

# LEGISLATIVE UPDATE

55<sup>TH</sup> LEGISLATURE – 1<sup>ST</sup> REGULAR SESSION

UPDATED 1/22/2021



## **WHO WE ARE**

### **A Brotherhood Aimed Towards Education (ABATE) of Arizona**

<http://abateofaz.org/>

ABATE of Arizona, Inc. is a non-profit motorcycle rights organization that is dedicated to freedom of the road for all motorcyclists. ABATE is a volunteer organization that fights discriminatory legislation aimed towards the motorcycling community. ABATE's position is that all motorcycle riders have the right to choose not only the machine that they ride, but also the riding gear that they choose to wear or not to wear (i.e., leathers, gloves, boots and helmets).

ABATE promotes rider education for all motorcycle riders, and motorcycle awareness for all automobile drivers. ABATE needs the support of all motorcycle riders.

### **Arizona Confederation of Motorcycle Clubs (ACMC)**

<http://www.azcmc.org/>

The ACMC is made up of Arizona Motorcycle Clubs and Organizations which have come together in unity to facilitate and broaden communication amongst its Members, within the riding community and general public. It serves to educate both riders and the non-riding public on all of the positive aspects of motorcycling and to warn against and oppose any intrusion(s) upon their rights to live and ride free. Its goals are to promote and protect motorcyclist's rights. It will accomplish these goals by any lawful means necessary. The ACMC does not approve organizations, or in our language "sanction", Clubs. The ACMC Members are a select group of Elite Clubs and Organizations who have banded together in a fight for freedom and stand in defense of American rights, especially MC Clubs, and all Motorcyclists.

### **Mountain Motorcycle Association of Arizona (MMAA)**

<http://mountainmotorcycleassociation.com/>

We are a Motorcycle Rights Organization (MRO) comprised of motorcyclist and non-motorcyclist who are concerned with the future, safety and welfare of all motorcycle enthusiasts. We are a non-profit, educational organization.

Hundreds of bills are introduced each legislative session. We do our best to categorize them into areas in which they would affect either positively or negatively.

## COMMITTEE HEARINGS

You can watch the committee hearings live

<https://www.azleg.gov/liveproceedings/>

H2027: LEAVING ACCIDENT SCENE; PRIVATE PROPERTY

*Hearing: House Judiciary (Wednesday 01/27/21 at 9:00 AM, House Rm. 4)*

## SMRO

### Bill Summaries

## H2006: SPEED LIMITS; ROADWAY TURN OFF

For the purpose of statute prohibiting driving a motor vehicle at such a slow speed as to impede the movement of traffic, "vehicle" is defined as a device in, on or by which a person or property is or may be transported on a public highway. "Vehicle" specifically includes electric bicycles, electric miniature scooters, electric standup scooters, devices moved by human power, and personal mobile cargo carrying devices.

First sponsor: Rep. Kavanagh (R - Dist 23)

<u>H2006</u> Daily History	Date Action
SPEED LIMITS; ROADWAY TURN OFF 1/20 referred to House <u>trans.</u>	

## H2007: AUTONOMOUS VEHICLES; SAFETY FEATURES; PROHIBITIONS

A person is prohibited from "installing or using a defeat device" (defined) to interfere with or disable a safety feature of a vehicle equipped with specified levels of driving automation that is designed to ensure that a human driver is alert and attentive while driving automation features are engaged. Some exceptions.

First sponsor: Rep. Kavanagh (R - Dist 23)

<u>H2007</u> Daily History	Date Action
AUTONOMOUS VEHICLES; SAFETY FEATURES; PROHIBITIONS 1/12 referred to House <u>trans.</u>	

## H2013: INTERLOCK RESTRICTED LICENSES; VIOLATIONS; REPORTING

If a person's privilege to operate a motor vehicle has been suspended due to an alcohol-related offense and the person meets specified criteria allowing the person to drive between certain places, the Department of Transportation is required to issue a special ignition interlock restricted driver license that allows the person to operate a motor vehicle that is equipped with a functioning certified ignition interlock device. If a person has a special ignition interlock restricted driver license, the ignition interlock device must report the global positioning system location of the device each time that the vehicle's ignition is successfully started and each time the vehicle's ignition is disengaged. The ignition interlock

manufacturer or case management service provider is required to report to the Department of Transportation each time that the person operates the vehicle in violation of the restrictions on the license. The person is required to pay the cost for monitoring the person's special ignition interlock restricted driver license.

First sponsor: [Rep. Kavanagh \(R - Dist 23\)](#)

H2013 Daily History	Date Action
INTERLOCK RESTRICTED LICENSES; VIOLATIONS; REPORTING	1/20 House <a href="#">trans</a> held.
INTERLOCK RESTRICTED LICENSES; VIOLATIONS; REPORTING	1/14 referred to House <a href="#">trans</a> .

## **H2027: LEAVING ACCIDENT SCENE; PRIVATE PROPERTY**

The requirements for the driver of a vehicle involved in an accident to stop, remain at the scene of the accident, give specified information to others, and give reasonable assistance to an injured person are applicable to accidents on public or private property. The criminal classification for violating these requirements and for violating the requirement to take reasonable steps to locate and notify the owner of an unattended vehicle or fixtures or other property adjacent to a highway that the driver struck are increased to a class 1 (highest) misdemeanor, from a class 3 (lowest) misdemeanor.

First sponsor: [Rep. Kavanagh \(R - Dist 23\)](#)

H2027 Daily History	Date Action
LEAVING ACCIDENT SCENE; PRIVATE PROPERTY	1/11 referred to House <a href="#">jud</a> .

## **H2083: SAFETY FEATURES; AUTONOMOUS VEHICLES; PROHIBITIONS**

A person is prohibited from "installing or using a defeat device" (defined) to interfere with or disable a safety feature of a vehicle equipped with specified levels of driving automation that is designed to ensure that a human driver is alert and attentive while driving automation features are engaged. Some exceptions.

First sponsor: [Rep. Kavanagh \(R - Dist 23\)](#)

H2083 Daily History	Date Action
SAFETY FEATURES; AUTONOMOUS VEHICLES; PROHIBITIONS	1/20 House <a href="#">trans</a> held.
SAFETY FEATURES; AUTONOMOUS VEHICLES; PROHIBITIONS	1/14 referred to House <a href="#">trans</a> .

## **H2110: CIVIL PENALTIES; TRAFFIC; MITIGATION; RESTITUTION**

If a "monetary obligation" (defined) is imposed on a person at sentencing, the court is authorized to order the person to perform community restitution in lieu of the payment of the monetary obligation. The court is required to credit any community restitution performed at a rate of \$12 per hour.

First sponsor: [Rep. Biasiucci \(R - Dist 5\)](#)

Others: [Rep. Blackman \(R - Dist 6\)](#), [Rep. Bolick \(R - Dist 20\)](#), [Sen. Borrelli \(R - Dist 5\)](#), [Rep. Carroll \(R - Dist 22\)](#), [Rep. Chaplik \(R - Dist 23\)](#), [Rep. Dunn \(R - Dist 13\)](#), [Rep. Finchem \(R - Dist 11\)](#), [Rep. A. Hernandez \(D - Dist 3\)](#), [Rep. Hoffman \(R - Dist 12\)](#), [Rep. John \(R - Dist 4\)](#), [Rep. Kavanagh \(R - Dist 23\)](#), [Rep. Lieberman \(D - Dist 28\)](#), [Rep. Nguyen \(R - Dist 1\)](#), [Rep. Parker \(R - Dist 16\)](#), [Rep. Payne \(R - Dist 21\)](#), [Rep. Pingerelli \(R - Dist 21\)](#), [Rep. Roberts \(R - Dist 11\)](#), [Rep. Shah \(D - Dist 24\)](#), [Rep. Toma \(R - Dist 22\)](#), [Rep. Udall \(R - Dist 25\)](#), [Rep. Weninger \(R - Dist 17\)](#), [Rep. Wilmeth \(R - Dist 15\)](#)

H2110 Daily History	Date Action
CIVIL PENALTIES; TRAFFIC; MITIGATION; RESTITUTION	1/21 from House <a href="#">trans</a> do pass.
CIVIL PENALTIES; TRAFFIC; MITIGATION; RESTITUTION	1/20 House <a href="#">trans</a> do pass; report awaited.
CIVIL PENALTIES; TRAFFIC; MITIGATION; RESTITUTION	1/14 referred to House <a href="#">trans</a> .

## **H2115: MOTORCYCLE SAFETY FUND; CONTINUATION**

The Department of Transportation is required to deposit \$1 of each motorcycle registration fee collected in the Motorcycle Safety Fund through June 30, 2025, instead of through June 30, 2021.

First sponsor: [Rep. Bolick \(R - Dist 20\)](#)

Others: [Rep. Blackman \(R - Dist 6\)](#)

### **Single List Comments:**

ABATE of Arizona along with the other state motorcyclist rights organizations (SMROs) want to ensure the safety of our motorcyclists in Arizona. Representative Shawna Bolick (R-LD20) who is an avid supporter of motorcyclists, sponsored HB2115, Motorcycle Safety Fund continuation at our request.

<a href="#">H2115</a> Daily History	Date Action
MOTORCYCLE SAFETY FUND; CONTINUATION	1/21 from House <a href="#">trans</a> do pass.
MOTORCYCLE SAFETY FUND; CONTINUATION	1/20 House <a href="#">trans</a> do pass; report awaited.
MOTORCYCLE SAFETY FUND; CONTINUATION	1/14 referred to House <a href="#">trans</a> .

## **H2140: LICENSE PLATE DESIGNS**

Beginning January 1, 2022, the letters and numerals on the license plate are required to be in the same font color as the name of Arizona on the license plate. Beginning January 1, 2022, each license plate and special plate is required to display the name of Arizona in the same font color, type and size as determined by the Department of Transportation.

First sponsor: [Rep. Biasiucci \(R - Dist 5\)](#)

Others: [Sen. Borrelli \(R - Dist 5\)](#), [Rep. Carroll \(R - Dist 22\)](#)

<a href="#">H2140</a> Daily History	Date Action
LICENSE PLATE DESIGNS	1/20 referred to House <a href="#">trans</a> .

## **H2202: VEHICLE EMISSIONS; CALIFORNIA STANDARDS**

Department of Environmental Quality rules on motor vehicle and combustion engine emissions are required to incorporate the standards adopted by the California Air Resources Board relating to motor vehicles in effect on January 1, 2019.

First sponsor: [Rep. Cano \(D - Dist 3\)](#)

<a href="#">H2202</a> Daily History	Date Action
VEHICLE EMISSIONS; CALIFORNIA STANDARDS	1/20 referred to House <a href="#">nat res-energy-water</a> .

## **S1009: STATE VEHICLE FLEET; ELECTRIC VEHICLES**

For model year 2022 and all subsequent model years, all new motor vehicles purchased for the state motor vehicle fleet that primarily operate in counties with a population of more than 250,000 persons and that have a gross vehicle weight of 8,500 pounds or less are required to be "electric vehicles" (defined).

First sponsor: [Sen. Steele \(D - Dist 9\)](#)

<a href="#">S1009</a> Daily History	Date Action
STATE VEHICLE FLEET; ELECTRIC VEHICLES	1/11 referred to Senate <a href="#">trans-tech</a> .

## **S1102: ELECTRIC VEHICLE OMNIBUS; APPROPRIATIONS**

Counties and municipalities are prohibited from issuing a residential structure building permit for a single-family structure if the residential structure does not have a circuit with a dedicated outlet to charge an electric vehicle in the residential structure's garage or within ten feet of a parking space on the outside of the residential structure. Some exceptions. The Arizona Department of Administration (ADOA) is required to conduct a two-year electric vehicle ready homes pilot program. ADOA is required to reimburse the owner of a single-family or multifamily residential structure for the actual cost, up to \$1,000, of installing a high voltage electrical outlet for the purpose of charging an electric vehicle. ADOA is required to submit a report to the Governor and the Legislature detailing the results of the pilot program by December 31, 2023. The pilot program self-repeals October 1, 2024. ADOA is required to conduct a two-year electric vehicle charging station pilot program. All state agencies are authorized to apply to ADOA for funding necessary for covering the costs of installation of electric vehicle charging stations at their agency locations. ADOA is required to submit a report with specified information relating to the pilot program to the Governor and the Legislature by December 31, 2023. Appropriates \$500,000 from the general fund in FY2021-22 to ADOA for the electric vehicle ready homes pilot program and \$500,000 from the general fund in FY2021-22 to ADOA for the electric vehicle charging station pilot program.

First sponsor: [Sen. Steele \(D - Dist 9\)](#)

<a href="#">S1102</a> Daily History	Date Action
ELECTRIC VEHICLE OMNIBUS; APPROPRIATIONS 1/12 referred to Senate <a href="#">gov</a> , <a href="#">appro</a> .	

## **S1127: VEHICLE SPEED LIMITS**

The definition of excessive speeding, a class 3 (lowest) misdemeanor is modified to include exceeding the posted speed limit by more than 20 miles per hour, instead of exceeding 85 miles per hour. If the maximum speed limit on a public highway in Arizona is 65 miles per hour, a person is prohibited from driving a motor vehicle at a speed in excess of 65 miles per hour on that highway. If the speed at which the person is alleged to have driven or the speed at which the court finds the person drove is 75 miles per hour or less, the offense is designated as the waste of a finite resource and is a civil traffic violation. If the maximum speed limit on a public highway in Arizona is 75 miles per hour, a person is prohibited from driving a motor vehicle at a speed in excess of 75 miles per hour on that highway. If the speed at which the person is alleged to have driven or the speed at which the court finds the person drove is 85 miles per hour or less, the offense is designated as the waste of a finite resource and is a civil traffic violation.

First sponsor: [Sen. Gowan \(R - Dist 14\)](#)

<a href="#">S1127</a> Daily History	Date Action
VEHICLE SPEED LIMITS 1/12 referred to Senate <a href="#">trans-tech</a> .	

## **S1131: VEHICLE EMISSIONS; STANDARDS**

Department of Environmental Quality rules on motor vehicle and combustion engine emissions are required to incorporate the standards adopted by the California Air Resources Board relating to motor vehicles in effect on January 1, 2019.

First sponsor: [Sen. Engel \(D - Dist 10\)](#)

**Single List Comments:**

SB1131 VEHICLE EMISSIONS; STANDARDS is a bill that we feel will negatively impact the 375,000 motorcyclists and the thousands in the motorcycle industry in Arizona.

The economic growth in Arizona is determined so often by governmental regulations or the lack of within a certain industry. We can acknowledge the fact that certain industries must have certain regulations for public safety concerns, such as the illegality of dumping toxic waste in a public landfill.

However, the California standard for emissions, aka the CARB standard, violates the black letter that has forced hundreds of businesses in the motorcycle industry to relocate to our beautiful state. While this has had a negative impact on the California economy, it is a windfall for Arizona.

The ability of a consumer to purchase and install federally approved exhaust systems that increases fuel efficiency would be outlawed under CARB standards. This would impact the motorcycle industry into the hundreds of thousands of dollars upwards into the millions each year.

ABATE of Arizona has stood before the Arizona legislature on many occasions and successfully argued with facts and statistics in reference to the emissions output of a motorcycle on our roads. This is why emissions testing requirements were repealed not only in Pima county but in Maricopa county as well.

Any proposed legislation, although well intentioned, will cost Arizona financially in the way of lost businesses, wage earnings and a lifestyle of freedom. And it is this reason we are opposed to any CARB legislation proposed.

<a href="#">S1131</a> Daily History	Date	Action
VEHICLE EMISSIONS; STANDARDS 1/13 referred to Senate <a href="#">nat res-energy-water</a> .		

## **S1186: CRIMINAL STREET GANG DATABASE; APPEAL**

Before a local law enforcement agency designates a person as a suspected gang member, associate or affiliate in a "shared gang database" (defined), the agency is required to provide written notice of the designation to the person and the person's parent or guardian if the person is under 18 years of age. Some exceptions. Establishes a process for the person, the person's parent or guardian if the person is under 18 years of age, or an attorney working on behalf of the person to contest the designation of the person in the shared gang database.

First sponsor: [Sen. Quezada \(D - Dist 29\)](#)

Others: [Sen. Alston \(D - Dist 24\)](#), [Sen. Gonzales \(D - Dist 3\)](#), [Sen. Mendez \(D - Dist 26\)](#)

<a href="#">S1186</a> Daily History	Date	Action
CRIMINAL STREET GANG DATABASE; APPEAL 1/19 referred to Senate <a href="#">jud</a> .		

## **S1335: OFF-HIGHWAY VEHICLE RECREATION FUND**

Annual reports from each agency that receives monies from the Off-highway Vehicle Recreation Fund are required to be available on the Department of Transportation's website.

First sponsor: [Sen. Gowan \(R - Dist 14\)](#)

<a href="#">S1335</a> Daily History	Date	Action
No actions posted for this bill within the requested time frame.		