of the highway.

18 10. "Combination of vehicles" means a truck or truck tractor and
19 semitrailer and any trailer that it tows but does not include a forklift
20 designed for the purpose of loading or unloading the truck, trailer or
21 semitrailer.

22 11. "Controlled substance" means a substance so classified under
23 section 102(6) of the controlled substances act (21 United States Code
24 section 802(6)) and includes all substances listed in schedules I through V
25 of 21 Code of Federal Regulations part 1308.

26 12. "Conviction" means:

27 (a) An unvacated adjudication of guilt or a determination that a
28 person violated or failed to comply with the law in a court of original
29 jurisdiction or by an authorized administrative tribunal.

30 (b) An unvacated forfeiture of bail or collateral deposited to secure
31 the person's appearance in court.

32 (c) A plea of guilty or no contest accepted by the court.

33 (d) The payment of a fine or court costs.

34 13. "County highway" means a public road constructed and maintained by
35 a county.

36 14. "Dealer" means a person who is engaged in the business of buying,
37 selling or exchanging motor vehicles, trailers or semitrailers and who has an
38 established place of business.

39 15. "Department" means the department of transportation acting directly
40 or through its duly authorized officers and agents.

41 16. "Director" means the director of the department of transportation.

42 17. "Drive" means to operate or be in actual physical control of a
43 motor vehicle.

44 18. "Driver" means a person who drives or is in actual physical control
45 of a vehicle.

1 19. "Driver license" means a license that is issued by a state to an
2 individual and that authorizes the individual to drive a motor vehicle.

3 20. "Electric personal assistive mobility device" means a
4 self-balancing two nontandem wheeled device with an electric propulsion
5 system that limits the maximum speed of the device to fifteen miles per hour
6 or less and that is designed to transport only one person.

7 21. "Farm" means any lands primarily used for agriculture production.

8 22. "Farm tractor" means a motor vehicle designed and used primarily as
9 a farm implement for drawing implements of husbandry.

10 23. "Foreign vehicle" means a motor vehicle, trailer or semitrailer
11 that is brought into this state other than in the ordinary course of business
12 by or through a manufacturer or dealer and that has not been registered in
13 this state.

14 24. "Golf cart" means a motor vehicle that has not less than three
15 wheels in contact with the ground, that has an unladen weight of less than
16 one thousand eight hundred pounds, that is designed to be and is operated at
17 not more than twenty-five miles per hour and that is designed to carry not
18 more than four persons including the driver.

19 25. "Hazardous material" means a material, and its mixtures or
20 solutions, that the United States department of transportation determines
21 under 49 Code of Federal Regulations is, or any quantity of a material listed
22 as a select agent or toxin under 42 Code of Federal Regulations part 73 that
23 is, capable of posing an unreasonable risk to health, safety and property if
24 transported in commerce and that is required to be placarded or marked as
25 required by the department's safety rules prescribed pursuant to chapter 14
26 of this title.

27 26. "Implement of husbandry" means a vehicle designed primarily for
28 agricultural purposes and used exclusively in the conduct of agricultural
29 operations, including an implement or vehicle whether self-propelled or
30 otherwise that meets both of the following conditions:

31 (a) Is used solely for agricultural purposes including the preparation
32 or harvesting of cotton, alfalfa, grains and other farm crops.

33 (b) Is only incidentally operated or moved on a highway whether as a
34 trailer or self-propelled unit. For the purposes of this subdivision,
35 "incidentally operated or moved on a highway" means travel between a farm and
36 another part of the same farm, from one farm to another farm or between a
37 farm and a place of repair, supply or storage.

38 27. "Limousine" means a motor vehicle providing prearranged ground
39 transportation service for an individual passenger, or a group of passengers,
40 that is arranged in advance or is operated on a regular route or between
41 specified points and includes ground transportation under a contract or
42 agreement for services that includes a fixed rate or time and is provided in
43 a motor vehicle with a seating capacity not exceeding fifteen passengers
44 including the driver.

1 28. "Livery vehicle" means a motor vehicle that:

2 (a) Has a seating capacity not exceeding fifteen passengers including
3 the driver.

4 (b) Provides passenger services for a fare determined by a flat rate
5 or flat hourly rate between geographic zones or within a geographic area.

6 (c) Is available for hire on an exclusive or shared ride basis.

7 (d) May do any of the following:

8 (i) Operate on a regular route or between specified places.

9 (ii) Offer prearranged ground transportation service as defined in
10 section 28-141.

11 (iii) Offer on demand ground transportation service pursuant to a
12 contract with a public airport, licensed business entity or organization.

13 29. "Local authority" means any county, municipal or other local board
14 or body exercising jurisdiction over highways under the constitution and laws
15 of this state.

16 30. "Manufacturer" means a person engaged in the business of
17 manufacturing motor vehicles, trailers or semitrailers.

18 31. "Moped" means a bicycle that is equipped with a helper motor if the
19 vehicle has a maximum piston displacement of fifty cubic centimeters or less,
20 a brake horsepower of one and one-half or less and a maximum speed of
21 twenty-five miles per hour or less on a flat surface with less than a one per
22 cent grade.

23 32. "Motor driven cycle" means a motorcycle, including every motor
24 scooter, with a motor that produces not more than five horsepower.

25 33. "Motor vehicle":

26 (a) Means either:

27 (i) A self-propelled vehicle.

28 (ii) For the purposes of the laws relating to the imposition of a tax
29 on motor vehicle fuel, a vehicle that is operated on the highways of this
30 state and that is propelled by the use of motor vehicle fuel.

31 (b) Does not include a motorized wheelchair, an electric personal
32 assistive mobility device or a motorized skateboard. For the purposes of
33 this subdivision:

34 (i) "Motorized skateboard" means a self-propelled device that has a
35 motor, a deck on which a person may ride and at least two tandem wheels in
36 contact with the ground.

37 (ii) "Motorized wheelchair" means a self-propelled wheelchair that is
38 used by a person for mobility.

39 34. "Motor vehicle fuel" includes all products that are commonly or
40 commercially known or sold as gasoline, including casinghead gasoline,
41 natural gasoline and all flammable liquids, and that are composed of a
42 mixture of selected hydrocarbons expressly manufactured and blended for the
43 purpose of effectively and efficiently operating internal combustion engines.
44 Motor vehicle fuel does not include inflammable liquids that are specifically
45 manufactured for racing motor vehicles and that are distributed for and used

1 by racing motor vehicles at a racetrack, use fuel as defined in section
2 28-5601, aviation fuel, fuel for jet or turbine powered aircraft or the
3 mixture created at the interface of two different substances being
4 transported through a pipeline, commonly known as transmix.

5 35. "Motorcycle" means a motor vehicle that has a seat or saddle for
6 the use of the rider and that is designed to travel on not more than three
7 wheels in contact with the ground but excluding a tractor and a moped.

8 36. "Neighborhood electric vehicle" means a self-propelled electrically
9 powered motor vehicle to which all of the following apply:

10 (a) The vehicle is emission free.

11 (b) The vehicle has at least four wheels in contact with the ground.

12 (c) The vehicle complies with the definition and standards for low
13 speed vehicles set forth in federal motor vehicle safety standard 500 and
14 49 Code of Federal Regulations sections 571.3(b) and 571.500, respectively.

15 37. "Nonresident" means a person who is not a resident of this state as
16 defined in section 28-2001.

17 38. "Off-road recreational motor vehicle" means a motor vehicle that is
18 designed primarily for recreational nonhighway all-terrain travel and that is
19 not operated on a public highway. Off-road recreational motor vehicle does
20 not mean a motor vehicle used for construction, building trade, mining or
21 agricultural purposes.

22 39. "Operator" means a person who drives a motor vehicle on a highway,
23 who is in actual physical control of a motor vehicle on a highway or who is
24 exercising control over or steering a vehicle being towed by a motor vehicle.

25 40. "Owner" means:

26 (a) A person who holds the legal title of a vehicle.

27 (b) If a vehicle is the subject of an agreement for the conditional
28 sale or lease with the right of purchase on performance of the conditions
29 stated in the agreement and with an immediate right of possession vested in
30 the conditional vendee or lessee, the conditional vendee or lessee.

31 (c) If a mortgagor of a vehicle is entitled to possession of the
32 vehicle, the mortgagor.

33 41. "Pedestrian" means any person afoot. A person who uses an electric
34 personal assistive mobility device or a manual or motorized wheelchair is
35 considered a pedestrian unless the manual wheelchair qualifies as a bicycle.
36 For the purposes of this paragraph, "motorized wheelchair" means a
37 self-propelled wheelchair that is used by a person for mobility.

38 42. "Power sweeper" means an implement, with or without motive power,
39 that is only incidentally operated or moved on a street or highway and that
40 is designed for the removal of debris, dirt, gravel, litter or sand whether
41 by broom, vacuum or regenerative air system from asphaltic concrete or cement
42 concrete surfaces, including parking lots, highways, streets and warehouses,
43 and a vehicle on which the implement is permanently mounted.

44 43. "Public transit" means the transportation of passengers on
45 scheduled routes by means of a conveyance on an individual passenger

1 fare-paying basis excluding transportation by a sight-seeing bus, school bus
2 or taxi or a vehicle not operated on a scheduled route basis.

3 44. "Reconstructed vehicle" means a vehicle that has been assembled or
4 constructed largely by means of essential parts, new or used, derived from
5 vehicles or makes of vehicles of various names, models and types or that, if
6 originally otherwise constructed, has been materially altered by the removal
7 of essential parts or by the addition or substitution of essential parts, new
8 or used, derived from other vehicles or makes of vehicles. For the purposes
9 of this paragraph, "essential parts" means integral and body parts, the
10 removal, alteration or substitution of which will tend to conceal the
11 identity or substantially alter the appearance of the vehicle.

12 45. "Residence district" means the territory contiguous to and
13 including a highway not comprising a business district if the property on the
14 highway for a distance of three hundred feet or more is in the main improved
15 with residences or residences and buildings in use for business.

16 46. "Right-of-way" when used within the context of the regulation of
17 the movement of traffic on a highway means the privilege of the immediate use
18 of the highway. Right-of-way when used within the context of the real
19 property on which transportation facilities and appurtenances to the
20 facilities are constructed or maintained means the lands or interest in lands
21 within the right-of-way boundaries.

22 47. "School bus" means a motor vehicle that is designed for carrying
23 more than ten passengers and that is either:

24 (a) Owned by any public or governmental agency or other institution
25 and operated for the transportation of children to or from home or school on
26 a regularly scheduled basis.

27 (b) Privately owned and operated for compensation for the
28 transportation of children to or from home or school on a regularly scheduled
29 basis.

30 48. "Semitrailer" means a vehicle that is with or without motive power,
31 other than a pole trailer, that is designed for carrying persons or property
32 and for being drawn by a motor vehicle and that is constructed so that some
33 part of its weight and that of its load rests on or is carried by another
34 vehicle. For the purposes of this paragraph, "pole trailer" has the same
35 meaning prescribed in section 28-601.

36 49. "State" means a state of the United States and the District of
37 Columbia.

38 50. "State highway" means a state route or portion of a state route
39 that is accepted and designated by the board as a state highway and that is
40 maintained by the state.

41 51. "State route" means a right-of-way whether actually used as a
42 highway or not that is designated by the board as a location for the
43 construction of a state highway.

1 52. "Street" or "highway" means the entire width between the boundary
2 lines of every way if a part of the way is open to the use of the public for
3 purposes of vehicular travel.

4 53. "Taxi" means a motor vehicle that has a seating capacity not
5 exceeding fifteen passengers, including the driver, that is registered as a
6 taxi in this state or any other state, that provides passenger services and
7 that:

8 (a) Does not PRIMARILY operate on a regular route or between specified
9 places.

10 (b) Offers local transportation for a fare determined primarily on the
11 basis of the distance traveled OR PREARRANGED GROUND TRANSPORTATION SERVICE
12 AS DEFINED IN SECTION 28-141 FOR A PREDETERMINED FARE.

13 54. "Trailer" means a vehicle that is with or without motive power,
14 other than a pole trailer, that is designed for carrying persons or property
15 and for being drawn by a motor vehicle and that is constructed so that no
16 part of its weight rests on the towing vehicle. A semitrailer equipped with
17 an auxiliary front axle commonly known as a dolly is deemed to be a trailer.
18 For the purposes of this paragraph, "pole trailer" has the same meaning
19 prescribed in section 28-601.

20 55. "Truck" means a motor vehicle designed or used primarily for the
21 carrying of property other than the effects of the driver or passengers and
22 includes a motor vehicle to which has been added a box, a platform or other
23 equipment for such carrying.

24 56. "Truck tractor" means a motor vehicle that is designed and used
25 primarily for drawing other vehicles and that is not constructed to carry a
26 load other than a part of the weight of the vehicle and load drawn.

27 57. "Vehicle" means a device in, on or by which a person or property is
28 or may be transported or drawn on a public highway, excluding devices moved
29 by human power or used exclusively on stationary rails or tracks.

30 58. "Vehicle transporter" means either:

31 (a) A truck tractor capable of carrying a load and drawing a
32 semitrailer.

33 (b) A truck tractor with a stinger-steered fifth wheel capable of
34 carrying a load and drawing a semitrailer or a truck tractor with a dolly
35 mounted fifth wheel that is securely fastened to the truck tractor at two or
36 more points and that is capable of carrying a load and drawing a semitrailer.

37 Sec. 2. Section 41-2051, Arizona Revised Statutes, is amended to read:

38 41-2051. Definitions

39 In this chapter, unless the context otherwise requires:

40 1. "Biodiesel" means a diesel fuel substitute that is produced from
41 nonpetroleum renewable resources as defined by the United States
42 environmental protection agency and that meets the registration requirements
43 for fuels and fuel additives established by the United States environmental
44 protection agency pursuant to section 211 of the clean air act, as defined in
45 section 49-401.01.

1 2. "Biodiesel blend" means a motor fuel that is comprised of biodiesel
2 and diesel fuel and that is designated by the letter "B", followed by the
3 numeric value of the volume percentage of biodiesel in the blend.

4 3. "Biofuel" means a solid, liquid or gaseous fuel that is derived
5 from biomass and that can be used directly for heating or power or as a motor
6 fuel.

7 4. "Biofuel blend" means a motor fuel that is comprised of a biofuel,
8 that is combined with a petroleum based fuel and that is designated by the
9 volume percentage of biofuel in the blend.

10 5. "Biomass" means biological material, such as plant or animal
11 matter, excluding organic material that has been transformed by geological
12 processes into substances such as coal or petroleum or derivatives thereof,
13 that may be transformed into biofuel.

14 6. "Certification" means the process of determining the accuracy of a
15 commercial device to the standards of this state by a registered service
16 representative or the department.

17 7. "Commercial device" means any weighing, measuring, metering or
18 counting device that is used to determine the direct cost of things sold or
19 offered or exposed for sale, or used to establish a fee for service if the
20 cost is based on weight, measure or count, except that it does not include
21 those devices used for in-house packaging, inventory control or law
22 enforcement purposes.

23 8. "Commodity" means any merchandise, product or substance produced or
24 distributed for sale to or use by others.

25 9. "Correct" as used in connection with weights and measures means
26 conformance to all applicable requirements of this chapter.

27 10. "Department" means the department of weights and measures.

28 11. "Diesel fuel" means a refined middle distillate that is used as a
29 fuel in a compression-ignition internal combustion engine and that meets the
30 specifications of ASTM D975.

31 12. "Director" means the director of the department of weights and
32 measures.

33 13. "E85" means a fuel ethanol gasoline blend that meets the
34 specifications of ASTM D5798.

35 14. "Inspector" means state officials of the department of weights and
36 measures.

37 15. "Limousine" means a motor vehicle providing prearranged ground
38 transportation service for an individual passenger, or a group of passengers,
39 that is arranged in advance or is operated on a regular route or between
40 specified points and includes ground transportation under a contract or
41 agreement for services that includes a fixed rate or time and is provided in
42 a motor vehicle with a seating capacity not exceeding fifteen passengers,
43 including the driver.

1 16. "Liquid fuel measuring device" means any meter, pump, tank, gauge
2 or apparatus used for volumetrically determining the quantity of any internal
3 combustion engine fuel, liquefied petroleum gas or low viscosity heating oil.

4 17. "Livery vehicle" means a motor vehicle that:

5 (a) Has a seating capacity not exceeding fifteen passengers, including
6 the driver.

7 (b) Provides passenger services for a fare determined by a flat rate
8 or flat hourly rate between geographic zones or within a geographic area.

9 (c) Is available for hire on an exclusive or shared ride basis.

10 (d) May do any of the following:

11 (i) Operate on a regular route or between specified places.

12 (ii) Offer prearranged ground transportation service as defined in
13 section 28-141.

14 (iii) Offer on demand ground transportation service pursuant to a
15 contract with a public airport, licensed business entity or organization.

16 18. "Misfuel" means the act of dispensing into the fuel tank of a motor
17 vehicle a motor fuel that was not intended to be used in the engine of that
18 motor vehicle.

19 19. "Motor fuel" means a petroleum or a petroleum based substance that
20 is motor gasoline, aviation gasoline, number one or number two diesel fuel or
21 any grade of oxygenated gasoline typically used in the operation of a motor
22 engine, including biodiesel blends, biofuel blends and the ethanol blend E85
23 as defined in ASTM D5798.

24 20. "Package" means any commodity enclosed in a container or wrapped in
25 any manner in advance of sale in units suitable for either wholesale or
26 retail trade.

27 21. "Person" means both the plural and the singular, as the case
28 demands, and includes individuals, partnerships, corporations, companies,
29 societies and associations.

30 22. "Public weighmaster" means any person who is engaged in any of the
31 following:

32 (a) The business of weighing any object or thing for the public
33 generally for hire or for internal use and issuing for that weighing a weight
34 certificate intended to be accepted as an accurate weight upon which a
35 purchase or sale is to be based or on which a service fee is to be charged.

36 (b) The business of weighing for hire motor vehicles, trailers or
37 semitrailers and issuing weight certificates intended to be accepted as an
38 accurate weight for the purpose of determining the amount of any tax, fee or
39 other assessment on the vehicles.

40 23. "Reference standards" means the physical standards of the state
41 that serve as the legal reference from which all other standards and weights
42 and measures are derived.

43 24. "Registered service agency" means any agency, firm, company or
44 corporation that for hire, award, commission or any other payment of any kind
45 installs, services, repairs or reconditions a commercial device or tests or

1 repairs vapor recovery systems or vapor recovery components and that has been
2 issued a license by the department.

3 25. "Registered service representative" means any individual who for
4 hire, award, commission or any other payment of any kind installs, services,
5 repairs or reconditions a commercial device or tests or repairs vapor
6 recovery systems or vapor recovery components and who has been issued a
7 license by the department.

8 26. "Retail seller" means a person whose business purpose is to sell,
9 expose or offer for sale or use any package or commodity by weight, measure
10 or count.

11 27. "Sale from bulk" means the sale of commodities when the quantity is
12 determined at the time of sale.

13 28. "Secondary standards" means the physical standards that are
14 traceable to the reference standards through comparisons, using acceptable
15 laboratory procedures, and that are used in the enforcement of weights and
16 measures laws and rules.

17 29. "Taxi" means a motor vehicle that has a seating capacity not
18 exceeding fifteen passengers, including the driver, that is registered as a
19 taxi in this state or any other state, that provides passenger services and
20 that:

21 (a) Does not PRIMARILY operate on a regular route or between specified
22 places.

23 (b) Offers local transportation for a fare determined primarily on the
24 basis of the distance traveled OR PREARRANGED GROUND TRANSPORTATION SERVICE
25 AS DEFINED IN SECTION 28-141 FOR A PREDETERMINED FARE.

26 30. "Taxi meter" means a commercial device that meets the requirements
27 of the national institute of standards and technology handbook 44 as
28 prescribed by section 41-2064.

29 31. "Weight" as used in connection with any commodity means net weight.

30 32. "Weights" or "measures", or both, means all weights, measures,
31 meters or counters of every kind, instruments and devices for weighing,
32 measuring, metering or counting and any appliance and accessories associated
33 with any or all such instruments and devices.

34 Sec. 3. Section 41-2091, Arizona Revised Statutes, is amended to read:

35 41-2091. Licensing devices used for commercial purposes;
36 authorization to test devices used for all other
37 purposes; fees; certification; transaction privilege
38 tax license records; notification; issuance and
39 revocation of license

40 A. A person shall not use a commercial device unless the device is
41 licensed or certified as provided in this chapter.

42 B. A license shall be obtained annually from the department on forms
43 prescribed and furnished by the department. The fee prescribed in this
44 chapter shall be submitted with the prescribed form. A license shall be
45 obtained not later than thirty days following the first day of commercial use

1 for original installations. If the ownership of a device that is licensed is
2 transferred, the ownership of the license may be transferred. On transfer of
3 a license, new licensees shall notify the department of the licensee's name
4 and address and the location of the device. A license for a device shall be
5 posted at the licensed business location in a manner that provides the
6 department access to the license during normal business hours.

7 C. If a fare is based on time or mileage or both time and mileage, a
8 taxi shall have a commercial device and shall obtain a license as prescribed
9 by the department, EXCEPT THAT IF THE SERVICE OFFERED BY THE TAXI IS A
10 PREARRANGED GROUND TRANSPORTATION SERVICE AS DEFINED IN SECTION 28-141 FOR A
11 PREDETERMINED FARE, A TAXI SHALL NOT BE REQUIRED TO USE A COMMERCIAL DEVICE.

12 D. Any license issued under this chapter applies only to the
13 instrument or device specified in the license, except that the director may
14 permit the license to be applicable to a replacement for the original
15 instrument or device.

16 E. Noncommercial devices may be tested by the department pursuant to
17 this chapter. A weighing device owned by a person who uses it only for the
18 purpose of weighing the person's own livestock or agricultural products and
19 for no commercial purposes is declared to be a noncommercial device, and the
20 owner of the device is exempt from paying any licensing fees collected
21 pursuant to this chapter.

22 F. If a commercial livestock scale is used for thirty or more days in
23 a calendar year, the scale is required to be licensed. If a commercial
24 livestock scale is used for fewer than thirty days in a calendar year, the
25 scale is required to be certified. If an owner or operator of a commercial
26 livestock scale requests that the department certify the scale, the
27 certification fee shall be comparable to the license fee prescribed in
28 section 41-2092. If an owner or operator of a noncommercial scale requests
29 that the department certify the scale, the certification fee shall be
30 comparable to the license fee prescribed in section 41-2092.

31 G. At the request of the owner or user of a portable batch plant, the
32 department may certify the portable batch plant. If the department certifies
33 a portable batch plant, the certification fee shall be comparable to the
34 license fee prescribed in section 41-2092.

35 H. Any portable measuring device that is five gallons or less and that
36 is properly marked by the manufacturer according to standards established by
37 the national institute of standards and technology shall be exempt from the
38 licensing and certification provisions of this chapter.

39 I. For the purpose of ascertaining compliance with the licensing
40 provisions of this article, the department of revenue shall provide the
41 department of weights and measures with a monthly report of all transaction
42 privilege tax licenses issued in the prior month. The report shall include
43 the business name, type of business and business address of the licensee.

1 J. The department of revenue shall annually notify each transaction
2 privilege tax licensee that the licensee is required to register new or
3 existing weighing or measuring devices with the department of weights and
4 measures.

5 K. The department shall not issue a license for a taxi, livery vehicle
6 or limousine, unless the taxi, livery vehicle or limousine meets the
7 requirements for both of the following:

8 1. Motor vehicle licensing as prescribed by the department of
9 transportation.

10 2. Motor vehicle insurance as prescribed by section 28-4033.

11 L. The department shall revoke a license if the taxi, livery vehicle
12 or limousine fails to maintain the requirements for either of the following:

13 1. Motor vehicle licensing as prescribed by the department of
14 transportation.

15 2. Motor vehicle insurance as prescribed by section 28-4033.

16 M. A taxi or livery vehicle shall have a license issued under this
17 chapter posted on the outside of the rear window as required by the
18 department. A limousine shall carry a license issued under this chapter
19 inside the vehicle at all times.

20 N. A TAXI THAT IS LICENSED BY THE DEPARTMENT AND THAT OFFERS LOCAL
21 TRANSPORTATION FOR A FARE DETERMINED PRIMARILY ON THE BASIS OF THE DISTANCE
22 TRAVELED OR PREARRANGED GROUND TRANSPORTATION SERVICE AS DEFINED IN SECTION
23 28-141 FOR A PREDETERMINED FARE IS NOT REQUIRED TO BE ADDITIONALLY LICENSED
24 AS A LIVERY VEHICLE.

25 Sec. 4. Section 41-2095, Arizona Revised Statutes, is amended to read:
26 41-2095. Meters; duplicate receipts

27 A. Every taxi that has a charge or fare based on time or mileage or
28 both time and mileage shall have a taxi meter.

29 B. The taxi meter shall be visible to the passengers of a taxi.

30 C. If a taxi has the capability of producing a duplicate receipt, the
31 driver shall print the duplicate receipt and provide the duplicate receipt to
32 the passenger paying the fare.

33 D. A TAXI METER IS NOT REQUIRED TO BE USED IF THE TAXI IS OFFERING
34 PREARRANGED GROUND TRANSPORTATION SERVICE AS DEFINED IN SECTION 28-141 FOR A
35 PREDETERMINED FARE.

36 Sec. 5. Section 41-2096, Arizona Revised Statutes, is amended to read:
37 41-2096. Taxi and livery vehicle signage

38 A. A taxi or livery vehicle shall display interior signage that
39 contains the licensee's business name and address and that is all of the
40 following:

41 1. Permanent.

42 2. In letters at least one-half inch in height.

43 3. Readily visible.

44 4. Accurately representative of all fares and the fare computation
45 method.

1 B. A taxi or livery vehicle shall display interior signage that
2 contains the driver's name and is readily visible to passengers.

3 C. A taxi is required to display exterior signage that contains the
4 licensee's business name and telephone number, that contains the word "taxi"
5 or "cab" and that is all of the following:

6 1. Permanent.

7 2. In letters at least three inches in height.

8 3. Readily visible and a minimum of one inch in height for fare
9 information.

10 4. Accurately representative of all fares and the fare computation
11 method.

12 ~~D. For purposes of this section, a livery vehicle shall display~~
13 ~~exterior signage that is readily visible while the livery vehicle is not~~
14 ~~occupied by a paying passenger. The signage must contain the business name~~
15 ~~and the words "livery car" in letters at least three inches in height and~~
16 ~~shall include fare information at least one inch in height. When a livery~~
17 ~~vehicle has accepted a passenger and a fare has been determined, a livery~~
18 ~~vehicle may remove the exterior signage.~~

APPROVED BY THE GOVERNOR APRIL 10, 2013.

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

Passed the House April 1, 2013,

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate February 27, 2013,

by the following vote: 29 Ayes,

0 Nays, 1 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

8 day of April, 2013,

at 2:10 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 10th day of

April, 2013,

at 1:59 o'clock P. M.

[Signature]
Governor of Arizona

S.B. 1384

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.

[Signature]
Secretary of State