



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

Senate: JUD DPA 6-1-0-0 | 3rd Read 26-0-4-0

House: MAPS DPA 12-0-0-3

SB 1025: DUI threshold; drivers
Sponsor: Senator Kavanagh, LD 3
Caucus & COW

Overview

Makes it unlawful to operate a vehicle with a blood alcohol concentration (BAC) of 0.04 or more when operating a vehicle for hire or providing transportation network services (Network Services) as a transportation network company driver (Network Driver).

History

In a trial for a violation of laws regarding driving under the influence, except if the violation involved the operation of a commercial vehicle, a defendant's BAC must be 0.05 or less within two hours of driving to presume him to have not been under the influence. If BAC is measured between 0.05 and 0.08 within two hours of driving, the defendant is not presumed to have or have not been under the influence. If the BAC is 0.08 or more, the defendant is presumed to have been under the influence ([A.R.S. § 28-1381](#)).

Driving a commercial vehicle is unlawful in Arizona if the person doing so has a BAC of 0.04 or more, rather than 0.08 or more ([A.R.S. § 28-1381](#)).

Transportation network services are defined as the transportation of a passenger between points chosen by the passenger and arranged with a Network Driver through the use of a transportation network company's (Network Company) digital network or software application beginning when a Network Driver accepts a request for Network Services received through the Network Company's digital network or software application, continuing while the Network Driver provides Network Services in a Network Company vehicle and ending when the passenger exits the Network Company vehicle or when the trip is canceled.

A *vehicle for hire* is defined as a taxi, livery vehicle or limousine (A.R.S. §§ [28-9551](#); [28-9501](#)).

Provisions

1. Deems it unlawful to operate a vehicle with a BAC of 0.04 or more while operating a vehicle for hire or providing Network Services as a Network Driver. (Sec. 1)
2. Stipulates that the presumptions arising from the standard rules regarding BAC and being under the influence do not apply to drivers operating a vehicle for hire or providing Network Services as a Network Driver. (Sec. 1)
3. Makes a technical change. (Sec. 1)

Amendments

1. Adds matching language, relating to the operation of a vehicle with a BAC of 0.04 as a Network Driver or vehicle for hire, to relevant sections of statute relating to BAC testing and license suspension processes.

<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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