



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

House: TRANS DP 11-0-0-1

HB 2698: motor vehicle dealer enforcement fund

Sponsor: Representative Wilmeth, LD 15

House Engrossed

Overview

Provides that monies in the Motor Vehicle Dealer Enforcement Fund (Fund) are continuously appropriated rather than subject to legislative appropriations.

History

In the enforcement of any law pertaining to licensed or unlicensed dealers or automotive recyclers, the Arizona Department of Transportation (ADOT) may conduct hearings, take testimony and conduct investigations as deemed necessary ([A.R.S. § 28-4491](#)).

If ADOT finds a person is in violation of the dealer and automotive recycling licensing provisions, after a hearing conducted, the department:

- 1) May impose a civil penalty of at least \$1000 but not more than \$3000 per violation; and
- 2) Shall require that the person pay all transactions privilege taxes on motor vehicle sales that were conducted in violation of statute ([A.R.S. § 28-4501](#)).

Pursuant to [A.R.S. § 28-4504](#), the Fund is established consisting of civil penalties collected pursuant to dealer and automotive recycling violations that result from licensed or unlicensed motor vehicle dealer activity. ADOT shall administer the fund. Monies in the fund are subject to legislative appropriations. ADOT shall deposit all unexpended and unencumbered monies in the fund exceeding \$250,000 at the end of each fiscal year in the State Highway Fund.

Provisions

1. Provides that monies in the Fund are continuously appropriated rather than subject to legislative appropriations. (Sec. 1)
2. Makes a technical change. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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