

House Engrossed Senate Bill

~~off-highway vehicles; weight~~
(now: off-highway vehicles; weight; enforcement fund)

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE BILL 1519

AN ACT

AMENDING SECTIONS 28-101, 28-964, 28-1177 AND 28-1179, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 3, ARTICLE 20, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-1182; AMENDING SECTION 28-5801, ARIZONA REVISED STATUTES; RELATING TO OFF-HIGHWAY VEHICLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-101, Arizona Revised Statutes, is amended to
3 read:

4 28-101. Definitions

5 In this title, unless the context otherwise requires:

6 1. "Alcohol" means any substance containing any form of alcohol,
7 including ethanol, methanol, propynol and isopropynol.

8 2. "Alcohol concentration" if expressed as a percentage means
9 either:

10 (a) The number of grams of alcohol per one hundred milliliters of
11 blood.

12 (b) The number of grams of alcohol per two hundred ten liters of
13 breath.

14 3. "All-terrain vehicle" means either of the following:

15 (a) A motor vehicle that satisfies all of the following:

16 (i) Is designed primarily for recreational nonhighway all-terrain
17 travel.

18 (ii) Is fifty or fewer inches in width.

19 (iii) Has an unladen weight of one thousand two hundred pounds or
20 less.

21 (iv) Travels on three or more nonhighway tires.

22 (v) Is operated on a public highway.

23 (b) A recreational off-highway vehicle that satisfies all of the
24 following:

25 (i) Is designed primarily for recreational nonhighway all-terrain
26 travel.

27 (ii) Is eighty or fewer inches in width.

28 (iii) Has an unladen weight of ~~two~~ THREE thousand five hundred
29 pounds or less.

30 (iv) Travels on four or more nonhighway tires.

31 (v) Has a steering wheel for steering control.

32 (vi) Has a rollover protective structure.

33 (vii) Has an occupant retention system.

34 4. "Authorized emergency vehicle" means any of the following:

35 (a) A fire department vehicle.

36 (b) A police vehicle.

37 (c) An ambulance or emergency vehicle of a municipal department or
38 public service corporation that is designated or authorized by the
39 department or a local authority.

40 (d) Any other ambulance, fire truck or rescue vehicle that is
41 authorized by the department in its sole discretion and that meets
42 liability insurance requirements prescribed by the department.

1 5. "Autocycle" means a three-wheeled motorcycle on which the driver
2 and passengers ride in a fully or partially enclosed seating area that is
3 equipped with a roll cage, safety belts for each occupant and antilock
4 brakes and that is designed to be controlled with a steering wheel and
5 pedals.

6 6. "Automated driving system" means the hardware and software that
7 are collectively capable of performing the entire dynamic driving task on
8 a sustained basis, regardless of whether it is limited to a specific
9 operational design domain.

10 7. "Automotive recycler" means a person that is engaged in the
11 business of buying or acquiring a motor vehicle solely for the purpose of
12 dismantling, selling or otherwise disposing of the parts or accessories
13 and that removes parts for resale from six or more vehicles in a calendar
14 year.

15 8. "Autonomous vehicle" means a motor vehicle that is equipped with
16 an automated driving system.

17 9. "Aviation fuel" means all flammable liquids composed of a
18 mixture of selected hydrocarbons expressly manufactured and blended for
19 the purpose of effectively and efficiently operating an internal
20 combustion engine for use in an aircraft but does not include fuel for jet
21 or turbine powered aircraft.

22 10. "Bicycle" means a device, including a racing wheelchair, that
23 is propelled by human power and on which a person may ride and that has
24 either:

25 (a) Two tandem wheels, either of which is more than sixteen inches
26 in diameter.

27 (b) Three wheels in contact with the ground, any of which is more
28 than sixteen inches in diameter.

29 11. "Board" means the transportation board.

30 12. "Bus" means a motor vehicle designed for carrying sixteen or
31 more passengers, including the driver.

32 13. "Business district" means the territory contiguous to and
33 including a highway if there are buildings in use for business or
34 industrial purposes within any six hundred feet along the highway,
35 including hotels, banks or office buildings, railroad stations and public
36 buildings that occupy at least three hundred feet of frontage on one side
37 or three hundred feet collectively on both sides of the highway.

38 14. "Certificate of ownership" means a paper or an electronic
39 record that is issued in another state or a foreign jurisdiction and that
40 indicates ownership of a vehicle.

41 15. "Certificate of title" means a paper document or an electronic
42 record that is issued by the department and that indicates ownership of a
43 vehicle.

44 16. "Combination of vehicles" means a truck or truck tractor and
45 semitrailer and any trailer that it tows but does not include a forklift

1 designed for the purpose of loading or unloading the truck, trailer or
2 semitrailer.

3 17. "Controlled substance" means a substance so classified under
4 section 102(6) of the controlled substances act (21 United States Code
5 section 802(6)) and includes all substances listed in schedules I through
6 V of 21 Code of Federal Regulations part 1308.

7 18. "Conviction" means:

8 (a) An unvacated adjudication of guilt or a determination that a
9 person violated or failed to comply with the law in a court of original
10 jurisdiction or by an authorized administrative tribunal.

11 (b) An unvacated forfeiture of bail or collateral deposited to
12 secure the person's appearance in court.

13 (c) A plea of guilty or no contest accepted by the court.

14 (d) The payment of a fine or court costs.

15 19. "County highway" means a public road that is constructed and
16 maintained by a county.

17 20. "Dealer" means a person who is engaged in the business of
18 buying, selling or exchanging motor vehicles, trailers or semitrailers and
19 who has an established place of business and has paid fees pursuant to
20 section 28-4302.

21 21. "Department" means the department of transportation acting
22 directly or through its duly authorized officers and agents.

23 22. "Digital network or software application" has the same meaning
24 prescribed in section 28-9551.

25 23. "Director" means the director of the department of
26 transportation.

27 24. "Drive" means to operate or be in actual physical control of a
28 motor vehicle.

29 25. "Driver" means a person who drives or is in actual physical
30 control of a vehicle.

31 26. "Driver license" means a license that is issued by a state to
32 an individual and that authorizes the individual to drive a motor vehicle.

33 27. "Dynamic driving task":
34

35 (a) Means all of the real-time operational and tactical functions
36 required to operate a vehicle in on-road traffic.

37 (b) Includes:

38 (i) Lateral vehicle motion control by steering.

39 (ii) Longitudinal motion control by acceleration and deceleration.

40 (iii) Monitoring the driving environment by object and event
41 detection, recognition, classification and response preparation.

42 (iv) Object and event response execution.

43 (v) Maneuver planning.

(vi) Enhancing conspicuity by lighting, signaling and gesturing.

1 (c) Does not include strategic functions such as trip scheduling
2 and selecting destinations and waypoints.

3 28. "Electric bicycle" means a bicycle or tricycle that is equipped
4 with fully operable pedals and an electric motor of less than seven
5 hundred fifty watts and that meets the requirements of one of the
6 following classes:

7 (a) "Class 1 electric bicycle" means a bicycle or tricycle that is
8 equipped with an electric motor that provides assistance only when the
9 rider is pedaling and that ceases to provide assistance when the bicycle
10 or tricycle reaches the speed of twenty miles per hour.

11 (b) "Class 2 electric bicycle" means a bicycle or tricycle that is
12 equipped with an electric motor that may be used exclusively to propel the
13 bicycle or tricycle and that is not capable of providing assistance when
14 the bicycle or tricycle reaches the speed of twenty miles per hour.

15 (c) "Class 3 electric bicycle" means a bicycle or tricycle that is
16 equipped with an electric motor that provides assistance only when the
17 rider is pedaling and that ceases to provide assistance when the bicycle
18 or tricycle reaches the speed of twenty-eight miles per hour.

19 29. "Electric miniature scooter" means a device that:

20 (a) Weighs less than thirty pounds.

21 (b) Has two or three wheels.

22 (c) Has handlebars.

23 (d) Has a floorboard on which a person may stand while riding.

24 (e) Is powered by an electric motor or human power, or both.

25 (f) Has a maximum speed that does not exceed ten miles per hour,
26 with or without human propulsion, on a paved level surface.

27 30. "Electric personal assistive mobility device" means a
28 self-balancing device with one wheel or two nontandem wheels and an
29 electric propulsion system that limits the maximum speed of the device to
30 fifteen miles per hour or less and that is designed to transport only one
31 person.

32 31. "Electric standup scooter":

33 (a) Means a device that:

34 (i) Weighs less than seventy-five pounds.

35 (ii) Has two or three wheels.

36 (iii) Has handlebars.

37 (iv) Has a floorboard on which a person may stand while riding.

38 (v) Is powered by an electric motor or human power, or both.

39 (vi) Has a maximum speed that does not exceed twenty miles per
40 hour, with or without human propulsion, on a paved level surface.

41 (b) Does not include an electric miniature scooter.

42 32. "Evidence" includes both of the following:

43 (a) A display on a wireless communication device of a
44 department-generated driver license, nonoperating identification license,
45 vehicle registration card or other official record of the department that

1 is presented to a law enforcement officer or in a court or an
2 administrative proceeding.

3 (b) An electronic or digital license plate authorized pursuant to
4 section 28-364.

5 33. "Farm" means any lands primarily used for agriculture
6 production.

7 34. "Farm tractor" means a motor vehicle designed and used
8 primarily as a farm implement for drawing implements of husbandry.

9 35. "Foreign vehicle" means a motor vehicle, trailer or semitrailer
10 that is brought into this state other than in the ordinary course of
11 business by or through a manufacturer or dealer and that has not been
12 registered in this state.

13 36. "Fully autonomous vehicle" means an autonomous vehicle that is
14 equipped with an automated driving system designed to function as a level
15 four or five system under SAE J3016 and that may be designed to function
16 either:

17 (a) Solely by use of the automated driving system.

18 (b) By a human driver when the automated driving system is not
19 engaged.

20 37. "Golf cart" means a motor vehicle that has not less than three
21 wheels in contact with the ground, that has an unladen weight of less than
22 one thousand eight hundred pounds, that is designed to be and is operated
23 at not more than twenty-five miles per hour and that is designed to carry
24 not more than four persons including the driver.

25 38. "Gross combined weight rating" means the sum of the gross
26 vehicle weight rating of a motor vehicle and the trailer or semitrailer
27 the motor vehicle tows.

28 39. "Gross vehicle weight rating" means the weight that is assigned
29 by the motor vehicle manufacturer to a motor vehicle and that represents
30 the maximum recommended total weight, including the vehicle and the load
31 for the vehicle.

32 40. "Hazardous material" means a material, and its mixtures or
33 solutions, that the United States department of transportation determines
34 under 49 Code of Federal Regulations is, or any quantity of a material
35 listed as a select agent or toxin under 42 Code of Federal Regulations
36 part 73 that is, capable of posing an unreasonable risk to health, safety
37 and property if transported in commerce and that is required to be
38 placarded or marked as required by the department's safety rules
39 prescribed pursuant to chapter 14 of this title.

40 41. "Human driver" means a natural person in the vehicle who
41 performs in real time all or part of the dynamic driving task or who
42 achieves a minimal risk condition for the vehicle.

1 42. "Implement of husbandry" means a vehicle that is designed
2 primarily for agricultural purposes and that is used exclusively in the
3 conduct of agricultural operations, including an implement or vehicle that
4 uses an automated driving system or that is autonomous or that is
5 self-propelled or otherwise, whether operated manually, equipped with an
6 automated driving system that is not in use or equipped with an automated
7 driving system that is in use, and that meets both of the following
8 conditions:

9 (a) Is used solely for agricultural purposes, including the
10 preparation or harvesting of cotton, alfalfa, grains, specialty crops and
11 other farm crops. For the purposes of this subdivision, "specialty crops"
12 includes fruits, vegetables, tree nuts, dried fruits and horticulture and
13 nursery crops, including floriculture.

14 (b) Is only incidentally operated or moved on a highway whether as
15 a trailer or an autonomous vehicle or a self-propelled unit. For the
16 purposes of this subdivision, "incidentally operated or moved on a
17 highway" means travel between a farm and another part of the same farm,
18 from one farm to another farm or between a farm and a place of repair,
19 supply or storage.

20 43. "Limousine" means a motor vehicle providing prearranged ground
21 transportation service for an individual passenger, or a group of
22 passengers, that is arranged in advance or is operated on a regular route
23 or between specified points and includes ground transportation under a
24 contract or agreement for services that includes a fixed rate or time and
25 is provided in a motor vehicle with a seating capacity not exceeding
26 fifteen passengers including the driver.

27 44. "Livery vehicle" means a motor vehicle that:

28 (a) Has a seating capacity not exceeding fifteen passengers
29 including the driver.

30 (b) Provides passenger services for a fare determined by a flat
31 rate or flat hourly rate between geographic zones or within a geographic
32 area.

33 (c) Is available for hire on an exclusive or shared ride basis.

34 (d) May do any of the following:

35 (i) Operate on a regular route or between specified places.

36 (ii) Offer prearranged ground transportation service as defined in
37 section 28-141.

38 (iii) Offer on demand ground transportation service pursuant to a
39 contract with a public airport, licensed business entity or organization.

40 45. "Local authority" means any county, municipal or other local
41 board or body exercising jurisdiction over highways under the constitution
42 and laws of this state.

43 46. "Manufacturer" means a person engaged in the business of
44 manufacturing motor vehicles, trailers or semitrailers.

1 47. "Minimal risk condition":

2 (a) Means a condition to which a human driver or an automated
3 driving system may bring a vehicle in order to reduce the risk of a crash
4 when a given trip cannot or should not be completed.

5 (b) Includes bringing the vehicle to a complete stop.

6 48. "Moped" means a bicycle, not including an electric bicycle, an
7 electric miniature scooter or an electric standup scooter, that is
8 equipped with a helper motor if the vehicle has a maximum piston
9 displacement of fifty cubic centimeters or less, a brake horsepower of one
10 and one-half or less and a maximum speed of twenty-five miles per hour or
11 less on a flat surface with less than a one percent grade.

12 49. "Motorcycle" means a motor vehicle that has a seat or saddle
13 for the use of the rider and that is designed to travel on not more than
14 three wheels in contact with the ground but excludes a tractor, an
15 electric bicycle, an electric miniature scooter, an electric standup
16 scooter and a moped.

17 50. "Motor driven cycle" means a motorcycle, including every motor
18 scooter, with a motor that produces not more than five horsepower but does
19 not include an electric bicycle, an electric miniature scooter or an
20 electric standup scooter.

21 51. "Motorized quadricycle" means a self-propelled motor vehicle to
22 which all of the following apply:

23 (a) The vehicle is self-propelled by an emission-free electric
24 motor and may include pedals operated by the passengers.

25 (b) The vehicle has at least four wheels in contact with the
26 ground.

27 (c) The vehicle seats at least eight passengers, including the
28 driver.

29 (d) The vehicle is operable on a flat surface using solely the
30 electric motor without assistance from the pedals or passengers.

31 (e) The vehicle is a commercial motor vehicle as defined in section
32 28-5201.

33 (f) The vehicle is a limousine operating under a vehicle for hire
34 company permit issued pursuant to section 28-9503.

35 (g) The vehicle is manufactured by a motor vehicle manufacturer
36 that is licensed pursuant to chapter 10 of this title.

37 (h) The vehicle complies with the definition and standards for
38 low-speed vehicles set forth in 49 Code of Federal Regulations sections
39 571.3(b) and 571.500, respectively.

40 52. "Motor vehicle":

41 (a) Means either:

42 (i) A self-propelled vehicle.

1 (ii) For the purposes of the laws relating to the imposition of a
2 tax on motor vehicle fuel, a vehicle that is operated on the highways of
3 this state and that is propelled by the use of motor vehicle fuel.

4 (b) Does not include a scrap vehicle, a personal delivery device, a
5 personal mobile cargo carrying device, a motorized wheelchair, an electric
6 personal assistive mobility device, an electric bicycle, an electric
7 miniature scooter, an electric standup scooter or a motorized skateboard.
8 For the purposes of this subdivision:

9 (i) "Motorized skateboard" means a self-propelled device that does
10 not have handlebars and that has a motor, a deck on which a person may
11 ride and at least two tandem wheels in contact with the ground.

12 (ii) "Motorized wheelchair" means a self-propelled wheelchair that
13 is used by a person for mobility.

14 53. "Motor vehicle fuel" includes all products that are commonly or
15 commercially known or sold as gasoline, including casinghead gasoline,
16 natural gasoline and all flammable liquids, and that are composed of a
17 mixture of selected hydrocarbons expressly manufactured and blended for
18 the purpose of effectively and efficiently operating internal combustion
19 engines. Motor vehicle fuel does not include inflammable liquids that are
20 specifically manufactured for racing motor vehicles and that are
21 distributed for and used by racing motor vehicles at a racetrack, use fuel
22 as defined in section 28-5601, aviation fuel, fuel for jet or turbine
23 powered aircraft or the mixture created at the interface of two different
24 substances being transported through a pipeline, commonly known as
25 transmix.

26 54. "Neighborhood electric shuttle":

27 (a) Means a self-propelled electrically powered motor vehicle to
28 which all of the following apply:

29 (i) The vehicle is emission free.

30 (ii) The vehicle has at least four wheels in contact with the
31 ground.

32 (iii) The vehicle is capable of transporting at least eight
33 passengers, including the driver.

34 (iv) The vehicle is a commercial motor vehicle as defined in
35 section 28-5201.

36 (v) The vehicle is a vehicle for hire as defined in section 28-9501
37 and operates under a vehicle for hire company permit issued pursuant to
38 section 28-9503.

39 (vi) The vehicle complies with the definition and standards for
40 low-speed vehicles set forth in 49 Code of Federal Regulations sections
41 571.3(b) and 571.500, respectively.

1 (b) Includes a vehicle that meets the standards prescribed in
2 subdivision (a) of this paragraph and that has been modified after market
3 and not by the manufacturer to transport up to fifteen passengers,
4 including the driver.

5 55. "Neighborhood electric vehicle" means a self-propelled
6 electrically powered motor vehicle to which all of the following apply:

7 (a) The vehicle is emission free.

8 (b) The vehicle has at least four wheels in contact with the
9 ground.

10 (c) The vehicle complies with the definition and standards for
11 low-speed vehicles, unless excepted or exempted under federal law, set
12 forth in 49 Code of Federal Regulations sections 571.3(b) and 571.500,
13 respectively.

14 56. "Neighborhood occupantless electric vehicle" means a
15 neighborhood electric vehicle that is not designed, intended or marketed
16 for human occupancy.

17 57. "Nonresident" means a person who is not a resident of this
18 state as defined in section 28-2001.

19 58. "Off-road recreational motor vehicle" means a motor vehicle
20 that is designed primarily for recreational nonhighway all-terrain travel
21 and that is not operated on a public highway. Off-road recreational motor
22 vehicle does not mean a motor vehicle used for construction, building
23 trade, mining or agricultural purposes.

24 59. "Operational design domain":

25 (a) Means operating conditions under which a given automated
26 driving system is specifically designed to function.

27 (b) Includes roadway types, speed range, environmental conditions,
28 such as weather or time of day, and other domain constraints.

29 60. "Operator" means a person who drives a motor vehicle on a
30 highway, who is in actual physical control of a motor vehicle on a highway
31 or who is exercising control over or steering a vehicle being towed by a
32 motor vehicle.

33 61. "Owner" means:

34 (a) A person who holds the legal title of a vehicle.

35 (b) If a vehicle is the subject of an agreement for the conditional
36 sale or lease with the right of purchase on performance of the conditions
37 stated in the agreement and with an immediate right of possession vested
38 in the conditional vendee or lessee, the conditional vendee or lessee.

39 (c) If a mortgagor of a vehicle is entitled to possession of the
40 vehicle, the mortgagor.

41 62. "Pedestrian" means any person afoot. A person who uses an
42 electric personal assistive mobility device or a manual or motorized
43 wheelchair is considered a pedestrian unless the manual wheelchair
44 qualifies as a bicycle. For the purposes of this paragraph, "motorized

1 wheelchair" means a self-propelled wheelchair that is used by a person for
2 mobility.

3 63. "Personal delivery device":

4 (a) Means a device that is both of the following:

5 (i) Manufactured for transporting cargo and goods in an area
6 described in section 28-1225.

7 (ii) Equipped with automated driving technology, including software
8 and hardware, that enables the operation of the device with the remote
9 support and supervision of a human.

10 (b) Does not include a personal mobile cargo carrying device.

11 64. "Personal mobile cargo carrying device" means an electronically
12 powered device that:

13 (a) Is operated primarily on sidewalks and within crosswalks and
14 that is designed to transport property.

15 (b) Weighs less than eighty pounds, excluding cargo.

16 (c) Operates at a maximum speed of twelve miles per hour.

17 (d) Is equipped with technology to transport personal property with
18 the active monitoring of a property owner and that is primarily designed
19 to remain within twenty-five feet of the property owner.

20 (e) Is equipped with a braking system that when active or engaged
21 enables the personal mobile cargo carrying device to come to a controlled
22 stop.

23 65. "Power sweeper" means an implement, with or without motive
24 power, that is only incidentally operated or moved on a street or highway
25 and that is designed for the removal of debris, dirt, gravel, litter or
26 sand whether by broom, vacuum or regenerative air system from asphaltic
27 concrete or cement concrete surfaces, including parking lots, highways,
28 streets and warehouses, and a vehicle on which the implement is
29 permanently mounted.

30 66. "Public transit" means the transportation of passengers on
31 scheduled routes by means of a conveyance on an individual passenger
32 fare-paying basis excluding transportation by a sightseeing bus, school
33 bus or taxi or a vehicle not operated on a scheduled route basis.

34 67. "Reconstructed vehicle" means a vehicle that has been assembled
35 or constructed largely by means of essential parts, new or used, derived
36 from vehicles or makes of vehicles of various names, models and types or
37 that, if originally otherwise constructed, has been materially altered by
38 the removal of essential parts or by the addition or substitution of
39 essential parts, new or used, derived from other vehicles or makes of
40 vehicles. For the purposes of this paragraph, "essential parts" means
41 integral and body parts, the removal, alteration or substitution of which
42 will tend to conceal the identity or substantially alter the appearance of
43 the vehicle.

1 68. "Residence district" means the territory contiguous to and
2 including a highway not comprising a business district if the property on
3 the highway for a distance of three hundred feet or more is in the main
4 improved with residences or residences and buildings in use for business.

5 69. "Right-of-way" when used within the context of the regulation
6 of the movement of traffic on a highway means the privilege of the
7 immediate use of the highway. Right-of-way when used within the context
8 of the real property on which transportation facilities and appurtenances
9 to the facilities are constructed or maintained means the lands or
10 interest in lands within the right-of-way boundaries.

11 70. "SAE J3016" means surface transportation recommended practice
12 J3016 taxonomy and definitions for terms related to driving automation
13 systems for on-road motor vehicles published by SAE international in June
14 2018.

15 71. "School bus" means a motor vehicle that is designed for
16 carrying more than ten passengers and that is either:

17 (a) Owned by any public or governmental agency or other institution
18 and operated for the transportation of children to or from home or school
19 on a regularly scheduled basis.

20 (b) Privately owned and operated for compensation for the
21 transportation of children to or from home or school on a regularly
22 scheduled basis.

23 72. "Scrap metal dealer" has the same meaning prescribed in section
24 44-1641.

25 73. "Scrap vehicle" has the same meaning prescribed in section
26 44-1641.

27 74. "Semitrailer" means a vehicle that is with or without motive
28 power, other than a pole trailer or single-axle tow dolly, that is
29 designed for carrying persons or property and for being drawn by a motor
30 vehicle and that is constructed so that some part of its weight and that
31 of its load rests on or is carried by another vehicle. For the purposes of
32 this paragraph, "pole trailer" has the same meaning prescribed in section
33 28-601.

34 75. "Single-axle tow dolly" means a nonvehicle device that is drawn
35 by a motor vehicle, that is designed and used exclusively to transport
36 another motor vehicle and on which the front or rear wheels of the drawn
37 motor vehicle are mounted on the tow dolly while the other wheels of the
38 drawn motor vehicle remain in contact with the ground.

39 76. "State" means a state of the United States and the District of
40 Columbia.

41 77. "State highway" means a state route or portion of a state route
42 that is accepted and designated by the board as a state highway and that
43 is maintained by the state.

1 78. "State route" means a right-of-way whether actually used as a
2 highway or not that is designated by the board as a location for the
3 construction of a state highway.

4 79. "Street" or "highway" means the entire width between the
5 boundary lines of every way if a part of the way is open to the use of the
6 public for purposes of vehicular travel.

7 80. "Taxi" means a motor vehicle that has a seating capacity not
8 exceeding fifteen passengers, including the driver, that provides
9 passenger services and that:

10 (a) Does not primarily operate on a regular route or between
11 specified places.

12 (b) Offers local transportation for a fare determined on the basis
13 of the distance traveled or prearranged ground transportation service as
14 defined in section 28-141 for a predetermined fare.

15 81. "Title transfer form" means a paper or an electronic form that
16 is prescribed by the department for the purpose of transferring a
17 certificate of title from one owner to another owner.

18 82. "Traffic survival school" means a school that is licensed
19 pursuant to chapter 8, article 7.1 of this title and that offers
20 educational sessions that are designed to improve the safety and habits of
21 drivers and that are approved by the department.

22 83. "Trailer" means a vehicle that is with or without motive power,
23 other than a pole trailer or single-axle tow dolly, that is designed for
24 carrying persons or property and for being drawn by a motor vehicle and
25 that is constructed so that no part of its weight rests on the towing
26 vehicle. A semitrailer equipped with an auxiliary front axle commonly
27 known as a dolly is deemed to be a trailer. For the purposes of this
28 paragraph, "pole trailer" has the same meaning prescribed in section
29 28-601.

30 84. "Transportation network company" has the same meaning
31 prescribed in section 28-9551.

32 85. "Transportation network company vehicle" has the same meaning
33 prescribed in section 28-9551.

34 86. "Transportation network service" has the same meaning
35 prescribed in section 28-9551.

36 87. "Truck" means a motor vehicle designed or used primarily for
37 the carrying of property other than the effects of the driver or
38 passengers and includes a motor vehicle to which has been added a box, a
39 platform or other equipment for such carrying.

40 88. "Truck tractor" means a motor vehicle that is designed and used
41 primarily for drawing other vehicles and that is not constructed to carry
42 a load other than a part of the weight of the vehicle and load drawn.

43 89. "Vehicle":

44 (a) Means a device in, on or by which a person or property is or
45 may be transported or drawn on a public highway.

(b) Does not include:

(i) Electric bicycles, electric miniature scooters, electric standup scooters and devices moved by human power.

(ii) Devices used exclusively on stationary rails or tracks.

(iii) Personal delivery devices.

(iv) Scrap vehicles.

(v) Personal mobile cargo carrying devices.

90. "Vehicle transporter" means either:

(a) A truck tractor capable of carrying a load and drawing a semitrailer.

(b) A truck tractor with a stinger-steered fifth wheel capable of carrying a load and drawing a semitrailer or a truck tractor with a dolly mounted fifth wheel that is securely fastened to the truck tractor at two or more points and that is capable of carrying a load and drawing a semitrailer.

Sec. 2. Section 28-964, Arizona Revised Statutes, is amended to read:

28-964. Motorcycles; all-terrain vehicles; motor driven cycles; equipment; exception; citations; civil penalty; community restitution

A. An operator or passenger of a motorcycle, all-terrain vehicle or motor driven cycle who is under eighteen years of age shall wear at all times a protective helmet on the operator's or passenger's head in an appropriate manner. A law enforcement officer may issue a citation for a violation of this subsection only to an operator or passenger who is sixteen or seventeen years of age and who has been issued a driver license or permit. The protective helmet shall be safely secured while the operator or passenger is operating or riding on the motorcycle, all-terrain vehicle or motor driven cycle. An operator of a motorcycle, all-terrain vehicle or motor driven cycle shall wear at all times protective glasses, goggles or a transparent face shield of a type approved by the director unless the motorcycle, all-terrain vehicle or motor driven cycle is equipped with a protective windshield. This subsection does not apply to any of the following:

1. Electrically powered three wheeled vehicles or three wheeled vehicles on which the operator and passenger ride within an enclosed cab.

2. A motorcycle, all-terrain vehicle or motor driven cycle that is a farm or agricultural vehicle if the operator or passenger is engaged in agricultural work.

~~3. An all-terrain vehicle as defined in section 28-101, paragraph 3, subdivision (b).~~

~~4.~~ 3. A motorcycle, all-terrain vehicle or motor driven cycle that is operated on private property.

1 B. A motorcycle, all-terrain vehicle and motor driven cycle shall
2 be equipped with a rearview mirror, seat and footrests for the operator. A
3 motorcycle, all-terrain vehicle or motor driven cycle operated with a
4 passenger shall be equipped with a seat and footrests for the passenger.

5 C. An operator of a motorcycle, all-terrain vehicle or motor driven
6 cycle who is at least eighteen years of age may be issued a citation if
7 either of the following occurs:

8 1. A passenger of the motorcycle, all-terrain vehicle or motor
9 driven cycle is under eighteen years of age and is not wearing a
10 protective helmet as prescribed in subsection A of this section.

11 2. The operator or passenger of the motorcycle, all-terrain vehicle
12 or motor driven cycle is under eighteen years of age and is both:

13 (a) Not wearing a protective helmet as prescribed in subsection A
14 of this section.

15 (b) In the same group or party as the operator of the initial
16 motorcycle, all-terrain vehicle or motor driven cycle who is at least
17 eighteen years of age.

18 D. For an initial violation of this section, a person is subject to
19 a civil penalty of \$100 or community ~~service~~ RESTITUTION if the person is
20 sixteen or seventeen years of age at the time of the violation.

21 Sec. 3. Section 28-1177, Arizona Revised Statutes, is amended to
22 read:

23 28-1177. Off-highway vehicle user fee; indicia; registration;
24 state trust land recreational permit; exception

25 A. A person shall not operate or allow the operation of an
26 all-terrain vehicle or an off-highway vehicle in this state without either
27 a resident or nonresident off-highway vehicle user indicia issued by the
28 department if the all-terrain vehicle or off-highway vehicle meets both of
29 the following criteria:

30 1. Is designed by the manufacturer primarily for travel over
31 unimproved terrain.

32 2. Has an unladen weight of ~~two~~ THREE thousand five hundred pounds
33 or less.

34 B. A person shall apply to the department of transportation for a
35 resident or nonresident off-highway vehicle user indicia by submitting an
36 application prescribed by the department of transportation and a user fee
37 for the indicia in an amount to be determined by the director of the
38 department of transportation in cooperation with the director of the
39 Arizona game and fish department and the Arizona state parks board. The
40 resident or nonresident off-highway vehicle user indicia is valid for one
41 year ~~from~~ AFTER the date of issuance and may be renewed. The department OF
42 TRANSPORTATION shall prescribe by rule the design and placement of the
43 indicia.

1 C. When a person pays for a resident off-highway vehicle user
2 indicia pursuant to this section, the person may request a motor vehicle
3 registration if the vehicle meets all equipment requirements to be
4 operated on a highway pursuant to article 16 of this chapter. If a person
5 submits a signed affidavit to the department affirming that the vehicle
6 meets all of the equipment requirements for highway use and that the
7 vehicle will be operated primarily off of highways, the department shall
8 register the vehicle for highway use and the vehicle owner is not required
9 to pay the registration fee prescribed in section 28-2003. This
10 subsection does not apply to vehicles that as produced by the manufacturer
11 meet the equipment requirements to be operated on a highway pursuant to
12 article 16 of this chapter.

13 D. The director shall deposit, pursuant to sections 35-146 and
14 35-147, ~~seventy percent of the user fees collected pursuant to this~~
15 ~~section in the off-highway vehicle recreation fund established by section~~
16 ~~28-1176 and thirty percent of the user fees collected pursuant to this~~
17 ~~section in the Arizona highway user revenue fund.~~ FROM EACH USER FEE
18 COLLECTED PURSUANT TO THIS SECTION AS FOLLOWS:

19 1. BEGINNING FROM AND AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO
20 THIS SECTION, \$7.50 IN THE ARIZONA HIGHWAY USER REVENUE FUND AND THE
21 REMAINING MONIES IN THE OFF-HIGHWAY VEHICLE RECREATION FUND ESTABLISHED BY
22 SECTION 28-1176.

23 2. BEGINNING FROM AND AFTER DECEMBER 31, 2027, \$5 IN THE ARIZONA
24 HIGHWAY USER REVENUE FUND, \$2.50 IN THE OFF-HIGHWAY VEHICLE MITIGATION
25 FUND ESTABLISHED BY SECTION 28-1182 AND THE REMAINING MONIES IN THE
26 OFF-HIGHWAY VEHICLE RECREATION FUND ESTABLISHED BY SECTION 28-1176.

27 3. BEGINNING FROM AND AFTER DECEMBER 31, 2028, \$2.50 IN THE ARIZONA
28 HIGHWAY USER REVENUE FUND, \$5 IN THE OFF-HIGHWAY VEHICLE MITIGATION FUND
29 ESTABLISHED BY SECTION 28-1182 AND THE REMAINING MONIES IN THE OFF-HIGHWAY
30 VEHICLE RECREATION FUND ESTABLISHED BY SECTION 28-1176.

31 4. BEGINNING FROM AND AFTER DECEMBER 31, 2029, \$7.50 IN THE
32 OFF-HIGHWAY VEHICLE MITIGATION FUND ESTABLISHED BY SECTION 28-1182 AND THE
33 REMAINING MONIES IN THE OFF-HIGHWAY VEHICLE RECREATION FUND ESTABLISHED BY
34 SECTION 28-1176.

35 E. The Arizona game and fish department may provide for the
36 purchase of nonresident off-highway vehicle user indicia and may impose an
37 additional service fee in an amount to be determined by the Arizona game
38 and fish commission by rule. The Arizona game and fish department shall
39 deposit, pursuant to sections 35-146 and 35-147, the service fees
40 collected pursuant to this subsection in the game and fish fund
41 established by section 17-261.

42 F. An occupant of an off-highway vehicle with a resident or
43 nonresident off-highway vehicle user indicia issued pursuant to this
44 section who crosses state trust lands must comply with all of the rules
45 and requirements under a state trust land recreational permit. All

1 occupants of an off-highway vehicle with a resident or nonresident
2 off-highway vehicle user indicia shall obtain a state trust land
3 recreational permit from the state land department for all other
4 authorized recreational activities on state trust land.

5 G. This section does not apply to off-highway vehicles, all-terrain
6 vehicles or off-road recreational motor vehicles that are used off-highway
7 exclusively for agricultural, ranching, construction, mining, mining
8 exploration or building trade purposes.

9 H. In consultation with the department of transportation, the
10 Arizona game and fish department may adopt rules necessary to implement
11 this section.

12 Sec. 4. Section 28-1179, Arizona Revised Statutes, is amended to
13 read:

14 28-1179. Off-highway vehicle equipment requirements: rule
15 making; exception

16 A. An off-highway vehicle in operation in this state shall be
17 equipped with all of the following:

18 1. Brakes adequate to control the movement of the vehicle and to
19 stop and hold the vehicle under normal operating conditions.

20 2. Lighted headlights and taillights that meet or exceed original
21 equipment manufacturer guidelines if operated between one-half hour after
22 sunset and one-half hour before sunrise.

23 3. Except when operating on a closed course, either a muffler or
24 other noise dissipative device that prevents sound above ninety-six
25 decibels. The director shall adopt the current sound measurement standard
26 of the society of automotive engineers for all-terrain vehicles and
27 motorcycles and the current sound measurement standard of the
28 international organization for standardization for all other off-highway
29 vehicles.

30 4. A spark arrestor device that is approved by the United States
31 department of agriculture and that is in constant operation except if
32 operating on a closed course.

33 5. A safety flag that is at least six by twelve inches and that is
34 attached to the off-highway vehicle at least eight feet above the surface
35 of level ground, if operated on sand dunes or in areas designated by the
36 managing agency.

37 B. A person who is under eighteen years of age may not operate an
38 off-highway vehicle or be an off-highway vehicle passenger on public or
39 state land unless the person is wearing a protective helmet that is
40 properly fitted and fastened, that is designed for motorized vehicle use
41 and that has a minimum United States department of transportation safety
42 rating.

1 C. A person may not allow a person who is under eighteen years of
2 age to operate an off-highway vehicle or be an off-highway vehicle
3 passenger in violation of subsection B of this section.

4 D. Subsections B and C of this section do not apply to a ~~child~~
5 PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE AND who is an off-highway
6 vehicle passenger if ~~both of the following occur:~~

7 ~~1. the child PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE is properly~~
8 secured in a child restraint system pursuant to section 28-907.

9 ~~2. The off-highway vehicle is equipped with a rollover protection~~
10 ~~system.~~

11 E. In consultation with the department, the Arizona game and fish
12 commission may:

13 1. Adopt rules necessary to implement this section.

14 2. Prescribe additional equipment requirements not in conflict with
15 federal laws.

16 F. This section does not apply to a private landowner or lessee
17 performing normal agricultural or ranching practices while operating an
18 all-terrain vehicle or an off-highway vehicle on the private or leased
19 land in accordance with the landowner's or lessee's lease.

20 Sec. 5. Title 28, chapter 3, article 20, Arizona Revised Statutes,
21 is amended by adding section 28-1182, to read:

22 28-1182. Off-highway vehicle mitigation fund

23 A. THE OFF-HIGHWAY VEHICLE MITIGATION FUND IS ESTABLISHED. THE
24 FUND CONSISTS OF:

25 1. MONIES APPROPRIATED BY THE LEGISLATURE.

26 2. MONIES DEPOSITED PURSUANT TO SECTION 28-1177.

27 B. THE ARIZONA STATE PARKS BOARD SHALL ADMINISTER THE FUND. MONIES
28 IN THE FUND ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE
29 PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS. THE
30 MONIES MAY BE USED SOLELY FOR THE FOLLOWING PURPOSES:

31 1. ENFORCEMENT OF OFF-HIGHWAY VEHICLE LAWS.

32 2. MITIGATION OF DAMAGES TO LAND.

33 3. REVEGETATION OF LAND.

34 4. REMEDIATION OF LAND OR PROPERTY.

35 5. THE PREVENTION AND RESTORATION OF DAMAGES TO NATURAL AND
36 CULTURAL RESOURCES, INCLUDING THE CLOSURE OF EXISTING ACCESS ROADS,
37 OFF-HIGHWAY VEHICLE USE AREAS AND OFF-HIGHWAY VEHICLE ROUTES AND TRAILS.

38 C. ON NOTICE FROM THE ARIZONA STATE PARKS BOARD, THE STATE
39 TREASURER SHALL INVEST AND DIVEST MONIES IN THE FUND AS PROVIDED BY
40 SECTION 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE CREDITED TO THE
41 FUND.

1 Sec. 6. Section 28-5801, Arizona Revised Statutes, is amended to
2 read:

3 28-5801. Vehicle license tax rate; definitions

4 A. At the time of application for and before registration each year
5 of a vehicle, the registering officer shall collect the vehicle license
6 tax imposed by article IX, section 11, Constitution of Arizona. On the
7 taxpayer's vehicle license tax bill, the registering officer shall provide
8 the taxpayer with information showing the amount of the vehicle license
9 tax that each category of recipient will receive and the amount that is
10 owed by the taxpayer.

11 B. Except as provided in subsections C, D, ~~and~~ E AND F of this
12 section:

13 1. During the first twelve months of the life of a vehicle as
14 determined by its initial registration, the vehicle license tax is based
15 on each \$100 in value, the value of the vehicle is sixty percent of the
16 manufacturer's base retail price of the vehicle and the vehicle license
17 tax rate for each of the recipients is as follows:

18 (a) The rate for the Arizona highway user revenue fund is \$1.26.

19 (b) The rate for the county general fund is \$.69.

20 (c) The rate for counties for any purposes related to
21 transportation, as determined by the board of supervisors, is \$.16.

22 (d) The rate for incorporated cities and towns is \$.69.

23 2. During each succeeding twelve-month period, the vehicle license
24 tax is based on each \$100 in value, the value of the vehicle is 16.25
25 percent less than the value for the preceding twelve-month period and the
26 vehicle license tax rate for each of the recipients is as follows:

27 (a) The rate for the Arizona highway user revenue fund is \$1.30.

28 (b) The rate for the county general fund is \$.71.

29 (c) The rate for counties for the same use as highway user revenue
30 fund monies is \$.17.

31 (d) The rate for incorporated cities and towns is \$.71.

32 3. The minimum amount of the vehicle license tax computed under
33 this section is \$10 per year for each vehicle that is subject to the tax.
34 If the product of all of the rates prescribed in paragraph 1 or 2 of this
35 subsection is less than \$10, the vehicle license tax is \$10. The vehicle
36 license tax collected pursuant to this paragraph shall be distributed to
37 the recipients prescribed in this subsection based on the percentage of
38 each recipient's rate to the sum of all of the rates.

39 C. The vehicle license tax is as follows for noncommercial trailers
40 that are not travel trailers and that are ten thousand pounds or less
41 declared gross weight:

42 1. On initial registration, a onetime vehicle license tax of \$105.

43 2. On renewal of registration, a onetime vehicle license tax of
44 \$70.

1 D. The vehicle license tax is as follows for a trailer or
2 semitrailer that is not a travel trailer and that exceeds ten thousand
3 pounds declared gross weight:

4 1. On initial registration, a onetime vehicle license tax of \$555.

5 2. On renewal of registration or if previously registered in
6 another state, a onetime vehicle license tax of:

7 (a) If the trailer's or semitrailer's model year is less than six
8 years old, \$355.

9 (b) If the trailer's or semitrailer's model year is at least six
10 years old, \$100.

11 ~~E. The vehicle license tax for an all-terrain vehicle or~~
12 ~~off-highway vehicle as defined in section 28-1171 is \$3 if the all-terrain~~
13 ~~vehicle or off-highway vehicle meets both of the following criteria:~~

14 ~~1. is designed by the manufacturer primarily for travel over~~
15 ~~unimproved terrain.~~

16 ~~2. Has an unladen weight of two thousand five hundred pounds or~~
17 ~~less.~~

18 E. FOR AN ALL-TERRAIN VEHICLE OR AN OFF-HIGHWAY VEHICLE THAT WAS
19 REGISTERED IN THIS STATE BEFORE JANUARY 1, 2026 AND THAT HAS AN UNLADEN
20 WEIGHT OF TWO THOUSAND FIVE HUNDRED POUNDS OR LESS, THE VEHICLE LICENSE
21 TAX IS \$3 IF THE REGISTRATION IS A RENEWAL BY THE SAME PERSON FOR THE SAME
22 VEHICLE. IF THE VEHICLE IS SOLD OR TRANSFERRED, SUBSECTION F OF THIS
23 SECTION APPLIES.

24 F. FOR AN ALL-TERRAIN VEHICLE OR AN OFF-HIGHWAY VEHICLE THAT IS
25 INITIALLY REGISTERED ON AND AFTER JANUARY 1, 2027 AND THAT IS DESIGNATED
26 AS PRIMARILY OFF-HIGHWAY WITH OCCASIONAL ON-HIGHWAY USE, THE VEHICLE
27 LICENSE TAX IS DETERMINED AS FOLLOWS:

28 1. FOR THE FIRST TWELVE MONTHS OF THE LIFE OF THE ALL-TERRAIN
29 VEHICLE OR OFF-HIGHWAY VEHICLE, AS DETERMINED BY ITS INITIAL REGISTRATION,
30 THE VEHICLE LICENSE TAX IS BASED ON EACH \$100 IN VALUE, THE VEHICLE
31 LICENSE TAX IS ELEVEN PERCENT OF THE MANUFACTURER'S BASE RETAIL PRICE OF
32 THE ALL-TERRAIN VEHICLE OR OFF-HIGHWAY VEHICLE AND THE VEHICLE LICENSE TAX
33 RATE FOR EACH OF THE RECIPIENTS IS AS FOLLOWS:

34 (a) THE RATE FOR THE ARIZONA HIGHWAY USER REVENUE FUND IS \$1.26.

35 (b) THE RATE FOR THE COUNTY GENERAL FUND IS \$.69.

36 (c) THE RATE FOR COUNTIES FOR ANY PURPOSES RELATED TO
37 TRANSPORTATION, AS DETERMINED BY THE BOARD OF SUPERVISORS, IS \$.16.

38 (d) THE RATE FOR INCORPORATED CITIES AND TOWNS IS \$.69.

39 2. FOR EACH SUCCEEDING TWELVE-MONTH PERIOD, THE VEHICLE LICENSE TAX
40 IS 16.25 PERCENT LESS THAN THE CALCULATED MANUFACTURER'S BASE RETAIL PRICE
41 FOR THE PRECEDING TWELVE-MONTH PERIOD AND THE VEHICLE LICENSE TAX RATE FOR
42 EACH OF THE RECIPIENTS IS AS FOLLOWS:

43 (a) THE RATE FOR THE ARIZONA HIGHWAY USER REVENUE FUND IS \$1.30.

44 (b) THE RATE FOR THE COUNTY GENERAL FUND IS \$.71.

1 (c) THE RATE FOR COUNTIES FOR THE SAME USE AS HIGHWAY USER REVENUE
2 FUND MONIES IS \$.17.

3 (d) THE RATE FOR INCORPORATED CITIES AND TOWNS IS \$.71.

4 3. THE MINIMUM AMOUNT OF THE VEHICLE LICENSE TAX COMPUTED UNDER
5 THIS SUBSECTION IS \$3 PER YEAR FOR EACH ALL-TERRAIN VEHICLE OR OFF-HIGHWAY
6 VEHICLE THAT IS SUBJECT TO THE TAX. IF THE PRODUCT OF ALL OF THE RATES
7 PRESCRIBED IN PARAGRAPH 1 OR 2 OF THIS SUBSECTION IS LESS THAN \$3, THE
8 VEHICLE LICENSE TAX IS \$3. THE VEHICLE LICENSE TAX COLLECTED PURSUANT TO
9 THIS PARAGRAPH SHALL BE DISTRIBUTED TO THE RECIPIENTS PRESCRIBED IN THIS
10 SUBSECTION BASED ON THE PERCENTAGE OF EACH RECIPIENT'S RATE TO THE SUM OF
11 ALL RATES.

12 ~~F.~~ G. The vehicle license tax collected pursuant to subsection C,
13 D or E of this section shall be distributed to the recipients prescribed
14 in subsection B of this section based on the percentage of each
15 recipient's rate to the sum of all of the rates.

16 ~~G.~~ H. For the purposes of this section:

17 1. "Declared gross weight" has the same meaning prescribed in
18 section 28-5431.

19 2. "Travel trailer" has the same meaning prescribed in section
20 28-2003.