

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HOUSE BILL 2030

AN ACT

AMENDING SECTION 28-369, ARIZONA REVISED STATUTES; RELATING TO THE
DEPARTMENT OF PUBLIC SAFETY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-369, Arizona Revised Statutes, is amended to
3 read:

4 28-369. Law enforcement powers; ports of entry; violation;
5 classification

6 A. The director and officers, agents and employees of the
7 department or local or state law enforcement agencies the director
8 designates are peace officers. The director may designate:

9 ~~1. Regular peace officers with like authority of other peace~~
10 ~~officers of this state or cities and towns of this state.~~

11 ~~2.~~ specialty peace officers whose powers are limited to the
12 enforcement of motor vehicle laws and rules.

13 B. The director and designated officers, agents and employees may
14 exercise the powers prescribed in subsection A of this section ~~throughout~~
15 ~~this state~~ WITHIN FIVE MILES OF A PORT OF ENTRY THAT IS CONTROLLED BY THIS
16 STATE AND WITHIN ONE MILE OF A PORT OF ENTRY THAT IS ON THE BORDER BETWEEN
17 THIS STATE AND MEXICO.

18 C. A ~~regular~~ SPECIALTY peace officer designated pursuant to
19 subsection A, paragraph 1 of this section:

20 1. Shall meet the minimum qualifications established for peace
21 officers pursuant to section 41-1822.

22 2. Except as provided in title 38, chapter 5, article 4, is not
23 eligible to participate in the public safety personnel retirement system.

24 D. This section does not preempt the authority and jurisdiction of
25 established agencies and political subdivisions of this state.

26 E. A peace officer as defined in section 41-1701 or a peace officer
27 designated in subsection A of this section may require a vehicle that is
28 subject to the fee in section 28-5433 or the requirements of sections
29 28-2321 through 28-2324 to stop at a port of entry in this state for the
30 purpose of enforcing a motor vehicle law prescribed in this title. A
31 person who fails to stop as required by this subsection is guilty of a
32 class 1 misdemeanor.

33 Sec. 2. Department of transportation; report

34 A. On or before November 1, 2020, the department of transportation
35 shall report to the joint legislative budget committee the following
36 information:

37 1. The number of vehicles that are used for law enforcement
38 activities.

39 2. The type of equipment that is used for law enforcement
40 activities.

41 3. The number of officers in the enforcement compliance division
42 and the salaries of those officers.

43 4. The number of civilian employees in the enforcement compliance
44 division and the salaries of those employees.

1 5. The number of citations issued and vehicles stopped by the
2 department of transportation enforcement compliance division.

3 6. All other information relating to funding sources and
4 expenditures for the department of transportation enforcement compliance
5 division.

6 B. The purpose of this report is to allow the department of public
7 safety to evaluate a transition of law enforcement activities from the
8 department of transportation enforcement compliance division to the
9 department of public safety.