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IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the matter of:	)	
	)	
PETITION TO AMEND CIVIL TRAFFIC	)	Supreme Court No. 26-_____
RULE 26 AND SCRAP—CRIMINAL	)	(expedited consideration
RULE 6	)	and emergency adoption
	)	requested)
_____	)	

Pursuant to Rule 28 of the Rules of the Supreme Court of Arizona, David K. Byers, Administrative Director, Administrative Office of the Courts, respectfully petitions this Court to amend Rule 26 of the Rules of Court Procedure for Civil Traffic, Boating, Marijuana, and Parking and Standing Violations (hereinafter “Civil Traffic Rules”) and Rule 6 of the Superior Court Rules of Appellate Procedure—Criminal (hereinafter “SCRAP—Criminal”) as proposed in Appendix A. The proposed amendments are prompted by the enactment of [House Bill \(HB\) 2574](#), Traffic Penalties; Appeal; Stay, during the Second Regular Session of the Fifty-seventh Legislature, as more particularly described below.

HB 2574 has a general effective date and will become effective on September 12, 2026. Accordingly, Petitioner seeks expedited consideration of this petition and emergency adoption of the proposed amendments as set forth in Appendix A.

I. Purpose and Contents of Proposed Rule Amendments

HB 2574 amends A.R.S. § 28-1600 to require courts to notify the Arizona Department of Transportation (ADOT) when enforcement of a civil traffic judgment has been stayed pending appeal. The purpose of the amendment is to ensure that ADOT does not take administrative action based on a judgment that is temporarily unenforceable.

A. Civil Traffic Rule 26

To implement HB 2574, Petitioner proposes amending Civil Traffic Rule 26 (“right to appeal; bond on appeal”) by adding a new subpart (d) (“reporting the stay to MVD”). The new language would provide: “If the court is required to report the judgment to the Department of Transportation, Motor Vehicle Division (MVD) and enforcement of that judgment has been stayed, the court must also report the stay to the MVD.”

Because ADOT can only act on judgments that are reported, the proposed amendment limits the stay-reporting requirement to reportable judgments. This avoids uncertainty about whether stays of judgments on non-reportable violations trigger any reporting duty. The proposal also maintains consistency with existing

Civil Traffic Rules 3, 4, 22, and 32 by using the full reference to the “Department of Transportation, Motor Vehicle Division.”

Although HB 2574 requires reporting only when an appeal is “granted,” current court practice is to report stays regardless of the appeal’s status, and the statute does not prohibit continuing that practice. The proposed amendment therefore aligns with existing court practice while meeting the minimum statutory requirements.

Lastly, the proposal adds descriptive subheadings to Rule 26 to improve clarity and organization.

B. Rule 6, Superior Court Rules of Appellate Procedure—Criminal

When a case includes both criminal and civil traffic charges, Civil Traffic Rule 31 provides that any appeal is governed by SCRAP—Criminal. Petitioner therefore proposes adding a new subpart (d) to Rule 6, SCRAP—Criminal to address reporting obligations in a combined criminal–civil traffic case when the defendant appeals both the criminal sentence and the civil traffic judgment and enforcement of the civil traffic judgment is stayed. The proposed language parallels the Civil Traffic Rule 26(d) amendment but adds a qualifier that the appeal must include appeal of the civil traffic judgment in order to invoke the rule.

II. Preliminary Comments

This petition has not been circulated to the court community for pre-filing comments because of its technical nature and due to the short period of time since the enactment of the new statutory provision.

III. Similar Petitions Filed in Last Five Years

[Petition R-26-0022](#), filed January 12, 2026, concerns SCRAP—Criminal. However, that petition does not propose any changes that would affect the present proposal.

IV. Request for Expedited Consideration and Emergency Adoption

HB 2574 becomes effective on September 12, 2026. Therefore, as permitted by Supreme Court Rule 28(h), Petitioner respectfully requests that this Court expedite its consideration of this petition for inclusion on the August 2026 Rules Agenda, consider adoption of the proposed amendments as set forth in Appendix A on an emergency basis at that Agenda with an effective date of September 12, 2026, open the petition for comment, and consider adopting the proposed amendments on a permanent basis at this Court's December 2026 Rules Agenda.

Respectfully submitted this 9th day of July, 2026.

By /s/ David K. Byers
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APPENDIX A

Rules of Court Procedure for Civil Traffic, Boating, Marijuana, and Parking and Standing Violations

(deletions shown with ~~striketrough~~, new language is underlined)

Rule 26. Right to Appeal; Bond on Appeal

(a) Generally. Any party may appeal to the superior court from a final order or final judgment as provided by statute and these rules.

(b) Right to Appeal; Bond Not Required. The posting of a bond cannot be a condition of the right to appeal, but enforcement of the judgment will not be stayed unless an appeal bond is provided in accordance with these rules.

(c) Bond on Appeal. The posting of an appeal bond stays enforcement of the judgment. Unless the bond amount is reduced or waived by the trial court, the amount of the bond must be the total amount of the sanction or penalty assessed in the final judgment. The bond must be paid in cash or such other manner as directed by the trial court. When the defendant has paid the entire applicable sanction or penalty prior to the filing of a notice of appeal, such payment constitutes the bond on appeal.

(d) Reporting the Stay to MVD. If the court is required to report the judgment to the Department of Transportation, Motor Vehicle Division (MVD) and enforcement of that judgment has been stayed, the court must also report the stay to the MVD.

Superior Court Rules of Appellate Procedure— Criminal

Rule 6. Bond on Appeal

a. through c. [No change]

d. If the appeal includes a civil traffic judgment that the court is required to report to the Department of Transportation, Motor Vehicle Division (MVD) and enforcement of that judgment has been stayed, the court must also report that stay to the MVD.