

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 102
HOUSE BILL 2439

AN ACT

AMENDING SECTIONS 28-7058 AND 28-7059, ARIZONA REVISED STATUTES; RELATING
TO HIGHWAY REST AREAS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-7058, Arizona Revised Statutes, is amended to
3 read:

4 28-7058. Privatization of rest areas: state certified rest
5 area program; program termination; definitions

6 A. The department may:

7 1. Privatize any rest area constructed on or adjacent to state
8 highways in this state on or after September 26, 2008. Any agreement
9 between the department and a person for privatization under this section
10 shall include a provision that:

11 (a) Prohibits the person from charging any fees for the use of a
12 lavatory.

13 (b) Requires the person to provide an adequate outdoor picnic area
14 to be available to the public at no charge.

15 2. Establish a state certified rest area program that meets the
16 requirements established by the federal highway administration pursuant to
17 Public Law 109-59, section 1310.

18 3. Contract with a third party or other government entity to
19 certify and recertify rest areas for the state certified rest area
20 program.

21 B. The state certified rest area program established pursuant to
22 this section ends on July 1, ~~2019~~ 2027 pursuant to section 41-3102.

23 C. For the purposes of this section:

24 1. "Population" means the population determined in the most recent
25 United States decennial census or in the most recent special census as
26 provided in section 28-6532.

27 2. "State certified rest area" means a privately owned facility
28 that is both of the following:

29 (a) Certified by this state or a third party to meet the
30 requirements established by the federal highway administration pursuant to
31 Public Law 109-59, section 1310 and at a minimum offers all of the
32 following:

33 (i) Fuel and food to the public.

34 (ii) Twenty-four hour access to restrooms.

35 (iii) Parking for automobiles and heavy trucks.

36 (b) Located outside of the public right-of-way and outside of an
37 urbanized area with a population of one hundred thousand or more persons.

38 3. "Urbanized area" means an urbanized area as defined in the
39 decennial census by the United States bureau of the census.

40 Sec. 2. Section 28-7059, Arizona Revised Statutes, is amended to
41 read:

42 28-7059. Rest area sponsorship sign program; revenue sharing
43 agreement; program termination

44 A. The department may establish a rest area sponsorship sign
45 program. Notwithstanding sections 28-648, 28-7048 and 28-7053, the

1 department may contract with a third party to install, maintain and
2 replace rest area sponsorship signs at rest areas located in the public
3 right-of-way of the interstate or state highway system. The third party
4 shall agree in the contract to lease sponsor recognition space and to
5 furnish, install, maintain and replace signs for the benefit of business
6 or organizational sponsors.

7 B. Costs incurred under the program shall be paid under agreements
8 negotiated between the third party and the business or organizational
9 sponsors.

10 C. The department may enter into a revenue sharing agreement with
11 the third party. The department shall deposit, pursuant to sections
12 35-146 and 35-147, all monies received from the revenue sharing agreement
13 in a subaccount of the state highway fund for the purpose of rest area
14 maintenance, operations and repairs.

15 D. The rest area sponsorship sign program established pursuant to
16 this section ends on July 1, ~~2019~~ 2027 pursuant to section 41-3102.

17 Sec. 3. Retroactivity

18 This act applies retroactively to from and after June 30, 2019.

APPROVED BY THE GOVERNOR APRIL 17, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2019.