

REFERENCE TITLE: prohibit photo radar; state highways

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

HB 2106

Introduced by
Representatives Crump, Ableser, Campbell CH, Miranda B: Burges, Crandall,
Gowan, McLain, Nichols, Seel, Stevens, Tobin

AN ACT

AMENDING TITLE 28, CHAPTER 3, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-711; AMENDING SECTION 28-1593, ARIZONA REVISED STATUTES; REPEALING SECTION 41-1722, ARIZONA REVISED STATUTES; RELATING TO TRAFFIC SPEED RESTRICTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 28, chapter 3, article 6, Arizona Revised Statutes,
3 is amended by adding section 28-711, to read:

4 28-711. Photo enforcement system; prohibited use
5 ON A STATE HIGHWAY IN THIS STATE, THIS STATE OR A LOCAL AUTHORITY SHALL
6 NOT USE A PHOTO ENFORCEMENT SYSTEM TO IDENTIFY VIOLATORS OF THIS ARTICLE.

7 Sec. 2. Section 28-1593, Arizona Revised Statutes, is amended to read:

8 28-1593. Service of uniform traffic complaint

9 A. A traffic complaint may be served by delivering a copy of the
10 uniform traffic complaint citation to the person charged with the violation
11 or by any means authorized by the rules of civil procedure. At the
12 discretion of the issuing authority, a complaint for a violation issued after
13 an investigation in conjunction with a traffic accident may be sent by
14 certified mail, return receipt requested and delivered to addressee only, to
15 the address provided by the person charged with the violation. Service of
16 the complaint is complete on filing the receipt in the court having
17 jurisdiction of the violation.

18 B. The original complaint shall be filed in a court having
19 jurisdiction of the violation within ten court days of the time the complaint
20 was issued. A peace officer, or duly authorized agent or someone paid to act
21 on behalf of a traffic enforcement agency, may issue the traffic complaint.

22 ~~C. Notwithstanding subsection B of this section, a civil traffic~~
23 ~~violation issued pursuant to section 41-1722 may be issued pursuant to a~~
24 ~~notice of violation before a citation is filed in court.~~

25 ~~D. If a person fails to respond to the notice of violation or contests~~
26 ~~responsibility, a uniform traffic complaint citation shall be served and~~
27 ~~filed as otherwise provided in this section.~~

28 ~~E. The supreme court shall establish rules governing the issuance,~~
29 ~~service and processing of the notice of violation, including rules allowing a~~
30 ~~person to admit responsibility before a citation is filed in court.~~

31 Sec. 3. Repeal

32 Section 41-1722, Arizona Revised Statutes, is repealed.