



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, 7<sup>th</sup> Floor  
Phoenix, AZ 85007

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2<sup>nd</sup> 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

Conference Engrossed

**FILED**

**MICHELE REAGAN**

**SECRETARY OF STATE**

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

**CHAPTER 310**  
**HOUSE BILL 2522**

AN ACT

AMENDING SECTIONS 28-672, 28-675 AND 28-676, ARIZONA REVISED STATUTES;  
RELATING TO TRAFFIC VIOLATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 28-672, Arizona Revised Statutes, is amended to  
3 read:

4 28-672. Causing serious physical injury or death by a moving  
5 violation; time limitation; penalties; violation;  
6 classification; definition

7 A. A person is guilty of causing serious physical injury or death  
8 by a moving violation if the person violates any one of the following and  
9 the violation results in an accident causing serious physical injury or  
10 death to another person:

- 11 1. Section 28-645, subsection A, paragraph 3, subdivision (a).
- 12 2. Section 28-729.
- 13 3. Section 28-771.
- 14 4. Section 28-772.
- 15 5. Section 28-773.
- 16 6. Section 28-792.
- 17 7. Section 28-794.
- 18 8. Section 28-797, subsection F, G, H or I.
- 19 9. Section 28-855, subsection B.
- 20 10. Section 28-857, subsection A.

21 B. A person who violates this section shall attend and successfully  
22 complete traffic survival school educational sessions that are designed to  
23 improve the safety and habits of drivers and that are approved by the  
24 department. In addition, the court may order the person to perform  
25 community restitution.

26 C. The court shall report a conviction for a violation of this  
27 section to the department and:

28 1. For a first violation of this section, may direct the department  
29 to suspend the person's driving privilege for not more than ~~ninety~~ ONE  
30 HUNDRED EIGHTY days if the violation results in serious physical injury  
31 and not more than one ~~hundred eighty days~~ YEAR if the violation results in  
32 death.

33 2. For a second or subsequent violation of this section within a  
34 period of thirty-six months, shall direct the department to suspend the  
35 person's driving privilege for ~~ninety~~ ONE HUNDRED EIGHTY days if the  
36 violation results in serious physical injury and one ~~hundred eighty days~~  
37 YEAR if the violation results in death.

38 D. If a person's driving privilege is suspended pursuant to any  
39 other statute because of an incident involving a violation of this  
40 section, the suspension period prescribed in subsection C of this section  
41 shall run ~~concurrently~~ CONSECUTIVELY with the other suspension period.

42 E. If a person fails to successfully complete traffic survival  
43 school educational sessions or perform community restitution pursuant to  
44 this section, the court shall notify the department and the department  
45 shall promptly suspend the driver license or permit of the driver or the

1 privilege of a nonresident to drive a motor vehicle in this state until  
2 the order is satisfied.

3 F. If the person who suffers serious physical injury as a result of  
4 a violation of this section appears before the court in which the action  
5 is pending at any time before trial and acknowledges receipt of  
6 satisfaction for the injury, on payment of the costs incurred, the court  
7 shall order that the prosecution be dismissed and the defendant be  
8 discharged. The reasons for the order shall be set forth and entered of  
9 record, and the order shall be a bar to another prosecution for the same  
10 offense.

11 G. Restitution awarded pursuant to section 13-603 as a result of a  
12 violation of this section shall not exceed ~~ten~~ ONE HUNDRED thousand  
13 dollars.

14 H. A prosecution for a violation of this section must be commenced  
15 within two years after actual discovery of the offense by the state or the  
16 political subdivision having jurisdiction or discovery by the state or the  
17 political subdivision that should have occurred with the exercise of  
18 reasonable diligence, whichever first occurs.

19 I. A person who violates this section is guilty of a class ~~3~~ 1  
20 misdemeanor, ~~except that if the violation results in the death of another~~  
21 ~~person the maximum fine for the person shall be one thousand dollars.~~

22 J. For the purposes of this section, "serious physical injury" has  
23 the same meaning prescribed in section 13-105.

24 Sec. 2. Section 28-675, Arizona Revised Statutes, is amended to  
25 read:

26 28-675. Causing death by use of a vehicle; violation;  
27 classification

28 A. A person is guilty of causing death by use of a vehicle if all  
29 of the following apply:

30 1. The person is not allowed to operate a motor vehicle pursuant to  
31 subsection B of this section.

32 2. While operating a motor vehicle, the person causes the death of  
33 another person.

34 3. The person commits a violation of any of the following:

35 (a) Section 28-645, subsection A, paragraph 3, subdivision (a).

36 (b) Section 28-729.

37 (c) Section 28-771.

38 (d) Section 28-772.

39 (e) Section 28-773.

40 (f) Section 28-792.

41 (g) Section 28-794.

42 (h) Section 28-797, subsection F, G, H or I.

43 (i) Section 28-855, subsection B.

44 (j) Section 28-857, subsection A.

1 B. For the purposes of this section, a person shall not operate a  
2 motor vehicle if any of the following applies:  
3 1. The person's driving privilege is revoked for any reason.  
4 2. The person's driving privilege is suspended for any reason  
5 pursuant to chapter 4, article 3 of this title.  
6 3. The person's driving privilege is suspended pursuant to section  
7 28-1321.  
8 4. The person's driving privilege is suspended pursuant to the  
9 department's action based on a previous conviction for a violation of  
10 section 28-3473.  
11 5. The person's driving privilege is suspended pursuant to section  
12 28-3306, subsection A.  
13 6. The person's driving privilege is suspended pursuant to section  
14 28-3308 and the person has had one or more previous suspensions pursuant  
15 to that section.  
16 7. The person does one of the following to obtain a driver license:  
17 (a) Knowingly uses a false or fictitious name.  
18 (b) Knowingly makes a false statement.  
19 (c) Knowingly conceals a material fact.  
20 (d) Commits fraud.  
21 (e) Violates section 28-3479.  
22 8. The person does not have a valid driver license and a proper  
23 endorsement, if required, as prescribed by chapter 8 of this title and the  
24 person is not exempt pursuant to chapter 8 of this title.  
25 9. THE PERSON'S DRIVING PRIVILEGE IS SUSPENDED PURSUANT TO SECTION  
26 28-4141 FOR FAILURE TO PROVIDE PROOF OF FINANCIAL RESPONSIBILITY REQUIRED  
27 BY SECTION 28-3319 FOR A VIOLATION OF CHAPTER 4, ARTICLE 3 OF THIS TITLE.  
28 C. THE SENTENCE IMPOSED ON A PERSON FOR A CONVICTION UNDER THIS  
29 SECTION SHALL RUN CONSECUTIVELY TO ANY SENTENCE IMPOSED ON THE PERSON FOR  
30 OTHER CONVICTIONS ON ANY OTHER CHARGE RELATED TO THE ACCIDENT.  
31 D. RESTITUTION SHALL BE AWARDED PURSUANT TO SECTION 13-603 AS A  
32 RESULT OF A VIOLATION OF THIS SECTION.  
33 E. THE DEPARTMENT SHALL REVOKE THE LICENSE OR PERMIT TO DRIVE AND  
34 ANY NONRESIDENT OPERATING PRIVILEGE OF A PERSON WHO IS CONVICTED OF A  
35 VIOLATION OF THIS SECTION FOR ONE YEAR, NOT INCLUDING ANY TIME THAT THE  
36 PERSON IS INCARCERATED.  
37 ~~E.~~ F. Causing death by use of a vehicle is a class 4 felony EXCEPT  
38 THAT CAUSING DEATH BY USE OF A VEHICLE IS A CLASS 3 FELONY IF IT RESULTS  
39 FROM A VIOLATION OF SUBSECTION B, PARAGRAPH 2 OR 9 OF THIS SECTION.  
40 Sec. 3. Section 28-676, Arizona Revised Statutes, is amended to  
41 read:  
42 28-676. Causing serious physical injury by use of a vehicle;  
43 violation; classification  
44 A. A person is guilty of causing serious physical injury by use of  
45 a vehicle if all of the following apply:

- 1           1. The person is not allowed to operate a motor vehicle pursuant to  
2 subsection B of this section.
- 3           2. While operating a motor vehicle, the person causes serious  
4 physical injury as defined in section 13-105 to another person.
- 5           3. The person commits a violation of any of the following:  
6           (a) Section 28-645, subsection A, paragraph 3, subdivision (a).  
7           (b) Section 28-729.  
8           (c) Section 28-771.  
9           (d) Section 28-772.  
10          (e) Section 28-773.  
11          (f) Section 28-792.  
12          (g) Section 28-794.  
13          (h) Section 28-797, subsection F, G, H or I.  
14          (i) Section 28-855, subsection B.  
15          (j) Section 28-857, subsection A.
- 16          B. For the purposes of this section, a person shall not operate a  
17 motor vehicle if any of the following applies:  
18           1. The person's driving privilege is revoked for any reason.  
19           2. The person's driving privilege is suspended for any reason  
20 pursuant to chapter 4, article 3 of this title.  
21           3. The person's driving privilege is suspended pursuant to section  
22 28-1321.  
23           4. The person's driving privilege is suspended pursuant to the  
24 department's action based on a previous conviction for a violation of  
25 section 28-3473.  
26           5. The person's driving privilege is suspended pursuant to section  
27 28-3306, subsection A.  
28           6. The person's driving privilege is suspended pursuant to section  
29 28-3308 and the person has had one or more previous suspensions pursuant  
30 to that section.  
31           7. The person does one of the following to obtain a driver license:  
32           (a) Knowingly uses a false or fictitious name.  
33           (b) Knowingly makes a false statement.  
34           (c) Knowingly conceals a material fact.  
35           (d) Commits fraud.  
36           (e) Violates section 28-3479.
- 37           8. The person does not have a valid driver license and a proper  
38 endorsement, if required, as prescribed by chapter 8 of this title and the  
39 person is not exempt pursuant to chapter 8 of this title.
- 40           9. THE PERSON'S DRIVING PRIVILEGE IS SUSPENDED PURSUANT TO SECTION  
41 28-4141 FOR FAILURE TO PROVIDE PROOF OF FINANCIAL RESPONSIBILITY REQUIRED  
42 BY SECTION 28-3319 FOR A VIOLATION OF CHAPTER 4, ARTICLE 3 OF THIS TITLE.
- 43           C. THE SENTENCE IMPOSED ON A PERSON FOR A CONVICTION UNDER THIS  
44 SECTION SHALL RUN CONSECUTIVELY TO ANY SENTENCE IMPOSED ON THE PERSON FOR  
45 OTHER CONVICTIONS ON ANY OTHER CHARGE RELATED TO THE ACCIDENT.

1 D. RESTITUTION SHALL BE AWARDED PURSUANT TO SECTION 13-603 AS A  
2 RESULT OF A VIOLATION OF THIS SECTION.

3 E. THE DEPARTMENT SHALL REVOKE THE LICENSE OR PERMIT TO DRIVE AND  
4 ANY NONRESIDENT OPERATING PRIVILEGE OF A PERSON WHO IS CONVICTED OF A  
5 VIOLATION OF THIS SECTION FOR ONE YEAR, NOT INCLUDING ANY TIME THAT THE  
6 PERSON IS INCARCERATED.

7 ~~E.~~ F. Causing serious physical injury by use of a vehicle is a  
8 class 5 felony.

**APPROVED BY THE GOVERNOR MAY 16, 2018**

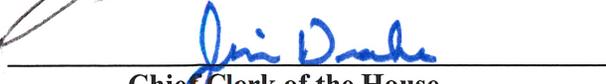
**FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 16, 2018**

Passed the House February 20, 2018

by the following vote: 54 Ayes,

5 Nays, 1 Not Voting

  
Speaker of the House  
 Pro Tempore

  
Chief Clerk of the House

Passed the Senate March 29, 2018

by the following vote: 27 Ayes,

3 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

\_\_\_\_\_ 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. 2522

HOUSE FINAL PASSAGE  
as per Joint Conference

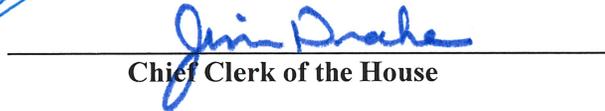
Passed the House April 19, 20 18

by the following vote: 46 Ayes,

12 Nays, 2 Not Voting



Speaker of the House  Pro Tempore

  
Chief Clerk of the House

SENATE FINAL PASSAGE  
as per Joint Conference

Passed the Senate May 3, 20 18

by the following vote: 23 Ayes,

5 Nays, 2 Not Voting



President of the Senate

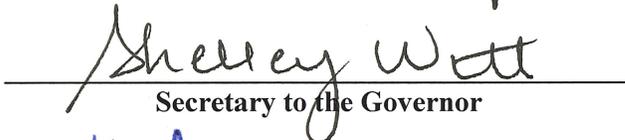
  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

3<sup>rd</sup> day of May, 20 18

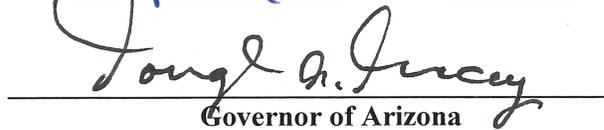
at 5:36 o'clock P M.

  
Secretary to the Governor

Approved this 16<sup>th</sup> day of

May 2018

at 1:46 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 16 day of May, 20 18

at 4:29 o'clock P. M.

  
Secretary of State