



States' Biofuels Statutes

STATE OF ARIZONA

This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [States' Biofuels Statutory Citations](#). These statutes are placed in reverse chronological order using the date of the most recent amendment to the statute. Many biofuels laws were enacted as amendments to previously passed laws.

Current through the 2013 Legislative Session of the Arizona General Assembly.

§ 41-2051. General Provisions

In this chapter, unless the context otherwise requires:

1. “Biodiesel” means a diesel fuel substitute that is produced from nonpetroleum renewable resources as defined by the United States environmental protection agency and that meets the registration requirements for fuels and fuel additives established by the United States environmental protection agency pursuant to section 211 of the clean air act, as defined in § 49-401.01.
2. “Biodiesel blend” means a motor fuel that is comprised of biodiesel and diesel fuel and that is designated by the letter “B”, followed by the numeric value of the volume percentage of biodiesel in the blend.
3. “Biofuel” means a solid, liquid or gaseous fuel that is derived from biomass and that can be used directly for heating or power or as a motor fuel.
4. “Biofuel blend” means a motor fuel that is comprised of a biofuel, that is combined with a petroleum based fuel and that is designated by the volume percentage of biofuel in the blend.
5. “Biomass” means biological material, such as plant or animal matter, excluding organic material that has been transformed by geological processes into substances such as coal or petroleum or derivatives thereof, that may be transformed into biofuel.
6. “Certification” means the process of determining the accuracy of a commercial device to the standards of this state by a registered service representative or the department.
7. “Commercial device” means any weighing, measuring, metering or counting device that is used to determine the direct cost of things sold or offered or exposed for sale, or used to establish a fee for service if the cost is based on weight, measure or count, except that it does not include those devices used for in-house packaging, inventory control or law enforcement purposes.

8. "Commodity" means any merchandise, product or substance produced or distributed for sale to or use by others.
9. "Correct" as used in connection with weights and measures means conformance to all applicable requirements of this chapter.
10. "Department" means the department of weights and measures.
11. "Diesel fuel" means a refined middle distillate that is used as a fuel in a compression-ignition internal combustion engine and that meets the specifications of ASTM D975.
12. "Director" means the director of the department of weights and measures.
13. "E85" means a fuel ethanol gasoline blend that meets the specifications of ASTM D5798.
14. "Inspector" means state officials of the department of weights and measures.
15. "Limousine" means a motor vehicle providing prearranged ground transportation service for an individual passenger, or a group of passengers, that is arranged in advance or is operated on a regular route or between specified points and includes ground transportation under a contract or agreement for services that includes a fixed rate or time and is provided in a motor vehicle with a seating capacity not exceeding fifteen passengers, including the driver.
16. "Liquid fuel measuring device" means any meter, pump, tank, gauge or apparatus used for volumetrically determining the quantity of any internal combustion engine fuel, liquefied petroleum gas or low viscosity heating oil.
17. "Livery vehicle" means a motor vehicle that:
 - a. Has a seating capacity not exceeding fifteen passengers, including the driver.
 - b. Provides passenger services for a fare determined by a flat rate or flat hourly rate between geographic zones or within a geographic area.
 - c. Is available for hire on an exclusive or shared ride basis.
 - d. May do any of the following:
 - i. Operate on a regular route or between specified places.
 - ii. Offer prearranged ground transportation service as defined in
 - iii. Offer on demand ground transportation service pursuant to a contract with a public airport, licensed business entity or organization.

18. "Misfuel" means the act of dispensing into the fuel tank of a motor vehicle a motor fuel that was not intended to be used in the engine of that motor vehicle.
19. "Motor fuel" means a petroleum or a petroleum based substance that is motor gasoline, aviation gasoline, number one or number two diesel fuel or any grade of oxygenated gasoline typically used in the operation of a motor engine, including biodiesel blends, biofuel blends and the ethanol blend E85 as defined in ASTM D5798.
20. "Package" means any commodity enclosed in a container or wrapped in any manner in advance of sale in units suitable for either wholesale or retail trade.
21. "Person" means both the plural and the singular, as the case demands, and includes individuals, partnerships, corporations, companies, societies and associations.
22. "Public weighmaster" means any person who is engaged in any of the following:
 - a. The business of weighing any object or thing for the public generally for hire or for internal use and issuing for that weighing a weight certificate intended to be accepted as an accurate weight upon which a purchase or sale is to be based or on which a service fee is to be charged.
 - b. The business of weighing for hire motor vehicles, trailers or semitrailers and issuing weight certificates intended to be accepted as an accurate weight for the purpose of determining the amount of any tax, fee or other assessment on the vehicles.
23. "Reference standards" means the physical standards of the state that serve as the legal reference from which all other standards and weights and measures are derived.
24. "Registered service agency" means any agency, firm, company or corporation that for hire, award, commission or any other payment of any kind installs, services, repairs or reconditions a commercial device or tests or repairs vapor recovery systems or vapor recovery components and that has been issued a license by the department.
25. "Registered service representative" means any individual who for hire, award, commission or any other payment of any kind installs, services, repairs or reconditions a commercial device or tests or repairs vapor recovery systems or vapor recovery components and who has been issued a license by the department.
26. "Retail seller" means a person whose business purpose is to sell, expose or offer for sale or use any package or commodity by weight, measure or count.
27. "Sale from bulk" means the sale of commodities when the quantity is determined at the time of sale.
28. "Secondary standards" means the physical standards that are traceable to the reference standards through comparisons, using acceptable laboratory procedures, and that are used in the enforcement of weights and measures laws and rules.

29. "Taxi" means a motor vehicle that has a seating capacity not exceeding fifteen passengers, including the driver, that is registered as a taxi in this state or any other state, that provides passenger services and that:
- a. Does not primarily operate on a regular route or between specified places.
 - b. Offers local transportation for a fare determined on the basis of the distance traveled or prearranged ground transportation service as defined in § 28-141 for a predetermined fare.
30. "Taxi meter" means a commercial device that meets the requirements of the national institute of standards and technology handbook 44 as prescribed by § 41-2064.
31. "Weight" as used in connection with any commodity means net weight.
32. "Weights" or "measures", or both, means all weights, measures, meters or counters of every kind, instruments and devices for weighing, measuring, metering or counting and any appliance and accessories associated with any or all such instruments and devices.