



STATE OF ARIZONA  
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY  
GOVERNOR

EXECUTIVE OFFICE

April 22, 2019

The Honorable Katie Hobbs  
Secretary of State  
1700 W. Washington, 7<sup>th</sup> Floor  
Phoenix, AZ 85007

Dear Secretary Hobbs:

I am transmitting to you the following bills from the Fifty-fourth Legislature, 1st Regular Session, which I signed on April 22nd, 2019:

H.B. 2318 texting while driving; prohibition; enforcement (Campbell)  
H.B. 2674 insurance; exceptions; guaranteed asset protection (Weninger)  
H.B. 2704 underground storage tanks; process (Toma)  
S.B. 1048 community colleges; admissions criteria (Carter)  
S.B. 1073 school district consolidations (S. Allen)  
S.B. 1159 fire districts; financial reports; alternatives (Borelli)  
S.B. 1250 protective orders; sexual assault (Steele)  
S.B. 1340 ABOR; university scholarships; report (Carter)  
S.B. 1398 miniature scooters; electric standup scooters (Pace)

Sincerely,

Douglas A. Ducey  
Governor  
State of Arizona

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

House Engrossed Senate Bill

**FILED**

**KATIE HOBBS**

**SECRETARY OF STATE**

State of Arizona  
Senate  
Fifty-fourth Legislature  
First Regular Session  
2019

**CHAPTER 120**

**SENATE BILL 1398**

AN ACT

AMENDING SECTION 28-101, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 9, SECTION 1, CHAPTER 163, SECTION 1, CHAPTER 166, SECTION 1, CHAPTER 306, SECTION 1, AND CHAPTER 324, SECTION 1; AMENDING SECTION 28-101, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 306, SECTION 2; AMENDING SECTION 28-101, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 9, SECTION 1, CHAPTER 163, SECTION 1, CHAPTER 166, SECTION 1, CHAPTER 298, SECTION 3, CHAPTER 306, SECTION 1 AND CHAPTER 324, SECTION 1; AMENDING SECTION 28-627, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 306, SECTION 3; AMENDING SECTION 28-627, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 306, SECTION 4; AMENDING SECTION 28-819, ARIZONA REVISED STATUTES; RELATING TO MODES OF TRANSPORTATION.

(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, as amended by  
3 Laws 2018, chapter 9, section 1, chapter 163, section 1, chapter 166,  
4 section 1, chapter 306, section 1 and chapter 324, section 1, is amended  
5 to read:

6 28-101. Definitions

7 In this title, unless the context otherwise requires:

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

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

12 (a) The number of grams of alcohol per one hundred milliliters of  
13 blood.

14 (b) The number of grams of alcohol per two hundred ten liters of  
15 breath.

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

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

18 (i) Is designed primarily for recreational nonhighway all-terrain  
19 travel.

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

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

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

24 (v) Is operated on a public highway.

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

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

29 (ii) Is eighty or fewer inches in width.

30 (iii) Has an unladen weight of two thousand five hundred pounds or  
31 less.

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

33 (v) Has a steering wheel for steering control.

34 (vi) Has a rollover protective structure.

35 (vii) Has an occupant retention system.

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

37 (a) A fire department vehicle.

38 (b) A police vehicle.

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

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

1           5. "Autocycle" means a three-wheeled motorcycle on which the driver  
2 and passengers ride in a fully or partially enclosed seating area that is  
3 equipped with a roll cage, safety belts for each occupant and antilock  
4 brakes and that is designed to be controlled with a steering wheel and  
5 pedals.

6           6. "Aviation fuel" means all flammable liquids composed of a  
7 mixture of selected hydrocarbons expressly manufactured and blended for  
8 the purpose of effectively and efficiently operating an internal  
9 combustion engine for use in an aircraft but does not include fuel for jet  
10 or turbine powered aircraft.

11           7. "Bicycle" means a device, including a racing wheelchair, that is  
12 propelled by human power and on which a person may ride and that has  
13 either:

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

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

18           8. "Board" means the transportation board.

19           9. "Bus" means a motor vehicle designed for carrying sixteen or  
20 more passengers, including the driver.

21           10. "Business district" means the territory contiguous to and  
22 including a highway if there are buildings in use for business or  
23 industrial purposes within any six hundred feet along the highway,  
24 including hotels, banks or office buildings, railroad stations and public  
25 buildings that occupy at least three hundred feet of frontage on one side  
26 or three hundred feet collectively on both sides of the highway.

27           11. "Certificate of ownership" means a paper or an electronic  
28 record that is issued in another state or a foreign jurisdiction and that  
29 indicates ownership of a vehicle.

30           12. "Certificate of title" means a paper document or an electronic  
31 record that is issued by the department and that indicates ownership of a  
32 vehicle.

33           13. "Combination of vehicles" means a truck or truck tractor and  
34 semitrailer and any trailer that it tows but does not include a forklift  
35 designed for the purpose of loading or unloading the truck, trailer or  
36 semitrailer.

37           14. "Controlled substance" means a substance so classified under  
38 section 102(6) of the controlled substances act (21 United States Code  
39 section 802(6)) and includes all substances listed in schedules I through  
40 V of 21 Code of Federal Regulations part 1308.

41           15. "Conviction" means:

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

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

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

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

5 16. "County highway" means a public road that is constructed and  
6 maintained by a county.

7 17. "Dealer" means a person who is engaged in the business of  
8 buying, selling or exchanging motor vehicles, trailers or semitrailers and  
9 who has an established place of business and has paid fees pursuant to  
10 section 28-4302.

11 18. "Department" means the department of transportation acting  
12 directly or through its duly authorized officers and agents.

13 19. "Digital network or software application" has the same meaning  
14 prescribed in section 28-9551.

15 20. "Director" means the director of the department of  
16 transportation.

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

19 22. "Driver" means a person who drives or is in actual physical  
20 control of a vehicle.

21 23. "Driver license" means a license that is issued by a state to  
22 an individual and that authorizes the individual to drive a motor vehicle.

23 24. "Electric bicycle" means a bicycle or tricycle that is equipped  
24 with fully operable pedals and an electric motor of less than seven  
25 hundred fifty watts and that meets the requirements of one of the  
26 following classes:

27 (a) "Class 1 electric bicycle" means a bicycle or tricycle that is  
28 equipped with an electric motor that provides assistance only when the  
29 rider is pedaling and that ceases to provide assistance when the bicycle  
30 or tricycle reaches the speed of twenty miles per hour.

31 (b) "Class 2 electric bicycle" means a bicycle or tricycle that is  
32 equipped with an electric motor that may be used exclusively to propel the  
33 bicycle or tricycle and that is not capable of providing assistance when  
34 the bicycle or tricycle reaches the speed of twenty miles per hour.

35 (c) "Class 3 electric bicycle" means a bicycle or tricycle that is  
36 equipped with an electric motor that provides assistance only when the  
37 rider is pedaling and that ceases to provide assistance when the bicycle  
38 or tricycle reaches the speed of twenty-eight miles per hour.

39 25. "ELECTRIC MINIATURE SCOOTER" MEANS A DEVICE THAT:

40 (a) WEIGHS LESS THAN THIRTY POUNDS.

41 (b) HAS TWO OR THREE WHEELS.

42 (c) HAS HANDLEBARS.

43 (d) HAS A FLOORBOARD ON WHICH A PERSON MAY STAND WHILE RIDING.

44 (e) IS POWERED BY AN ELECTRIC MOTOR OR HUMAN POWER, OR BOTH.

1 (f) HAS A MAXIMUM SPEED THAT DOES NOT EXCEED TEN MILES PER HOUR,  
2 WITH OR WITHOUT HUMAN PROPULSION, ON A PAVED LEVEL SURFACE.

3 ~~25.~~ 26. "Electric personal assistive mobility device" means a  
4 self-balancing device with one wheel or two nontandem wheels and an  
5 electric propulsion system that limits the maximum speed of the device to  
6 fifteen miles per hour or less and that is designed to transport only one  
7 person.

8 27. "ELECTRIC STANDUP SCOOTER":

9 (a) MEANS A DEVICE THAT:

10 (i) WEIGHS LESS THAN SEVENTY-FIVE POUNDS.

11 (ii) HAS TWO OR THREE WHEELS.

12 (iii) HAS HANDLEBARS.

13 (iv) HAS A FLOORBOARD ON WHICH A PERSON MAY STAND WHILE RIDING.

14 (v) IS POWERED BY AN ELECTRIC MOTOR OR HUMAN POWER, OR BOTH.

15 (vi) HAS A MAXIMUM SPEED THAT DOES NOT EXCEED TWENTY MILES PER  
16 HOUR, WITH OR WITHOUT HUMAN PROPULSION, ON A PAVED LEVEL SURFACE.

17 (b) DOES NOT INCLUDE AN ELECTRIC MINIATURE SCOOTER.

18 ~~26.~~ 28. "Evidence" includes both of the following:

19 (a) A display on a wireless communication device of a  
20 department-generated driver license, nonoperating identification license,  
21 vehicle registration card or other official record of the department that  
22 is presented to a law enforcement officer or in a court or an  
23 administrative proceeding.

24 (b) An electronic or digital license plate authorized pursuant to  
25 section 28-364.

26 ~~27.~~ 29. "Farm" means any lands primarily used for agriculture  
27 production.

28 ~~28.~~ 30. "Farm tractor" means a motor vehicle designed and used  
29 primarily as a farm implement for drawing implements of husbandry.

30 ~~29.~~ 31. "Foreign vehicle" means a motor vehicle, trailer or  
31 semitrailer that is brought into this state other than in the ordinary  
32 course of business by or through a manufacturer or dealer and that has not  
33 been registered in this state.

34 ~~30.~~ 32. "Golf cart" means a motor vehicle that has not less than  
35 three wheels in contact with the ground, that has an unladen weight of  
36 less than one thousand eight hundred pounds, that is designed to be and is  
37 operated at not more than twenty-five miles per hour and that is designed  
38 to carry not more than four persons including the driver.

39 ~~31.~~ 33. "Hazardous material" means a material, and its mixtures or  
40 solutions, that the United States department of transportation determines  
41 under 49 Code of Federal Regulations is, or any quantity of a material  
42 listed as a select agent or toxin under 42 Code of Federal Regulations  
43 part 73 that is, capable of posing an unreasonable risk to health, safety  
44 and property if transported in commerce and that is required to be

1 placarded or marked as required by the department's safety rules  
2 prescribed pursuant to chapter 14 of this title.

3 ~~32.~~ 34. "Implement of husbandry" means a vehicle that is designed  
4 primarily for agricultural purposes and that is used exclusively in the  
5 conduct of agricultural operations, including an implement or vehicle  
6 whether self-propelled or otherwise that meets both of the following  
7 conditions:

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

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

15 ~~33.~~ 35. "Limousine" means a motor vehicle providing prearranged  
16 ground transportation service for an individual passenger, or a group of  
17 passengers, that is arranged in advance or is operated on a regular route  
18 or between specified points and includes ground transportation under a  
19 contract or agreement for services that includes a fixed rate or time and  
20 is provided in a motor vehicle with a seating capacity not exceeding  
21 fifteen passengers including the driver.

22 ~~34.~~ 36. "Livery vehicle" means a motor vehicle that:

23 (a) Has a seating capacity not exceeding fifteen passengers  
24 including the driver.

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

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

29 (d) May do any of the following:

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

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

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

35 ~~35.~~ 37. "Local authority" means any county, municipal or other  
36 local board or body exercising jurisdiction over highways under the  
37 constitution and laws of this state.

38 ~~36.~~ 38. "Manufacturer" means a person engaged in the business of  
39 manufacturing motor vehicles, trailers or semitrailers.

40 ~~37.~~ 39. "Moped" means a bicycle, not including an electric  
41 bicycle, AN ELECTRIC MINIATURE SCOOTER OR AN ELECTRIC STANDUP SCOOTER,  
42 that is equipped with a helper motor if the vehicle has a maximum piston  
43 displacement of fifty cubic centimeters or less, a brake horsepower of one  
44 and one-half or less and a maximum speed of twenty-five miles per hour or  
45 less on a flat surface with less than a one percent grade.

1           ~~38.~~ 40. "Motorcycle" means a motor vehicle that has a seat or  
2 saddle for the use of the rider and that is designed to travel on not more  
3 than three wheels in contact with the ground but excludes a tractor, an  
4 electric bicycle, AN ELECTRIC MINIATURE SCOOTER, AN ELECTRIC STANDUP  
5 SCOOTER and a moped.

6           ~~39.~~ 41. "Motor driven cycle" means a motorcycle, including every  
7 motor scooter, with a motor that produces not more than five horsepower  
8 but does not include an electric bicycle, AN ELECTRIC MINIATURE SCOOTER OR  
9 AN ELECTRIC STANDUP SCOOTER.

10          ~~40.~~ 42. "Motorized quadricycle" means a self-propelled motor  
11 vehicle to which all of the following apply:

12           (a) The vehicle is self-propelled by an emission-free electric  
13 motor and may include pedals operated by the passengers.

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

16           (c) The vehicle seats at least eight passengers, including the  
17 driver.

18           (d) The vehicle is operable on a flat surface using solely the  
19 electric motor without assistance from the pedals or passengers.

20           (e) The vehicle is a commercial motor vehicle as defined in section  
21 28-5201.

22           (f) The vehicle is a limousine operating under a vehicle for hire  
23 company permit issued pursuant to section 28-9503.

24           (g) The vehicle is manufactured by a motor vehicle manufacturer  
25 that is licensed pursuant to chapter 10 of this title.

26           (h) The vehicle complies with the definition and standards for  
27 low-speed vehicles set forth in federal motor vehicle safety standard 500  
28 and 49 Code of Federal Regulations sections 571.3(b) and 571.500,  
29 respectively.

30          ~~41.~~ 43. "Motor vehicle":

31           (a) Means either:

32           (i) A self-propelled vehicle.

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

36           (b) Does not include a personal delivery device, a motorized  
37 wheelchair, an electric personal assistive mobility device, an electric  
38 bicycle, AN ELECTRIC MINIATURE SCOOTER, AN ELECTRIC STANDUP SCOOTER or a  
39 motorized skateboard. For the purposes of this subdivision:

40           (i) "Motorized skateboard" means a self-propelled device THAT DOES  
41 NOT HAVE HANDLEBARS AND that has a motor, a deck on which a person may  
42 ride and at least two tandem wheels in contact with the ground.

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

1       ~~42.~~ 44. "Motor vehicle fuel" includes all products that are  
2 commonly or commercially known or sold as gasoline, including casinghead  
3 gasoline, natural gasoline and all flammable liquids, and that are  
4 composed of a mixture of selected hydrocarbons expressly manufactured and  
5 blended for the purpose of effectively and efficiently operating internal  
6 combustion engines. Motor vehicle fuel does not include inflammable  
7 liquids that are specifically manufactured for racing motor vehicles and  
8 that are distributed for and used by racing motor vehicles at a racetrack,  
9 use fuel as defined in section 28-5601, aviation fuel, fuel for jet or  
10 turbine powered aircraft or the mixture created at the interface of two  
11 different substances being transported through a pipeline, commonly known  
12 as transmix.

13       ~~43.~~ 45. "Neighborhood electric vehicle" means a self-propelled  
14 electrically powered motor vehicle to which all of the following apply:

15       (a) The vehicle is emission free.

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

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

22       ~~44.~~ 46. "Nonresident" means a person who is not a resident of this  
23 state as defined in section 28-2001.

24       ~~45.~~ 47. "Off-road recreational motor vehicle" means a motor  
25 vehicle that is designed primarily for recreational nonhighway all-terrain  
26 travel and that is not operated on a public highway. Off-road  
27 recreational motor vehicle does not mean a motor vehicle used for  
28 construction, building trade, mining or agricultural purposes.

29       ~~46.~~ 48. "Operator" means a person who drives a motor vehicle on a  
30 highway, who is in actual physical control of a motor vehicle on a highway  
31 or who is exercising control over or steering a vehicle being towed by a  
32 motor vehicle.

33       ~~47.~~ 49. "Owner" means:

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

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

39       (c) If a mortgagor of a vehicle is entitled to possession of the  
40 vehicle, the mortgagor.

41       ~~48.~~ 50. "Pedestrian" means any person afoot. A person who uses an  
42 electric personal assistive mobility device or a manual or motorized  
43 wheelchair is considered a pedestrian unless the manual wheelchair  
44 qualifies as a bicycle. For the purposes of this paragraph, "motorized

1 wheelchair" means a self-propelled wheelchair that is used by a person for  
2 mobility.

3 ~~49.~~ 51. "Personal delivery device" means an electronically powered  
4 device that:

5 (a) Is operated primarily on sidewalks and within crosswalks and  
6 that is designed to transport property.

7 (b) Weighs less than two hundred pounds, excluding cargo, unless  
8 otherwise authorized by a local authority pursuant to section 28-627.

9 (c) Operates at a maximum speed of seven miles per hour, unless  
10 otherwise authorized by a local authority pursuant to section 28-627.

11 (d) Is equipped with technology to allow for the operation of the  
12 device with or without the active control or monitoring of a natural  
13 person.

14 (e) Is equipped with a braking system that when active or engaged  
15 enables the personal delivery device to come to a controlled stop.

16 ~~50.~~ 52. "Power sweeper" means an implement, with or without motive  
17 power, that is only incidentally operated or moved on a street or highway  
18 and that is designed for the removal of debris, dirt, gravel, litter or  
19 sand whether by broom, vacuum or regenerative air system from asphaltic  
20 concrete or cement concrete surfaces, including parking lots, highways,  
21 streets and warehouses, and a vehicle on which the implement is  
22 permanently mounted.

23 ~~51.~~ 53. "Public transit" means the transportation of passengers on  
24 scheduled routes by means of a conveyance on an individual passenger  
25 fare-paying basis excluding transportation by a sightseeing bus, school  
26 bus or taxi or a vehicle not operated on a scheduled route basis.

27 ~~52.~~ 54. "Reconstructed vehicle" means a vehicle that has been  
28 assembled or constructed largely by means of essential parts, new or used,  
29 derived from vehicles or makes of vehicles of various names, models and  
30 types or that, if originally otherwise constructed, has been materially  
31 altered by the removal of essential parts or by the addition or  
32 substitution of essential parts, new or used, derived from other vehicles  
33 or makes of vehicles. For the purposes of this paragraph, "essential  
34 parts" means integral and body parts, the removal, alteration or  
35 substitution of which will tend to conceal the identity or substantially  
36 alter the appearance of the vehicle.

37 ~~53.~~ 55. "Residence district" means the territory contiguous to and  
38 including a highway not comprising a business district if the property on  
39 the highway for a distance of three hundred feet or more is in the main  
40 improved with residences or residences and buildings in use for business.

41 ~~54.~~ 56. "Right-of-way" when used within the context of the  
42 regulation of the movement of traffic on a highway means the privilege of  
43 the immediate use of the highway. Right-of-way when used within the  
44 context of the real property on which transportation facilities and

1 appurtenances to the facilities are constructed or maintained means the  
2 lands or interest in lands within the right-of-way boundaries.

3 ~~55.~~ 57. "School bus" means a motor vehicle that is designed for  
4 carrying more than ten passengers and that is either:

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

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

11 ~~56.~~ 58. "Semitrailer" means a vehicle that is with or without  
12 motive power, other than a pole trailer or single-axle tow dolly, that is  
13 designed for carrying persons or property and for being drawn by a motor  
14 vehicle and that is constructed so that some part of its weight and that  
15 of its load rests on or is carried by another vehicle. For the purposes  
16 of this paragraph, "pole trailer" has the same meaning prescribed in  
17 section 28-601.

18 ~~57.~~ 59. "Single-axle tow dolly" means a nonvehicle device that is  
19 drawn by a motor vehicle, that is designed and used exclusively to  
20 transport another motor vehicle and on which the front or rear wheels of  
21 the drawn motor vehicle are mounted on the tow dolly while the other  
22 wheels of the drawn motor vehicle remain in contact with the ground.

23 ~~58.~~ 60. "State" means a state of the United States and the  
24 District of Columbia.

25 ~~59.~~ 61. "State highway" means a state route or portion of a state  
26 route that is accepted and designated by the board as a state highway and  
27 that is maintained by the state.

28 ~~60.~~ 62. "State route" means a right-of-way whether actually used  
29 as a highway or not that is designated by the board as a location for the  
30 construction of a state highway.

31 ~~61.~~ 63. "Street" or "highway" means the entire width between the  
32 boundary lines of every way if a part of the way is open to the use of the  
33 public for purposes of vehicular travel.

34 ~~62.~~ 64. "Taxi" means a motor vehicle that has a seating capacity  
35 not exceeding fifteen passengers, including the driver, that provides  
36 passenger services and that:

37 (a) Does not primarily operate on a regular route or between  
38 specified places.

39 (b) Offers local transportation for a fare determined on the basis  
40 of the distance traveled or prearranged ground transportation service as  
41 defined in section 28-141 for a predetermined fare.

42 ~~63.~~ 65. "Title transfer form" means a paper or an electronic form  
43 that is prescribed by the department for the purpose of transferring a  
44 certificate of title from one owner to another owner.

1           ~~64.~~ 66. "Traffic survival school" means a school that offers  
2 educational sessions to drivers who are required to attend and  
3 successfully complete educational sessions pursuant to this title that are  
4 designed to improve the safety and habits of drivers and that are approved  
5 by the department.

6           ~~65.~~ 67. "Trailer" means a vehicle that is with or without motive  
7 power, other than a pole trailer or single-axle tow dolly, that is  
8 designed for carrying persons or property and for being drawn by a motor  
9 vehicle and that is constructed so that no part of its weight rests on the  
10 towing vehicle. A semitrailer equipped with an auxiliary front axle  
11 commonly known as a dolly is deemed to be a trailer. For the purposes of  
12 this paragraph, "pole trailer" has the same meaning prescribed in section  
13 28-601.

14           ~~66.~~ 68. "Transportation network company" has the same meaning  
15 prescribed in section 28-9551.

16           ~~67.~~ 69. "Transportation network company vehicle" has the same  
17 meaning prescribed in section 28-9551.

18           ~~68.~~ 70. "Transportation network service" has the same meaning  
19 prescribed in section 28-9551.

20           ~~69.~~ 71. "Truck" means a motor vehicle designed or used primarily  
21 for the carrying of property other than the effects of the driver or  
22 passengers and includes a motor vehicle to which has been added a box, a  
23 platform or other equipment for such carrying.

24           ~~70.~~ 72. "Truck tractor" means a motor vehicle that is designed and  
25 used primarily for drawing other vehicles and that is not constructed to  
26 carry a load other than a part of the weight of the vehicle and load  
27 drawn.

28           ~~71.~~ 73. "Vehicle":

29           (a) Means a device in, on or by which a person or property is or  
30 may be transported or drawn on a public highway.

31           (b) Does not include:

32           (i) Electric bicycles, ELECTRIC MINIATURE SCOOTERS, ELECTRIC  
33 STANDUP SCOOTERS and devices moved by human power.

34           (ii) Devices used exclusively on stationary rails or tracks.

35           (iii) Personal delivery devices.

36           ~~72.~~ 74. "Vehicle transporter" means either:

37           (a) A truck tractor capable of carrying a load and drawing a  
38 semitrailer.

39           (b) A truck tractor with a stinger-steered fifth wheel capable of  
40 carrying a load and drawing a semitrailer or a truck tractor with a dolly  
41 mounted fifth wheel that is securely fastened to the truck tractor at two  
42 or more points and that is capable of carrying a load and drawing a  
43 semitrailer.

1           Sec. 2. Section 28-101, Arizona Revised Statutes, as amended by  
2 Laws 2018, chapter 306, section 2, is amended to read:

3           28-101. Definitions

4           In this title, unless the context otherwise requires:

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

7           2. "Alcohol concentration" if expressed as a percentage means  
8 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) Is operated on a public highway.

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

24           (i) Is designed primarily for recreational nonhighway all-terrain  
25 travel.

26           (ii) Is sixty-five or fewer inches in width.

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

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

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

31           (a) A fire department vehicle.

32           (b) A police vehicle.

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

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

39           5. "Autocycle" means a three-wheeled motorcycle on which the driver  
40 and passengers ride in a fully or partially enclosed seating area that is  
41 equipped with a roll cage, safety belts for each occupant and antilock  
42 brakes and that is designed to be controlled with a steering wheel and  
43 pedals.

44           6. "Aviation fuel" means all flammable liquids composed of a  
45 mixture of selected hydrocarbons expressly manufactured and blended for

1 the purpose of effectively and efficiently operating an internal  
2 combustion engine for use in an aircraft but does not include fuel for jet  
3 or turbine powered aircraft.

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

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

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

11 8. "Board" means the transportation board.

12 9. "Bus" means a motor vehicle designed for carrying sixteen or  
13 more passengers, including the driver.

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

20 11. "Certificate of ownership" means a paper or an electronic  
21 record that is issued in another state or a foreign jurisdiction and that  
22 indicates ownership of a vehicle.

23 12. "Certificate of title" means a paper document or an electronic  
24 record that is issued by the department and that indicates ownership of a  
25 vehicle.

26 13. "Combination of vehicles" means a truck or truck tractor and  
27 semitrailer and any trailer that it tows but does not include a forklift  
28 designed for the purpose of loading or unloading the truck, trailer or  
29 semitrailer.

30 14. "Controlled substance" means a substance so classified under  
31 section 102(6) of the controlled substances act (21 United States Code  
32 section 802(6)) and includes all substances listed in schedules I through  
33 V of 21 Code of Federal Regulations part 1308.

34 15. "Conviction" means:

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

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

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

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

42 16. "County highway" means a public road that is constructed and  
43 maintained by a county.

44 17. "Dealer" means a person who is engaged in the business of  
45 buying, selling or exchanging motor vehicles, trailers or semitrailers and

1 who has an established place of business and has paid fees pursuant to  
2 section 28-4302.

3 18. "Department" means the department of transportation acting  
4 directly or through its duly authorized officers and agents.

5 19. "Digital network or software application" has the same meaning  
6 prescribed in section 28-9551.

7 20. "Director" means the director of the department of  
8 transportation.

9 21. "Drive" means to operate or be in actual physical control of a  
10 motor vehicle.

11 22. "Driver" means a person who drives or is in actual physical  
12 control of a vehicle.

13 23. "Driver license" means a license that is issued by a state to  
14 an individual and that authorizes the individual to drive a motor vehicle.

15 24. "ELECTRIC BICYCLE" MEANS A BICYCLE OR TRICYCLE THAT IS EQUIPPED  
16 WITH FULLY OPERABLE PEDALS AND AN ELECTRIC MOTOR OF LESS THAN SEVEN  
17 HUNDRED FIFTY WATTS AND THAT MEETS THE REQUIREMENTS OF ONE OF THE  
18 FOLLOWING CLASSES:

19 (a) "CLASS 1 ELECTRIC BICYCLE" MEANS A BICYCLE OR TRICYCLE THAT IS  
20 EQUIPPED WITH AN ELECTRIC MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE  
21 RIDER IS PEDALING AND THAT CEASES TO PROVIDE ASSISTANCE WHEN THE BICYCLE  
22 OR TRICYCLE REACHES THE SPEED OF TWENTY MILES PER HOUR.

23 (b) "CLASS 2 ELECTRIC BICYCLE" MEANS A BICYCLE OR TRICYCLE THAT IS  
24 EQUIPPED WITH AN ELECTRIC MOTOR THAT MAY BE USED EXCLUSIVELY TO PROPEL THE  
25 BICYCLE OR TRICYCLE AND THAT IS NOT CAPABLE OF PROVIDING ASSISTANCE WHEN  
26 THE BICYCLE OR TRICYCLE REACHES THE SPEED OF TWENTY MILES PER HOUR.

27 (c) "CLASS 3 ELECTRIC BICYCLE" MEANS A BICYCLE OR TRICYCLE THAT IS  
28 EQUIPPED WITH AN ELECTRIC MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE  
29 RIDER IS PEDALING AND THAT CEASES TO PROVIDE ASSISTANCE WHEN THE BICYCLE  
30 OR TRICYCLE REACHES THE SPEED OF TWENTY-EIGHT MILES PER HOUR.

31 25. "ELECTRIC MINIATURE SCOOTER" MEANS A DEVICE THAT:

32 (a) WEIGHS LESS THAN THIRTY POUNDS.

33 (b) HAS TWO OR THREE WHEELS.

34 (c) HAS HANDLEBARS.

35 (d) HAS A FLOORBOARD ON WHICH A PERSON MAY STAND WHILE RIDING.

36 (e) IS POWERED BY AN ELECTRIC MOTOR OR HUMAN POWER, OR BOTH.

37 (f) HAS A MAXIMUM SPEED THAT DOES NOT EXCEED TEN MILES PER HOUR,  
38 WITH OR WITHOUT HUMAN PROPULSION, ON A PAVED LEVEL SURFACE.

39 ~~24.~~ 26. "Electric personal assistive mobility device" means a  
40 self-balancing device with one wheel or two nontandem wheels and an  
41 electric propulsion system that limits the maximum speed of the device to  
42 fifteen miles per hour or less and that is designed to transport only one  
43 person.

- 1           27. "ELECTRIC STANDUP SCOOTER":  
2           (a) MEANS A DEVICE THAT:  
3           (i) WEIGHS LESS THAN SEVENTY-FIVE POUNDS.  
4           (ii) HAS TWO OR THREE WHEELS.  
5           (iii) HAS HANDLEBARS.  
6           (iv) HAS A FLOORBOARD ON WHICH A PERSON MAY STAND WHILE RIDING.  
7           (v) IS POWERED BY AN ELECTRIC MOTOR OR HUMAN POWER, OR BOTH.  
8           (vi) HAS A MAXIMUM SPEED THAT DOES NOT EXCEED TWENTY MILES PER  
9 HOUR, WITH OR WITHOUT HUMAN PROPULSION, ON A PAVED LEVEL SURFACE.  
10          (b) DOES NOT INCLUDE AN ELECTRIC MINIATURE SCOOTER.  
11          ~~25.~~ 28. "Farm" means any lands primarily used for agriculture  
12 production.  
13          ~~26.~~ 29. "Farm tractor" means a motor vehicle designed and used  
14 primarily as a farm implement for drawing implements of husbandry.  
15          ~~27.~~ 30. "Foreign vehicle" means a motor vehicle, trailer or  
16 semitrailer that is brought into this state other than in the ordinary  
17 course of business by or through a manufacturer or dealer and that has not  
18 been registered in this state.  
19          ~~28.~~ 31. "Golf cart" means a motor vehicle that has not less than  
20 three wheels in contact with the ground, that has an unladen weight of  
21 less than one thousand eight hundred pounds, that is designed to be and is  
22 operated at not more than twenty-five miles per hour and that is designed  
23 to carry not more than four persons including the driver.  
24          ~~29.~~ 32. "Hazardous material" means a material, and its mixtures or  
25 solutions, that the United States department of transportation determines  
26 under 49 Code of Federal Regulations is, or any quantity of a material  
27 listed as a select agent or toxin under 42 Code of Federal Regulations  
28 part 73 that is, capable of posing an unreasonable risk to health, safety  
29 and property if transported in commerce and that is required to be  
30 placarded or marked as required by the department's safety rules  
31 prescribed pursuant to chapter 14 of this title.  
32          ~~30.~~ 33. "Implement of husbandry" means a vehicle that is designed  
33 primarily for agricultural purposes and that is used exclusively in the  
34 conduct of agricultural operations, including an implement or vehicle  
35 whether self-propelled or otherwise that meets both of the following  
36 conditions:  
37           (a) Is used solely for agricultural purposes including the  
38 preparation or harvesting of cotton, alfalfa, grains and other farm crops.  
39           (b) Is only incidentally operated or moved on a highway whether as  
40 a trailer or self-propelled unit. For the purposes of this subdivision,  
41 "incidentally operated or moved on a highway" means travel between a farm  
42 and another part of the same farm, from one farm to another farm or  
43 between a farm and a place of repair, supply or storage.

1           ~~31.~~ 34. "Limousine" means a motor vehicle providing prearranged  
2 ground transportation service for an individual passenger, or a group of  
3 passengers, that is arranged in advance or is operated on a regular route  
4 or between specified points and includes ground transportation under a  
5 contract or agreement for services that includes a fixed rate or time and  
6 is provided in a motor vehicle with a seating capacity not exceeding  
7 fifteen passengers including the driver.

8           ~~32.~~ 35. "Livery vehicle" means a motor vehicle that:

9           (a) Has a seating capacity not exceeding fifteen passengers  
10 including the driver.

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

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

15           (d) May do any of the following:

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

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

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

21           ~~33.~~ 36. "Local authority" means any county, municipal or other  
22 local board or body exercising jurisdiction over highways under the  
23 constitution and laws of this state.

24           ~~34.~~ 37. "Manufacturer" means a person engaged in the business of  
25 manufacturing motor vehicles, trailers or semitrailers.

26           ~~35.~~ 38. "Moped" means a bicycle, NOT INCLUDING AN ELECTRIC  
27 BICYCLE, AN ELECTRIC MINIATURE SCOOTER OR AN ELECTRIC STANDUP SCOOTER,  
28 that is equipped with a helper motor if the vehicle has a maximum piston  
29 displacement of fifty cubic centimeters or less, a brake horsepower of one  
30 and one-half or less and a maximum speed of twenty-five miles per hour or  
31 less on a flat surface with less than a one percent grade.

32           ~~36.~~ 39. "Motorcycle" means a motor vehicle that has a seat or  
33 saddle for the use of the rider and that is designed to travel on not more  
34 than three wheels in contact with the ground but excludes a tractor, AN  
35 ELECTRIC BICYCLE, AN ELECTRIC MINIATURE SCOOTER, AN ELECTRIC STANDUP  
36 SCOOTER and a moped.

37           ~~37.~~ 40. "Motor driven cycle" means a motorcycle, including every  
38 motor scooter, with a motor that produces not more than five horsepower  
39 BUT DOES NOT INCLUDE AN ELECTRIC BICYCLE, AN ELECTRIC MINIATURE SCOOTER OR  
40 AN ELECTRIC STANDUP SCOOTER.

41           ~~38.~~ 41. "Motorized quadricycle" means a self-propelled motor  
42 vehicle to which all of the following apply:

43           (a) The vehicle is self-propelled by an emission-free electric  
44 motor and may include pedals operated by the passengers.

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

3 (c) The vehicle seats at least eight passengers, including the  
4 driver.

5 (d) The vehicle is operable on a flat surface using solely the  
6 electric motor without assistance from the pedals or passengers.

7 (e) The vehicle is a commercial motor vehicle as defined in section  
8 28-5201.

9 (f) The vehicle is a limousine operating under a vehicle for hire  
10 company permit issued pursuant to section 28-9503.

11 (g) The vehicle is manufactured by a motor vehicle manufacturer  
12 that is licensed pursuant to chapter 10 of this title.

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

17 ~~39.~~ 42. "Motor vehicle":

18 (a) Means either:

19 (i) A self-propelled vehicle.

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

23 (b) Does not include a motorized wheelchair, an electric personal  
24 assistive mobility device, AN ELECTRIC BICYCLE, AN ELECTRIC MINIATURE  
25 SCOOTER, AN ELECTRIC STANDUP SCOOTER or a motorized skateboard. For the  
26 purposes of this subdivision:

27 (i) "Motorized skateboard" means a self-propelled device THAT DOES  
28 NOT HAVE HANDLEBARS AND that has a motor, a deck on which a person may  
29 ride and at least two tandem wheels in contact with the ground.

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

32 ~~40.~~ 43. "Motor vehicle fuel" includes all products that are  
33 commonly or commercially known or sold as gasoline, including casinghead  
34 gasoline, natural gasoline and all flammable liquids, and that are  
35 composed of a mixture of selected hydrocarbons expressly manufactured and  
36 blended for the purpose of effectively and efficiently operating internal  
37 combustion engines. Motor vehicle fuel does not include inflammable  
38 liquids that are specifically manufactured for racing motor vehicles and  
39 that are distributed for and used by racing motor vehicles at a racetrack,  
40 use fuel as defined in section 28-5601, aviation fuel, fuel for jet or  
41 turbine powered aircraft or the mixture created at the interface of two  
42 different substances being transported through a pipeline, commonly known  
43 as transmix.

1       ~~41.~~ 44. "Neighborhood electric vehicle" means a self-propelled  
2 electrically powered motor vehicle to which all of the following apply:

3           (a) The vehicle is emission free.

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

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

10       ~~42.~~ 45. "Nonresident" means a person who is not a resident of this  
11 state as defined in section 28-2001.

12       ~~43.~~ 46. "Off-road recreational motor vehicle" means a motor  
13 vehicle that is designed primarily for recreational nonhighway all-terrain  
14 travel and that is not operated on a public highway. Off-road  
15 recreational motor vehicle does not mean a motor vehicle used for  
16 construction, building trade, mining or agricultural purposes.

17       ~~44.~~ 47. "Operator" means a person who drives a motor vehicle on a  
18 highway, who is in actual physical control of a motor vehicle on a highway  
19 or who is exercising control over or steering a vehicle being towed by a  
20 motor vehicle.

21       ~~45.~~ 48. "Owner" means:

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

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

27           (c) If a mortgagor of a vehicle is entitled to possession of the  
28 vehicle, the mortgagor.

29       ~~46.~~ 49. "Pedestrian" means any person afoot. A person who uses an  
30 electric personal assistive mobility device or a manual or motorized  
31 wheelchair is considered a pedestrian unless the manual wheelchair  
32 qualifies as a bicycle. For the purposes of this paragraph, "motorized  
33 wheelchair" means a self-propelled wheelchair that is used by a person for  
34 mobility.

35       ~~47.~~ 50. "Power sweeper" means an implement, with or without motive  
36 power, that is only incidentally operated or moved on a street or highway  
37 and that is designed for the removal of debris, dirt, gravel, litter or  
38 sand whether by broom, vacuum or regenerative air system from asphaltic  
39 concrete or cement concrete surfaces, including parking lots, highways,  
40 streets and warehouses, and a vehicle on which the implement is  
41 permanently mounted.

42       ~~48.~~ 51. "Public transit" means the transportation of passengers on  
43 scheduled routes by means of a conveyance on an individual passenger  
44 fare-paying basis excluding transportation by a sightseeing bus, school  
45 bus or taxi or a vehicle not operated on a scheduled route basis.

1           ~~49.~~ 52. "Reconstructed vehicle" means a vehicle that has been  
2 assembled or constructed largely by means of essential parts, new or used,  
3 derived from vehicles or makes of vehicles of various names, models and  
4 types or that, if originally otherwise constructed, has been materially  
5 altered by the removal of essential parts or by the addition or  
6 substitution of essential parts, new or used, derived from other vehicles  
7 or makes of vehicles. For the purposes of this paragraph, "essential  
8 parts" means integral and body parts, the removal, alteration or  
9 substitution of which will tend to conceal the identity or substantially  
10 alter the appearance of the vehicle.

11           ~~50.~~ 53. "Residence district" means the territory contiguous to and  
12 including a highway not comprising a business district if the property on  
13 the highway for a distance of three hundred feet or more is in the main  
14 improved with residences or residences and buildings in use for business.

15           ~~51.~~ 54. "Right-of-way" when used within the context of the  
16 regulation of the movement of traffic on a highway means the privilege of  
17 the immediate use of the highway. Right-of-way when used within the  
18 context of the real property on which transportation facilities and  
19 appurtenances to the facilities are constructed or maintained means the  
20 lands or interest in lands within the right-of-way boundaries.

21           ~~52.~~ 55. "School bus" means a motor vehicle that is designed for  
22 carrying more than ten passengers and that is either:

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

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

29           ~~53.~~ 56. "Semitrailer" means a vehicle that is with or without  
30 motive power, other than a pole trailer, that is designed for carrying  
31 persons or property and for being drawn by a motor vehicle and that is  
32 constructed so that some part of its weight and that of its load rests on  
33 or is carried by another vehicle. For the purposes of this paragraph,  
34 "pole trailer" has the same meaning prescribed in section 28-601.

35           ~~54.~~ 57. "State" means a state of the United States and the  
36 District of Columbia.

37           ~~55.~~ 58. "State highway" means a state route or portion of a state  
38 route that is accepted and designated by the board as a state highway and  
39 that is maintained by the state.

40           ~~56.~~ 59. "State route" means a right-of-way whether actually used  
41 as a highway or not that is designated by the board as a location for the  
42 construction of a state highway.

43           ~~57.~~ 60. "Street" or "highway" means the entire width between the  
44 boundary lines of every way if a part of the way is open to the use of the  
45 public for purposes of vehicular travel.

1           ~~58.~~ 61. "Taxi" means a motor vehicle that has a seating capacity  
2 not exceeding fifteen passengers, including the driver, that provides  
3 passenger services and that:

4           (a) Does not primarily operate on a regular route or between  
5 specified places.

6           (b) Offers local transportation for a fare determined on the basis  
7 of the distance traveled or prearranged ground transportation service as  
8 defined in section 28-141 for a predetermined fare.

9           ~~59.~~ 62. "Title transfer form" means a paper or an electronic form  
10 that is prescribed by the department for the purpose of transferring a  
11 certificate of title from one owner to another owner.

12           ~~60.~~ 63. "Traffic survival school" means a school that offers  
13 educational sessions to drivers who are required to attend and  
14 successfully complete educational sessions pursuant to this title that are  
15 designed to improve the safety and habits of drivers and that are approved  
16 by the department.

17           ~~61.~~ 64. "Trailer" means a vehicle that is with or without motive  
18 power, other than a pole trailer, that is designed for carrying persons or  
19 property and for being drawn by a motor vehicle and that is constructed so  
20 that no part of its weight rests on the towing vehicle. A semitrailer  
21 equipped with an auxiliary front axle commonly known as a dolly is deemed  
22 to be a trailer. For the purposes of this paragraph, "pole trailer" has  
23 the same meaning prescribed in section 28-601.

24           ~~62.~~ 65. "Transportation network company" has the same meaning  
25 prescribed in section 28-9551.

26           ~~63.~~ 66. "Transportation network company vehicle" has the same  
27 meaning prescribed in section 28-9551.

28           ~~64.~~ 67. "Transportation network service" has the same meaning  
29 prescribed in section 28-9551.

30           ~~65.~~ 68. "Truck" means a motor vehicle designed or used primarily  
31 for the carrying of property other than the effects of the driver or  
32 passengers and includes a motor vehicle to which has been added a box, a  
33 platform or other equipment for such carrying.

34           ~~66.~~ 69. "Truck tractor" means a motor vehicle that is designed and  
35 used primarily for drawing other vehicles and that is not constructed to  
36 carry a load other than a part of the weight of the vehicle and load  
37 drawn.

38           ~~67.~~ 70. "Vehicle":

39           (a) Means a device in, on or by which a person or property is or  
40 may be transported or drawn on a public highway.

41           (b) Does not include:

42           (i) ELECTRIC BICYCLES, ELECTRIC MINIATURE SCOOTERS, ELECTRIC  
43 STANDUP SCOOTERS AND devices moved by human power.

44           (ii) Devices used exclusively on stationary rails or tracks.

1           ~~68.~~ 71. "Vehicle transporter" means either:

2           (a) A truck tractor capable of carrying a load and drawing a  
3 semitrailer.

4           (b) A truck tractor with a stinger-steered fifth wheel capable of  
5 carrying a load and drawing a semitrailer or a truck tractor with a dolly  
6 mounted fifth wheel that is securely fastened to the truck tractor at two  
7 or more points and that is capable of carrying a load and drawing a  
8 semitrailer.

9           Sec. 3. Section 28-101, Arizona Revised Statutes, as amended by  
10 Laws 2018, chapter 9, section 1, chapter 163, section 1, chapter 166,  
11 section 1, chapter 298, section 3, chapter 306, section 1 and chapter 324,  
12 section 1, is amended to read:

13           28-101. Definitions

14           In this title, unless the context otherwise requires:

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

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

19           (a) The number of grams of alcohol per one hundred milliliters of  
20 blood.

21           (b) The number of grams of alcohol per two hundred ten liters of  
22 breath.

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

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

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

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

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

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

31           (v) Is operated on a public highway.

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

34           (i) Is designed primarily for recreational nonhighway all-terrain  
35 travel.

36           (ii) Is eighty or fewer inches in width.

37           (iii) Has an unladen weight of two thousand five hundred pounds or  
38 less.

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

40           (v) Has a steering wheel for steering control.

41           (vi) Has a rollover protective structure.

42           (vii) Has an occupant retention system.

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

44           (a) A fire department vehicle.

1 (b) A police vehicle.

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

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

8 5. "Autocycle" means a three-wheeled motorcycle on which the driver  
9 and passengers ride in a fully or partially enclosed seating area that is  
10 equipped with a roll cage, safety belts for each occupant and antilock  
11 brakes and that is designed to be controlled with a steering wheel and  
12 pedals.

13 6. "Automotive recycler" means a person that is engaged in the  
14 business of buying or acquiring a motor vehicle solely for the purpose of  
15 dismantling, selling or otherwise disposing of the parts or accessories  
16 and that removes parts for resale from six or more vehicles in a calendar  
17 year.

18 7. "Aviation fuel" means all flammable liquids composed of a  
19 mixture of selected hydrocarbons expressly manufactured and blended for  
20 the purpose of effectively and efficiently operating an internal  
21 combustion engine for use in an aircraft but does not include fuel for jet  
22 or turbine powered aircraft.

23 8. "Bicycle" means a device, including a racing wheelchair, that is  
24 propelled by human power and on which a person may ride and that has  
25 either:

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

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

30 9. "Board" means the transportation board.

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

33 11. "Business district" means the territory contiguous to and  
34 including a highway if there are buildings in use for business or  
35 industrial purposes within any six hundred feet along the highway,  
36 including hotels, banks or office buildings, railroad stations and public  
37 buildings that occupy at least three hundred feet of frontage on one side  
38 or three hundred feet collectively on both sides of the highway.

39 12. "Certificate of ownership" means a paper or an electronic  
40 record that is issued in another state or a foreign jurisdiction and that  
41 indicates ownership of a vehicle.

42 13. "Certificate of title" means a paper document or an electronic  
43 record that is issued by the department and that indicates ownership of a  
44 vehicle.

1           14. "Combination of vehicles" means a truck or truck tractor and  
2 semitrailer and any trailer that it tows but does not include a forklift  
3 designed for the purpose of loading or unloading the truck, trailer or  
4 semitrailer.

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

9           16. "Conviction" means:

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

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

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

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

17           17. "County highway" means a public road that is constructed and  
18 maintained by a county.

19           18. "Dealer" means a person who is engaged in the business of  
20 buying, selling or exchanging motor vehicles, trailers or semitrailers and  
21 who has an established place of business and has paid fees pursuant to  
22 section 28-4302.

23           19. "Department" means the department of transportation acting  
24 directly or through its duly authorized officers and agents.

25           20. "Digital network or software application" has the same meaning  
26 prescribed in section 28-9551.

27           21. "Director" means the director of the department of  
28 transportation.

29           22. "Drive" means to operate or be in actual physical control of a  
30 motor vehicle.

31           23. "Driver" means a person who drives or is in actual physical  
32 control of a vehicle.

33           24. "Driver license" means a license that is issued by a state to  
34 an individual and that authorizes the individual to drive a motor vehicle.

35           25. "Electric bicycle" means a bicycle or tricycle that is equipped  
36 with fully operable pedals and an electric motor of less than seven  
37 hundred fifty watts and that meets the requirements of one of the  
38 following classes:

39           (a) "Class 1 electric bicycle" means a bicycle or tricycle that is  
40 equipped with an electric motor that provides assistance only when the  
41 rider is pedaling and that ceases to provide assistance when the bicycle  
42 or tricycle reaches the speed of twenty miles per hour.

43           (b) "Class 2 electric bicycle" means a bicycle or tricycle that is  
44 equipped with an electric motor that may be used exclusively to propel the

1 bicycle or tricycle and that is not capable of providing assistance when  
2 the bicycle or tricycle reaches the speed of twenty miles per hour.

3 (c) "Class 3 electric bicycle" means a bicycle or tricycle that is  
4 equipped with an electric motor that provides assistance only when the  
5 rider is pedaling and that ceases to provide assistance when the bicycle  
6 or tricycle reaches the speed of twenty-eight miles per hour.

7 26. "ELECTRIC MINIATURE SCOOTER" MEANS A DEVICE THAT:

8 (a) WEIGHS LESS THAN THIRTY POUNDS.

9 (b) HAS TWO OR THREE WHEELS.

10 (c) HAS HANDLEBARS.

11 (d) HAS A FLOORBOARD ON WHICH A PERSON MAY STAND WHILE RIDING.

12 (e) IS POWERED BY AN ELECTRIC MOTOR OR HUMAN POWER, OR BOTH.

13 (f) HAS A MAXIMUM SPEED THAT DOES NOT EXCEED TEN MILES PER HOUR,  
14 WITH OR WITHOUT HUMAN PROPULSION, ON A PAVED LEVEL SURFACE.

15 ~~26.~~ 27. "Electric personal assistive mobility device" means a  
16 self-balancing device with one wheel or two nontandem wheels and an  
17 electric propulsion system that limits the maximum speed of the device to  
18 fifteen miles per hour or less and that is designed to transport only one  
19 person.

20 28. "ELECTRIC STANDUP SCOOTER":

21 (a) MEANS A DEVICE THAT:

22 (i) WEIGHS LESS THAN SEVENTY-FIVE POUNDS.

23 (ii) HAS TWO OR THREE WHEELS.

24 (iii) HAS HANDLEBARS.

25 (iv) HAS A FLOORBOARD ON WHICH A PERSON MAY STAND WHILE RIDING.

26 (v) IS POWERED BY AN ELECTRIC MOTOR OR HUMAN POWER, OR BOTH.

27 (vi) HAS A MAXIMUM SPEED THAT DOES NOT EXCEED TWENTY MILES PER  
28 HOUR, WITH OR WITHOUT HUMAN PROPULSION, ON A PAVED LEVEL SURFACE.

29 (b) DOES NOT INCLUDE AN ELECTRIC MINIATURE SCOOTER.

30 ~~27.~~ 29. "Evidence" includes both of the following:

31 (a) A display on a wireless communication device of a  
32 department-generated driver license, nonoperating identification license,  
33 vehicle registration card or other official record of the department that  
34 is presented to a law enforcement officer or in a court or an  
35 administrative proceeding.

36 (b) An electronic or digital license plate authorized pursuant to  
37 section 28-364.

38 ~~28.~~ 30. "Farm" means any lands primarily used for agriculture  
39 production.

40 ~~29.~~ 31. "Farm tractor" means a motor vehicle designed and used  
41 primarily as a farm implement for drawing implements of husbandry.

42 ~~30.~~ 32. "Foreign vehicle" means a motor vehicle, trailer or  
43 semitrailer that is brought into this state other than in the ordinary  
44 course of business by or through a manufacturer or dealer and that has not  
45 been registered in this state.

1           ~~31.~~ 33. "Golf cart" means a motor vehicle that has not less than  
2 three wheels in contact with the ground, that has an unladen weight of  
3 less than one thousand eight hundred pounds, that is designed to be and is  
4 operated at not more than twenty-five miles per hour and that is designed  
5 to carry not more than four persons including the driver.

6           ~~32.~~ 34. "Hazardous material" means a material, and its mixtures or  
7 solutions, that the United States department of transportation determines  
8 under 49 Code of Federal Regulations is, or any quantity of a material  
9 listed as a select agent or toxin under 42 Code of Federal Regulations  
10 part 73 that is, capable of posing an unreasonable risk to health, safety  
11 and property if transported in commerce and that is required to be  
12 placarded or marked as required by the department's safety rules  
13 prescribed pursuant to chapter 14 of this title.

14           ~~33.~~ 35. "Implement of husbandry" means a vehicle that is designed  
15 primarily for agricultural purposes and that is used exclusively in the  
16 conduct of agricultural operations, including an implement or vehicle  
17 whether self-propelled or otherwise that meets both of the following  
18 conditions:

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

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

26           ~~34.~~ 36. "Limousine" means a motor vehicle providing prearranged  
27 ground transportation service for an individual passenger, or a group of  
28 passengers, that is arranged in advance or is operated on a regular route  
29 or between specified points and includes ground transportation under a  
30 contract or agreement for services that includes a fixed rate or time and  
31 is provided in a motor vehicle with a seating capacity not exceeding  
32 fifteen passengers including the driver.

33           ~~35.~~ 37. "Livery vehicle" means a motor vehicle that:  
34           (a) Has a seating capacity not exceeding fifteen passengers  
35 including the driver.

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

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

40           (d) May do any of the following:

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

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

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

1           ~~36.~~ 38. "Local authority" means any county, municipal or other  
2 local board or body exercising jurisdiction over highways under the  
3 constitution and laws of this state.

4           ~~37.~~ 39. "Manufacturer" means a person engaged in the business of  
5 manufacturing motor vehicles, trailers or semitrailers.

6           ~~38.~~ 40. "Moped" means a bicycle, not including an electric  
7 bicycle, AN ELECTRIC MINIATURE SCOOTER OR AN ELECTRIC STANDUP SCOOTER,  
8 that is equipped with a helper motor if the vehicle has a maximum piston  
9 displacement of fifty cubic centimeters or less, a brake horsepower of one  
10 and one-half or less and a maximum speed of twenty-five miles per hour or  
11 less on a flat surface with less than a one percent grade.

12           ~~39.~~ 41. "Motorcycle" means a motor vehicle that has a seat or  
13 saddle for the use of the rider and that is designed to travel on not more  
14 than three wheels in contact with the ground but excludes a tractor, an  
15 electric bicycle, AN ELECTRIC MINIATURE SCOOTER, AN ELECTRIC STANDUP  
16 SCOOTER and a moped.

17           ~~40.~~ 42. "Motor driven cycle" means a motorcycle, including every  
18 motor scooter, with a motor that produces not more than five horsepower  
19 but does not include an electric bicycle, AN ELECTRIC MINIATURE SCOOTER OR  
20 AN ELECTRIC STANDUP SCOOTER.

21           ~~41.~~ 43. "Motorized quadricycle" means a self-propelled motor  
22 vehicle to which all of the following apply:

23           (a) The vehicle is self-propelled by an emission-free electric  
24 motor and may include pedals operated by the passengers.

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

27           (c) The vehicle seats at least eight passengers, including the  
28 driver.

29           (d) The vehicle is operable on a flat surface using solely the  
30 electric motor without assistance from the pedals or passengers.

31           (e) The vehicle is a commercial motor vehicle as defined in section  
32 28-5201.

33           (f) The vehicle is a limousine operating under a vehicle for hire  
34 company permit issued pursuant to section 28-9503.

35           (g) The vehicle is manufactured by a motor vehicle manufacturer  
36 that is licensed pursuant to chapter 10 of this title.

37           (h) The vehicle complies with the definition and standards for  
38 low-speed vehicles set forth in federal motor vehicle safety standard 500  
39 and 49 Code of Federal Regulations sections 571.3(b) and 571.500,  
40 respectively.

41           ~~42.~~ 44. "Motor vehicle":

42           (a) Means either:

43           (i) A self-propelled vehicle.

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

4 (b) Does not include a scrap vehicle, a personal delivery device, a  
5 motorized wheelchair, an electric personal assistive mobility device, an  
6 electric bicycle, AN ELECTRIC MINIATURE SCOOTER, AN ELECTRIC STANDUP  
7 SCOOTER or a motorized skateboard. For the purposes of this subdivision:

8 (i) "Motorized skateboard" means a self-propelled device THAT DOES  
9 NOT HAVE HANDLEBARS AND that has a motor, a deck on which a person may  
10 ride and at least two tandem wheels in contact with the ground.

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

13 ~~43.~~ 45. "Motor vehicle fuel" includes all products that are  
14 commonly or commercially known or sold as gasoline, including casinghead  
15 gasoline, natural gasoline and all flammable liquids, and that are  
16 composed of a mixture of selected hydrocarbons expressly manufactured and  
17 blended for the purpose of effectively and efficiently operating internal  
18 combustion engines. Motor vehicle fuel does not include inflammable  
19 liquids that are specifically manufactured for racing motor vehicles and  
20 that are distributed for and used by racing motor vehicles at a racetrack,  
21 use fuel as defined in section 28-5601, aviation fuel, fuel for jet or  
22 turbine powered aircraft or the mixture created at the interface of two  
23 different substances being transported through a pipeline, commonly known  
24 as transmix.

25 ~~44.~~ 46. "Neighborhood electric vehicle" means a self-propelled  
26 electrically powered motor vehicle to which all of the following apply:

27 (a) The vehicle is emission free.

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

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

34 ~~45.~~ 47. "Nonresident" means a person who is not a resident of this  
35 state as defined in section 28-2001.

36 ~~46.~~ 48. "Off-road recreational motor vehicle" means a motor  
37 vehicle that is designed primarily for recreational nonhighway all-terrain  
38 travel and that is not operated on a public highway. Off-road  
39 recreational motor vehicle does not mean a motor vehicle used for  
40 construction, building trade, mining or agricultural purposes.

41 ~~47.~~ 49. "Operator" means a person who drives a motor vehicle on a  
42 highway, who is in actual physical control of a motor vehicle on a highway  
43 or who is exercising control over or steering a vehicle being towed by a  
44 motor vehicle.

1           ~~48.~~ 50. "Owner" means:

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

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

7           (c) If a mortgagor of a vehicle is entitled to possession of the  
8 vehicle, the mortgagor.

9           ~~49.~~ 51. "Pedestrian" means any person afoot. A person who uses an  
10 electric personal assistive mobility device or a manual or motorized  
11 wheelchair is considered a pedestrian unless the manual wheelchair  
12 qualifies as a bicycle. For the purposes of this paragraph, "motorized  
13 wheelchair" means a self-propelled wheelchair that is used by a person for  
14 mobility.

15           ~~50.~~ 52. "Personal delivery device" means an electronically powered  
16 device that:

17           (a) Is operated primarily on sidewalks and within crosswalks and  
18 that is designed to transport property.

19           (b) Weighs less than two hundred pounds, excluding cargo, unless  
20 otherwise authorized by a local authority pursuant to section 28-627.

21           (c) Operates at a maximum speed of seven miles per hour, unless  
22 otherwise authorized by a local authority pursuant to section 28-627.

23           (d) Is equipped with technology to allow for the operation of the  
24 device with or without the active control or monitoring of a natural  
25 person.

26           (e) Is equipped with a braking system that when active or engaged  
27 enables the personal delivery device to come to a controlled stop.

28           ~~51.~~ 53. "Power sweeper" means an implement, with or without motive  
29 power, that is only incidentally operated or moved on a street or highway  
30 and that is designed for the removal of debris, dirt, gravel, litter or  
31 sand whether by broom, vacuum or regenerative air system from asphaltic  
32 concrete or cement concrete surfaces, including parking lots, highways,  
33 streets and warehouses, and a vehicle on which the implement is  
34 permanently mounted.

35           ~~52.~~ 54. "Public transit" means the transportation of passengers on  
36 scheduled routes by means of a conveyance on an individual passenger  
37 fare-paying basis excluding transportation by a sightseeing bus, school  
38 bus or taxi or a vehicle not operated on a scheduled route basis.

39           ~~53.~~ 55. "Reconstructed vehicle" means a vehicle that has been  
40 assembled or constructed largely by means of essential parts, new or used,  
41 derived from vehicles or makes of vehicles of various names, models and  
42 types or that, if originally otherwise constructed, has been materially  
43 altered by the removal of essential parts or by the addition or  
44 substitution of essential parts, new or used, derived from other vehicles  
45 or makes of vehicles. For the purposes of this paragraph, "essential

1 parts" means integral and body parts, the removal, alteration or  
2 substitution of which will tend to conceal the identity or substantially  
3 alter the appearance of the vehicle.

4 ~~54.~~ 56. "Residence district" means the territory contiguous to and  
5 including a highway not comprising a business district if the property on  
6 the highway for a distance of three hundred feet or more is in the main  
7 improved with residences or residences and buildings in use for business.

8 ~~55.~~ 57. "Right-of-way" when used within the context of the  
9 regulation of the movement of traffic on a highway means the privilege of  
10 the immediate use of the highway. Right-of-way when used within the  
11 context of the real property on which transportation facilities and  
12 appurtenances to the facilities are constructed or maintained means the  
13 lands or interest in lands within the right-of-way boundaries.

14 ~~56.~~ 58. "School bus" means a motor vehicle that is designed for  
15 carrying more than ten passengers and that is either:

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

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

22 ~~57.~~ 59. "Scrap metal dealer" has the same meaning prescribed in  
23 section 44-1641.

24 ~~58.~~ 60. "Scrap vehicle" has the same meaning prescribed in section  
25 44-1641.

26 ~~59.~~ 61. "Semitrailer" means a vehicle that is with or without  
27 motive power, other than a pole trailer or single-axle tow dolly, that is  
28 designed for carrying persons or property and for being drawn by a motor  
29 vehicle and that is constructed so that some part of its weight and that  
30 of its load rests on or is carried by another vehicle. For the purposes  
31 of this paragraph, "pole trailer" has the same meaning prescribed in  
32 section 28-601.

33 ~~60.~~ 62. "Single-axle tow dolly" means a nonvehicle device that is  
34 drawn by a motor vehicle, that is designed and used exclusively to  
35 transport another motor vehicle and on which the front or rear wheels of  
36 the drawn motor vehicle are mounted on the tow dolly while the other  
37 wheels of the drawn motor vehicle remain in contact with the ground.

38 ~~61.~~ 63. "State" means a state of the United States and the  
39 District of Columbia.

40 ~~62.~~ 64. "State highway" means a state route or portion of a state  
41 route that is accepted and designated by the board as a state highway and  
42 that is maintained by the state.

43 ~~63.~~ 65. "State route" means a right-of-way whether actually used  
44 as a highway or not that is designated by the board as a location for the  
45 construction of a state highway.

1           ~~64.~~ 66. "Street" or "highway" means the entire width between the  
2 boundary lines of every way if a part of the way is open to the use of the  
3 public for purposes of vehicular travel.

4           ~~65.~~ 67. "Taxi" means a motor vehicle that has a seating capacity  
5 not exceeding fifteen passengers, including the driver, that provides  
6 passenger services and that:

7           (a) Does not primarily operate on a regular route or between  
8 specified places.

9           (b) Offers local transportation for a fare determined on the basis  
10 of the distance traveled or prearranged ground transportation service as  
11 defined in section 28-141 for a predetermined fare.

12           ~~66.~~ 68. "Title transfer form" means a paper or an electronic form  
13 that is prescribed by the department for the purpose of transferring a  
14 certificate of title from one owner to another owner.

15           ~~67.~~ 69. "Traffic survival school" means a school that offers  
16 educational sessions to drivers who are required to attend and  
17 successfully complete educational sessions pursuant to this title that are  
18 designed to improve the safety and habits of drivers and that are approved  
19 by the department.

20           ~~68.~~ 70. "Trailer" means a vehicle that is with or without motive  
21 power, other than a pole trailer or single-axle tow dolly, that is  
22 designed for carrying persons or property and for being drawn by a motor  
23 vehicle and that is constructed so that no part of its weight rests on the  
24 towing vehicle. A semitrailer equipped with an auxiliary front axle  
25 commonly known as a dolly is deemed to be a trailer. For the purposes of  
26 this paragraph, "pole trailer" has the same meaning prescribed in section  
27 28-601.

28           ~~69.~~ 71. "Transportation network company" has the same meaning  
29 prescribed in section 28-9551.

30           ~~70.~~ 72. "Transportation network company vehicle" has the same  
31 meaning prescribed in section 28-9551.

32           ~~71.~~ 73. "Transportation network service" has the same meaning  
33 prescribed in section 28-9551.

34           ~~72.~~ 74. "Truck" means a motor vehicle designed or used primarily  
35 for the carrying of property other than the effects of the driver or  
36 passengers and includes a motor vehicle to which has been added a box, a  
37 platform or other equipment for such carrying.

38           ~~73.~~ 75. "Truck tractor" means a motor vehicle that is designed and  
39 used primarily for drawing other vehicles and that is not constructed to  
40 carry a load other than a part of the weight of the vehicle and load  
41 drawn.

42           ~~74.~~ 76. "Vehicle":

43           (a) Means a device in, on or by which a person or property is or  
44 may be transported or drawn on a public highway.

1 (b) Does not include:

2 (i) Electric bicycles, ELECTRIC MINIATURE SCOOTERS, ELECTRIC  
3 STANDUP SCOOTERS and devices moved by human power.

4 (ii) Devices used exclusively on stationary rails or tracks.

5 (iii) Personal delivery devices.

6 (iv) A scrap vehicle.

7 ~~75.~~ 77. "Vehicle transporter" means either:

8 (a) A truck tractor capable of carrying a load and drawing a  
9 semitrailer.

10 (b) A truck tractor with a stinger-steered fifth wheel capable of  
11 carrying a load and drawing a semitrailer or a truck tractor with a dolly  
12 mounted fifth wheel that is securely fastened to the truck tractor at two  
13 or more points and that is capable of carrying a load and drawing a  
14 semitrailer.

15 Sec. 4. Section 28-627, Arizona Revised Statutes, as amended by  
16 Laws 2018, chapter 306, section 3, is amended to read:

17 28-627. Powers of local authorities

18 A. This chapter and chapters 4 and 5 of this title do not prohibit  
19 a local authority, with respect to streets and highways under its  
20 jurisdiction and within the reasonable exercise of the police power, from:

21 1. Regulating the standing or parking of vehicles.

22 2. Regulating traffic by means of police officers, traffic control  
23 signals or volunteer posse organization members authorized by the sheriff  
24 under section 11-441 for the purpose of directing traffic only.

25 3. Regulating or prohibiting processions or assemblages on the  
26 highways.

27 4. Designating particular highways as one-way highways and  
28 requiring that all vehicles on one-way highways be moved in one specific  
29 direction.

30 5. Regulating the speed of vehicles in public parks.

31 6. Designating any highway as a through highway and requiring that  
32 all vehicles stop before entering or crossing the highway or designating  
33 any intersection as a stop intersection and requiring all vehicles to stop  
34 at one or more entrances to the intersection.

35 7. Restricting the use of highways as authorized in section  
36 28-1106.

37 8. Regulating the operation of bicycles and requiring the  
38 registration and licensing of bicycles, including the requirement of a  
39 registration fee.

40 9. Regulating or prohibiting the turning of vehicles or specified  
41 types of vehicles at intersections.

42 10. Altering the prima facie speed limits as authorized by this  
43 chapter.

1 11. Designating routes over streets and highways for vehicles not  
2 exceeding one hundred two inches in width, exclusive of safety equipment.

3 12. Adopting other traffic regulations that are specifically  
4 authorized by this chapter or chapter 4 or 5 of this title.

5 13. Designating routes on certain streets and highways for the  
6 purpose of allowing off-highway vehicle operators to gain access to or  
7 from a designated off-highway recreation facility as defined in section  
8 28-1171, off-highway vehicle trail as defined in section 28-1171 or  
9 off-highway vehicle special event as defined in section 28-1171.

10 14. Adopting reasonable restrictions for the safe operation of  
11 personal delivery devices. The local authority may allow all of the  
12 following:

13 (a) A personal delivery device's weight to exceed two hundred  
14 pounds, excluding cargo.

15 (b) A personal delivery device to operate at a speed that exceeds  
16 seven miles per hour.

17 (c) An owner and operator of a personal delivery device to maintain  
18 an insurance policy that provides less than ~~one hundred thousand dollars~~  
19 \$100,000 for damages arising from the operations of the personal delivery  
20 device.

21 15. REGULATING ELECTRIC BICYCLES AND ELECTRIC STANDUP SCOOTERS. A  
22 LOCAL AUTHORITY MAY CONSIDER THE ENVIRONMENTAL BENEFITS AND TRAFFIC  
23 BENEFITS OF ELECTRIC BICYCLES AND ELECTRIC STANDUP SCOOTERS WHEN  
24 REGULATING ELECTRIC BICYCLES AND ELECTRIC STANDUP SCOOTERS.

25 B. A local authority shall not erect or maintain a stop sign or  
26 traffic control signal at any location that requires the traffic on any  
27 state highway to stop before entering or crossing any intersecting highway  
28 unless approval in writing has first been obtained from the director.

29 C. An ordinance or regulation enacted under subsection A, paragraph  
30 4, 5, 6, 7, 9 or 10 of this section is not effective until signs giving  
31 notice of the local traffic regulations are posted on or at the entrances  
32 to the highway or part of the highway affected as is most appropriate.

33 D. The definition of motor vehicle prescribed in section 28-101  
34 does not prevent a local authority from adopting ordinances that regulate  
35 or prohibit the operation of motorized skateboards, except that a local  
36 authority shall not adopt an ordinance that requires registration and  
37 licensing of motorized skateboards. For the purposes of this subsection,  
38 "motorized skateboard" means a self-propelled device that DOES NOT HAVE  
39 HANDLEBARS AND THAT has a motor, a deck on which a person may ride and at  
40 least two tandem wheels in contact with the ground.

41 E. In addition to the appointment of peace officers, a local  
42 authority may provide by ordinance for the appointment of:

43 1. Unarmed police aides or municipally approved private contractors  
44 who are employed or contracted by the police department and who are  
45 empowered to commence an action or proceeding before a court or judge for

1 a violation of the local authority's ordinances regulating the standing or  
2 parking of vehicles. A municipally approved private contractor shall not  
3 include a relative of an employee or of an elected official of the  
4 municipality. The authority of the unarmed police aide or municipally  
5 approved private contractor as authorized in this section is limited to  
6 the enforcement of the ordinances of local authorities regulating the  
7 standing or parking of vehicles. Pursuant to rules established by the  
8 supreme court, an unarmed police aide appointed pursuant to this paragraph  
9 may serve any process originating out of a municipal court in the  
10 municipality in which the unarmed police aide is employed. Service of  
11 process under this paragraph shall only be made during the hours the  
12 municipal court is open for the transaction of business and only on court  
13 premises. This paragraph does not grant to unarmed police aides or  
14 municipally approved private contractors other powers or benefits to which  
15 peace officers of this state are entitled.

16 2. Traffic investigators who may:

17 (a) Investigate traffic accidents within the jurisdiction of the  
18 local authority.

19 (b) Commence an action or proceeding before a court or judge for  
20 any violation of a state statute or local ordinance relating to traffic,  
21 if the violation is related to a traffic accident within the jurisdiction  
22 of the local authority.

23 (c) Pursuant to rules established by the supreme court, serve any  
24 process originating out of a municipal court in the municipality in which  
25 the traffic investigator is employed. Service of process under paragraph  
26 1 of this subsection shall only be made during the hours the municipal  
27 court is open for the transaction of business and only on court premises.

28 F. A traffic investigator appointed pursuant to this section shall:

29 1. Be unarmed at all times during the course of the traffic  
30 investigator's duties.

31 2. Be an employee of the appointing local authority.

32 3. File written reports as required pursuant to section 28-667.

33 G. Notwithstanding subsection E of this section, an unarmed police  
34 aide, a municipally approved private contractor or a traffic investigator  
35 shall not serve any process resulting from a citation issued for a  
36 violation of article 3 or 6 of this chapter or of a city or town ordinance  
37 for excessive speed or failure to obey a traffic control device that is  
38 obtained using a photo enforcement system.

39 H. This section does not grant other powers or benefits to traffic  
40 investigators to which peace officers of this state are entitled.

41 I. Pursuant to section 28-1092, a local authority shall provide  
42 reasonable access to and from terminals and service facilities on highways  
43 under its jurisdiction.

1           Sec. 5. Section 28-627, Arizona Revised Statutes, as amended by  
2 Laws 2018, chapter 306, section 4, is amended to read:

3           28-627. Powers of local authorities

4           A. This chapter and chapters 4 and 5 of this title do not prohibit  
5 a local authority, with respect to streets and highways under its  
6 jurisdiction and within the reasonable exercise of the police power, from:

7           1. Regulating the standing or parking of vehicles.

8           2. Regulating traffic by means of police officers, traffic control  
9 signals or volunteer posse organization members authorized by the sheriff  
10 under section 11-441 for the purpose of directing traffic only.

11           3. Regulating or prohibiting processions or assemblages on the  
12 highways.

13           4. Designating particular highways as one-way highways and  
14 requiring that all vehicles on one-way highways be moved in one specific  
15 direction.

16           5. Regulating the speed of vehicles in public parks.

17           6. Designating any highway as a through highway and requiring that  
18 all vehicles stop before entering or crossing the highway or designating  
19 any intersection as a stop intersection and requiring all vehicles to stop  
20 at one or more entrances to the intersection.

21           7. Restricting the use of highways as authorized in section  
22 28-1106.

23           8. Regulating the operation of bicycles and requiring the  
24 registration and licensing of bicycles, including the requirement of a  
25 registration fee.

26           9. Regulating or prohibiting the turning of vehicles or specified  
27 types of vehicles at intersections.

28           10. Altering the prima facie speed limits as authorized by this  
29 chapter.

30           11. Designating routes over streets and highways for vehicles not  
31 exceeding one hundred two inches in width, exclusive of safety equipment.

32           12. Adopting other traffic regulations that are specifically  
33 authorized by this chapter or chapter 4 or 5 of this title.

34           13. Designating routes on certain streets and highways for the  
35 purpose of allowing off-highway vehicle operators to gain access to or  
36 from a designated off-highway recreation facility as defined in section  
37 28-1171, off-highway vehicle trail as defined in section 28-1171 or  
38 off-highway vehicle special event as defined in section 28-1171.

39           14. REGULATING ELECTRIC BICYCLES AND ELECTRIC STANDUP SCOOTERS. A  
40 LOCAL AUTHORITY MAY CONSIDER THE ENVIRONMENTAL BENEFITS AND TRAFFIC  
41 BENEFITS OF ELECTRIC BICYCLES AND ELECTRIC STANDUP SCOOTERS WHEN  
42 REGULATING ELECTRIC BICYCLES AND ELECTRIC STANDUP SCOOTERS.

43           B. A local authority shall not erect or maintain a stop sign or  
44 traffic control signal at any location that requires the traffic on any

1 state highway to stop before entering or crossing any intersecting highway  
2 unless approval in writing has first been obtained from the director.

3 C. An ordinance or regulation enacted under subsection A, paragraph  
4 4, 5, 6, 7, 9 or 10 of this section is not effective until signs giving  
5 notice of the local traffic regulations are posted on or at the entrances  
6 to the highway or part of the highway affected as is most appropriate.

7 D. The definition of motor vehicle prescribed in section 28-101  
8 does not prevent a local authority from adopting ordinances that regulate  
9 or prohibit the operation of motorized skateboards, except that a local  
10 authority shall not adopt an ordinance that requires registration and  
11 licensing of motorized skateboards. For the purposes of this subsection,  
12 "motorized skateboard" means a self-propelled device that DOES NOT HAVE  
13 HANDLEBARS AND THAT has a motor, a deck on which a person may ride and at  
14 least two tandem wheels in contact with the ground.

15 E. In addition to the appointment of peace officers, a local  
16 authority may provide by ordinance for the appointment of:

17 1. Unarmed police aides or municipally approved private contractors  
18 who are employed or contracted by the police department and who are  
19 empowered to commence an action or proceeding before a court or judge for  
20 a violation of the local authority's ordinances regulating the standing or  
21 parking of vehicles. A municipally approved private contractor shall not  
22 include a relative of an employee or of an elected official of the  
23 municipality. The authority of the unarmed police aide or municipally  
24 approved private contractor as authorized in this section is limited to  
25 the enforcement of the ordinances of local authorities regulating the  
26 standing or parking of vehicles. Pursuant to rules established by the  
27 supreme court, an unarmed police aide appointed pursuant to this paragraph  
28 may serve any process originating out of a municipal court in the  
29 municipality in which the unarmed police aide is employed. Service of  
30 process under this paragraph shall only be made during the hours the  
31 municipal court is open for the transaction of business and only on court  
32 premises. This paragraph does not grant to unarmed police aides or  
33 municipally approved private contractors other powers or benefits to which  
34 peace officers of this state are entitled.

35 2. Traffic investigators who may:

36 (a) Investigate traffic accidents within the jurisdiction of the  
37 local authority.

38 (b) Commence an action or proceeding before a court or judge for  
39 any violation of a state statute or local ordinance relating to traffic,  
40 if the violation is related to a traffic accident within the jurisdiction  
41 of the local authority.

42 (c) Pursuant to rules established by the supreme court, serve any  
43 process originating out of a municipal court in the municipality in which  
44 the traffic investigator is employed. Service of process under paragraph

1 1 of this subsection shall only be made during the hours the municipal  
2 court is open for the transaction of business and only on court premises.

3 F. A traffic investigator appointed pursuant to this section shall:

4 1. Be unarmed at all times during the course of the traffic  
5 investigator's duties.

6 2. Be an employee of the appointing local authority.

7 3. File written reports as required pursuant to section 28-667.

8 G. Notwithstanding subsection E of this section, an unarmed police  
9 aide, a municipally approved private contractor or a traffic investigator  
10 shall not serve any process resulting from a citation issued for a  
11 violation of article 3 or 6 of this chapter or of a city or town ordinance  
12 for excessive speed or failure to obey a traffic control device that is  
13 obtained using a photo enforcement system.

14 H. This section does not grant other powers or benefits to traffic  
15 investigators to which peace officers of this state are entitled.

16 I. Pursuant to section 28-1092, a local authority shall provide  
17 reasonable access to and from terminals and service facilities on highways  
18 under its jurisdiction.

19 Sec. 6. Section 28-819, Arizona Revised Statutes, is amended to  
20 read:

21 28-819. Electric bicycles; electric standup scooters

22 A. An operator of an electric bicycle OR AN ELECTRIC STANDUP  
23 SCOOTER is granted all the rights and privileges and is subject to all of  
24 the duties of a person riding a bicycle. Except as otherwise provided in  
25 this section OR AS OTHERWISE REGULATED BY A LOCAL AUTHORITY, an electric  
26 bicycle OR AN ELECTRIC STANDUP SCOOTER is subject to the same provisions  
27 of this title as a bicycle.

28 B. An electric bicycle OR AN ELECTRIC STANDUP SCOOTER is not  
29 subject to the provisions of this title relating to certificates of title,  
30 registration, vehicle license tax, driver licenses or vehicle insurance.

31 C. Beginning January 1, 2019, manufacturers and distributors of  
32 electric bicycles shall apply a label that is permanently affixed, in a  
33 prominent location, to each electric bicycle. The label shall contain the  
34 classification number, top assisted speed and motor wattage of the  
35 electric bicycle and shall be printed in at least nine-point type.

36 D. A class 1 electric bicycle, ~~or~~ a class 2 electric bicycle OR AN  
37 ELECTRIC STANDUP SCOOTER may be used on bicycle and multiuse paths. A  
38 local authority or agency of this state having jurisdiction over a bicycle  
39 or multiuse path may prohibit the operation of a class 1 electric bicycle,  
40 ~~or~~ class 2 electric bicycle OR ELECTRIC STANDUP SCOOTER on the path.

41 E. A class 3 electric bicycle may not be operated on a bicycle or  
42 multiuse path unless it is within or adjacent to a highway or roadway or  
43 unless the local authority or agency of this state having jurisdiction  
44 over the path allows the operation.

1 F. AN ELECTRIC STANDUP SCOOTER MUST HAVE A UNIQUE IDENTIFICATION  
2 THAT CONSISTS OF LETTERS OR NUMBERS, OR BOTH, AND THAT IS VISIBLE FROM A  
3 DISTANCE OF AT LEAST FIVE FEET. THE IDENTIFICATION:

4 1. MAY NOT BE OBSCURED BY BRANDING OR OTHER MARKINGS.

5 2. SHALL BE USED IN THIS STATE TO IDENTIFY THE ELECTRIC STANDUP  
6 SCOOTER. THIS PARAGRAPH APPLIES TO ALL PERSONS, INCLUDING LOCAL  
7 AUTHORITIES.

8 Sec. 7. Effective date

9 Section 28-101, Arizona Revised Statutes, as amended by Laws 2018,  
10 chapter 306, section 2 and this act, and section 28-627, Arizona Revised  
11 Statutes, as amended by Laws 2018, chapter 306, section 4 and this act,  
12 are effective from and after August 31, 2020.

13 Sec. 8. Conditional enactment

14 Section 28-101, Arizona Revised Statutes, as amended by Laws 2018,  
15 chapter 9, section 1, chapter 163, section 1, chapter 166, section 1,  
16 chapter 298, section 3, chapter 306, section 1, chapter 324, section 1 and  
17 this act, becomes effective on the date prescribed by Laws 2018, chapter  
18 298, section 12 but only on the occurrence of the condition prescribed by  
19 Laws 2018, chapter 298, section 12.

**APPROVED BY THE GOVERNOR APRIL 22, 2019.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 22, 2019.**

Passed the House April 11, 2019,

Passed the Senate March 4, 2019,

by the following vote: 60 Ayes,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

0 Nays, 0 Not Voting

[Signature]  
Speaker of the House

[Signature]  
President of the Senate

[Signature]  
Chief Clerk of the House

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

S.B. 1398

SENATE CONCURS IN HOUSE  
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 16, 2019

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

Karen Farn  
President of the Senate

Susan Owens  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

16<sup>th</sup> day of April, 20 19

at 2:06 o'clock P M.

Ryan Zittel  
Secretary to the Governor

Approved this 22<sup>nd</sup> day of

April 2019

at 11:16 o'clock A M.

Joseph R. Roy  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 22 day of April, 20 19

at 3:28 o'clock P. M.

[Signature]  
Secretary of State

S.B. 1398