

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 131
HOUSE BILL 2027

AN ACT

AMENDING SECTION 28-2416, ARIZONA REVISED STATUTES; RELATING TO SPECIAL
LICENSE PLATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-2416, Arizona Revised Statutes, is amended to
3 read:

4 28-2416. Alternative fuel vehicle special plates; stickers;
5 use of high occupancy vehicle lanes; definition

6 A. A person who owns a motor vehicle that has either been converted
7 or manufactured to use an alternative fuel as the vehicle's exclusive fuel
8 source and that is incapable of operating on any other type of fuel and
9 the alternative fuel was subject to the use fuel tax imposed pursuant to
10 chapter 16 of this title before April 1, 1997 shall apply for alternative
11 fuel vehicle special plates pursuant to this section.

12 B. The department shall issue alternative fuel vehicle special
13 plates, or an alternative fuel vehicle sticker as provided in subsection D
14 of this section, to a person who satisfies all of the following:

15 1. Owns a motor vehicle that is exclusively powered by an
16 alternative fuel and that is incapable of operating on any other type of
17 fuel.

18 2. Provides proof as follows:

19 (a) For an original equipment manufactured alternative fuel
20 vehicle, the dealer who sells the motor vehicle shall provide to the
21 department of transportation and the owner of the motor vehicle a
22 certificate indicating:

23 (i) That the motor vehicle is exclusively powered by an alternative
24 fuel and is incapable of operating on any other type of fuel.

25 (ii) The emission classification of the motor vehicle as low,
26 inherently low, ultralow or zero.

27 (b) For a converted motor vehicle or a motor vehicle that is
28 assembled by the owner, the department of environmental quality or an
29 agent of the department of environmental quality shall provide a
30 certificate to the department of transportation and the owner of the motor
31 vehicle indicating that the motor vehicle is exclusively powered by an
32 alternative fuel and is incapable of operating on any other type of fuel.

33 3. Pays an eight dollar special plate administration fee, except
34 that vehicles that are registered pursuant to section 28-2511 are exempt
35 from that fee. The department shall deposit, pursuant to sections 35-146
36 and 35-147, all special plate administration fees in the state highway
37 fund established by section 28-6991.

38 C. The color and design of the alternative fuel vehicle special
39 plates are subject to the approval of the governor's energy office. The
40 director may allow a request for alternative fuel vehicle special plates
41 to be combined with a request for personalized special plates. If the
42 director allows such a combination, the request shall be in a form
43 prescribed by the director and is subject to the fees for the personalized
44 special plates in addition to the fees required for alternative fuel
45 vehicle special plates. Alternative fuel vehicle special plates are not

1 transferable, except that if the director allows alternative fuel vehicle
2 special plates to be personalized a person who is issued personalized
3 alternative fuel vehicle special plates may transfer those plates to
4 another alternative fuel vehicle for which the person is the registered
5 owner or lessee.

6 D. If a motor vehicle qualifies pursuant to this section and any
7 other special plates are issued pursuant to article 7, 8 or 13 of this
8 chapter or section 28-2414 OR 28-2514 for the motor vehicle, the
9 department may issue an alternative fuel vehicle sticker to the person who
10 owns the motor vehicle. The alternative fuel vehicle sticker shall be
11 diamond-shaped, shall indicate the type of alternative fuel used by the
12 vehicle and shall be placed on the motor vehicle as prescribed by the
13 department.

14 E. Except as provided in section 28-337, a person may drive a motor
15 vehicle with alternative fuel vehicle special plates or an alternative
16 fuel vehicle sticker in high occupancy vehicle lanes at any time,
17 regardless of occupancy level, without penalty.

18 F. A person shall not drive a motor vehicle in a high occupancy
19 vehicle lane with an alternative fuel vehicle sticker if the motor vehicle
20 is not an alternative fuel vehicle for which an alternative fuel vehicle
21 sticker has been issued pursuant to this section. A person who violates
22 this subsection is subject to a civil penalty of three hundred fifty
23 dollars. Notwithstanding section 28-1554, the civil penalty collected
24 pursuant to this subsection shall be deposited in the state general fund.

25 G. For the purposes of section 28-337, the department shall:

26 1. Limit or suspend the issuance of alternative fuel vehicle
27 special plates.

28 2. Remove the privilege of operating in the high occupancy vehicle
29 lane with a single occupant, including the driver.

30 H. If the department publishes maps of the state highway system
31 that are distributed to the general public, the department shall indicate
32 on those maps the approximate location of alternative fuel delivery
33 facilities that are open to the public.

34 I. For the purposes of this section, "alternative fuel" has the
35 same meaning prescribed in section 1-215.

APPROVED BY THE GOVERNOR APRIL 5, 2018.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 5, 2018.