



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.

§ 28-2416. Alternative fuel vehicle special plates; stickers; use of high occupancy vehicle lanes; definition

- A. A person who owns a motor vehicle that has either been converted or manufactured to use an alternative fuel as the vehicle's exclusive fuel source and that is incapable of operating on any other type of fuel and the alternative fuel was subject to the use fuel tax imposed pursuant to chapter 16 of this title¹ before April 1, 1997 shall apply for alternative fuel vehicle special plates pursuant to this section.
- B. The department shall issue alternative fuel vehicle special plates, or an alternative fuel vehicle sticker as provided in subsection D of this section, to a person who satisfies all of the following:
 1. Owns a motor vehicle that is exclusively powered by an alternative fuel and that is incapable of operating on any other type of fuel.
 2. Provides proof as follows:
 - (a) For an original equipment manufactured alternative fuel vehicle, the dealer who sells the motor vehicle shall provide to the department of transportation and the owner of the motor vehicle a certificate indicating:
 - i. That the motor vehicle is exclusively powered by an alternative fuel and is incapable of operating on any other type of fuel.
 - ii. The emission classification of the motor vehicle as low, inherently low, ultralow or zero.
 - (b) For a converted motor vehicle or a motor vehicle that is assembled by the owner, the department of environmental quality or an agent of the department

of environmental quality shall provide a certificate to the department of transportation and the owner of the motor vehicle indicating that the motor vehicle is exclusively powered by an alternative fuel and is incapable of operating on any other type of fuel.

3. Pays an eight dollar special plate administration fee, except that vehicles that are registered pursuant to § 28-2511 are exempt from that fee. The department shall deposit, pursuant to §§ 35-146 and 35-147, all special plate administration fees in the state highway fund established by § 28-6991.
- C. The color and design of the alternative fuel vehicle special plates are subject to the approval of the governor's energy office. The director may allow a request for alternative fuel vehicle special plates to be combined with a request for personalized special plates. If the director allows such a combination, the request shall be in a form prescribed by the director and is subject to the fees for the personalized special plates in addition to the fees required for alternative fuel vehicle special plates. Alternative fuel vehicle special plates are not transferable, except that if the director allows alternative fuel vehicle special plates to be personalized a person who is issued personalized alternative fuel vehicle special plates may transfer those plates to another alternative fuel vehicle for which the person is the registered owner or lessee.
 - D. If a motor vehicle qualifies pursuant to this section and any other special plates are issued pursuant to article 7, 8 or 13 of this chapter² or § 28-2514 for the motor vehicle, the department may issue an alternative fuel vehicle sticker to the person who owns the motor vehicle. The alternative fuel vehicle sticker shall be diamond-shaped, shall indicate the type of alternative fuel used by the vehicle and shall be placed on the motor vehicle as prescribed by the department.
 - E. Except as provided in § 28-337, a person may drive a motor vehicle with alternative fuel vehicle special plates or an alternative fuel vehicle sticker in high occupancy vehicle lanes at any time, regardless of occupancy level, without penalty.
 - F. A person shall not drive a motor vehicle in a high occupancy vehicle lane with an alternative fuel vehicle sticker if the motor vehicle is not an alternative fuel vehicle for which an alternative fuel vehicle sticker has been issued pursuant to this section. A person who violates this subsection is subject to a civil penalty of three hundred fifty dollars. Notwithstanding § 28-1554, the civil penalty collected pursuant to this subsection shall be deposited in the state general fund.
 - G. For the purposes of § 28-337, the department shall:
 1. Limit or suspend the issuance of alternative fuel vehicle special plates.
 2. Remove the privilege of operating in the high occupancy vehicle lane with a single occupant, including the driver.
 - H. If the department publishes maps of the state highway system that are distributed to the general

public, the department shall indicate on those maps the approximate location of alternative fuel delivery facilities that are open to the public.

- I. For the purposes of this section, “alternative fuel” has the same meaning prescribed in § 1-215.

Credits

Added as § 28-1116 by Laws 1995, Ch. 132, § 3, eff. Oct. 1, 1997. Renumbered as § 28-2416 by Laws 1996, Ch. 76, § 7, eff. Oct. 1, 1997. Amended by Laws 1997, Ch. 1, § 175, eff. Oct. 1, 1997; Laws 1998, Ch. 221, § 3; Laws 1999, Ch. 168, § 6, eff. May 5, 1999; Laws 2000, Ch. 193, § 193; Laws 2000, Ch. 405, § 12, eff. April 28, 2000; Laws 2000, 7th S.S., Ch. 1, § 4, eff. Dec. 14, 2000; Laws 2001, Ch. 168, § 2; Laws 2001, Ch. 287, § 5; Laws 2001, Ch. 371, § 3; Laws 2002, Ch. 260, § 5; Laws 2003, Ch. 263, § 19; Laws 2009, Ch. 187, § 30; Laws 2011, 2nd S.S., Ch. 1, § 12, eff. July 1, 2011.