



Bill Number: S.B. 1208

Payne Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

- 1. Specifies that a certificate of title pending registration may be issued for a vehicle purchased out of state if a lien or encumbrance is filed on the vehicle by an out-of-state dealer or finance company and the vehicle was sold to a state resident by an out-of-state dealer.**
- 2. Allows a registering officer to process an application for a vehicle certificate of title pending registration without collecting the use tax if the tax is collected at the time of registration.**
- 3. Requires the Arizona Department of Revenue to provide the Arizona Department of Transportation with the means to calculate required use taxes for vehicles that are issued a certificate of title pending registration.**
- 4. Makes conforming changes.**

PAYNE FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1208
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.

[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<Green strikeout in carets>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Section 28-2053, Arizona Revised Statutes, is amended to
3 read:

4 28-2053. Certificate of title without registration;
5 certificate of title pending registration

6 A. The department may only issue a vehicle certificate of title
7 without registration for a vehicle that is physically present in this
8 state for any of the following reasons:

9 1. The applicant for a certificate of title is a nonresident whose
10 vehicle is not subject to vehicle registration in this state.

11 2. The applicant certifies that the vehicle was acquired for
12 purposes other than highway use.

13 3. The vehicle was acquired by operation of law.

14 4. The vehicle is an off-road recreational motor vehicle required
15 to be issued a certificate of title pursuant to section 28-2061.

16 B. The department shall issue a certificate of title without
17 registration for either of the following reasons:

18 1. The owner will register the vehicle under article 7 or 8 of this
19 chapter.

20 2. The vehicle is a trailer or semitrailer that will be used in
21 interstate commerce and that is registered in another state.

22 C. THE DEPARTMENT MAY ISSUE A VEHICLE CERTIFICATE OF TITLE PENDING
23 REGISTRATION FOR A VEHICLE PURCHASED OUT OF STATE IF EITHER OF THE
24 FOLLOWING OCCURS:

25 1. THE VEHICLE WAS SOLD TO A RESIDENT OF THIS STATE BY AN
26 OUT-OF-STATE DEALER.

27 2. [THE VEHICLE WAS SOLD TO A RESIDENT OF THIS STATE BY AN
28 OUT-OF-STATE DEALER AND] A LIEN OR ENCUMBRANCE IS FILED ON THE VEHICLE BY
29 AN OUT-OF-STATE DEALER OR FINANCE COMPANY.

1 D. IF A VEHICLE CERTIFICATE OF TITLE IS ISSUED PURSUANT TO
2 SUBSECTION C OF THIS SECTION, A RESIDENT OF THIS STATE SHALL COMPLETE THE
3 REGISTRATION OF THE VEHICLE AS PRESCRIBED IN THIS CHAPTER.

4 <<Sec. 2. Section 28-2056, Arizona Revised Statutes, is amended to
5 read:

6 28-2056. Transfer or registration of vehicle; collection of
7 use tax

8 A. [EXCEPT AS PROVIDED IN SUBSECTION B OF THIS SECTION,] the
9 registering officer shall collect the use tax imposed under title 42,
10 chapter 5, article 4 and under the model city tax code pursuant to title
11 42, chapter 6, article 2 at the time of application for a transfer of
12 title or registration of a vehicle. The registering officer shall issue a
13 receipt, in a form prescribed by the department, for the amount of tax
14 paid. [EXCEPT AS PROVIDED IN SUBSECTION B OF THIS SECTION,] the
15 registering officer shall not process an application for transfer of title
16 or registration of any vehicle on which the use tax is imposed under title
17 42, chapter 5, article 4 and under the model city tax code pursuant to
18 title 42, chapter 6, article 2 until the tax is paid.

19 [B. THE REGISTERING OFFICER MAY PROCESS AN APPLICATION FOR THE
20 VEHICLE CERTIFICATE OF TITLE PENDING REGISTRATION ISSUED PURSUANT TO
21 SECTION 28-2053, SUBSECTION C WITHOUT COLLECTING THE TAX IMPOSED UNDER
22 TITLE 42, CHAPTER 5, ARTICLE 4 AND UNDER THE MODEL CITY TAX CODE PURSUANT
23 TO TITLE 42, CHAPTER 6, ARTICLE 2 IF AT THE TIME OF REGISTERING THE
24 VEHICLE THE TAXES ARE COLLECTED.]

25 [B.] [C.] The department of transportation shall notify the
26 department of revenue of taxes collected pursuant to this section. At the
27 end of each month the department of transportation shall deposit, pursuant
28 to sections 35-146 and 35-147, tax monies collected pursuant to this
29 section in the state general fund.

30 [C.] [D.] The department of revenue shall provide the department
31 of transportation with the means, including using tax rates applicable to
32 each jurisdiction levying a use tax, to calculate the use taxes required
33 to be collected pursuant to [subsection] [SUBSECTIONS] A [AND B] of this
34 section.>>

35 Enroll and engross to conform

36 Amend title to conform

KEVIN PAYNE

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8:00 AM

C: JR