



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

House: JUD DP 8-0-0-2 | 3rd Read 59-0-1-0

HB 2348: failure; return vehicle; offense; repeal
Sponsor: Representative Hernandez D, LD 2
House Engrossed

Overview

Repeals the penalty and requirements for unlawful failure to return a motor vehicle.

History

[Laws 1998, Ch. 289](#) created a class 6 felony for failing to return a motor vehicle subject to a security interest if certain conditions are met. Specifically, the owner of the vehicle must be at least 90 days past-due on payments, must be notified by certified mail, and must fail to cure the default within 30 days. The owner of the vehicle must also knowingly fail to return the vehicle to the secured creditor or prevent the secured creditor from possessing the vehicle.

There are also requirements for the contents of a contract creating a security interest in a motor vehicle that outline the penalty for unlawful failure to return a motor vehicle.

Finally, a vehicle that is subject to this penalty is classified as a *stolen vehicle* ([A.R.S. § 13-1813](#)).

A *security interest* is an interest in personal property that secures payment of the obligation ([A.R.S. § 47-1201](#)).

Provisions

1. Repeals the class 6 felony and requirements associated with *unlawful failure to return a motor vehicle subject to a security interest*. (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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