



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, Second Regular Session*

**REVISED**  
**AMENDED**

FACT SHEET FOR H.B. 2522

defensive driving schools; fees

Purpose

Effective March 31, 2025, transfers, from the defensive driving school to the administrative office of the courts (AOC) or its contracted vendor, the authority to collect and transfer court diversion and Defensive Driving School Fund (Fund) fees and surcharges and prescribes requirements and prohibitions for contracted vendors.

Background

For individuals attending a defensive driving school, the presiding judge of each court must: 1) set the amount of the court diversion fee that may be assessed; 2) charge a \$45 surcharge; and 3) immediately inform the Arizona Supreme Court, in writing, of the fee, the total cost to attend a school and of any changes to the total cost. Payment of the court diversion fee and surcharge is in lieu of payment of a civil penalty or criminal fine and any surcharges that are imposed for a traffic violation. The defensive driving school must collect the court diversion fee and surcharge before or at the time an individual attends the school and transmit the fee to the appropriate court. The surcharge must be promptly transmitted to the State Treasurer for deposit ([A.R.S. § 28-3396](#)). In addition to the court diversion fee and the fee to attend a defensive driving school, an individual must pay a Fund fee of up to \$15, as established by the Arizona Supreme Court. The defensive driving school must collect and transmit the Fund fee to the Arizona Supreme Court for deposit into the Fund ([A.R.S. § 28-3397](#)).

The Joint Legislative Budget Committee fiscal note estimates that H.B. 2522 could cause the AOC to incur some additional costs to collect the fees and surcharges but the magnitude of those costs will depend on whether the AOC or its contracted vendor collects the fees. The AOC believes H.B. 2522 would require some upfront staff time and resources but would not require any additional funding and that any ongoing cost to collect the fees and surcharges would be covered by an additional fee charged to the defensive driving school participants ([JLBC fiscal note](#)).

Provisions

1. Requires the AOC or its contracted vendor, rather than the defensive driving school, to collect the:
  - a) court diversion fee and surcharge; and
  - b) Fund fee.
2. Instructs the AOC or its contracted vendor, rather than the defensive driving school, to transmit the:
  - a) surcharge to the State Treasurer; and
  - b) Fund fee to the Arizona Supreme Court.

3. Requires the contracted vendor to:
  - a) confirm that an individual is eligible to attend defensive driving school; and
  - b) comply with Arizona Supreme Court rules relating to procurement.
4. Prohibits the contracted vendor from:
  - a) having a financial relationship with a defensive driving school that provides services in Arizona; and
  - b) directing, favoring, supporting, endorsing or otherwise inducing an individual to attend a specific defensive driving school.
5. Contains a statement of legislative intent.
6. Makes technical and conforming changes.
7. Becomes effective on March 31, 2025.

Amendments Adopted by Committee

1. Transfers the prescribed authority from the defensive driving school to the AOC or its contracted vendor, rather than the court of record or a contracted vendor.
2. Prohibits a contracted vendor from having a financial relationship to a defensive driving school or favoring a specific defensive driving school.
3. Removes the stipulation to transmit the surcharge promptly.
4. Adds a statement of legislative intent.
5. Makes conforming changes.

Revisions

- Updates the fiscal impact statement.

House Action

Senate Action

TI	1/31/24	DP	10-0-0-0	TTMC	3/18/24	DPA	4-3-0
3 <sup>rd</sup> Read	2/29/24		43-16-0-0-1				

Prepared by Senate Research

April 3, 2024

KJA/EB/slp