



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

March 29, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on March 29, 2018:

HB 2035 deferred compensation plans; governing committee (Livingston)
HB 2156 legislative vacancy; appointment; time frame (Coleman)
HB 2196 certificates of necessity; hearings; duration (Carter)
HB 2242 fire districts; revisions; county islands (Farnsworth, E.)
HB 2258 diabetes; annual report (Carter)
HB 2412 leave of absence; day; definition (Shope)
HB 2477 high school mathematics; proficiency; notification (Udall)
HB 2505 converted entities; claims (Cobb)
HB 2513 hyperbaric oxygen therapy; veterans; fund (Finchem)
HB 2536 dual enrollment; homeschooled children (Bowers)
SB 1073 orthotics; prosthetic devices; valid prescription (Brophy McGee)
SB 1111 workers' compensation; opioids; dispensed medications (Fann)
SB 1204 trusts and estates (Worsley)
SB 1253 game and fish; licenses; fees (Griffin)
SB 1294 tax corrections act of 2018 (Farnsworth, D.)
SB 1401 ignition interlock device; installer; manufacturer (Worsley)
SB 1405 corporate income tax allocation; sales (Fann)
SB 1422 universities; tuition and fees (Griffin)

SB 1499 community facilities districts; directors (Smith)
SB 1502 ignition interlock device; incarceration credits (Smith)
SB 1518 department of child safety; reports (Brophy McGee)

Sincerely,

A handwritten signature in black ink that reads "Douglas A. Ducey". The signature is written in a cursive style with a large, prominent initial "D".

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

Senate Engrossed

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
Senate
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 109

SENATE BILL 1502

AN ACT

AMENDING SECTION 28-3319, ARIZONA REVISED STATUTES; RELATING TO IGNITION INTERLOCK DEVICE REQUIREMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-3319, Arizona Revised Statutes, is amended to
3 read:

4 28-3319. Action after license suspension, revocation or
5 denial for driving under the influence or refusal
6 of test; ignition interlock device requirement;
7 definition

8 A. If, pursuant to section 28-1321, 28-1381, 28-1382, 28-1383,
9 28-3320 or 28-3322, the license of a driver or the driving privilege of a
10 nonresident is suspended or revoked, the department shall not terminate
11 the suspension or revocation or issue a special ignition interlock
12 restricted driver license, if applicable, pursuant to chapter 4, article
13 3.1 of this title until the person provides proof of financial
14 responsibility pursuant to chapter 9, article 3 of this title.

15 B. If, pursuant to section 28-1321, 28-1381, 28-1382, 28-1383,
16 28-3320 or 28-3322, an unlicensed resident is denied a license or permit
17 to operate a motor vehicle, the department shall not issue a license or
18 permit until the person provides proof of financial responsibility
19 pursuant to chapter 9, article 3 of this title.

20 C. If a person whose license or driving privilege is suspended or
21 revoked pursuant to section 28-1321, 28-1381, 28-1382, 28-1383 or 28-1385
22 is ordered, pursuant to section 28-1381, 28-1382, 28-1383 or 28-1385, to
23 attend alcohol or other drug screening, education or treatment, the
24 department shall not either:

25 1. Terminate the suspension or issue a special ignition interlock
26 restricted driver license, if applicable, pursuant to chapter 4, article
27 3.1 of this title until the person provides proof from the treatment
28 facility that the person has completed or is participating satisfactorily
29 in alcohol or other drug screening, education or treatment.

30 2. Issue a new license or a special ignition interlock restricted
31 driver license, if applicable, pursuant to chapter 4, article 3.1 of this
32 title to operate a motor vehicle after the revocation until the person
33 provides proof from the facility that the person has completed the court
34 ordered program.

35 D. On receipt of a report of conviction from a court for a
36 violation that involved intoxicating liquor or that specifically requires
37 the installation of a certified ignition interlock device, the department
38 shall require any motor vehicle the convicted person operates to be
39 equipped with a functioning certified ignition interlock device and the
40 convicted person to meet the requirements prescribed in section 28-1461 as
41 follows:

42 1. For twelve months if:

43 (a) Except as provided in subsection G of this section, the person
44 is convicted of a violation of section 28-1381, section 28-1382,

1 subsection A, paragraph 1 or section 28-1383, subsection A, paragraph 3,
2 subdivision (a).

3 (b) The department determines that within a period of eighty-four
4 months the person is convicted of a second or subsequent violation of
5 section 28-1381 or section 28-1382, subsection A, paragraph 1 with a prior
6 conviction of a violation of section 28-1381, 28-1382 or 28-1383 or an act
7 in another jurisdiction that if committed in this state would be a
8 violation of section 28-1381, 28-1382 or 28-1383.

9 2. For eighteen months if the person is convicted of a violation of
10 section 28-1382, subsection A, paragraph 2.

11 3. For twenty-four months if:

12 (a) The person is convicted of a violation of section 28-1382,
13 subsection A, paragraph 2 and the department determines that within a
14 period of eighty-four months the person has a prior conviction of a
15 violation of section 28-1381, 28-1382 or 28-1383 or an act in another
16 jurisdiction that if committed in this state would be a violation of
17 section 28-1381, 28-1382 or 28-1383.

18 (b) The person is convicted of a violation of section 28-1383,
19 subsection A, paragraph 1, 2 or 4 or paragraph 3, subdivision (b).

20 E. The requirement prescribed in subsection D of this section
21 begins on the date of reinstatement of the person's driving privilege
22 following a suspension or revocation or on the date of the department's
23 receipt of the report of conviction, whichever occurs later.

24 F. A person who is required to equip a motor vehicle with a
25 certified ignition interlock device pursuant to this section shall comply
26 with chapter 4, article 5 of this title.

27 G. The department shall defer the remainder of the time period
28 prescribed in subsection D, paragraph 1, subdivision (a) of this section
29 commencing with the later of six months from the date the interlock was
30 installed or the completion of the requirements of this subsection if all
31 of the following apply:

32 1. The person is sentenced pursuant to section 28-1381,
33 subsection I.

34 2. The person successfully completes an alcohol education program
35 consisting of at least sixteen hours pursuant to section 28-1381.

36 3. The person has maintained a functioning ignition interlock
37 device on all motor vehicles the person operates and has met the
38 requirements of section 28-1461.

39 4. The person has not attempted to operate a vehicle with an
40 alcohol concentration of 0.08 or more two or more times during the period
41 of license restriction or limitation.

42 5. At the time of the offense, the person was not involved in a
43 motor vehicle accident that resulted in physical injury or property
44 damage.

1 6. All necessary compliance information has been provided to the
2 department by the ignition interlock device provider, the alcohol
3 screening program and the alcohol education program.

4 H. The deferment pursuant to subsection G of this section is
5 permanent, unless the person is arrested for a violation of section
6 28-1381, 28-1382 or 28-1383 that occurs during the period of the
7 deferment. If the person is arrested as described in this subsection, the
8 department shall revoke the deferment and require the person to complete
9 the remainder of the time period prescribed in subsection D, paragraph 1,
10 subdivision (a) of this section.

11 I. NOTWITHSTANDING ANY OTHER LAW, THE DEPARTMENT SHALL REDUCE THE
12 LENGTH OF TIME THAT A PERSON IS REQUIRED TO HAVE A FUNCTIONING CERTIFIED
13 IGNITION INTERLOCK DEVICE INSTALLED IN A MOTOR VEHICLE PURSUANT TO
14 SUBSECTION D OF THIS SECTION BY THE LENGTH OF TIME THAT THE PERSON IS
15 INCARCERATED IN A JAIL OR PRISON FACILITY FOR A VIOLATION OF SECTION
16 28-1381 OR 28-1383 THAT DID NOT INVOLVE INTOXICATING LIQUOR.

17 J. For the purposes of this section, "certified ignition
18 interlock device" has the same meaning prescribed in section 28-1301.

APPROVED BY THE GOVERNOR MARCH 29, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 29, 2018

Passed the House March 22, 2018,

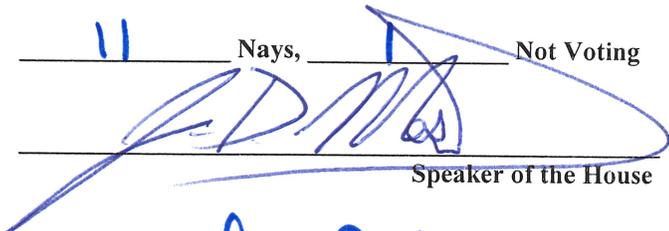
Passed the Senate March 1, 2018,

by the following vote: 48 Ayes,

by the following vote: 29 Ayes,

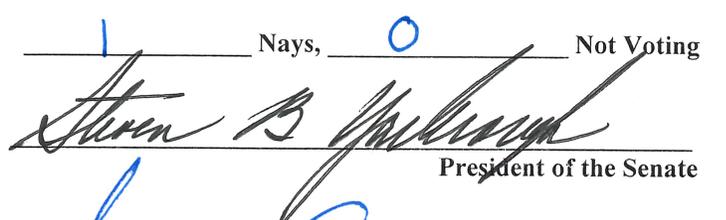
11 Nays, 1 Not Voting

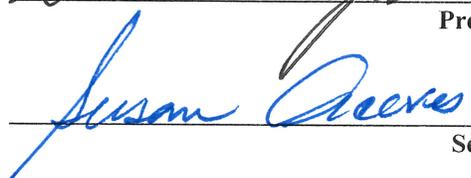
1 Nays, 0 Not Voting



Speaker of the House


Chief Clerk of the House



President of the Senate


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

26th day of March, 2018

at 2:00 o'clock P. M.



Secretary to the Governor

Approved this 29th day of

March, 2018,

at 11:01 o'clock A. M.



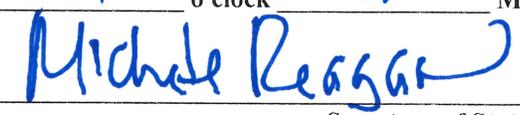
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 29 day of March, 2018,

at 3:04 o'clock P. M.



Secretary of State

S.B. 1502