

REFERENCE TITLE: fuel; electric cars; hybrids; taxes

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HB 2899

Introduced by
Representatives Campbell: Bowers, Fernandez, Friese, Pierce, Thorpe,
Senators Bradley, Fann

AN ACT

AMENDING TITLE 3, CHAPTER 19, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 3-3438; AMENDING TITLE 28, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-308; AMENDING TITLE 28, CHAPTER 16, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 28-5606.01 AND 28-5606.02; AMENDING SECTION 28-6533, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 18, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-6535; RELATING TO HIGHWAY USER REVENUES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 3, chapter 19, article 3, Arizona Revised
3 Statutes, is amended by adding section 3-3438, to read:

4 3-3438. Standards; retail dispensing; natural gas

5 A. WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE EFFECTIVE DATE OF THIS
6 SECTION, THE DIVISION SHALL ADOPT RULES REQUIRING THE RETAIL SALE OF
7 COMPRESSED NATURAL GAS AND LIQUEFIED NATURAL GAS THAT ARE USED AS A MOTOR
8 VEHICLE FUEL TO BE DISPENSED IN THE MANNER PRESCRIBED IN THIS SECTION.

9 B. COMPRESSED NATURAL GAS SHALL BE DISPENSED EITHER IN GASOLINE
10 GALLON EQUIVALENT UNITS OR DIESEL GALLON EQUIVALENT UNITS. A GASOLINE
11 GALLON EQUIVALENT OF COMPRESSED NATURAL GAS SHALL INITIALLY BE SET AT
12 5.660 POUNDS AND SHALL REMAIN AT THAT LEVEL UNLESS CHANGED PURSUANT TO
13 RULE. A DIESEL GALLON EQUIVALENT OF COMPRESSED NATURAL GAS SHALL
14 INITIALLY BE SET AT 6.384 POUNDS AND SHALL REMAIN AT THAT LEVEL UNLESS
15 CHANGED PURSUANT TO RULE.

16 C. LIQUEFIED NATURAL GAS SHALL BE DISPENSED IN DIESEL GALLON
17 EQUIVALENT UNITS. A DIESEL GALLON EQUIVALENT OF LIQUEFIED NATURAL GAS
18 SHALL INITIALLY BE SET AT 6.059 POUNDS AND SHALL REMAIN AT THIS LEVEL
19 UNLESS CHANGED PURSUANT TO RULE.

20 D. TAXES IMPOSED ON COMPRESSED NATURAL GAS AND LIQUEFIED NATURAL
21 GAS ARE PRESUMED TO BE DIRECT TAXES ON THE CONSUMER OR USER BUT SHALL BE
22 COLLECTED AND REMITTED TO THE DEPARTMENT OF TRANSPORTATION BY SUPPLIERS
23 FOR THE PURPOSE OF CONVENIENCE AND FACILITY ONLY. COMPRESSED NATURAL GAS
24 AND LIQUEFIED NATURAL GAS TAXES THAT A SUPPLIER COLLECTS AND PAYS TO THE
25 DEPARTMENT OF TRANSPORTATION ARE CONSIDERED TO BE ADVANCE PAYMENTS, SHALL
26 BE ADDED TO THE PRICE OF COMPRESSED NATURAL GAS AND LIQUEFIED NATURAL GAS
27 AND SHALL BE RECOVERED FROM THE CONSUMER.

28 E. THE DIVISION SHALL ESTABLISH PROCEDURES TO CARRY OUT THIS
29 SECTION. BEFORE MAKING NECESSARY REVISIONS RESULTING FROM CHANGES IN THE
30 ENERGY CONTENTS OF MOTOR FUELS, INCLUDING COMPRESSED NATURAL GAS OR
31 LIQUEFIED NATURAL GAS, THE DIVISION SHALL TAKE INTO CONSIDERATION WHETHER
32 THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY PRESCRIBES STANDARDS
33 FOR DISPENSING COMPRESSED NATURAL GAS AND LIQUEFIED NATURAL GAS AND
34 WHETHER THOSE STANDARDS USE DIFFERENT VALUES FOR GASOLINE GALLON
35 EQUIVALENT AND DIESEL GALLON EQUIVALENT UNITS OR ALLOW SALES IN DIFFERENT
36 UNITS. IF THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY DEVELOPS OR
37 ADOPTS DIFFERENT STANDARDS THAN PRESCRIBED BY SUBSECTION B OF THIS SECTION
38 FOR GASOLINE GALLON EQUIVALENT AND DIESEL GALLON EQUIVALENT UNITS, THE
39 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY STANDARDS SHALL BE ADOPTED
40 FOR THIS STATE UNLESS GOOD CAUSE IS SHOWN OTHERWISE.

1 Sec. 2. Title 28, chapter 2, article 1, Arizona Revised Statutes,
2 is amended by adding section 28-308, to read:

3 28-308. Periodic plan and review of road use fees; potential
4 termination of road use fees

5 A. THE STATE TRANSPORTATION BOARD, IN CONSULTATION WITH COUNTY AND
6 MUNICIPAL GOVERNMENTS, AND REGIONAL TRANSPORTATION PLANNING AGENCIES SHALL
7 IMMEDIATELY DEVELOP A COMPREHENSIVE PLAN FOR THE USE OF ANTICIPATED MONIES
8 IN THE ARIZONA ROAD USE ACCOUNT ESTABLISHED BY SECTION 28-6535 OVER THE
9 NEXT TWENTY YEARS.

10 B. PERIODICALLY, BUT NOT LESS FREQUENTLY THAN EVERY FIVE YEARS, THE
11 STATE TRANSPORTATION BOARD, IN CONSULTATION WITH COUNTY AND CITY
12 GOVERNMENTS, AND REGIONAL TRANSPORTATION PLANNING AGENCIES SHALL UPDATE
13 THE PRIOR COMPREHENSIVE PLAN FOR THE USE OF ANTICIPATED MONIES IN THE
14 ARIZONA ROAD USE ACCOUNT OVER THE NEXT TWENTY YEARS. THE PLAN SHALL
15 INCLUDE SPECIFIC PROPOSED PROJECTS FOR CONSTRUCTING, PRESERVING AND
16 MAINTAINING STREETS, ROADS AND HIGHWAYS IN THIS STATE TO BE FUNDED FROM
17 THE ARIZONA ROAD USE ACCOUNT.

18 C. THE STATE TRANSPORTATION BOARD AND REGIONAL PLANNING AGENCIES
19 SHALL SUBMIT THE PLAN TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE
20 SPEAKER OF THE HOUSE OF REPRESENTATIVES AND PROVIDE A COPY OF THE PLAN TO
21 THE SECRETARY OF STATE. THE PRESIDENT OF THE SENATE AND THE SPEAKER OF
22 THE HOUSE OF REPRESENTATIVES SHALL DIRECT THE APPROPRIATE STANDING
23 COMMITTEES TO REVIEW THE PLAN AND CONDUCT THOROUGH PUBLIC HEARINGS ON THE
24 PLAN AND THE PROPOSED SPECIFIC PLANS AND PROJECTS IN THE PLAN.

25 D. AFTER REVIEW OF THE PLAN AND THE PUBLIC HEARINGS ON THE PLAN,
26 THE APPROPRIATE STANDING LEGISLATIVE COMMITTEES MAY RECOMMEND THE
27 TERMINATION OF ALL FEES AND OTHER CHARGES IMPOSED BY SECTION 28-5606.01 OR
28 28-5606.02 THAT PROVIDE MONIES FOR THE ARIZONA ROAD USE ACCOUNT AND THE
29 REPEAL OF THE ACCOUNT.

30 Sec. 3. Title 28, chapter 16, article 1, Arizona Revised Statutes,
31 is amended by adding sections 28-5606.01 and 28-5606.02, to read:

32 28-5606.01. Imposition of additional motor fuel taxes:
33 conditional enactment

34 A. IN ADDITION TO THE TAXES IMPOSED BY SECTION 28-5606, SUBSECTION
35 A, THE FOLLOWING TAXES SHALL BE IMPOSED AT THE RATES PROVIDED IN THIS
36 SECTION IN THE SAME MANNER AS THE TAXES IMPOSED BY SECTION 28-5606,
37 SUBSECTION A:

38 1. FOR MOTOR VEHICLE FUEL, THE RATE PER GALLON IS:

39 (a) FOR FISCAL YEAR 2020-2021, \$.24.

40 (b) FOR FISCAL YEAR 2021-2022, \$.30.

41 (c) FOR FISCAL YEAR 2022-2023, \$.36.

42 (d) FOR FISCAL YEAR 2023-2024 AND EACH YEAR THEREAFTER, THE RATE
43 PRESCRIBED IN SUBDIVISION (c) OF THIS PARAGRAPH SHALL BE ADJUSTED ANNUALLY
44 TO REFLECT THE CHANGE IN THE GROSS DOMESTIC PRODUCT IMPLICIT PRICE

1 DEFLATOR REPORTED BY THE UNITED STATES DEPARTMENT OF COMMERCE FROM JANUARY
2 1, 2020 TO DECEMBER 31 OF THE PRIOR YEAR.

3 2. FOR NATURAL GAS, THE RATE PER GASOLINE GALLON EQUIVALENT IS:

4 (a) FOR FISCAL YEAR 2020-2021, \$.24.

5 (b) FOR FISCAL YEAR 2021-2022, \$.30.

6 (c) FOR FISCAL YEAR 2022-2023, \$.36.

7 (d) FOR FISCAL YEAR 2023-2024 AND EACH YEAR THEREAFTER, THE RATE
8 PRESCRIBED IN SUBDIVISION (c) OF THIS PARAGRAPH SHALL BE ADJUSTED ANNUALLY
9 TO REFLECT THE CHANGE IN THE GROSS DOMESTIC PRODUCT IMPLICIT PRICE
10 DEFLATOR REPORTED BY THE UNITED STATES DEPARTMENT OF COMMERCE FROM JANUARY
11 1, 2020 TO DECEMBER 31 OF THE PRIOR YEAR.

12 3. FOR PROPANE, THE RATE PER GALLON IS:

13 (a) FOR FISCAL YEAR 2020-2021, \$.18.

14 (b) FOR FISCAL YEAR 2021-2022, \$.23.

15 (c) FOR FISCAL YEAR 2022-2023, \$.28.

16 (d) FOR FISCAL YEAR 2023-2024 AND EACH YEAR THEREAFTER, THE RATE
17 PRESCRIBED IN SUBDIVISION (c) OF THIS PARAGRAPH SHALL BE ADJUSTED ANNUALLY
18 TO REFLECT THE CHANGE IN THE GROSS DOMESTIC PRODUCT IMPLICIT PRICE
19 DEFLATOR REPORTED BY THE UNITED STATES DEPARTMENT OF COMMERCE FROM JANUARY
20 1, 2020 TO DECEMBER 31 OF THE PRIOR YEAR.

21 4. FOR ELECTRICITY, THE RATE PER KILOWATT IS:

22 (a) FOR FISCAL YEAR 2020-2021, \$.02.

23 (b) FOR FISCAL YEAR 2021-2022, \$.02.

24 (c) FOR FISCAL YEAR 2022-2023, \$.03.

25 (d) FOR FISCAL YEAR 2023-2024 AND EACH YEAR THEREAFTER, THE RATE
26 PRESCRIBED IN SUBDIVISION (c) OF THIS PARAGRAPH SHALL BE ADJUSTED ANNUALLY
27 TO REFLECT THE CHANGE IN THE GROSS DOMESTIC PRODUCT IMPLICIT PRICE
28 DEFLATOR REPORTED BY THE UNITED STATES DEPARTMENT OF COMMERCE FROM JANUARY
29 1, 2020 TO DECEMBER 31 OF THE PRIOR YEAR.

30 B. IN ADDITION TO THE TAXES IMPOSED BY SECTION 28-5606, SUBSECTION
31 B, THE FOLLOWING TAXES SHALL BE IMPOSED AT THE RATES PROVIDED IN THIS
32 SECTION IN THE SAME MANNER AS THE TAXES IMPOSED BY SECTION 28-5606,
33 SUBSECTION B:

34 1. FOR LIGHT CLASS MOTOR VEHICLES, AT THE SAME RATE AND IN THE SAME
35 MANNER AS PRESCRIBED IN SUBSECTION A OF THIS SECTION.

36 2. FOR USE CLASS MOTOR VEHICLES, AT THE FOLLOWING RATES:

37 (a) FOR USE FUEL, THE RATE PER GALLON IS:

38 (i) FOR FISCAL YEAR 2020-2021, \$.32.

39 (ii) FOR FISCAL YEAR 2021-2022, \$.38.

40 (iii) FOR FISCAL YEAR 2022-2023, \$.44.

41 (iv) FOR FISCAL YEAR 2023-2024 AND EACH YEAR THEREAFTER, THE RATE
42 PRESCRIBED IN ITEM (iii) OF THIS SUBDIVISION SHALL BE ADJUSTED ANNUALLY TO
43 REFLECT THE CHANGE IN THE GROSS DOMESTIC PRODUCT IMPLICIT PRICE DEFLATOR
44 REPORTED BY THE UNITED STATES DEPARTMENT OF COMMERCE FROM JANUARY 1, 2020
45 TO DECEMBER 31 OF THE PRIOR YEAR.

1 (b) FOR NATURAL GAS, THE RATE PER DIESEL GALLON EQUIVALENT IS:
2 (i) FOR FISCAL YEAR 2020-2021, \$32.
3 (ii) FOR FISCAL YEAR 2021-2022, \$38.
4 (iii) FOR FISCAL YEAR 2022-2023, \$44.
5 (iv) FOR FISCAL YEAR 2023-2024 AND EACH YEAR THEREAFTER, THE RATE
6 PRESCRIBED IN ITEM (iii) OF THIS SUBDIVISION SHALL BE ADJUSTED ANNUALLY TO
7 REFLECT THE CHANGE IN THE GROSS DOMESTIC PRODUCT IMPLICIT PRICE DEFLATOR
8 REPORTED BY THE UNITED STATES DEPARTMENT OF COMMERCE FROM JANUARY 1, 2020
9 TO DECEMBER 31 OF THE PRIOR YEAR.

10 (c) FOR PROPANE, THE RATE PER GALLON IS:
11 (i) FOR FISCAL YEAR 2020-2021, \$22.
12 (ii) FOR FISCAL YEAR 2021-2022, \$26.
13 (iii) FOR FISCAL YEAR 2022-2023, \$30.
14 (iv) FOR FISCAL YEAR 2023-2024 AND EACH YEAR THEREAFTER, THE RATE
15 PRESCRIBED IN ITEM (iii) OF THIS SUBDIVISION SHALL BE ADJUSTED TO REFLECT
16 THE CHANGE IN THE GROSS DOMESTIC PRODUCT IMPLICIT PRICE DEFLATOR REPORTED
17 BY THE UNITED STATES DEPARTMENT OF COMMERCE FROM JANUARY 1, 2020 TO
18 DECEMBER 31 OF THE PRIOR YEAR.

19 (d) FOR ELECTRICITY, THE RATE PER KILOWATT IS:
20 (i) FOR FISCAL YEAR 2020-2021, \$.02.
21 (ii) FOR FISCAL YEAR 2021-2022, \$.02.
22 (iii) FOR FISCAL YEAR 2022-2023, \$.03.
23 (iv) FOR FISCAL YEAR 2023-2024 AND EACH YEAR THEREAFTER, THE RATE
24 PRESCRIBED IN ITEM (iii) OF THIS SUBDIVISION SHALL BE ADJUSTED TO REFLECT
25 THE CHANGE IN THE GROSS DOMESTIC PRODUCT IMPLICIT PRICE DEFLATOR REPORTED
26 BY THE UNITED STATES DEPARTMENT OF COMMERCE FROM JANUARY 1, 2020 TO
27 DECEMBER 31 OF THE PRIOR YEAR.

28 C. THIS SECTION IS EFFECTIVE ONLY IF SECTION 28-5606.02 IS
29 REPEALED.

30 ~~28-5606.02.~~ Electric and hybrid vehicles tax
31 IN ADDITION TO ALL OTHER TAXES PROVIDED BY LAW, A TAX IS IMPOSED ON
32 A VEHICLE THAT ACCESSES A STREET OR HIGHWAY AND THAT IS PROPELLED BY
33 ELECTRICITY OR BY A COMBINATION OF ELECTRICITY AND ANY FUEL THAT IS TAXED
34 PURSUANT TO SECTION 28-5606 AS FOLLOWS:

35 1. FOR A VEHICLE THAT IS PROPELLED ONLY BY ELECTRICITY:
36 (a) FOR FISCAL YEAR 2020-2021, \$111 PER YEAR.
37 (b) FOR FISCAL YEAR 2021-2022, \$139 PER YEAR.
38 (c) FOR FISCAL YEAR 2022-2023, \$166 PER YEAR.
39 (d) FOR FISCAL YEAR 2023-2024 AND IN EACH FISCAL YEAR THEREAFTER,
40 THE RATE PROVIDED IN SUBDIVISION (c) OF THIS PARAGRAPH SHALL BE ADJUSTED
41 ANNUALLY TO REFLECT THE CHANGE IN THE GROSS DOMESTIC PRODUCT IMPLICIT
42 PRICE DEFLATOR REPORTED BY THE UNITED STATES DEPARTMENT OF COMMERCE FROM
43 JANUARY 1, 2020 TO DECEMBER 31 OF THE PRIOR YEAR.

2. FOR A VEHICLE THAT IS PROPELLED BY A COMBINATION OF ELECTRICITY AND OTHER FUELS:

(a) FOR FISCAL YEAR 2020-2021, \$45 PER YEAR.

(b) FOR FISCAL YEAR 2021-2022, \$56 PER YEAR.

(c) FOR FISCAL YEAR 2022-2023, \$67 PER YEAR.

(d) FOR FISCAL YEAR 2023-2024 AND IN EACH FISCAL YEAR THEREAFTER, THE RATE PROVIDED IN SUBDIVISION (c) OF THIS PARAGRAPH SHALL BE ADJUSTED ANNUALLY TO REFLECT THE CHANGE IN THE GROSS DOMESTIC PRODUCT IMPLICIT PRICE DEFLATOR REPORTED BY THE UNITED STATES DEPARTMENT OF COMMERCE FROM JANUARY 1, 2020 TO DECEMBER 31 OF THE PRIOR YEAR.

Sec. 4. Section 28-6533, Arizona Revised Statutes, is amended to read:

28-6533. Arizona highway user revenue fund; reports

A. The officer collecting all highway user revenues, as defined in section 28-6501 and in article IX, section 14, Constitution of Arizona, and all fees, penalties and fines collected under sections 28-1101, 28-1103, 28-1105 and 28-1521 shall transfer the revenues to the department. After the deduction of all exemptions and refunds and after taking actions required under subsection C of this section, the department shall immediately deposit, pursuant to sections 35-146 and 35-147, the revenues in a fund designated as the Arizona highway user revenue fund EXCEPT THAT THE REVENUES COLLECTED PURSUANT TO SECTION 28-5606.01 OR 28-5606.02 SHALL BE DEPOSITED IN THE ARIZONA ROAD USE ACCOUNT ESTABLISHED BY SECTION 28-6535.

B. The revenues in the Arizona highway user revenue fund shall only be spent for the purposes prescribed in article IX, section 14, Constitution of Arizona. Counties and incorporated cities and towns shall not spend highway user revenue fund monies distributed to them pursuant to this article for enforcement of traffic laws or administration of traffic safety programs. If the auditor general reports to the state treasurer after conducting a performance audit pursuant to section 41-1279.03, subsection A, paragraph 7 that a jurisdiction has not used revenues as required by this subsection, the state treasurer shall withhold the noncomplying jurisdiction's revenues until the noncomplying jurisdiction presents evidence that is satisfactory to the auditor general and that shows that the jurisdiction has spent monies for purposes prescribed in this subsection from another general revenue source equal to the amount of the revenues diverted from the uses prescribed in this subsection.

C. If there is any default, the department shall deduct all amounts required by law or any resolution authorizing the issuance of bonds of the board to be placed in the principal funds, interest funds, reserve funds or sinking funds or any other funds established to service bonds issued or to be issued by the board before the revenues are deposited in the Arizona highway user revenue fund.

1 D. A county receiving monies pursuant to section 28-6538 shall
2 publish an annual financial report for the prior fiscal year of funds
3 received from motor vehicle fuel and use fuel taxes. The financial report
4 shall contain budgeted and actual expenditures for the preceding fiscal
5 year and shall be prepared and distributed by December 31 by the county.

6 Sec. 5. Title 28, chapter 18, article 2, Arizona Revised Statutes,
7 is amended by adding section 28-6535, to read:

8 28-6535. Arizona road use account

9 A. THE ARIZONA ROAD USE ACCOUNT IS ESTABLISHED IN THE ARIZONA
10 HIGHWAY USER REVENUE FUND. THE DEPARTMENT SHALL ADMINISTER THE ACCOUNT.
11 MONIES IN THE ACCOUNT ARE CONTINUOUSLY APPROPRIATED.

12 B. MONIES IN THE ACCOUNT SHALL BE DERIVED FROM:

13 1. FEES AND OTHER CHARGES ON FUELS OR ANY OTHER ENERGY SOURCE USED
14 FOR THE PROPULSION OF VEHICLES ON THE PUBLIC STREETS, ROADS AND HIGHWAYS
15 IN THIS STATE IMPOSED BY SECTION 28-5606.01 OR 28-5606.02.

16 2. ANY OTHER MONIES APPROPRIATED BY THE LEGISLATURE.

17 C. MONIES IN THE ACCOUNT SHALL BE USED EXCLUSIVELY FOR MAINTAINING,
18 PRESERVING AND CONSTRUCTING STREETS, ROAD AND HIGHWAYS AND ADMINISTERING
19 SUCH ACTIVITIES. MONIES IN THE ACCOUNT MAY NOT BE USED FOR ANY LAW
20 ENFORCEMENT ACTIVITIES, EXCEPT ENFORCEMENT OF VEHICLE WEIGHT AND VEHICLE
21 SAFETY LAWS BY THE DEPARTMENT.

22 D. THE DEPARTMENT SHALL MONTHLY RELEASE MONIES IN THE ACCOUNT TO
23 THE GENERAL ARIZONA HIGHWAY USER REVENUE FUND AND THESE MONIES SHALL BE
24 DISTRIBUTED IN THE SAME MANNER AS OTHER MONIES IN THAT FUND EXCEPT THAT
25 MONIES FROM THE ARIZONA ROAD USE ACCOUNT:

26 1. MAY NOT BE USED FOR THE ECONOMIC STRENGTH PROJECT FUND PURSUANT
27 TO SECTION 28-6534 OR FOR HIGHWAY PATROL COSTS PURSUANT TO SECTION
28 28-6537.

29 2. SHALL BE DISTRIBUTED EXCLUSIVELY TO THE DEPARTMENT, COUNTIES AND
30 CITIES IN THE SAME MANNER AS OTHER MONIES IN THE ARIZONA HIGHWAY USER
31 REVENUE FUND PURSUANT TO THIS ARTICLE.

32 Sec. 6. Electric and hybrid vehicles tax report: delayed
33 repeal

34 A. The department of transportation shall study the feasibility of
35 converting from a flat tax rate for electric vehicles to a kilowatt per
36 mile, or egallon, as defined by the United States department of energy,
37 tax rate or equivalent. On or before December 31, 2025, the department of
38 transportation shall submit a report to the governor, the president of the
39 senate and the speaker of the house of representatives and provide a copy
40 of this report to the secretary of state. The report shall outline the
41 effectiveness of the electric and hybrid vehicles tax established in
42 section 28-5606.02, Arizona Revised Statutes, as added by this act. The
43 department of transportation shall consult with representatives from the
44 electric car industry, a statewide trucking association, an international
45 registration plan, an international fuel tax agreement and other relevant

1 stakeholders in developing the report. The report shall include any
2 proposed legislation that may be required to implement the recommendations
3 of the department of transportation.

4 B. This section is repealed from and after December 31, 2025.

5 Sec. 7. Legislative findings

6 The Legislature finds that:

7 1. Arizona's street, road and highway maintenance, preservation and
8 construction are significantly underfunded. Statewide road use fees for
9 Arizona's streets, roads and highways have not been significantly
10 increased since the early 1980s, except for a \$.01 increase in the fuel
11 taxes in 1991.

12 2. The maintenance backlog for the cities, towns and counties and
13 state highway system deficit is tens of billions of dollars and is
14 increasing by more than \$1,000,000,000 per year.

15 3. Arizona's economy and people rely on a safe, efficient and
16 adequate statewide network of streets, roads and highways. Without
17 long-term, ongoing funding, that system is in jeopardy and with it this
18 state's future.

19 Sec. 8. Requirements for enactment; two-thirds vote

20 Pursuant to article IX, section 22, Constitution of Arizona, this
21 act is effective only on the affirmative vote of at least two-thirds of
22 the members of each house of the legislature and is effective immediately
23 on the signature of the governor or, if the governor vetoes this act, on
24 the subsequent affirmative vote of at least three-fourths of the members
25 of each house of the legislature.