



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

April 30, 2019

The Honorable Katie Hobbs
Secretary of State
1700 W. Washington, 7th 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 30th, 2019:

H.B. 2036 dual enrollment; reported information; date (Cook)
H.B. 2080 civil rights restoration; application; procedures (J.Allen)
H.B. 2122 do-not-resuscitate orders; minors; parental consent (Barto)
H.B. 2271 public lands day; holiday (Dunn)
H.B. 2285 pharmacy benefit managers; pharmacy benefits (Cobb)
H.B. 2366 motor vehicle accidents; restricted license (Toma)
H.B. 2432 state treasurer's office; funds; consolidation (Cobb)
H.B. 2477 adjudication statutes; unconstitutional provisions; repeal (Bowers)
H.B. 2550 regulation; kratom products (Rivero)
H.B. 2606 share the road special plates (Shope)
S.B. 1016 ASRS; ineligible contributions; unfunded liability (Livingston)
S.B. 1177 home school district; special education (S. Allen)
S.B. 1442 state fleet; neighborhood electric vehicles (Pratt)
S.B. 1453 affordable homeownership special plate (Rios)

Sincerely,

Douglas A. Ducey
Governor
State of Arizona

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

House Engrossed

FILED
KATIE HOBBS
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 153
HOUSE BILL 2366

AN ACT

AMENDING SECTION 28-672, ARIZONA REVISED STATUTES; RELATING TO MOTOR
VEHICLE ACCIDENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-672, Arizona Revised Statutes, is amended to
3 read:

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

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

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

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

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

28 1. For a first violation of this section, ~~may~~ SHALL direct the
29 department to suspend THE PERSON'S DRIVING PRIVILEGE OR RESTRICT the
30 person's driving privilege AS DESCRIBED IN SECTION 28-144 for AT LEAST
31 NINETY DAYS AND not more than one hundred eighty days if the violation
32 results in serious physical injury and AT LEAST ONE HUNDRED EIGHTY DAYS
33 AND not more than one year if the violation results in death.

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

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

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

1 shall promptly suspend the driver license or permit of the driver or the
2 privilege of a nonresident to drive a motor vehicle in this state until
3 the order is satisfied.

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

12 G. Restitution awarded pursuant to section 13-603 as a result of a
13 violation of this section shall not exceed one hundred thousand dollars.

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

19 I. A person who violates this section is guilty of a class 1
20 misdemeanor.

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

APPROVED BY THE GOVERNOR APRIL 30, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 30, 2019.

Passed the House February 27, 2019

Passed the Senate April 24, 2019

by the following vote: 59 Ayes,

by the following vote: 27 Ayes,

1 Nays, 0 Not Voting

3 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

Pro Tempore

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

24th day of April, 2019

at 3:59 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 30th day of

April 2019

at 4:19 o'clock P M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 30 day of April, 2019

at 5:45 o'clock P M.

[Signature]
Secretary of State

H.B. 2366