



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

May 16, 2018

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

Dear Secretary Reagan:

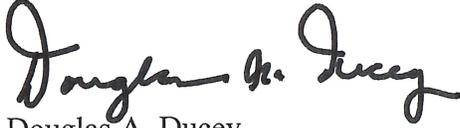
I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on May 16, 2018:

- HB 2088 pupils; concussions; parental notification (Carter)
- HB 2197 health professionals; workforce data (Carter)
- HB 2209 internet protocol; corporation commission (Grantham)
- HB 2212 firearm possession; peace officers; definition (Thorpe)
- HB 2235 dental therapy; regulation; licensure (Thorpe)
- HB 2253 schools; exchange teachers; employment duration (Carter)
- HB 2307 scrap vehicles; sales (Campbell)
- HB 2310 underground storage tanks; reimbursement claims (Bowers)
- HB 2324 community health workers; voluntary certification (Carter)
- HB 2356 juvenile court; jurisdiction; age (Bowers)
- HB 2383 HOV lanes; emergency vehicles (Clodfelter)
- HB 2384 unlawful flight; vehicle impoundment (Clodfelter)
- HB 2414 state employee health plan; incentives (Kern)
- HB 2416 appropriation; study; prime contracting classification (Cobb)
- HB 2422 personal delivery devices (Townsend)
- HB 2455 commercial vehicles definition; driver licenses (Cook)
- HB 2510 auto dealers; task force; fund (John)

HB 2520 schools; reading requirement (Coleman)
HB 2522 traffic violations; penalties (Syms)
HB 2526 career technical education districts (Clodfelter)
HB 2527 ticket surcharge; public safety equipment (Clodfelter)
HB 2529 assisted living; referrals; disclosure (Campbell)
HB 2532 occupational regulation; municipalities; counties; hearings (Payne)
HB 2534 teachers; certification requirements (Carter)
HB 2538 U.S. House vacancy; special election (Coleman)
HB 2564 court fees; EORP; state contribution (Livingston)
HB 2589 department of gaming omnibus (Cook)
HB 2596 property taxes; procedures; abatement (Toma)
HB 2648 ballot measures; paid circulator definition (Leach)
HB 2649 public meetings; recordings; posting; definition (Grantham)
HB 2650 commercial license; defensive driving school (Toma)
HB 2651 landlord tenant; security deposits (Toma)
HB 2652 electric bicycles; definition; use (Allen, J.)
HB 2653 expenditure limitation; waiver of penalties (Cobb)
HB 2654 illegal substances education; partnership (Thorpe)
HB 2655 real estate licenses; online classes (Mosley)
HB 2656 electronic wills and trusts (Leach)
HB 2657 interscholastic activities; health dangers; information (Carter)
SB 1039 appropriation; Arizona water protection fund (Griffin)
SB 1140 certificates of authority; video service (Griffin)
SB 1167 merit council; law enforcement qualifications (Griffin)
SB 1181 corporation commission; railway safety inspectors (Griffin)
SB 1245 appropriation; SNAP; benefit match; produce (Brophy McGee)
SB 1254 school district consolidation (Allen, S.)
SB 1271 construction liability; apportionment; study (Fann)
SB 1273 administrative proceedings; rules; contested cases (Petersen)
SB 1293 department of revenue; administrative efficiency (Farnsworth, D.)
SB 1296 government communications; emergency response interpreters (Bowie)
SB 1398 unemployment; return-to-work program; suitable work (Smith)
SB 1409 TPT; prime contracting; alteration; replacement (Fann)
SB 1476 county sheriff; reentry planning; appropriation (Gray)
SB 1478 employer contributions; EORP (Fann)
SB 1496 prisoners; drug sentences; out-of-custody treatment (Smith)
SB 1498 AZPOST; membership; training; AMBER alert (Smith)

SB 1504 developmental disability rates; appropriation (Smith)

Sincerely,

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

Douglas A. Ducey
Governor
State of Arizona

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

Senate Engrossed House Bill

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 308

HOUSE BILL 2510

AN ACT

AMENDING SECTION 28-4501, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 10, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 28-4504 AND 28-4505; AMENDING SECTION 28-6991, ARIZONA REVISED STATUTES; RELATING TO MOTOR VEHICLE DEALERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 28-4501, Arizona Revised Statutes, is amended to
3 read:

4 28-4501. Licensed or unlicensed dealer and automotive
5 recycler; civil penalty; transaction privilege
6 taxes

7 A. Notwithstanding the suspension authorized by section 28-4500, if
8 the director finds that a person is in violation of the licensing
9 provisions of this chapter, after a hearing conducted pursuant to section
10 28-4496, 28-4498, 28-4499 or 28-4500, the director:

11 1. May impose a civil penalty of at least one thousand dollars but
12 not more than three thousand dollars per violation.

13 2. Shall require that the person pay all transaction privilege
14 taxes on motor vehicle sales that were conducted in violation of this
15 chapter.

16 B. The person shall pay the civil penalty imposed pursuant to this
17 section to the department no later than thirty days after the order is
18 final. If the person fails to pay the civil penalty within thirty days
19 after the order is final, the director shall file an action in the
20 superior court in the county in which the hearing is held to collect the
21 civil penalty.

22 C. THE DIRECTOR SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
23 35-147, ALL CIVIL PENALTIES COLLECTED PURSUANT TO THIS SECTION THAT RESULT
24 FROM LICENSED OR UNLICENSED MOTOR VEHICLE DEALER ACTIVITY IN THE MOTOR
25 VEHICLE DEALER ENFORCEMENT FUND ESTABLISHED BY SECTION 28-4504.

26 Sec. 2. Title 28, chapter 10, article 6, Arizona Revised Statutes,
27 is amended by adding sections 28-4504 and 28-4505, to read:

28 28-4504. Motor vehicle dealer enforcement fund

29 THE MOTOR VEHICLE DEALER ENFORCEMENT FUND IS ESTABLISHED CONSISTING
30 OF CIVIL PENALTIES COLLECTED PURSUANT TO SECTION 28-4501 THAT RESULT FROM
31 LICENSED OR UNLICENSED MOTOR VEHICLE DEALER ACTIVITY. THE DEPARTMENT
32 SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE
33 APPROPRIATIONS. THE DIRECTOR SHALL DEPOSIT ALL UNEXPENDED AND
34 UNENCUMBERED MONIES IN THE FUND EXCEEDING TWO HUNDRED FIFTY THOUSAND
35 DOLLARS AT THE END OF EACH FISCAL YEAR IN THE STATE HIGHWAY FUND
36 ESTABLISHED BY SECTION 28-6991.

37 28-4505. Unlicensed motor vehicle dealer enforcement task
38 force; report; task force termination

39 A. THE UNLICENSED MOTOR VEHICLE DEALER ENFORCEMENT TASK FORCE IS
40 ESTABLISHED IN THE DEPARTMENT OF TRANSPORTATION AND CONSISTS OF THE
41 FOLLOWING MEMBERS:

42 1. THREE MEMBERS FROM THE DEPARTMENT OF TRANSPORTATION WHO ARE
43 APPOINTED BY THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION.

1 2. THREE MEMBERS FROM THE DEPARTMENT OF REVENUE WHO ARE APPOINTED
2 BY THE DIRECTOR OF THE DEPARTMENT OF REVENUE.

3 3. THREE MEMBERS WHO REPRESENT AN INDEPENDENT AUTOMOBILE DEALERS'
4 ASSOCIATION IN THIS STATE AND WHO ARE APPOINTED BY THE DIRECTOR OF THE
5 DEPARTMENT OF TRANSPORTATION.

6 B. THE UNLICENSED MOTOR VEHICLE DEALER ENFORCEMENT TASK FORCE
7 SHALL:

8 1. MEET AT LEAST QUARTERLY TO REVIEW UNLICENSED MOTOR VEHICLE
9 DEALER ENFORCEMENT ACTIVITIES IN THIS STATE.

10 2. SUBMIT A REPORT TO THE DIRECTOR OF THE DEPARTMENT OF
11 TRANSPORTATION AT LEAST QUARTERLY THAT CONTAINS THE STATUS OF THE TASK
12 FORCE'S FINDINGS AND PROVIDE A COPY OF THIS REPORT TO THE SECRETARY OF
13 STATE.

14 C. THE TASK FORCE ESTABLISHED BY THIS SECTION ENDS ON JULY 1, 2026
15 PURSUANT TO SECTION 41-3103.

16 Sec. 3. Section 28-6991, Arizona Revised Statutes, is amended to
17 read:

18 28-6991. State highway fund; sources

19 A state highway fund is established that consists of:

20 1. Monies distributed from the Arizona highway user revenue fund
21 pursuant to chapter 18 of this title.

22 2. Monies appropriated by the legislature.

23 3. Monies received from donations for the construction, improvement
24 or maintenance of state highways or bridges. These monies shall be
25 credited to a special account and shall be spent only for the purpose
26 indicated by the donor.

27 4. Monies received from counties under cooperative agreements,
28 including proceeds from bond issues. The state treasurer shall deposit
29 these monies to the credit of the fund in a special account on delivery to
30 the treasurer of a concise written agreement between the department and
31 the county stating the purposes for which the monies are surrendered by
32 the county, and these monies shall be spent only as stated in the
33 agreement.

34 5. Monies received from the United States under an act of Congress
35 to provide aid for the construction of rural post roads, but monies
36 received on projects for which the monies necessary to be provided by this
37 state are wholly derived from sources mentioned in paragraphs 2 and 3 of
38 this section shall be allotted by the department and deposited by the
39 state treasurer in the special account within the fund established for
40 each project. On completion of the project, on the satisfaction and
41 discharge in full of all obligations of any kind created and on request of
42 the department, the treasurer shall transfer the unexpended balance in the
43 special account for the project into the state highway fund, and the
44 unexpended balance and any further federal aid thereafter received on

- 1 account of the project may be spent under the general provisions of this
2 title.
- 3 6. Monies in the custody of an officer or agent of this state from
4 any source that is to be used for the construction, improvement or
5 maintenance of state highways or bridges.
- 6 7. Monies deposited in the state general fund and arising from the
7 disposal of state personal property belonging to the department.
- 8 8. Receipts from the sale or disposal of any or all other property
9 held by the department and purchased with state highway monies.
- 10 9. Monies generated pursuant to section 28-410.
- 11 10. Monies distributed pursuant to section 28-5808, subsection B,
12 paragraph 2, subdivision (d).
- 13 11. Monies deposited pursuant to sections 28-1143, 28-2353 and
14 28-3003.
- 15 12. Except as provided in section 28-5101, the following monies:
- 16 (a) Monies deposited pursuant to section 28-2206 and section
17 28-5808, subsection B, paragraph 2, subdivision (e).
- 18 (b) One dollar of each registration fee and one dollar of each
19 title fee collected pursuant to section 28-2003.
- 20 (c) Two dollars of each late registration penalty collected by the
21 director pursuant to section 28-2162.
- 22 (d) The air quality compliance fee collected pursuant to section
23 49-542.
- 24 (e) The special plate administration fees collected pursuant to
25 sections 28-2404, 28-2407, 28-2412 through 28-2416, 28-2416.01, 28-2417
26 through 28-2462 and 28-2514.
- 27 (f) Monies collected pursuant to sections 28-372, 28-2155 and
28 28-2156 if the director is the registering officer.
- 29 13. Monies deposited pursuant to chapter 5, article 5 of this
30 title.
- 31 14. Donations received pursuant to section 28-2269.
- 32 15. Dealer and registration monies collected pursuant to section
33 28-4304.
- 34 16. Abandoned vehicle administration monies deposited pursuant to
35 section 28-4804.
- 36 17. Monies deposited pursuant to section 28-710, subsection D,
37 paragraph 2.
- 38 18. Monies deposited pursuant to section 28-2065.
- 39 19. Monies deposited pursuant to section 28-7311.
- 40 20. Monies deposited pursuant to section 28-7059.
- 41 21. Monies deposited pursuant to section 28-1105.
- 42 22. Monies deposited pursuant to section 28-2448, subsection D.
- 43 23. Monies deposited pursuant to section 28-3415.

- 1 24. Monies deposited pursuant to section 28-3002, subsection A,
- 2 paragraph 14.
- 3 25. Monies deposited pursuant to section 28-7316.
- 4 26. Monies deposited pursuant to section 28-4302.
- 5 27. MONIES DEPOSITED PURSUANT TO SECTION 28-4504.

APPROVED BY THE GOVERNOR MAY 16, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 16, 2018

Passed the House February 21, 20 18

Passed the Senate April 12, 20 18

by the following vote: 54 Ayes,

by the following vote: 24 Ayes,

5 Nays, 1 Not Voting

5 Nays, 1 Not Voting


Speaker of the House


President of the Senate

Pro Tempore

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

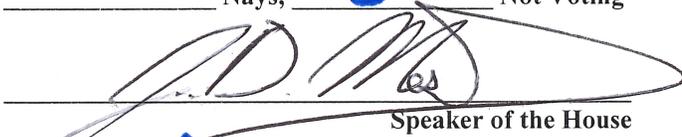
H.B. 2510

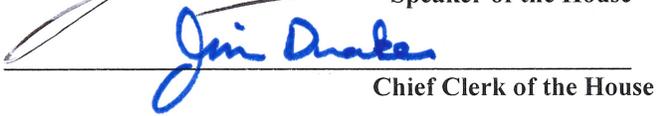
HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 30, 2018,

by the following vote: 47 Ayes,

10 Nays, 3 Not Voting

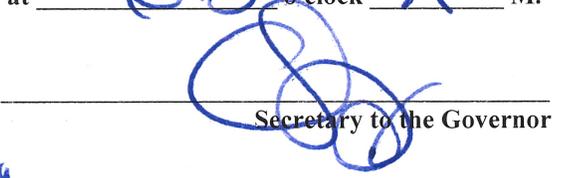

Speaker of the House


Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
18 day of May, 2018

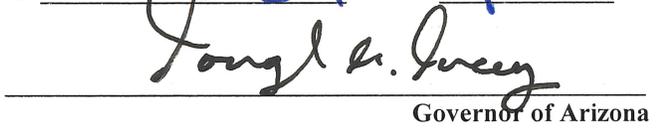
at 8:13 o'clock A M.


Secretary to the Governor

Approved this 16th day of

May, 2018,

at 2:04 o'clock P. M.

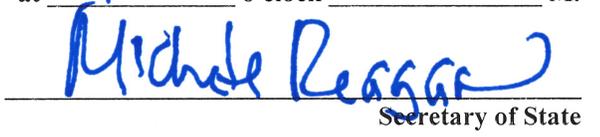

Governor of Arizona

H.B. 2510

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 16 day of May, 2018,

at 4:29 o'clock P. M.


Secretary of State